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NGĂ MĂNUKANUKA O TE Windemapier.govt.nz (MĂORI COMMITTEE) Open Agenda

Meeting Date:	Friday 8 April 2022
Time:	9.00am
Venue:	Large Exhibition Hall War Memorial Centre Marine Parade Napier
	If the New Zealand Covid Trafficlight setting prevents an in-person meeting it will be via Audio Visual Link
	Livestreamed via Council's Facebook site
Committee Members	Ngāti Pārau Hapū Trust – Chad Tareha (Chair) Maungaharuru-Tangitū Trust – Robbie Paul Maraenui & Districts Māori Committee – Waitiria Greekz Māngai ā-Hapori – Rapihana Te Kaha Hawaikirangi Mayor Kirsten Wise Deputy Mayor Annette Brosnan Councillor Maxine Boag Councillor Keith Price Mana Ahuriri Trust – (Vacant) Te Taiwhenua o Te Whanganui-a-Orotū – (Vacant) Pukemokimoki Marae – (Vacant)
Officer Responsible	Pou Whakarae (Mōrehu Te Tomo)
Administration	Governance Team
	Next Ngā Mānukanuka o te lwi (Māori Committee)Meeting Friday 20 May 2022

ORDER OF BUSINESS

Karakia

Apologies

Conflicts of interest

Public forum

Nil

Announcements by the Chairperson

Announcements by the management

Confirmation of minutes

Updates from Partner Entities

Ngāti Pārau Hapū Trust – Chad Tareha Maraenui and Districts Māori Committee – Waitiria Greekz Napier City Council – Mayor Kirsten Wise Maungaharuru-Tangitū Trust – Robbie Paul

Updates from Māngai-ā-Hapori

Rapihana Te Kaha Hawaikirangi

Updates from Council Pou Whakarae

Mōrehu Te Tomo

Agenda items

Nil

Reports from Standing Committees

Reports from Napier People and Places Committee held 17 March 2022

1	The Meke Meter Initiative - funding support <i>Decision of Council</i> 4
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Reports from Prosperous Napier Committee held 17 March 2022

1	Quarterly report for the six months ended 31 December 2021	73
2	Hawke's Bay Airport Limited Interim Report for the six months ended 31 December	
	2021	.165
3	Hawke's Bay Airport Limited - Draft Statement of Intent 2022/23	.186

Reports from Sustainable Napier Committee held 24 March 2022

1	Integrated Trade Waste and Wastewater Bylaw: Consultation Proposal Decision of	
	Council	.210
2	Water Supply Bylaw Statement of Proposal Decision of Council	.314
3	Report on Three Waters Reform Programme	.353
4	Decorative Paving Shop Entrance Policy	.360
5	Capital Programme Delivery	.363
6	Lease of Reserve - Danish Delight	.370

Reports from Future Napier Committee held 24 March 2022

1	Resource Consent Activity Update	.373
2	Dog Control Bylaw and Policy Statement of Proposal	.377

General business

Whakamutunga Karakia

REPORTS FROM STANDING COMMITTEES

NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) RECOMMENDATION

That the Ngā Mānukanuka o te lwi (Māori Committee) Recommendations arising from the discussion of the Committee reports be submitted to the Council meeting for consideration.

REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 17 MARCH 2022

1. THE MEKE METER INITIATIVE - FUNDING SUPPORT

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1431458
Reporting Officer/s & Unit:	Belinda McLeod, Community Funding Advisor

1.1 Purpose of Report

To seek approval for Council to apply for funding from the Eastern and Central Community Trust (ECCT) on behalf of L W Confederation Ltd who operate the mobile fitness POD under the Meke Initiative project.

Committee's recommendation

Councillors Crown / Mawson

The Napier People and Places Committee:

- a) Make a **DECISION OF COUNCIL** under delegated authority to enable the funding application to Eastern & Central Community Trust to be submitted and processed this financial year.
- Approve an external funding application of \$25,000, to Eastern & Central Community Trust on behalf of L W Confederation Ltd to assist with the lease of the mobile fitness container and trainer costs.

Carried

1.2 Background Summary

The Meke Initiative is made up of three kaupapa together – The POD, Patu and the Meke Meter (an app) with the POD acting as the venue to deliver Patu and the Meke Meter.

The POD fitness centre is based in a specifically designed mobile shipping container offering free gym sessions and wellbeing support to people of all ages and abilities in the local community. Council provided funding to support the POD, initially through COVID-19 Recovery funding. Towards the end of this funding we brought together local funders and agencies for a discussion to facilitate an integrated investment approach to ensure the ongoing delivery of this initiative in Maraenui. The Hawke's Bay District Health Board were the first contribute to this collaborative approach with Council acting as the funding conduit.

1.3 Issues

L W Confederation Ltd, who provide the initiative, led by Levi Armstrong, are not registered as a charitable trust, and therefore they are unable to obtain funding from many community funding streams. ECCT have indicated strong support for the initiative and have suggested Council apply for a grant as a funding conduit. The company is working towards establishing a Charitable Trust to enable it to apply for community based funding directly in the future.

1.4 Significance and Engagement

This is an operational matter not requiring consultation.

1.5 Implications

Financial

There are no financial impacts as any grant received would be transferred directly to L W Confederation Ltd. A record of the grant would be included in Council's annual report, noting the transfer. Accountability requirements for any funding obtained from ECCT will be monitored and delivered by Council's Community Funding Advisor.

Social & Policy

This initiative started in Maraenui in the summer of 2021, and continues to have strong attendance more than 12 months later. The format has resonated within the community and has broken down barriers to participation to exercise and wellbeing programmes, specifically cost and access.

The initiative is the subject of a research project for Levi's Masters Degree, which has been supervised by EIT Hawke's Bay. Initial findings demonstrate the significant benefits the POD has had for individuals, whānau and the community as a whole. It is so successful that other regions have requested the POD be moved to their communities.

In addition, the location of the POD has provided a level of oversight of the surrounding area and has commanded the respect of the community with very few incidences of vandalism.

Broader outcomes have been achieved by participants who have moved into tertiary study and employment. Four participants undertook Sports and Recreation qualifications through EIT, with EIT considering delivering future programmes from its Maraenui campus. One graduate, is now a trainer for the POD, delivering daily programmes.

Risk

Funding from ECCT will provide an additional investment to support the continuation and expansion of this project. Should funding levels be low, the project may be placed in jeopardy.

1.6 Options

The options available to Council are as follows:

- a. To approve that a funding application is made on behalf of L W Confederation Ltd to Eastern & Central Community Trust of \$25,000 for the Meke Initiative
- b. Do not approve that a funding application is made on behalf of L W Confederation Ltd to Eastern and Central Community Trust to support the Meke Initiative.

1.7 Development of Preferred Option

Seeking funding from Eastern & Central Community Trust in 2022 will sustain the project and allow for growth while also allowing time to set up a registered Charitable Trust.

At the Meeting

The Officer spoke to the report and in support of the funding application by L W Confederation Ltd. The application has been submitted provisionally to the ECCT but confirmation is pending sign off by Council today.

In response to questions from the Committee it was clarified:

- L W Confederation Ltd are seeking Charitable Trust status to enable it to apply for community based funding directly in the future.
- As the fund holder there is an element of risk to Council, but it has been assessed as a low risk. The Council Community Funding Advisor will be monitoring the company's progress, and its ability to meet the target outcomes in its funding application.
- Council has been a fund holder for a number of organisations previously as those organisations have worked towards having registered Charitable Trust status.

ACTION: Council to invite Levi Armstrong and his team to present to Council on the Meke Initiative midway through the project when reporting to ECCT would be required.

1.8 Attachments

Nil

2. NAPIER SOCIAL MONITOR REPORT 2021

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1385225
Reporting Officer/s & Unit:	Michele Grigg, Senior Advisor Policy

2.1 Purpose of Report

To provide an overview of the findings from the 2021 Napier Social Monitor report.

Committee's recommendation

Councillors Tapine / Mawson

The Napier People and Places Committee:

a. Receive the Napier Social Monitor report 2021.

Carried

2.2 Background Summary

A Social Monitor survey has been commissioned by Napier City Council since 1998. In 2019, the Social Monitor was reviewed to reflect more appropriately the re-instated role of local government in improving and monitoring community wellbeing. The survey is undertaken annually by SIL Research.

This report presents an overview of findings from the 2021 Social Monitor and implications for Council.

1.2.1 Survey purpose and objectives

The purpose of the Social Monitor is to provide information to inform the development of policies and initiatives to enhance social wellbeing in Napier. The 2021 Monitor (refer questionnaire in **Appendix A**) measures:

- Quality of life, including the impact of Covid-19
- Community mental wellbeing and health status
- Social connections and neighbourhoods
- Diversity
- Safety
- Accessibility
- Emergency management
- Climate change perceptions.

The 2021 Monitor includes new questions about safety, diversity and inclusion, and climate change views and behaviours. These form a baseline of data collection to inform planned Council work programmes.

The 2021 Monitor also includes high-level questions about the impact of Covid-19 on the wellbeing of residents. These replicate questions from Council's Covid-19 Wellbeing Survey (conducted June 2020) and the 2020 Monitor (conducted August/September 2020).

Note that the Social Monitor differs from the quarterly Napier City Council Residents Satisfaction and Service Delivery survey, which focuses on seeking feedback from residents about Council services and facilities.

1.2.2 Methodology and data analysis

Data collection occurred between 13 August and 27 September 2021. A similar sampling approach was used as for the 2020 survey, to ensure proportional representation of respondents from each of the four electoral wards, by age and gender. The 2021 Monitor also focused on achieving a higher response from residents identifying as Māori, which was achieved.

Mixed method data collection included: telephone surveys, social media links to the online survey, email invitations through Council's Community Network (community groups and organisations) and community panel ('Peoples Panel'), and postal survey forms to 500 randomly selected households.

Four days into data collection a national Alert Level 4 lockdown was announced in response to community cases of the Covid-19 Delta variant. In Napier the Level 4 lockdown was lifted and Level 3 introduced on 31 August 2021, followed by a move to Level 2 on 7 September 2021. At each stage, data collection activities for the Monitor were modified to meet alert level requirements.

The 2021 Monitor achieved a total of 610 responses from residents aged 18 and over (increased from 450 in 2020). This sample size provides for accurate reporting at the 95% confidence level.

Responses were statistically weighted. Weighting ensures that specific demographic groups are neither under nor over-represented in the final data set and that each group is represented as it would be in the population. Only statistically significant differences are commented on in the report (at the 95% confidence level). Where differences are not significantly different, no comment is made.

1.2.3 Summary of findings

The Social Monitor report **(Attachment B)** presents the full findings from the survey. It makes comparisons to the 2019 and 2020 Social Monitors, and to the 2020 Covid-19 Wellbeing Survey, 2020 Community Safety Survey and 2020 Hawke's Bay Regional Council Climate Change Survey where applicable. It also presents findings for population sub-groups where these are of significance.

Presented below is a high-level summary of findings from the report.

Overall life in Napier

- Seven out of 10 residents (70%) rate their **quality of life** in Napier as 'good' or 'very good'. A similar proportion see themselves as continuing to live in Napier for the next five years (71%).
- These measures are both lower than in 2020 but are similar to the 2019 Monitor.

- Nelson Park ward residents were least likely to find their life in Napier 'good' or 'very good' (59%).
- In 2021, fewer 18-39 year olds considered staying in Napier for the next five years

 this group of residents tended to report lower levels of perceived safety,
 community connections, neighbourhood satisfaction, and mental wellbeing.
- Overall perceptions of life in Napier are associated with multiple factors, however safety perceptions exhibit the strongest connection.

Safety

- Safety perceptions are low compared to the 2020 and earlier Monitors. They have recovered slightly however from levels recorded in the Community Safety Survey in March 2021.
- 56% of residents **feel safe** in Napier. This is higher than the 45% recorded in the Community Safety Survey but lower than the 2020 Social Monitor figure of 73%.
- Younger residents (18-39) feel least safe in 2021 (44%), reporting the greatest drop in perceived safety since 2020.
- Overall residents say they feel safer during the day (78%) and at home at night (64%), compared to walking alone in their neighbourhood after dark (32%) and going out at night in Napier (34%).
- One-third of residents **feel unsafe** (33%), down from 44% in March 2021 but up from 17% in 2020.
- The main reasons given for feeling unsafe are gang presence (59% of those who gave a reason) and their own personal experience or reports of crime (also 59%).
- The impact of **fear of crime** on everyday life rates as 5.0 out of 10 overall, down from 5.2 in March 2021 (0 = no impact, 10 = strong impact). This is higher amongst residents who feel unsafe (7.9) and 18-39 year olds (5.6).
- Half of residents (51%) report feeling less safe than 12 months earlier this is associated with higher perceptions of feeling less safe in the neighbourhood after dark and the CBD at night.
- Almost one-third (31%) state they, or a member of their household, have been the **victim of a crime** in the preceding 12 months. National data shows 29% of New Zealand adults reported a crime experience in 2020.

Diversity, community, and social connections

- 77% of people feel **accepted** by the community in their neighbourhood and 60% feel their community is **tolerant** of others similar to 2020.
- Māori (44%) and Nelson Park (53%) and Onekawa-Tamatea (49%) residents however, are less likely to believe people are tolerant of others.
- New diversity questions included in 2021 indicate that 71% of residents feel it is somewhat or very easy to **be themselves** in Napier (compared to 84% nationally, recorded in 2018).
- Under half (48%) of residents believe an increasing number of people with **different lifestyles and cultures** from different countries makes Napier a better place to live. One-third (33%) believe it makes no difference. Onekawa-Tamatea residents are the least likely to think diversity makes Napier a better place to live (37%).

- Almost half of residents (49%) say they have experienced or seen someone else experience **prejudice or intolerance** in the previous three months (most often associated with ethnicity). Seventeen percent have experienced this personally (the same as the national level, recorded in 2018). Māori and residents under 65 were more likely to report these experiences.
- Ethnicity was the most cited reason for perceived prejudice.
- The aggregate rating for **social connection** (78%) is consistent with the 2020 Monitor. More people in 2021 believe people in their community take care of, or provide help for, one another (68% in 2021, up from 62% in 2020).
- A supportive network of family and friends that can be counted on in times of trouble remains high (88%), which could be associated with the impact of Covid-19 and associated lockdowns.
- Similar proportions of residents say their **neighbourhood** has everything they need (69%) and they feel a sense of pride in their neighbourhood (68%). While these levels are the same as in 2020, the 2021 ratings are lower among Nelson Park and Onekawa-Tamatea residents, and people aged 18-39.
- Suggested improvements are identified for each ward and suburb, with many focusing on security, crime and safety. In Nelson Park and Onekawa-Tamatea wards, road safety improvements also rate highly.

Health, wellbeing and accessibility

- Almost three-quarters of residents (72%) report they are in good health, similar to 2020 (70%).
- This is reflected in the **Mental Wellbeing Index** a measure of indicative psychological distress which recorded a moderate score of 10.2 (out of a maximum of 20). This measures levels of loneliness, worry about everyday problems, lack of interest in doing things, and feeling down the index has been consistent over the past three years.
- Residents aged 18-39 had a higher mental wellbeing score (12.3), indicating increased mental wellbeing vulnerability.
- Almost two-thirds of residents expressed concern about **Covid-19** (64%, up from 49% in 2020 but similar to the 61% recorded in June 2020). The level 4 lockdown announced during the fieldwork period is likely to have influenced this.
- Levels of concern were similar to a national survey conducted during September 2021 ('high' concern 33% nationally, 32% locally).
- Reported negative impacts of Covid-19 increased in 2021, to 64%.
- High levels of self-reported moderate-intensity physical activity continue 7.8 hours on average per week, which is higher than the minimum recommended guidelines.
- The average score for **accessibility** decreased to 55%, down from 60% in 2020. This is an aggregate measure of accessibility to facilities and ease of getting around. The main variable influencing the overall score was 'ease of getting around Napier' which measured a decline (80% in 2020, 72% in 2021).
- Of the 17% of residents who don't find it easy to get around, almost a third commented on a need to improve public transport services, and a further 30% on traffic management to improve accessibility. This is consistent with previous years.

Climate change

- New questions in the 2021 Monitor indicate 57% of residents are concerned about the **impacts of climate change** in Napier.
- Concern was highest amongst female residents and those living in the Ahuriri ward.
- Sea level rise was named by residents as the main negative outcome of climate change in Napier (33%), followed by the threat of flooding and high rainfall (21%).
- A 2020 survey conducted by Hawke's Bay Regional Council measured concern amongst Napier residents at 65%, compared to 52% amongst Hawke's Bay residents as a whole.
- Almost all residents named at least one **environmental activity** they have been involved in the past 12 months; 6 out of 10 named five activities or more.
- 90% of residents report minimising their waste by regularly recycling, 81% say they
 regularly use reusable products instead of plastic, and 73% installed household
 products to save energy. All self-reported environmental activities however have
 declined since the 2020 Hawke's Bay Regional Council survey.

2.3 Issues

The report indicates that the Covid-19 pandemic may be having a continued effect on public sentiment and general wellbeing. It is likely the August 2021 lockdown influenced survey results in particular, in addition to the November 2020 rainfall event. This is demonstrated through a decline in 2021 in overall quality of life (70%) and willingness to remain in Napier (71%).

Safety

While levels of overall safety increased slightly between the early 2021 Community Safety Survey (a specific safety survey) and this Monitor, perceptions of safety remain lower than previously recorded, but are trending upward. Safety perceptions have a large influence on the overall perceived quality of life ratings in the Monitor.

Specific population groups are identified as feeling less safe in certain situations in Napier. In particular, younger people (18-39 year olds) report feeling least safe in their neighbourhood, at home or going out. Females feel least safe in their neighbourhood or in the CBD after dark. Both Nelson Park and Onekawa-Tamatea ward residents exhibited greater fear of crime and greater sense of feeling unsafe in Napier, and are more likely to have experienced or reported a crime in the previous 12 months.

Efforts to improve safety in Napier include:

- Working with Police to determine joint priorities to enable coordination of resources and response through the development of Quick Response Plans. A large focus of the Plans is to increase visibility in suburbs where perceptions of community safety are low, customised to that community – plans have been developed for Marewa, Anderson Park, CBD and Westshore.
- Leading the Safer Napier safe communities coalition of over 50 government and community agencies working together to improve safety across a range of areas, including crime prevention. Safer Napier was successfully reaccredited in late 2021 and the coalition is now in the process of reviewing their three-year strategic plan.
- Continuing coordination of the Napier Safe Working Group (NCC and NZ Police)

- Developing the Napier Assist ambassador programme to improve safety in the CBD in the first instance, alongside an upgrade of the City's CCTV network
- Identifying safety improvements in each suburb in the rollout of community plans. A community plan framework is being developed. Following this, Council will work with the Pirimai community to prepare a plan for their area, followed by other communities over time.
- Funding innovative initiatives that aim to achieve improved long-term social outcomes, such as the POD and Meke Meter, Whānau Transformation, and Te Oranga Pumanawa's community services.

The 2022 Social Monitor will provide an early indication of the impact of these efforts, while recognising that it will take time before the combined effect may be seen.

Low levels of perceived safety amongst Onekawa/Tamatea residents highlights an opportunity for improvement. This area has previously been identified as a priority area for community funding and the Community Strategies team is looking at mobilising activity in this area. Information from the Monitor assists in further targeting and prioritising opportunities, including building on the work of other organisations (eg, Napier Neighbourhood Support) and encouraging community initiatives to improve perceptions in these suburbs.

Diversity, community, and social connections

Information on diversity and inclusion from the Social Monitor will inform preliminary work on developing a Multicultural Strategy for Napier. There is an opportunity to encourage more dialogue with residents on these issues, and in particular to work on increasing the proportion who see diversity as making Napier a better place to live (currently sitting at under half of residents).

Council is offering Treaty of Waitangi workshops to Napier residents as an opportunity to learn how the Treaty is relevant to all New Zealanders and the role it has in our community.

We also investigating opportunities for considering diversity within a broader context beyond ethnicity and culture to include for example, the Rainbow community, various religious groups, and residents new to Napier, to foster a more socially inclusive city.

Council works closing with community and residents' groups to support them in their role of strengthening the City.

Health, wellbeing and accessibility

While levels of physical activity in the community are reported to be high, there is clearly concern amongst residents about the impacts of Covid-19. These levels appear to mirror the national sentiment. There is an opportunity to seek more information about Covid-19 concerns and impacts in the 2022 Monitor. There are however positive findings about neighbours supporting each other in times of need which has increased over time. This provides added support for community groups and organisations working to build community connection, including for example Napier Neighbourhood Support.

In terms of accessibility, implementation of the Napier Disability Strategy is gathering momentum this financial year and into next. Council has received advice from stakeholders in the disability community to promote the various pieces of project work linked to the Strategy. A communications plan has been developed for this purpose and,

with the support of the Napier Disability Advisory Group as key stakeholders, we will be highlighting actions from the Strategy as they proceed.

The city-wide Napier Positive Ageing Strategy has a focus on health and wellbeing as one of its seven priority areas. An independently chaired Advisory Group has been established to develop and monitor roll out of an implementation plan.

Climate change

Findings have been shared with Council's Senior Policy Analyst – Climate Resilience. Information in the Monitor provides a basis for working with the community to increase awareness and understanding of the impacts of climate change, and an opportunity to work collectively in planning how the City will cope and respond to future change.

Council has a particular focus on improving the quality of Ahuriri Estuary and Napier's waterways. Establishment of the Ahuriri Regional Park will further contribute to improved environmental outcomes in this area.

The 2022 Monitor is likely to include similar questions to enable assessment of any changes in behaviour and awareness over time.

2.4 Significance and Engagement

A distribution plan has been prepared. This identifies sharing the report and key findings with:

- Council departments to inform ongoing planning and delivery of services
- The joint Council/NZ Police Napier Safe Working Group
- The Safer Napier Strategic Group, which includes representatives from agencies including Hawke's Bay District Health Board, Ministry of Social Development, New Zealand Police, ACC, Te Puni Kōkiri, Kāinga Ora, and a number of organisations who have a focus on community safety
- Napier Neighbourhood Support to inform and support their work in connecting neighbours
- Napier Youth Council for consideration in their work planning for 2022
- Council's Community Network, which includes a range of social service organisations and government agencies
- Residents' groups and associations
- Residents via Council's website (<u>www.napier.govt.nz/napier/community-development/social-monitor/</u>).

2.5 Implications

Financial

N/A

Social & Policy

Findings support the focus areas of the Safer Napier programme and service agreements held by Council with community organisations. They also assist with ongoing monitoring of implementation of Council's programmes and strategies and with tracking progress for key measures of wellbeing. New information collected in the 2021 Monitor will inform development of work plans. The survey will continue annually to enable tracking of trends over time. The 2022 Monitor will be conducted in August/September 2022.

Risk

N/A

2.6 Options

The options available to Council are as follows:

a. To receive the Napier Social Monitor report 2021.

2.7 Development of Preferred Option

N/A

At the Meeting

The Officer spoke to the report with the support of Dr Virgil Troy and Nataliya Rik from SIL Research.

In response to questions from the Committee it was clarified:

- In the health, wellbeing and accessibility section, all responses which referred to speeding traffic, burnouts, traffic noise and unsafe driving were combined into traffic management. In the appendix of the Social Monitor report there is more detail on this broken down by suburb.
- The public will be able to access the Social Monitor report (attached to the agenda of this meeting) on the Napier City Council (NCC) website and a copy will be distributed to key stakeholders. Some of the key measures in the report, such as wellbeing, will be included on the Pulse data dashboard, which is also available via the NCC website.
- The Social Monitor Questionnaire asks for residents perceptions, rather than actual usage numbers of things like public transport. These statistics can be gathered through other means. Hawke's Bay Regional Council willingly share the public transport usage data, for example.

2.8 Attachments

- 1 NCC Social Monitor Questionnaire 2021
- 2 NCC Social Monitor Report 2021

SOCIAL MONITOR 2021 QUESTIONNAIRE

Introduction

Thank you for your interest in our Social Monitor Survey.

This survey asks Napier citizens a series of questions about living in Napier. The findings from this survey will help inform policies and initiatives to enhance the social wellbeing of our community.

The survey is anonymous, and you won't be personally identified in any feedback or results presented. SIL Research is a Napier based research company and member of the Research Association of New Zealand; we strictly adhere to industry privacy and confidentiality practices.

At the end of this survey, you can opt-in to win 1 of 3 \$200 Prezzy cards.

Demographics

1. Firstly, we need to ensure we speak with a cross section of the community. Which of the following age groups do you fit into?

0	18-24	0	55-64
0	25-39	0	65+

- o 40-54
- 2. I am a... (please select your answer)
 - o Female
 - o Male
 - o Another gender

3. Which ethnic group(s) do you identify with (select all that apply)

- o New Zealand European o Niuean
- o Māori o Chinese
- o Samoan o Indian
- o Tongan

o Other (please specify)

Other (please specify)

o Private trust

0

4. Is the home where you live owned by someone who lives in the household, or is it rented? (please select your answer)

- o Owned
- o Rented
- o Refused
- 5. What suburb do you live in? (select from list)

6. How long have you lived in the Napier City Council area? (please select your answer)

o Less than 1 year

o Five years to just under 10 yearso 10 years or more

- o 1 year to just under 2 yearso 2 years to just under 5 years
- Z years to just under 5 years
 Which of the following best describes your household's annual income before tax? (please select your

answer)

- o \$20,000 or less
- o \$20,001-\$30,000
- o \$30,001-\$50,000
- o \$50,001-\$70,000

- o \$70,001-\$100,000
- o More than \$100,001
- o Declined
 - Social Monitor SIL Research | 1

Safety

8. Based on a scale from 0 (no impact), 1 (weak impact) to 10 (great impact), what impact, if any, has fear of crime had on your everyday life? (select one)

0	1	2	3	4	5	6	7	8	9	10

9. How often do you go out at night... (select one for each)

8.1 In your neighbourhood

8.2 Into the Napier city centre

- Do not go out at night at all
- Rarely (only one or two times a year)
- Monthly
- Two-three times a month
- Weekly
- Daily
- Other comments _____
- 10. When thinking about your safety, how much do you agree or disagree with the following? (please rate each)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
I feel safe going out during <u>the day</u> in Napier	1	2	3	4	5	6
I feel safe going out <u>at night</u> in Napier	1	2	3	4	5	6
I feel safe in my home alone <u>at night</u>	1	2	3	4	5	6
I feel safe walking alone in my neighbourhood <u>after dark</u>	1	2	3	4	5	6
I feel safe using public transport	1	2	3	4	5	6*
I feel safe when making online transactions	1	2	3	4	5	6
I feel safe in the Napier city centre <u>at night</u>	1	2	3	4	5	6
I feel safe in the Napier city centre <u>during the day</u>	1	2	3	4	5	6
I feel safe driving in Napier	1	2	3	4	5	6
Overall, I feel safe in Napier	1	2	3	4	5	6

* 6=1 do not use public transport

11. If [Agree/Disagree], You said you feel [safe/unsafe overall], why did you say that? (type in response)

- 12. Compared to 12 months ago, how do you now feel... (select one)
 - Definitely less safe
 - Somewhat less safe
 - About the same
 - Somewhat more safe
 - Definitely more safe
- 13. Have you or a member of your household been the victim of crime in the last 12 months?
 - Yes
 - No
 - Unsure
- 14. I would always report dangerous or suspicious activities occurring in my neighbourhood to the police (select one)
 - Strongly disagree
 - Somewhat disagree
 - Neither agree nor disagree
 - Somewhat agree
 - Strongly agree

Diversity

15. Thinking about the community you live in (that is, your local neighbourhood or suburb), how much do you agree or disagree with the following? (please rate each)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Everyone in Napier has a fair shot at a good life, regardless of ethnicity or race	1	2	3	4	5	6
People in my community are tolerant of others	1	2	3	4	5	6

- 16. People in NZ have different lifestyles, cultures and beliefs, that express who they are. How easy or hard is it for <u>you</u> to be yourself in Napier? (select one)
 - Very hard
 - Somewhat hard
 - Neither hard nor easy
 - Somewhat easy
 - Very easy
 - Unsure

- 17. Were you thinking of any of these things when you answered the previous question? (select all that apply)
 - Age
 - Skin colour
 - Dress/appearance
 - Race or ethnic group
 - Accent or language
 - Sexual orientation
 - None of the above
 - Or something else (please specify) _____
- 18. In the last three months, have you personally experienced, or seen someone else experience, prejudice or intolerance, being treated unfairly or excluded? (for example when online or out and about in Napier) (select one)
 - Yes myself
 - Yes someone else
 - Yes myself <u>and</u> someone else
 - No not experienced <u>or</u> seen this
 - Unsure
- 19. [If Yes], You mentioned you and/or someone else have experienced prejudice or intolerance. Was this because of... ? (select all that apply)
 - Gender
 - Age
 - Ethnicity
 - Physical health condition or impairment
 - Mental health condition
 - Religious beliefs
 - Sexual orientation
 - Or something else (please specify) ______
 - Prefer not to say
- 20. New Zealand is becoming home for an increasing number of people with different lifestyles and cultures from different countries. Overall, do you think this makes Napier... (select one)
 - A much worse place to live
 - A somewhat worse place to live
 - Makes no difference
 - A somewhat better place to live
 - A much better place to live
 - Not applicable, there are few or no different cultures and lifestyles here
 - Don't know

Social connections

21. Thinking again about your community, how much do you agree or disagree with the following? (please rate each)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
I know I have friends or relatives I can count on in times of trouble	1	2	3	4	5	6
People in my community take care of, or provide help for, one another	1	2	3	4	5	6
I know my closest neighbours by their first name	1	2	3	4	5	6

Neighbourhood

22. And thinking about your own neighbourhood, how much do you agree or disagree with the following? (please rate each)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
I feel that I am accepted by the community in my neighbourhood	1	2	3	4	5	6
My neighbourhood has everything I need	1	2	3	4	5	6
I feel a sense of pride with how my neighbourhood looks and feels	1	2	3	4	5	6

23. What one thing could improve your neighbourhood? _____

24. How much do you agree or disagree with the following? (please rate each)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
I am satisfied with councils' provision of Civil Defence delivery	1	2	3	4	5	6
Our community could cope after a major event or disaster	1	2	3	4	5	6

Health

25. How would you rate your personal health at the moment? (select one)

- o Extremely poor
- o Poor
- o Fair
- o Good
- o Very good
- 26. In a typical week, how many hours do you do moderate-intensity sports, fitness or recreational (leisure) activities (e.g. walking, gardening, swimming) _____ Please state your answer in hours per week (a rough estimate is fine).

27. In the past 6 months, how much do you agree or disagree with the following? (please rate each)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
I have felt down or depressed	1	2	3	4	5	6
I have had little interest or pleasure in doing things	1	2	3	4	5	6
I have worried a lot about everyday problems	1	2	3	4	5	6
I have felt lonely at least some of the time	1	2	3	4	5	6

Accessibility

28. How much do you agree or disagree with the following (please select your answer)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
It is easy to get around Napier	1	2	3	4	5	6

29. Why did you give this rating? _____

30. How much do you agree or disagree with the following (please rate each)

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Napier's facilities are easily accessible (e.g. have an accessible route into the building from the car parking area and footpath, facilities are well-signed, etc.)	1	2	3	4	5	6
Napier is a disability-friendly city (e.g. accessible buildings, public transport, even footpaths, etc.)	1	2	3	4	5	6

Climate change

- 31. Now thinking generally about environment and climate change, how concerned are you about the impact of climate change in Napier? (select one)
 - Not at all concerned
 - Not really concerned
 - In the middle
 - Somewhat concerned
 - Very concerned
- 32. What, if anything, do you think will be the most noticeable negative effects or impact of climate change in Napier? (type in your response)
- 33. Which of the following has the most harmful impact on climate change? (select all that apply)
 - Industry emissions and manufacturing
- Agriculture and farmingHorticulture

• Overconsumption

Social Monitor – SIL Research | 7

- Electricity and heat production
- Road Transport
- Air travel
- Too much waste
- Population growth

- Deforestation
- Natural processes
- Don't know
- None of them have an impact
- Or something else? _____

34. Which of the following things have you done in the past 12 months? (select all that apply)

- Minimised your waste by recycling regularly
- Minimised your waste by using a compost or similar system for food scraps
- Regularly used reusable products instead of plastic (e.g. bags, bottles, food storage)
- Installed household products to save energy (e.g. low-energy light bulbs or energy efficient appliances)
- Taken measures to conserve water at home
- Taken measures to reduce home energy use for air-conditioning, heating or lighting
- Regularly used biodegradable/eco-friendly household products (e.g. pesticides, cleaning products, toilet paper)
- Other (please specify)
- None of the above

Covid-19 situation

35. Thinking now about COVID-19, on a scale from 1 ('Not at all concerned') to 5 ('Extremely concerned'), how concerned, if at all, are you about the coronavirus/COVID-19 situation in New Zealand? (select one)

1 Not at all concerned	2	3	4	5 Extremely concerned
------------------------	---	---	---	-----------------------

36. Overall, what impact, if any, has the Covid-19 situation had on you or your family? (select one)

- o Very negative impact
- o Somewhat negative
- o No impact
- o Somewhat positive impact
- Very positive impact

General life and quality of life

37. On a scale from 1 ('Very poor') to 5 ('Very good'), how would you rate your overall life in Napier?

1	2	<u> </u>	A 1	[war (good
1-very poor	2-poor	3-in the middle	4-good	5-very good
				, ,

38. How much do you agree or disagree with the following?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
In the last 12 months, my overall quality of life has improved	1	2	3	4	5	6

39. What one thing could improve your life in Napier?

40. I see myself living in Napier for the next 5 years (select one)

- o Strongly disagree
- o Somewhat disagree
- o Neither agree nor disagree
- o Somewhat agree
- o Strongly agree

41. Would you like to go to the draw to win 1 of 3 \$200 Prezzy cards?

- No
- Yes (please provide your name and a phone number) _____

Thank you for completing the survey.

The survey is anonymous, and you won't be personally identified in any feedback or results presented. SIL Research is a Napier based research company and member of the Research Association of New Zealand; we strictly adhere to industry privacy and confidentiality practices.

If you would like to contact someone at Napier City Council regarding this survey, please contact Michele Grigg, Senior Advisor Policy, on 06 835 7579.

Napier City Council

SIL Research 2021 Social Monitor

November 2021





Contact: Dr Virgil Troy 06 834 1996 or virgiltroy@silresearch.co.nz

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2021 NAPIER CITY COUNCIL SOCIAL MONITOR - SIL RESEARCH | 3

EXECUTIVE SUMMARY

The purpose of this research is to inform policies and initiatives to enhance the social wellbeing of Napier's community.

Research was conducted between 13 August and 27 September 2021. A total of n=610 surveys were used in the final analysis.

- In 2021, the COVID-19 pandemic and associated restrictions or considerations may have a continued effect on public sentiment and general wellbeing. The most recent lockdown (in August 2021) resulted in increasing concern levels in the community (64%), exceeding the 2020 results.
- Other important events (such as flooding in November 2020, crime-related incidents) may have influenced community perceptions as well.
- As a result, overall community life (70%) and willingness to remain in Napier (71%) declined in 2021.
- The main area with a weakened performance in 2021 was perceived safety in Napier.
- The Social Index derived by summing scores from all questions (comparable to 2020) designed to evaluate residents' quality of life – was 66.2, a good level, but slightly down compared to 2020.

<u>Overall life in Napier:</u>

- 70% of residents rated their life in Napier from 'good' to 'very good' (79% in 2020), and fewer residents in 2021 (71%) than in 2020 (82%) saw themselves living in Napier in the next five years.
- Positive changes to improve safety perceptions have the potential to increase perceived quality of life in Napier.
- Overall, 37% of residents agreed their quality of life had improved in the past year, and 40% mentioned their quality of life remained unchanged (similar to 2020).

2 <u>Safety</u>:

- 56% of residents agreed they feel safe in Napier to some extent (up from 45% in March 2021, but down from 73% in 2020).
- 33% of residents felt unsafe in Napier.
- 6-in-10 residents who felt unsafe (and provided a comment) believed lack of safety was due to gang presence, and personal experiences of crime.
- Residents considered themselves somewhat safe during the day (77%) and at home at night (64%) compared to being outside after dark (32%).
- Half of residents (51%) reported feeling less safe in the past 12 months. This was associated with greater perceptions of feeling less safe in the neighbourhood after dark and CBD at night.



- Just under one-third (31%) reported that they, or a member of their household, had been the victim of crime in the last 12 months.
- 80% of residents said they would always report dangerous or suspicious activities occurring in their neighbourhood to the Police.
- The survey results suggest that safety perceptions could influence willingness to go out in Napier after dark.

Health and community mental wellbeing:

3

- 72% of residents believed they were personally in good health (similar to 70% in 2020).
- Residents continued to report a good level of moderateintensity activity (7.8 hours on average per week); this result was higher than minimum recommendations from the World Health Organization.
- The Mental Wellbeing Index a measure of indicative psychological distress - was moderate (10.2, maximum score = 20) and similar to 2020.

Community, social connections and diversity:

- Napier residents provided, on average, positive ratings in relation to social connections (78%, same as in 2020); however, the average score for accessibility declined (55%, down from 60% in 2020).
- The community's sense of diversity remained consistent in 2021.
- 7-in-10 residents (71%) believed it was 'somewhat' or 'very easy' to be themselves in Napier.

- 48% of residents believed an increasing number of people with different lifestyles and cultures make Napier a better place to live.
- However, still around half of residents (49%) reported experiencing or seeing someone else experiencing prejudice or intolerance (most often associated with ethnicity).

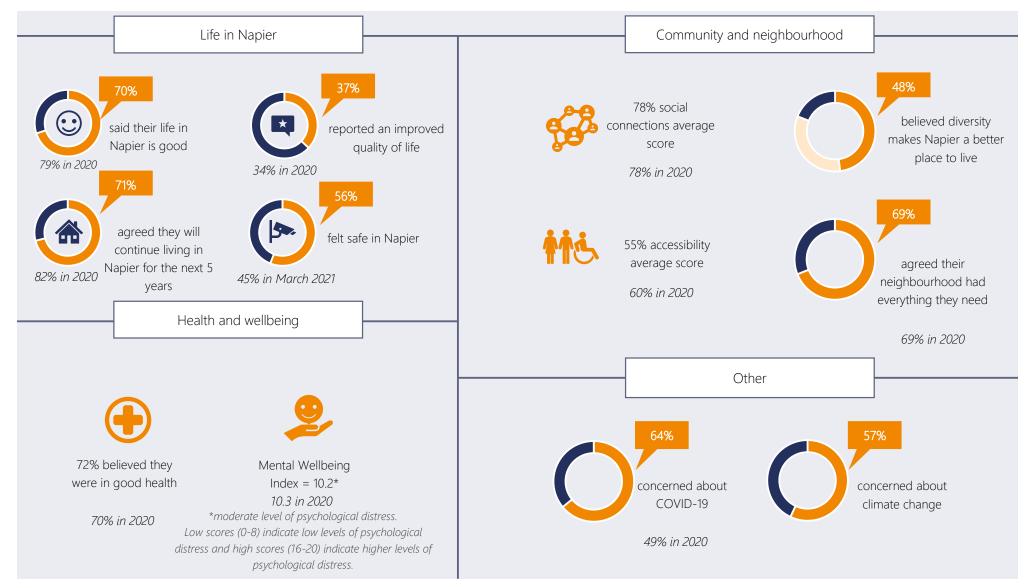
5 Other findings:

- Over two-thirds of residents believed their neighbourhood has everything they need (69%, same as in 2020) and felt a sense of pride with how their neighbourhood looks and feels (68%).
- 47% of residents were satisfied with Council's provision of Civil Defence (49% in 2020).

6 <u>Environment</u>:

- Overall, 57% of residents were concerned about the impacts of climate change in Napier.
- At the same time, almost all residents named at least one environmental activity they had been involved in the past 12 months; 6-in-10 residents named five activities or more.
- 90% of the Napier community reported minimising their waste by recycling regularly.

KEY HIGHLIGHTS



METHODOLOGY

BACKGROUND AND OBJECTIVES

As a part of their biennial work programme, Napier City Council (NCC) has commissioned a Social Monitor survey since 1998.

Since 2019, the Social Monitor survey has been conducted by SIL Research, an independent Market Research Company. The purpose of this research is to inform the Council's policies and initiatives to enhance the social wellbeing of Napier's community.



QUESTIONNAIRE AND PROJECT SPECIFICS

In 2019, SIL Research, together with NCC, developed a revised Social Monitor questionnaire based on work previously conducted for the Council. This survey was then repeated in 2020.

In 2021, the questionnaire was reviewed and included a number of new questions and topics:

- More in-depth questions about safety in Napier
- Community experiences: diversity, equity, and inclusion
- Updated questions about social connections and neighbourhood
- Climate change perceptions.

The 2021 survey continued to include questions related to COVID-19 to understand the impacts of COVID-19 on the wellbeing of the Napier community, and to monitor these results over time.

The questionnaire was tested prior to full-scale data collection to ensure the survey was fit for purpose.

SIL used a multi-layered sampling technique to ensure a proportional spread of respondents from each of Napier's four electoral wards, by age and gender distribution.

DATA COLLECTION

Research was conducted between 13 August and 27 September 2021.

Multiple data collection methods were utilised to ensure residents were wellrepresented. The mixed-methods approach included:

(1) Telephone survey. Respondents were randomly selected from the publicly available telephone directories;

(2) Social media (available via SIL Research social media platforms, such as Facebook). The invitation advertisement was randomly promoted to Napier residents;

(3) Online/web based (available via NCC's channels). The survey was available via NCC's Facebook.

(4) Email invitations for NCC's community groups and community panel.

(5) Postal survey forms. 500 forms were delivered to randomly selected households in Napier.

On 17 August 2021, the Alert Level 4 (and national lockdown) was announced in response to new community cases of the COVID-19 Delta variant. Following New Zealand Government recommendations, the data collection methods were reviewed and limited only to online and telephone interviewing methods to ensure safety of the Napier community. Postal surveys were distributed later, during the subsequent Alert Level 2.

In 2021, the total number of surveys used in the analysis was increased from n=450 to n=610.

DATA ANALYSIS

Surveys were conducted proportional to the population in each of Napier's wards, by age, gender and ethnicity. Post-stratification (weighting) was then applied to the full dataset to reflect age and gender group proportions within each ward as determined by the Statistics New Zealand 2018 Census.

Table 1 Responses by ward

	Number of responses	%
Ahuriri	110	18%
Nelson Park	168	28%
Onekawa-Tamatea	102	17%
Taradale	230	38%

SIL Research ensured quality control during the fieldwork period. In addition, quality control checks were performed using follow-up calls across randomly selected respondents (10% of those who agreed to the follow up) to verify the key responses.

Further checks included, but were not limited to, removal of incomplete responses and responses coming from outside of Napier.

The main resident demographic groups analysed in this report were: ward, suburb, age, gender, ethnicity, tenure, income and home ownership. During the analysis stage, Chi-square tests were used when comparing group results in tables. The threshold for reporting any statistically significant differences was a p-value of 0.05. Where differences were outside this threshold (less than 95%), no comments were made; where differences were within this threshold, comments have been made within the context of their practical relevance to NCC.

Using Statistics New Zealand population projections for the NCC catchment area, in general, a sample size of n=610 across approximately 47,400 residents aged 18 years and over allows for a 95% confidence level +/- 3.9% where residents are split 50/50 on any given issues, and a 95% confidence level +/- 3.2% where residents are split 80/20.

Where results are reported by sub-groups of residents, estimates of results may not be statistically reliable due to the higher margins of error (small sample sizes).

NOTES ON REPORTING

The current 2021 findings are compared to the 2019 and 2020 Social Monitors, 2021 Community Safety (March 2021) and 2020 Hawke's Bay Regional Council Climate Change surveys (where applicable).

New Zealand wide anecdotal comparison is provided (where applicable) using the following sources: New Zealand wellbeing survey (Statistics New Zealand), the New Zealand crime and victim survey (Ministry of Justice), COVID-19 survey (Perceptive), and wellbeing top line report from the nine larger Councils in New Zealand (Auckland, Hamilton, Tauranga, Porirua, Hutt City, Wellington, Christchurch and Dunedin). Due to questionnaire changes, some reported measures (e.g. average agreement score and social index) included new and/or updated statements and may not be directly comparable to 2019-2020 results.

The survey included several question statements about life in Napier; each question was rated using a 1-5 Likert scale (e.g. '*Strongly disagree*' to '*Strongly agree*'). Respondents were also provided with a '*Don't know*' option.

'Agree' percentages represent aggregated positive responses (ratings of 4-5).

Due to rounding, figures with percentages may not add to 100%. Reported percentages were calculated on actual results, not rounded values.

The term '*Resident*' has been used to represent respondents who participated in the survey.

WHO TOOK PART IN THE SURVEY

Table 1 Responses by age

	Frequency	Percent	Population %
18-39	194	31.7	31.6
40-64	257	42.1	42.2
65+	159	26.1	26.3
Total	610	100.	100.0

Table 2 Responses by gender

	Frequency	Percent	Population %
Female	320	52.5	52.8
Male	287	47.0	47.2
Another gender	3	0.5	-
Total	610	100.0	100.

Table 3 Responses by home ownership

	Frequency	Percent
Owned	475	77.9
Rented	105	17.1
Private trust	21	3.4
Other	8	1.3
I'd rather not say	1	0.2
Total	610	100.0

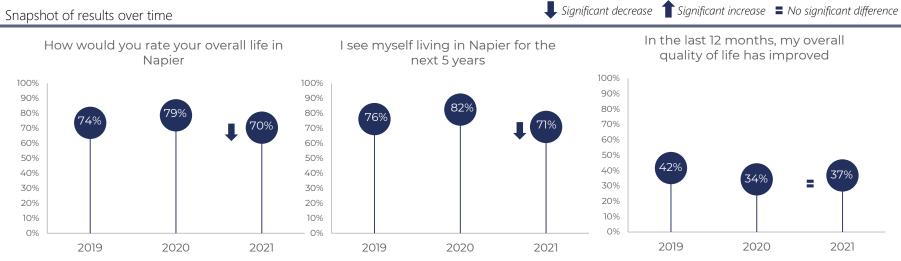
Table 4 Responses by ethnicity

	Frequency	Percent	Population %*
New Zealand European	440	72.1	82.7
Māori	109	17.9	17.4
Other	61	10.0	10.3
Total	610	100.0	*Multichoice

Table 5 Responses by aggregated time lived in Napier

	Frequency	Percent
Less than 10 years	215	35.2
More than 10 years	395	64.8
Total	610	100.0

Note: final dataset was statistically weighted to increase accuracy of the reported results. The results are representative of key demographic groups (age, gender, ethnicity and ward) for adults aged 18+. The target was based on 2018 New Zealand Census information. *Respondents can select more than one ethnic group; therefore, totals add to more than 100%.



- Overall perceptions of life in Napier remained moderately positive.
- Despite some variations over time, no linear trends (up or down) were observed in relation to overall life, quality of life and retention in Napier.
- Over one-third of residents agreed (37%) their quality of life improved in the last year; 40% (similar to 2020) felt their quality of life remained the same.
- Although fewer residents in 2021 rated their life from 'good' to 'very good' (70%), or saw themselves remaining in Napier in the next 5 years (71%), these results were on a par with 2019.

According to New Zealand Covid-19 and Wellbeing survey 2021, **75%** of New Zealanders were satisfied with their **life overall** (down compared to 81% in 2018).

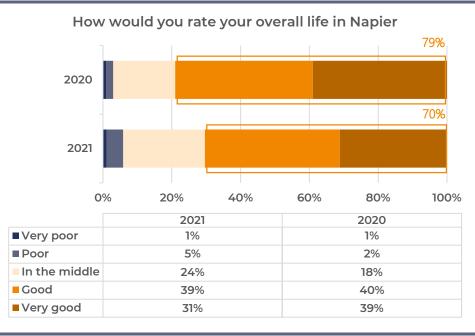
reported **30%** of residents had improved their quality of life in the last 12 months.

In 2018, Councils with larger

populations (e.g. Auckland, Wellington)

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Overall rating of life in Napier



- Overall, 70% of residents felt positive about their life in Napier, although fewer rated their life as 'very good' and more rated themselves 'in the middle' compared to 2020.
- 3-out-of-4 wards recorded a decline in overall quality of life; Onekawa-Tamatea residents tended to provide similar ratings between 2020 and 2021.
- Nelson Park ward residents (59%) were least likely to find their life in Napier 'good' or 'very good'.

		2021	2020
Ward	Ahuriri	79%	88%
	Nelson Park	59%	72%
	Onekawa - Tamatea	70%	70%
	Taradale	75%	83%
Age	18-39	56%	69%
	40-64	67%	80%
	65+	93%	88%
Ethnicity	New Zealand European	74%	82%
	Māori	64%	59%
	Other	57%	86%

Table 6 Aggregated % 'good' and 'very good' responses

Note: significant differences by ward, age or ethnicity are highlighted in **bold**

 Older residents (aged 65+), and residents who owned their property, were more likely to consider their life in Napier as 'good' or 'very good'.

 Overall perceptions of life in Napier were associated with multiple attributes; however, safety perceptions exhibited the strongest connection.

n=610

Somewhat agree

Strongly agree

Living in Napier for the next 5 years (retention index)

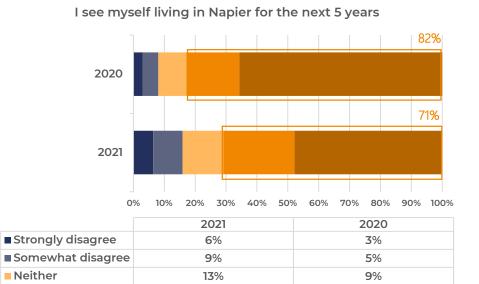


Table I	7 Aggreg	ated %	'agree'	responses

	i ve agree respenses		
		2021	2020
Ward	Ahuriri	71%	86%
	Nelson Park	65%	80%
	Onekawa - Tamatea	71%	77%
	Taradale	75%	85%
Age	18-39	49 %	72%
	40-64	76 %	84%
	65+	89 %	92%
Ethnicity	New Zealand European	73%	84%
	Māori	65%	70%
	Other	66%	85%

Note: significant differences by ward, age or ethnicity are highlighted in **bold**

Despite a decline in 2021, the retention index remained high (71%).Greater quality of life and safety perceptions were associated with

23%

48%

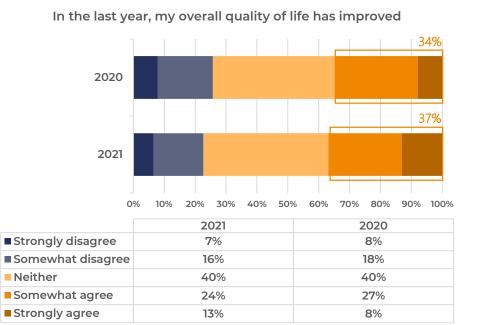
- Greater quality of life and safety perceptions were associated with willingness to stay in Napier.
- Social connections and sense of belonging to their communities also showed a significant relationship with the retention attribute.
- Older residents, home owners, and residents who had lived in Napier 10+ years, were more likely to see themselves remaining Napier.
- In 2021, fewer residents aged 18-39 considered staying in Napier for the next 5 years. This group of residents tended to report lower levels of perceived safety, community connection, neighbourhood satisfaction and mental wellbeing.

n=610

17%

65%

Quality of life in the past 12 months



- Overall, 37% of residents in 2021 agreed their quality of life had improved in the past year, which was similar to 2020.
- Quality of life perceptions slightly improved in Ahuriri and Taradale wards.

		2021	2020
Ward	Ahuriri	42%	32%
	Nelson Park	36%	44%
	Onekawa - Tamatea	31%	38%
	Taradale	38%	27%
Age	18-39	44%	46%
	40-64	35%	30%
	65+	31%	26%
Ethnicity	New Zealand European	36%	33%
	Māori	40%	40%
	Other	37%	33%

Table 8 Aggregated % 'agree' responses

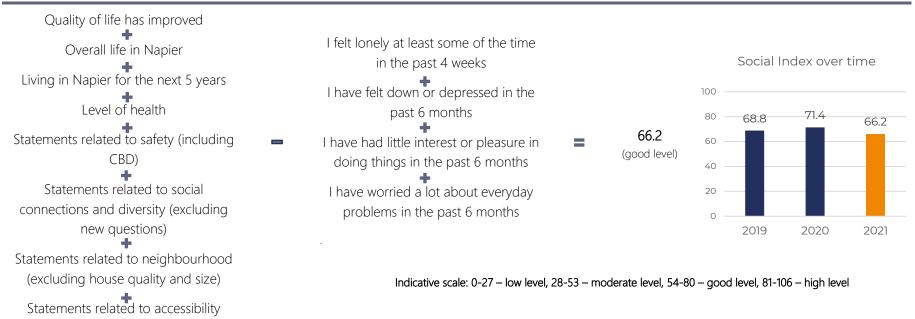
Note: significant differences by ward, age or ethnicity are highlighted in **bold**

 Older residents (aged 65+) were more likely to feel their quality of life remained the same (56%), whereas younger residents (aged 18-39) were more likely to agree their life had improved (44%). At the same time, no significant differences were observed between 2020 and 2021 results by age.

n=610

SOCIAL INDEX

The Social Index was derived by summing scores from all questions designed to evaluate residents' quality of life. Note: mental wellbeing questions were deducted from the total score (negative scale type of questions), and '*Don't know*' scored zero. In 2021, the questionnaire was reviewed resulting in a slight modification in attributes included in the Index. The total number of included attributes remained the same for scale consistency (e.g. not all new questions were included as part of the Social Index calculations).



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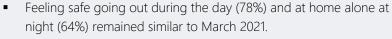
 40
 65.0

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 65.0

The Social Index score declined slightly in 2021, with scores varied from the minimum of 16 to the maximum of 104, and dependent on social demographics (age and income). As a result, two main groups were identified, representing segments of residents with typically higher or lower average index scores.



- Although community perceptions of safety in Napier continued to decline in 2021, the September 2021 results were on a par or above the Community Safety Survey in March 2021.
- Overall, 56% of residents reported feeling safe in Napier. This was down from 73% in 2020, but up compared to results from the March 2021 Community Safety Survey (45%).

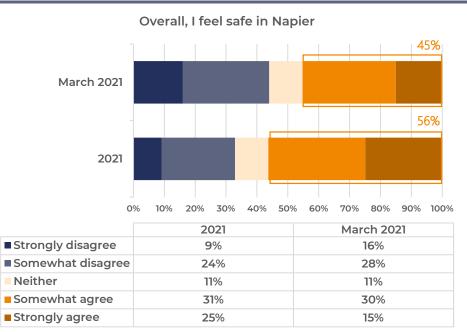




According to the Ministry of Justice, **89%** of New Zealanders **felt safe** in 2020. New questions in this section in 2021:

- Feeling safe in the CBD at night
- Feeling safe in the CBD during the day
- Driving in Napier
- Perceived safety changes in the last year
- Personal crime experiences
- Willingness to report dangerous activities

Overall feelings of safety



- Overall, 56% of residents stated they feel safe in Napier ('somewhat' or 'strongly agree').
- The percentage of residents who felt unsafe in Napier (33%) continued to increase (from 17% in 2020), but was down compared to March 2021 (44%).
- Overall safety perceptions in Napier were associated more with being at home and out at night and daytime, rather than driving, public transport or online transactions.

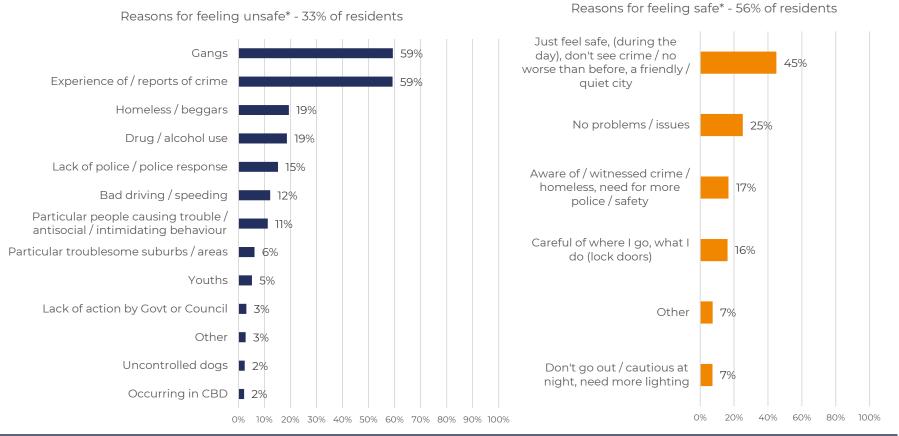
		2021	March 2021
Ward	Ahuriri	60%	46%
	Nelson Park	55%	46%
	Onekawa - Tamatea	53%	36%
	Taradale	57%	48%
Age	18-39	44%	32%
	40-64	50%	43%
	65+	80%	65%
thnicity	New Zealand European	58%	47%
	Māori	57%	40%
	Other	43%	42%

Note: significant differences by ward, age or ethnicity are highlighted in **bold**

- Older residents (aged 65+) were significantly more likely to feel safe, and their feeling of safety has not changed compared to 2020, but improved compared to a low score in March 2021.
- Younger residents (18-39) felt least safe in 2021, reporting the greatest drop in perceived safety since 2020 (despite some rebound from March 2021 to the current survey).
- Safety perceptions improved across all wards in Napier, compared to March 2021.

n=605

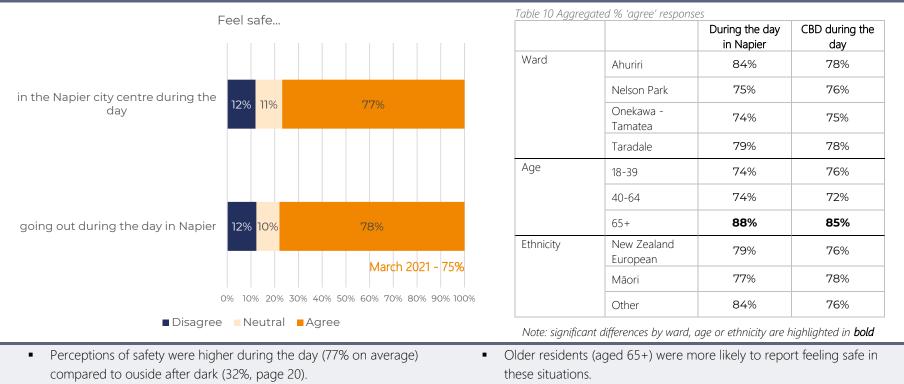
Reasons for feeling safe or unsafe



- 6-in-10 residents who felt unsafe (and provided a comment) believed lack of safety was due to 'gangs' presence, and/or their own personal experience (e.g. 'experience of/reports of crime') – by far the most cited themes.
- 45% of residents who felt safe in Napier generally commented on no reason to feel unsafe ('Just feel safe, don't see crime/no worse than before, a friendly/quiet city').

*Open-ended comments sorted into categories. Totals may exceed 100% owing to multiple responses for each respondent

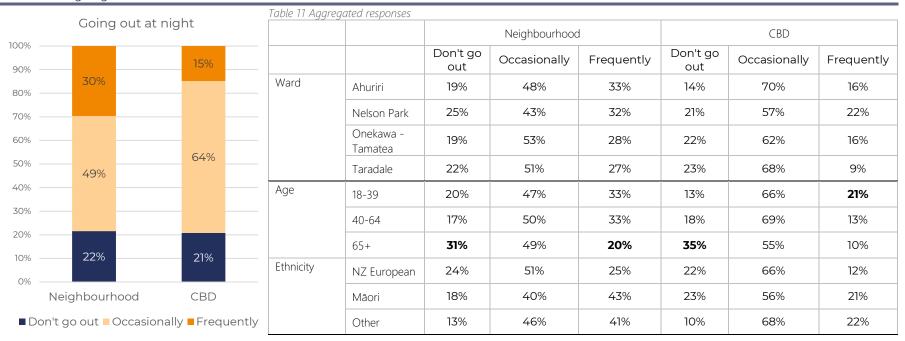
Perceived safety during the day



• Overall perceptions of safety while out in Napier correlated highly with feeling safe in the CBD.

n=608

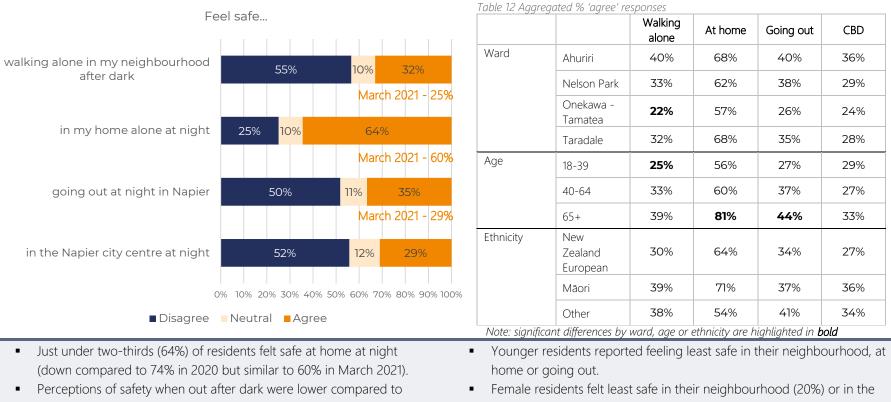
Likelihood of going out after dark



- The overall percentage of residents who reported going out at night was similar for both local neighbourhood and the CBD. However, the frequency of going out differed significantly; only 15% of residents stated 'frequently' going out to the CBD, with 30% doing so in their neighbourhood.
- Older residents (who reported feeling most safe) were least likely to go out at night overall.
- 21% of residents aged 18-39 reported frequently going out at night into the CBD.
- Although the survey cannot establish cause and effect relationships, there were significant associations between going out at night and safety perceptions. 69% of residents who preferred to stay at home after dark reported feeling unsafe in their neighbourhood, and 61% reported feeling unsafe in the CDB at night. This suggests safety perceptions could potentially influence willingness to go out in Napier.

Note: significant differences by ward, age or ethnicity are highlighted in **bold**

Perceived safety after dark

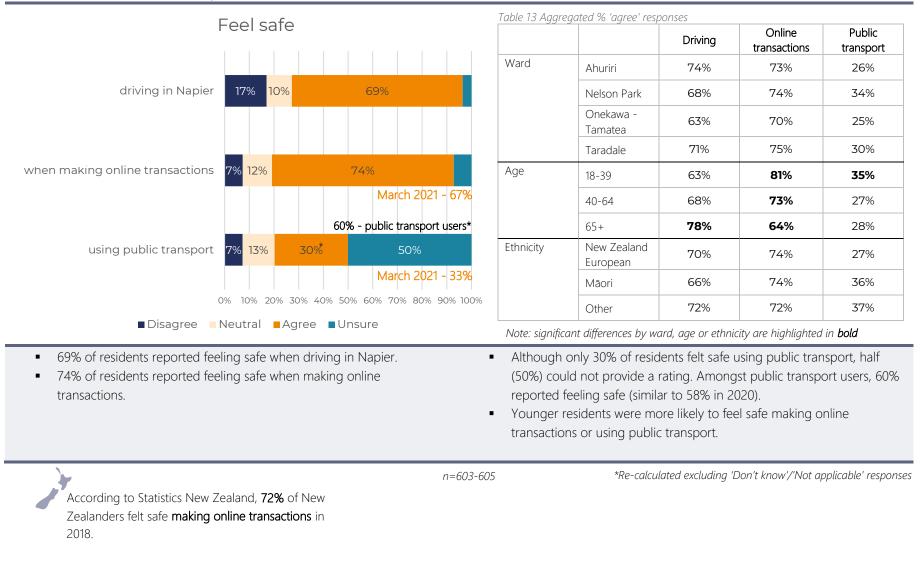


- feelings of safety at home at night.
- Feeling safe in the CBD at night was low amongst all age groups.
- CBD (23%).
- Onekawa-Tamatea ward residents considered their suburb as unsafe to walk in after dark.

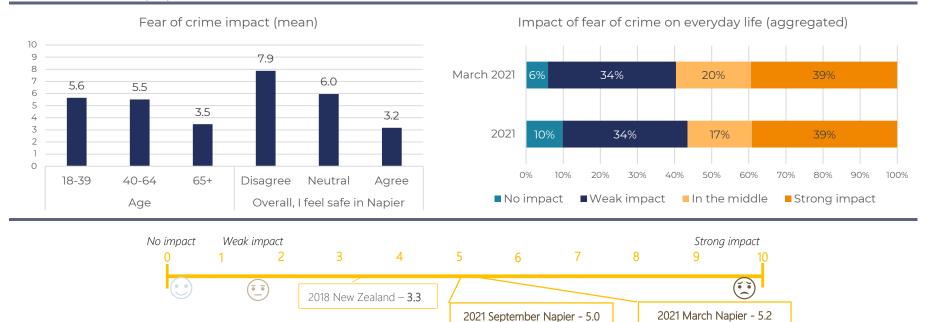


n=608-610

Other attributes in relation to safety



Fear of crime and everyday life



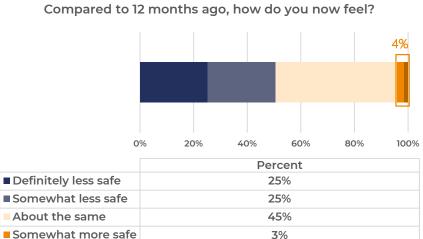
- 10% of residents in the current survey believed fear of crime had no impact on their everyday life.
- 34% of residents reported a weak impact (ratings 1 to 4 out of 10), and 39% reported a moderate to strong impact (ratings 7 to 10 out of 10) – similar to the results in March 2021.
- On average, the reported level of impact was 5.0 out of 10.
- This score was higher amongst residents who felt unsafe in Napier (average score of 7.9) – indicating that those who feel less safe also feel crime has a larger impact on their life.

- Residents aged under 65 were more likely to report fear of crime having a stronger impact on their everyday life.
- Reported changes in safety perceptions in Napier in the past 12 months exhibited the strongest connection with fear of crime; residents who felt less safe over time were more likely to suggest a greater level of impact.
- Other significant factors on fear of crime were feelings of safety alone at home at night, going out at night, going out during the day and driving in Napier.

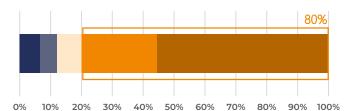
n=609

Other safety perceptions

Definitely more safe



I would always report dangerous or suspicious activities occurring in my neighbourhood to the Police



	Percent
Strongly disagree	7%
Somewhat disagree	6%
Neither	8%
Somewhat agree	25%
Strongly agree	55%

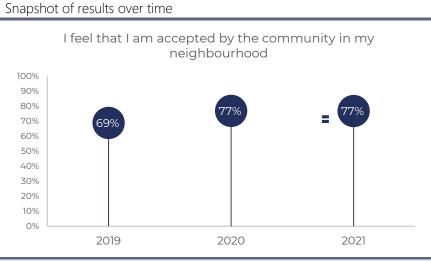
 Half of residents (51%) reported feeling less safe in the past 12 months. This was associated with greater perceptions of feeling less safe in the neighbourhood after dark and CBD at night.

1%

- Just under one-third (31%) reported that they, or a member of their household, had been the victim of crime in the last 12 months. According to the Ministry of Justice, 29% of New Zealand adults reported crime experience in 2020.
- 80% of residents believed they would always report dangerous or suspicious activities occurring in their neighbourhood to the Police.
- Respondents who had stronger social connections were more likely to suggest reporting dangerous or suspicious activities.

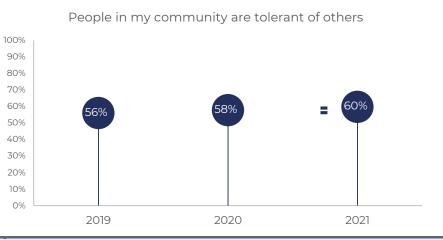
- Overall, two distinct groups of respondents were identified in relation to their contrasting safety perceptions.
- Group one exhibited a lower fear of crime impacting on their everyday life, as they tended to feel more secure in Napier, and were slightly more likely to report any suspicious activities in their neighbourhood. These respondents were more likely to be over 65, from Taradale and Ahuriri wards.
- Group two exhibited greater fear of crime and overall a greater sense of feeling unsafe in Napier. Half of residents within this group resided in Nelson Park and Onekawa-Tamatea wards. This group of residents was also more likely to experience or report a crime in the past 12 months.

n=609-610



- The community's sense of diversity remained consistent in 2021.
- 6-in-10 residents believed people in their community are tolerant of others (similar to 58% in 2020).

↓ Significant decrease ↑ Significant increase ■ No significant difference

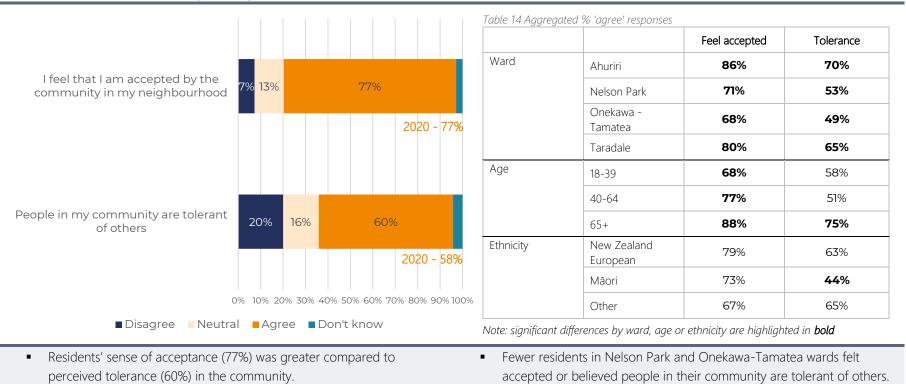


• 77% of residents felt accepted by the community in their neighbourhood (similar to 2020).

New questions in this section in 2021:

- How easy or hard is it to be yourself in Napier
- Personal experiences of prejudice
- Diversity impacts on Napier as a place to live

Attributes in relation to community diversity

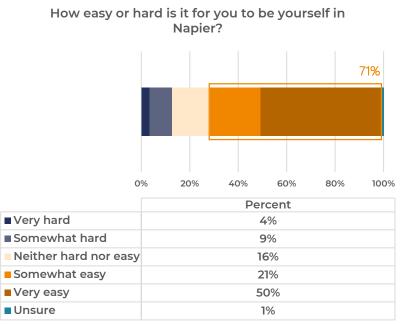


• Feelings of acceptance increased with age; residents aged 18-39 felt less accepted.

• Fewer Māori residents believed people are tolerant.

n=610

Being yourself in Napier



able 15 Aggregated % 'easy' responses			Being yourself associated attributes*	
		Be yourself		Dutes
Ward	Ahuriri	67%	Other	13%
	Nelson Park	66%	Council	
	Onekawa - Tamatea	70%	– Sexual orientation	21%
	Taradale	76%	Accent or language	32%
Age	18-39	65%	Dress/	(00)
	40-64	64%	appearance	48%
	65+	87 %	Skin colour	50%
Ethnicity	New Zealand European	73%	Age	51%
	Māori	64%		
	Other	66%	Race or ethnic group	59%

- As people in New Zealand have different lifestyles, cultures and beliefs that express who they are, Napier residents were asked how easy or hard it is for them to be themselves.
- Self-identity was more likely to be associated with race and ethnicity (59%), followed by age (51%), skin colour (50%) and dress/appearance (48%).
- 7-in-10 residents (71%) believed it was 'somewhat' or 'very easy' to be themselves in Napier.
- Older residents (aged 65+) were more likely to feel comfortable being themselves compared to younger residents. This corresponds with younger residents finding it harder to feel accepted in the community.

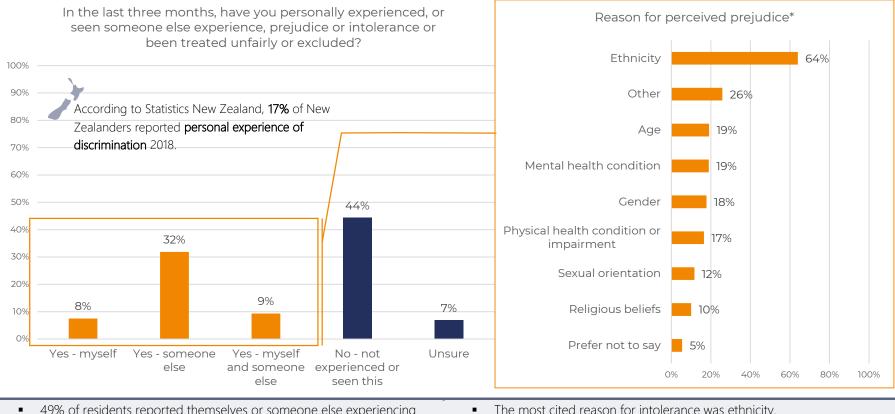
According to Statistics New Zealand, **84%** of New Zealanders felt it was easy to be themselves in 2018.

n=610

*Totals may exceed 100% owing to multiple responses for each respondent

Note: significant differences by ward, age or ethnicity are highlighted in **bold**

Intolerance perceptions

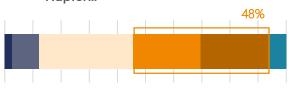


- 49% of residents reported themselves or someone else experiencing prejudice or intolerance. 17% had personally experienced this themselves in the last three months.
- Residents under 65, and Māori residents, were more likely to report these experiences.
- The most cited reason for intolerance was ethnicity.
- Respondents who reported experiencing prejudice or being treated unfairly were less likely to agree (41%) people in their community are tolerant of others.
- In addition, respondents who reported experiencing prejudice or being treated unfairly showed greater fear of crime on their everyday life.

*Totals may exceed 100% owing to multiple responses for each respondent

Napier as a place to live with different lifestyles and cultures

New Zealand is becoming home for an increasing number of people with different lifestyles and cultures from different countries. Overall, do you think this makes Napier...



 $0\% \quad 10\% \quad 20\% \quad 30\% \quad 40\% \quad 50\% \quad 60\% \quad 70\% \quad 80\% \quad 90\% \quad 100\%$

	Percent
Much worse place to live	3%
Somewhat worse place to live	10%
Makes no difference	33%
Somewhat better place to live	24%
Much better place to live	25%
Not applicable/Unsure	6%

- While New Zealand is becoming home for an increasing number of people with different lifestyles and cultures from different countries, just under half (48%) of residents believed this diversity makes Napier a better place to live.
- One-third of residents (33%) believed this makes no difference.

		Makes Napier better place
Ward	Ahuriri	57%
	Nelson Park	48%
	Onekawa - Tamatea	37%
	Taradale	50%
Age	18-39	46%
	40-64	50%
	65+	48%
Ethnicity	New Zealand European	47%
	Māori	48%
	Other	58%

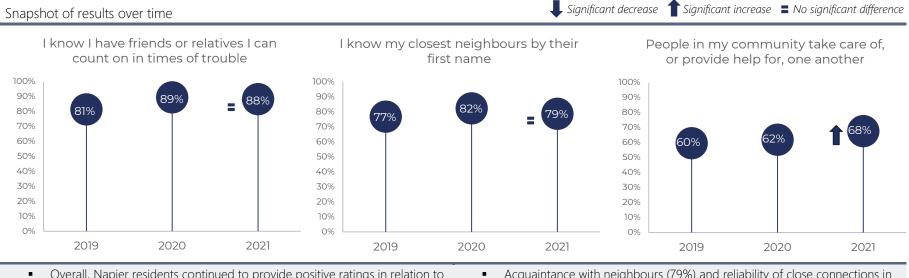
Note: significant differences by ward, age or ethnicity are highlighted in **bold**

- 12% believed this makes Napier a worse place to live.
- Significant differences were found by ward. Ahuriri residents were more likely to agree that diversity makes Napier a better place to live, whereas Onekawa-Tamatea residents were least likely to agree with this statement.

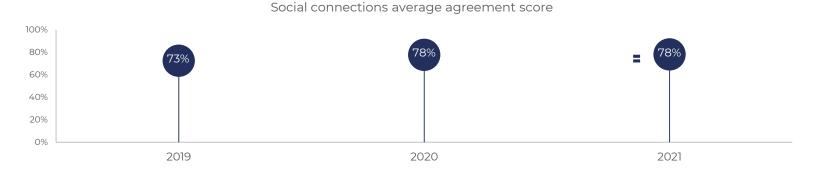
n=607

In 2018, Councils with larger populations (e.g. Auckland, Wellington) reported **57%** of residents believed cultural diversity makes their city a better place to live.

SOCIAL CONNECTIONS

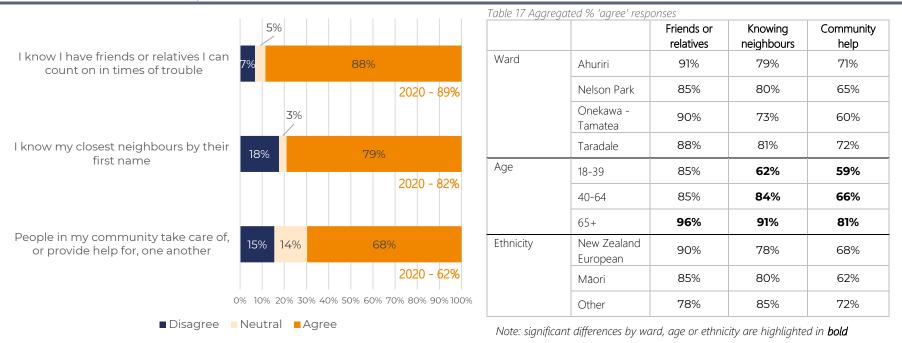


- Overall, Napier residents continued to provide positive ratings in relation to social connections (78% on average, similar to 2020).
- In 2021, slightly more residents believed people in their community take care of, or provide help for, one another.
- Acquaintance with neighbours (79%) and reliability of close connections in times of trouble (88%) remained consistent in 2021 compared to 2020.



SOCIAL CONNECTIONS

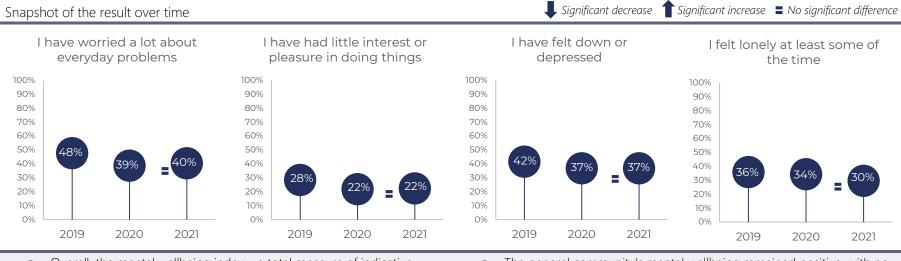
Attributes in relation to community and social connections



- A supportive network of family and friends remained high (88%), which could be associated with the impact of COVID-19 and past lockdowns.
- 79% of residents stated they know their closest neighbour by their first name. This knowledge increased significantly with age; 9-in-10 residents aged 65+ reported knowing their neighbours.
- Although over two-thirds (68%) believed that people in their community take care of one another, this perception was also much greater amongst older residents (aged 65+) compared to younger residents (aged 18-39).

n=610

COMMUNITY MENTAL WELLBEING



- Overall, the mental wellbeing index a total measure of indicative • psychological distress - was moderate (10.2, maximum distress = 20). This result has been consistent over the past three years.
- The general community's mental wellbeing remained positive, with no • significant changes compared to 2020.



According to Statistics New Zealand, 26% of New Zealanders felt lonely at least some of the time in 2021.

2021

COMMUNITY MENTAL WELLBEING

Attributes in relation to community mental wellbeing and Mental Wellbeing Index



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Note: higher mental wellbeing scores = greater distress significant differences by ward, age or ethnicity are highlighted in **bold**

\$100.001 or more

10.2

NEIGHBOURHOOD

Attributes in relation to community and neighbourhood

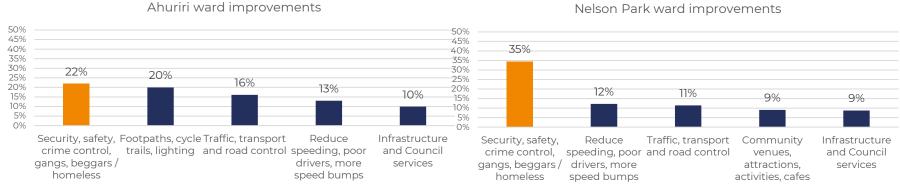
				Table 19 Aggrega	ated % 'agree' responses		
						Sense of pride	Neighbourhood has everything needed
I feel a sense of pride with how my neighbourhood looks and feels	17% 14%	68%	5	Ward	Ahuriri	77%	77%
					Nelson Park	57%	57%
					Onekawa - Tamatea	58%	64%
					Taradale	76%	75%
				Age	18-39	56%	56%
My neighbourhood has everything I need	21% 9%	69%			40-64	67%	69%
need					65+	86%	83%
			2020 - 69%	Ethnicity	New Zealand European	72%	72%
	0% 10% 20% 30% 409	% 50% 60% 70	0% 80% 90% 100%		Māori	63%	64%
Disagree Neut	tral 📕 Agree 🔳 D	on't know			Other	47%	54%
 Over two-thirds of residents bel everything they need (69%, simi with how their neighbourhood I 	ilar to 2020), and fe	elt a sense of		neighbourho Fewer resider agreed their	nts (aged 65+) tended ood compared to your nts from Nelson Park neighbourhood has e of pride about it.	nger residents. and Onekawa-Tan	natea wards

n=610

In 2018, Councils with larger populations (e.g. Auckland, Wellington) reported **60%** of residents **feeling proud** of their local area. Note: significant differences by ward, age or ethnicity are highlighted in **bold**

NEIGHBOURHOOD

Suggested improvements



Nelson Park ward improvements

Onekawa - Tamatea ward improvements

Taradale ward improvements



Note: results by area can be found in the Appendix

improvement.

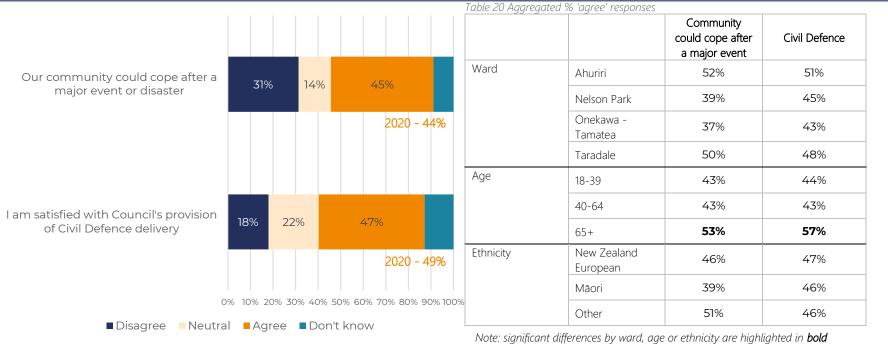
Open-ended comments sorted into categories. Totals may exceed 100% owing to multiple responses for each respondent

EMERGENCY MANAGEMENT

Significant decrease Significant increase **=** No significant difference Snapshot of results over time Our community could cope after a major event or I am satisfied with Council's provision of Civil Defence delivery disaster 100% 100% 90% 90% 80% 80% 70% 70% 60% 60% 49% 50% 50% 45% 40% 40% 40% 30% 30% 20% 20% 10% 10% 0% 0% 2019 2020 2021 2019 2020 2021 • After a slight improvement in 2020, residents' satisfaction with Council's • 45% of residents believed the Napier community could cope after a provision of Civil Defence (47%), remained on a par. major event or disaster (similar to 2020).

EMERGENCY MANAGEMENT

Attributes in relation to community and emergency management

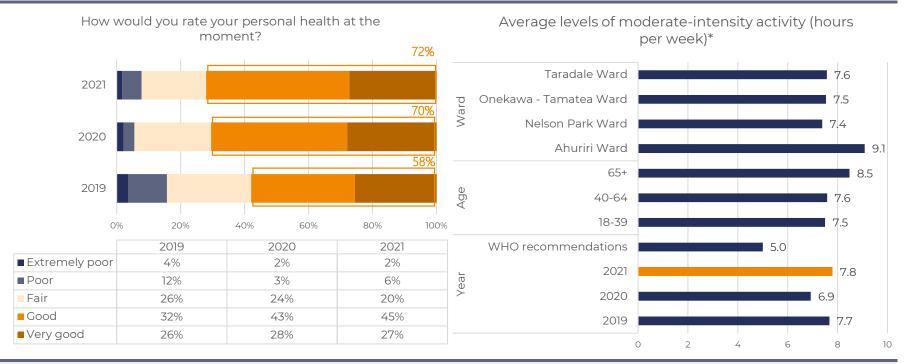


- Although similar percentages of residents agreed the Napier community could cope after a major event or disaster in 2021 (45%) compared to 44% in 2020, slightly more disagreed with this statement in 2021 (31%) compared to 2020 (22%). This could be a result of cumulative effects of COVID-19.
- Residents aged under 65 were less likely to agree with both statements.
- No relationships between COVID-19 concern and Civil Defence service delivery were observed.

n=610

COMMUNITY HEALTH

Personal health and average levels of activity

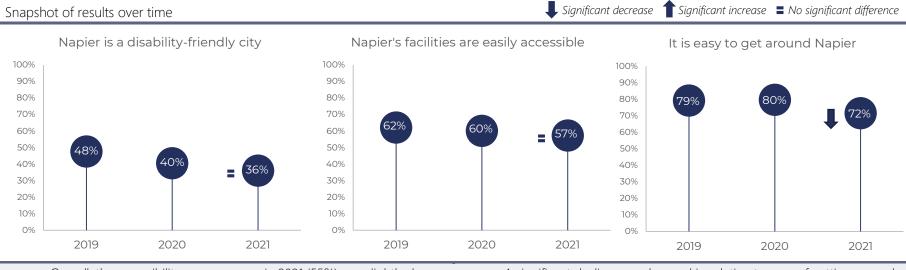


- 72% of residents believed they were in 'good' or 'very good' health (similar to 70% in 2020).
- In 2021, residents continued to report a good level of moderateintensity activity (7.8 hours on average per week) in the community; more than half of residents (53%) reported moderate-intensity activity of 4 hours and more per week.
- Greater activity (8.3 hours on average) was associated with residents who were less likely to report feeling down or depressed, or worrying about everyday problems.

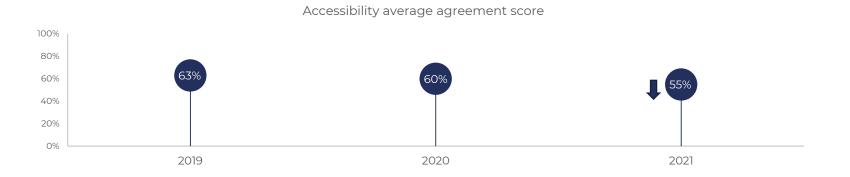
n=608

*n=559. Reported results are based on open-ended comments. If a range of hours was provided, the average of the range was used in the analysis.

ACCESSIBILITY

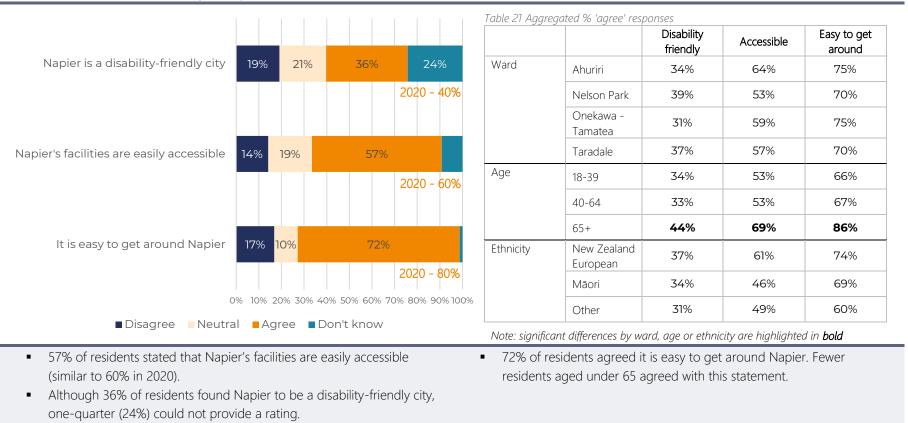


 Overall, the accessibility average score in 2021 (55%) was slightly down compared to 2020 (60%) and 2019 (63%). A significant decline was observed in relation to ease of getting around Napier (72%) compared to 2020 (80%).



ACCESSIBILITY

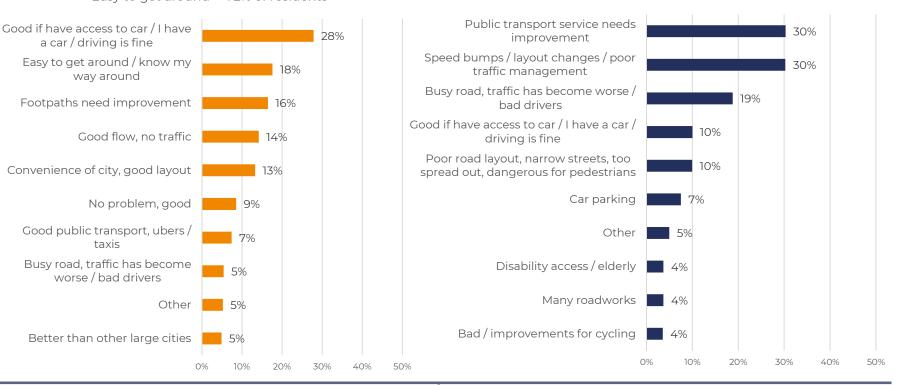
Attributes in relation to accessibility in Napier



n=610

ACCESSIBILITY

Reasons for accessibility perceptions



Easy to get around* - 72% of residents

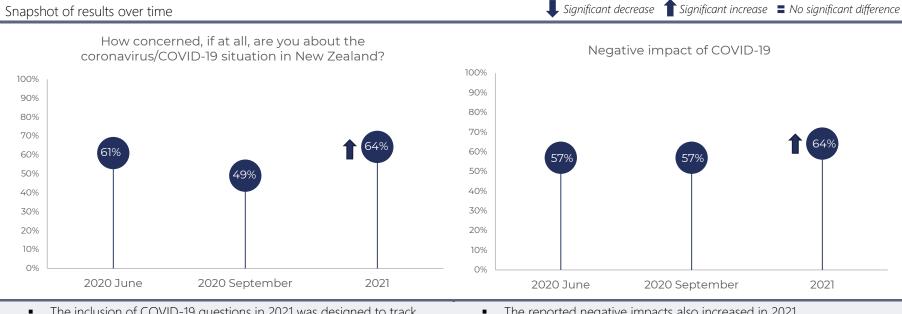
Access to a personal car was the key reason to agree that Napier is an
 easy city to get around ('Good if have access to car/l have a car/driving
 is fine').

 At the same time, public transport services and transport management were the key factors to improve accessibility around Napier. This was generally consistent across years.

Not easy to get around* - 17% of residents

*Open-ended comments sorted into categories. Totals may exceed 100% owing to multiple responses for each respondent

COVID-19 IMPACT

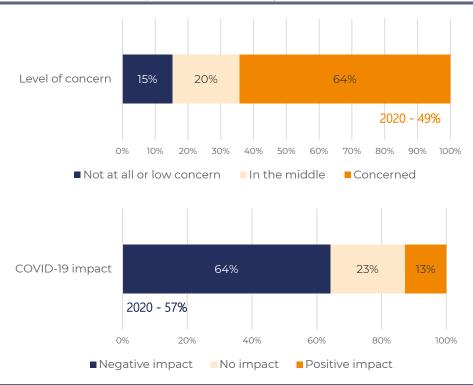


- The inclusion of COVID-19 questions in 2021 was designed to track community concerns and impacts of COVID-19 over a 12 month period.
- However, at the beginning of 2021 fieldwork, New Zealand went into Level 4 lockdown.
- Most likely, this event affected community perceptions, resulting in increased levels of concern (64%).

• The reported negative impacts also increased in 2021.

COVID-19 IMPACT

Level of concern and impact on the community



		Concerned	Negative impact
Ward	Ahuriri	69%	67%
	Nelson Park	60%	63%
	Onekawa - Tamatea	63%	66%
	Taradale	65%	62%
Age	18-39	51%	67%
	40-64	71%	64%
	65+	69%	61%
Ethnicity	New Zealand European	65%	64%
	Māori	65%	63%
	Other	55%	70%

Note: significant differences by ward, age or ethnicity are highlighted in **bold**

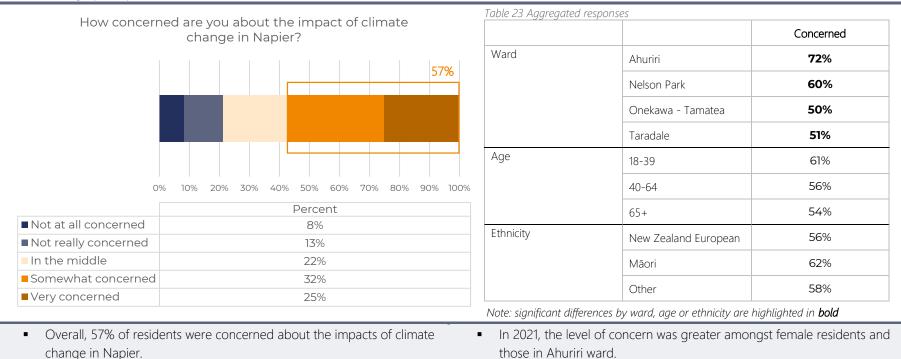
 64% of Napier residents stated the COVID-19 situation had an overall negative impact on them or their family (57% in 2020); 23% reported no impact (27% in 2020), and 13% reported an overall positive impact (17% in 2020). Residents aged 40-64 were most concerned about COVID-19.

 Residents with an average income between \$50,000-\$100,000 were more likely to report negative impacts.

n=609-610

According to Perceptive, **33%** of New Zealanders reported **high concern** in relation to COVID-19 in September 2021 (vs. 32% '*extremely concerned*' in Napier).

Climate change perceptions



 Based on research conducted in 2020 for the Hawke's Bay Regional Council, 65% of Napier residents were concerned to some degree about the impact of climate change in Hawke's Bay, and over half (55%) were concerned it may have an impact on their quality of life.

100%

50%

0%



65%

Napier

Level of concern in 2020 (Hawke's Bay Regional Council survey 2020)

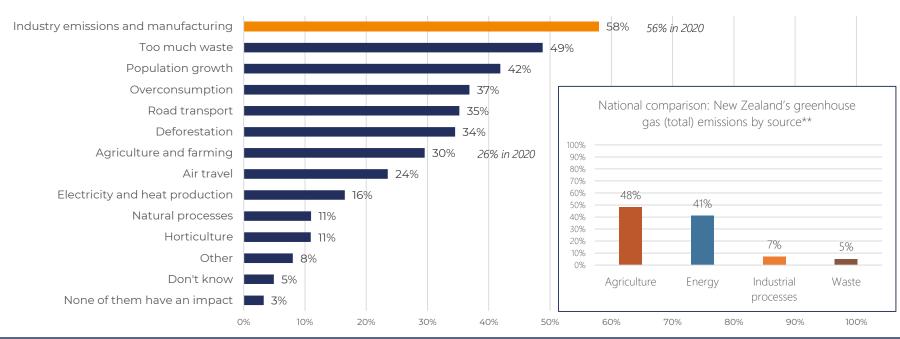
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n=610

52%

Hawke's Bay

Climate change and perceived cause



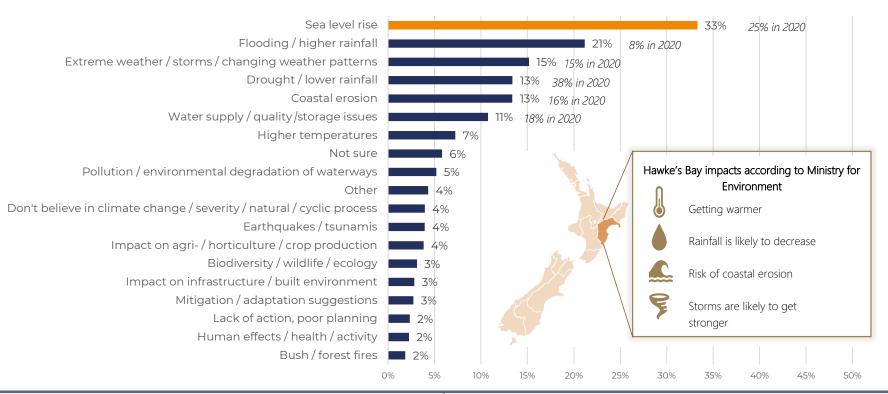
Climate change cause perceptions*

- The most cited perceived cause of climate change was industry emissions and manufacturing (58%, similar to 56% in 2020), followed by waste (49%) and population growth (42%).
- 30% of residents named agriculture and farming as the main cause of climate change.
- According to the Ministry for the Environment, New Zealand's emission profile in 2018 showed that the Agriculture (48%) and Energy (41%) sectors were the two largest contributors to greenhouse gas emissions.
- Hawke's Bay's industry emissions profile was largely attributed to agriculture (80%).

*Open-ended comments sorted into categories. Totals may exceed 100% owing to multiple responses for each respondent

**Ministry for the Environment. (2020). New Zealand's greenhouse gas inventory 1990-2018.

Climate change and perceived harmful impacts

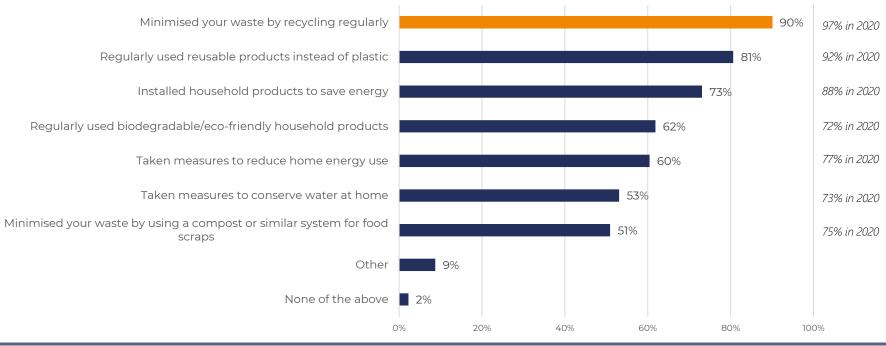


Climate change effects*

 Sea level rise (33%) was named as the main negative outcome of climate change in Napier. This factor's high ranking was generally consistent with findings in 2020. The perceived threat of flooding and higher rainfall increased significantly (with respective decrease in drought expectations). This could be due to the rainfall event in November 2020. The 2020 Hawke's Bay Regional Council survey was conducted prior to this event.

*Open-ended comments sorted into categories. Totals may exceed 100% owing to multiple responses for each respondent

Environmental activities



Named activities in the past 12 months*

- Almost all residents named at least one environmental activity they had been engaged in over the past 12 months; 6-in-10 residents named five activities or more.
- 90% of the Napier community reported minimising their waste by recycling regularly.
- Respondents who expressed greater concern for climate change were more likely to use eco-friendly products (72%) and minimise waste by using a compost system (60%).
- Fewer residents reported taking measures to conserve water (53%) or using a compost or similar system (51%), even although these activities were reported by more than half of residents.
- Older residents were more likely to report conserving energy at home.

*Totals may exceed 100% owing to multiple responses for each respondent

APPENDIX

Top named neighbourhood improvements by suburb (note: small sample sizes)

Suggested improvements (categories)	Bay View
Footpaths, cycle trails, lighting	34%
Infrastructure and Council services	23%
Reduce speeding, poor drivers, more speed bumps	13%
Waste management, recycling	10%
Traffic, transport and road control	9%
Security, safety, crime control, gangs, beggars / homeless	6%
Happy as it is, no changes needed	6%
Amenities - cafes / bars / shops / medical access	5%
Neighbours, community, communication and networking	4%

Suggested improvements (categories)	Meeanee
Happy as it is, no changes needed	24%
Neighbours, community, communication and networking	22%
Footpaths, cycle trails, lighting	13%
Waste management, recycling	13%
Other	13%
Reduce speeding, poor drivers, more speed bumps	8%
Infrastructure and Council services	8%
Traffic, transport and road control	8%

Suggested improvements (categories)	Poraiti
Reduce speeding, poor drivers, more speed bumps	49%
Infrastructure and Council services	27%
Water-related issues	15%
Traffic, transport and road control	10%
Security, safety, crime control, gangs, beggars / homeless	10%

Suggested improvements (categories)	Awatoto
Amenities - cafes / bars / shops / medical access	56%
Reduce speeding, poor drivers, more speed bumps	26%
Footpaths, cycle trails, lighting	14%
Security, safety, crime control, gangs, beggars / homeless	14%
Neighbours, community, communication and networking	7%
Infrastructure and Council services	7%
Traffic, transport and road control	7%

Suggested improvements (categories)	Westshore
Housing	41%
Security, safety, crime control, gangs, beggars / homeless	39%
Reduce speeding, poor drivers, more speed bumps	20%
Infrastructure and Council services	16%
Community venues, attractions, activities, cafes	12%
Footpaths, cycle trails, lighting	7%
Amenities – cafes / bars / shops / medical access	5%

Suggested improvements (categories)	Onekawa
Security, safety, crime control, gangs, beggars / homeless	29%
Reduce speeding, poor drivers, more speed bumps	19%
Footpaths, cycle trails, lighting	11%
Traffic, transport and road control	7%
Happy as it is, no changes needed	7%
Community venues, attractions, activities, cafes	6%

Suggested improvements (categories)	Maraenui
Security, safety, crime control, gangs, beggars / homeless	31%
Neighbours, community, communication and networking	18%
Traffic, transport and road control	18%
Community venues, attractions, activities, cafes	13%
Council leadership, transparency, communication	11%
Footpaths, cycle trails, lighting	11%
Waste management, recycling	11%
Water-related issues	10%
Infrastructure and Council services	9%

Suggested improvements (categories)	Ahuriri
Security, safety, crime control, gangs, beggars / homeless	34%
Reduce speeding, poor drivers, more speed bumps	19%
Traffic, transport and road control	18%
Neighbours, community, communication and networking	13%
Housing	13%
Parks, playgrounds / trees	13%
Footpaths, cycle trails, lighting	10%

Suggested improvements (categories)	Marewa
Security, safety, crime control, gangs, beggars / homeless	45%
Reduce speeding, poor drivers, more speed bumps	17%
Footpaths, cycle trails, lighting	10%
Water-related issues	7%
Parks, playgrounds / trees	7%
Infrastructure and Council services	7%
Amenities – cafes / bars / shops / medical access	6%

Suggested improvements (categories)	Hospital Hill
Security, safety, crime control, gangs, beggars / homeless	33%
Footpaths, cycle trails, lighting	13%
Parking	12%
Infrastructure and Council services	12%
Neighbours, community, communication and networking	10%
Reduce speeding, poor drivers, more speed bumps	10%
Community venues, attractions, activities, cafes	9%
Traffic, transport and road control	8%

Suggested improvements (categories)	Bluff Hill
Traffic, transport and road control	36%
Footpaths, cycle trails, lighting	30%
Reduce speeding, poor drivers, more speed bumps	11%
Water-related issues	9%
Security, safety, crime control, gangs, beggars / homeless	8%
Neighbours, community, communication and networking	7%
Parking	4%

Suggested improvements (categories)	Tamatea
Security, safety, crime control, gangs, beggars / homeless	21%
Reduce speeding, poor drivers, more speed bumps	11%
Housing	10%
Amenities - cafes / bars / shops / medical access	10%
Infrastructure and Council services	9%
Happy as it is, no changes needed	9%
Traffic, transport and road control	8%
Waste management, recycling	6%
Council leadership, transparency, communication	6%

Suggested improvements (categories)	Taradale
Security, safety, crime control, gangs, beggars / homeless	19%
Reduce speeding, poor drivers, more speed bumps	13%
Amenities - cafes / bars / shops / medical access	12%
Footpaths, cycle trails, lighting	11%
Happy as it is, no changes needed	10%
Traffic, transport and road control	8%
Infrastructure and Council services	7%

Suggested improvements (categories)	Nelson Park
Security, safety, crime control, gangs, beggars / homeless	35%
Infrastructure and Council services	22%
Footpaths, cycle trails, lighting	13%
Reduce speeding, poor drivers, more speed bumps	13%
Waste management, recycling	11%
Traffic, transport and road control	10%
Community venues, attractions, activities, cafes	10%
Amenities - cafes / bars / shops / medical access	9%

Suggested improvements (categories)	Greenmeadows
Security, safety, crime control, gangs, beggars / homeless	29%
Infrastructure and Council services	14%
Traffic, transport and road control	12%
Neighbours, community, communication and networking	10%
Amenities - cafes / bars / shops / medical access	8%
Waste management, recycling	7%
Footpaths, cycle trails, lighting	6%
Reduce speeding, poor drivers, more speed bumps	5%
Community venues, attractions, activities, cafes	4%
Happy as it is, no changes needed	3%

Suggested improvements (categories)	Pirimai
Security, safety, crime control, gangs, beggars / homeless	26%
Traffic, transport and road control	17%
Reduce speeding, poor drivers, more speed bumps	14%
Neighbours, community, communication and networking	11%
Community venues, attractions, activities, cafes	11%
Infrastructure and Council services	9%
Parks, playgrounds / trees	8%

REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 17 MARCH 2022

1. QUARTERLY REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

	Oraclica Therease, Ohiof Financial Officer
Document ID:	1421309
Legal Reference:	Local Government Act 2002
Type of Report:	Legal and Operational

Reporting Officer/s & Unit: Caroline Thomson, Chief Financial Officer

1.1 Purpose of Report

To consider the Quarterly Report for the six months (*Doc Id 1439805*) ended 31 December 2021.

Committee's recommendation

Councillor Chrystal / Mayor Wise

The Prosperous Napier Committee:

a. Receive the Quarterly Report for the six months ended 31 December 2021.

Carried

1.2 Background Summary

The Quarterly Report summarises the Council's progress in the second quarter of 2021/22 towards fulfilling the intentions outlined in the Annual Plan. Quarterly performance is assessed against income, total operating expenditure, and capital expenditure.

1.3 Issues

The 2021/22 Annual Plan does not include any allowance for Covid-19 impacts on revenue. The 2021/22 Annual Plan was adopted in June 2021. In August 2021, New Zealand moved into Level 4 lockdown and then shifted to the Red Traffic Light setting under the Covid-19 Protection Framework in December 2021. The lock down and traffic light setting has caused constraints in the events sector and limited the number of people using our facilities. This has had a significant impact on revenue year-to-date. For our tourism and parking activities, there has been reduced event bookings and lower volumes of traffic in the city due to people working from home. Officers are closely monitoring the situation and reducing operational expenditure where possible to help mitigate further deterioration to the financial position. Year-end forecasting is underway to determine the impact on Council's year end finances and to identify savings and funding sources to offset the lost revenue.

1.4 Significance and Engagement

N/A

1.5 Implications

Financial

The year to date operating net deficit of \$1.7m is \$1.9m favourable to the budgeted deficit of \$3.7m.

Revenue from Financial and Development contributions is higher than budget by \$1.5m and subsidies and grants is above budget by \$770k.

Other revenue is \$1.6m lower than budget due to the impact of Covid-19 on the tourism and parking activities.

Depreciation expense is \$1.1m lower than budget and other operating expenditure is \$940k above budget.

Further detail on the financial variances for the quarter ended 31 December 2021 is contained in the report attached.

Social & Policy

N/A

Risk

There is a risk that an ongoing impact of Covid-19 on the Tourism and Parking activities will result in a deficit to Council at year end. Year-end forecasting is underway and will include identified savings and funding sources to mitigate the financial impact to Council. The year-end forecast will be presented at the next Prosperous Napier meeting.

1.6 Development of Preferred Option

Receive the quarterly report for the six months ended 31 December 2021.

At the Meeting

The Chief Financial Officer spoke to the report, providing a brief overview summarising the Council's progress in the second quarter of 2021/22 towards fulfilling the intentions outlined in the Annual Plan. Quarterly performance is assessed against income, total operating expenditure, and capital expenditure. No allowance for COVID 19 impacts on revenue had been included in the 2021/22 budget.

In response to questions from Councillors, the following points were clarified:

- Ms Thomson explained that when setting the Annual Plan budget for 2021/22 it was at the end of the first COVID lockdown and the business tourism activities had bounced back and performed significantly better than predicted and based on that continued with the Annual Plan budgets and assumed no allowance for COVID impacts.
- It was noted that both the variances for the stormwater and special rates of \$4.1m offset each other as prior to the Revenue and Finance review the stormwater activity was funded through the general rate and now this rate was collected through the targeted rate. In effect the general rate reduced by \$4.1m and the targeted rate for stormwater has increased by the same amount. This will be rectified in the next year's budget.
- Council's contribution towards the property purchase for the Hawke's Bay Museums Trust storage facility of \$1.8m for 2021/22 is reported under the MTG section of the quarterly report.

1.7 Attachments

1 Quarterly Report for the six months ended 31 December 2021 (Doc Id 1439805)





215 Hastings Street, Napier 4110 Private Bag 6010, Napier 4142 Phone: 06 835 7579 Email: info@napier.govt.nz Website: napier.govt.nz

Prepared in accordance with the requirements of the Local Government Act 2002

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This report summarises the Council's progress in the second quarter of 2021/22 towards fulfilling the intentions in the Annual Plan. Quarterly performance is assessed against Income, Total Operating Expenditure, Capital Expenditure and Key Performance Measures.

FINANCIAL PERFORMANCE SNAPSHOT

The year to date net operating deficit of \$1.7m is \$1.9m favourable to the budgeted deficit of \$3.7m. This favourable variance is attributable to a combination of factors as outlined below:

REVENUE

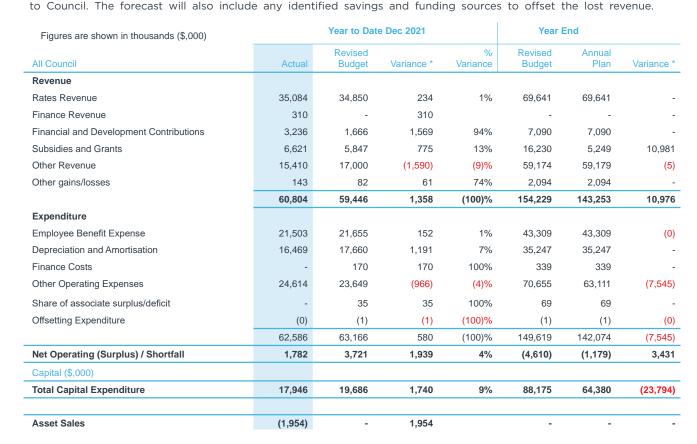
- Financial Contributions revenue is \$1.5m above budget due to the timing of contributions received for the Te Awa development
- Subsidies and grants are \$770k above budget due to timing of Waka Kotahi subsidised works undertaken year to date
- Other revenue is \$1.6m lower than budget due to Covid-19 impacting on parking and Council's tourism activities.

EXPENDITURE

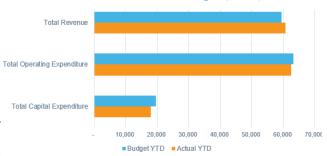
• Depreciation expense is \$ 1.1m lower than budget due to reduced level of asset capitalisation from the previous year.

NOTE: The ongoing effect of Covid will have a significant impact on the Tourism and Parking activities ability to deliver on their year-end position. Year-end forecasting is underway to determine the overall financial impact

• Other operating expenses are \$940k above budget mainly due to increased insurance premiums and flooding costs.



Performance vs Budget (\$000)



* Variance Key

Favourable / Underspent

SERVICE PERFORMANCE SNAPSHOT

OCTOBER 2021

• A new separated walking and cycling path project began. It will fix a gap in our network and provide safer access to Marine Parade for students and residents who use the Ellison Street, Chambers Street and Te Awa Ave area. This project has been funded from the Government's COVID Response and Recovery Fund.

• A new role was created to lead Council's significant projects set out in its Long Term Plan. Jon Kingsford has been appointed as Director of Programme Delivery to ensure the goals of the Long Term Plan 2021-31 are achieved. Additionally, 27 new positions across Council were created to deliver on the LTP programme. These roles are predominantly in Infrastructure and City Services.

• Council voted overwhelmingly in favour of Māori wards with 11 votes for and one abstention. This decision allows for Māori representation to be an integral part of council's decision-making processes.

NOVEMBER 2021

• The Speed Limits Bylaw Amendments consultation opened. We proposed a variable speed limits around Eskdale School and Reignier School, and extending the school zone around Port Ahuriri School. We also proposed to reduce the speed on Willowbank Avenue from 100km/h to 80km/h.

• The Napier Flood Report was released on the one year anniversary of the flood. The report looks at how the stormwater system worked during the event, what impacted the ability of the system to respond effectively, the response and recovery of the flood, and the work programme now in place as a result of the event.

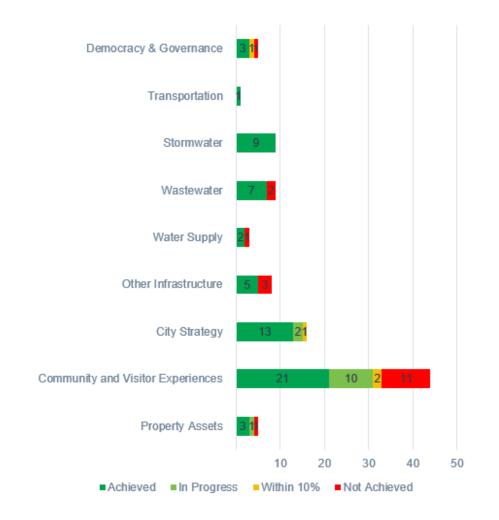
DECEMBER 2021

• Our Library and Civic Area Plan was formally adopted by Council. This is the culmination of many hours of work undertaken since we left our old buildings in 2017.

• Consultation opened on the upgrade of the Westshore Beach Reserve Playground.

SERVICE PERFORMANCE SNAPSHOT KEY PERFORMANCE MEASURES

This quarter 77% of key performance indicators (77 of 100) measured on a monthly or quarterly basis were achieved or are in process and on target to be achieved by year end. Any measure which were not achieved are explained in the activity section of this report, along with a full list of performance measures and results.



TREASURY MANAGEMENT SUMMARY INVESTMENTS REPORT

INVESTMENT TYPES HELD AT QUARTER-END

Call Deposits				0
Term Deposits	S&P Credit Rating	Average 12 Month Int. Rate		
Westpac	AA-	N/A	0	
ANZ	AA-	1.53%	30,000,000	
ASB	AA-	N/A	0	
BNZ	AA-	1.35%	7,000,000	
Kiwibank	А	1.41%	20,000,000	
				57,000,000
Total Investments as	at 31 December 2021			\$57,000,000

WEIGHTED AVERAGE INTEREST RATE FOR ALL CURRENTLY HELD INVESTMENTS

	Amount	Average Rate
Call Deposits	0	0.00%
Term Deposits	57,000,000	1.43%
	\$57,000,000	
Weighted Average Interest Rate as at 31 December 2021		1.40%
Benchmark Average Interest Rate as at 31 December 2021		0.77%

(Benchmark = average 6-month 'BKBM' mid-rate of today and 6 months ago)

RANGE OF INTEREST RATES NEGOTIATED DURING THE QUARTER

	Rate	Date
Call Deposits (lowest)*	N/A	All
Call Deposits (highest)*	N/A	All
Term Deposits (lowest)	N/A	N/A
Term Deposits (highest)	N/A	N/A

CUMULATIVE QUARTERLY GRAPHS

Figures shown in thousands (\$,000)

Actual Budget

dget 🛛 🗖 Prior Year

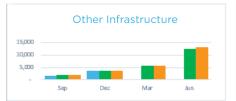
TOTAL REVENUE

















TOTAL EXPENDITURE



Figures shown in thousands (\$,000)

🗖 Actual 📃 Budget

dget Prior Year

CAPITAL EXPENDITURE



TOTAL EXPENDITURE



ACTIVITY GROUP FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)

		Year to Date	e Dec 2021		Year End			
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Variance *	
Governance and Representation	2,205	2,122	(83)	(4)%	4,245	4,245	(0)	
Transportation	3,806	5,442	1,636	30%	9,267	9,267	(0)	
Stormwater	1,090	885	(205)	(23)%	237	4,419	4,182	
Wastewater	(172)	(203)	(32)	(15)%	(1,638)	(1,638)	0	
Water Supply	463	607	145	24%	(460)	(710)	(250)	
Other Infrastructure	2,044	2,464	419	17%	2,802	2,802	(0)	
City Strategy	2,568	2,291	(277)	(12)%	6,685	6,500	(184)	
Community and Visitor Experiences	15,898	15,990	92	1%	32,597	31,070	(1,527)	
Property Assets	(745)	(659)	87	13%	(7,865)	(7,865)	(0)	
Rates and Special Funds	(22,975)	(22,262)	713	3%	(44,307)	(48,489)	(4,182)	
Support Units	(2,398)	(2,956)	(558)	(19)%	(6,172)	(779)	5,393	
Net Operating Expenditure	1,782	3,721	1,939	52%	(4,610)	(1,179)	3,431	

* Variance Key

Favourable / Underspent Unfavourable / Overspent

Figures are shown in thousands (\$,000)

		Year to Date	Dec 2021		Year End			
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Variance	
Transportation	4,745	4,503	(242)	(5)%	12,644	8,194	(4,450	
Stormwater	1,142	1,886	744	39%	7,362	9,452	2,09	
Wastewater	2,253	1,986	(267)	(13)%	13,401	5,934	(7,467	
Water Supply	1,135	3,437	2,302	67%	10,301	10,470	16	
Other Infrastructure	215	144	(71)	(50)%	3,256	2,872	(384	
City Strategy	45	337	292	87%	1,265	1,092	(173	
Community and Visitor Experiences	2,955	3,862	907	23%	24,752	17,859	(6,893	
Property Assets	2,402	-	(2,402)		2,739	2,000	(739	
Support Units	3,055	3,531	476	13%	12,454	6,508	(5,947	
Total Capital Expenditure	17,946	19,686	1,740	9%	88,175	64,380	(23,794	
Asset Sales	(1,954)	-	1,954		-	-		

SUMMARY NET OPERATING EXPENDITURE OF ACTIVITY



ACTIVITY GROUP DETAIL

This section provides further detail on the key performance measures and the financial performance of each of the activities within Council.

The Council activities contribute to the Community Outcomes, as stated in the 2021-31 Long Term Plan. Council considers that meeting its service level targets constitutes a major role as a contributor to the progress of the Community Outcomes.



DEMOCRACY & GOVERNANCE

Council's Democracy and Governance Activity provides a democratic and consultative system for governance and decision-making. The activity encompasses the management of:

- The Council meeting and decision making process
- Local elections
- Responses to official information requests

Napier City Council elections are held triennially.





Annette Brosnan Deputy Mayor Onekawa/Tamatea



Grath Hayley Amatea Ahuriri

Hayley Browne Ahuriri

Ronda Chrystal

Taradale

Keith Price Ahuriri



<mark>Api Tapine</mark> Nelson Park



Greg MawsonMaxine BoagNelson ParkNelson Park



Sally Crown Nelson Park



Graeme Taylor Taradale



Nigel Simpson Taradale



Tania Wright Taradale

Council's governance function is delivered through a structure of Standing Committees, Joint Committees, Specialist and Sub-Committees and Council Controlled Organisations (CCO). Following the October 2019 election the governance structure for the 2019-2022 triennium must be established by the Mayor and adopted by Council.

The Local Governance Statement provides information on the governance structure and the processes through which Napier City Council engages with the residents of Napier, how the Council makes decisions, and how citizens can participate. This is a public document, and the 2016-2019 Local Governance Statement is available online. Once the 2019-2022 Triennium arrangements have been put in place, and the updated document has been adopted (required within six months of the election) the information will be made available via Council's website.

The overall aims are:

- To ensure the City is developed in a sustainable manner
- To promote economic growth
- To promote tourism
- To foster a safe environment
- To be a guardian of the City's assets and infrastructure
- To engender pride in Napier

A fundamental role of Council is to represent the community, to receive and understand their views, make good decisions for the benefit of the community, and if appropriate explain Council reasoning behind a particular decision or policy, to those who might be interested.

Democracy and Governance stakeholders are all residents of Napier City and the wider region. Consultation with stakeholders is carried out in accordance with the Significance and Engagement Policy.

Council's Māori Consultative Committee provides Māori perspective across all Council business, through the review of Council and Standing Committee's open agendas. The Committee makes recommendations to the Council on these items or any other matters relevant to Council, as it considers necessary.

DEMOCRACY & GOVERNANCE PERFORMANCE SUMMARY

Democracy and Governance

Level of service	Performance measures	First Quarter	Second Quarter	Third Targe Quarter 2022/2		Indicator	Comment
Council holds regular Council and Council Committee meetings that are accessible and notified to the local community	Percentage of Council meetings for which meeting agenda is made publicly available two working days before the meeting date	100%	100%	100ª	6 100%	•	
Council will comply with legislative requirements	Annual Reports and Long Term Plans receive 'unmodified' audit opinion	N/A	Not achieved	Achieve	d 50%	•	Council's 2020/21 Annual Report received an unmodified audit opinion for all information, apart from the Activity Groups Statement. The Activity Groups Statement received a qualified opinion due to incomplete information available about the number of complaints Council received relating to water supply, waste water and stormwater. Council is still in the process of resolving this issue. Napier City Council is part of a joint Council working party working on a paper to the Department of Internal Affairs, which contains recommendations to rectifying the issues identified with the recording of Three Waters complaints.
	Number of LGOIMA requests responded to within statutory time frames	97%	98%	1009	6 New	•	Delays in processing due to requirement for legal advice & clarification.
Te Waka Rangapū							
Level of service	Performance measures	First Quarter	Second Quarter	Thir Quarte		Indicator	Comment
	Legislative compliance with ss 14(1)(d), 60A, 77(1)(c), 81 and 82(2) of the Local Government Act 2002	Compliant	Compliant	Complia	it New	•	
We are strengthening our partnerships and recognise the special place of mana whenua and tangata whenua in Council decision making	Development of a Māori Engagement framework	Achieved	Achieved	Narrative measur	e New	•	We have changed the way we engage with Mana Whenua. The engagement process will entail how we bring Mana / Tangata Whenua as per the following: • Pānui ki te Marae • Iwi forums • Te Kupenga • Emails on kaupapa relating to Māori on a case by case basis • Regular catch up with Mana Whenua • Ngā Mānukanuka o te Iwi

Performance Indicators:
Achieved
In progress and on target
Within 10%
Not achieved, greater than 10%

DEMOCRACY & GOVERNANCE FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	-	-	-		-	-		
Expenditure	2,205	2,122	(83)	(4)%	4,245	4,245		
Depreciation	-	-	-		-	-		
Net Operating Expenditure	2,205	2,122	(83)	(4)%	4,245	4,245		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Democracy and Governance								
Revenue	-	-	-		-	-		
Expenditure	1,937	1,937	(0)	(0)%	3,874	3,874		
Democracy and Governance Total	1,937	1,937	(0)	(0)%	3,874	3,874		
Te Waka Rangapu								
Revenue	-	-	-		-	-		
Expenditure	268	185	(83)	(45)%	371	371	-1-	This is the first year of operation for this department.
Te Waka Rangapu Total	268	185	(83)	(45)%	371	371		

CITY STRATEGY

Activities in City Strategy are:

- City Development
- Resource Consents
- Regulatory Solutions
- Building Consents
- Animal Control
- Parking

CITY DEVELOPMENT

Council plans and delivers urban and economic growth strategically and sustainably through City Development. This Council activity assesses and decides how to protect and develop our constructed and natural environments, and how best to manage that process. City Development takes into consideration Napier's historic heritage and incorporate design, functionality and aesthetics into all our city projects. We guide our investment in infrastructure so it is efficiently located and caters for the planned growth of the city.

City Development also delivers planning and policy functions by meeting the statutory requirements under the Resource Management Act 1991 (RMA) and other relevant legislation. We provide professional, strategic, clear and frank advice to the Council so they can make informed decisions to benefit our City and community now and in the future.

City Development is an ongoing activity to help citizens and elected officials design and deliver the Vision for Napier City. The City Vision identifies the principles that will achieve the city's vision "A vibrant and sustainable Napier for all". Collaboration and engagement with other government agencies, local businesses, stakeholders and resident groups is also a core function of City Development.

RESOURCE CONSENTS

Resource Consents carries out activities required by legislation and is responsible for the administration and management of the Resource Management Act 1991 by providing the following functions:

- Processing of non-notified Resource Consents
- Preparation of reports for hearings relating to notified Resource Consents
- Management and resolution of subsequent Environment Court appeal processes
- Processing of the planning component of Building Consent applications
- Processing of Resource Consents for the subdivision of land
- Processing of Land Information Memorandums
- Implementation of an annual monitoring programme to gauge the effectiveness of the Council's environmental management policies
- Provision of planning advice and information in relation to resource consents, the administration of the District Plan, general development advice, heritage planning and conservation

- Enforcement work to ensure compliance with Resource Consent approvals and the operative District Plans
- Encouraging on-going sustainable development and enabling the community to provide for their economic well-being by the use of enabling regulations

REGULATORY SOLUTIONS

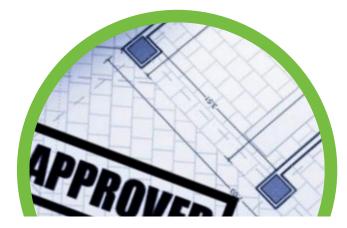
Regulatory Solutions are responsible for licencing, monitoring and inspecting a range of services that are provided largely by local businesses, which have the potential to cause harm to the public as governed by various legislations. These businesses include; food premises, camping grounds, hairdressers, mortuaries, wine makers, offensive trades and liquor licencing services.

In addition, Council is responsible for investigating notifiable diseases, investigating and monitoring nuisance to the community, providing a noise control service and monitoring and enforcing freedom camping.

Regulatory Solutions provides advice, education and assistance to individuals and businesses for those starting out and those well established.

BUILDING CONSENTS

The core function of Building Consents is carrying out the requirements of the Building Act 2004: the processing of building consent applications, inspecting building work on site and issuing code compliance certificates at the completion of building work. The Building Consents team also inspect swimming pool barriers, audit building warrants of fitness, investigate complaints, carry out enforcement action when required and provide advice and information to the public on building related issues.



ANIMAL CONTROL

Animal Control is responsible for the implementation and enforcement of the Dog Control Act 1996 and Council Bylaws relating to the Dog Control Act.

Animal Control manages the registration and control of dogs, promoting responsible dog ownership, reducing nuisance created by dogs, ensuring and reducing risk to public safety from dogs and providing animal education initiatives. Emphasis is placed on responsible dog ownership, education and classification of dogs and owners in line with the provisions of the Dog Control Act 1996.

Animal Control operates an animal shelter caring for any impounded dogs, which cares for on average 500 dogs per year and responds to roaming stock requests.

PARKING

Parking ensures that safe and adequate parking facilities are available to the residents and visitors to Napier City. This is achieved through the provision of sufficient car parking to meet demand for:

- On street parking
- Off street parking
- Leased parking
- Mobility Parking Alternative
- Transport parking, e.g. motorcycles, electric vehicles.

All parking areas under Napier City Council's control are patrolled either regularly or on request by warranted Parking Enforcement Officers. This is to ensure compliance with national legislation and local regulation. This ensures parking circulation occurs and remains available to all members of the public. Parking ensures that vehicles are parked in a safe and compliant manner.





CITY STRATEGY PERFORMANCE SUMMARY

CITY DEVELOPMENT

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Provide the policy planning and strategic functions for Napier City	District Plan reviewed to align with Napier Spatial Plan document and the Infrastructure Strategy	End of Year Measure	End of Year Measure		50% - draft District Plan is publicly notified	In progress	•	Achieved - 50%
	Review HPUDS strategy	End of Year Measure	End of Year Measure		50% - Reporting on the housing assessment capacity for Napier	Achieved	•	Achieved - 50%
Provide the strategic economic development function for Napier City	Publication of data to measure success of council objectives and inform future decision making	End of Year Measure	End of Year Measure		80% - Publications of data dashboard	New	•	Achieved - 100%
BUILDING CONSENTS								
Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Council monitors and enforces legislative compliance to protect its	Process building consent applications within the statutory time frame of 20 working days	98% 379 out of 388	98% 693 out of 709		100%	99% (1286 out of 1276)	٠	
citizens and their safety	Process code compliance certificates within the statutory time frame of 20 working days	100% 252 out of 252	100% 479 out of 479		100%	99% (1129 out of 1131)	٠	
	Audit buildings requiring building warrants of fitness annually	6% 52 out of 890	13% 112 out of 895		20%	36% (317 out of 890)	٠	
	Percentage of residential swimming pools inspected annually to ensure that all pool barriers are inspected at least once every 3 years	22% 116 out of 536	55% 294 ot of 536		33%	100% (855 inspections)	٠	
	Maintain Building Consent Authority (BCA) accreditation	Maintained	Maintained		Maintain	Maintained	•	

Performance Indicators:
 Achieved
 In progress and on target
 Within 10%
 Not achieved, greater than 10%

RESOURCE CONSENTS

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
	Process non-notified resource consents (excluding Controlled Activities) and all subdivision consents to approval stage within the statutory time frame of 20 working days	100% 87 out of 87	100% 164 out of 164		100%	99% (222 out of 225)	•	
	Process Controlled Activity Resource Consents (excluding subdivision) within 10 working days	100% 2 out of 2	100% 8 out of 8		100%	100% (13 out of 13)	٠	
Council monitors and enforces legislative compliance to protect its	Process notified Resource Consents within the statutory time frame of 130working days	100% 0 out of 0	100% 0 out of 0		100%	100% (0 out of 0)	٠	
citizens and their safety	Process limited notified Resource Consents within 100working days	100% 0 out of 0	100% 0 out of 0		100%	100% (1 out of 1)	٠	
	Land Information Memorandums to be processed within the statutory limit of 10 working days	100% 92 out of 92	100% 180 out of 180		100%	100% (286 out of 286)	•	
	All formal complaints are investigated and responded to within 3 days of receipt by Council	100% 5 out of 5	100% 8 out of 8		100%	100% (10 out of 10)	٠	
REGULATORY SOLUTION	S							
_evel of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
	Percentage of residents satisfied with Council management and enforcement of Noise Control in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	80%	64%	•	
	Percentage of Noise Control complaints referred to the contractor which have an Officer onsite and action commenced to resolve the complaint within 30 minutes of the call being received	88%	88%		80%	88%	•	
Council monitors and enforces egislative compliance to protect its citizens and their	Percentage of residents satisfied with Council management and enforcement of freedom camping in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	50%	New	٠	
safety	Percentage of Food Act Verification audits completed in accordance with the scheduled times in the Food Act 2014	End of Year Measure	End of Year Measure	End of Year Measure	100%	96% (256 out of 266) scheduled for audit)	•	
	Percentage of liquor licensed premises inspected annually for compliance with their licence conditions	End of Year Measure	End of Year Measure	End of Year Measure	50%	33% (75 out of 226 premises)	•	
	Percentage of very high and high risk liquor licensed premises inspected at least annually	End of Year Measure	End of Year Measure	End of Year Measure	100%	266% (13 out of 6 permises)	•	

Performance Indicators:
Achieved In progress and on target Vithin 10% Not achieved, greater than 10%

CITY STRATEGY PERFORMANCE SUMMARY CONTINUED

ANIMAL CONTROL

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Implement and enforce the requirements of the Dog Control Act 1996	equirements of the Dog and enforcement activity of Animal Control in the Residents		End of Year Measure	End of Year Measure	75%	65%	•	
	All requests for services are investigated and responded to within 21 days	100%	100%		100%	100%	•	
PARKING								
Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
	Percentage of residents satisfied with Parking in the Inner City in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	60%	43%	٠	
Provide and manage parking	Percentage of residents satisfied with Parking in the Suburbs in the Resident's Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	65%	51%	٠	
Provide and manage parking facilities for the city	Percentage of CBD parking occupancy rate	End of Year Measure	End of Year Measure	End of Year Measure	50-85%	0.69	•	
	Percentage of Taradale parking occupancy rate	End of Year Measure	End of Year Measure	End of Year Measure	50-85%	0.61	٠	

Performance Indicators:
 Achieved
 In progress and on target
 Within 10%
 Not achieved, greater than 10%

CITY STRATEGY FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)	Year to Date Dec 2021							
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(3,891)	(3,918)	(27)	(1)%	(7,551)	(7,151)		
Expenditure	6,320	6,019	(301)	(5)%	13,855	13,271		
Depreciation	139	190	52	27%	381	381	-1-	Delay in projects due to COVID-19
Net Operating Expenditure	2,568	2,291	(277)	(12)%	6,685	6,500		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
City Strategy Admin								
Revenue		-	-		-	-		
Expenditure	243	237	(6)	(3)%	474	474		
City Strategy Admin Total	243	237	(6)	(3)%	474	474		
Regulatory Consents								
Revenue	(432)	(244)	188	77%	(489)	(489)	-2-	50% increase in consent activity
Expenditure	684	743	58	8%	1,485	1,485		
Regulatory Consents Total	252	498	246	49%	997	997		
Planning Policy								
Revenue	(0)	-	0		(400)	-		
Expenditure	898	900	2	0%	3,317	2,669		
Planning Policy Total	898	900	2	0%	2,917	2,669		
Environmental Health								
Revenue	(242)	(289)	(47)	(16)%	(578)	(578)	-3-	Licensing and Enforcement activity is less than forecasted
Expenditure	725	690	(36)	(5)%	1,379	1,379		
Environmental Health Total	483	401	(83)	(21)%	801	801		

CITY STRATEGY FINANCIAL SUMMARY CONTINUED

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(1,271)	(1,086)	186	17%	(2,172)	(2,172)	-4-	Higher than forcast building consent activity
Expenditure	1,827	1,367	(460)	(34)%	2,734	2,734	-5-	Unbudgeted EDRMS, labour and legal costs
Building Consents Total	556	281	(274)	(98)%	562	562		
Animal Control								
Revenue	(753)	(758)	(6)	(1)%	(832)	(832)		
Expenditure	604	676	72	11%	1,329	1,393	-6-	Budget savings in various areas. Annu costs like Legal vary
Animal Control Total	(149)	(82)	66	80%	498	561		
Parking Revenue	(1,087)	(1,435)	(348)	(24)%	(2,870)	(2,870)	-7-	Reduced revenue due to lockdown, CBD workers working from home & transitioning to a new parking technolo Officers are closely monitoring the Parking activity and reducing operatior expenditure where possible to help mitigate further deterioration to the financial position
Expenditure	1,067	1,178	110	9%	2,448	2,448		
Parking Total	(20)	(258)	(238)	(92)%	(422)	(422)		
City & Business Promotion								
Revenue	(105)	(105)	(0)	(0)%	(211)	(211)		
Expenditure	410	419	9	2%	1,069	1,069		
City & Business Promotion Total	304	313	9	3%	858	858		

Figures are shown in thousands (\$,000)		Year to Date to	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Animal Control				·				
Agility Tracks	-	7	7	94%	20	20		
Complex Shelter & Office	1	15	14	92%	30	30		
Stock Control Equipment	-	1	1	100%	2	2		
New Impounding Facility	-	50	50	100%	100	100	-1-	Plan in place to vaildate design spend
Total Animal Control	1	74	72	98%	152	152		
Parking								
Additional CBD Parking	-	-	-		-	400		
Alternate Transport Parking	-	-	-		39	10		
Parking Security Upgrade	24	250	226	90%	1,000	500	-2-	Production delays in meters due to COVID
Minor Capital Items	15	5	(10)	(100)%	5	5		
Parking Equipment Replacement	5	8	3	36%	69	25		
Total Parking	44	263	219	83%	1,113	940		
Total Capital Expenditure	45	337	291	86%	1,265	1,092		
Asset Sales	-	-	-		-	-		

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WATER SUPPLY

Council provides a water supply system for the supply of safe potable water as well as for firefighting purposes. Water drawn from the Heretaunga Plains aquifer and treated via chlorination prior to being distributed through the network of reservoirs and pipelines. Water is reticulated to the Napier urban area and to Bay View. Council has a programme in place to manage the usage of water, a precious natural resource, to minimise wastage and shortages.

We provide the following to the city of Napier:

- 7 ground water and 8 booster pump stations
- 11 service reservoirs situated on 8 sites
- 482km of water mains (47km of critical mains and 435km of distribution mains)
- 93% of Napier's population is serviced by reticulation system

Under the Local Government Act 2002, Council has an obligation to continue to provide water supply services to those communities already serviced within our territorial boundaries. Under the Health (Drinking Water) Amendment Act 2007, Council must protect public health by maintaining the quality of drinking-water provided to communities. Water supply is a mandatory group of activities and must be included in the 30 year Infrastructure Strategy as an infrastructure asset. We are best placed to deliver this 'public good'.

The ongoing renewal, monitoring and maintenance of the Water Supply network are essential to ensure the Napier public's health and safety.



WATER SUPPLY PERFORMANCE SUMMARY

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Safeguard Public Health	Compliance with Part 4 criteria of the Drink- ing Water Standards (bacteria compliance criteria) (Mandatory measure 1)	Achieved	Achieved		Achieved	Achieved	٠	
	Compliance with Part 5 criteria of the Drink- ing Water Standards (protozoa compliance criteria) (Mandatory measure 1)	Achieved	Achieved		Achieved	Achieved	•	
Management of Environ- mental Impacts	The percentage of real water losses from Council's networked reticulation system as determined through an annual water balance (Mandatory measure 2)	End of Year Measure	End of Year Measure	End of Year Measure	≤ 22%	0.16	N/A	
	Average annual consumption of drinking water per day per resident (Mandatory measure 5)	End of Year Measure	End of Year Measure	End of Year Measure	<490 L	411 litres/resi- dent/day	N/A	
	Median response times from time notifica- tion received: attendance time for urgent call-outs (Mandatory)	25.8	28.8		≤ 90 minutes	31 minutes	٠	
	Median response times from time notifi- cation received: resolution time for urgent call-outs (Mandatory)	1.31	1.25		≤6 hours	1.07 hours	٠	
	Median response times from time notifica- tion received: attendance for non-urgent call-outs (Mandatory)	19.23	2.88		≤ 8 hours	2.20 hours	٠	
	Median response times from time notifica- tion received: resolution time for non-urgent call-outs (Mandatory)	23.04	6.43		≤ 72 hours	5.00 hours	٠	
Customer Satisfaction	Total number of complaints per 1,000 con- nections relating to drinking water clarity	0.67	5.68		Downwards trend	New	•	Increase in complaints due to summer demand and A1 & C1 bores in use
	Total number of complaints per 1,000 connections relating to drinking water taste, drinking water clarity, drinking water odour, drinking water pressure or flow, and continu- ity of supply (Mandatory measure 4)	1.15	6.32		≤2	12.79 (verified) 62.59 (estimated)	٠	Increase in complaints due to summer demand and A1 & C1 bores in use
	Percentage of residents satisfied with Water Supply in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	89%	26%	N/A	
Investigation of options for chlorine free network	Complete the 'Chlorine Free Review' report by 2021 and consult with the community on the implementation of the findings	Achieved	Achieved		Achieved	New	*••	

WATER SUPPLY FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(3,792)	(3,859)	(66)	(2)%	(9,235)	(9,235)		
Expenditure	2,581	2,831	250	9%	5,505	5,255		
Depreciation	1,674	1,635	(39)	(2)%	3,270	3,270		
Net Operating Expenditure	463	607	145	24%	(460)	(710)		
Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
· .ga.co a.o o.o		Revised			Revised			
Capital	Actual	Budget	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Water Supply								
IAR Pipes	183	285	102	36%	500	500	-1-	Reactive works with Transportation and other minor planned works. It is anticipated that this budget will be fully utilised by year-end.
IAR Pump Stations	9	213	203	96%	425	425	-2-	Delays to work programme due to resource constraints and supply delay.
Water Bore Renewals	-	50	50	100%	100	400	-3-	Delays to work programme due to resource constraints and supply delay. Pumps ordered.
Water Treatment Renewals	-	38	38	100%	75	175	-4-	Works delayed due to low manganese project.
IAR Water Meters	0	3	2	80%	5	5		
New Taradale Bore Field	(0)	-	-	(100)%	-	500		
Replacement of Enfield reservoir	54	100	46	46%	200	400	-5-	Delays to work programme due to resource constraints and supply delay. Sourcing a project manager for the replacement.
Thompson Reservoir Upgrade	19	-	(19)	(100)%	35	-		
Gifted/Vested Assets	-	-	-	(100)%	221	221		
Upgrade Water Supply Ctrl Syst	105	72	(33)	(46)%	160	-	-6-	Works ahead of schedule.
New Reservoir Taradale	20	-	(20)	(100)%	68	-		
Te Awa Structure Plan	419	431	12	3%	1,416	774		
Dedicated water takes from hydrants	38	-	(38)	(100)%	-	-	-7-	Project overspend will be funded from other project budget underspends within the Water Supply Activity.
District Modelling Projects	0	-	-	(100)%	-	50		
District Monitoring Project	65	49	(16)	(33)%	217	-		
Improve Bores	86	-	(86)	(100)%	-	-	-8-	Project overspend will be funded from other project budget underspends within the Water Supply Activity.

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
New bores in Awatoto	-	-	-		841	500)	
New Reservoir Westen Hills	35	108	73	68%	228	500	-9-	Project subject to developer programme.
New Water Treatment Plant	30	-	(30)	(100)%	-	1,000)	
Reservoir inlets and outlets improvements	14	-	(14)	(100)%	648			
Awatoto Trunk main extension	1	-	(1)	(100)%	-	500)	
Network access points	23	-	(23)	(100)%	96			
K-Mart Connection	0	-	-		-			
Borefield No.1 Rising Main	6	-	(6)	(100)%	50			
Taradale Falling Trunk Main	14	-	(14)	(100)%	-			
Awatoto Industrial & Phillips Road Bore	-	80	80	100%	1,789	1,000	-10-	Design brief completed, progressing to design.
Water Network Improvements	-	275	275	100%	544	550	-11-	Delays to work programme due to resource constraints.
Water Reservoir Improvements	1	60	59	98%	120	320	-12-	Design nearing completion for resevoir mixers.
Water Treatment Improvements	7	1,675	1,668	100%	2,563	2,650	-13-	Co-funding for water reform project. Work being designed NCC funding to be used once Reform funds are used.
Berry Farms Thurley Place S821	6	-	(6)	(100)%	-	-		
Total Water Supply	1,135	3,437	2,302	67%	10,301	10,470)	
Total Capital Expenditure	1,135	3,437	2,302	67%	10,301	10,470)	
Asset Sales		-						

WASTEWATER

Council provides and maintains a safe, effective and efficient domestic sewage collection, treatment and disposal system to help maintain community health. In addition, we provide for a separate industrial sewage collection and disposal system for selected trade waste customers.

Council provides:

- 51 pump stations
- 388km wastewater mains
- Biological Trickling Filter plant (Awatoto)
- Milliscreen plant (Awatoto)
- 1,500m long marine outfall pipe
- 93% of Napier's population serviced by reticulation system

Under the Local Government Act 2002, the Resource Management Act 1991 and the Building Act 2004, we are obliged to provide a sewerage service, which collects, transports and disposes of household wastewater.

Council aims to protect human health and the environment and by being best placed, they can provide this 'public good' service. Wastewater is a mandatory group of activities and must be included in the 30-year Infrastructure Strategy as an infrastructure asset.



WASTEWATER PERFORMANCE SUMMARY

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Public Health and Sanitation: We operate, maintain, and size the network to minimise the occurrence of raw wastewater overflows into habitable areas	Number of wastewater overflows	0.459	0.115		<0.12 per 1000 connections	0.27	•	No of overflows exceeded the target against the 1st quarter. More CCTV and cleaning being undertaken to ensure blockage issues are managed. The progress in the reduction of pipe blockages and reduced overflows may be reflected in subsequent reporting.
	Compliance with resource consents for discharge from the wastewater system as measured by the number of abatement notices received in relation to wastewater resource consents (Mandatory)	0	0		ZERO	1.00	•	
Minimise Environmental Impacts: By treating wastewater to the legally	Compliance with resource consents for discharge from the wastewater system as measured by the number of infringement notices received in relation to wastewater resource consents (Mandatory)	1	0		ZERO	0	•	Blockages near the Hardinge Rd WWPS caused an overflow and this infringement notice pertains to it. Required remediation implemented.
required standard before discharging into the environment	Compliance with resource consents for discharge from the wastewater system as measured by the number of enforcement orders received in relation to wastewater resource consents (Mandatory)	0	0		ZERO	0%	•	
	Compliance with resource consents for discharge from the wastewater system as measured by the number of convictions received in relation to wastewater resource consents (Mandatory)	0	0		ZERO	0	•	
Customer Responsiveness and Satisfaction:	Median response times to sewerage overflows: attendance time from notification to staff on site (Mandatory)	0.63	0.60		≤2 hours	1.35 hours TBC	•	
We respond to and restore loss of service and address complaints AND	Median response times to sewerage overflows: resolution time from notification to resolution of the issue (Mandatory)	2.69	3.60		≤8 hours	2.77 hours TBC	•	
will deliver a consistently high level of customer satisfaction	Customer satisfaction with wastewater in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	70%	New	N/A	
	Total number of complaints per 1,000 connections relating to sewage odour, sewerage system faults, sewerage system blockages, and response to issues with Napier's sewerage system (Mandatory)	4.818	3.442		≤36	4.24 (verified) 15.30 (estimated)	•	
	Blockages resulting in overflows into the Ahuriri Estuary	0	0		0%	New	•	

Performance Indicators:
 Achieved
 In progress and on target
 Within 10%
 Not achieved, greater than 10%

WASTEWATER FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)	Year to Date Dec 2021							
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(5,364)	(5,433)	(69)	(1)%	(12,883)	(12,883)		
Expenditure	2,154	2,278	124	5%	5,341	5,341		
Depreciation	3,038	2,952	(87)	(3)%	5,904	5,904		
Net Operating Expenditure	(172)	(203)	(32)	(15)%	(1,638)	(1,638)		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Wastewater	Notuai	Dudget	Variance	/o vanance	Dudget	/ initial Fian	Notes	Commonia
Sewer Pipe Renewal	487	451	(37)	(8)%	1,331	650		
Sewer Pump Station Renewal	342	436	93	21%	2,619	605	-1-	Airport Pump Station final timing subject to contractor's programme at tendering. Expenditure expected later in the financial year.
Treatment Plant Renewal	44	100	56	56%	248	400	-2-	Planned work re-programmed to later in the financial year.
Wastewater Treatment Plant Upgrade	424	183	(241)	(100)%	4,107	-	-3-	Additional site investigation and design works completed.
Wastewater Outfall IAR	79	-	(79)	(100)%	488	-	-4-	Additional works required on the Outfall.
Flow meter replacements	-	10	10	100%	20	20		
SCADA Upgrade	227	100	(128)	(100)%	343	-	-5-	Equipment purchased ahead of schedule to minimise any potential supply chain problems.
Wastewater Treatment Renewals	5	6	1	17%	200	1,000		
Gifted/Vested Assets	-	-	-		401	401		
Wastewater Network Improvements	-	15	15	100%	50	50		
Wastewater Pump Station Improvements	0	79	79	100%	585	885	-6-	Project due to start in the second half of the financial year.
Tradewaste New Projects	45	51	6	12%	73	373		
Wastewater Growth Projects	-	40	40	100%	200	500	-7-	Expenditure profile subject to developers timeframes.
Flow metering	13	37	24	65%	369	250		
Guppy Rd pumping main installation	-	-	-		30	-		
Harold Holt wastewater upgrades	240	174	(66)	(38)%	245	-	-8-	Works completed ahead of schedule.
Installation of Generator Connections	0	-	-		188	-		
Odour control at Petane pump station	0	-	-		39	-		
Pandora Industrial Main	79	15	(64)	(100)%	500	500	-9-	Works including investigations are ahead of schedule.
Taradale Wastewater Diversion	14	-	(14)	(100)%	50	-		
Te Awa Structure Plan - Wastewater	252	290	38	13%	1,316	300	-10-	Expenditure profile subject to contractors programme.
Total Wastewater	2,253	1,986	(267)	(13)%	13,401	5,934		
Total Capital Expenditure	2,253	1,986	(267)	(13)%	13,401	5,934		
Asset Sales	-							

STORMWATER

The Napier City Council in collaboration with Bay of Plenty Regional Council operates a stormwater collection and disposal system that include both piped and open waterway components within the city to provide stormwater services to the public.

Council has a statutory responsibility to ensure stormwater is managed through ownership and management of its own stormwater drainage network. The Council is a viable provider of this 'public good' service for the well-being of the community. Stormwater is a mandatory group of activities and must be included in the 30-year Infrastructure Strategy as an infrastructure asset.

Council provides and maintains a stormwater disposal system for Napier with the aim to minimise the effects of flooding. The system, serving approximately 97% of the city's population, consists of open drains, stormwater mains, and pump stations with about 75% of Napier reliant on pumped systems for stormwater drainage.

- 239km stormwater mains
- 122km open drains (44.4km of major drains and 75.6km of minor drains)
- 10 pump stations
- 3 detention dams
- 5,297 manholes

We provide:

STORMWATER PERFORMANCE SUMMARY

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
The stormwater network adequately protects	Number of flooding events that occur per year (Mandatory)	0	0		≤1	1	•	
the health and safety of Napier residents and protects property by providing protection	For each flooding event, the number of habitable floors affected per 1,000 properties (Mandatory)	0	0		≤1	4	•	
against flooding	Median response time to attending a flood event (notification to personnel being on site) (Mandatory)	0	0		≤2 hours	28.05 hours TBC	•	
Stormwater is collected and disposed of in a manner that protects public and environmental	Compliance with resource consents for discharge from the stormwater system as measured by the number of abatement notices (Mandatory)	0	0		Zero	0%	•	
health	Compliance with resource consents for discharge from the stormwater system as measured by the number of infringement notices (Mandatory)	0	0		Zero	0	•	
	Compliance with resource consents for discharge from the stormwater system as measured by the number of enforcement orders (Mandatory)	0	0		Zero	0%	•	
	Compliance with resource consents for discharge from the stormwater system as measured by the number of convictions received in relation to stormwater resource consents (Mandatory)	0	0		Zero	0	•	
Residents are satisfied with Council's stormwater service	Number of complaints received about performance of stormwater system (per 1,000 properties connected) (Mandatory)	2.238	2.370		≤5	2.33 (verified) 9.04 2.33 (verified) 9.04 (estimate)	•	
	Percentage of residents satisfied with stormwater in Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	89%	42%	N/A	
Stormwater is collected and disposed of in a manner that protects public and environmental health	Number of education programmes delivered to improve stormwater quality	0	0		>1	New	•	A campaign in 2nd quarter planned

Performance Indicators:
 Achieved
 In progress and on target
 Within 10%
 Not achieved, greater than 10%

STORMWATER FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)	Year to Date Dec 2021							
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(2,654)	(2,658)	(4)	(0)%	(6,502)	(2,320)		
Expenditure	1,653	1,441	(212)	(15)%	2,535	2,535	-1-	On-going, unbudgeted costs incurred due to the November 2020 flood event.
Depreciation	2,091	2,102	11	1%	4,204	4,204		
Net Operating Expenditure	1,090	885	(205)	(23)%	237	4,419		

Figures are shown in thousands (\$,000)	Year to Date Dec 2021							
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Stormwater								
Upgrading Stormwater Catchments	55	-	(55)	(100)%	-	-	-1-	Thames St/Pandora Rd Roundabout works extended into the 2021/22 FY. Funding to be identified from this year's capital programme.
Stormwater IAR	(0)	13	13	100%	85	85	-2-	Programme behind schedule. SW projects at Waghorne Street & 19 Marine Parade. Survey planned for early 2022.
SW Pump Station Renewal	5	37	32	86%	160	160	-3-	Procurement to be undertaken in 2nd half of the financial year.
Pump station minor replacements (mechanical)	-	-	-		20	-		
SCADA minor replacements	21	25	4	16%	25	25		
Stormwater pump replacements	80	194	115	59%	255	180	-4-	Work progressing to procure replacement pump for Onehunga PS
Stormwater pump station electrical replacements	22	-	(22)	(100)%	-	-		
Thames/Tynes pipe and drain upgrades	-	-	-		66	-		
Gifted Vested Assets	-	-	-		448	448		
Bay View Pump Station	4	-	(4)	(100)%	-	-		
Extend Outfalls Marine Parade	-	-	-		74	-		
Drain Improvements	-	8	8	100%	77	30		
Ahuriri Master Plan stormwater study	44	46	2	4%	145	100		
Ahuriri Master Plan Project 11 - Pandora catchment improvement	13	-	(13)	(100)%	100	-		
Ahuriri Master Plan Project 3 - improve direct outfalls	9	-	(9)	(100)%	212	-		
SCADA upgrade project	41	-	(41)	(100)%	115	-	-5-	Programme ahead of schedule.

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Taradale Stormwater Diversion	0	-	-		-	-		
SCADA upgrade project	844	769	(75)	(10)%	1,810	-	-6-	Programme ahead of schedule.
Te Awa Structure Plan	-	-	-		72			
Upgrading Dalton St pump station	4	-	(4)	(100)%	46			
Upgrade existing Onehunga pump station	-	-	-		79			
Ahuriri Estuary Projects	-	33	33	99%	110	140	-7-	Lagoon Farm Diversion to be procured in the second half c the financail year.
Flood Alleviation Projects	1	8	6	80%	250	500)	
Open Waterway Improvements	-	86	86	100%	356	566	-8-	Procurement progressing on various projects. Increased spend expected later in the financial year.
Stormwater Pump Station Improvements	-	395	395	100%	1,700	1,700	-9-	Design completed, construction in progress.
Stormwater Growth Projects	-	273	273	100%	1,194	5,518	-10-	Expenditure profile subject to developers/contractors programme.
Total Stormwater	1,142	1,886	744	39%	7,398	9,452	2	
Total Capital Expenditure	1,142	1,886	744	39%	7,398	9,452		
Asset Sales		-	-		-			

TRANSPORTATION

We own, maintain and develop the local transportation network. The city's road network provides accessibility to Napier residents and visitors within a safe, clean and aesthetic environment. The activities within this group include the installation and maintenance of the physical components; roads, footpaths, traffic and pedestrian bridges and structures, street lighting, drainage, traffic services and safety (e.g. street furniture, traffic lights, signage), as well as the planning, management and amenity and safety maintenance to ensure the system is clean, safe and able to cope with future needs.

Transportation corridors are a key element of the local environment, supporting the community and economy. It is essential that transportation continues to be delivered to an appropriate standard to achieve national, regional and NCC's strategic objectives and desired outcomes.

We provide the following to the City of Napier:

- 301km of urban roads and footpaths
- 56km of rural roads
- 45km of cycle paths
- 480km of kerb and channel
- 8,616 street lights
- 3,400 amenity lights
- 8 vehicle bridges
- 10 pedestrian bridges
- 61 culverts larger than 900mm in diameter
- 5,441 sumps and manholes
- 1,369 culverts less than 900mm in diameter
- 15,822m of traffic islands
- 9,555m of safety barriers and railings
- 5,902 street trees
- 6,885 street signs
- 24 bus shelters



TRANSPORTATION PERFORMANCE SUMMARY

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Design and construct safety improvements to minimise the number of injury crashes	The change from the previous calendar year in the number of fatalities and serious injury crashes on the local road network, expressed as a number (DIA Performance Measure 1)	End of Year Measure	End of Year Measure	End of Year Measure	-1	+1	N/A	
Provide well maintained roads	The average quality of ride on a sealed local road network, measured by smooth travel exposure (DIA Performance Measure 2)	End of Year Measure	End of Year Measure	End of Year Measure	85%	92%	N/A	
	Average roughness	End of Year Measure	End of Year Measure	End of Year Measure	<100 surface	New	N/A	
	Peak Roughness	End of Year Measure	End of Year Measure	End of Year Measure	>145 surface	New	N/A	
	Number of instances where road access is lost	End of Year Measure	End of Year Measure	End of Year Measure	<2 (arterial), <8 (total)	New	N/A	
Provide well- maintained footpaths and cycleways (DIA Performance	Percentage of footpaths and cycleways rated 4 or 5 (rating 1 best to 5 worst) based on independent survey	End of Year Measure	End of Year Measure	End of Year Measure	1%	1.53%	N/A	
Measure 4)	Percentage of residents being satisfied (very satisfied or fairly satisfied) with 'footpaths' in the Napier City Council Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	85%	67%	N/A	
	Percentage of residents satisfied (very satisfied and fairly satisfied with 'roads' in the Napier City Council Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	85%	60%	N/A	
Maintain a high level of customer service	Percentage of customer service requests responded to within 5 working days (DIA Mandatory Measure 5)	100%	100%	End of Year Measure	90%	100%	٠	
Provide adequate renewal of road surfacing	Percentage of the sealed local road network that is resurfaced (DIA Mandatory Measure 3)	End of Year Measure	End of Year Measure	End of Year Measure	5%	1.7%	N/A	

Performance Indicators:
Achieved In progress and on target
Within 10%
Not achieved, greater than 10%

TRANSPORTATION FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(5,132)	(3,138)	1,994	64%	(6,441)	(6,441)	-1-	Unbudgted MBIE Shovel Ready grants offset by unbudgeted costs. Some NZTA subsidised works are ahead of schedule, offset by higher costs than budgeted. Unbudgeted NZTA revenue due to the November 2020 flood event, offset by unbudgeted costs. Additional Financials Contributions received from developments.
Expenditure	5,016	4,582	(434)	(9)%	7,713	7,713		
Depreciation	3,922	3,998	76	2%	7,996	7,996		
Net Operating Expenditure	3,806	5,442	1,636	30%	9,267	9,267		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Road Capital								
Roading Renewals	690	1,325	635	48%	3,329	3,529	-1-	Renewals delayed due to Covid-19 level 4 restrictions, however is expected to be on target by year-end.
N/S Roading Renewals	196	262	66	25%	730	530	-2-	Renewals delayed due to Covid-19 level 4 restrictions, however is expected to be on target by year-end.
Gifted/Vested Assets	-	-	-		1,175	1,175		
West Quay One Way	203	183	(20)	(11)%	694	-		
CBD Development	22	-	(22)	(100)%	300	-		
Urban Growth Northwest Dvlpmnt	-	-	-		100	100		
Te Awa Structure Plan	1,120	1,137	17	1%	2,289	250		
Ahuriri Masterplan - Pandora Road Upgrade	291	308	17	6%	960	960		
Ahuriri Masterplan - Associated improvements	8	-	(8)	(100)%	100	100		
Ground stabilisation and retaining wall	73	-	(73)	(100)%	183	-	-3-	Works completed ahead of schedule.
Major Intersection Improvement Projects	581	403	(178)	(44)%	403	-	-4-	The overspend is on the Thames/Pandora Roundabout project and is to be funded from other project underspends within the Roading Activity.
Intersection Improvement Projects	17	40	23	58%	300	300		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Intersection Safety Improvement Projects	741	423	(318)	(75)%	517	200	-5	Project overspends on the York Avenue/Auckland Road Roundabout, Meeanee Quay Traffic Calming & Riverbend Road Traffic Calming projects and will be funded from other project budget underspends within the Roading Activity.
KiwiRail - Level Crossing	-	-	-		90	-		
Local Area Traffic Management Projects	238	197	(41)	(21)%	330	330	-6	- Works completed ahead of schedule.
Marine Parade Safety Improvements	30	-	(30)	(100)%	-	-		
New Cycle and Walking Tracks	399	22	(377)	(100)%	224	-	-7	The majority of the overspend relates to unbudgeted Shove Ready Projects which are funded by MBIE. The balance of the overspend are NCC funded projects which are ahead of schedule.
Puketitiri Road Upgrade	32	-	(32)	(100)%	150	-	-8	- Works completed ahead of schedule.
School Zone Safety work	44	45	1	2%	300	300		
Urban Corridor Improvement Projects	59	159	100	63%	420	420	-9	 It is unlikely that this budget will be fully utilised this financia year. It is anticipated that any unspent budget will fund the overspends on the Intersection Safety Improvement Projects.
Ahuriri Masterplan - Thames Severn Stormwater Management	-	-	-		50	-		
Total Road Capital	4,745	4,503	(240)	(5)%	12,644	8,194		
Total Capital Expenditure	4.745	4,503	(240)	(5)%	12.644	8.194		
	4,745	4,505	(240)	(3) /0	12,044	0,134		
Asset Sales	(7)	-	-		-	-		

OTHER INFRASTRUCTURE

Activities in Other Infrastructure are:

- Waste Minimisation
- Cemeteries
- Public Toilets

WASTE MINIMISATION

Council provides a domestic refuse collection service for both residential and commercial properties within Napier as follows:

- Residential Properties once per week
- Commercial (Suburban Shops) twice per week
- Commercial (Central Business District) three times per week

Litter bins and drums are located throughout the city and serviced on a daily basis. Our Refuse Transfer Station at Redclyffe accepts most domestic, garden and building waste, and recyclables.

Council provides a kerbside recycling service for residential properties on a fortnightly schedule.

Currently Napier disposes of approximately 17,000 tonnes of refuse annually to the Omaranui landfill from the domestic collection, litter collection and the Transfer Station. The Omarunui Landfill is the final disposal point for waste generated by the combined populations of Hastings District and Napier City. The Hastings District and Napier City Councils jointly own the facility, (63.68% and 36.32% ownership respectively) and Hastings District Council manages the day-to-day operations.

The Waste Minimisation Act 2008 requires councils to adopt a Waste Management and Minimisation plan (WMMP), which must be reviewed every six years. A WMMP is council's waste management and minimisation planning document. The legislation enables councils to use various tools to influence, promote and implement measures to manage and minimise waste.

The Local Government Act 2002 requires Council to provide 'effective and efficient' waste management services. The Waste Minimisation Act 2008 requires us to reduce the environmental impact of waste in New Zealand by encouraging waste reduction. The continued provision of this service is essential to the health of Napier's community and maintaining high environmental standards. Council delivers this 'public good' service.

The main goals for Waste Minimisation are:

- To provide effective and efficient systems for the collection and disposal of refuse and collection of recyclable materials.
- To minimise the quantity and toxicity of waste being generated and disposed of in order to minimise adverse environmental, cultural, social and economic effects of refuse disposal

Over the 10-year life of the LTP, we will continue to deliver waste minimisation services.

The provision of additional litterbins in tourist areas and the increasing recreational facilities are driving an increased level of service in this activity. We are also facing a number of long-term issues to address, such as the reducing capacity of the Omarunui Landfill and challenging recycling commodities markets.

The landfill currently in use will be full by 2025 based on estimations. Together with the joint owner, the Hastings District Council, the Waste Futures study project investigated alternative waste disposal technologies. The result from this study is a decision to develop the landfill further, whilst focussing on diversion of recyclables and organic material. In summary, the alternative waste disposal technologies can have very high diversion rates but come at a higher cost and level of risk.

CEMETERIES

Napier City Council operates and maintains six cemeteries within the territorial boundary of the city. Several of the existing cemeteries within the city have significant historical value.

Hastings District Council owns and operates the crematorium for the Hawke's Bay region. There is also one private crematorium facility in the Onekawa industrial area.

There are no private cemeteries in the Napier City Council area.

Apart from catering to the legal needs and requirements relating to burials and interment of ashes, cemeteries also provide a tangible link to a region's past. Many of the old Napier cemeteries are now popular with visitors wishing to learn more about the history of a region's early residents and to those people undertaking genealogy research.

Council also provides an on line cemetery database allowing access to burial details.

PUBLIC TOILETS

Council provides and maintains public toilet facilities to meet the needs and demands of the community and visitors to the City. Currently the city has 45 operational public toilet facilities.

Public toilets are provided in key areas generally related to tourism (e.g. i-SITE Visitor Centre), recreation (both at sportsgrounds and passive recreation areas) and shopping activities (e.g. Dickens Street and Maraenui Shopping Centre). Council cleans and inspects facilities at least daily with the emphasis on hygiene, safety, discouragement and removal of graffiti.

OTHER INFRASTRUCTURE PERFORMANCE SUMMARY

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Waste Minimisation								
A weekly kerbside refuse collection service is	Weeks per year that the refuse service is available to the residents of Napier	13 weeks	13 weeks		52 weeks	52 Weeks	٠	
provided to city residents	Percentage of residents satisfied with the refuse collection in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	90%	81%	N/A	
	Weeks per year that the recycling service is available to the residents of Napier	13 weeks	13 weeks		52 weeks	52 Weeks	٠	
Provision of recycling drop-off facility	Days per year where drop-off services are available to the public	11 weeks	13 weeks		362	362	٠	Due to Covid19 L4 the recycling area was closed for two weeks.
Availability of the user- pays refuse transfer station and associated	Days per year where transfer station services are available to the public	11 weeks	13 weeks		362	362	•	Under Covid19 L4 only commercial waste operators could access for rubbish disposal.
services	Compliance with resource consents related to the transfer station and closed landfills	100%	100%		100%	New	•	No issues or complaints, reporting completed and water take bore surveyed as part of this.
Availability of and attendance at waste minimisation education	Students/customers attending education sessions for the Waste Aware Programme or other education in person	0	0		>750 attendees	0	•	Q2 had nine classes from two schools booked, however all were cancelled due to Covid19.
Litter control, graffiti, and vandalism	Percentage of residents satisfied with control of litter and graffiti in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	90%	70%	N/A	
Council promotes waste minimisation activities	Waste to landfill per capita	59.6 kg per capita	64.92kg per capita		300kg per capita per annum	296Kg/capita/ annum	•	
Cemeteries								
Cemeteries' records are well maintained and accessible	An online cemeteries records system is available 90% of the time	98%	98%		90%	98%	•	
Cemeteries are well maintained and provide a quiet and aesthetically pleasing environment for users	Satisfaction with cemeteries as measured by the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	90%	New	N/A	
Public Toilets								
Public conveniences are clean hygienic, and safe	Percentage of customers who are satisfied with public toilets in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	88%	98%	N/A	

Performance Indicators:
Achieved In progress and on target
Within 10%
Not achieved, greater than 10%

OTHER INFRASTRUCTURE FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021							
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments		
Revenue	(3,632)	(3,813)	(180)	(5)%	(13,290)	(13,290)				
Expenditure	5,106	5,762	656	11%	15,069	15,069	-1-	2 x vacant roles and lower tonnages than expected resulting in reduced Landfill fees in the Refuse activity. Lower than expected expenditure at the Transfer Station due to the closure of the facility during Covid-19 level 4 lockdown.		
Depreciation	570	514	(56)	(11)%	1,022	1,022	-2-	More assets were added in the FY 2020/21 than budgeted.		
Net Operating Expenditure	2,044	2,464	419	17%	2,802	2,802				

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Refuse								
Revenue	(2,359)	(2,364)	(5)	(0)%	(10,393)	(10,393)		
Expenditure	3,451	3,730	279	7%	10,834	10,834	-3-	2 x vacant roles and lower tonnages than expected resulting in reduced Landfill fees.
Refuse Total	1,092	1,366	274	20%	441	441		
Public Toilets								
Revenue	(7)	(5)	2	35%	(10)	(10)		
Expenditure	659	631	(28)	(4)%	1,263	1,263		
Public Toilets Total	653	626	(26)	(4)%	1,253	1,253		
Transfer Station								
Revenue	(1,162)	(1,282)	(121)	(9)%	(2,564)	(2,564)		
Expenditure	1,047	1,417	370	26%	2,828	2,828	-4-	Lower than expected expenditure due to the closure of the facility during Covid-19 level 4 lockdown.
Transfer Station Total	(115)	134	249	>100%	263	263		
Cementeries								
Revenue	(105)	(161)	(56)	(35)%	(322)	(322)	-5-	Sale of Burial Plots behind budget due to pre-sales being placed on hold until the new area being developed at Western Hill's is completed.
Expenditure	519	498	(21)	(4)%	1,167	1,167		
Cementeries Total	414	337	(77)	(23)%	845	845		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Refuse	Actual	Dudget	Vananoo	70 Valiance	Duuget	/ initial i lan	Notes	Commente
Omarunui Dev Valley D		-			667	667		
Omarunui Development Plant					242	242		
Omarunui Dev Forestry		-	-		0	0		
Omarunui Dev Valleys B&C		-			1,216	1,216		
Recycling Crate Purchases	- 18		(18)	(100)%	1,210	1,210		
Wheelie Bin Purchases	-	-	(10)	(100)/8	53	_		
Total Refuse	- 18		(18)	(100)%	2,190	2,124		
Iotal Reluse	10	-	(10)	(100)%	2,190	2,124		
Public Toilets								
Public Tollets								Relates to the Marewa Toilet Block renewal (car accident -
								structural damage) works. Insurance will cover the majority
Infrastructure Asset Renewal	113	-	(113)	(100)%	220	-	-1-	of the rebuild costs. Some renewal works as a result of the
								accident have also been completed which are funded from th renewal fund.
Total Public Toilets	113	-	(113)	(100)%	220	-		
Transfer Station								
Solid Waste Renewals	18	39	20	52%	162	93		
Total Transfer Station	18	39	20	52%	162	93		
Cemeteries								
Infrastructure Asset Renewal	9	35	26	74%	110	110		
Cemetery Planting	15	25	10	40%	39	25		
Napier Cemetery Development	-	-	-	(100)%	100	100		
Wharerangi Building Refurbishment	2	10	8	80%	10	10		
Cemetery Concept Plan Implementation	29	10	(19)	(100)%	75	60		
Western Hill Extension - Stage 2	10	25	15	60%	350	350		
Total Cemeteries	65	105	40	38%	684	655		
Total Capital Expenditure	215	144	(71)	(49)%	3,256	2,872		

COMMUNITY AND VISITOR EXPERIENCES

Activities in the Community and Visitor Experiences Group are:

- Community Strategies
- Community Facilities (Halls)
- Napier Aquatic Centre
- Marine Parade Pools
- Bay Skate
- McLean Park
- Events and Marketing
- Sportsgrounds
- Reserves
- Housing
- Libraries
- MTG Hawke's Bay
- Napier Municipal Theatre
- Napier i-SITE Visitor Centre
- Part2 MiniGolf
- National Aquarium of NZ
- Napier Conferences & Events
- Kennedy Park Resort

COMMUNITY STRATEGIES

The Community Strategies activity encompasses the following main activities:

- Community planning
- Community advice
- Community grants
- Community engagement
- Safer community (including Civil Defence)

Council works alongside our communities to support them to identify and implement solutions to the complex social issues present in our society. The team work both strategically and practically to ensure issues are identified, prioritised and addressed through a collaborative approach.

COMMUNITY FACILITIES (HALLS)

Council provides a range of community facilities that meet the recreational and social needs of the community. They are spaces where people connect, learn, socialise and participate. There are four community halls, four community centres, and one sports centre. The halls are available for hire, with discounted rates for community groups. Use of the community centres vary, but generally, community groups lease the facilities, and halls are either managed directly by Council, or through a third party group or Trust.

NAPIER AQUATIC CENTRE

Situated in the centre of Napier, in the middle of Onekawa Park, the Napier Aquatic Centre is a safe and affordable aquatic facility for everyone. The facility currently provides two 25m pools, a learners' pool, waterslides, spas, spray park and an outdoor area suitable for picnics. A number of services are provided ranging from learn to swim and aqua fitness to birthday parties. A new pool has been included in the plan and will require a change in location due to limitations on site development and contamination.

MARINE PARADE POOLS

Council provides an outdoor complex with four heated outdoor pools and five spa pools. An external contractor manages the day-to-day running of the facility.

BAY SKATE

Bay Skate on Marine Parade is a community facility providing for a range of roller-sport activities and community events. Local roller-sport clubs and groups are actively encouraged to use the facility for training, games and demonstrations.

MCLEAN PARK

Hosting international and national sports events, this facility provides outdoor sportsgrounds and stands, indoor court facility as well as administration and hospitality areas. The park also plays host to trade shows, expos, community events and private functions.

EVENTS AND MARKETING

Events are a key part of the Napier City's social, economic and cultural fabric. Council provides support for event organisers to grow sustainable events in the region.

HOUSING

Community housing is provided for people with special housing needs, low assets and low incomes. We provide support for tenants in our retirement villages on a one to one basis and across the village as a whole. We maintain high occupancy levels (99.5%) through our tenancy management services.

There are 72 units in Council's low cost rental portfolio spread across three villages. Council's retirement portfolio comprises 304 units clustered in nine villages. The smaller villages comprise 4 to 20 units with 28 to 50 units in the larger villages, and one larger village with 80 units.

LIBRARIES

Library services are provided to the community from two locations, Napier City and Taradale, with a variety of collections in multi-media formats and online services. The libraries support a total membership of approximately 34,000, of which some 4,500 members are resident in Hastings District. Membership is free and the majority of lending items are free to borrow.



MTG HAWKE'S BAY

MTG Hawke's Bay is the region's arts and culture facility providing exhibitions of the collection and as loans from other museums, galleries and individuals. The region's collection is housed under a management agreement with the Hawke's Bay Museums Trust. Active participation of the community is encouraged with public programmes, events and learning experiences. The venue includes the 330-seat Century Theatre, and two foyer spaces, which are also available to hire and a small retail shop. The MTG Hawke's Bay building is iconic, representing three distinct eras, 1930's, 1970's and 2010's.

NAPIER MUNICIPAL THEATRE

The Napier Municipal Theatre is a leading theatre in Hawke's Bay for performances, shows, concerts, functions and events. Centrally located, the Theatre combines an elegant Art Deco style with modern theatre facilities. The large auditorium facilities and circular Pan Pac Foyer make it a flexible performance and event and facility.

NAPIER I-SITE VISITOR CENTRE

Napier i-SITE Visitor Centre provides visitor information for the people of Napier, Hawke's Bay and for visitors to the area, both domestic and international. It plays a vital role in the promotion of Napier and surrounding areas. The i-SITE is located within the key Marine Parade tourism precinct of Napier and plays a key role in the support of tourism and the local economy.

PAR2 MINIGOLF

Par2 MiniGolf on Napier's Marine Parade next to Napier i-SITE has two eighteen hole courses, one slightly more challenging than the other. It attracts locals and visitors and is a fun family friendly activity for all ages.

NATIONAL AQUARIUM OF NZ

The National Aquarium of New Zealand is a marine zoo/aquarium/kiwi breeding facility which attracts locals and visitors. This visitor experience is an

integral part of the Marine Parade tourist attractions contributing favourably to the economic well-being of the city. The National Aquarium is also a quality provider of educational experiences and provides an affordable after-hours functions venue for Napier citizens and visitors to the region.

NAPIER CONFERENCES & EVENTS

Napier Conferences & Events is located on the northern end of Napier's Marine Parade with views from Mahia Peninsula to Cape Kidnappers, is Hawke's Bay's premiere, high quality full service conference and event venue. Napier Conferences & Events is suitable for a wide range of events and attracts local, national and international conferences.

KENNEDY PARK RESORT

Kennedy Park Resort is located on Storkey Street in Marewa and offers a wide range of affordable accommodation types, including units, tents and nonpowered sites. The accommodation and associated facilities also cater for conferences and attract both national and international visitors. Kennedy Park is one of the busiest and most well revisited holiday parks in New Zealand and contributes favourably to the local economy.

SPORTSGROUNDS

Council provides and maintains 16 sports grounds throughout Napier. This equates to an area of 213 hectares of land set aside for sports purposes across the city. Napier's

sports grounds range from facilities of regional and national significance to grounds principally serving local club demand.

RESERVES

Council provides, manages and maintains a range of parks, reserves and public gardens of various sizes, designations and purposes, to cater to a wide range of community uses. Council reserves support a large number of events for tourists and locals, delivering highly maintained grounds and gardens ranging in location from coastal foreshore to formal botanical gardens. These areas enjoy a high profile within the city, resulting in high expectations and standards. The Reserves activity also manages the day-to-day maintenance and operation of play equipment located throughout the city.



COMMUNITY AND VISITOR EXPERIENCES PERFORMANCE SUMMARY

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
To provide a range of high	Maintain Qualmark 5 star Gold Holiday Park rating	Maintain	Maintain		Maintain	Maintained	٠	
quality accommodation and related visitor experiences	Maintain Qualmark 4+ star Gold Motel rating	Maintain	Maintain		Maintain	Maintained	٠	
Services provided are value for money in the	Maintain high level of occupancy (visitor nights)	10,774 visitor nights booked	17,365 Visitors Nights booked		68,500 visitor nights booked per annum	95,558	•	
accommodation sector	Maintain high level of occupancy (room nights)	4,213 room nights booked	2,239 room nights booked		27,100 room nights booked per annum	34,335	•	
To provide a sustainable business	Average length of stay for visitors	2.5 nights in built	2.5 nights in built		1.9 nights in built	New	•	
Napier Conferences & Events								
Council provides a quality	Maintain Qualmark (4+ star Silver rating)	Maintain	Maintain		Maintain	Maintain	•	
conference and events facility which enables events and services to be hosted, contributing to the economic wellbeing of the city	Number of local, national, and international hires	62	78		300	87	•	Reduced number of events due to national lockdown, Auckland lockdown and change in traffic light setting.
Napier i-SITE Visitor Centre								
Council provides an i-SITE	Maintain Qualmark Silver rating	Maintain	Maintain		Maintain	Maintained	•	
facility for visitors and locals to Napier and Hawke's Bay to deliver tourism information and tour and accommodation services	Visitor numbers per annum	8,866	11380		≥150,000	74,569	•	Lockdown from 17th August to 8th September, Reduced visitors due to COVID
Par2 MiniGolf								
Council provides a Mini Golf facility as a visitor attraction	Maintain Qualmark Silver rating **	Maintain	Maintain		Maintain	Maintained	٠	
and for local community use,	Visitor numbers per annum	9,133	14253		≥45,000	56,302	٠	
which provides high customer satisfaction and a sustainable business	Return on assets	End of year measure	End of year measure		16%	TBC	٠	

Performance Indicators:
Achieved In progress and on target Within 10% Not achieved, greater than 10%

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Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Provide an aquarium for visitors and local citizens for recreation and education	Number of admissions	20,465	25,222		≥145,000	139615	•	Reduced visitors due to National lockdown, drop in visitors numbers due to Auckland lockdown and closure of International borders.
	Maintain Qualmark Gold endorsed rating	Maintain	Maintain		Maintain	Maintained	٠	
-	ZAA (Zoo Aquarium Association) Accreditation	Maintain accreditation	Maintain accreditation		Maintain accrediation	New	٠	
Libraries								
Council provides library services, literacy support and other programmes for all ages	Percentage of library members who are active borrowers (in 24-month period - card use only)	41%	43%		35%	50%	•	
to meet the communities' recreational, social, and educational needs	Percentage of residents satisfied with library service in the Residents' Satisfaction Survey (excluding don't knows)	End of year measure	End of year measure		88%	New	N/A	
-	Percentage of collection that is actively used	34%	48%		75%	70%	٠	This is an acumaltive measure which grows month on month.
	Number of internet sessions	2,399	4688		180,000	New	•	The number of sessions where reduced due to covid as closed 18/8 - 7/9. We are also waiting for NOW statistics from IT.
-	Number of programme sessions delivered for all ages per year	85	0		400 sessions	433	٠	The number of programme session where reduced due to covid
Napier Municipal Theatre								
Council provides a quality	Maintain Qualmark Silver rating	Maintain	Maintain		Maintain	Maintained	•	End of Year measure
experience for visitor and local use	No. of shows/ performances	13	6		60	New	٠	COVID-19 Lock-down impacted
MTG Hawke's Bay								
Napier City Council provides a	Visitor numbers per year	18251	21,426		200,000 per annum	19,852	•	Reduced vistior numbers due to impacts of COVID
quality museum, theatre, and - art gallery experience for local and visitor use	Percentage of residents satisfied with MTG Hawke's Bay in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure		60%	51%	•	

Performance Indicators:
Achieved In progress and on target Vithin 10% Not achieved, greater than 10%

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Council provides a quality technology museum that is accessible to the community	Visitor numbers per annum	4,147	4,609		15,000	New	٠	
McLean Park								
Provides a sport and recreation facility catering for a range of activities	Number of major events hosted	3	5		11	16	٠	4 NPC Rugby games and 1 Domestic Cricket Super Smash game
Reserves								
Parks are maintained efficiently and sustainably to a standard that is appropriate to their primary use	Percentage of park users satisfied with parks and reserves in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	96%	86%	N/A	
Playgrounds are safe, challenging, and enjoyable for both users and caregivers	All playgrounds are inspected fortnightly	99%	87%		100%	98%	•	Some inspections not undertaken in the 2 week timeframe as Playground Maintenance staff on annual leave. Have discussed with City Services regarding staffing and training to ensure target is met. Additional Staff to be trained in Playground Auditing in March. Instructor has been stuck in Auckland due to COVID-19 lockdowns and backload of work.
Parks are maintained efficiently and sustainably to a standard that is appropriate to their primary use	Reduction in the number of service requests for remedial action in parks and reserves	57	98		Downwards trend	New	•	
Sportsgrounds								
Council provides a sufficient number and range of sports and recreation facilities to satisfy the needs of the community	Sport and recreation parks per 1,000 residents district wide (NZ Recreation Association guidelines require 3ha per 1,000 people)	End of Year Measure	End of Year Measure	End of Year Measure	>3ha per 1,000 people	3.4ha	N/A	
Sporting surfaces and facilities are well maintained and suitable for use	Percentage of those surveyed who are satisfied with sportsgrounds in the Residents' Satisfaction Survey	End of Year Measure	End of Year Measure	End of Year Measure	89%	88%	N/A	
Sports facilities support the event industry within the city	Events held on the sportsgrounds per annum	53	50		>50	54	٠	48 Community bookings 2 Commercial bookings

Performance Indicators:
 Achieved In progress and on target Vithin 10%
 Not achieved, greater than 10%

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Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Provide aquatic facilities that focus on accessibility and	Number of users using the centre each year	17,603	7,232		175,000	34,599	٠	Covid restrictions have affected our year to date.
safety	Water testing results are always within the safe parameters according to the New Zealand Standard for Pool Water Quality NZS 5826:2010	100%	100%		100%	97%	•	
	Maintain Poolsafe accreditation standard	Maintained	Maintained		Maintain accrediation	New	٠	
	Maintain nationally accredited QSS (Quality Swim School) standard	Maintained	Maintained		Maintain accrediation	Accreditation maintained	٠	
Marine Parade Pools								
The Marine Parade Pools complex is a safe recreational facility for the community	Water testing results are always within the safe parameters according to the New Zealand Standard for Pool Water Quality NZS 5826:2010	100%	100%		100%	New	•	
Bay Skate								
Provide a facility to cater for a range of roller sports activities	Visitor numbers per year (entry passes sold)	8,849	6,951		26,500	26,211	•	Reduced numbers due to COVID lockdown
	Deliver between 8-12 events per year	End of year measure	End of year measure		Between 8 and 12	New	٠	
Housing								
Provide affordable and safe housing that meets the needs	Percentage of tenants satisfied with service	End of year service	End of year measure		85%	92%	N/A	
of tenants	Number of unit inspections(each unit inspected once per year)	19%	56% (YTD)		304 retirement 72 rental	99%	٠	
Maximise the occupancy and	Occupancy rate - retirement	99%	99%		90%	99%	•	
use of housing and village halls	Occupancy rate - rental	100%	97%		90%	100%	٠	
Community Facilities (Halls)								
Provide affordable indoor facilities that meet the social,	Percentage of community hireage for halls directly managed by Council	94%	94%		85%	88%	٠	
leisure, and cultural needs of the community	Percentage of customers satisfied with halls directly managed by Council	End of year measure	End of year measure		95%	97%	N/A	

Performance Indicators:
 Achieved
 In progress and on target
 Within 10%
 Not achieved, greater than 10%

Level of service	Performance measures	First Quarter	Second Quarter	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Community Strategies								
Develop effective strategies, policies, and initiatives that support community wellbeing	Number of local community events per year	10	13		50	46	٠	
Provide quality advice, information, and support	Number of community training and network meetings facilitated each year	6	6		20	25	•	
to community groups and agencies, and help build a strong community and voluntary sector	Percentage of attendees satisfied with community training and network meetings	100%	94%		96%	100%	•	
Promote safety in response to issues and priorities in the community	Percentage of residents who perceive they are safe or very safe in Napier (source: Biannual Social Monitor Survey)	56%	NA		75%	73%	٠	
Events & Marketing								
Council works with strategically targeted new and existing events to assist them to grow, develop, and become sustainable	Economic impact of events funded under the Council events strategy	150K	370K		\$12 million	New	•	Covid-19 Impact
We keep people informed, make it easy for people to interact, engage, and transact with Council. We listen and act on the needs of the people	Satisfaction with Council communication in the Annual Residents' Satisfaction Survey	End of year measure	End of year measure		Above the 2021 set level in the NZ	New	•	
Engagement								
Provide high quality information to the public to empower communities to participate in the decision- making process	The percentage of residents satisfied with the amount of public consultation undertaken in the Residents' Satisfaction Survey	End of year Measure	End of year Measure		75%	New	•	This result is reported with a margin of error of +/- 10% given the smaller sample size for the quarterly satisfaction tracking surveys. A full representative sample is achieved for the end-of-year result

Performance Indicators:
 Achieved
 In progress and on target
 Within 10%
 Not achieved, greater than 10%

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(6,688)	(8,565)	(1,877)	(22)%	(17,307)	(17,313)	-1-	Reduced revenue due to impacts of COVID-19. Officers are closely monitoring the business and tourism activities and reducing operational expenditure where possible to help mitigate further deterioration to the financial position.
Expenditure	18,749	20,072	1,323	7%	40,876	39,320		
Depreciation	3,837	4,483	647	14%	9,062	9,062	-2-	Reduced depreciation costs due to the delay in Capital projects.
Net Operating Expenditure	15,898	15,990	92	1%	32,631	31,070		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Sportgrounds								
Revenue	(384)	(245)	139	57%	(573)	(573)	-3-	Additional Financials Contributions received from developments.
Expenditure	2,164	2,365	200	8%	5,879	4,879		
Sportgrounds Total	1,781	2,119	339	16%	5,306	4,306		
McLean Park								
Revenue	(218)	(366)	(148)	(40)%	(732)	(732)	-4-	Drop in revenue due to the closure of the RGEV and reduction in crowd capacity due to COVID restrictions.
Expenditure	274	313	38	12%	725	725	-5-	Reduced costs in line with revenue.
McLean Park Total	56	(54)	(109)	<(100)%	(7)	(7)		
Reserves								
Revenue	(423)	(258)	165	64%	(635)	(635)	-6-	Unbudgeted contribution towards the relocation of the playground behind Pettigrew Green Arena and is offset by unbudgeted expenditure. Unbudgeted donation towards the Tironui Pathway & Maggies Way Plantings and is offset by unbudgeted expenditure.
Expenditure	2,584	2,854	270	9%	6,430	5,970		
Reserves Total	2,161	2,596	435	17%	5,795	5,335		

		Year to Date	Dec 2021					
		Revised			Revised			
Net Operating Expenditure	Actual	Budge	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Bay Skate	((()	(100)		000/	(0.1.0)		_	
Revenue	(140)	(109)	31	29%	(218)	(218)	-7-	New skate ramps attracting additional visitors.
Expenditure	368	382	14	4%	766	766		
Bay Skate Total	228	273	45	17%	548	548		
Orente								
Grants	(40)	(20)	40	500/	(05)	(05)	0	
Revenue	(49)	(32)	16	50%	(65)	(65)	-8-	Creative NZ increased allocation with COVID recovery funding
Expenditure	1,614	1,649	35	2%	2,152	2,118		
Grants Total	1,565	1,616	51	3%	2,087	2,053		
Community Facilities	(05)	(4.0)	10	040/	(00)	(00)	0	
Revenue	(35)	(19)	16	81%	(38)	(38)	-9-	Unbudgetd Revenue from Town Hall
Expenditure	206	216	10	5%	435	435		
Community Facilities Total	172	197	26	13%	397	397		
Community Advice Revenue	(15)		15			-		
Expenditure	(13)	- 784	52	7%	- 1,569	- 1,569		
Community Advice Total	733	784	52 67	8%	1,569	1,569		
Community Advice Total	/10	704	07	0 70	1,509	1,509		
Emergency Management								
Revenue	_	_	-		-	-		
Expenditure	103	122	19	15%	243	243	-10-	Subject to public alerting system review outcome
Emergency Management Total	103	122	19	15%	243	243	10	
Libraries								
	(407)	(00)	50	5001	(4.0.5)			Financial contributions and DIA funding for community
Revenue	(137)	(86)	50	59%	(185)	(185)	-11-	engagement roles.
Expenditure	1,718	1,803	85	5%	3,572	3,572		
Libraries Total	1,581	1,717	135	8%	3,387	3,387		

		Year to Date	Dec 2021					
		Revised			Revised			
Net Operating Expenditure	Actual	Budge	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Napier Aquatic Centre								
Revenue	(219)	(422)	(203)	(48)%	(844)	(844)	-12-	Revenue down due to COVID-19 restrictions.
Expenditure	1,427	1,484	57	4%	2,971	2,971		
Napier Aquatic Centre Total	1,208	1,062	(146)	(14)%	2,127	2,127		
Marine Parade Pools								
Revenue	(23)	(26)	(3)	(10)%	(52)	(52)		
Expenditure	163	163	0	0%	326	326		
Marine Parade Pools Total	139	137	(2)	(2)%	274	274		
National Aquarium of NZ								
Revenue	(932)	(1,238)	(306)	(25)%	(2,454)	(2,460)	-13-	Reduced visitors due to National lockdown, drop in visitors numbers due to Auckland lockdown and closure of Internationa borders.
Expenditure	2,047	2,164	117	5%	4,319	4,325		
National Aquarium of NZ Total	1,115	926	(188)	(20)%	1,865	1,865		
Par 2 MiniGolf								
Revenue	(198)	(202)	(4)	(2)%	(397)	(397)		
Expenditure	168	158	(10)	(6)%	(337)	317	-14-	Urgent remedial work required to weather proof clubhouse
Par 2 MiniGolf Total	(30)	(44)	(10)	(32)%	(80)	(80)	14	orgent remedial work required to weather proof orabilouse
	(00)	(++)	(1-1)	(02)/0	(00)	(00)		
Napier Conferences & Events								
Revenue	(310)	(975)	(665)	(68)%	(1,950)	(1,950)	-15-	Reduced number of events due to national lockdown, Auckland lockdown and change in traffic light setting.
Expenditure	859	1,262	402	32%	2,529	2,529	-16-	Reduced costs in line with Revenue
Napier Conferences & Events Total	550	287	(263)	(92)%	579	579		

		Year to Date	Dec 2021					
		Revised		0/ 1/- 1	Revised		Num	0
Net Operating Expenditure Napier Municipal Theatre	Actual	Budge	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Revenue	(107)	(306)	(199)	(65)%	(613)	(613)	-17-	Implications of COVID and cancellations from promoters
	. ,				. ,			touring shows
Expenditure	759	858	99	12%	1,728	1,728	-18-	Reduced costs in line with Revenue
Napier Municipal Theatre Total	652	552	(100)	(18)%	1,115	1,115		
Napier i-Site Visitor Centre								
Revenue	(107)	(170)	(63)	(37)%	(331)	(331)	-19-	Less visitation cautious domestic visitors and Auckland lockdown - Covid19
Expenditure	440	496	56	11%	1,000	1,000	-20-	Expenditure managed closely
Napier i-Site Visitor Centre Total	333	326	(7)	(2)%	669	669		
Kennedy Park								
Revenue	(1,349)	(2,049)	(700)	(34)%	(4,099)	(4,099)	-21-	Loss of booking due to KP being an Isolation facility and Auckland Lockdown
Expenditure	1,714	1,931	217	11%	3,869	3,869	-22-	Reduced costs in line with Revenue
Kennedy Park Total	365	(118)	(483)	<(100)%	(229)	(229)		
Communications & Marketing								
Revenue	-	-	-		-	-		
Expenditure	38	35	(3)	(7)%	35	-		
Communications & Marketing Total	38	35	(3)	(7)%	35	-		
Events								
Revenue	(24)	-	24		-	-		
Expenditure	300	366	66	18%	664	664	-23-	Six Sixty initial deposit not paid and events around New Year's eve did not go ahead.
Events Total	276	366	90	25%	664	664		
Marketing								
Revenue	-	-	-		-	-		
Expenditure	138	168	29	18%	374	341	-24-	Reduced marketing activity due to COVID restrictions
Marketing Total	138	168	29	18%	374	341		

		Year to Date	Dec 2021					
		Revised			Revised			
Net Operating Expenditure	Actual	Budge	Variance	% Variance	Budget	Annual Plan	Notes	Comments
MTG Faraday Centre								
Revenue	(59)	(86)	(27)	(31)%	(172)	(172)	-25-	Reduced revenue due to cancellation of School trips due to COVID-19
Expenditure	128	245	117	48%	533	533	-26-	Staff vacancies and spending down which is in line with reduced revenue.
MTG Faraday Centre Total	69	159	91	57%	361	361		
MTG Hawke's Bay								
Revenue	(711)	(796)	(85)	(11)%	(1,593)	(1,593)	-27-	Reduced revenue due to impacts of COVID-19
Expenditure	2,596	2,641	45	2%	5,321	5,321		
MTG Hawke's Bay Total	1,885	1,844	(40)	(2)%	3,728	3,728		
Hereiten Betternert								
Housing - Retirement								
Revenue	(1,000)	(926)	74	8%	(1,852)	(1,852)		
Expenditure	1,602	1,673	70	4%	3,336	3,336		
Housing - Retirement Total	602	747	144	19%	1,483	1,483		
Hausian Bantal								
Housing - Rental								
Revenue	(247)	(252)	(6)	(2)%	(505)	(505)		
Expenditure	441	425	(17)	(4)%	845	845		
Housing - Rental Total	194	172	(22)	(13)%	340	340		

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Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Conital	Actual	Revised	Variance		Revised		Notoo	Commente
Capital Sportsgrounds	Actual	Budget	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Sportsgrounds - Infra Renewal	193	180	(13)	(7)%	532	440		
Sponsgrounds - Inira Renewal	193	180	(13)	(7)%	532	440		Works scheduled for the last quarter with some of this budget
McLean Park Facility Renewals	2	50	48	96%	670	670	-1-	to assist with the expected cost deficit on the McLean Park Digital Screen project. It is anticipated that these projects will be completed by the end of the financial year.
Safety Projects/CPTED	-	10	10	100%	15	10		
Centennial Hall Flood Restoration	92	-	(92)	(100)%	-	-	-2-	Unbudgeted costs to be funded from the insurance pay-out.
McLean Park Digital Screen	101	96	(5)	(5)%	250	250		
New Pathways	24	24	-		40	40		
New Shade Areas	-	20	20	100%	42	20		
Park Island Northern Revelopment	499	299	(200)	(67)%	299	-	-3-	Project overspend to be funded from other project underspends within the Sportsgrounds Activity.
Playground Development	-	-	-		300	300		
Riparian Planting	-	-	-		10	-		
Total Sportsgrounds	910	679	(232)	(34)%	2,157	1,730		
McLean Park								
Minor Capital Items	(0)	-	-		-	-		
Total McLean Park	(0)	-	-		-	-		
Reserves								
Infrastructure Asset Renewal	223	190	(33)	(17)%	850	800	-4-	Works are progressing and it is anticipated that these projects will be completed by the end of the financial year.
Coastal Erosion		-	-	()/0	595	-		,,
Foreshore Planting	5	5	-		20	20		
Marine Parade renewals	36	27	(9)	(33)%	788	390		
Planting	35	35		(),·	70	70		
Riparian Planting	1	10	9	90%	20	20		
Playground Renewals	116	65	(51)	(78)%	659	200	-5-	Roberts Terrace playground progressing ahead of schedule.
Reserves Vested Assets	_	-	-		300	300		
Passive Recreation Reserves	0	-	-		-	-		
Spriggs Park Rotary BBQ Area	15	-	(15)	(100)%	-	-		
-1 35	10		()	()/0				

Figures are shown in thousands (\$,000)	Year to Date Dec 2021							
	A	Revised			Revised		Nutri	
Capital	Actual	Budget	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Whakarire Ave Rock Revetment	50	-	(50)	(100)%	2,165	-	-6-	Some design and tender document works have been undertaken, however physical works will not proceed this financial year due to a lack of tenders for works and the one tender received was significantly higher than the engineers estimate. A report will go to Council in January/February 2022 for review.
Maraenui Splash Pad and Park Development - Shopping Reserve	-	52	52	100%	100	100	-7-	Co-funded project with other Activities within Council. Once those budgets have been fully utilised, this budget will then be drawn down.
Urban Growth	-	30	30	100%	400	400		
Western Hill Pathway development	8	-	(8)	(100)%	97	-		
Ahuriri Estuary Projects	2	11	9	82%	1,300	1,000		
Destination Playground Stage 2	-	-	-		100	-		
Allen Berry Future Development	13	13	-		100	100		
Total Reserves	503	438	(66)	(15)%	7,564	3,400		
Bay Skate								
Bay Skate Renewals	18	18	-		18	19		
Skate ramps	-	-	-		107	125		
Sound System	3	3	-		3	3		
Bay Skate Ramps	50	56	6	11%	56	38		
Total Bay Skate	72	77	6	8%	184	184		
Community Facilities								
Halls Renewals	0	35	34	99%	69	69	-8-	Delay in project due to COVID
Taradale Town Hall internal refurbishment	-	-	-		85	-		
Maraenui Community Space	153	100	(53)	(53)%	100	-	-9-	Project tracking better than anticipated
Minor Capital Items	9	30	21	70%	145	60		
Total Community Facilities	162	165	2	1%	399	129		
Community Advice								
Pump Track	2	-	(2)	(100)%	-	-		
The second se	-		(=)	(,				

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Libraries	Actual	Dudget	vananoc	70 Valiance	Dudget		Notes	Commonis
Library Renewals		5	5	100%	20	10		
Library Building Renewals		8	8	100%	20	16		
	-	0	0	10070	21			Library Van in the process of being procured and fit out costs
General Renewals	-	80	80	100%	140	140	-10-	to be incurred.
Library Stock	140	133	(7)	(5)%	465	360		
Robson Collection Donations	0	-	-		1	1		
Napier Library Redevelopment	15	-	(15)	(100)%	-	-		
Napier Library Rebuild	85	180	94	52%	673	469	-11-	Delay in project due to COVID lockdowns and settings.
Self Issuing Kiosks - Napier	1	-	(1)	(100)%	-	-		
Taradale Library Minor Work	20	27	6	22%	212	80		
Minor Capital Items	-	5	5	100%	10	10		
Technology Services Upgrade	-	-	-		50	50		
Total Libraries	262	437	175	40%	1,597	1,136		
Napier Aquatic Centre								
Napier Aquatic Centre I.A.R.	81	84	3	4%	407	194		
Napier Aquatic Centre expansion	1	-	(1)	(100)%	64	-		
Reception and Office Redevelopment	-	-	-		50	50		
Roof Weather-Tightning Repair	-	-	-		70	70		
Asset Register Items	-	-	-		125	125		
Total Napier Aquatic Centre	81	84	2	2%	716	439		
Marine Parade Pools								
Marine Pde Pools Renewals	7	12	5	40%	52	25		
Ocean Spa Upgrade	115	210	95	45%	602	310	-12-	Project delayed due to COVID-19
Replacement Boiler	-	-	-		60	60		
Total Marine Parade Pools	123	222	100	45%	714	395		

		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
National Aquarium of NZ								
Aquarium Renewals	150	122	(28)	(23)%	1,235	1,665	-13-	Projects are in progress with some expenditure ahead of budgeted time, but will even out across the financial year.
Building Renewals	12	-	(12)	(100)%	157	257		
Minor Capital Items	6	10	4	40%	45	45	-14-	Some minor capital expenditure made, and will ensure target is met by end of financial year.
Total National Aquarium of NZ	168	132	(36)	(27)%	1,437	1,967		
Par 2 MiniGolf Par 2 MiniGolf Renewals		1	1	100%	50	2		
	-	1	1	100%	52 13	3		
Par2 Building Renewals Par2 Building Upgrade	-	- 2	- 2	100%	103	- 3		
Minor Capital Items	-	2	2	100%	103	3 10		
Total Par 2 MiniGolf		5	5	100 %	178	16		
				10070	110	10		
Napier Conferences & Events								
CC Renewals	1	56	55	98%	188	60	-15-	Waiting on supplier to commence HVAC project
CC Building Renewals	15	58	43	74%	279	175	-16-	Waiting on supplier to commence HVAC project
AV Equipment Upgrades	11	13	2	16%	26	26		
War Memorial	106	100	(6)	(6)%	1,935	-		
Minor Capital Items	3	8	6	71%	85	60		
Total Napier Conferences & Events	136	235	100	42%	2,512	321		
Napier Municipal Theatre	C	07	01	79%	202	280		
NMT Renewals NMT Building Renewals	6	27 13	21 13	100%	202 72	380 39		
Minor Capital Items	- 44	43	(1)	(2)%	64	55		
Total Napier Municipal Theatre	49	83	33	40%	338	474		
					000	-17		
Napier i-SITE Visitor Centre								
i-SITE Renewals	-	23	23	100%	59	59		
Minor Capital Items	(1)	11	12	100%	80	25		
Total Napier i-SITE Visitor Centre	(1)	34	35	100%	139	84		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
		Revised			Revised			
Capital	Actual	Budget	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Kennedy Park			() =)					
Kennedy Park Renewals	25	12	(13)	(100)%	94	94		
Kennedy Park Facilities Renewals	0	-	-		-	-		
KP Building Renewals	15	159	144	91%	336	184	-17-	Delay in project due to COVID
Deluxe Ensuite Units	-	-	-		160	160		
Main Ablution Block	34	-	(34)	(100)%	-	-	-18-	Spillover costs from project completed last year.
Minor Capital Items	22	15	(7)	(47)%	520	520		
Furniture & Fittings	3	-	(3)	(100)%	-	-		
Total Kennedy Park	99	186	87	47%	1,109	957		
MTG Faraday Centre								
Faraday Centre Building Upgrade	0	7	6	90%	20	520		
Seismic Strengthening	17	-	(17)	(100)%	75	-		
Minor Capital Items	3	3	-		17	10		
Security Cameras	-	-	-		2	-		
Total MTG Faraday Centre	21	10	(11)	(100)%	114	530		
MTG Hawke's Bay								
MTG Renewals	4	20	16	80%	126	60		
CC Building Renewals	13	7	(7)	(100)%	115	20		
Earthquake Gallery	-	-	-		-	80		
Storage for MTG - property purchase	-	-	-		-	1,800		
MTG Century Theatre Tech Investigation and								
Upgrade	-	-	-		-	300		
Collection Storage Van	-	-	-		-	60		
Century Theatre Balustrade	-	-	-		-	10		
MTG Sprinkler Project	-	-	-		-	400		
Minor Capital	6	17	10	60%	77	50		
Total MTG Hawke's Bay	23	43	19	44%	317	2,780		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Housing - Retirement								
Retirement Housing Renewals	-	132	132	100%	2,412	927	-19-	Focus on Compliance and Healt and Saftey expenditure
Henry Charles Hall Internal Refurbishment	-	80	80	100%	80	80	-20-	Project delay due to Structural Issues with Building.
Minor Capital Projects	10	13	3	24%	188	89		
HH Heat pumps	283	700	417	60%	1,940	1,940	-21-	Delays in Supply of Heat Pumps
Minor Capital Items	3	-	(3)	(100)%	-	-		
Total Housing - Retirement	296	925	629	68%	4,619	3,036		
Housing - Rental								
Rental Housing Renewals	12	87	75	87%	617	260	-22-	Focus on Compliance and Healt and Saftey expenditure
Minor Capital Projects	0	21	21	100%	38	21		
HH Heat pumps	38	-	(38)	(100)%	-	-	-23-	Delays in Supply of Heat Pumps
Total Housing - Rental	50	108	58	54%	656	281		
Total Capital Expenditure	2,955	3,862	904	23%	24,752	17,859		
Asset Sales	(150)	-	-		-	-		

PROPERTY ASSETS

Activities in Property Assets are:

- Property Holdings
- Inner Harbour
- Lagoon Farm
- Parklands Residential Development

PROPERTY HOLDINGS

Leasehold Land Portfolio:

Investment Property Portfolio = 74

Residential = 14

This activity is responsible for the management of leases and licences that have been established for parks, reserves, sportsgrounds, and roads,

commercial, industrial, and residential properties. The majority of leases within the Leasehold Land Portfolio are perpetually renewable.

It is also responsible for asset management, including maintenance and renewal, of all Council buildings not specifically allocated to other activities.

INNER HARBOUR

Napier Inner Harbour facilities are located in Ahuriri. The Inner Harbour provides Council owned berthage facilities and the Nelson Quay Boat Ramp, for both commercial fishing vessels and recreational vessels and craft including the Sailing Waka. The Inner Harbour also provides the location for the Napier Sailing Club and the Hawke's Bay Sports Fishing Club, both occupy Council-owned land on a lease basis.

The Inner Harbour provides a channel to the open sea that Council is required to dredge to ensure it remains navigable. The waters within the Inner Harbour are also used by a variety of other water-based users from the wider community, while some of the Council wharves and jetties are used by the public for recreational fishing.

Responsibility for managing the Inner Harbour transferred to the Napier City Council as an integral part of local government reorganisation in 1989. Service delivery has been provided in-house by Napier City Council and includes general enquiries, berth allocation, maintenance, and the operation of the pay to use Nelson Quay Boat Ramp.

LAGOON FARM

The Lagoon Farm activity is a commercial farm operated on the former Ahuriri lagoon bed landholding south of the current estuary channel. This activity covers the costs of land retention and wherever possible provides a supplementary revenue stream to Council while providing a number of other ancillary amenities to the general public and community of Hawke's Bay The farm currently operates as a sheep farm, with some paddocks leased out for hay cropping on a seasonal basis. The area is zoned "Rural" and as such it can only be used for farming activities.

PARKLANDS RESIDENTIAL DEVELOPMENT

The Parklands Residential Development on 120 hectares of former Lagoon Farm land will provide over 350 residential sections for sale during the period 2018-27. The rate of residential development will be driven by market demand.



PROPERTY ASSETS PERFORMANCE SUMMARY

Level of service	Performance measures	First Quarter	Second Quarter*	Third Quarter	Target 2021/22	Year End 2020/21	Indicator	Comment
Parklands Residential Development								
Residential lots are created to provide an expanding residential development to meet the demand for the sections	Number of sections sold and developed	0	0		Developed: 70 Sold: 68	60	•	Stage 8 (29 lots) is being targeted to be sold during quarter 4. Stages 9 & 10 will not be sold this financial year due to delays as a result of Covid-19.
Lagoon Farm								
Lagoon Farm ensures stewardship of Council's 289 hectare land holding on the Ahuriri Lagoon Bed	Farm revenue will cover the cost of retaining the land as measured by the operating budget and Napier City Council annual internal financial statements for year ended 30 June each year	End of year measure	End of year measure		Revenue exceeds expenditure (prior to internal chargebacks)	New	٠	
Inner Harbour								
To provide and maintain Inner Harbour facilities to enable the safe berthing of commercial and recreational vessels	Dredging is carried out as required so the channel is maintained to a minimum depth of 2.4 m at lowest tide (source: depth sound checks)	Achieved	Achieved		Achieved	Achieved	٠	
	No. of Permanent Berths	98	98		98	98	•	
Buildings Asset Management								
Council maintains and renews all Council buildings to ensure buildings remain safe, in good condition, and fit for purpose	Buildings with compliance schedules under the Building Act 2004 which have current Building Warrants of Fitness	100%	100%		100%	Not Achieved	٠	

(*)Second Quarter shows end of year 2021 measure.

Performance Indicators: • Achieved • In progress and on target • Within 10% • Not achieved, greater than 10%

PROPERTY ASSETS FINANCIAL SUMMARY

Property Assets Financial Summary as at December 2021

Figures are shown in thousands (\$,000)	Year to Date Dec 2021							
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(2,511)	(2,117)	394	19%	(24,745)	(24,745)	-1-	Insurance flood related payments
Expenditure	1,441	1,066	(375)	(35)%	16,094	16,094	-2-	Increase in Insuarnce premimums and livestock purchase
Depreciation	325	393	67	17%	786	786	-3-	Reduced depreciation due to delay in Capital projects
Net Operating Expenditure	(745)	(659)	87	13%	(7,865)	(7,865)		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
		Revised			Revised			
Net Operating Expenditure	Actual	Budget	Variance	% Variance	Budget	Annual Plan	Notes	Comments
Lagoon Farm								
Revenue	(486)	(418)	68	16%	(611)	(611)	-4-	Lamb income up and timing
Expenditure	441	336	(105)	(31)%	672	672	-5-	Budget timing, Livestock purchase
Lagoon Farm Total	(45)	(82)	(36)	(45)%	61	61		
Parklands Area 3								
Revenue	(15)	(15)	0	1%	(18,836)	(18,836)		
Expenditure	130	130	(0)	(0)%	13,639	13,639		
Parklands Area 3 Total	115	115	(0)	(0)%	(5,198)	(5,198)		
Property Support								
Revenue	(192)	(1)	192	>100%	(1)	(1)	-6-	Insurance flood related payments
Expenditure	219	(4)	(223)	<(100)%	(7)	(7)	-7-	Increases to Insurance premiums
Property Support Total	27	(4)	(31)	<(100)%	(8)	(8)		
Property Holdings								
Revenue	(1,652)	(1,504)	148	10%	(4,937)	(4,937)		
Expenditure	502	482	(20)	(4)%	951	951		
Property Holdings Total	(1,150)	(1,021)	128	13%	(3,986)	(3,986)		

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Building Asset Management				, i i i i i i i i i i i i i i i i i i i				
Revenue	-	-	-		-	-		
Expenditure	47	51	4	9%	523	524		
Building Asset Management Total	47	51	4	9%	523	524		
Inner Harbour								
Revenue	(166)	(180)	(14)	(8)%	(360)	(360)		
Expenditure	427	463	36	8%	1,102	1,102		
Inner Harbour Total	261	283	22	8%	742	742		

PROPERTY ASSETS FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Parklands Area 3	Actual	Dudget	vanance	70 Variance	Duuget	Annual Lian	NOICES	Comments
Parklands Area 3	15	-	(15)	(100)%	-			
Parklands Area 3	2	-	(10)	(100)%	-	-		
Parklands Area 3	0	-	(-/	(100)/0	-	-		
Parklands Area 3	1,221	-	(1,221)	(100)%	-	-	-1-	NCC do not budget capital expenditure for the Parklands Development. Once a stage has been developed these costs are then moved to Inventory. NCC do not budget capital expenditure for the Parklands
Parklands Area 3	241	-	(241)	(100)%	-	-	-2-	Development. Once a stage has been developed these costs are then moved to Inventory.
Parklands Area 3	306	-	(306)	(100)%	-	-	-3-	NCC do not budget capital expenditure for the Parklands Development. Once a stage has been developed these costs are then moved to Inventory.
Parklands Area 3	2	-	(2)	(100)%	-	-		·
Parklands Area 3	541	-	(541)	(100)%	-	-	-4-	NCC do not budget capital expenditure for the Parklands Development. Once a stage has been developed these costs are then moved to Inventory.
Total Parklands Area 3	2,327	-	(2,328)	(100)%	-	-		
Parklands Area 4								
	10		(10)	(100)0(
Parklands Area 4	18	-	(18)	(100)%	-	-		
Total Parklands Area 4	18	-	(18)	(100)%	-	-		
Property Holdings Seismic Strengthening Council Buildings Civic Buildings Upgrade Assessment & Compliance Projects	- 3 5	- -	(3) (5)	(100)% (100)%	122 1,500 60	- 1,500 100		
Pandora Pond Buildings	-	-	-		250	300		
Building Purchase	1	-	(1)	(100)%	-	-		
Total Property Holdings	9	-	(9)	(100)%	1,932	1,900		
Building Asset Management					·			
Assessment and compliance projects	-	-	-		-	100		
Total Building Asset Management	-	-	-		-	100		
Inner Harbour								Works are progressing on the pontoon replacements. Budget
IH Facilities Renewals	47	-	(47)	(100)%	372	-	-5-	expected to be utilised by year end.
Ahuriri Masterplan - Iron Pot Public Access	-	-			400	-		
Total Inner Harbour	47	-	(47)	(100)%	772	-		
Total Capital Expenditure	2,402	-	(2,402)	(100)%	2,704	2,000		
Asset Sales	(1.643)	-	-		-	-		



SUPPORT UNITS

Council has a number of cost centres of a corporate or support nature. These cost centres provide the technical and support services necessary for the function of Council's activities.

Costs of the support services are reallocated to activities either as overheads based on the support each activity receives, or recharged direct on a usage basis.

Support Services include the Services Depot, which provides support for the Utilities and Reserves divisions including a store and mechanical workshop. Design Services provides scientific and technical services to other Council departments ensuring the community receives engineering services of maximum quality and safety.

Cash flow statement

SUPPORT UNITS FINANCIAL SUMMARY

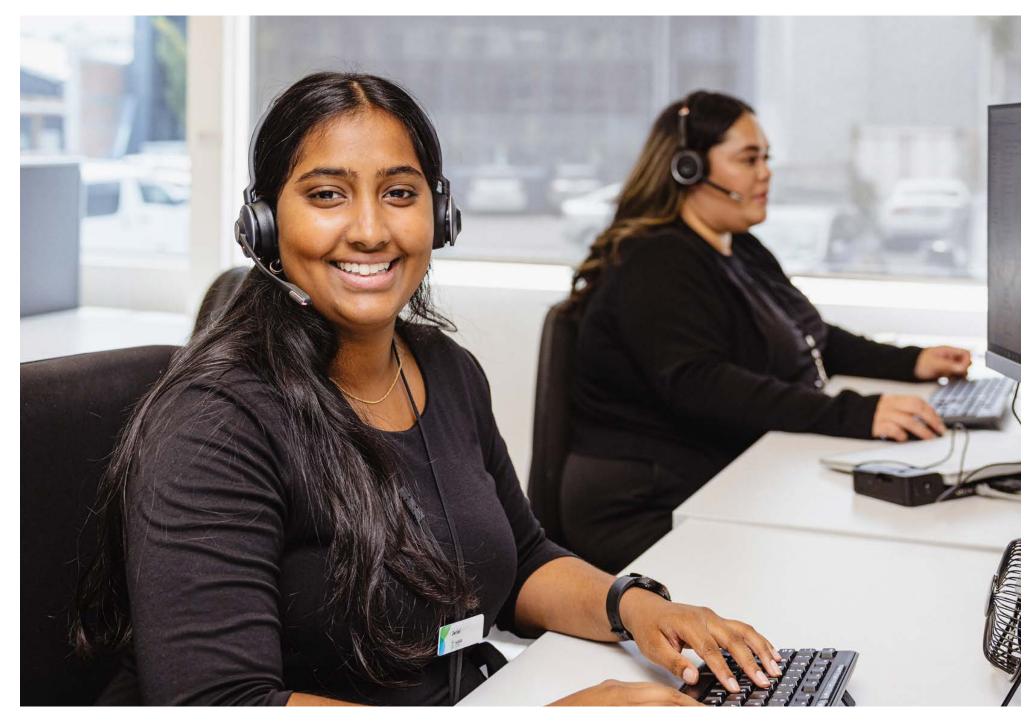
Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(4,747)	(4,170)	577	14%	(12,939)	(2,358)	-1-	Regional CIP project funding through shared services, revenue offsets costs.
Expenditure	1,475	(180)	(1,655)	<(100)%	4,111	(1,043)	-2-	Regional CIP projects through shared services, COVID-19 related expennditure and reduced chargeable hours due to a number of vacant positions.
Depreciation	873	1,393	520	37%	2,622	2,622	-3-	Reduced depreciation costs due to the delay in Capital projects.
Net Operating Expenditure	(2,398)	(2,956)	(558)	(19)%	(6,206)	(779)		

,

SUPPORT UNITS FINANCIAL SUMMARY CONTINUED

Figures are shown in thousands (\$,000)		Year to Date t	o Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Three Waters Reform Programme								
Scoping 3 Waters Master Plan Projects	216	217	1	0%	461	-		
Water Quality Improvement Project	893	893	-		2,945	-		
Water Safety Plan Delivery of Improvement Items	121	121	-		478	-		
Fire Flow Network Upgrades to meet Levels of Service	880	881	-		2,394	-		
Parks Water Bores Investigation & Implementation	101	101	-		170	-		
Review of Private Water Supplies	37	38	-		225	-		
Peer Review 3 Waters Models & Masterplans	10	10	-		81	-		
Te Awa Structure Plan & 3 Waters Infrastructure	31	-	(31)	(100)%	-	-	-1-	Expenditure misposted and will be corrected in January 2022.
Wastewater Outfall Repair	54	57	2	4%	250	-		
Maintenance Management Practices	28	29	-		133	-		
DIA Equipment Purchases & Set Up Costs	10	10	-		15	-		
Total Three Waters Reform Programme	2,381	2,354	(28)	(1)%	7,152	-		
Services Administration								
Depot General Renewals	8	18	10	55%	30	30		
Depot Building Renewals	8	27	19	70%	54	54		
Lockable storage-more sheds	-	5	5	100%	5	5		
Asset Register Items	10	22	12	54%	13	13		
Total Services Administration	26	72	46	64%	102	102		
Plant and Vehicles								
P & V Renewal Purchases	416	494	79	16%	900	900	-2-	On order supply chain delays
Total Plant and Vehicles	416	494	79	16%	900	900		

Figures are shown in thousands (\$,000)		Year to Date to	o Dec 2021					
Capital	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Chief Executive								
Minor Capital Items	(1)	35	36	100%	35	70	-3-	Contigency fund
Total Chief Executive	(1)	35	36	100%	35	70		
C.I.T.								
Software Replacements and Upgrades	-	-	-		191	-		
Street Management (CCTV's)	-	-	-		500	-		
Software Replacements and Upgrades - S800	-	258	258	100%	515	515	-4-	Delay in projects due to staff shortages
New business Improvement Modules - S800	38	40	2	5%	80	80		
Innovation Tools - S800	30	110	80	73%	200	400	-5-	Delay in projects due to staff shortages
Software Replacement & Upgrade	-	-	-		62	-		
Corporate IT Network	-	13	13	100%	13	13		
Total C.I.T.	68	421	353	84%	1,560	1,008		
Finance Leases								
Technology Equipment Minor Capital	166	155	(11)	(7)%	2,705	4,428		
Total Finance Leases	166	155	(11)	(7)%	2,705	4,428		
Total Capital Expenditure	3,055	3,531	475	13%	12,454	6,508		
Asset Sales	(154)	-	-		-	-		



RATES AND SPECIAL FUNDS FINANCIAL SUMMARY

Figures are shown in thousands (\$,000)		Year to Date	Dec 2021					
Net Operating Expenditure	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Notes	Comments
Revenue	(22,392)	(21,776)	616	3%	(43,334)	(47,516)		
Expenditure	(583)	(486)	97	20%	(973)	(973)		
Depreciation	-	-	-		-	-		
Net Operating Expenditure	(22,975)	(22,262)	713	3%	(44,307)	(48,489)		

PEOPLE AND CAPABILITY REPORT

HEALTH, SAFETY & WELLBEING

HEALTH, SAFETY & WELLBEING INITIATIVES

Staff participated in the following health, safety and wellbeing initiatives during the quarter. Staff participated in the following health, safety and wellbeing initiatives during the quarter.

Mental Health Awareness Week, Men's Health Week, White Ribbon, Shake Out, Movember, Sun Smart.

HEALTH & SAFETY TRAINING

108 staff completed the following H&S training during the quarter to 30 September 2021.

Compliance Courses	Total
First Aid	9
Confined Space	2
Traffic Management Operative	3
Hazardous Substances	10
Working at Heights	1
Aggressive Customer	81
Fire Extinguisher	1
Elevated Work Platform	1
Total Staff Trained	108
Total Staff Trained	197

REPORTED INCIDENTS

Reported Incidents - To Date 31 December	Total
Lost time injuries (LTIs):	1
Medically treated injuries (MTIs):	3
Near miss/hit & property damage reporting	18
Incidents Involving Public using our facilities	7
Incidents or Accidents involving Contractors	0

PEOPLE

EMPLOYEE ASSISTANCE PROGRAM

NCC provides a confidential employee assistance program through OCP. The following shows the number of employees who have accessed the service and the total number of sessions used by all employees during the month.

Onsite grief counselling was held for staff at City Services after the sudden death of a team member.

Month	# Employees Accessing Service for the first time	Total Sessions Accessed by all staff
October	1	6
November	0	9
December	6	13

VACANCIES

Recruitment is underway to fill 37 permanent positions and five fixed term roles across Council.

Directorate	Permanent Recruitment	Fixed Term
Chief Executive		
City Services	6	
City Strategy	3	
Comms & Marketing		
Community Services	9	3
Corporate Services	7	1
Infrastructure	8	1
Programme Delivery	4	
People & Capability		
Total	37	5

SERVICE MILESTONES

During the quarter, the following reached service milestones:

Years' Service	Number of Staff
5	10
10	
15	4
20	1
25	1
30	1
35	1
40	
45	

EMPLOYEE NUMBERS

Staffing Levels	As at Dec 2021
Permanent Employees (Headcount)	572
Full time equivalent (Permanent)	548
Casual Staff (Headcount)	61

Permanent Staff

VALUES AWARDS

Each quarter, staff nominate work colleagues who they believe demonstrate Napier City Councils core values of Integrity, Community & Customer and Excellence.

21 staff and 3 teams were nominated to receive a values award during Quarter 2.

STAFF TURNOVER - PERMANENT STAFF

Q2	Dec 2021	Dec 2020
4.41%	19.65%	17.57%
25	117	99

*January to December 2021

During the quarter July to September 2021:

- 30 people joined Napier City Council in permanent roles and 10 in fixed term positions.
- 25 permanent staff left Council.

A number of other councils are reporting higher than usual turnover, particularly in the last half of 2021.

Turnover by Directorate	Leavers	Jan to Dec 21
City Services	22	15.22%
City Strategy	8	14.95%
Community Services	56	28.07%
Corporate Services	13	18.57%
Infrastructure	14	20.74%
Comms	3	31.58%
P&C		0.00%
SLT		0.00%
Te Waka Rangapu	1	33.33%

The chart below includes permanent (full time and part time), fixed term and casual staff.

CITY STRATEGY REGULATORY ACTIVITY REPORT

BUILDING CONSENTS

321 Building consents were issued this quarter with an estimated value of \$60,134,765. There were 44 total new dwellings.

Building processing timeframes

314 out of 321 consents were issued within the correct timeframe for the quarter.

RESOURCE CONSENTS

This quarter saw 83 Resource Consents processed (29 subdivision and 54 land use) in comparison to 51 total Resource Consents (17 subdivision and 34 land use) in the same quarter in 2020.

Resource Consent processing timeframes

83 out of 83 applications were processed within the correct timeframe for the quarter.

PARKING

Infringements Issued

3,639 infringement notices were issued for the quarter. Of these 1081 (29%) were paid within the same quarter they were issued and 236 (6.4%) have been cancelled.

Parkmate

The total transactions for the quarter was 77,954 which is up from the same quarter in 2020 that saw a total of 65,296 transactions.

ENVIRONMENTAL HEALTH

Noise Complaints

There were 464 noise complaints received this quarter compared to 509 complaints in the same quarter in 2020. Five infringement notices were issued this quarter compared to two in the same quarter in 2020.

Liquor Licencing

There were 143 applications issued this quarter compared to 130 in the same quarter in 2020. These applications comprised of; 33 special licences, 81 Managers Certificates and 29 premise licences.

Freedom Camping

This quarter there have been 2,351 recorded freedom camping vehicles which is a decrease compared to 3,448 in the same quarter in 2020. There have been 65 infringement notices issued this quarter. The decrease in freedom camping in Napier is most likely due Covid travel restrictions and the decrease in tourists travelling.

ANIMAL CONTROL

Infringement Notices Issued

64 infringements were issued this quarter compared to 46 in the same quarter in 2020. In this quarter there are a total of 7,819 dogs registered with council compared to 7,931 dogs registered in the same quarter in 2020. The number of known unregistered dogs in this quarter was 829 compared to 534 for the previous financial year.

Impounding Activity

123 dogs were impounded this quarter, with 63 being returned to their owner, 4 rehomed and 27 euthanised.

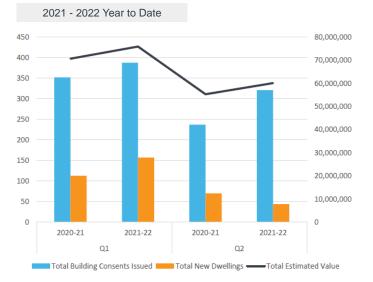
Dog Attack

Of the reports of dog attacks on humans, 2 were serious and 6 were minor. Each of these were investigated and appropriate action was taken.

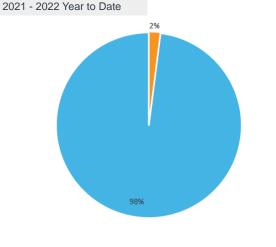
Note: The first quarter this year included covid level restrictions which will be reflected in some of the year to year comparison data.

CITY STRATEGY REGULATORY ACTIVITY REPORT BUILDING AND RESOURCE CONSENTS

Building Consents Issued



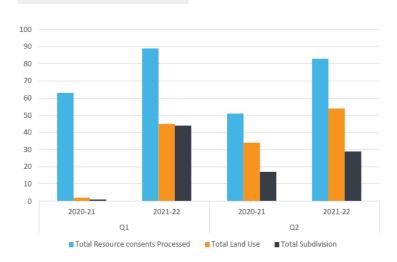
Building Timeframes



Not Completed Within Timeframe Completed within Timefram

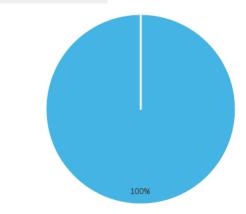
Resource Consents Activity

2021 - 2022 Year to Date



Resource Consent Timeframes

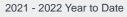
2021 - 2022 Year to Date

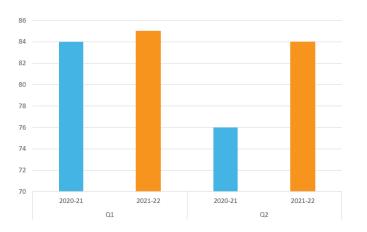


Percentage of Consents Processed Within Timeframe

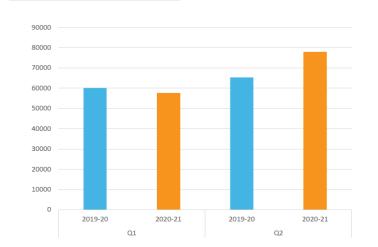
CITY STRATEGY REGULATORY ACTIVITY REPORT LIMS, PROPERTY FILES AND PARKING

Total Number of LIMS Issued

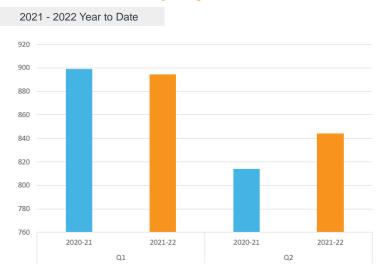




Parkmate Transactions

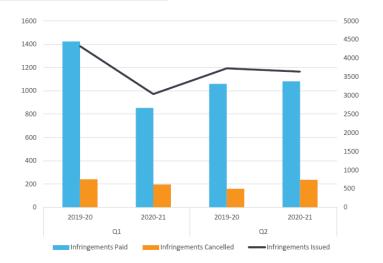


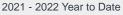
Total Number of Property Files



Parking Infringements

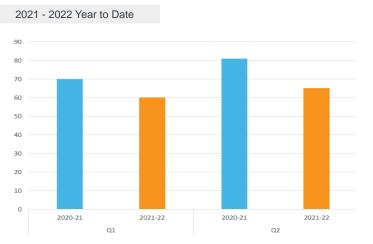
2021 - 2022 Year to Date



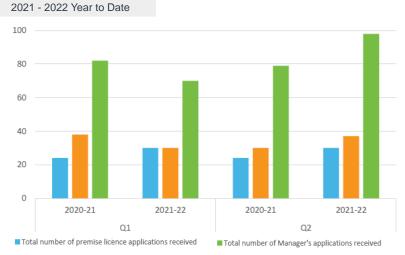


CITY STRATEGY REGULATORY ACTIVITY REPORT ENVIRONMENTAL HEALTH

Food Act 2014 Audits Completed

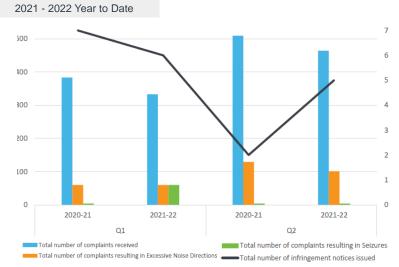


Liquor Licensing Applications Recieved



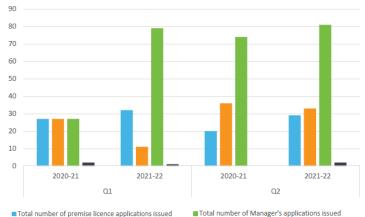
Total number of Special Licence applications received

Total Number of Property Files



Liquor Licencing Applications





Total number of Special Licences issued

Total number of Manager's applications issued
 Total number of Hearings

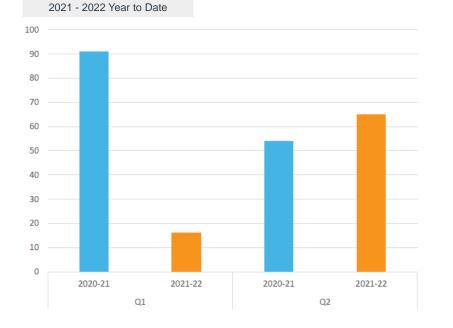
CITY STRATEGY REGULATORY ACTIVITY REPORT ENVIRONMENTAL HEALTH CONTINUED

Freedom Camping Infringements

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Freedom Camping Recorded Vehicles

2021 - 2022 Year to Date



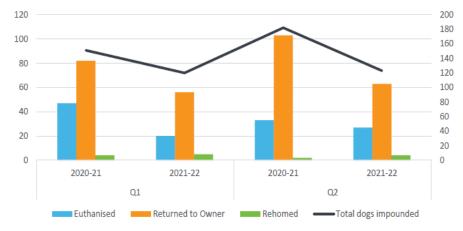


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CITY STRATEGY REGULATORY ACTIVITY REPORT ANIMAL CONTROL

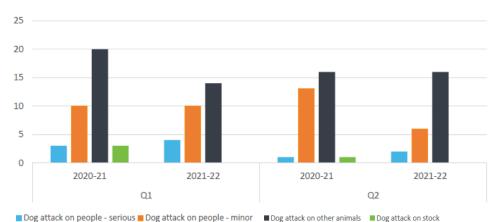
Animal Control Impounding Activity

2021 - 2022 Year to Date

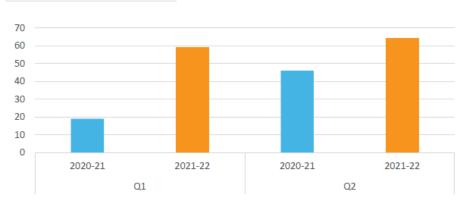


Dog Attack Report

2021 - 2022 Year to Date



Infringement Notices Issued



2021 - 2022 Year to Date

QUARTERLY SERVICE REQUEST REPORT

The following provides a high level overview of what our customers contact us about. Not all customer contacts are requests for service, but if a customer requires information or a service that cannot be immediately provided by Council staff, it is entered into the Service Request system and passed through to the person who is able to action that request. Service Requests cover a wide range of customer requests, including complaints and compliments about our services, request for advice or information, and maintenance enquiries.

Questions about the data are best answered by the responsible Directorate.

Here is a description of the Service Request categories:

- Animal Control requests relating to animal and dog control
- Building related to building consents
- **Cemeteries** request related to cemetery operations
- City Services Depot, requests regarding maintenance of our assets and infrastructure
- Customer Services request for the Customer Service team
- Environmental Health requests related to food and alcohol licences, bylaws, and general compliance
- External Organisations request for service from contractors used by Council for services i.e. Waste Management
- Housing requests related to Council's housing tenancies
- Infrastructure Other requests related to environmental matters, 3 waters, parks and reserves
- Infrastructure Services requests related to roading
- Parking requests related to parking
- **Planning** requests related to resource management planning
- Plant requests about Council equipment
- Property requests related to Council-owned properties
- **Rates** requests related to rating

QUARTERLY SERVICE REQUEST REPORT TOTAL NUMBER OF SERVICE REQUESTS

Total Number of Service Requests

1 October - 31 December 2021

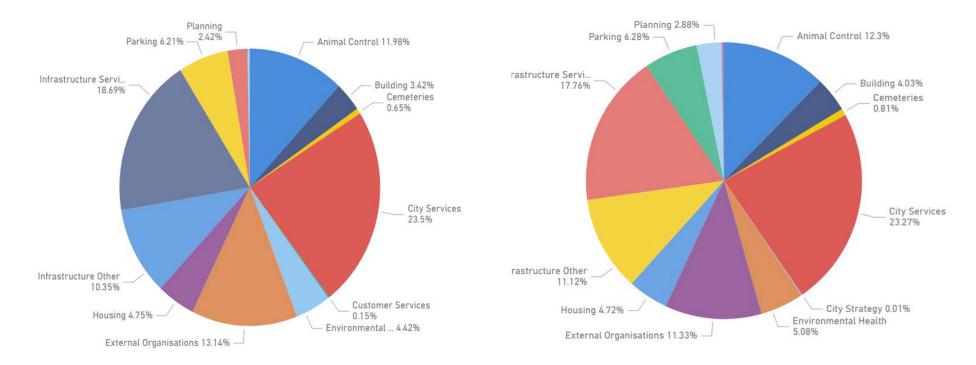
5,409

10,046

2021 - 2022 Year to Date



Percentage Split Across Departments

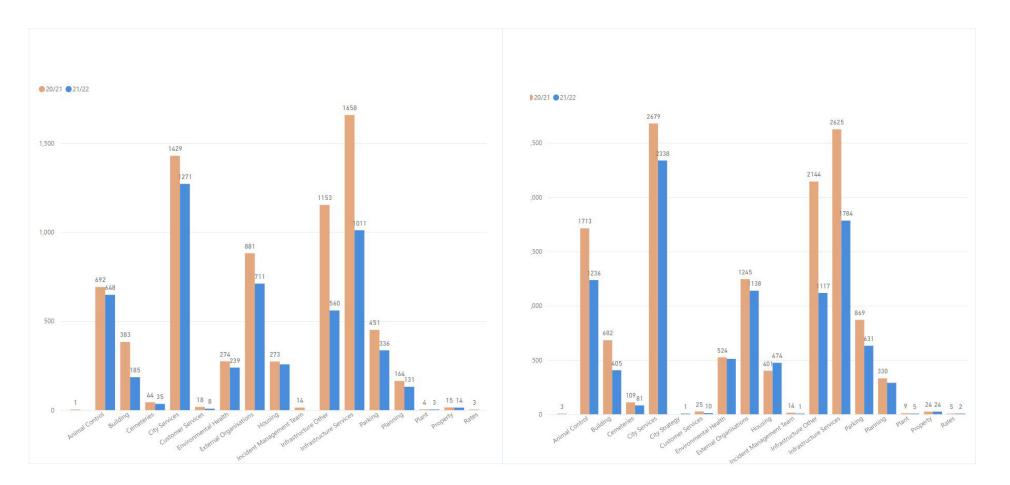


QUARTERLY SERVICE REQUEST REPORT BUSINESS UNIT COMPARISON

Business Unit comparison

1 October - 31 December 2021

2021 - 2022 Year to Date



QUARTERLY SERVICE REQUEST REPORT TOP 10 DEPARTMENTS BY TYPE OF REQUEST

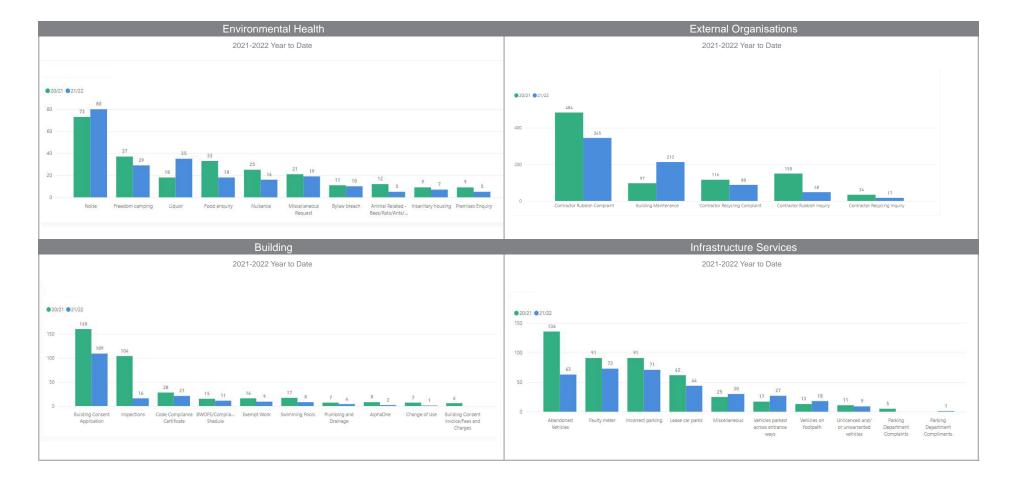


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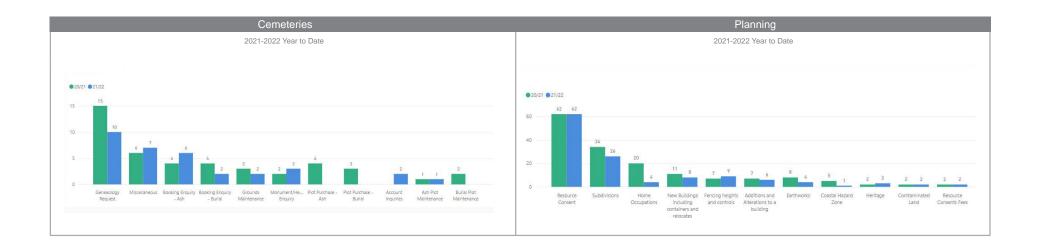
QUARTERLY SERVICE REQUEST REPORT TOP 10 DEPARTMENTS BY TYPE OF REQUEST CONTINUED

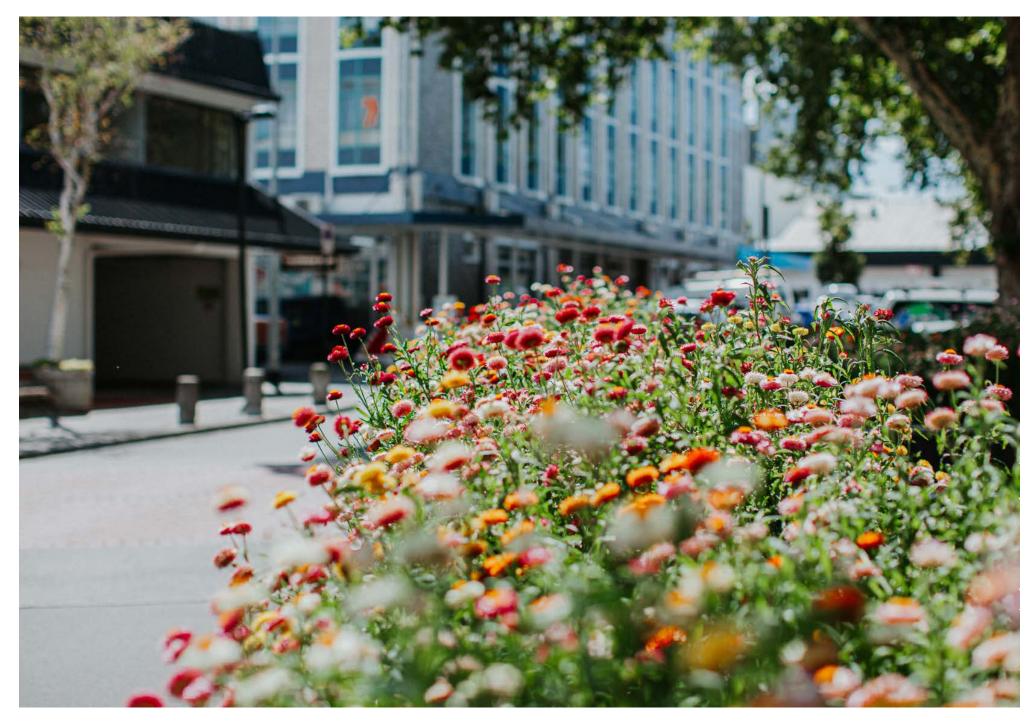


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QUARTERLY SERVICE REQUEST REPORT TOP 10 DEPARTMENTS BY TYPE OF REQUEST CONTINUED







2. HAWKE'S BAY AIRPORT LIMITED INTERIM REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1436783
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

2.1 Purpose of Report

To receive the interim report for the six months ended 31 December 2021 from Hawke's Bay Airport Limited.

Committee's recommendation

Councillors Simpson / Tapine

Prosperous Napier Committee:

Receive the Hawke's Bay Airport Limited interim report for the six months ended 31 December 2021 (*Doc Id 1439100*).

Receive the Hawke's Bay Airport Limited Draft Statement of Intent for the 2022/23 year (Doc Id 1442854)

Receive the Hawke's Bay Airport Limited half year report to shareholders, to December 2021 (*Doc Id 1439102*).

Carried

2.2 Background Summary

Section 66 of the Local Government Act 2002 requires that a Council-controlled organisation must report to Council each half year. However, Section 65 requires regular monitoring of performance of a Council Controlled Organisation.

The Hawke's Bay Airport Limited is a Council-controlled organisation. It is a company incorporated under the Companies Act and is owned by the Crown, Hastings District Council and Napier City Council. Napier City Council has a 26% shareholding.

The Company produces separate annual accounts. No payments are made by Napier City Council to the Company and there is no financial provision included in Council budgets. The Napier City Council share in the Company is included in its annual financial statements as an investment, valued using the equity method of accounting.

In accordance with Part 5, Section 65 of the Local Government Act 2002, Napier City Council has a responsibility to regularly undertake performance monitoring of the Hawke's Bay Airport Limited. The interim report for the six months ended 31 December 2021 has been received from Hawke's Bay Airport Limited for Council's information.

2.3 Issues

With the effects of the Omicron outbreak now evident in 2022, full year forecasts are indicating that a break even result for the financial year will be unlikely.

2.4 Significance and Engagement

N/A

2.5 Implications

Financial

For the second quarter of the 2021/22 financial year HBAL is reporting an operating profit before financing costs and depreciation (EBITDA) of \$1.19m. The result is 32% lower than the Statement of Intent (SOI) and 15% lower than the same quarter last year. This was expected given the impact on airline and passenger related revenue due to the implementation of level 4 restrictions and minimal Christchurch and Wellington services until 15 December 2021.

Social & Policy

N/A

Risk

N/A

2.6 Preferred Option

Receive the Hawke's Bay Airport Limited interim report for the six months ended 31 December 2021.

At the Meeting

The Acting Chief Executive, Stephanie Murphy and the Chair of the Board, Wendie Harvey from the Hawke's Bay Airport Limited addressed the meeting and gave a comprehensive power point presentation (*Doc Id 1444975*) providing an overview of the airport's half yearly operations, Draft Statement of Intent and Shareholders report.

Some points highlighted included:

A half year after tax loss of \$412,821 which is significantly worse than the budgeted loss of \$21,738 for the same period.

This has largely been driven by reduced airside and car parking revenue reflecting the impacts of the August and September 2021 lockdown restrictions.

Passenger movements at 171,851 are 15% down on last year and 32% less than budget. Despite the 15% reduction in passenger movements, total revenues are only 5% behind the same period last year due to increased passenger charges

Bank borrowings have increased to \$26m as at 31 December primarily relating to the Terminal redevelopment project which is nearing completion.

The Statement of Intent is comprehensive and details its key objectives across their 5 strategic pou.

Forecasting a modest net profit after tax of \$257,541 in 2022/23 when compared to pre-covid times with that forecast Net profit after tax improving to \$1.2m by June 2025.

The key focus for the next quarter was the forecourt project, revenue diversification, the solar farm project and prudent fiscal management in the current COVID environment.

Councillors were invited to the opening of the forecourt towards end of May and a tour of the airport and hopefully a completed terminal and forecourt.

On a procedural note the Chair advised that the Shareholders Report from the Hawke's Bay Airport Limited was to have been held in Public Excluded. The presentation had encompassed all three reports including the Shareholders information (*Doc Id* 1439102) and had been presented to the Hasting District Council in the open section of the meeting. Ms Harvey and Ms Murphy confirmed that there was nothing further to add and no requirement to address the Shareholders Report in Public Excluded.

It was agreed that all three reports be contained in one recommendation and that the Hawke's Bay Airport Limited Shareholders report be included in the attachments.

2.7 Attachments

1 Hawke's Bay Airport Limited interim report for the six months ended 31 December 2021 (Doc Id 1439100)

HAWKE'S BAY AIRPORT LIMITED INTERIM REPORT

FOR THE SIX MONTHS ENDED 31 DECEMBER 2021



Hawke's Bay Airport Limited Directory

Directors

Wendie Harvey (Chair) Sarah Park (Chair of the Audit, Finance & Risk Committee) Jon Nichols Craig Barrett (appointed 26 November 2021)

Chief Executive Stuart Ainslie (resigned 3 December 2021) Stephanie Murphy (Acting Chief Executive)

Chief Financial Officer Rachel Orchard

Operations Manager

Gareth Mentzer (resigned 16 December 2021) Debbie Suisted (commenced 10 January 2022)

Commercial/Property Manager

lan Lowry

Customer Experience and Marketing Manager Judi Godbold

Registered Office

Terminal Building Hawke's Bay Airport 111 Main North Road PO Box 721 NAPIER 4140

Bankers

ASB Bank Limited

Solicitors

Dentons

Auditors Deloitte

on behalf of the Auditor General

HAWKE'S BAY AIRPORT LTD PO Box 721, Napier 4140 admin@hawkesbay-airport.co.nz www.hawkesbay-airport.co.nz

Hawke's Bay Airport Limited Report to Shareholders for the Half Year ending 31 December 2021

We report against the Hawke's Bay Airport's Statement of Intent ("SOI") targets, effective since July 2021.

Hawke's Bay Airport ("HBAL") entered FY22 in a strong position having experienced several months of pre-Covid-19 level passenger volumes. This changed overnight with the implementation of Level 4 restrictions on 17 August 2021 which resulted in no air movements at all for over two weeks, followed by minimal Christchurch and Wellington services only for several months until the Auckland route was reinstated on 15 December 2021. This is reflected in the results for the half year ending 31 December 2021 being below the SOI targets which were thought to be conservative when adopted.

Financial Performance Highlights

- Total passenger movements for the half year were 171,851 representing a 15% decrease on the same period last year and being 32%, or 81,260 less than budget.
- Lower than expected passenger volumes underpinned a 21% shortfall in passenger related aeronautical and commercial revenues, with passenger charges, car parking, café concessions and advertising all below budget.
- Non-passenger related revenue streams held up well throughout the period, albeit with little growth.
- Despite being 21% behind budget, total revenues were only 5% behind the same period last year due to a higher than expected per passenger charge from 1 July 2021.
- Total expenditure for the half year was 10% lower than budget and predominantly reflects a reduction in variable cost considering recent Covid impacts. Operating expenditure is 25% higher than the same period last year as aspects of the fixed cost base were recalibrated to position the business for post Covid-19 trading conditions which have been delayed.
- Due to these factors, EBITDA for the half year at \$1.194m is \$571k behind budget and 15% below the same period last year.
- Significant savings in borrowing costs of 19% have been achieved, primarily due to delayed cash outflows relating to the terminal expansion project.
- Despite closely controlled capital and operating expenditure and better than expected passenger charges, the net loss of \$413k for the half year reflects the impact the shortfall of 81,000 passengers has on total revenue.
- In October 2021 the \$23m term loan was changed to a Sustainability Linked loan of \$23m which offers immediate cost savings and possible future savings based on achievement of specific performance targets. Total facilities remain at \$28.5m (SLL \$23m; RC \$5m; OD \$500k) with \$26m drawn as at 31 December 2021. Deferral of non-critical infrastructure and completion of the terminal development has eased cash requirements however the Covid related impacts evident in early 2022 will necessitate a continuing focus on working capital requirements.

Hawke's Bay Airport - Interim Report - period ending 31 December 2021

• Return on Equity for the first half of the year was budgeted to be around breakeven with the 2nd half of the year budgeted to bolster the annual result to a modest profit position. Full year forecasts performed pre-Xmas 2021 showed a possible break even result for the full year FY22, however with the effects of the Omicron outbreak now already evident in 2022, forecasts indicate that a break even result for the financial year will be very unlikely.

Performance Highlights & Other Activity

Terminal Development Project

The third and final stage of the terminal expansion project opened for public use on the 6 August 2021, with the HBAL Team moving into their new offices in late November 2021. The terminal expansion and forecourt projects have been impacted by the successive lockdowns with access to resources and supply chain challenges being experienced during the period. This is having an impact on the defects and outstanding supply items being delivered on the terminal.

In December 2021, HBAL awarded the contract to Higgins Contractors to complete the forecourt project. It is expected the forecourt project will be completed in April 2022 (subject to further resource and supply chain issues, with the final planting and exterior aesthetics complete during autumn.

Aeronautical Development

HBAL continues to advocate for the development of a regional transport strategy. This includes creating a small team to further bolster our aeronautical aviation development plans to support the recovery and growth of aviation, creating the business cases for new routes, aircraft seat capacity and air freight opportunities.

HBAL has continued working with Air NZ and partnering airport on developing potential new routes and infrastructure support for transition to emerging shifts in lower carbon aircraft technology. HBAL is pleased to have attracted Originair to Hawke's Bay who commenced direct services between Nelson in October 2021 and Hamilton in December 2021. Nelson enables inter-island connectivity outside of Christchurch and Wellington.

Safety Management

Again, in this report, it is pleasing to report Hawke's Bay Airport Construction Limited ("HBACL") has continued with nil lost time injuries reflecting a continued culture of safety on the terminal construction site.

People & Organisation

HBAL's Chief Executive Officer, Stuart Ainslie, departed the business on 3 December 2021. The recruitment process for a new CEO is in progress with an Acting CEO currently in place to manage the transition.

Other key staff changes include the recent departure of the Operations Manager on the 17 December 2022, with a new Operations Manager starting on the 10 January 2022.

The Airport Rescue Fire ("AFS") team was brought inhouse post 2020 Covid-19 period. Recently HBAL has commenced recruitment for additional resource to build further resilience into the team

Hawke's Bay Airport - Interim Report - period ending 31 December 2021

and ensure HBAL is well placed to deal with issues associated with impacts of Covid-19 in H2 on the AFS team and ensure HBAL is well placed post recovery.

The HBAL Ambassadors were stood down from service on 17 August due to the Covid-19 restrictions. They will return when it is deemed safe and appropriate as we continue to monitor the current resurgence of Covid-19 in early 2022.

New Business Development

Napier City Council District Plan review

HBAL is actively participating in the Napier City Council ("NCC") District Plan Review. This process has been under way since early 2019. NCC released the draft district plan for public comment in August 2021. HBAL provided comments to NCC and continues to work with NCC (both staff and councillors) on this process.

Commercial Activity & Property Development

A key area of focus for HBAL continues to be revenue diversification into non-aeronautical aspects to assist with the business' recovery from Covid-19 and ensure longevity of the business. HBAL is mindful of the recently received Letter of Expectations from the Shareholding Minister (dated 21 December 2021) and ensuring the appropriate focus in the businesses recovery.

As previously reported, Ahuriri Aero Park, being Stage 1 of the property portfolio was released into the market at the end of July 2021. Although August 2021 Covid-19 lockdown restrictions impacted the release, HBAL (via its agent, Colliers and direct) has seen a good level of interest that is continuing.

Following the opening of the terminal, a second retail offering opened in December 2021, Belatinos, providing a distinctively Hawke's Bay offering. Early indications from trading by Bellatinos and Bay Espresso at full capacity since Covid-19 restrictions were lifted in mid-December, are that the offering is extremely well received.

HBAL continues to experience a steady uptake in the new digital advertising assets and has seen positive increased revenue streams.

Sustainability

HBAL continues to work on key initiatives to support our Airport Carbon Accreditation ("ACA") Programme Level 3 and 4 aspirations. Examples include the implementation of EV charging; climate change adaptation infrastructure review; materiality assessments and embedding sustainability into all aspects of HBAL business. Of note, HBAL's access to the ASB Sustainability Linked Loan is directly tied to HBAL's sustainability policy and ACA Level 3 and 4 accreditation targets.

Financial Reports

The unaudited Interim Financial Results to 31 December 2021 are included in this report. These include more detailed analysis of the Company's financial performance compared to its Statement of Intent budget, as well as a Summary of Financial Performance, Statement of Movements in Equity, Summary of Financial Position, Statement of Cash Flows, Accounting Policies and Notes to the Accounts.

Hawke's Bay Airport - Interim Report - period ending 31 December 2021

Key Areas of Focus

The forecourt project, revenue diversification, including commercial and property development, Solar Farm Project, and prudent fiscal management, alongside potential Covid-19 Omicron implications, continue to be the primary focus for HBAL over Q3 and will remain so in the foreseeable future.

Wendie Har Chain, Hawke B Bay Airport Limited

Hawke's Bay Airport – Interim Report – period ending 31 December 2021

Hawkes Bay Airport Limited FINANCIAL PERFORMANCE VS SOI OBJECTIVES FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

		THIS YI	EAR					LAST YEAR
	HY Actual	HY Budget	Variance	Variance		НУ	HY Actual	HY Actual Variance
	Dec 2021	Dec 2021	\$	%		De	Dec 2020	Dec 2020 \$
Passenger Numbers	171,851	253,111	(81,260)	-32.1%			203,381	203,381 (31,530)
5		,	.,					, , , ,
INANCIAL PERFORMANCE (\$)								
evenue								
eronautical	1,865,535	2,298,731	(433,196)	-18.8%			1,731,608	
round Transport	745,758	997,990	(252,232)	-25.3%			813,707	
Business Park	207,420	197,994	9,426	4.8%			205,923	
Other Revenue	193,038	301,116	(108,078)	-35.9% -20.7%			107,542 2,858,781	
OTAL REVENUE	3,011,752	3,795,831	(784,079)	-20.7%			2,858,781	2,838,781 152,971
perating Expenses	1,817,912	2,031,303	213,391	10.5%			1,453,534	1,453,534 (364,378)
							_	
BITDA	1,193,840	1,764,528	(570,688)	-32.3%		1,405,247	1	(211,407)
epreciation & Amortisation	1,431,073	1,500,288	69,215	4.6%		1,201,653		(229,421)
ain/(Loss) on asset disposal	2,000	-	2,000	-		-		-
terest Income	0	-	0	-		25		(25)
terest Paid (charged to P&L)	238,530	294,429	55,899	19.0%		174,903		(63,628)
ofit before Tax	(473,764)	(30,189)	(443,575)	1469.3%		28,717		(502,481)
	(60.0(2))	(0 (51)	52 (02	-621.1%		70.010		138,959
ах	(60,943)	(8,451)	52,492	-621.1%		78,016	13	18,959
ROFIT AFTER TAX	(412,821)	(21,738)	(391,083)	1799.1%		(49,299)	(363,52	2)
INANCIAL POSITION (\$)								
otal Assets	65,625,064	64,617,974	1,007,090			,940,005	4,685,059	
ebt	26,000,000	25,600,000	400,000			,850,000	5,150,000	
hareholders Funds	33,509,881	32,777,892	731,989		3	3,179,752	330,129	
NANCIAL METRICS	-1.2%	0.1%				-0.1%		
eturn on Equity let Gearing Ratio	-1.2% 43.7%	0.1% 43.9%				-0.1% 38.6%		
Shareholders Funds/Total Net Assets	43.7%	43.9% 51.5%				38.6% 54.4%		
Shareholuers Fullus/ Total Net Assets	51.1%	51.5%				54.4%		

Hawkes Bay Airport Limited CONSOLIDATED STATEMENT OF COMPREHENSIVE INCOME

FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

	HBAL	HBAL	HBAL
	Unaudited	Unaudited	Audited
	6 months to	6 months to	Year to
	31 Dec 21	31 Dec 20	30 Jun 21
A second discl	4 0 0 5 5 5 5	4 704 600	2 022 047
Aeronautical	1,865,535	1,731,608	3,933,817
Ground Transport	745,758	813,707	1,811,959
Business Park	207,420	205,923	402,768
Other Revenue	193,038	107,542	512,664
Total Revenue	3,011,752	2,858,781	6,661,208
Less Operating Expenses	(1,817,912)	(1,453,534)	(2,905,675)
Operating Profit Before Financing Costs and Depreciation	1,193,840	1,405,247	3,755,532
Depreciation	(1,431,073)	(1,201,653)	(2,386,284)
Impairment Reversal/(Charge)	-	-	
Gain/(Loss) on asset disposal	2,000	-	(44,337)
Finance Income	· -	25	25
Finance Expense	(238,530)	(174,903)	(342,103)
Net Profit before income tax	(473,764)	28,717	982,833
Income Tax Expense	60,943	(78,016)	(427,519)
Net Profit after income tax	(412,821)	(49,299)	555,314
Items that will not be reclassified into profit or loss:			
Revaluation of Property, Plant & Equipment, net of deferred tax	-	-	-
Deferred tax on revaluation	-	-	138,336
Total Comprehensive Income	(412,821)	(49,299)	693,650

Hawkes Bay Airport Limited CONSOLIDATED STATEMENT OF CHANGES IN EQUITY FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

	HBAL Unaudited 6 months to 31 Dec 21	HBAL Unaudited 6 months to 31 Dec 20	HBAL Audited Year to 30 Jun 21
Equity at beginning of year	33,922,701	33,229,051	33,229,051
Profit for the period	(412,821)	(49,299)	555,314
Revaluation of Property, Plant & Equipment	-	-	-
Movement in deferred tax on revaluation reserve	-	-	138,336
Total comprehensive income	(412,821)	(49,299)	693,650
Distributions to shareholders	-	-	-
Movement in equity for the period	(412,821)	(49,299)	693,650
Closing Equity	33,509,881	33,179,752	33,922,701

Hawkes Bay Airport Limited CONSOLIDATED STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2021

		HBAL	HBAL	HBAL
		Unaudited	Unaudited	Audited
		6 months to	6 months to	Year to
	Vote	31 Dec 21	31 Dec 20	30 Jun 21
Assets				
Trade and other receivables		630,688	687,294	924,671
Cash and cash equivalents		404,865	544,532	420,234
Total current assets		1,035,552	1,231,826	1,344,905
		50 640 504	5/ / 60 706	50 404 050
Property plant and equipment	2	59,613,581	54,469,786	58,181,256
Investment property	3	4,741,647	4,879,659	4,822,594
Intangibles		92	669	383
Right of use assets Total non-current assets	-	234,191	358,065	296,638
	-	64,589,511	59,708,179	63,300,870
Total assets		65,625,064	60,940,005	64,645,775
Equity				
Issued Capital		13,789,155	13,789,155	13,789,155
Retained Earnings		9,011,363	8,325,514	9,424,184
Revaluation reserve	_	10,709,363	11,065,083	10,709,363
Total equity	-	33,509,881	33,179,752	33,922,701
Liabilities				
Trade and other payables		536,039	838,152	1,566,699
Employee entitlements		84,863	80,737	116,620
Provision for retentions payable		254,389	171,102	225,697
Provision for tax		(93,537)	145,883	365,469
Borrowings	4	3,000,000	-	-
Lease Liabilities		117,600	106,097	108,371
Total current liabilities		3,899,354	1,341,970	2,382,856
Deferred tax liability		4,200,381	4,322,357	4,205,952
Rentals in advance		871,329	984,208	927,308
Borrowings	3	23,000,000	20,850,000	23,000,000
Lease Liabilities	_	144,119	261,717	206,958
Total non-current liabilities	_	28,215,829	26,418,283	28,340,218
Total liabilities		32,115,183	27,760,253	30,723,073
Total equity and liabilities	-	65,625,064	60,940,005	64,645,775

Hawkes Bay Airport Limited CONSOLIDATED STATEMENT OF CASH FLOWS FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

	HBAL Unaudited 6 months to 31 Dec 21	HBAL Unaudited 6 months to 31 Dec 20	HBAL Audited Year to 30 Jun 21
Cash flows from operating activities			
Cash was provided from:			
Revenues	3,006,298	2,782,896	6,517,429
Interest Received	-	25	25
	3,006,298	2,782,921	6,517,454
Cash was disbursed to:			
Suppliers and Employees	(1,458,482)	(1,472,768)	(3,100,254)
Goods & Services Tax (Net)	97,686	19,491	(12,848)
Interest Paid	(305,041)		(479,489)
Income Tax Paid	(403,632)		(108,339)
	(2,069,469)		(3,700,930)
Net cash flows from operating activities	936,829	1,127,041	2,816,524
Cashflows from Investing activities Cash was provided from: Sale of fixed assets Cash was disbursed to: Capital Works Net cash flows from investing activities Cashflows from financing activities Cashflows from financing activities Cash was provided from: Borrowings Cash was disbursed to: Dividends Paid Lease payments	- (3,898,588) (3,898,588) 3,000,000 - (53,610)	(3,381,869) 2,588,238 -	- (7,311,166) (7,311,166) 4,738,238 - (105,181)
Debt Repayment	-	-	-
Net cash flows from finance activities	2,946,390	2,517,543	4,633,057
Net increase/(decrease) in cash and cash equivalents	(15,369)	262,714	138,416
Add Opening Cash brought forward	420,234	281,818	281,818
Closing cash and cash equivalents	404,865	544,532	420,234

HAWKE'S BAY AIRPORT LIMITED NOTES TO THE ACCOUNTS FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

1 SIGNIFICANT TRANSACTIONS AND EVENTS IN THE REPORTING PERIOD

COVID-19

In March 2020, the World Health Organisation declared the outbreak of COVID-19 as a pandemic. Both globally and in New Zealand, international border closures, domestic lockdowns and ongoing travel restrictions due to COVID-19 have had an immediate, dramatic and now ongoing, impact on airlines, air services, airport traffic and therefore revenues for those in the industry. Initially HBAL management moved swiftly to preserve the cash position of the business by implementing a recovery plan that amongst other factors significantly reduced the cost base, deferred non-essential capital expenditure and accessed all available Government subsidies. The purpose of those actions was to offset as much of the reduction in revenue as possible, while still being able to operate safely to the required CAA standards and provide needed services for airport users. Throughout the 2021 year Hawkes Bay Airport remained focused on achieving its strategic goals, albeit within the context of navigating the recovery cycle from the effects of COVID-19.

cycle from the effects of COVID-19. During 2021 the demand for air travel within New Zealand rebounded quicker than originally forecast, with air traffic capacity reaching around 90% of pre-Covid-19 levels by mid year. However, a return to a nationwide COVID-19 Level 4 lockdown in August 2021 highlighted that the Group remained vulnerable to Covid-19 related impacts. 2022 has begun with New Zealand being placed into the "red traffic light setting" of the Government Covid Protection Framework and although the

2022 has begun with New Zealand being placed into the "red traffic light setting" of the Government Covid Protection Framework and although the airport is operational under this setting, there is significant travel hesitancy and accordingly a reduced airline flight schedule. This latest change highlights that the Group continues to be vulnerable to Covid-19 related impacts, Accordingly, the Group has a robust operational

This latest change highlights that the Group continues to be vulnerable to Covid-19 related impacts, Accordingly, the Group has a robust operational and financial planning framework in place that considers future scenarios and likely outcomes. This framework assists the board and management to respond rapidly to changes in operating conditions, and when necessary take additional steps to quickly minimise costs and capital expenditure in a considered way.

2 PROPERTY, PLANT AND EQUIPMENT

	Land & Land Improvements	Airport Infrastructure & Buildings	Other assets	Capital Work in Progress	Total
At 30 June 2021					
Fair Value	6,080,725	38,914,054	2,840,091	13,653,314	61,488,183
Accumulated depreciation	966	1,899,019	1,406,942	0	3,306,927
·	6,079,759	37,015,034	1,433,148	13,653,314	58,181,256
Opening net book value	6,079,759	37,015,034	1,433,148	13,653,314	58,181,256
Additions	0	0	508,442	2,205,399	2,713,841
Disposals	0	0	0	0	0
Revaluation	0	0	0	0	0
Depreciation	487	1,155,829	125,200	0	1,281,516
Transfers	0	12,514,037	0	(12,514,037)	0
Closing net book value	6,079,272	48,373,243	1,816,390	3,344,676	59,613,581
At 31 December 2021					
Fair Value	6,080,725	51,428,091	3,348,533	3,344,676	64,202,024
Accumulated depreciation	1,452	3,054,849	1,532,142	0	4,588,443
	6,079,272	48,373,243	1,816,390	3,344,676	59,613,581

3 INVESTMENT PROPERTY

	Land & Land Improvements	Business Park Infrastructure &	Capital Work in Progress	Total
		Buildings		
At 30 June 2021				
Cost	2,899,688	3,000,830	167,964	6,068,482
Accumulated depreciation	204,128	1,041,760		1,245,889
	2,695,560	1,959,070	167,964	4,822,594
Opening net book value	2,695,560	1,959,070	167,964	4,822,594
Additions	-	-	-	
Disposals				
Depreciation	16,948	63,999		80,94
Closing net book value	2,678,612	1,895,071	167,964	4,741,647
At 31 December 2021				
Cost	2,899,688	3,000,830	167,964	6,068,482
Accumulated depreciation	221,076	1,105,759	-	1,326,835
	2,678,612	1,895,071	167,964	4,741,647

4 BORROWINGS

The Group refinanced its debt funding facilities during the half year to 31 December 2021 and presently has a Sustainability Linked Loan facility of \$23m; Revolving Credit facility up to \$5m and Overdraft facility up to \$500,000 available with the ASB Bank.

At 31 December 2021 the Group had \$3m drawn against the Revolving Credit facility which is reported as a current liability. The sustainability

linked loan balance of \$23m is reported as a non-current liability.

The sustainability linked loan facility has a three year term with an evergreen clause included in the facility agreement. The average interest rate on the loan facility for the six month period to 31 December was 2.31% p.a (FY21; 2.16%)

The revolving credit facility has a two year term and the average interest rate on funds drawn during the period to 31 December was 1.81% (FY21: 1.57%) The facilities are secured by a General Security Agreement.

Hawke's Bay Airport Limited Group

Accounting Policies

For the period ended 31 December 2021

Significant accounting policies

Reporting Entity

Hawke's Bay Airport Limited is a company incorporated in New Zealand under the Companies Act 1993 and is owned by the Crown: 50%, Napier City Council: 26%, Hastings District Council: 24%.

The Company is domiciled in New Zealand and its principal place of business is 111 Main North Road, Westshore, Napier. The company operates the Hawke's Bay Airport.

Hawke's Bay Airport Limited is defined as a Council-controlled organisation pursuant to Part 5 of the Local Government Act 2002.

Statement of Compliance

The financial statements have been prepared as required by the Local Government Act 2002 and in accordance with all applicable financial reporting standards and other generally accepted accounting practices in New Zealand. They comply with the New Zealand equivalents to International Financial Reporting Standards (NZ IFRS) as appropriate to profit oriented entities applying the Reduced Disclosure Regime.

Basis of Consolidation

The consolidated financial statements comprise the financial statements of Hawke's Bay Airport Limited and its wholly owned subsidiary, Hawke's Bay Airport Construction Limited (the Group).

Subsidiaries are entities controlled by the Group. The financial statements of subsidiaries are included in the consolidated financial statements from the date that control commences until the date that control ceases. Intragroup balances and transactions are eliminated in preparing the consolidated financial statements.

Measurement Base

The financial statements have been prepared on a going concern basis in accordance with historical cost concepts as modified by the revaluation of certain assets and liabilities as identified in specific accounting policies below.

Presentation Currency

These Financial Statements are presented in New Zealand dollars (\$), which is the functional currency of the Group, rounded to the nearest dollar.

Critical Accounting Estimates, Assumptions and Judgments

The preparation of financial statements in conformity with NZ IFRS requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Group's accounting policies.

The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates. The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period, or in the period of the revision and future periods if the revision affects both current and future periods.

Critical estimates are included in the impairment assessment of Investment Property, and in the assessment of the recoverable amounts of Capital Work in Progress and the fair value of Property, Plant and Equipment., the calculation of disposal of demolished terminal assets and the fair value of Property, Plant and Equipment. Management has exercised its judgement on the selection of depreciation rates, the classification of financial assets and the masterplan asset, in addition to the timing of capitalisation of interest.

Particular accounting policies

Revenues

Revenue comprises the fair value of the consideration received or receivable for the sale of goods and services in the ordinary course of the Group's activities. Revenue is shown net of Goods and Services Tax (if applicable), returns, rebates and discounts. The Group recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the company and when specific criteria have been met for each of the Group's activities. Revenues consist mainly of landing charges, car parking fees, terminal and leased land rentals and concessions. Lease income is recognised on a straight-line basis over the term of the lease.

Trade and Other Receivables

Trade and other receivables are stated at net realisable value after provision for doubtful debts.

Taxation

Income tax expense

Income tax on profits for the period comprises current tax, deferred tax and any adjustment for tax payable in previous periods. Income tax is recognised in profit or loss as tax expense except when it relates to items credited directly to equity, in which case it is recorded in other comprehensive income.

Current tax

Current tax is the expected tax payable on the income for the period based on tax rates and tax laws which are enacted or substantively enacted by the reporting date.

Deferred tax

Deferred tax arises by providing for temporary differences between the carrying amounts of assets and liabilities for financial reporting purposes and the equivalent amounts used for tax purposes.

Deferred tax assets and liabilities are measured at the tax rates that are expected to apply to the periods when the assets or liabilities giving rise to them are realised or settled.

Deferred tax assets, including those related to the tax effect of income tax losses available to be carried forward are recognised only to the extent that it is probable that future taxable profits will be available against which the deductible temporary differences or unused tax losses can be realised. Deferred tax assets are reviewed each reporting date and are reduced to the extent that it is no longer probable that the related tax benefit will be realised.

Cash Flow Statement

The following definitions have been used for the preparation of the Statement of Cash Flows:

Cash and Cash equivalents: Cash and cash equivalents are cash in hand, deposits held at call with banks, other short-term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Operating activities: Transactions and other events that are not investing or financing activities.

Investing activities: Activities relating to the acquisition, holding and disposal of non-current assets and of investments, such as securities, not falling within the definition of cash.

Financing activities: Activities which result in changes in the size and composition of the capital structure of the Group, both equity and debt not falling within the definition of cash.

Property, Plant and Equipment

Property, Plant and Equipment

Items of property, plant and equipment are initially recognised at cost. As well as the purchase price, cost includes directly attributable costs. Subsequent to initial recognition, land and land improvement and airport infrastructure and buildings are carried at fair value less accumulated depreciation and accumulated impairment losses. Capital work in progress is carried at cost and transferred to another category as assets are completed. Other assets are recorded at cost less accumulated depreciation and accumulated impairment losses.

Any revaluation increment is credited to the revaluation reserve and included in other comprehensive income, except to the extent that it reversed a previous decrease of the same asset previously recognised within net profit in the statement of comprehensive income, in which case the increase is recognised within net profit in the statement of comprehensive income.

Each year the difference between depreciation based on the revalued carrying amount of the asset charged to the income statement, and the depreciation based on the original cost is transferred from the revaluation reserve to retained earnings.

Property, plant and equipment comprises airfield and other infrastructure, car parks, buildings and equipment.

Assets under construction

The cost of assets under construction is recorded at incurred cost as at balance date.

Disposal of property plant and equipment

When an item of plant property and equipment is disposed of any gain or loss is recognised in the profit or loss calculated at the difference between the sale price and the carrying value of the asset.

Cyclical maintenance upgrades

Significant expenditure involving renewal of runway surface components is capitalised and subject to depreciation at the appropriate rates.

Investment Property

Investment property, which is property held to earn rentals and/or for capital appreciation, is initially recognised at cost, including transaction costs. Costs include all expenditure relating to infrastructure development and construction. Investment property is recorded as cost less accumulated depreciated using the cost model allowed under NZ IAS 40. Investment properties include all aspects of the Ahuriri Aero Park development adjacent to the airport.

Depreciation

Depreciation is charged on a straight-line basis to write off the cost or value of property, plant and equipment and investment property over their expected economic lives.

Airfield Infrastructure:	0.71% to 5.56%
Surface	6.67% to
Business Park	0.00% to
Buildings	2.50% to
Plant & Equipment	2.90% to
Car Park & Roading	1.67% to 5.00%
Fencing	5.00% to
Lighting	4.00% to
Furniture & Fittings	10.00%
Motor Vehicles	12.50%
Office Equipment	30.00%

The principal depreciation rates are as follows:

Intangibles

Intangibles comprise computer software that is not an integral part of the related hardware. This software has either been purchased or developed internally and is initially recorded at cost. Subsequent costs are included in the software's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Group and the cost of the item can be measured reliably. The costs of maintaining the software are charged to profit or loss. Software is amortised over three years using the straight-line method.

Financial Instruments Recognition and Measurement

Financial assets

The Group classifies its financial assets in the following categories: fair value through profit or loss (FVTPL), fair value through other comprehensive income (FVTOCI) or amortised cost. The classification depends on the Group's business model for managing the financial asset and the contractual cash flow characteristics of the financial asset. Management determines the classification of its financial assets at initial recognition and re-evaluates this designation at every reporting date. At balance date, the Group had financial assets classified only as amortised cost.

Amortised cost

Financial assets at amortised cost have contractual terms that give rise to cash flow on specified dates that are solely principal and interest and are held within a business model whose objective is to hold assets in order to collect those contractual cash flows.

The Group's amortised cost financial assets comprise of cash and cash equivalents and accounts receivable.

Purchases and sales of financial assets are recognised on trade date – the date on which the Group commits to purchase or sell the asset. Financial assets are initially recognised at fair value plus transaction costs for all financial assets not carried at fair value through profit or loss. Financial assets carried at fair value through profit or loss are initially recognised at fair value and transaction costs are expensed.

After initial recognition, amortised cost financial assets are carried at amortised cost using the effective interest method, less impairment.

Financial assets are derecognised when the rights to receive cash flows from the investments have expired or have been transferred and the Group has transferred substantially all the risks and rewards of ownership.

Financial liabilities

Non-derivative financial liabilities are recognised at amortised cost, comprising original debt less principal payments and amortisation. Trade payables and borrowings are classified as financial liabilities.

Impairment Testing of Assets

At each reporting date, the Group reviews the carrying values of its assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to profit or loss.

GST

All amounts are shown exclusive of Goods and Services Tax (GST), except for receivables and payables that are stated inclusive of GST.

Leases

All leases are accounted for by recognising a right-of-use asset and a lease liability in accordance with NZ IFRS 16, except for:

- Leases of low value assets; and
- Leases with a duration of 12 months or less.

Lease liabilities are measured at the present value of the contractual payments due to the lessor over the lease term, with the discount rate determined by reference to the rate inherent in the lease unless (as is typically the case) this is not readily determinable, in which case the Group's incremental borrowing rate on commencement of the lease is used. Variable lease payments are only included in the measurement of the lease liability if they depend on an index or rate. In such cases, the initial measurement of the lease liability assumes the variable element will remain unchanged throughout the lease term. Other variable lease payments are expensed in the period to which they relate.

On initial recognition, the carrying value of the lease liability also includes:

- amounts expected to be payable under any residual value guarantee;
- the exercise price of any purchase option granted in favour of the Group if it is reasonably certain to access that option;
- any penalties payable for terminating the lease, if the term of the lease has been estimated based on a termination option being exercised.

Right of use assets are initially measured at the amount of the lease liability, reduced for any lease incentives received, and increased for:

- lease payments made at or before commencement of the lease;
- initial direct costs incurred; and
- the amount of any provision recognised where the group is contractually required to dismantle, remove, or restore the leased asset.

Subsequent to initial measurement, lease liabilities increase as a result of interest charged at a constant rate on the balance outstanding and are reduced for lease payments made. Right-of-use assets are amortised on a straight-line basis over the remaining term of the lease or over the remaining economic life of the asset if this is judged to be shorter than the lease term.

When the Group revises its estimate of the term of any lease (for example, it re-assesses the probability of a lessee extension or termination option being exercised), it adjusts the carrying amount of the lease liability to reflect the payments over the revised term, which are discounted using a revised discount rate. The carrying value of lease liabilities is similarly revised when the variable element of future lease payments dependent on a rate or index is revised, except the discount rate remains unchanged. In both cases, an equivalent adjustment is made to the carrying value of the right-of-use asset, with the revised carrying amount being amortised over the remaining (revised) lease term. If the carrying amount of the right-of-use asset is adjusted to zero, any further reduction is recognised in the profit or loss.

When the Group renegotiates the contractual terms of a lease with the lessor, the accounting depends on the nature of the modification:

- if the renegotiation results in one or more additional assets being leased for an amount commensurate with the standalone price for the additional rights-of-use obtained, the modification is accounted for as a separate lease in accordance with the above policy;
- in all other cases where the renegotiation increases the scope of the lease (whether that is an
 extension to the lease term, or one or more additional assets being leased), the lease liability is
 remeasured using the discount rate applicable on the modification date, with the right-of-use
 asset being adjusted by the same amount;
- if the renegotiation results in a decrease in the scope of the lease, both the carrying amount of the lease liability and right-of-use asset are reduced by the same proportion to reflect the partial or full termination of the lease with any difference recognised in the profit or loss. The lease liability is then further adjusted to ensure its carrying amount reflects the amount of the renegotiated payments over the renegotiated term, with the modified lease payments discounted at the rate applicable on the modification date. The right-of-use asset is adjusted by the same amount.

For contracts that both convey a right to the Group to use an identified asset and require services to be provided to the group by the lessor, the Group has elected to account for the entire contract as a lease, i.e. it allocates any amount of the contractual payments to, and accounts separately for, any services provided by the supplier as part of the contract.

Changes in Accounting Policies

There have been no changes in accounting policies during the six month period ended 31 December 2021.

3. HAWKE'S BAY AIRPORT LIMITED - DRAFT STATEMENT OF INTENT 2022/23

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1442532
Reporting Officer/s & Unit:	Adele Henderson, Director Corporate Services

3.1 Purpose of Report

To present the Hawke's Bay Airport Limited Draft Statement of Intent for the 2022/23 year.

Officer's Recommendation

The Prosperous Napier Committee:

 Receive the Hawke's Bay Airport Limited Draft Statement of Intent for the 2022/23 year (Doc Id 1442854) and provide comment and feedback from Napier City Council

3.2 Background Summary

The Hawke's Bay Airport Limited (HBAL) is a Council Controlled Organisation (CCO). It is a company incorporated under the Companies Act and is owned by the Crown, Hastings District Council and Napier City Council. Napier City Council has a 26% shareholding.

The Local Government Act 2002 requires Council Controlled Organisations (CCO) to submit a Statement of Intent to their shareholders for consideration.

The Draft Statement of Intent presented by HBAL satisfies all the requirements as set out in Schedule 8 of the Local Government Act, and also clearly sets out the nature and scope of the HBAL activities and performance targets.

The Board Chair Wendie Harvey and Acting Chief Executive Stephanie Murphy will be at the meeting to present the Draft Statement of Intent and answer Councillors' questions.

3.3 Issues

No issues.

3.4 Significance and Engagement

This matter does not trigger Council's Significance and Engagement Policy or other consultation requirements.

3.5 Implications

Financial

N/A

Social & Policy

The Draft Statement of intent is comprehensive and details its key objectives across their five strategic pou.

F	Risk	

N/A

3.6 Options

The options available to Council are as follows:

- a. Receive the 2022/23 Draft HBAL Statement of Intent and provide any feedback as required.
- b. Council can also request directors of HBAL to consider changes to the Statement of Intent if it wishes. The directors of HBAL would then need to consider the request alongside the feedback from the other two shareholders.
- c. If HBAL decided that it did not wish to make the changes requested by Council as its shareholder, Council has recourse through Schedule 8 (5) of the Local Government Act. Council can by resolution, require the board to modify the statement of intent if Council deemed it necessary. However given NCC's minority shareholding in HBAL, it would need majority shareholder consensus to enforce this option.

3.7 Development of Preferred Option

The preferred option is for the 2022/23 Revised Draft Statement of Intent to be received and any suggested changes passed on to the HBAL Board.

At the Meeting

Wendie Harvey and Stephanie Murphy from the Hawke's Bay Airport had provided an overview of the Draft Statement of Intent in the comprehensive powerpoint presentation (*Doc Id 1444975*) displayed in the previous item.

The recommendation to receive the report was included in the recommendation for Item 2.

3.8 Attachments

1 Hawke's Airport Draft Statement of Intent for the 2022/23 year (Doc Id 1442854)



STATEMENT OF INTENT HAWKE'S BAY AIRPORT LIMITED



www.hawkesbay-airport.co.nz

STATEMENT OF INTENT 2022/23

Prepared by: Hawke's Bay Airport Limited

Address: 111 Main North Road Napier, 4110

Postal Address: PO Box 721 Napier, 4140

Ph: (06) 834 0742 Web: www.hawkesbay-airport.co.nz

Date: As at March 2022

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INTRODUCTION

enda

This Statement of Intent ("SOI") is prepared by the Board of Directors of Hawke's Bay Airport Limited ("HBAL") in accordance with Section 64(1) of the Local Government Act 2002.

This SOI sets out the objectives, the nature and scope of the activities to be undertaken by HBAL, and the performance targets and other measures by which the performance of the company may be assessed in relation to its objectives. HBAL's achievements against the objectives outlined in last year's SOI are referred to in this year's annual report.

The SOI is a public and legally required document, reviewed and agreed annually with shareholders, and covers a threeyear period. This SOI covers the period from 1 July 2021 to 30 June 2025. HBAL is a council-controlled trading organisation ("CCTO") for the purposes of the Local Government Act 2002.



OWNERSHIP & GOVERNANCE

HBAL was incorporated in 2009. Governance sits with the Board of Directors, which is responsible for the strategic and overall direction of the business. Directors are appointed by the company's shareholders: Napier City Council (26%), Hastings District Council (24%), and the Crown (50%). The Board has four directors, two of whom are appointed by Napier City Council and Hastings District Council and two of whom are appointed by the Crown. The Board meets regularly with HBAL leadership to review the company's performance and provides quarterly, half-yearly and annual business performance reports to shareholders. Refer to Appendix A.

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ABOUT US NATURE AND SCOPE OF ACTIVITIES

Location

enda

HBAL is situated approximately 10 minutes from Napier City's central business district (CBD), 20 minutes from Hastings and 30 minutes to Havelock North. The Hawke's Bay region stretches from Wairoa in the north to Waipukurau in the south. At the 2018 New Zealand Census, the region had a population of 166,368.

Operations

HBAL is the third busiest airport in the North Island and plays an essential role in connecting the region's people and produce with the wider national and international economy via scheduled passenger services. HBAL'S primary activity is the safe and efficient operation of Hawke's Bay Airport, facilitating direct flights to Auckland, Wellington, Christchurch (serviced by Air New Zealand) and Nelson, Palmerston North and Hamilton (serviced by Originair). This includes the provision of appropriate and sound aeronautical infrastructure and associated facilities. In August 2021, HBAL opened a newly expanded terminal with improved passenger facilities. HBAL is also required to ensure the operational resilience of the airport as a lifeline utility, under the Civil Defence Emergency Management Act 2002.



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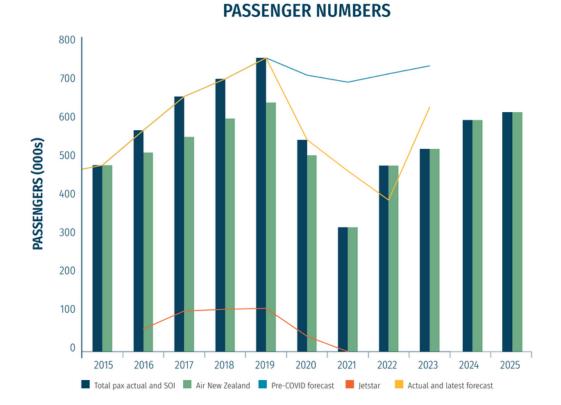
Company Value

As at 30 June 2021, HBAL's land, land improvements and buildings were valued at \$61.6m. This valuation was supported by external valuations completed by Peter Seed Limited and Telfer Young Limited. HBAL's total land holding is 230ha, compromising a composition of leasehold (in perpetuity from Napier City Council and Hastings District Council) and freehold tenure.

Outlook

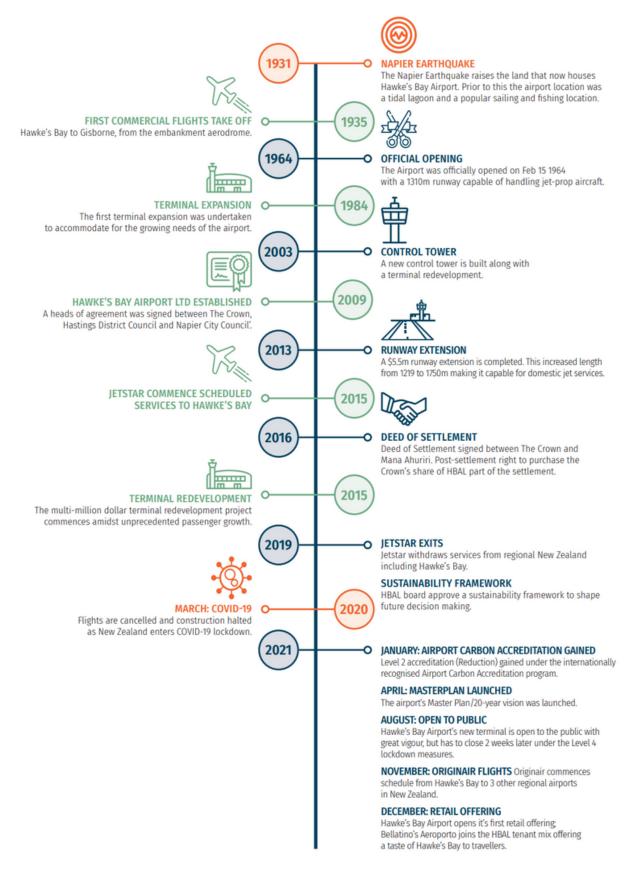
An area of prime importance for HBAL is the continued work on strengthening its core business through a strong focus on both expanding opportunities for new and additional services with Air New Zealand and exploring opportunities for the expansion of connections with the rest of New Zealand via other airlines.

In addition to scheduled passenger services, general aviation is also an essential component of HBAL's aviation mix. HBAL's total aircraft movements, as at June 2019, were approx. 24,000, of which approx. 9,000 were general aviation.



The following provides a snapshot of our past and future passenger numbers.

OUR JOURNEY HISTORICAL SNAPSHOT



DIVERSIFICATION AND GROWTH STRATEGY

HBAL's heavy reliance on aeronautically-driven revenue has been identified as a significant risk to the business. Broadening and increasing profitability through a diversified portfolio is essential to ensuring the business can withstand the impacts of any significant adverse events on the aviation sector (for example, the withdrawal of Jetstar services from Hawke's Bay in 2019 or the COVID pandemic).

20-Year Vision

HBAL launched its Master Plan in May 2021, setting out a 20-year vision [1] for the company. This was the result of approximately two years' work to determine HBAL's future aeronautical requirements and ensure these are protected. Completing this project enabled HBAL to determine the land available for future commercial development and identify opportunities for revenue diversification.

Land

HBAL is strategically located with direct connections to air, road, rail and sea, making it ideally suited for a business park. In July 2021, HBAL brought Ahuriri Aeropark [2] to market. As with other airport commercial land offerings, the proposition is likely to appeal to commercial/light industries that require land and air connections (for example, freight and logistics, travel, trade and tourism-based industries). HBAL's existing anchor tenant ABB is an example of this, using air connections frequently.

HBAL is mindful of the Napier and Hastings Sub-Regional Industrial Land Strategy and its offering is in line with that strategy. HBAL has also been actively involved in Napier City Council's draft district plan review and spatial planning project.

As land becomes scarce in the areas traditionally designated for commercial and light industry use, Ahuriri Aeropark will become a prime alternative offering. The development complements the work being undertaken by Napier City Council [3] and Hastings District Council [4] to attract businesses to Hawke's Bay under Matariki [5], the Hawke's Bay Regional Economic Development Strategy ("HBREDS"), in which HBAL continues to be actively involved.



Proposed Solar Farm Project

HBAL continues to progress its proposed solar farm project on site. The focus of this project to date has been on securing a commercial partner to assist with funding the project's development, with a view to progressing the project to consents and construction. Noting shareholders' expectations of prudent governance, planning, resourcing and financial management of the project, HBAL has put in place appropriate oversight and expertise through its governance structure and resourcing. In addition to building HBAL's non-aeronautical revenue stream, this project will also contribute to its goal of carbon neutrality.

Appropriate land development and the proposed solar farm project, along with terminal-based revenue (food and beverage concessions, rental car agency tenancies, and advertising), will provide non-aeronautical revenue that can insulate the business should there be future periods where aeronautical revenue is compromised.

https://www.hawkesbay-airport.co.nz/assets/Docs/HBAL/Proposed-Solar-Farm-project.pdf



PURPOSE AND VISION

enda

In late 2021, the HBAL Board of Directors reviewed and subsequently refreshed the strategic plan for the company, identifying key focus areas needed to deliver its vision.

HBAL is driven by its purpose: to connect people, business, and the Hawke's Bay region in meaningful ways. Its vision is of a safe, secure and intuitive transport hub for everyone, with sustainability at its heart. HBAL's work toward this vision is guided by five strategic pou (pillars), its values, and a comprehensive sustainability framework.

PURPOSE

We connect people, business and regions

VISION

We are a safe, secure and future looking transport hub for everyone

Hawke's Bay Airport Limited - Statement of Intent 2022/23.

STRATEGIC POU AND VALUES

In addition to our revised Purpose and Vision, we have also revised our Strategic Pou and Values.

STRATEGIC POU

Our Operations	Our People	Our Environment	Our Partnerships	Commercial Success
We ensure a safe, secure and intuitive customer journey for all. We strive for excellence and evolve with change	We treat our people with respect, empower them with knowledge and allow them flourish in an inclusive environment. We are a learning organisation	We make wise decisions with airport land to safeguard the future, creating long term resilience and sustainability. We have a strong sense of place	We are a reflection of our region. We foster meaningful relationships with our customers, partners, mana whenua and the community to support positive growth	We maximise commercial returns across all areas, to ensure value for our stakeholders and the wider community
You're in safe hands	A great place to work	We are guardians of the land	Creating meaningful connections	A profitable, sustainable business

OUR VALUES

We look to the horizon	Safe and secure	Strive for success	Customer centric	Environmentally responsible
We care for today and plan for tomorrow through collaboration with stakeholders, partners, mana whenua and the wider community	The safety and security of our environment and our customers, is our top priority	We strive for excellence in everything we do and support others to succeed	We believe in the power of customer experience at every touchpoint, creating positive impressions of our airport and our region	We are committed stewards of our environment

KEY OBJECTIVES

The following outlines HBAL's key objectives for FY22/23 and beyond.

OUR OPERATIONS				
We ensure a safe, secure and intuitive customer journey for all. Striving for excellence and evolving with change.				
You're in s	safe hands			
Objectives	Key Performance Measures			
Develop a "whole of airport" safety and security	Maintain our CAA Part 139 operating certificate			
culture	Nil harm to staff, contractors or customers			
	Nil security incidents in accordance with CAR Part 12			
Proactively manage wildlife hazards	Review Wildlife Management Plan			
Ensure our key infrastructure is fit for purpose and resilient	Review aeronautical infrastructure requirements			
Provide our customers with engaging service and diverse adaptive offerings	Implement our Customer Experience Strategy			
Embrace technology to drive performance	Review and implement relevant online and on ground technology advancements			

Success looks like...

An operation that runs smoothly and efficiently, where nobody is hurt, and where every person working on the HBAL site actively contributes to its safety and security. HBAL maintains its essential operating credentials, while strengthening the resilience and sustainability of its infrastructure and operations. An airport that reflects our region and a passenger experience that is easy, engaging and enjoyable.

OUR PEOPLE			
We treat our people with respect, empower them with knowledge and allow them to flourish in an inclusive environment. We are a learning organisation.			
A great place to work			
Objectives	Key Performance Measures		
Be a great place to work	Ensure all our team are engaged with HBAL's vision, purpose and goals		
	Continue to implement our wellbeing programme		
Grow our team capabilities and embrace change to enable success	Develop cross-functional team capabilities and succession planning		
	Ensure our team have development plans in place and work with them to grow to their full potential		

Success looks like...

A positive, dynamic culture that enables people to thrive. HBAL's people are healthy, balanced, and engaged in realising HBAL's vision for the future. HBAL is known as a great place to work and its people are its biggest advocates.

KEY OBJECTIVES

OUR ENVIRONMENT

We make wise decisions with airport land to safeguard the future, creating long term resilience and sustainability. We have a strong sense of place.

We are guardians of the land

Objectives	Key Performance Measures		
Recognise the unique environment in which we operate	Work with our stakeholders on the Proposed Ahuriri Regional Park long term planning to ensure the continued safe and efficient operation of Hawke's Bay Airport		
Continue our journey to carbon neutrality	Achieve Level 3 Airport Carbon Accreditation (ACA)		
Advance renewable energy project	Business case presented to Board for approval to proceed with solar farm project		

Success looks like...

An airport that respects and protects the natural environment in which it operates. The Ahuriri Aeropark precinct attracts businesses that share a commitment to a sustainable future. HBAL is a regional leader in sustainability.

OUR PARTNERSHIPS

We are a reflection of our region. We foster meaningful relationships with our customers, partners, mana whenua and the community to support positive growth

Creating meaningful connections

5 5,				
Objectives	Key Performance Measures			
Continue to develop and strengthen our partnerships	Implement our stakeholder engagement strategy			
Continue to work alongside and collaboratively with mana whenua	Regular kanohi-ki-te-kanohi meetings/hui with key representatives from mana whenua			
Continue to develop and implement sustainable aeronautical growth	Partner with other regional airports, airlines, and tourism sector to grow Hawke's Bay as a destination			

Success looks like...

An airport connected to its community. HBAL's people have strong, genuine, and productive relationships with key customers, mana whenua, local government, and community leaders. HBAL is actively engaged in local government planning and community initiatives. HBAL's partnerships across the region are reflected and celebrated within the airport environs.

COMMERCIAL SUCCESS			
Maximise commercial returns across all areas, to ensure value for our stakeholders and the wider community			
A profitable, sus	tainable business		
Objectives	Key Performance Measures		
Grow non-aeronautical revenue	+ 30% year on year		
Enhance financial performance	Revenue - \$9m		
	EBITDA margin - 53%		
	NPAT - \$258k		
	Passengers - 520k		
Create a modern, sustainable business hub that brings like-minded businesses together	Agree and implement our Property Development Strategy		
	Progress RMA Planning Framework via Napier City Council District Plan review to enable appropriate property development at HBAL		
Customer experience strategy implemented and adoption by tenants	Increased customer spend rates		

Success looks like...

A financially sound, resilient, and growing airport that supports connections in and out of Hawke's Bay. HBAL is a profitable business with a broad revenue base, including multiple non-aeronautical revenue streams. It is actively working with others for the collective benefit of its industry, its region, and its community.

Summary

HBAL has faced a number of significant challenges in recent years, but remains focused on its vision and committed to its strategic priorities. It has a strong plan in place for the future, and is actively pursuing revenue diversification.

nt 2022/23

FINANCIAL FORECASTS

The performance targets expressed here are predicated on a recovery in domestic air travel from mid-2022 as the impact of Omicron eases and borders reopen. They are based on passenger forecasts completed in December 2021 which assume a recovery, with passenger numbers predicted to reach pre-COVID levels in late 2023 once international passenger movements are restored following the reopening of the border.

The move to a per passenger charging mechanism was adopted in October 2020 to acknowledge HBAL's aeronautical asset values and operating costs. Given the uncertainty prevalent in 2020, the per passenger charge was designed to be subject to annual review of weighted average cost of capital ("WACC") and passenger volumes. This provides a mechanism to address any under-recovery in future years, within the overall five-year pricing window.

Passenger volumes are expected to normalise during this SOI period, allowing HBAL to maximise passenger-related revenue streams from its completed terminal. This provides for a return to profit by FY23, along with substantial improvement in both return on equity and gearing levels over the coming years.

Statement of Intent - Headlines and Financial Metrics

Jul 22 - Jun 23	Jul 23 - Jun 24	Jul 24 - Jun 25
519,994	595,523	615,032
9,030,568	10,521,723	11,103,764
4,787,427	5,889,320	6,239,691
53.01%	55.97%	56.19%
257,541	917,352	1,224,960
2.85%	8.72%	11.03%
3.5	4.6	6.1
26,200,000	24,400,000	22,400,000
65,470,501	64,643,174	63,946,567
0.8%	2.7%	3.5%
44%	42%	39%
52%	54%	55%
	519,994 9,030,568 4,787,427 53.01% 257,541 2.85% 3.5 26,200,000 65,470,501 0.8% 44%	519,994 595,523 9,030,568 10,521,723 4,787,427 5,889,320 53,01% 55,97% 257,541 917,352 2.85% 8,72% 3.5 4,6 26,200,000 24,400,000 65,470,501 64,643,174 0.8% 2,7% 44% 42%

Prospective Summary Statement of Comprehensive Income

July 2022 - June 2025

	Jul 22 - Jun 23	Jul 23 - Jun 24	Jul 24 - Jun 25
Passenger Numbers	519,994	595, 523	615,032
Revenue			
Aeronautical	5,178,742	6,177,097	6,643,685
Non-aeronautical	3,851,826	4,344,627	4,460,080
Total Revenue	9,030,568	10,521,723	11,103,764
Operating Expenditure	4,243,140	4,632,404	4,864,073
EBITDA	4,787,427	5,889,320	6,239,691
Depreciation	3,235,666	3,380,074	3,433,249
EBIT	1,551,761	2,509,246	2,806,441
Interest Expense	1,116,287	1,157,368	1,027,330
Profit before Income Tax	435,474	1,351,878	1,779,111
Income Tax Expense	177,933	434,526	554,151
Net Profit after Tax	257,541	917,352	1,224,960

Prospective Summary Statement of Financial Position

July 2022 - June 2025

	Jul 22 - Jun 23	Jul 23 - Jun 24	Jul 24 - Jun 25
Current Assets	966,360	1,064,108	1,115,750
Non Current Assets	64,504,141	63,579,067	62,830,817
TOTAL ASSETS	65,470,501	64,643,174	63,946,567
Current Liabilities	659,746	1,154,662	1,723,079
Non Current Liabilities			
Total Debt	26,200,000	24,400,000	22,400,000
Other Non Current Liabilities	5,157,029	5,084,375	5,084,375
TOTAL LIABILITIES	32,016,775	30,639,037	29,207,454
NET ASSETS	33,453,726	34,004,137	34,739,113
Capital and Reserves	33,453,726	34,004,137	34,739,113
TOTAL EQUITY	33,453,726	34,004,137	34,739,113

Prospective Summary Statement of Cashflows July 2022 - June 2025

Jul 22 - Jun 23	Jul 23 - Jun 24	Jul 24 - Jun 25
4,479,601	5,508,069	5,910,926
(3,044,191)	(2,455,455)	(2,691,160)
(350,000)	(1,800,000)	(2,000,000)
(1,113,596)	(1,156,913)	(1,021,171)
(1,463,596)	(3,059,941)	(3,221,489)
(28,185)	(7,327)	(1,723)
53,755	25,570	18,243
(28,185)	(7,327)	(1,723)
25,570	18,243	16,520
	4,479,601 (3,044,191) (350,000) (1,113,596) (1,463,596) (28,185) 53,755 (28,185)	4,479,601 5,508,069 (3,044,191) (2,455,455) (350,000) (1,800,000) (1,113,596) (1,156,913) (1,463,596) (3,059,941) (28,185) (7,327) 53,755 25,570 (28,185) (7,327)

HBAL acknowledges the world and domestic economies continue to be impacted by the pandemic and other world events. Whilst we are confident our contingency plans performed well when recently tested by COVID-19, the company will find it financially difficult to sustain prolonged periods of significantly reduced passenger numbers. We will ensure our shareholders are updated with regular updates of actual and projected results. Market volatility in traditional service areas serves to reinforce our earnings diversification strategy.



CAPITAL EXPENDITURE

HBAL continues to invest in its infrastructure in line with passenger numbers, Civil Aviation Authority security requirements and identified opportunities to grow its non-aeronautical revenue base, such as its commercial precinct. The key revenue assumptions for property and solar development are subject to further analysis, therefore capex allowances have been allowed only for planning development and enabling capex until the business cases are fully assessed. As an example, allowances have been included for advancing and implementing property precinct plans. From time to time, HBAL may consider additional capital expenditure programmes if supported by a robust business case and funding capability.

Budgeted capital expenditure is summarised in the table below. Long-term capital expenditure associated with the aeronautical infrastructure is provided for as per the long-term maintenance plan prepared and updated annually by BECA Limited.

Prospective Summary of Capital Expenditure

	2022/23	2023/24	2024/25
Airside Infrastructure & Projects Landside Infrastructure & Commercial	931,000 415,000	895,000 365,000	1,985,000 175,000
Property & Planning Operational Efficiency	866,500 854,000	360,000 870,000	250,000 300,000
	2.000 500	2 400 000	2 740 000
	3,066,500	2,490,000	2,710,000

ACCOUNTING POLICIES

The accounting policies adopted by HBAL are consistent with New Zealand's International Financial Reporting Standards and generally accepted New Zealand accounting practices. The policies are included within HBAL's annual report, which is available on the company's website:

www.hawkesbay-airport.co.nz/assets/Docs/Company-Reports/Hawkes-Bay-Airport-20-21-Annual-Report.pdf

DISTRIBUTIONS

HBAL believes that its strong focus on strategies of revenue diversification and resilience underpin a sound foundation for revenue recovery and balance sheet growth. These strategies will create enhanced financial returns and maximise value to shareholders through an appropriate balance of dividends and reinvestment.

Currently, a positive net profit after tax result is forecast for the upcoming 2022/23 financial year and subsequent periods. These forecasts are included in this SOI and are conditional on New Zealand's ultimate recovery from COVID-19.

In arriving at any dividend recommendation, the directors will consider:

- The scale of the company's capital expenditure programme and therefore demands on capital for the period covered by this statement;
- The company's financial performance and the cash flows generated from operations, including impact of the terminal expansion project;
- The ratio of the company's shareholder funds to its assets;
- The company's ability to raise debt finance and the terms thereof;
- The risks associated with the uncertainty of airline schedules in the short and medium term.

Any final dividend declared will be paid no later than 31 December.

INFORMATION TO BE PROVIDED TO SHAREHOLDERS

Shareholders will receive:

- An annual report including audited financial statements within three months of balance date;
- Six-monthly report including non-audited financial statements within two months of balance date;
- A quarterly report within two months of the end of each quarter;
- A Statement of Intent submitted for shareholders' consideration in accordance with the Local Government Act 2002;
- Other interim financial reports as agreed with the shareholders;
- Reports on matters of material interest to shareholders. Shareholders will continue to be kept informed of key developments, consistent with the Crown's 'no surprises' policy.

ACQUISITION PROCEDURES

The acquisition of any interest in a company or organisation will be considered when it is consistent with the long-term commercial objectives of the company. Any material acquisition will be the subject of consultation with shareholders. Major transactions as defined by the Companies Act 1993 will require shareholder approval.

COMPENSATION SOUGHT FROM LOCAL BODY SHAREHOLDERS

At the request of the shareholders, HBAL may undertake activities that are not consistent with normal commercial objectives. In these circumstances, HBAL may seek a specific subsidy to meet the full commercial cost of providing such activities. None are contemplated in the planning period.

ESTIMATE OF COMMERCIAL VALUE

The value of shareholders' investment in HBAL as at 31 December 2021 is \$33,524,000.

The property, plant, equipment and investment property (non-current assets) owned by HBAL were revalued at 30 June 2021 to their current market value of \$61.6M.

HBAL will continue to undertake a revaluation approach to its assets on a regular cycle or when there has been a significant change in the market, to consider the gap between current book values of the assets and liabilities versus the commercial value of the business.

The completion of the terminal expansion project in 2021 and the impact of COVID-19 on revenues are significant events with potential to influence asset value.



APPENDIX A:

BOARD OF DIRECTORS ROLE AND GOVERNANCE OBJECTIVES

Role of the Board of Directors and governance objectives

In carrying out its principal function, the Board's specific responsibilities and objectives include:

a) Ensuring that the company has adequate management resources to achieve its objective, to support the CEO, and has a satisfactory plan for management succession in place;

b) Reviewing and approving the strategic, business and financial plans prepared by management and developing a depth of knowledge of the company's business so as to understand and question the assumptions upon which such plans are based and to reach an independent judgement on the probability that such plans can be achieved;

- c) Reviewing and approving material transactions not in the ordinary course of the company's business;
- d) Reviewing operating information to understand at all times the state of health of the company;
- e) Considering management recommendations on key issues, including acquisitions and divestments, restructuring, funding and significant capital expenditure;
- f) Approving policies on and overseeing the management of strategic business risks, safety, sustainability, occupational health, and environmental issues with the following aims:
 - i. To manage risk throughout the company's operation in order to protect its shareholders, employees, assets, earnings and reputation;
 - ii. To comply with all relevant legislation;
 - iii. To encourage employees to actively participate in the management of environmental and occupational health and safety issues,
 - iv. To employ consultants where required to raise standards or improve existing conditions,
 - v. To use energy and other resources efficiently, and
 - vi. To encourage the adoption of similar standards by the company's principal suppliers, contractors and distributors;

g) Approving and fostering a corporate culture which requires management and every employee to operate to the highest level of ethical and professional behaviour;

h) Setting and monitoring adherence to major policies, including capital investment, treasury, accounting and financial, executive remuneration, and delegated authority limits;

i) Approving the appointments by, or at the request of, the company (including its affiliates) to the boards of subsidiary and associate companies;

j) Monitoring the company's performance against its approved strategic, business and financial plans and overseeing the company's operating results on a regular basis so as to evaluate whether the business is being properly managed;

k) Ensuring ethical behaviour by the company, the Board and management, including compliance with the company's constitution, the relevant laws, and the relevant auditing and accounting principles;

l) Reporting to shareholders on its stewardship. Information is to be communicated to shareholders through:

- i. The annual report, which is distributed to all shareholders. The Board is to ensure that the annual report includes relevant information about the operations of the consolidated entity during the year, changes in the state of affairs of the consolidated entity and details of future developments, in addition to other disclosures required by the Companies Act and financial reporting requirements;
- ii. Results announcements regarding the annual, quarterly and half-yearly results;
- iii. Annual statement of intent;
- iv. Media releases;
- v. The annual meeting, and other shareholder meetings called to obtain approval for Board actions as appropriate. The company will provide notification of shareholder meetings at least 20 working days prior to the meeting and not later than 15 months after the previous meeting; and
- vi. The company's website.

m) Ensuring that shareholders can easily communicate with the company, including providing shareholders with the option to receive communications electronically;

n) Ensuring that the company's shareholder reporting meets the requirements of the Owner's Expectation Manual which can be found on the Treasury's website

https://treasury.govt.nz/publications/guide/owners-expectations, including:

- i. Ensuring that financial reporting is balanced, clear and objective. The Board should explain to shareholders how operational and financial targets are measured;
- ii. Ensuring that the company provides non-financial disclosures to shareholders at least annually. These should consider environmental, economic and social sustainability factors and practices;
- iii. Ensuring that the company reports to shareholders on material risks facing the business and how these are being managed. Reporting should disclose how the company manages its health and safety risks and the performance and management of those risks;
- iv. Ensuring that the company discloses any internal audit functions.
- o) Select and (if necessary) replace the CEO;

p) Assess, from time to time, its own effectiveness in carrying out these functions and the other responsibilities of the Board.

Ngā Mānukanuka o te lwi (Māori Committee) Nga Mānukanuka o te lwi (Māori Committee)Ngā Mānukanuka o te lwi (Māori Committee)– 08 April 202208 April 2022- Open enda

HAWKE'S BAY AIRPORT LIMITED 111 MAIN NORTH ROAD NAPIER, 411<u>0</u>_____



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REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 24 MARCH 2022

1. INTEGRATED TRADE WASTE AND WASTEWATER BYLAW: CONSULTATION PROPOSAL

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1417631
Reporting Officer/s & Unit:	Caitlin Egan, Environmental Compliance Officer

1.1 Purpose of Report

The purpose of this report is to outline a proposal to promulgate a new Integrated Trade Waste and Wastewater Bylaw under ss146 (1)(a)(iii) and 146(1)(b)(iii) of the Local Government Act 2002 (LGA).

Committee's recommendation

Councillors Simpson / Browne

The Sustainable Napier Committee:

- The Sustainable Napier Committee make a **DECISION OF COUNCIL** under delegated authority to:
- a. Endorse the content of this report including Attachment 1 Statement of Proposal.
- b. Agree that pursuant to s155(2)(b) and 155(3) of the LGA, the proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
- c. Adopt the proposal and the draft Integrated Trade Waste and Wastewater Bylaw for the purposes of public consultation *Attachment 2*.
- d. Approve the commencement of the special consultative procedure in accordance with s83(1) of the LGA in relation to the proposal.

Carried

1.2 Background Summary

The Council's Wastewater Drainage Bylaw 2014 and Trade Waste Bylaw 2014 were made by Council resolution on 16 December 2014 and 16 December 2015 respectively. Pursuant to s 160A of the LGA, the Wastewater Drainage Bylaw was revoked on 17 December 2021, and the Trade Waste Bylaw 2014 will be revoked on 17 December 2022. As such, new bylaws are now required for the control of discharges to, and protection of, the public wastewater network.

As both trade waste and wastewater use the same infrastructure and are constrained by the same regional resource consent it is considered that the most appropriate way of addressing the perceived problems in respect of trade waste and wastewater is through a new integrated bylaw that addresses both wastewater and trade waste management, comprised of:

1. An Integrated Trade Waste and Waste Water Bylaw

Incorporating the wastewater and trade waste bylaws into one comprehensive document will allow Council to take an integrated and consistent approach to the management of its wastewater services and the associated network.

In particular, it is envisaged that the Integrated Bylaw will:

- Protect the public wastewater system from damage and misuse;
- Protect the environment from adverse effects of harmful substances discharged to the public wastewater system;
- Protect the safety of Council personnel and the general public;
- Enable the Council to meet the requirements of legislation;
- Encourage all wastewater customers and trade waste operators to adopt cleaner production processes and appropriate innovative solutions;
- Clearly define the obligations of wastewater customers and trade waste operators;
- Protect investment in existing and future infrastructure, treatment plant and disposal facilities;
- Ensure on-site wastewater systems work efficiently and effectively;
- Prevent inflow and infiltration of stormwater or trade waste into the public wastewater system;
- Manage the loads on the public wastewater system and optimise its capacity;
- Provide a basis for monitoring discharges from trade premises;
- Provide for an equitable spread of costs between domestic wastewater and trade waste discharges;
- Enable the Council to set charges to cover the cost of administration and monitoring, and provide user pays trade waste scheme via a comprehensive and principled Trade Waste Charging Model; and
- The use of enforcement powers, including penalties where appropriate, to be applied to persons contravene the Bylaw.

2. An Administration Manual

An Administration Manual will accompany the integrated bylaw. A copy of the Administration Manual is included within the Statement of Proposal (*Attachment 1* to this report). This document will sit under the Bylaw and provide:

- Technical and/or administrative information to which the Bylaw refers; and
- The ability to update this information as necessary without renewing the Bylaw itself.
- The Administration Manual includes an explanation of the Council's Trade Waste Charging Model. The Charging Model prescribes which charges for trade waste discharges are calculated over a certain threshold and will ensure:
 - Clarity of costs;
 - A fair charging system;

- Trade waste operators are incentivised to invest in their infrastructure to treat wastewater; and
- The ability to allocate load according to the limitations of the Council's resource consent and the capacity of the Council's treatment plant.

Making a new bylaw: the process

The LGA establishes the statutory process that the Council must follow in order to make a new bylaw. Broadly speaking, this involves two key steps:

- 1. The Council must make the determinations required by s 155 of the LGA; and
- 2. The Council must consult with the public and affected parties in the manner prescribed by the LGA.

Section 155: Determination of whether the bylaw is appropriate

Pursuant to s 155(1) of the LGA, the Council must first decide whether a bylaw is the best way of addressing the problem and whether the proposed bylaw is the most appropriate form of bylaw. The first step is to identify what options, both regulatory and non-regulatory, might solve the problem, and to assess the risks, costs and other impacts and the benefits of each option.

The Council must also consider whether the proposed bylaw gives rise to any implications under the NZBORA.

Officers have undertaken an assessment (which can be found at Schedule 1 to the Statement of Proposal at *Attachment 1*), the relevant Council officers are satisfied that the proposed Integrated Trade Waste and Wastewater Bylaw is both appropriate and necessary to address the perceived problems relating to trade waste and wastewater management in the City.

In accordance with s 77(1) of the LGA, Council officers have also undertaken an assessment of all reasonably practicable options that may be available to achieve the Council's objectives, and have considered the advantages and disadvantages of each option. The full assessment can be found at Schedule 2 to the Statement of Proposal at *Attachment 1*.

Special consultation requirements in relation to trade waste

Section 148 of the LGA provides special requirements for bylaws relating to trade waste and requires the Council to send a copy of the proposed bylaw to the Minister of Health for his or her comments.

Before sending the proposed bylaw to the Minister, the Council must give the public notice of its intention to make the bylaw.

Public consultation

Under s 156 of the LGA, if the Council agrees with the recommended option to make a new Integrated Trade Waste and Wastewater Bylaw, it must use the special consultative procedure if the bylaw concerns a matter identified in the Council's Significance and Engagement Policy as being of significant interest to the public, or if the Council considers there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes.

The proposed consultation process in relation to the Integrated Trade Waste and Wastewater Bylaw is as follows:

1. Public consultation will commence on 28 March 2022. This will involve:

- a. Targeted consultation with owners or occupiers of trade premises within the district.
- b. Targeted consultation with mana whenua through Te Waka Rangapū.
- c. Community drop-in sessions. These will allow interested members of the community to learn more about the bylaw and have their questions answered by relevant council officers.
- d. An open day at the Awatoto Wastewater Treatment Plant for anyone to book and attend.
- e. Advertising across digital, social and print media to ensure public awareness and participation in the review.
- f. Online and hard copy submissions that will be available at Council's libraries and Customer Service Centre
- 2. The proposal will also be provided to the Minister of Health for comment on 28 March 2022.
- 3. Submissions on the proposal will close at midday on 25 May 2022.
- 4. Submissions on the proposal (including comments from the Minister and any submissions received from or on behalf of owners or occupiers of trade premises in the District) will be heard by Councillors on 22 and 23 June 2022.
- 5. The Council will consider the outcome of the consultation and hearing process and make a decision on the proposal on 14 July 2022.

1.3 Issues

The changes proposed are intended to ensure users of the network are not causing overloading problems and should therefore reduce the level of maintenance required, reduce the costs of owning and operating the Public Wastewater System for the Council, and allow a fairer apportion of costs to be charged to all users, including ratepayers. A slow, phased rollout is proposed to ensure that additional pressures on businesses are minimal and achievable.

1.4 Significance and Engagement

As noted above, the relevant Council officers have undertaken an assessment of the proposed bylaws against the Napier City Significance and Engagement Policy and determined that this matter is of high significance, therefore consultation is to occur in accordance with the special consultative procedure prescribed by s 83 of the LGA. See *Attachment 5* High Level Consultation Plan – Integrated Trade Waste and Wastewater Bylaw.

1.3 Implications

Financial

Current budgets are sufficient to make and implement the integrated bylaw.

There will be future costs to Council in implementing and monitoring the proposed Integrated Trade Waste and Wastewater Bylaw and the supporting Administration Manual. The extent of these costs will depend on decisions made during the finalisation of the Bylaw. At this stage, there is sufficient internal resource to implement the Bylaw as drafted.

Risk and Mitigation

As the Wastewater Drainage Bylaw 2014 was revoked on 17 December 2021 the Council is currently unable to regulate and enforce the matters covered by this bylaw. The approval of the recommended option will address this regulatory gap and allow the Council to

implement a proactive and responsive regulatory framework to manage its wastewater network in an integrated manner.

The new Bylaw will also address the regulatory gap that would otherwise remain if the Trade Waste Bylaw 2014 is allowed to lapse in December 2022.

1.4 Options

A full assessment of all reasonably practicable options is included in Schedule 2 of the Statement of Proposal at *Attachment 1*.

1.5 Development of Preferred Option

The proposed bylaw is considered appropriate and necessary to manage issues within Napier City and the recommended option is therefore that the Council resolve to consult with the public in accordance with s 83 of the LGA on the proposal to promulgate the Integrated Trade Waste and Wastewater Bylaw.

Accordingly it is recommended that the Sustainable Napier Committee:

- a. Endorse the content of this report (including Attachments);
- b. Agree that pursuant to s155(2)(b) and 155(3) of the LGA, the proposed bylaw is not inconsistent with NZBORA;
- c. Adopt the proposal and the draft bylaw for the purposes of public consultation; and
- d. Approve the commencement of the special consultative procedure in relation to the proposal in accordance with s83(1) of the LGA.

At the Meeting

The Officer spoke to the report, stating that a Decision of Council is needed today to ensure the timelines are met leading up to the implementation of the new bylaw.

In response to questions from the Committee it was clarified:

 This proposed bylaw is modelled on a recently implemented bylaw in Queenstown Lakes District. They integrated all of the three waters bylaws and have administration manuals sitting underneath. Officers also contacted Hastings District Council and Gisborne District Council and adopted aspects of their bylaws which make sense. It makes things less confusing for users if Napier and Hastings have similar bylaws, and if and when the new Three Waters entities come into being it will make it easier if the different Councils in the region are doing the same things.

1.6 Attachments

- 1 Integrated Trade Waste and Wastewater Bylaw Statement of Proposal
- 2 Statement of Proposal Schedule 3 draft Integrated Trade Waste and Wastewater Bylaw
- 3 Statement of Proposal Schedule 4 Integrated Trade Waste and Wastewater Bylaw Administration Manual
- 4 Statement of Proposal Appendices 1&2 Integrated Trade Waste and Wastewater Bylaw Administration Manual
- 5 High Level Consultation Plan Integrated Trade Waste and Wastewater Bylaw

NAPIER CITY COUNCIL INTEGRATED TRADE WASTE AND WASTEWATER BYLAW

STATEMENT OF PROPOSAL MARCH 2022

Napier City Council (**the Council**) is seeking public feedback on its proposal to make a new integrated bylaw that will provide a regulatory framework to effectively manage all wastewater (including trade waste) in Napier City (**City**).

What is a bylaw?

Bylaws are rules or regulations made by local authorities under national legislation that are created to control specific activities of potential concern within the boundaries of a particular district or region. They allow a local authority to address local problems with local solutions.

The Local Government Act 2002 (**LGA**) enables local authorities to adopt bylaws for the following general reasons:

- To protect the public from nuisance (section 145(a));
- To protect, promote and maintain public health and safety (section 145(b)); and
- To minimise the potential for offensive behaviour in public places (section 145(b)).

In addition, section 146 of the Local Government Act specifically enables the Council to make bylaws for the purposes of managing and protecting its wastewater network, and the natural environment into which wastewater is discharged.

Section 158 of the LGA requires local authorities to review all bylaws within five (5) years of the date on which they were first made. After a bylaw has been reviewed in accordance with section 158, it can then be reviewed every 10 years thereafter. Bylaws that are not reviewed within the statutory timeframes are then revoked under section 160A of the LGA.

The Wastewater Drainage Bylaw 2014 was revoked on 17 December 2021. The existing Trade Waste Bylaw 2014 is overdue for review, and is due to be revoked under section 160A of the LGA in December 2022.

The proposal

The Council proposes that:

- A new bylaw that regulates wastewater and trade waste (Integrated Trade Waste and Wastewater Bylaw) be made. A copy of the draft bylaw is included at Schedule 3.
- The existing Trade Waste Bylaw 2014 is revoked when the new Integrated Trade Waste and Wastewater Bylaw comes into force.
- An Administration Manual accompany the Integrated Trade Waste and Wastewater Bylaw to provide material complementary to each of the matters covered by the bylaw by bringing

together those aspects which are of a more administrative nature and which may need regular review and updating. The Administration Manual includes an explanation of the Council's new Trade Waste Charging Model. The Charging Model is a user pays trade waste scheme that prescribes which charges for trade waste discharges are calculated over a certain threshold. A copy of the draft Administration Manual is included at **Schedule 4**.

Making new bylaws

To make new bylaws, the Council is required by section 155 of the LGA to determine whether a bylaw is the most appropriate way of addressing the perceived problem and, if so, whether the proposed form of bylaw is appropriate and whether there are any implications under the New Zealand Bill of Rights Act 1990 (**NZBORA**).

The Council has undertaken these assessments and considers that the Integrated Trade Waste and Wastewater Bylaw is appropriate and necessary, for the reasons set out in **Schedule 1** to this Statement of Proposal.

The Council has also undertaken an assessment under section 77(1) of the LGA to identify all reasonably practicable options that may be available to achieve the Council's objectives. An assessment of the advantages and disadvantages of each option can be found at **Schedule 2** to this Statement of Proposal.

Consultation process

The proposal to make the Integrated Trade Waste and Wastewater Bylaw must follow the special consultative procedure in the LGA.

Additionally, section 148 of the LGA provides special requirements for bylaws relating to trade waste, including that:

- The Council send a copy of the proposed bylaw to the Minister of Health for his or her comments.
- Before sending the proposed bylaw to the Minister, the Council must give the public notice of its intention to make the bylaw, and stating:
 - The trade wastes to which the bylaw relates;
 - That copies of the bylaw are able to be inspected free of charge at the place specified; and
 - That the Council is prepared to receive and consider any representation about the bylaw made to it by owners or occupiers of trade premises within its district at the time specified in the notice, being not less than two months after publication of the notice.
- Before making the bylaw, the Council consult any body of persons the Minister specifies to the Council as being representative of—
 - the interests of the owners or occupiers of trade premises in the district of the territorial authority; or
 - any class of those owners or occupiers.

Council officers have consulted with stakeholders to identify matters within the current trade waste and wastewater bylaws that require updating, and to address specific concerns they have with these existing bylaws, which will be incorporated into the Integrated Trade Waste and Wastewater Bylaw.

<u>Consultation with businesses in relation to the trade waste aspects of the Bylaw:</u>

- All consent holders under the current Trade Waste Bylaw 2014 were informed of and given the opportunity to attend one of three workshops regarding the proposal held in October 2021. 18 attendees representing 16 sites holding current trade waste consents attended the workshops, with general agreement and support for the proposed changes.
- More information will be shared with current consent holders as the Trade Waste Charging Model is finalised. Council Officers have regular contact with this group through monitoring of current Trade Waste consents so are able to pass on regular updates through informal meetings on sites.
- A workshop has been organised with representatives of businesses from the Napier CBD with the assistance of Napier City Businesses Incorporated (NCBI). They will be introduced to the topic and consulted on ways to engage with business owners during the consultation period.
- Separate tours of the wastewater treatment plant could be held with businesses owners if interest was expressed, providing an opportunity for targeted workshops.
- All businesses will be sent a letter to inform them of the Bylaw review prior to public consultation commencing, explaining the expanded definition and new categorisation of Trade Waste.
- The Council's Customer Services Team will be briefed on some expected Frequently Asked Questions (FAQs) so that they are prepared to respond to a high level of queries from businesses.
- Tanker operators will be contacted individually due to the small number of operators in the District.
- Te Waka Rangapu will assist with engagement with mana whenua and the wider Māori community in Napier during the consultation process.
- Members of the public will be invited to an open day at the Awatoto Wastewater Treatment Plant where small groups will be taken on tours to learn more about Wastewater in Napier and ask any questions to Council Officers from the Environmental Solutions Team.

Proposed bylaw

A copy of the proposed bylaw, draft Administration Manual and Charging Manual can be found at **Schedules 3 and 4** to this Statement of Proposal and on the Napier City Council Website: www.sayitnapier.nz

Print copies of the draft bylaw may be inspected from **Monday**, **28 March 2022 to Wednesday**, **25 May 2022** at the following places during normal office and library hours:

Customer Service Centre 215 Hastings St Napier

Napier Library 1 Tennyson St Napier

Taradale Library 24 White St Taradale

Right to make a submission and be heard

The Council is now seeking your views and wants to hear from any person, group or business that would like to make submissions with respect to the proposed Trade Waste and Wastewater Bylaw (including any operators of trade premises in the City).

Any person or organisation has a right to be heard in regard to this Statement of Proposal and the Council encourages everyone with an interest to do so.

Submissions should be directed toward matters that are within the scope of the Statement of Proposal. Submissions may be made on any aspect of the proposed Bylaw, however the Council is particularly interested to hear feedback from:

- Trade waste operators in relation to:
 - o The timeframes for registration and obtaining consents compliance
 - The proposed trade waste consenting regime;
 - The proposed Charging Model; and
 - The requirements for grease traps to be installed and maintained at all food premises; and
 - The proposed timing of the new requirements being implemented.
- Liquid and Hazardous Waste (Tanker) operators in relation to:
 - The proposed trade waste consenting regime; and
 - The proposed implementation of WasteTRACK; and
 - The proposed timing of these regulations being implemented.
- Mana whenua in relation to:
 - The characteristics of trade waste that are considered culturally offensive to Māori and how these may be managed or mitigated by trade waste operators (for example, whether the use pre-treatment methods such as diversion or Rakahore rock channels may be appropriate);
 - The addition of Cultural significance of water to the definition of 'Cleaner Production' and how best to implement and educate Operators and Customers in relation to this.
- The wider community in relation to:
 - The proposed Charging Model and changes to rates calculations; and
 - o Part C of the Bylaw and Admin Manual relating to Domestic Wastewater.

Parties intending to make a submission are encouraged to set those submissions out in writing and submit them to the Council by:

- Online form: Go to our consultation website at www.sayitnapier.nz
- Post to: Private Bag 6010, Napier 4142, New Zealand

Delivery to: Customer Service Centre, 215 Hastings St, Napier

All submissions must be made in writing (hardcopy or electronic) and received by midday on Wednesday, 25 May 2022.

Making an effective submission

Written submissions can take any form (e.g. email or letter). An effective submission references the clause(s) of the proposed Integrated Trade Waste and Wastewater Bylaw, states why the clause is supported or not supported, states what change to the clause is sought, and why. Submissions on matters outside the scope of the proposal cannot be considered by the Hearings Panel.

Hearing

After submissions have been received, the Council will convene a hearing, which it intends to hold in Napier City on **22 and 23 June 2022.** Any party who wishes to do so can present their submission in person. The Council will give equal consideration to written and oral submissions.

The Council will permit parties to make oral submissions (without prior written material) or to make a late submission, only where it considers that special circumstances apply.

Every submission made to the Council will be acknowledged in accordance with the LGA, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.

Consultation timeline

The key dates in the Council's consultation programme are set out below:

- The Council resolved to undertake public consultation regarding the proposal at its meeting of **24 March 2022.**
- Public consultation will commence on Monday, 28 March 2022. This will involve:
 - o Targeted consultation with owners or occupiers of trade premises within the district.
 - Targeted consultation with mana whenua through Te Waka Rangapū.
 - Community drop-in sessions. These will allow interested members of the community to learn more about the bylaw and have their questions answered by relevant council officers.
 - An open day at the Awatoto Wastewater Treatment Plant for anyone to book and attend.
 - Advertising across digital, social and print media to ensure public awareness and participation in the bylaw-making process.
 - Online and hard copy submission forms that will be available at Council's libraries and Customer Service Centre
- The proposal will also be provided to the Ministry of Health for comment on Monday, 28 March 2022.
- The proposal will also be provided to the Hawkes Bay Regional Council for comment on **Monday, 28 March 2022**.

- Submissions on the proposal will close at midday on Wednesday, 25 May 2022.
- Submissions will be heard by Councillors on 22 and 23 June 2022.
- The Council will consider the outcome of the consultation and hearing process and make a decision on the proposal on 14 July 2022.

Section 155 determinations

Section 155 of the LGA requires that the Council assess whether a bylaw is the most appropriate way of addressing the perceived problem and, if so:

- whether the proposed form of bylaw is appropriate; and
- whether the proposal gives rise to any implications under the NZBORA.

Those assessments are set out below.

Problem identification and assessment

The public wastewater network is a piece of core infrastructure managed by the Council, and provides for the collection, treatment, and discharge of wastewater. Wastewater includes domestic sewage and wastewater from trade premises. Trade waste comprises a significant part of the wastewater that is conveyed, treated and discharged into Hawke's Bay by the Council, both in terms of volume and loads of contaminants which are detrimental to the environment and can damage infrastructure.

Perceived problems

In addressing the risks associated with the operation of the public wastewater network, and trade waste, the Council has identified the need to:

- Improve the health of the Hawke's Bay Marine environment into which treated trade waste and wastewater is currently discharged.
- Reduce maintenance requirements by reducing load on the Public Wastewater System.
- Allow for accurate and fair cost recovery of the industrial load on the wastewater network and treatment plant.
- Set effective control mechanisms for the discharge of trade waste into the network in compliance with the trade waste consent granted.
- Meet best practice standards, regional consistency and compliance with the Council's own wastewater discharge consent.
- Provide a common framework that enables the council to control discharges which ultimately protects the receiving environment, public health and people working on the network.
- Ensure any regulatory mechanism is as streamlined and efficient as possible to promote public understanding of sustainable behaviours and activities including water conservation, waste minimisation, cleaner production and on-site pre-treatment.

Is a bylaw the most appropriate way of assessing the perceived problems?

There is an identified need for Council to continue to regulate wastewater (including trade waste) in the City. The Council considers that bylaws are the most appropriate way to address these

issues, as bylaws allow the Council regulate behaviours that affect three waters management and the use of three waters systems in the District.

The purpose of the Wastewater Drainage Bylaw 2014 is to prevent the misuse of the Council's wastewater system, ensure the protection of personnel and the general public, protect the ability of the Council to meet the requirements of legislation and, protect investment in the existing and any future infrastructure, treatment plant and disposal facilities.

The purpose of the Trade Waste Bylaw 2014 is to protect the Council's wastewater infrastructure and regulate the disposal and treatment of trade waste in the City. The aim is to ensure effective and efficient trade waste management, and to meet requirements of Council's discharge consents for treated waste to the marine environment by imposing performance standards and requirements for trade waste disposal.

The Council considers that the purposes of the current bylaws remain important and that the most appropriate way to respond to these perceived problems described above is through revoking and replacing the existing bylaws so that the new bylaw can more efficiently and effectively regulate wastewater and trade waste in the district.

Is the proposed bylaw the most appropriate form of bylaw?

The need for improved outcomes for the management of these wastewater streams has become evident with the City's increase in population and development, and the need to protect the natural receiving environment and Council's infrastructure from harm, and comply with the conditions of the coastal permit that the Council holds from the Hawke's Bay Regional Council.

Given that trade waste is also discharged into the Council's wastewater system, incorporating general wastewater controls for the City together with those for trade waste would enable the Council to take an integrated, consistent, and simplified approach to the management of its wastewater services and the associated network.

The Council has undertaken a review of the Trade Waste Bylaw 2014 and the Wastewater Drainage Bylaw 2014 and has prepared:

- A gap analysis from its review of the Napier City Trade Waste Bylaw 2014 (Appendix 1); and
- A gap analysis from its review of the Napier City Wastewater Drainage Bylaw 2014 (Appendix 2).

The above reports highlight the interdependency of the trade waste and wastewater issues identified in the City. It is considered that the most appropriate way of addressing the perceived problems in respect of trade waste and wastewater is through a new integrated bylaw that addresses both wastewater and trade waste management.

In coming to this conclusion, the Council officers have undertaken an assessment of a range of options pursuant to section 77 of the LGA, which are summarised in **Schedule 2** below.

NZBORA implications

The Council considers that the proposed Integrated Trade Waste and Wastewater Bylaw is consistent with NZBORA because it seeks to impose justifiable and reasonable limitations on persons in the interests of environmental quality and public health and safety.

There may be some restriction to personal freedom arising from the bylaw, however the Council considers that these restrictions are justified for the prevention of nuisance to others and to the environment, and are provided for under the NZBORA.

Determinations

For the reasons given above the Council determines that:

- A bylaw is the most appropriate way to address the perceived problem, pursuant to section 155(1) of the LGA;
- The proposed bylaw is the most appropriate form of bylaw, pursuant to section 155(2)(a) of the LGA; and
- The proposed bylaw does not give rise to any implications under the NZBORA, pursuant to section 155(2)(b) of the LGA.

Attachments

- Gap analysis of the Napier City Trade Waste Bylaw 2014 (Appendix 1)
- Gap analysis of the Napier City Wastewater Drainage Bylaw 2014 (Appendix 2).

Section 77(1) assessment of all reasonably practicable options

Option(s)	Advantages and disadvantages
Option 1	Advantages
Not replace the Trade Waste Bylaw 2014 and Waste Water Drainage Bylaw 2014	As part of this review, the Council has considered the option of not replacing the existing bylaws and instead regulating wastewater and trade waste management using other means. This option would require the Council to rely on existing legislation and an educative approach to ensure its wastewater network was not compromised.
	Costs associated with setting up and implementing a new bylaw (or bylaws) could be allocated to other Council projects and to increasing awareness to change behaviour using a programme of educational outreach, industry guidelines and targeted programmes to improve outcomes.
	Disadvantages
	The disadvantages with this option are that high risk activities and behaviours cannot be monitored and investigated to provide control. The Council runs the risk of not taking all practical steps to protect, promote and maintain public health and safety and the natural environment. The Council also runs the risk of not meeting environmental standards, not protecting public health and safety and not protecting its wastewater infrastructure or meeting its own obligations pursuant to its wastewater discharge consent. There is a risk that a purely educative approach will not be as successful as immediate or readily enforceable measures provided under a bylaw.
	Conclusion
	Overall, the Council does not consider that this option would be effective at achieving its desired objectives and has therefore discounted it.

Option 2	Advantages
Roll over / renew the Bylaws without any changes.	New bylaws will have the same advantages of the current bylaws. The cost of establishing the new bylaws would be minimal in this case as they would be replaced on largely the same terms.
	Disadvantages
	The disadvantages with this option are that it would not improve the efficacy of the Bylaw nor address trade waste and wastewater related problems faced by the district that are not currently addressed by the existing bylaws, and which have been identified in the gap analyses referred to above. The integration outcomes sought from the proposed Integrated Trade Waste and Wastewater Bylaw would also not be achieved.
	Conclusion
	Overall, the Council does not consider that this option would be effective at achieving its desired objectives and has therefore discounted it.
Option 3	Advantages
Replace the Trade Waste Bylaw 2014 and Waste Water Drainage Bylaw 2014 separately.	Under this option Council would review the current trade waste and wastewater bylaws and incorporate the recommendations identified within separate bylaws. The Council would be actively engaged in meeting environmental standards, protecting public health and the natural environment with regards to trade waste and wastewater discharges and seen as actively engaging in protecting the City's wastewater network. With a bylaw, high risk activities and behaviours can be monitored and investigated to provide control. The new bylaws would address the trade waste and wastewater related problems faced by the district that are not currently addressed by the existing bylaws, as identified in the gap analyses referred to above.
	Disadvantages
	The disadvantages with this option are that the integration outcomes sought from the proposed Integrated Trade Waste and Wastewater Bylaw would not be achieved. The process of making the bylaws would also be more costly compared to an integrated bylaw as the Council would have to go through separate consultation processes to update each bylaw.
	Conclusion

	Overall, the Council does not consider that this option would be the most effective at achieving its desired objectives and has therefore discounted it.
Option 4	Advantages
Make a new Integrated Trade Waste and Wastewater Bylaw.	The proposed Integrated Trade Waste and Wastewater Bylaw would incorporate the regulation of trade waste and wastewater into a single integrated, regulatory framework.
	With this option, the Council would be seen as actively engaging in protecting the City's wastewater infrastructure in an integrated and comprehensive manner that better controls and regulates the quality of discharges to the natural environment. There are numerous advantages with this option:
	• Protection of the built environment in an integrated, sustainable and planned manner will provide for positive environmental, social, cultural and economic outcomes that will follow through to future generations.
	• Provision of a common framework that enables the Council to control discharges which ultimately protects the receiving environment, public health and safety and people working on the network.
	• Clear regulatory direction for Council's role in decision making on what is discharged into the environment, regardless of the source of the discharge to the wastewater network.
	• A consistent approach across the City that will improve organisational efficiency that is effective and easily understood.
	• Future bylaw reviews will take an overall holistic approach to any issues affecting the wastewater network.
	• A consistent and holistic approach to the promotion of sustainable behaviours and activities including water conservation, waste minimisation, cleaner production and on-site pre-treatment.
	The proposed Integrated Trade Waste and Wastewater Bylaw would provide a proactive and responsive regulatory framework to manage the risks associated with the operation of the Council wastewater network, including the quality of discharges to the natural environment and enable the Council to fulfil its own environmental responsibilities, including in respect of the Council's own wastewater discharge consent.
	Disadvantages

Disadvantages include community resistance to increased levels of regulatory management and the relatively high costs associated with reviewing the existing bylaws, preparing, consulting on, and adopting an Integrated Bylaw and Administration Manual.
Conclusion
The Council has considered the options available to address the problems identified in respect of trade waste and wastewater and determined that the proposed Integrated Trade Waste and Wastewater Bylaw is the most appropriate form of bylaw for addressing the identified issues.

Proposed Bylaw

Administration Manual



Napier City Council Integrated Trade Waste and Wastewater Bylaw 2022

Bylaw Structure

There are three parts to this Bylaw:

- Part A Requirements Common to All Wastewater Services
- Part B Trade Waste
- Part C Wastewater Drainage

Part A. Requirements Common to All Wastewater Services

- A.1 Title and Commencement
- A.1.1 This Bylaw is the "Integrated Trade Waste and Wastewater Bylaw 2022".
- A.1.2 This Bylaw comes into force on 14th July 2022.

A.2 Administration Manual

- A.2.1 This Bylaw is supported by an Administration Manual which provides technical, administrative or operational material complementary to the Bylaw. The Administration Manual is made under the Bylaw and will guide the implementation and operation of the Bylaw and simplify its administration.
- A.2.2 The Administration Manual will be updated from time to time, as necessary, to ensure that it is up to date and reflects current practice. All matters that the Administration Manual defines, regulates, controls or prohibits related to this Bylaw, are matters that this Bylaw leaves to be addressed by resolution of Council under section 151(2) of the Local Government Act 2002.

A.3 Revocation

A.3.1 The Trade Waste Bylaw 2014 is revoked.

A.4 Area within which Bylaw applies

A.4.1 This Bylaw applies to those areas of the District which are serviced by the Public Wastewater System. The Public Wastewater System is core infrastructure installed, owned and managed by the Council. It provides for the collection, treatment and discharge of Wastewater, including Domestic Wastewater and Trade Waste.

A.5 Interpretation

- A.5.1 The Legislation Act 2019 applies to this Bylaw and the Administration Manual.
- A.5.2 Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended and revoked without any formality.

- A.5.3 Any reference in this Bylaw to repealed legislation, bylaws, regulations or standards, is a reference to legislation that, with or without modification, replaces, or that corresponds to, the legislation, bylaw, regulation or standard, repealed.
- A.5.4 So far as they are applicable, and are not contrary to the application of this Bylaw, the provisions of the Napier City Introductory Bylaw are incorporated into and form part of this Bylaw.

A.6 Compliance with Other Acts and Regulations

- A.6.1 This Bylaw is made under section 146 of the Local Government Act 2002 for the provision of Wastewater Services by the Council.
- A.6.2 Compliance with this Bylaw does not remove the need to comply with the requirements of any other applicable legislation, bylaws, regulations or standards. In the event of any inconsistency, the more stringent requirement applies.
- A.6.3 Nothing in this Bylaw overrides the conditions of any resource consent granted by the Hawke's Bay Regional Council which specifically address Wastewater drainage and disposal.

A.7 Parties required to comply with the Bylaw

- A.7.1 This Bylaw applies to the following parties who utilise the Wastewater Services:
 - a. Customers discharging Domestic Wastewater to Council's Public Wastewater System; and
 - b. Operators discharging Trade Waste to Council's Public Wastewater System.

A.8 Delegation

A.8.1 Any of the various powers and functions of the Council as detailed and set out in this Bylaw may be delegated by the Council to any officer or authorised agent of the Council.

A.9 Definitions

A.9.1 For the purpose of the Bylaw and the Administration Manual, unless inconsistent with the context, the following definitions apply:

Acceptable Discharge means a discharge of Domestic Wastewater with Characteristics that comply with the requirements of Permitted Trade Waste as defined in Part B of this Bylaw.

Administration Manual means the Administration Manual for the Bylaw, as approved by the Council when the Bylaw was made and as amended from time to time by the Council.

Approval means approved in writing by the Council, either by resolution of the Council or by an officer of the Council authorised for that purpose or other Person authorised to give such approval on behalf of Council.

Approval Notice means an Approval authorising a Person to discharge Permitted Trade Waste to the Public Wastewater System.

Authorised Officer means an officer or an agent appointed by the Council and given powers to perform duties and functions under the Bylaw, and includes an enforcement officer warranted and appointed under sections 171 and 177 of the Local Government Act 2002.

Boundary Kit means the isolation valve and non-return valve installed on an individual Premise's Low Pressure Sewer lateral located on the legal boundary.

Building means any Building within the meaning of sections 8 and 9 of the Building Act 2004. A Building also includes any mobile or temporary structures with permanent or temporary connections to the Wastewater Services.

Buried Services means all Public Wastewater System features, sewers, pipes, rising mains, trunk sewers including Low Pressure Sewers and other underground utilities under the responsibility of the Council, whether in public or private land.

Bylaw means this Bylaw.

Characteristic means any of the physical, biological or chemical characteristics of Trade Waste or Wastewater.

Condensing or Cooling Water means any water used in any trade, industrial, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.

Conditional Trade Waste means Tankered Waste, Trade Waste discharged from Mobile Facility and Vendor Operations, and any Trade Waste that, after Pre-treatment, complies with all of the physical and chemical Characteristics set out in Schedule A of the Administration Manual unless otherwise specified in a Trade Waste Consent, and may have a discharge volume of more than 5 m3/day and/or a flow of more than 2 L/s.

Consent Holder means an Operator who has obtained a Trade Waste Consent to discharge from specified Premises to the Public Wastewater System, and includes any Person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.

Construction Debris includes debris that may originate from all forms of construction and includes materials such as timber, Building paper, gravel, sand, concrete, concrete slurry, board materials, cardboard and other packaging materials, metal strips and other materials.

Contaminant has the same meaning as defined in section 2 of the Resource Management Act 1991.

Controlled Wastewater means Wastewater that meets the definition of Controlled Wastewater in the Administration Manual.

Controlled Trade Waste means Trade Waste that, after Pre-treatment, complies with all of the physical and chemical Characteristics set out in Schedule A of the Administration Manual, and has a discharge volume of less than 5 m³/day and a flow of less than 2 L/s.

Council means the Napier City Council and includes any Person or committee acting under authority duly delegated by the Napier City Council.

Culturally Offensive Characteristics means those forms of waste which, if discharged into the environment or to the Public Wastewater System or Stormwater Network, have potentially adverse effects on human health, aquatic ecology, Māori cultural values, tourism and amenity values.

Customer means a Person occupying domestic Premises connected to Public Wastewater System and includes, where appropriate, employees and agents. If the Building or land is not occupied, or is subject to a residential tenancy, means the Owner.

Discharge has the same meaning as defined in section 2 of the Resource Management Act 1991.

Disconnection means the physical cutting and/or sealing of any of the Council's water services, utilities, drains or sewers against use by any Person for the purposes of disconnecting of Premises from the Public Wastewater System.

District means the District of the Council as defined in section 2 of the Resource Management Act 1991.

Domestic Wastewater means water or other liquid from domestic Premises, including waste matter in solution or suspension, discharged from Premises used solely for residential purposes, and including water or other liquid drained from domestic swimming and spa pools.

Dwelling includes any house, tent, vehicle or other structure, whether permanent or temporary, and whether attached to the ground or not, used wholly or partly for human habitation and/or sanitation, and includes the land accessory to a Dwelling.

Environmental Management Plan means a plan for a Premises to support the effectiveness of the Public Wastewater System by making provision for matters including, but not limited to, cleaner production, waste minimisation, Pre-treatment, managing, monitoring and recording Trade Waste discharges, contingency management procedures, pollution prevention and site Stormwater management.

Food Premises means Premises from which a food business (as defined in section 10 of the Food Act 2014) operates.

Hazardous Substance has the same meaning as that term is defined in section 2 of the Hazardous Substances and New Organisms Act 1996.

Household Equivalent means any Wastewater generated by a Trade Premises that would otherwise be generated from a domestic Premises (e.g. toilets, sinks, staff kitchen and facilities) and which is not a direct consequence of commercial or industrial operations.

Infiltration means water entering a pipe from groundwater through defects such as poor joints and cracks in pipes or manholes. It does not include Inflow.

Inflow means water discharged into a pipe from unlawful connections or other drain laying faults. It includes Stormwater entering through unlawful Stormwater downpipe connections, and unlawful cross connections of Stormwater pipes into Wastewater pipes, or from low gully traps.

Level of Service means the measurable performance standards on which the Council undertakes to supply Wastewater Services, as determined from time to time in the Council's Annual Plan.

Low Pressure Sewer System means a sanitary sewerage system consisting of on-site, privately owned, operated and maintained Sewage pumps, with service pipes connected, directly or indirectly, to the Public Wastewater System.

Maximum Concentration means the instantaneous peak concentration that may be discharged at any instant time.

Mass Limit means the total mass of any Characteristic that may be discharged to the Public Wastewater System over any stated period from any single Point of Discharge or collectively from several Points of Discharge.

Meter means a Council owned meter which measures and records the flow and/or volume of Wastewater.

Mobile Facility and Vendor Operations includes a vehicle, trailer, or caravan that may be used for food preparation and sale and a range of mobile activities such as commercial cleaning where liquid wastes are containerised and transported to discharge points in the Public Wastewater System.

Napier City Council Code of Practice for Subdivision and Land Development means Council's current Code of Practice for Subdivision and Land Development which details the engineering standards required for land development which is reviewed and amended from time to time.

Operator means a Person occupying Trade Premises connected to Public Wastewater System and includes, where appropriate, employees and agents.

On-Property Low Pressure Sewer means equipment placed on a Premises to permit the disposal of Wastewater from that Premises to a Pressure Sewer System that complies with the

requirements in the Napier City Council Code of Practice for Subdivision and Land Development. This includes:

- a. A grinder pumping unit within a chamber, both specifically designed for pressure sewer applications; and
- b. A property discharge line that connects the pumping unit to the Boundary Kit; and
- c. A control/alarm panel that controls the operation of the pump unit, and contains alarm components, electrical connection to the property and associated circuit breaker; and
- d. A remote data connection, such as telemetry (if required by Council).

Owner means any Person who owns any Building or land connected to the Public Wastewater System.

Permitted Trade Waste means Trade Waste that meets the physical and chemical Characteristics as defined in Schedule A of the Administration Manual without Pre-treatment and has a discharge volume of less than 5 m³/day and a flow of less than 2 L/s.

Person includes the Crown, a corporation sole and also a body of Persons whether corporate or otherwise.

Point of Discharge is the boundary between the Public Wastewater System and a Private Drain, as further defined in Clause C.5 and Schedule D of the Administration Manual or in a Trade Waste Consent.

Potable Water means water that does not contain or exhibit any determinants to any extent that exceed the maximum acceptable values specified in drinking water standards issued under the Health Act 1956.

Premises means either:

- A property or allotment which is held under a separate Record of Title or for which a separate Record of Title may be issued and in respect to which a building consent has been or may be issued;
- b. A Building that has been defined as an individual unit by a cross-lease, Unit Title or company lease and for which a Record of Title is available;
- c. Land held in public ownership (e.g. reserve) for a particular purpose; or
- d. Individual units in Buildings which are separately leased or separately occupied.

Pressure Sewer System means a system in the Public Wastewater System where Wastewater is conveyed under pressure generated by single or multiple pump units.

Pre-treatment means any processing of Wastewater or Stormwater designed to reduce or vary any Characteristics before discharge to the Public Wastewater System.

Private Drain means that section of drain between a Premises and a Point of Discharge through which Wastewater is conveyed from the Premises.

Prohibited Trade Waste means Trade Waste that has the Characteristics defined in Schedule B of the Administration Manual.

Public Stormwater Network means any component of the stormwater network vested in, or under the control of, the Council, whether or not any part of the network passes through private land.

Public Wastewater System means the system for collection, treatment and disposal of Wastewater and Trade Waste, including all sewers, pumping stations, and storage tanks, Wastewater Treatment Plants, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of Wastewater. The Public Wastewater System does not extend beyond the Point of Discharge.

Record of Title means a certificate registering the freehold ownership of land available to any owner(s) under the Land Transfer Act 1952.

Separated Trade Waste Network means the sewer network used exclusively for Trade Waste that contains no human sewage.

Service Opening means a manhole, or similar means for gaining access for inspection, cleaning or maintenance, of a Public Wastewater System.

Stormwater means surface water run-off resulting from rainfall.

Stormwater Drain means any passage, channel or pipe on, over or under the ground by which Stormwater is conveyed.

Tankered Waste means any water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal into the Public Wastewater System or the Separated Trade Waste Network, but excludes Domestic Wastewater discharged directly from house buses, camper vans, caravans, buses and similar vehicles and discharges from Mobile Facility and Vendor Operations.

Te Whanganui a Orotū means the Ahuriri Estuary.

Trade Premises means:

- a. Any Premises used or intended to be used for any industrial or commercial purposes; or
- b. Any Premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- c. Any other Premises from which a Contaminant is discharged in connection with any industrial or commercial process; or
- d. Any other Premises discharging waste material other than Domestic Wastewater, and includes any land or Premises wholly or mainly used for agricultural or horticultural purposes.

Trade Waste means any Wastewater that is not Domestic Wastewater, and is generated by commercial or industrial activities, and does not include Wastewater generated by churches, marae, or Household Equivalent discharges.

Trade Waste Consent means a consent given by the Council in writing authorising an Operator to discharge Trade Waste to the Public Wastewater System.

Unit Title means a Record of Title or computer unit title register issued for a stratum estate in freehold or a stratum estate in leasehold (as the case may be) in respect of a unit or units in accordance with the Unit Titles Act 2010.

Waahi tapu means places sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense and are outlined in the District Plan.

Wastewater means any water with matter in solution or suspension, Domestic Wastewater, or Trade Waste that discharges to the Public Wastewater System, and includes Tankered Waste.

Wastewater Services has the same meaning as defined by section 124 of the Local Government Act 2002 and includes Domestic Wastewater and Trade Waste services.

Wastewater Service Area means the areas of the District served by the Public Wastewater System.

Water Main means a pipe or conduit that conveys Potable Water.

Working day has the same meaning as in section 5 of the Local Government Act 2002, and excludes Matariki.

A.10 Connection to Wastewater Services – General

A.10.1 All procedures and physical works associated with a Wastewater Services connection must be in accordance with Council's procedure for approved contractors to commission physical connections to Wastewater Services as set out in the Administration Manual and Napier City Council Code of Practice for Subdivision and Land Development.

A.11 Level of Service

- A.11.1 The Council does not guarantee uninterrupted Wastewater Services and, in particular, a service which is in excess of an agreed Level of Service, but will use its best endeavours to ensure the continuity of Level of Service.
- A.11.2 Where works of a permanent or temporary nature are planned by Council which will substantially affect existing Wastewater Services, the Council will, where practicable, notify all known affected Persons or publicly notify the works.
- A.11.3 Council will not be liable for any loss, damage or inconvenience which a Customer or Operator (or any other Person using the Public Wastewater System) may sustain as a result of deficiencies in, or interruptions to, the Wastewater Services or as a result of work carried out on the Public Wastewater System by the Council or its Authorised Agents.

A.12 Emergency

- A.12.1 Natural hazards (such as floods, droughts, earthquakes) or accidents or pandemics which result in disruptions to any or all of the Wastewater Services requiring specific actions by personnel associated with operating and maintaining the Public Wastewater System are deemed an emergency and are exempt from Level of Service requirements.
- A.12.2 During an emergency the Council may restrict or prohibit the use of a Wastewater Service for any specified purpose, for any specified period, and for any or all Persons connected to the Wastewater Services.
- A.12.3 Such restrictions will be publicly notified when deemed necessary by the Council. The Council may enact penalties over and above those contained in this Bylaw to enforce such restrictions.

A.13 Protecting the Public Wastewater System

- A.13.1 Customers must prevent any Stormwater, groundwater or Trade Waste entering the Public Wastewater System through Infiltration or Inflow, surface water run-off or overland flow.
- A.13.2 Stormwater must be excluded from the Wastewater system by ensuring that:
 - a. There is no direct connection of any Stormwater pipe or drain to the Wastewater system.
 - b. Gully trap surrounds are set above Stormwater ponding levels, or secondary overland flow path flood levels, or above the 1 in 50 year flood level.
 - c. Inspection covers are in place and are appropriately sealed.

- A.13.3 Private drains must be kept and maintained in a state which is free from cracks and other defects which may allow Infiltration.
- A.13.4 Any water used during the repair and construction of water mains must be de-chlorinated to provide a residual chlorine level of less than 0.5 ppm prior to Discharge into the Public Wastewater System. Any chemical used to neutralise the chlorine must not introduce any substances that exceed the limits specified in Schedule A of the Administration Manual.
- A.13.5 No water described in Clause A.13.4 above may be disposed of to the Public Stormwater Network, water course, or water body receiving environment except in compliance with the Napier City Council Stormwater Bylaw and with prior Approval.

A.14 Access and Inspection

- A.14.1 The Council's powers of access and inspection are as contained in all relevant legislation, including the Local Government Act 2002 and/or the Local Government Act 1974.
- A.14.2 Customers or Operators must allow the Council, or its agents, access to and about the Point of Discharge for the purposes of monitoring, testing, and maintenance work.
- A.14.3 Except under emergency conditions, the Council will give 24 hours prior notice to the Customer or Operator of the intended entry. Under emergency conditions, the Council is not required to provide notice to the Customer or Operator of its intended entry.
- A.14.4 Under emergency conditions, a Customer or Operator must allow the Council free and unimpeded access to and about the Point of Discharge. Emergency conditions include situations involving blockages of the Public Wastewater System, or where the Council has reasonable grounds to suspect that the Public Wastewater System is being misused or that a non-complying connection to the Public Wastewater System has been made.

A.15 Fees and Charges

- A.15.1 Under sections 150 and 151 of the Local Government Act 2002 the Council may prescribe fees and authorise the recovery of reasonable costs incurred by the Council in respect of the matters for which the fees are charged. Fees are set at the annual planning process fee setting or similar transparent public process in accordance with the Local Government Act 2002.
- A.15.2 The methodology for setting Trade Waste fees and charges prescribed by this Bylaw is set out in Schedule C of the Administration Manual.
- A.15.3 A schedule of fees and charges can be found online at the Napier City Council website.
- A.15.4 Customers or Operators must pay all fees and charges associated with their use of the Public Wastewater System.
- A.15.5 Customers or Operators are deemed to be continuing the discharge of Wastewater from their Premises and are liable for all charges, until written notice of Disconnection is given to the Council and a final inspection of the Premises has been completed by the Council.
- A.15.6 All fees and charges payable under this Bylaw are recoverable as a debt in accordance with section 252 of the Local Government Act 2002.
- A.15.7 If a Person Discharging to the Public Wastewater System fails to pay any fees and charges under this bylaw the Council may cancel their consent to discharge and may Disconnect service in certain circumstances.

A.16 Costs recovery

A.16.1 The Council may recover the following costs pursuant to the Local Government Act 2002:

- a. costs incurred by the Council in relation to activities Approved or consented under this Bylaw;
- b. the amount of the destruction or damage; or the cost incurred by the Council in removing the stoppage or obstruction; or any loss or expenses incurred by the Council by the stoppage or obstruction or interference caused by any Person who wilfully or negligently destroys, damages, stops, obstructs, or otherwise interferes with the Public Wastewater System; and
- c. the costs of remedying damage associated with a breach of this Bylaw by any Person, upon their conviction.

A.17 Review of decisions

A.17.1 If any Person is dissatisfied in relation to any decision by the Council made under this Bylaw, any Person may lodge a complaint with the Council in accordance with the Council's Complaints Policy.

A.18 Offences and Penalties – General

- A.18.1 Every Person commits an offence against this Part of the Bylaw who fails to comply with or acts in contravention of any provision of Part A of this Bylaw.
- A.18.2 A Person who is convicted of an offence against this Bylaw is liable under sections 239 and 242 of the Local Government Act 2002 to a fine not exceeding:
 - a. \$20,000 for a breach of Part A or C of this Bylaw.
 - b. \$200,000 for a breach of Part B of this Bylaw.
- A.18.3 A Person who is alleged to have committed an infringement, as specified in regulations made under the Local Government Act 2002, by breaching the Bylaw, may be served with an infringement notice in accordance with section 245 of the Local Government Act 2002.

A.19 Enforcement – General

- A.19.1 Authorised Officers appointed under section 177 of the Local Government Act 2002 may:
 - a. seize and impound property that is not on private land in accordance with section 164 of the Local Government Act 2002;
 - b. enter private property involved in the commission of an offence, and seize and impound property in accordance with sections 165 and 166 of the Local Government Act 2002;
 - c. enter land for the purpose of detecting a breach of this Bylaw or the commission of an offence against this Bylaw in accordance with section 172 of the Local Government Act 2002;
 - d. require certain information from Persons in accordance with section 178 of the Local Government Act 2002; and
 - e. enter any land or building other than a Dwelling to check utility services in accordance with section 182 of the Local Government Act 2002.
- A.19.2 Subject to the provisions of the Local Government Act 2002, Customers and Operators must allow Authorised Officers, with or without equipment, to access any area of their Premises for the purposes of determining compliance with this Bylaw.
- A.19.3 The Council may:
 - a. remove or alter any work or thing that is, or has been, constructed in breach of this Bylaw; and

- b. recover the costs of removal or alteration from the Person who committed the breach.
- A.19.4 Nothing done under 0 relieves the Person who committed the breach from any other liability for the breach of this Bylaw.
- A.19.5 The Council may prohibit the discharge of Wastewater (including Trade Waste) which contravenes this Bylaw by removing, closing or modifying the Point of Discharge in a manner that prevents a discharge of Wastewater from the Premises.

Part B – Trade Waste

B.1 Objectives

- B.1.1 The specific objectives for this Part of the Bylaw are as follows:
 - a. Protect the water quality and ecology within the District's waterways, estuaries and marine environment.
 - b. Protect the health, safety and wellbeing of staff and people within the District.
 - c. Protect the Public Wastewater System from Contaminants and other substances that have a detrimental effect on its operation and asset life.
 - d. Manage the loads on the Public Wastewater System.
 - e. Optimise the capacity of the Public Wastewater System.
 - f. Ensure compliance with the conditions of the Council's Wastewater discharge consent.
 - g. Provide a basis for monitoring discharges from Trade Premises.
 - h. To provide for an equitable spread of costs between Domestic Wastewater and Trade Waste discharges.
 - i. Encourage water conservation, sustainable and cleaner production methods.

B.2 Specific provisions for Trade Waste discharges

- B.2.1 This Part of the Bylaw provides for the:
 - a. Establishment of four categories of Trade Waste: Permitted, Controlled, Conditional and Prohibited;
 - b. The Pre-treatment of Trade Waste before it is accepted for discharge to the Public Wastewater System;
 - c. Acceptance of long-term, intermittent, or temporary Discharges of Trade Waste that are Controlled, Conditional, or Permitted into the Public Wastewater System and the exclusion of Prohibited Trade Waste;
 - d. Specification of the daily volume, flow and Contaminant levels for Permitted Trade Waste so that the hydraulic and treatment capacity of the Public Wastewater System is not exceeded;
 - e. Regulation of Trade Waste that may increase the operational and maintenance costs of the Public Wastewater System;
 - f. The evaluation of individual Trade Waste discharges against specified criteria as set out in the Bylaw and Clauses B.3, B.4 and Schedule A of the Administration Manual;

- g. Prohibition of Trade Waste that decreases the effectiveness, integrity, and safety of the Public Wastewater System;
- h. Correct storage of materials in order to protect the Public Wastewater System from spillage of Hazardous Substance and other Contaminants;
- i. Operators to be required to undertake sampling and monitoring of Trade Waste to ensure compliance with the Bylaw and Schedules A and B of the Administration Manual;
- j. Council to accept or refuse a Trade Waste discharge of specified Characteristics;
- k. Sampling and monitoring of Trade Waste discharges by Council to ensure compliance with the Bylaw;
- I. Implementation of cleaner production methods as set out in Environmental Management Plans, where required by a condition of a Trade Waste Consent;
- m. Where Trade Premises have operations that could result in Contaminants entering the Public Stormwater and / or Wastewater System, provision for Environmental Management Plans that include procedures that address this.
- n. Charges to be set to cover the cost of administration, monitoring and a user pays Trade Waste scheme, as set out in Schedule C of the Administration Manual;
- o. Installation of Meters, samplers or other devices to measure flow and quality of Trade Waste discharges;
- p. Establishment of waste minimisation and management programmes for Trade Waste producers;
- q. Disconnection of Premises from the Public Wastewater System in the event of unauthorised discharges of Trade Waste as a last resort, or to protect people, property, or the environment;
- r. Cancellation of Trade Waste Consents if Conditions are not complied with; and
- s. The use of enforcement powers, including penalties to be applied to Persons who Discharge or permit discharges of Trade Waste in a manner that does not comply with this Bylaw.

B.3 Application

- B.3.1 This Bylaw applies to all Trade Premises, Mobile Facility and Vendor Operations, and Tankered Wastes within the District from which Trade Waste is discharged or sourced or likely to be discharged to the Public Wastewater System.
- B.3.2 Pursuant to section 196 of the Local Government Act 2002, Operators may only discharge Trade Waste into the Public Wastewater System in accordance with this Bylaw.

B.4 Registration and consenting of Trade Waste discharges

B.4.1 The Council requires all Operators to register and when required, apply for Trade Waste Consents.

- B.4.2 All Operators must register their Trade Waste discharges by completing the registration form on the Council's website before:
 - a. 1 December 2022 for existing Operators as at the date of this Bylaw coming into force.
 - b. Commencing any Trade Waste Discharge for New Operators (i.e. Operators who commence discharging Trade Waste after this Bylaw comes into force).

B.4.3 The registration and Trade Waste Consent application processes are set out below and further detailed in Clause B.4 of the Administration Manual.

B.5 Characteristics of Trade Waste discharges

- B.5.1 Trade Waste discharges are classified as one of the following types:
 - a. **Permitted Trade Waste:** The discharge of Permitted Trade Waste does not require a Trade Waste Consent, but is subject to a registration process and requires an Approval Notice.
 - b. **Controlled Trade Waste:** The discharge of Controlled Trade Waste requires a Trade Waste Consent.
 - c. **Conditional Trade Waste:** The discharge of Conditional Trade Waste requires a Trade Waste Consent.
 - d. **Prohibited Trade Waste**: A Prohibited Trade Waste discharge cannot be undertaken and no consent can be sought.
- B.5.2 Trade Waste discharges that are Controlled or Conditional are subject to the additional requirements as set out in Sections B.6 and B.7 of this Bylaw and relevant sections of Part B of the Administration Manual.

B.6 Trade Waste Consents

Application for a Trade Waste Consent

- B.6.1 No Person may discharge Controlled, or Conditional Trade Waste or Tankered Waste to the Public Wastewater System without a Trade Waste Consent. This requirement applies from:
 - a. The date of this Bylaw coming into force for:
 - i. Existing Operators who, as at the date of this Bylaw coming into force, hold a Trade Waste Consent; and
 - ii. New Operators (i.e. Operators who commence discharging Trade Waste after this Bylaw comes into force).
 - b. **1 December 2023** for existing Operators who, as at the date of this Bylaw coming into force, do not hold a Trade Waste Consent.
- B.6.2 Any Person may apply to the Council to:
 - a. discharge (either continuously, intermittently, or temporarily) any Controlled or Conditional Trade Waste or Tankered Waste into the Public Wastewater System; or
 - b. vary an existing Trade Waste Consent;

provided that the application is in writing in the form provided on the Council's website, and accompanied by the prescribed fee.

- B.6.3 Where the Trade Premises produces Trade Waste from more than one area, separate descriptions of the Trade Waste and the areas concerned must be included in any application for Trade Waste Consent. This applies whether or not the separate areas of a Premises are part of a single or separate Trade process.
- B.6.4 Information requirements in respect of the application, the decision on the application and the application consideration criteria are as set out in Clause B.4 of the Administration Manual.

B.6.5 In all cases where the Operator of the Premises changes, or there is a change of use of the Premises, a new application for a Trade Waste Consent must be made. It is the responsibility of the Consent Holder or the new Operator (as appropriate) to lodge the new application.

Grant of Trade Waste Consent

B.6.6 The procedure for assessing applications Approval Notices and Trade Waste Consents is detailed in Clauses B.1, B.3 and B.4 of the Administration Manual.

Trade Waste Consent Conditions

B.6.7 A Trade Waste Consent may be subject to conditions, including but not limited to conditions of the kind referred to in Clause B.4.5 of the Administration Manual.

Review of Trade Waste Consent

- B.6.8 The Council may, at any time during the term of a Trade Waste Consent, by written notice to the Consent Holder review the Trade Waste Consent using the process outlined in Clause B.4.7 of the Administration Manual.
- B.6.9 A Consent Holder may, by written application to the Council, seek to vary any condition of a Trade Waste Consent at any time during the term of the Trade Waste Consent.

Duration of Trade Waste Consent

- B.6.10 Subject to Section 0, Trade Waste Consents remain in force until they expire at the end of the term prescribed in the Trade Waste Consent, being a term of no more than two (2) years. However, a Trade Waste Consent may be granted for a term not exceeding five (5) years as outlined in B.4 of the Administration Manual.
- B.6.11 A Trade Waste Consent may expire earlier if:
 - a. Cancelled under Clause B.6.22 to B.6.30; or
 - b. The Consent Holder fails to submit a plan in accordance with Clause 0.
- B.6.12 The Council will give at least 20 Working Days' notice prior to any relevant proposed amendments to Schedule A of the Administration Manual. Wherever possible this Notice will be given in writing to a Trade Waste Consent Holder.
- B.6.13 Within 20 Working Days of the adoption of relevant amendments to Schedule A of the Administration Manual, a Trade Waste Consent Holder must submit a plan that details the changes they will make to ensure compliance with the amendments, to be implemented in a reasonable timeframe as agreed with the Council. If a plan is not submitted within the required timeframe, then the Trade Waste Consent will expire.

Duration of Approval Notice

- B.6.14 A Permitted Trade Waste discharge authorised by an Approval Notice is able to be discharged indefinitely unless:
 - a. The quantity and nature of the discharge changes or is likely to change significantly to such an extent that it becomes a Conditional, Controlled, or Prohibited discharge; or
 - b. The Council changes the Trade Waste management procedures or the Characteristics of the Trade Waste by any amendment to, or replacement of, this Bylaw or Administration Manual such that the discharge becomes a Conditional, Controlled, or Prohibited discharge; or

c. Cancellation of the Approval Notice is necessary, in the Council's opinion, to meet the requirement(s) of any new or amended resource consent granted to the Council or any other legal requirements imposed on the Council;

in which case the Council may require the Approval Notice holder to apply for an appropriate Trade Waste Consent or cease the discharge of Trade Waste from the Premises.

- B.6.15 The Council will give at least 20 Working Days' written notice prior to any proposed amendments to Schedule A of the Administration Manual. Wherever possible this notice will be given in writing to Approval Notice holders.
- B.6.16 In the event that an Approval Notice is terminated in accordance with Clause B.6.14 above the Approval Notice holder must apply for a Trade Waste Consent within 20 Working Days of the Approval Notice being terminated, or cease discharging the Trade Waste. If the Trade Waste Consent is not granted, then the discharge must cease.

Renewal of Trade Waste Consent

- B.6.17 A Consent Holder may apply to renew a Trade Waste Consent.
- B.6.18 An application to renew a Trade Waste Consent must be lodged with the Council no later than eight (8) weeks before the expiry of the existing Trade Waste Consent.
- B.6.19 Where an application to renew a Trade Waste Consent has been received, the Consent Holder may continue to discharge Trade Waste in accordance with the conditions of the existing Trade Waste Consent until:
 - a. The Council issues a renewed Trade Waste Consent; or
 - b. The Council declines to issue a renewed Trade Waste Consent.
- B.6.20 The renewal of a Trade Waste Consent will not be unreasonably withheld.
- B.6.21 Where an application to renew a Trade Waste Consent has not been received the Council may require the Consent Holder to cease discharging Trade Waste at the expiry of their existing Trade Waste Consent until any new Trade Waste Consent is issued.

Suspension or Cancellation of Trade Waste Consent

- B.6.22 The Council may suspend or cancel any Trade Waste Consent at any time following not less than 20 Working Days' Notice, to the Consent Holder or Person discharging or Person allowing a discharge of any Trade Waste, where:
 - a. In the opinion of an Authorised Officer, the Consent Holder has:
 - iii. Failed to comply with any condition of the Trade Waste Consent;
 - iv. Failed to maintain effective control over the Trade Waste discharge from the Premises;
 - v. Failed to provide or update an Environmental Management Plan as required;
 - vi. Failed to adhere to an Environmental Management Plan;
 - vii. Failed to pay any charges under this Bylaw;
 - viii. Discharged or allowed the discharge of any Prohibited Trade Waste;
 - b. Following a review of the technical issues considered when setting conditions of consent;
 - c. Due to new information becoming available;

- d. To meet the requirement of any new or existing resource consent imposed on the discharge from the Public Wastewater System;
- e. To meet any other legal requirements imposed on the Council;
- f. If any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the Trade Waste Consent;

If any process changes require more than 20 Working Days, reasonable time may be given to make the necessary changes or cease the discharge.

- B.6.23 The Council may suspend or cancel any Trade Waste Consent to discharge at any time where in the opinion of an Authorised Officer:
 - a. Any breach of a resource consent imposed on the discharge from the Public Wastewater Network has arisen from (whether wholly or partly) the Trade Waste discharge from a particular Premises; and/or
 - b. To meet the requirement of any new resource consent imposed on the discharge from the Public Wastewater Network; and/or
 - c. Any act or omission of the Consent Holder is, or is likely to:
 - d. Adversely affect the safety of the Public Wastewater System; and/or
 - e. Damage any part of the Public Wastewater System; and/or
 - f. Adversely affect the health or safety of any Person; and/or
 - g. Adversely affect the environment; and/or
 - h. The Consent Holder has Discharged or allowed the Discharge of any Prohibited Trade Waste; and/or
 - i. The Council is lawfully directed to withdraw or otherwise to terminate the Trade Waste Consent immediately; and/or
 - j. The Consent Holder, or their contractor using a Tankered Waste disposal system, has discharged any Trade Waste unlawfully; and/or
 - k. To meet any other legal requirements imposed on the Council; and/or
 - I. If any other circumstances arise that render it necessary in the public interest to cancel the Trade Waste Consent.

Transfer and Termination of Consent

- B.6.24 Trade Waste Consents will be issued in the name of the Operator, and in relation to specific Premises and processes.
- B.6.25 A Consent Holder must not, without Approval:
 - a. Transfer to any other party the rights and responsibilities provided for under this Bylaw, and under the Trade Waste Consent;
 - b. Allow a Point of Discharge to serve another Premises, whether directly or indirectly; or
 - c. Allow Wastewater or Trade Waste from any other party or Premises to be discharged at the Consent Holder's Point of Discharge.

- B.6.26 When a Consent Holder ceases to occupy a Trade Premises, any Trade Waste Consent granted to that Consent Holder will be terminated, unless the Trade Waste Consent is transferred prior to the Consent Holder vacating the Premises.
- B.6.27 The Consent Holder must give 48 hours' notice in writing to the Council of its requirement for Disconnection and/or termination of the Trade Waste Consent, except where demolition or relaying of the discharge drain is required, in which case seven (7) Working Days' notice must be given. The Consent Holder must notify the Council in writing of its new contact details for final invoicing as necessary.
- B.6.28 The Council will not unreasonably withhold Approval to renew a Trade Waste Consent on change of ownership or occupation of Premises if the Characteristics of the Trade Waste remain unchanged.
- B.6.29 Notwithstanding Disconnection or termination of a Trade Waste Consent the Consent Holder, or in the event the former Consent Holder is no longer in existence, the subsequent Operator and/or Owner, will remain liable for the failure to meet any obligations existing at the date of Disconnection or termination the Trade Waste Consent.
- B.6.30 If a Trade Waste Consent is terminated for any reason, a final site inspection must be carried out by an Authorised Officer to confirm that the site will be left in a state which poses no future risk to the environment, including by:
 - a. learing the Premises of any risks to the Public Wastewater System or Public Stormwater Network or the receiving environment; and
 - b. Remediating any contaminated land to prevent future contamination of Stormwater, Groundwater or other waters and the receiving environment; and
 - c. Capping or sealing any connections to the Public Wastewater Network as necessary;

before the Consent Holder, Operator and/or Owner's liability for that Premises ceases.

B.7 Management and Pre-treatment of Trade Waste

General

- B.7.1 Operators must:
 - a. Maintain service and maintenance contracts for Pre-treatment devices at the Operator's expense.
 - b. At their expense, use processes, equipment or storage facilities to control:
 - i. The quality, quantity and rate of Trade Waste discharged from the Trade Premises; and
 - ii. The Characteristics in Trade Waste in accordance with any Trade Waste Consent conditions, prior to the Point of Discharge.

Pre-treatment

- B.7.2 The Council may approve a Trade Waste Consent subject to the provision of appropriate Pretreatment system(s) to enable the Consent Holder to comply with this Bylaw. Such Pre-treatment systems must be provided, operated and maintained by the Consent Holder at their expense.
- B.7.3 Operation and servicing of commercially supplied equipment must be in accordance with the supplier's recommendations, Schedule A of the Administration Manual and the conditions of the Trade Waste Consent.

Discharges via Grease Traps, Oil and Grit Interceptors

- B.7.4 Where Trade Waste includes, or is likely to include, fats, grease or oils in excess of 100 grams per 1000 litres each day, or is from a Food Premises where any fats, grease or oils could be present in the Trade Waste discharge:
 - a. Grease traps must be installed at the Trade Premises with a functional capacity of no less than 500 litres and a minimum of 2 hours retention at peak water flow; and
 - b. Operators must use and maintain the grease traps to a standard that complies with the discharge limits for fats, oil and grease as set out in Schedule A of the Administration Manual.
 - c. All systems in place to remove Fat, Oils, Grease and Grit must be installed and operated as per Section B.7 of the Administration Manual and any Trade Waste Consent conditions.

Food Premises

B.7.5 Refuse or garbage grinders and macerators must not be used to dispose of solid waste from Food Premises to the Public Wastewater System unless approved by Council.

Dilution of Trade Waste

B.7.6 No Operator may add or permit the addition of any Potable Water, non-Potable Water, Condensing or Cooling Water or Stormwater to any Trade Waste discharge in order to vary the Characteristics of the Trade Waste, unless the Council has granted a Trade Waste Consent allowing such activities.

Discharge or Storage of Hazardous Substances

- B.7.7 No Person may discharge Hazardous Substances to the Public Wastewater System and/or Public Stormwater Network except in accordance with a Trade Waste Consent.
- B.7.8 No Person may store Hazardous Substances or any other material likely to be harmful to the Public Wastewater System or Public Stormwater Network or the health and safety of people at any Trade Premises. without taking all reasonable steps to prevent their entry into the Public Wastewater System and/or Public Stormwater Network.
- B.7.9 All codes of practice developed by the New Zealand Government's Environmental Protection Agency; the Hazardous Substances and New Organisms Act 1996, and related guidelines or other industry organisations must be followed to store Hazardous Substance on site. Section A.2 of the Administration Manual lists a number of relevant documents. This list is not exhaustive and is expected to be subject to changes from time to time.

Culturally Offensive Characteristics

- B.7.10 No Trade Waste containing Culturally Offensive Characteristics may be discharged into the Public Wastewater System except in accordance with a Trade Waste Consent.
- B.7.11 Trade Waste containing Culturally Offensive Characteristics must not be Discharged (directly or indirectly) to the Public Stormwater Network, where there is a risk of the Wastewater entering Te Whanganui a Orotū or other receiving environments of cultural significance.

Collection, Transportation and Discharge of Tankered Waste

- B.7.12 The Council may accept Tankered Wastes for discharge at an approved location, subject to:
 - a. The Tankered Waste being fully documented in accordance with the Liquid and Hazardous Substances Code of Practice, including:
 - i. A description of the type of waste;

- ii. The name of discharger and location;
- iii. The source, date and time of collection;
- iv. The volume of waste collected; and
- v. The identification number and vehicle registration number.
- b. Tankered Waste will be analysed to determine its Characteristics if the contents of the waste are not known. Specialist advice on Pre-treatment or acceptance may be required. The cost of all analysis and advice will be borne by the Consent Holder;
- c. Tankered Waste is not to be picked up and transported to the disposal site until appropriate arrangements, documentation and method for disposal have been determined by the Council;
- d. To prevent cross-contamination between tanker loads, the tanker must be thoroughly washed prior to collecting a load for disposal into the Public Wastewater System; and
- e. 24 hours' notice must be given to the Council for the disposal of wastes other than those sourced from domestic septic tanks, wherever possible.
- f. Any Tankered Waste Operator intending to discharge to a Council facility must have:
 - i. A current Conditional Trade Waste Consent; and
 - ii. A Certificate of Registration for Offensive Trade.
- g. All Tankered Waste must be treated in accordance with the conditions of the relevant Trade Waste Consent.
- B.7.13 Tankered Waste (including Hazardous Substance transported out of Council's District) must be transported by a Consent Holder to discharge domestic septic tank or industrial wastes.
- B.7.14 Tankers must have Safety Data Sheets (SDS) meeting Worksafe New Zealand's requirements and available to Council upon request. If an SDS is not available, alternative information acceptable to Council must be made available in written or electronic form.
- B.7.15 Tankered Waste may be randomly tested, from time to time and at the Council's discretion, to determine the Characteristics. The cost of any random tests must be borne by the Consent Holder.

Mobile Facilities and Vendor Operations

- B.7.16 Discharges the Public Wastewater System from Mobile Facility and Vendor Operations must be at a location and in a manner approved by Council.
- B.7.17 Operators must not Discharge Trade Waste from a Mobile Facility and Vendor Operation to a designated campervan waste disposal station.

B.8 Sampling, Testing and Monitoring

Flow metering

- B.8.1 Metering to measure the flow rate and volume of a Trade Waste discharge may be required by the Council in accordance with the Administration Manual.
- B.8.2 Meters may be installed on lateral connections to measure Trade Waste flow.
- B.8.3 Operators must ensure all Trade Waste flow and no Domestic Wastewater flow is passing through the Meter.

Estimating discharge

B.8.4 In Premises where there is no Meter or similar apparatus, or the Meter is out of repair or ceases to register, or where in the opinion of the Council the Meter has been, or has likely been, tampered with, the Council will estimate the rate and quantity of Trade Waste discharge in accordance with the Administration Manual.

B.9 Accidents and Non-Compliance

B.9.1 A Consent Holder or Operator must inform the Council immediately on becoming aware of any breach or potential breach of this Bylaw, the Administration Manual, or any Trade Waste Consent.

B.10 Offences

- B.10.1 Every Person commits an offence against this Part of the Bylaw who:
 - a. Discharges Trade Waste, including Tankered Waste, or waste from a Mobile Facility and Vendor Operation into the Public Wastewater System in a manner that contravenes the requirements of this Bylaw, an Approval Notice, Trade Waste Consent and/or the Administration Manual.
 - b. Discharges Trade Waste, Tankered Waste, or waste from a Mobile Facility and Vendor Operation into the Public Stormwater Network.
 - c. Discharges Wastewater containing Culturally Offensive Characteristics from a Trade Premises, Tanker, or Mobile Facility and Vendor Operation into the Public Wastewater System without a Trade Waste Consent.
 - a. Discharges (whether directly or indirectly) Trade Waste containing Culturally Offensive Characteristics to the Public Stormwater Network, where there is a risk of the Wastewater entering Te Whanganui a Orotū or other receiving environments of cultural significance.
 - d. Discharges Hazardous Substances to the Public Wastewater System or the Public Stormwater Network except in accordance with a Trade Waste Consent.
 - e. Fails to take reasonable steps to prevent Hazardous Substances or any other material likely to be harmful to the Public Wastewater System or Public Stormwater Network from entering the Public Wastewater System or the Public Stormwater Network from a Trade Premises except in accordance with a Trade Waste Consent.
 - f. Discharges human sewage to the Separated Trade Waste Network.
 - g. Connects a Trade Premises to, or Disconnects a Trade Premises from, the Public Wastewater System without Approval.
 - h. Makes any false or inaccurate statement or disclosure as to the contents of any Tankered Waste or Trade Waste.
 - i. Adds or permits the addition of Potable Water, non-potable water or Stormwater to any Trade Waste which discharges into the Public Wastewater System except in accordance with a Trade Waste Consent.
 - j. Uses refuse or garbage grinders and macerators to dispose of solid waste from Trade Premises to the Public Wastewater System except in accordance with a Trade Waste Consent.
 - k. Causes damage to any part of the Public Wastewater System by discharging or dealing with Trade Waste in a manner that contravenes this Bylaw, an Approval Notice, Trade Waste Consent and/or the Administration Manual.

- I. Fails to comply with the conditions of an Approval Notice or Trade Waste Consent.
- m. Fails to notify the Council immediately on becoming aware of any breach or potential breach of this Bylaw, an Approval Notice, Trade Waste Consent and/or the Administration Manual.
- n. Otherwise fails to comply with or acts in contravention of any provision of this Bylaw, an Approval Notice, Trade Waste Consent and/or the Administration Manual.

Part C – Wastewater

C.1 Objectives

- C.1.1 The specific objectives for this Part of the Bylaw are as follows:
 - a. Protect the Public Wastewater System from damage and misuse;
 - b. Ensure the protection and safety of Council personnel and the general public;
 - c. Protect the ability of the Council to meet the requirements of legislation;
 - d. Encourage all Customers to adopt cleaner production processes and appropriate innovative solutions so as to ensure all kinds of discharges into Public Wastewater System are of appropriate and acceptable quality that can be adequately treated by the downstream processes, and protect the receiving environment;
 - e. Define the obligations of Customers;
 - f. Protect investment in existing and future infrastructure, treatment plant and disposal facilities;
 - g. Protect the environment from adverse effects of harmful substances discharged to the Public Wastewater System;
 - h. Ensure on-site Wastewater Systems work efficiently and effectively; and
 - i. Prevent Inflow and Infiltration of Stormwater or Trade Waste into the Public Wastewater System.

The quality and quantity limits that separate Domestic Wastewater from Trade Waste can be found in the Part B of this Bylaw.

C.2 Acceptance of discharge

- C.2.1 Every domestic Premise is entitled to have its Wastewater accepted by the Council if the following requirements are met:
 - a. There is availability of capacity in the Public Wastewater System; and
 - b. The Premises is within the Wastewater Service Area (through either connection to gravity or Low Pressure Sewer Systems); and
 - c. Connection is to an appropriate point of the Public Wastewater System (noting that the appropriate point will not necessarily be the closest point of the Public Wastewater System to the Premise); and
 - d. Payment of the appropriate rates and charges in respect of that Premises; and
 - e. The requirements of this Bylaw are fulfilled.
- C.2.2 All Customers must comply with, and are subject to, the terms and conditions for supply of the Public Wastewater System as set out in Part C of the Administration Manual.

- C.2.3 The Council must continue to accept Wastewater from domestic Premises once an approved connection to the Public Wastewater System has been made, subject to Clauses A.11, A.12 and A.15.7.
- C.2.4 For areas outside of the Wastewater Service Area, the Council retains the right to refuse a connection to the Public Wastewater System.

C.3 Connecting to the Public Wastewater System

Application for Approval

- C.3.1 No Person other than the Council, may without Approval, make any connection to, or Disconnect from, or otherwise interfere with, any part of the Public Wastewater System.
- C.3.2 Where a new connection to the Public Wastewater System is required as part of a subdivision or development, the developer must provide all the drainage works subject to the Approval of the design and construction of the works, and in accordance with the Napier City Council Code of Practice for Subdivision and Land Development.
- C.3.3 Every application must comply with the requirements contained in the Administration Manual, including in relation to the payment of charges.
- C.3.4 An application to connect must be made even if a Private Drain has already been laid up to the Point of Discharge.
- C.3.5 The Council must supply and install the Public Wastewater System up to the Point of Discharge.

Application to connect using On-Property Low Pressure Sewer Equipment

- C.3.6 An application to connect to the Public Wastewater System using On-Property Low Pressure Sewer Equipment to the Low Pressure Sewer System will be approved only for domestic Premises located in a Low Pressure sewer service area, if available. Connections to a gravity Public Wastewater System are subject to Approval.
- C.3.7 The On-Property Low Pressure Sewer Equipment must comply with all requirements of the Napier Pressure Sewer Systems Policy.

Application to connect pumped sewer systems

- C.3.8 Where an application to connect involves the proposed installation of a private pumped sewerage system this will be approved only if the Council determines that there are no practical alternatives for gravity flow discharge to the Public Wastewater System, or where ground conditions are such that a gravity system is not suitable or where there is a Pressure Sewer System available.
- C.3.9 A private Wastewater pump station serving more than one domestic Dwelling requires:
 - a. A "Common Pump Station Agreement" between the parties approved by the Council, including appropriate maintenance of rising mains. The agreement must be registered against the Record of Title of each Premises that receives the benefit of it.
 - b. The combined rate of discharge to the Public Wastewater System must not exceed the rate specified by the Council for a single Premises.
 - c. The combined rate of discharge to the public sewer must not exceed the rate specified by the Council.
- C.3.10 A private Wastewater pump station must have installed an approved Boundary Kit in accordance with the Napier City Council Code of Practice for Subdivision and Land Development.

Change of ownership

C.3.11 In the event of domestic Premises that have Approval to connect to the Public Wastewater Network changing ownership, the new Owner will automatically become a new Customer.

C.4 Premises

General

Flow rate

C.4.1 The maximum instantaneous flow rate discharged from a domestic Premise, including from domestic swimming pools and spa pools, must not exceed 2 litres per second, or as otherwise specified in the Administration Manual. For domestic Premises, the Council may also set a maximum daily flow rate discharged from that Premises.

Prohibited characteristics

C.4.2 Wastewater with one or more of the Prohibited Characteristics in Schedule B of the Administration Manual must not be discharged into the Public Wastewater system from a domestic Premise.

Specific Forms of Wastewater Discharge

- C.4.3 Part C1 of the Administration Manual provides further specific requirements for:
 - a. Domestic Swimming Pools and Spa Pool Water;
 - b. Campervan / Motorhome Wastewater; and
 - c. Impervious yard run off.

C.5 Point of discharge

General

- C.5.1 The Point of Discharge is the point on the Public Wastewater System which marks the boundary of responsibility between the Customer or Operator and the Council, irrespective of Premises boundaries.
- C.5.2 Unless otherwise approved there is one Point of Discharge only for each Premises, Trade Premises and any Private Drain must not extend by pipe or any other means to serve another Premises.

Maintenance and access

- C.5.3 The Council owns and maintains the Public Wastewater System up to the Point of Discharge. The Customer owns and maintains the Private Drain beyond the Point of Discharge.
- C.5.4 The Customer must maintain the area in and around the Point of Discharge, keeping it reasonably free of soil, growth, or other matter or obstruction including Construction Debris which prevents, or is likely to prevent, convenient access.
- C.5.5 Where it is not practical to notify a Customer of a maintenance interruption to the Point of Discharge before work commences, the Council may shut down the Point of Discharge without notice, and the Customer will be advised as soon as possible.

C.6 Care of Public Wastewater System infrastructure

Discharge or Storage of Hazardous Substances

C.6.1 No Person may store Hazardous Substances or any other material likely to be harmful to the Public Wastewater System or Public Stormwater Network or the health and safety of people at any domestic Premises without taking all reasonable steps to prevent their entry into the Public Wastewater System and/or Public Stormwater Network.

Damage to the Public Wastewater System

- C.6.2 All Persons must take due care not to damage any part of the Public Wastewater System.
- C.6.3 Every Person who damages the Public Wastewater System must report the damage to the Council immediately.
- C.6.4 Customers must inform the Council immediately on becoming aware of any breach or potential breach of this Bylaw.

Blockages

- C.6.5 A Customer who identifies that a Private Drain on their Premises is overflowing or has other reasons to suspect a blockage affecting the Private Drain, must first contact the Council who will determine if the Public Wastewater System is the cause of the blockage. If the blockage remains then the Customer must contact an appropriately qualified tradesperson to clear and remove any blockage affecting the Private Drain.
- C.6.6 If a blockage within the Public Wastewater System is found to have originated within the Customer's Premises or has been caused by an unlawful discharge from that Premises, the Council may recover the costs of the unblocking work from the Customer.
- C.6.7 In the event of the roots of any tree on any private Premises causing or being likely to cause damage, interference to the flow, or blockage to Wastewater Services, the Council may require the removal of-the tree and/or its roots in accordance with the procedure set out in section 468 of the Local Government Act 1974.

Construction Debris

- C.6.7 The Customer and any Person acting on behalf of the Customer must take all reasonable precautions to ensure Construction Debris does not enter any component of the Public Wastewater System or a Private Drain. If Construction Debris enters the Public Wastewater System or a Private Drain, the Customer must notify Council immediately.
- C.6.8 In the event a blockage or other downstream issue occurs as a result of Construction Debris entering the Public Wastewater System or Private Drain, where the responsible Premises can be identified, Council may recover the costs associated with the remedial works from the Customer.

Working around Buried Services

- C.6.9 Every Person proposing to carry out excavation work must first:
 - a. Establish whether Buried Services are located in the vicinity of the proposed excavation. Drainage plans showing the location of Buried Services can be accessed via the Council's utilities maps, beforeUdig database; and
 - b. Identify whether the area is listed as Waahi Tapu. If a site is listed as Waahi Tapu or an unknown archaeological site is discovered, the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 must be adhered to.
 - c. No Person may excavate, or carry out piling or similar work closer than:
 - d. Five (5) metres from the centre line of Buried Services, or

- e. Two (2) metres from the centre line of Buried Services, without Approval. Such Approval may be subject to conditions on the carrying out of any work near the Buried Services.
- C.6.10 At least five (5) Working Days' written notice must be given to the Council before any excavation or physical works close to Buried Services commence. Where appropriate the Council may mark out to within 1m on the ground the location of any Buried Services, and may impose reasonable restrictions on the work it considers necessary to protect the Buried Services.
- C.6.11 No Person may cause the crushing load imposed on any Buried Services to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined in the NZ Transport Agency Bridge Manual).
- C.6.12 No Person may place any additional material over or near Buried Services without Approval.
- C.6.13 Service Openings must not be covered in any way unless approved by the Council in writing.
- C.6.14 Removal of any covering material or adjustment of the Opening will be at the Customer's expense.
- C.6.15 When excavating and working around Buried Services due care must be taken to ensure the services are not damaged, and that bedding and backfill is reinstated in accordance with the appropriate Council specification.
- C.6.16 Excavation within a road reserve is also subject to the permit process of the Council and/or road controlling authority as defined in section 2 of the Land Transport Act 1991, as appropriate.
- C.6.17 No building foundations or structures may be built over Buried Services:
 - a. Within the easement for the Buried Service; or
 - b. Within what would be the width of the easement for the Buried Service as detailed in the Napier City Council Code of Practice for Subdivision and Land Development; or
 - c. As otherwise required by easement protections in the Napier City Council Code of Practice for Subdivision and Land Development.
- C.6.18 No Person may allow trees or shrubs to be planted over a Buried Service
 - a. Within the easement for the Buried Service; or
 - b. Within what would be the width of the easement for the Buried Service as detailed in the Napier City Council Code of Practice for Subdivision and Land Development; or
 - c. As otherwise required by easement protections in the Napier City Council Code of Practice for Subdivision and Land Development.

C.7 Disconnection

- C.7.1 A Customer must give ten (10) Working Days' Notice in writing of his or her intention to demolish or remove a Building connected to the Public Wastewater System.
- C.7.2 The demolition or removal must not commence until the Premises has been Disconnected from the Public Wastewater System by the Council.
- C.7.3 Where a Building is being demolished or undergoing refurbishment, the Council retains the right to Disconnect the connection and provide a new connection for the new or Refurbished Building for the given connection charges.
- C.8 Offences

- C.8.1 Every Person commits an offence against this Part of the Bylaw who:
 - a. Discharges Domestic Wastewater or Household Equivalent waste into the Public Wastewater System in a manner that contravenes the requirements of this Bylaw and/or the Administration Manual.
 - b. Discharges solid waste, wet wipes or Construction Debris into the Public Wastewater System.
 - c. Discharges Stormwater into the Public Wastewater System without Approval.
 - d. Discharges Domestic Wastewater or Household Equivalent waste into the Public Stormwater Network.
 - e. Discharges Hazardous Substances from a domestic Premises to the Public Wastewater System or the Public Stormwater Network.
 - f. Fails to take reasonable steps to prevent Hazardous Substances or any other material likely to be harmful to the Public Wastewater System or Public Stormwater Network from entering the Public Wastewater System or the Public Stormwater Network from a domestic Premises.
 - g. Connects a domestic Premises to, or Disconnects a domestic Premises from, the Public Wastewater System without Approval.
 - h. Makes a private connection to a Pressure Sewer System.
 - i. Causes damage to any part of the Public Wastewater System by discharging or dealing with domestic Wastewater or Household Equivalent waste in a manner that contravenes this Bylaw and/or the Administration Manual.
 - j. Erects any Building, fence, retaining wall or other structure, or places any material or fill, or undertakes any works or excavation, or allows any tree or shrub to grow in the vicinity of the Public Wastewater System in a manner that contravenes this Bylaw and/or the Administration Manual and/or without Approval.
 - k. Fails to notify the Council immediately on becoming aware of any breach or potential breach of this Bylaw and/or the Administration Manual.
 - I. Otherwise fails to comply with or acts in contravention of any provision of this Bylaw and/or the Administration Manual.



Napier City Council Integrated Trade Waste and Wastewater Bylaw 2022

ADMINISTRATION MANUAL

Napier City Council

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Introduction

Purpose

The purpose of this Administration Manual is to provide material complementary to the Integrated Trade Waste and Wastewater Bylaw 2022 (**the Bylaw**). This Administration Manual brings together those matters which may otherwise be included in the Bylaw, but which are of a technical or administrative nature, or operational matters that are more likely to be amended before the Bylaw is reviewed. These aspects also include guidelines, which are intended for that purpose – to provide guidance only, with respect to matters covered within the Bylaw.

It is intended to simplify the administration of the Bylaw, allow for administrative and technical processes to be kept up to date, and assist in the interpretation, implementation and operation of the Bylaw.

The Administration Manual is a public document, and will be made available on the Council's website alongside the Bylaw. Hard copies of both can be provided on request, and will be available to review at the Council's offices and libraries.

The Administration Manual will be updated from time to time, as necessary, to ensure that it is kept up to date and reflects current practice. Amendments to this document will be authorised either by an Order of Council or the Council's Chief Executive or Officer's delegated authority.

Part A. Requirements Common to all Water Services A.1 Format of this Administration Manual

There are three Parts and a number of Schedules to this Administration Manual. These follow the format of the Bylaw:

- Part A Requirements Common to All Water Services
- Part B Trade Waste
- Part C Wastewater Drainage

A.2 Applicable Acts, Regulations, Codes and Standards, and Council Codes of Practice, Policies and Plans

The Bylaw is made under the Local Government Act 2002. The following is a non-exhaustive list of other legislation, Regulations, Codes of Practices and Standards, and Council documents that may also be applicable to the matters addressed by the Bylaw.

- a) Statutory Acts and Regulations:
 - i. Resource Management Act 1991, and relevant National Policy Statements and National Environmental Standards
 - ii. Health Act 1956
 - iii. Building Act 2004
 - iv. Building Regulations 1992 Schedule 1 (New Zealand Building Code)
 - v. Fire and Emergency Act 2017
 - vi. Health (Drinking Water) Amendment Act 2007
 - vii. Hazardous Substances and New Organisms Act 1996
 - viii. Health and Safety at Work Act 2015
 - ix. Health and Safety in Employment Regulations 1995
 - x. Health and Safety at Work (General Risk and Workplace Management)

Regulations 2016

- xi. Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016
- b) Relevant Codes and Standards
 - i. Management and Handling of Used Oil HSNOCOP63 (November 2013)
 - ii. Environmental Guidelines for Discharges from Petroleum Industry Sites in New Zealand, in New Zealand Ministry for the Environment (December 1998)
 - iii. SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice
 - iv. NZWWA Water Meter Code of Practice 2003
 - v. Liquid and Hazardous Waste Code of Practice 2012
- c) Napier City Council Plans, Codes of Practice, procedures, and guidelines:
 - i. Napier City Code of Practice for Subdivision and Land Development
 - ii. Napier City Council District Plan

A.3 Definitions

In this Administration Manual unless the context otherwise requires:

Acceptable Discharge means Wastewater or Trade Waste with Characteristics that comply with the requirements of Permitted Trade Waste as defined in Part B of the Bylaw.

Administration Manual means this Administration Manual.

Approval means approved in writing by the Council, either by resolution of the Council or by an officer of the Council authorised for that purpose or other Person authorised to give such approval on behalf of Council.

Approval Notice means an Approval authorising a Person to Discharge Permitted Trade Waste to the Public Wastewater System.

Authorised Officer means an officer or an agent appointed by the Council and given powers to perform duties and functions under the Bylaw, and includes an enforcement officer warranted and appointed under sections 171 and 177 of the Local Government Act 2002.

BOD5 means the five-day carbonaceous biochemical oxygen demand which is a measure of the strength of Wastewater.

Building means any Building within the meaning of sections 8 and 9 of the Building Act 2004. A Building also includes any mobile or temporary structures with permanent or temporary connections to the Wastewater Services.

Bylaw means the Integrated Trade Waste and Wastewater Bylaw 2022.

Characteristic means any of the physical, biological or chemical characteristics of Trade Waste or Wastewater.

Chemical Oxygen Demand means total Chemical Oxygen Demand as determined by established standard methods of testing,

Cleaner Production is further explained in Clause B.10 below, and means the implementation of operations, methods and processes appropriate to the goal of reducing or

eliminating the quantity and toxicity of wastes. This is required to minimise and manage Discharges to the Public Wastewater System by:

- a) using energy and resources efficiently, avoiding or reducing the amount of waste produced;
- b) producing environmentally sound products and services; and
- c) the application of relevant innovative solutions.

Condensing or **Cooling Water** means any water used in any Trade or industry or commercial process or operation in such a manner that it does not take up matter into solution or suspension.

Conditional Trade Waste means Tankered Waste, Trade Waste Discharged from Mobile Facility and Vendor Operations, and any Trade Waste that, after Pre-treatment, complies with all of the physical and chemical Characteristics in Schedule A of the Administration Manual unless otherwise specified in a Trade Waste Consent, and may have a Discharge volume of more than 5 m³/day and/or a flow of more than 2 L/s.

Contaminant has the same meaning as defined in section 2 of the Resource Management Act 1991.

Contingency management procedures means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects on the environment and Council infrastructure from an unexpected or unscheduled event resulting in Discharge, or potential Discharge of Contaminants of concern onto land or into the Public Stormwater Network and Wastewater System or into receiving water bodies such as wetlands, streams, estuaries and the ocean.

Consent holder means an Operator who has obtained a Trade Waste Consent to Discharge from specified Premises to the Public Wastewater System, and includes any Person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.

Contaminant has the same meaning as defined in section 2 of the Resource Management Act 1991.

Controlled Trade Waste means Trade Waste that, after Pre-treatment, complies with all of the physical and chemical Characteristics in Schedule A of the Administration Manual, and has a Discharge volume of less than 5 m^3 /day and a flow of less than 2 L/s.

Council means Napier City Council and includes any Person or Committee acting under authority duly delegated by the Napier City Council.

Customer means a Person occupying domestic Premises connected to Public Wastewater System and includes, where appropriate, employees and agents. If the Building or land is not occupied, or is subject to a residential tenancy, means the Owner.

Discharge has the same meaning as defined in section 2 of the Resource Management Act 1991.

Disconnection means the physical cutting and/or sealing of any of the Council's water services, utilities, drains or sewers against use by any Person for the purposes of disconnecting of Premises from the Public Wastewater System.

Domestic Wastewater means water or other liquid from domestic Premises, including waste matter in solution or suspension, Discharged from Premises used solely for residential purposes, and including water or other liquid drained from domestic swimming and spa pools.

Environmental Management Plan means a plan for a Premises to support the effectiveness of the Public Wastewater System by making provision for matters including, but not limited to, cleaner production, waste minimisation, Pre-treatment, managing, monitoring and recording Trade Waste Discharges, contingency management procedures, pollution prevention and site Stormwater management.

Food Premises means premises from which a food business (as defined in section 10 of the Food Act 2014) operates.

Hazardous Substance has the same meaning as that term is defined in section 2 of the Hazardous Substances and New Organisms Act 1996.

Household Equivalent means any Wastewater generated by a Premises that would otherwise be generated from a domestic Premises (e.g. toilets, sinks, staff kitchen and facilities) and which is not a direct consequence of commercial or industrial operations.

Mass limit means the total mass of any characteristic that may be Discharged to the Council's Wastewater system over any stated period from any single point of Discharge or collectively from several Points of Discharge.

Maximum Concentration means the instantaneous peak concentration that may be Discharged at any instant time.

Meter means a Council owned meter which measures and records the flow and/or volume of Wastewater.

Mobile Facility and Vendor Operations includes a vehicle, trailer, or caravan that may be used for food preparation and sale and a range of mobile activities such as commercial cleaning where liquid wastes are containerised and transported to Points of Discharge in the Public Wastewater System.

Code of Practice for Subdivision and Land Development means Council's current Code of Practice for Subdivision and Land Development which details the engineering standards required for land development which is reviewed and amended from time to time.

Nuisance has the same meaning as section 29 of the Health Act 1956, and includes a Person, thing, or circumstance causing distress or annoyance or unreasonable interference.

Operator means the Person occupying Trade Premises connected to Public Wastewater System and includes, where appropriate, employees and agents.

Owner means any Person who owns any Building or land connected to the Public Wastewater System.

Permitted Trade Waste means Trade Waste that meets the physical and chemical Characteristics as defined in Schedule A of the Administration Manual without Pre-treatment and has a Discharge volume of less than 5 m3/day and a flow of less than 2 L/s.

Person includes the Crown, a corporation sole and also a body of Persons whether corporate or otherwise.

Point of Discharge is the boundary between the Public Wastewater System and a Private

Drain, as further defined in Clause C.2 and Schedule D of this Administration Manual or in a Trade Waste Consent.

Premises means either:

a) A property or allotment which is held under a separate record of title or for which a separate record of title may be issued and in respect to which a building consent has been or may be issued; or

b) A Building or part of a Building that has been defined as an individual unit by a cross lease unit title or company lease and for which a record of title is available; or

c) Land held in public ownership (e.g. reserve) for a particular purpose; or

d) Individual units in Buildings which are separately leased or separately occupied.

Pre-treatment means any processing of Wastewater or Stormwater designed to reduce or vary any Characteristics before Discharge to the Public Wastewater System.

Private Drain means that section of drain between a Premises and a Point of Discharge through which Wastewater is conveyed from the Premises.

Prohibited Trade Waste means Trade Waste that has, or is likely to have, any of the physical and chemical characteristics as set out in Schedule B of this Administration Manual.

Public Stormwater Network means any component of the Stormwater network vested in, or under the control of, the Council, whether or not any part of the network passes through private land.

Public Wastewater System means the system for collection, treatment and disposal of Wastewater and Trade Waste, including all sewers, pumping stations, and storage tanks, the wastewater treatment plant, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of Wastewater and Trade Waste. The Public Wastewater System does not extend beyond the Point of Discharge.

Record of Title means a certificate registering the freehold ownership of land available to any owner(s) under the Land Transfer Act 1952.

Separated Trade Waste Network means the sewer network used exclusively for Trade Waste that contains no human sewage.

Stormwater means surface water run-off resulting from rainfall.

Stormwater Drain means any passage, channel or pipe on, over or under the ground by which Stormwater is conveyed.

Tankered Waste means any water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal into the Public Wastewater System or the Separated Trade Waste Network, but excludes Domestic Wastewater Discharged directly from house buses, camper vans, caravans, buses and similar vehicles and Discharges from Mobile Facility and Vendor Operations.

Te Whanganui a Orotū means the Ahuriri Estuary.

Trade Premises means:

a) any Premises used or intended to be used for any industrial or commercial purposes; or

- b) any Premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- c) any other Premises from which a Contaminant is Discharged in connection with any industrial or commercial process; or
- d) any other Premises discharging waste material other than Domestic Wastewater, and includes any land or Premises wholly or mainly used for agricultural or horticultural purposes.

Trade Waste means any Wastewater that is not Domestic Wastewater, and is generated by commercial or industrial activities, and does not include Wastewater generated by churches, marae, or Household Equivalent Discharges.

Trade Waste Charging Model means the methodology developed by the Council that is designed to be a true user pays mechanism for Operators Discharging to the Public Wastewater System, as further described in Schedule C of this Administration Manual.

Trade Waste Consent means a consent given by the Council in writing authorising an Operator to Discharge Trade Waste to the Public Wastewater System.

Unit Title or State Title means a Record of Title or computer unit title register issued for a stratum estate in freehold or a stratum estate in leasehold (as the case may be) in respect of a unit or units in accordance with the Unit Titles Act 2010.

Waahi tapu means places sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense and are outlined in the District Plan.

Wastewater means any water with matter in solution or suspension, Domestic Wastewater, or liquid Trade Waste that Discharges to the Public Wastewater System, and includes Tankered Waste.

Water Main means a pipe or conduit that conveys Potable Water.

Working day has the same meaning as in section 5 of the Local Government Act 2002, and excludes Matariki.

Part B. Trade Waste

These provisions supplement those in Part A "Requirements Common to all Water Services" (of this Administration Manual and the Bylaw) and Part B "Trade Waste" of the Bylaw.

B.1 Administrative Procedures

- B.1.1 Procedures for applying to Discharge Trade Waste to Public Wastewater System
 - 1.1.1 Every Operator who Discharges, or is likely to Discharge, Trade Waste or Tankered Waste or Mobile Facilities and Vendor's Operational wastes is required to register using the prescribed Trade Waste Registration Forms (available via the Council's website) for a Trade Waste Approval Notice or Consent.
 - 1.1.2 Council will use the information in the Registration Form and any further

relevant information to classify the Trade Waste. The Operator will be informed of the classification and may be required to submit an Environmental Management Plan and/or more information to complete the application.

- 1.1.3 The Council may require an Operator to make a new application for an Approval Notice or Trade Waste Consent where there is a change in the use of Premises and/or the nature of the associated Trade Waste Discharge.
- 1.1.4 All Trade Waste Approval Notice and Consent applications will be processed by the Council within 20 Working Days of the application satisfying all relevant information requirements. This timeframe may be extended if a request for further information is made, in accordance with Section B.1.3 of the Administration Manual.
- 1.1.5 The Council will consider all applications and may either:
 - a) Decline the application in writing and set out the reasons for that decision; or
 - b) Approve the application and inform the applicant of the type of Discharge Approved, and any obligations and conditions that must be complied with as part of the Approval Notice or Trade Waste Consent.

B.1.2 Registration and administration fees

- 1.2.1 There is no charge to register a Trade Waste Discharge.
- 1.2.2 If a Trade Waste Consent is required, an administration fee will be charged for each application in accordance with the Fees and Charges on the Council website.
- 1.2.3 Additional costs such as those associated with sampling or testing, or additional input required by the Council to inform a decision regarding any application, will be recovered in accordance with the Fees and Charges on the Council website.
- 1.2.4 Upon the Council's final decision regarding any application under the Bylaw, payment must be made to Council by the applicant within the time period specified by the Council.
- 1.2.5 Upon confirmation of the invoice being paid, an Approval Notice or Trade Waste Consent will be issued.
- 1.2.6 If payment is not made within the time specified in the invoice, the application may be declined.

B.1.3 Supporting Information and Site Inspections

- 1.3.1 All registrations must comply with the information requirements listed in Section B.4.2 and be made using the appropriate registration form.
- 1.3.2 Where insufficient information has been provided in the application the Council reserves the right to request further information. The processing of an application will be placed on hold until the requested information has been provided to the satisfaction of the Council. Applicants must provide any further information within the specified timeframe, and, if an extension of this timeframe is required, must request this in writing. Approval of any extension is at the discretion of the Council.
- 1.3.3 All applications will be assessed against the consideration criteria outlined in Section B.4.3.
- 1.3.4 The Council may require access to Premises for the purpose of conducting a site inspection and sampling to further inform their decision regarding any application to Discharge Trade Waste. In the event that such access is requested, it must be provided in such a way that the Council may safely access the Premises and can conduct their inspection without any hindrance.

B.1.4 Issuing of final Approval Notices or Discharge Consents

1.4.1 Approval Notices and Trade Waste Consents will be issued in the name of the Operator and in relation to specific Premises and process.

B.1.5 Conditions of Consent

- 1.5.1 Approval Notices and Trade Waste Consents will be issued with general conditions (as described in Section B.4.5).
- 1.5.2 Approval Notices and Trade Waste Consents may be issued with additional conditions designed to manage the risks associated with a specific Discharge.

B.1.6 Period of Approval Notice or Trade Waste Consent and Reviews

- 1.6.1 Approval Notices and Trade Waste Consents are subject to review at the discretion of the Council, as described in Clause B.6.8 of the Bylaw.
- 1.6.2 Trade Waste Consents will be issued for a maximum term of up to five years, after which time they will lapse.
- 1.6.3 If the Discharge continues beyond the Approved term, the Operator is required to apply for a new Approval Notice or Trade Waste Consent no later than eight (8) weeks before the expiry of the existing Trade Waste Consent.

B.2 Fees and Charges

B.2.1 Prescribed Charges

- 2.1.1 Fees and Charges are as set out on the Napier City Council website.
- 2.1.2 The methodology used to calculate the Trade Waste Charges is in Schedule C.
- 2.1.3 These Fees and Charges may include the following:
 - a) administration and inspection fees;
 - b) sampling and testing fees; and
 - c) unit charges based on a 'User pays ' approach, using a 'cost to treat' calculation using the Trade Waste Charging Model for Trade Waste Consents.

B.3 Approval Notices

B.3.1 Consideration Criteria for Approval Notice Applications

3.1.1 [To be added at a later stage]

B.3.2 Site Inspections

3.2.1 [To be added at a later stage]

B.3.3 Duration of Approval Notices

3.3.1 A Permitted Trade Waste Discharge authorised by an Approval Notice is able to be Discharged indefinitely unless:

- a) the quantity and nature of the Discharge changes or is likely to change significantly to such an extent that it becomes a Conditional, Controlled, or Prohibited Discharge; or
- b) the Council changes the Trade Waste management procedures or the Characteristics of the Trade Waste by any amendment to, or replacement of, the Bylaw or Administration Manual such that the Discharge becomes a Conditional, Controlled, or Prohibited Discharge; or
- cancellation of the Approval Notice is necessary, in the Council's opinion, to meet the requirement(s) of any new or amended resource consent granted to the Council or any other legal requirements imposed on the Council;

in which case the Council may require the Approval Notice holder to apply for an appropriate Trade Waste Consent or cease the Discharge of Trade Waste from the Premises.

- 3.3.2 The Council will give at least 20 Working Days' written notice prior to any proposed relevant amendments to Schedule A of the Administration Manual.
- 3.3.3 In the event that an Approval Notice is terminated in accordance with Clause 3.3.1 above the Approval Notice holder must apply for a Trade Waste Consent within 20 Working Days of the Approval Notice being terminated, or cease Discharging the Trade Waste. If the Trade Waste Consent is not granted, then the Discharge must cease.

B.4 Trade Waste Consents

B.4.1 Application for a Trade Waste Consent

- 4.1.1 All Operators discharging Trade Waste into the Public Wastewater Network which are classified as Controlled or Conditional must obtain a Trade Waste Consent.
- 4.1.2 If the Council classifies the Trade Waste as Controlled or Conditional, the Operator will be informed in writing and an Environmental Management Plan will be requested as well as any more information and/or sampling required to complete the Consent application.
- 4.1.3 The Council will acknowledge all complete applications for a Trade Waste Consent in writing within five (5) Working Days of receipt.
- 4.1.4 Once complete, the application will be assessed against the criteria listed in B.4.3.

B.4.2 Information Requirements for Trade Waste Consent Applications

4.2.1 For the assessment of any Trade Waste Consent application, the Council may:

- a) Require the applicant to submit any additional information which it considers necessary for the purpose of considering the application;
- b) Require the applicant to submit an Environmental Management Plan to the satisfaction of the Council as set out in Clause B.8 of this Administration Manual; and
- c) Have the Discharge from the Operator's Premises sampled, tested or monitored at the Operator's cost.
- 4.2.2 The applicant must ensure that the application and every other document conveying required information is properly executed and contains information that is correct and accurate.

B.4.3 Consideration Criteria for Consent Applications

- 4.3.1 The Council is not required to issue a Trade Waste Consent until it receives any charge or fee fixed by it in relation to the application.
- 4.3.2 In considering any application for a Trade Waste Consent the Council will consider the following matters (as relevant):
 - a) the quality, volume, and rate of Discharge;
 - b) the impact of the Discharge on the health and safety of Council staff, its agents and the public;
 - c) the limits and/or maximum values for Characteristics of Trade Waste as specified in Schedule A of this Administration Manual;
 - the extent to which the Trade Waste may react with other Trade Waste or Wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Public Wastewater System;

- e) the degree to which the Discharge is capable of being treated in the Council's Wastewater treatment plant;
- f) the flows and velocities in the Public Wastewater System, and the materials of construction of all components of the Public Wastewater System;
- g) the capacity of the Public Wastewater System;
- h) the timing and balancing of Trade Waste flows into the Public Wastewater System.
- any statutory requirements including any Hawke's Bay Regional Council resource consents relating to the Discharge of Wastewater to receiving waters, and any Discharge to air;
- j) the effect of the Discharge on the ultimate receiving environment;
- k) the possibility of unscheduled, unexpected or accidental Trade Waste related events and the degree of risk these could cause to humans, the Public Wastewater System, the Public Stormwater Network or the receiving environment;
- I) consideration of other existing or future Discharges from other Premises.
- m) the amenability of the Trade Waste to Pre-treatment;
- n) requirements to control and isolate Stormwater;
- o) Cleaner Production techniques;
- p) any Environmental Management Plan;
- q) Tankered and Mobile Facilities or Vendor's Operation waste being Discharged at an approved location/s;
- r) any relevant requirements in the Napier City Council Code of Practice for Subdivision and Land Development.

B.4.4 Decision on Application

4.4.1 The Council must determine an application for an Approval Notice or Trade Waste Consent and issue its decision to either:

- a) Grant an Approval Notice or Trade Waste Consent;
- b) Decline the application where the Trade Waste is Prohibited Trade Waste; or
- c) Otherwise decline the application and provide reasons for refusal, which may include, but are not limited to:
 - i. the applicant has failed to provide adequate information to support the application;
 - ii. the Characteristics of the Trade Waste Discharge fail to meet the maximum allowable values as determined in accordance with the Trade Waste Charging Model or Schedule A of this Administration Manual;
 - iii. the applicant has supplied data that is inconsistent with measured values obtained by the Council;
 - iv. there is likely to be Stormwater egress from the Trade Premises into the Public Wastewater System; or
 - v. the applicant has a demonstrated history of poor performance in relation to matters regulated by the Bylaw. Discharge

B.4.5 Conditions of Trade Waste Consents

- 4.5.1 A Trade Waste Consent may be granted subject to such conditions that the Council deems appropriate, including but not limited to, conditions relating to the following matters, which must be complied with at the Operator's expense:
 - a) the mass, volume, pH, temperature and concentration limits for any

constituent or Characteristic as set out in clause B.4.6 of this Administration Manual;

- b) the rate of Discharge of any constituent or Characteristic;
- c) the part of the Public Wastewater System to which the Discharge will be made;
- d) the separation of Trade Waste from Domestic Wastewater up to the Point of Discharge;
- e) the maximum daily volume of the Discharge and the maximum rate of Discharge, and the duration of maximum rate of Discharge;
- the maximum limit or permissible range of any specified Characteristics of the Discharge, including concentrations and/or mass limits;
- g) the period or periods of the day during which the Discharge, or a particular concentration, or volume of Discharge may be made;
- h) the degree of acidity, or alkalinity of the Discharge at the time of Discharge measured as titratable alkalinity, titratable acidity and as pH.
- i) the temperature of the Trade Waste at the time of Discharge, with potential additional limitations on trade waste which contains sulphur compounds;
- the provision of Pre-treatment works to control Characteristics to the consented levels (examples listed in Clause B.9 of this Administration Manual);
- k) the provision of Pre-treatment works to prevent Trade Waste containing Culturally Offensive Characteristics from entering the Public Wastewater System;
- consideration of point source separation of contaminants/waste streams on site to allow potential reuse and recycling of material;
- m) the provision and maintenance of inspection chambers, manholes or other apparatus or devices to provide safe and reasonable access to drains for sampling and inspection;
- n) the provision and maintenance of a sampling and analysis programme, and flow measurement requirements;
- a prescribed sampling and monitoring programme to be carried out by the Operator. Clause Error! Reference source not found.B.8.2 of this Administration Manual sets out Council's provisions for sampling and monitoring.
- p) the method or methods to be used for measuring flow rates and/or volume and taking samples of the Discharge for use in determining compliance with the Trade Waste Consent and for determining the amount of any Trade Waste charges applicable to that Discharge;
- the provision and maintenance of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being Discharged from the Premises, and for the calibration of such meters;
- r) the provision and maintenance of such services (including electricity, water or compressed air), which may be required to operate meters and similar devices, including safe sampling points of access;
- s) at times specified, the provision in a Council-approved format of all flow and/or volume records and results of analyses;
- t) risk assessment of damage to the receiving environment due to an accidental Discharge of a chemical or other Contaminant;
- u) the provision and implementation of an Environmental Management Plan which may be audited by the Council on an annual basis or following any incident involving Trade Waste;
- v) Cleaner Production as set out in an Environmental Management Plan.

Clause B.10 of this Administration Manual provides guidance on Cleaner Production;

- w) remote monitoring and/or control of Discharges;
- third party treatment, carriage, Discharge or disposal of by-products of Pre-treatment of Trade Waste (including Sewage Sludge and biosolids disposal and reuse);
- y) the amount, if any, of Cooling or Condensing Water or Stormwater which cannot practically be separated from Trade Wastes, that may be included in the Discharge;
- the cessation of a Consent to Discharge putrescible wastes to the Public Wastewater System when the Council has provided or arranged an alternative commercial collection and disposal system; and
- aa) The Point of Discharge.

B.4.6 Mass Limits

- 4.6.1 Limits on the mass, volume, concentration, pH or temperature may be imposed on the Trade Waste Discharger for any constituent.
- 4.6.2 Any Characteristic permitted by mass limit will also have its maximum concentration limited to the value in Schedule A of the Administration Manual.
- 4.6.3 When setting mass, volume and concentration limit restrictions for a particular constituent in a Trade Waste Consent the Council will consider:
 - a) conditions in the Public Wastewater System near the e Point of Discharge and elsewhere in the Public Wastewater System;
 - b) the operational requirements of and risk to the Public Wastewater System, and risks to occupational health and safety, public health, and the ultimate receiving environment;
 - c) the extent to which the available industrial capacity for the constituent was met during the Council's preceding financial year, and the expected levels of the constituent for the forthcoming financial year;
 - d) whether or not the applicant uses Cleaner Production within a period satisfactory to the Council;
 - e) whether or not there is any net benefit to be gained by the increase of one Characteristic concurrently with the decrease of another to justify any increased application for Public Wastewater System capacity;
 - f) any requirements of the Council to meet resource consent conditions or regional plan rules;
 - g) Any requirements of the Council to reduce the pollutant Discharge of the Public Wastewater System;
 - how great a proportion the mass flow of a Characteristic of the Discharge will be of the total mass flow of that Characteristic in the Public Wastewater System;
 - i) the total mass of the Characteristic allowable in the Public Wastewater System, and the proportion (if any) to be reserved for future allocations;
 - j) if there is an interaction with other constituents which increases or decreases the effect of their Characteristic on the Public Wastewater System including reticulation, treatment process, or receiving water (or land); and
 - k) The capacity for flow and contaminant loadings Discharged on a daily and monthly basis allocated by the Trade Waste Charging Model.

B.4.7 Review of Trade Waste Consent

4.7.1 The Council may, at any time during the term of a Trade Waste Consent, by

written notice to the Consent Holder review the Trade Waste Consent.

- 4.7.2 The reasons for a review may include:
 - a) The level of compliance, including any accidents, spills or process mishaps;
 - b) Matters pertaining to the Council's resource consent(s) for the Public Wastewater System;
 - c) Matters pertaining to the Council's environmental policies and outcomes;
 - d) New control and treatment technologies and processes;
 - e) Matters pertaining to the Council's legal obligations; or
 - f) Any other matter that the Council considers to be relevant.
- 4.7.3 After conducting a review and considering the matters in this Administration Manual, the Council may vary any condition of a Trade Waste Consent:
 - a) following a review of the performance of Pre-treatment devices or processes;
 - b) to meet the conditions of any new or existing resource consent imposed on the Discharge from the Public Wastewater System;
 - c) to comply with any other legal requirements that must be met by the Council;
 - d) to increase control over the Trade Waste Discharge; or
 - e) for any other reason that the Council considers to be relevant.
- 4.7.4 The Council will provide written notice of the proposed variation to the Consent Holder and specify the time by which the Consent Holder must comply with the varied conditions.
- 4.7.5 The Consent Holder may respond to the written notice of the proposed variation within 20 Working Days of receiving the notice. The Council must consider any written response from the Consent Holder against the provisions of this Bylaw.
- 4.7.6 A Consent Holder may, by written application to the Council, seek to vary any condition of a Trade Waste Consent at any time during the term of the Trade Waste Consent.

B.4.8 Duration of Trade Waste Consent

- 4.8.1 Trade Waste Consents remain in force until they expire at the end of the term prescribed in the Trade Waste Consent, generally being a term of no more than two (2) years. However, a Trade Waste Consent may be granted for a term not exceeding five (5) years where a Consent Holder, at the time of the application, satisfies the Council that:
 - The nature of the activity at the Trade Premises, or the process design and/or management of the Premises are such that the Operator has a demonstrated ability to meet the conditions of the Trade Waste Consent during its term;
 - b) Cleaner Production techniques are successfully being utilised, or a responsible investment in Cleaner Production equipment or techniques is being made;
 - c) Significant investment in Pre-treatment facilities has been made, such that a longer period of certainty for the amortisation of this investment is considered reasonable; or
 - d) The Operator has a demonstrated history of compliance with its Trade Waste Consent, and any other relevant approvals (including resource consents) for its operation.

B.4.9 Renewal of Trade Waste Consent

- 4.9.1 A Consent Holder may apply to renew a Trade Waste Consent by submitting the Trade Waste Consent Renewal Form available on the Napier City Council website.
- 4.9.2 An application to renew a Trade Waste Consent must be lodged with the Council no later than eight (8) weeks before the expiry of the existing Trade Waste Consent.
- 4.9.3 Where an application to renew a Trade Waste Consent has been received, the Consent Holder may continue to Discharge Trade Waste in accordance with the conditions of the existing Trade Waste Consent until:
 - a) The Council issues a renewed Trade Waste Consent; or
 - b) The Council declines to issue a renewed Trade Waste Consent.
- 4.9.4 The renewal of a Trade Waste Consent will not be unreasonably withheld.
- 4.9.5 Where an application to renew a Trade Waste Consent has not been received the Council may require the Consent Holder to cease discharging Trade Waste at the expiry of their existing Trade Waste Consent until any new Trade Waste Consent is issued.

B.4.10 Suspension or Cancellation of Trade Waste Consent

- 4.10.1 The Council may suspend or cancel any Trade Waste Consent at any time following not less than 20 Working Days' Notice, to the Consent Holder where:
 - a) in the opinion of an Authorised Officer, the Consent Holder has:
 - i. failed to comply with any condition of the Trade Waste Consent;
 - ii. failed to maintain effective control over the Trade Waste Discharge from the Premises;
 - iii. failed to provide or update an Environmental Management Plan as required;
 - iv. failed to adhere to an Environmental Management Plan;
 - v. failed to pay any fees or charges under the Bylaw;
 - vi. Discharged or allowed the Discharge of any Prohibited Trade Waste; or
 - vii. failed to comply with the Bylaw in any other respect;
 - b) following a review of the technical issues considered when setting conditions of consent;
 - c) due to new information becoming available;
 - d) to meet the requirement of any new or existing resource consent imposed on the Discharge from the Public Wastewater System;
 - e) to meet any other legal requirements imposed on the Council; or
 - f) if any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the Trade Waste Consent.
- 4.10.2 If any process changes require more than 20 Working Days, reasonable time may be given for the Operator to make the necessary changes or cease the Discharge.
- 4.10.3 The Council may suspend or cancel any Trade Waste Consent to Discharge at any time where in the opinion of an Authorised Officer:
 - a) any breach of a resource consent imposed on the Discharge from the Public Wastewater Network has arisen from (whether wholly or partly) the Trade Waste Discharge from a particular Premises; and/or
 - b) any act or omission of the Consent Holder is, or is likely to:
 - i. Adversely affect the safety of the Public Wastewater System;
 - ii. Damage any part of the Public Wastewater System;

- iii. Adversely affect the health or safety of any Person;
- iv. Adversely affect the environment;
- c) the Consent Holder has Discharged or allowed the Discharge of any Prohibited Trade Waste;
- d) to meet any other legal requirements imposed on the Council; or
- e) if any other circumstances arise that render it necessary in the public interest to immediately cancel the Trade Waste Consent.

B.4.11 Transfer and Termination of Consent

4.11.1 Refer to Clauses B.6.24to B.6.30 of the Bylaw.

B.5 Tankered Waste

B.5.1 Testing and Discharge of Tankered Waste

- 5.1.1 Tankered Waste may be randomly tested, from time to time and at the Council's discretion, to determine the Characteristics. The cost of any random tests must be borne by the Consent Holder.
- 5.1.2 From **1 July 2023** all Tankered Waste Operators must be code-compliant with the Liquid and Hazardous Wastes Code of Practice and hold a Trade Waste Consent in order to:
 - a) pick up;
 - b) transport; and/or
 - c) dispose of;

Trade Waste within the District

- 5.1.3 Tankered Waste Trade Waste Application Forms are available on the Council website.
- 5.1.4 When giving the Council notice of a planned load of Tankered Waste in accordance with Clause B.7.12.e. of the Bylaw, the following information should be supplied where possible:
 - a) a description of the type of waste;
 - b) the name of Discharger and location, and Discharger Trade Waste Consent number (if known);
 - c) the source, date and time of planned collection;
 - d) the volume of waste to be collected; and
 - e) the identification number and vehicle registration number.

B.6 Mobile Facilities and Vendor's Operations

B.6.1 Trade Waste Consents for Mobile Facilities and Vendor's Operations

- 6.1.1 Mobile Facilities and Vendor's Operations run by the same Operator as a Trade Premises only require one application, with the different operations of the business clearly indicated and detailed in the application. If both operations are classed as Permitted, one Approval Notice will be issued. If both operations are classed as Controlled or Conditional, one Trade Waste Consent will be issued. Any changes to operations must be submitted to Council with an updated Environmental Management Plan.
- 6.1.2 Mobile Facilities and Vendor's Operations that run independently must submit a completed Trade Waste Registration Form and will be assessed as appropriate.
- 6.1.3 Approved Discharge locations will be stipulated in the Trade Waste Consent. Trade Waste must not be Discharged into the Public Wastewater Network anywhere else unless Approved.

B.7 Discharges with High Fat, Oil and Grease

B.7.1 Passive Grease Traps

- 7.1.1 Where Trade Waste includes, or is likely to include, fats, grease or oils in excess of 100 grams per 1000 litres each day, or is from a Food Premises where any fats, grease or oils could be present in the Trade Waste Discharge, grease traps must be installed.
- 7.1.2 Operators must use and maintain the grease traps to a standard that complies with the Discharge limits for fats, oil and grease as set out in Schedule A of this Administration Manual.
- 7.1.3 Grease traps must be sized:
 - a) to have a functional capacity of no less than 500 litres and a minimum of 2 hours retention at peak water flow;
 - b) according to the greatest volume produced by the Premises;
 - c) appropriately when shared between multiple Operators. Grease traps, such as those operated by a body corporate or food court, must be sized appropriate to the total inputs. This must be no less than a functional capacity of 500 litres and a minimum of 2 hours retention at peak water flow for each connected Premises.
 - d) a Consent Holder whose Premises has existing grease traps with a functional capacity of less than 500 litres and a minimum of 2 hours retention at peak water flow must apply for and be granted a Trade Waste Consent with conditions unless they can demonstrate compliance with the physical and chemical Characteristics in Schedule A to the Council's satisfaction.
- 7.1.4 Mechanical grease taps may be Approved for use in place of an underground, passive grease trap.
- 7.1.5 Grease traps must be serviced and maintained as per the relevant manufacturer's instructions:
 - a) at least once every six months or more frequently as specified in consent conditions;
 - b) at a frequency to ensure compliance with Schedule A of the Administration Manual;
 - c) at a frequency that the fat/oil grease layer does not exceed 20% of the depth or volume of the trap;
 - d) at a frequency which may be determined through a visual inspection and/or sample testing from the device outlet by Council;
 - e) scheduled for a time that minimises the risk to public health and safety and prevents a public Nuisance; and
 - f) by an approved liquid waste operator who is in possession of a Trade Waste Consent and is certified and registered with WasteTRACK.
- 7.1.6 Satisfactory records of grease trap servicing and cleaning must be retained and submitted to the Council for inspection annually.
- 7.1.7 After three (3) tests with Fat, Oil and Grease levels which do not meet criteria in Schedule A, the Premises may be instructed to upgrade their system by Council through a review of the Trade Waste Consent.

B.7.2 Oil and Grit Interceptors

- 7.2.1 Where Trade Waste includes hydrocarbons, automobile oil and silts, the Trade Premises will require an, oil and water, and/or oil and grit interceptor.
- 7.2.2 All oil/grit interceptors must be maintained in an operable condition in accordance with the following criteria:
 - a) all interceptors must be serviced at a frequency to ensure compliance with Schedule A of this Administration Manual;

- b) to comply with Trade Waste Discharge parameters, servicing schedules must maintain operational efficiency of the trap. Scheduled servicing should be undertaken at a time that minimises the risk to health and safety and avoids Nuisance;
- all servicing must be conducted by a WasteTRACK certified liquid waste operator who is in possession of a Trade Waste Consent should the Discharge be to a Council facility;
- d) the Operator must retain satisfactory records of servicing of oil/grit interceptors and submit these to the Council for inspection annually; and
- e) oil and grit interceptors for wash-down bays must be roofed or installed with a first flush system.
- 7.2.3 In addition to the requirements of Clause B.7.4 of the Bylaw all oil/grit separators must be regularly serviced and maintained to ensure the sediment layer in any trap does not exceed 20% of the depth of the volume of the trap.
- 7.2.4 Oil water separators must be inspected weekly and as soon as practical after any spillage occurs on the Premises. These devices should be serviced if there is any significant oily material (more than 3mm) or sediment (more than 150mm) in the device.

B.7.3 Commercial and Other Food Premises

- 7.3.1 Refuse or garbage grinders and macerators must not be used to dispose of solid waste from Food Premises to the Public Wastewater System unless Approved.
- 7.3.2 The Council may require a permanent sink screen to be fitted to any sink (except hand washing basins) in a Food Premises to minimise the risk of food waste entering the grease interceptor or the Public Wastewater System.

B.8 Environmental Management Plans

B.8.1 Contents of Environmental Management Plans

- 8.1.1 The Council may require an Environmental Management Plan to be provided by the Operator. This must include but not be limited to:
 - a) a description of the operations and raw materials producing each Trade Waste stream;
 - b) hours per day, days per week and seasonality of processing and Discharges;
 - c) a description of Pre-treatment devices, their operation and maintenance;
 - d) expected Characteristics of the Trade Waste Discharge;
 - e) methods and procedures for monitoring of Trade Waste;
 - f) monitoring and control of Trade Waste flow;
 - g) methods to ensure compliance with the conditions of the Trade Waste Consent;
 - h) a description of maintenance procedures in place and any further proposed in respect to the operation producing the Trade Waste;
 - i) full drainage plans of the Premises;
 - j) domestic wastewater and how it will be separated from Trade Waste streams;
 - a list of Hazardous Substances stored on the Premises with steps outlined to prevent their entry into the Public Wastewater System and the Public Stormwater Network;
 - I) site water sources and uses;
 - m) site Stormwater receiving environments;
 - n) identify and manage risks to the Public Wastewater System, the Public

Stormwater Network and/or the environment;

- o) processes, procedures, housekeeping and staff/contractor training;
- p) Cleaner Production initiatives and planned system upgrades;
- q) contingency management procedures.
- 8.1.2 Environmental Management Plans must follow the guide provided on the Council's website and contain all information required to satisfy the application requirements.
- 8.1.3 The Council must approve all Environmental Management Plans and may audit them.
- 8.1.4 A separate Trade Waste Management Plan may be submitted if an Environmental Management Plan already exists for the site if approval is obtained from Council.

B.8.2 Sampling and Monitoring of Trade Waste

- 8.2.1 The Council may require sampling, testing and monitoring to be undertaken to determine if a Discharge:
 - a) complies with the provisions of the Bylaw;
 - b) is to be classified as Permitted, Controlled, Conditional, or Prohibited; or
 - c) to calculate monthly trade waste charges using the Trade Waste Charging Model.
- 8.2.2 The taking, preservation, transportation, and analysis of the sample must be undertaken by an Authorised Officer, or the Operator, in accordance with accepted industry standard methods, or as otherwise Approved.
- 8.2.3 Sampling point configuration and other requirements are as provided in Council's Land Development and Subdivision Code of Practice and the Building Regulations 1992 Schedule 1 (New Zealand Building Code).
- 8.2.4 The Operator is responsible for all reasonable costs.

B.9 Trade Waste Pre-treatment

B.9.1 Pre-treatment Requirements and Guidelines

9.1.1 A number of these other categories will include for conditional Consent Discharges where that Discharge is greater than 5,000 L/day and/or exceeds the permitted Discharge criteria in Schedule A of this Administration Manual.

Type of business activity	Risk to the waste water network	Pr	e-treatment required
Food premises	 FOG can clog the sewer network Risk to the Wastewater treatment plant – toxic waste and waste with a high nutrient load is more difficult to treat and requires additional aeration Emerging contaminants in cleaning chemicals pose a risk to the receiving environment and biosolids 	•	Grease trap Sink screens
Dentists	Amalgam from fillings contaminate the biosolids and should be recycled	•	Amalgam trap
Hairdressers	Hair can tangle around pumps in the pump station and assist in causing sewer blockages that can lead to sewer overflows	•	Sink screens

Table 1 - Trade Waste Discharges – Risks to the Public Wastewater System and Pretreatment Requirements and Guidelines

Medical Facilities	 Risk to the Wastewater treatment plant – toxic waste is more difficult to treat and requires additional aeration Emerging contaminants in cleaning chemicals pose a risk to the receiving environment and biosolids 	•	Sink screens and plaster arrestors
Car/truck washes	 Hydrocarbons/grit High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Emerging contaminants in cleaning chemical pose a risk to the receiving environment and contaminate the biosolids Solvents and used oil pose a risk to the Public Wastewater System if not stored correctly and requires to be collected for recycling purposes 	•	Oil/grit Interceptor
Automotive/mechanical	 Hydrocarbons, oil and other solvents Solvents and used oil pose a risk to the Public Wastewater System if not stored correctly and requires to be collected for recycling purposes 	•	Oil / water interceptors
Laundries	 High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Emerging contaminants, i.e. surfactants in washing powder and microfibres from fabrics pose a risk to the receiving environment and contaminate the biosolids 	•	Lint screens
Septic tank waste	 Toxic waste can have a detrimental impact on the microbes that break down the waste in the wastewater treatment plant. 	•	Management of septic tanks
Funeral Homes	 Wastewater from embalming process can be tapu and must be disposed of in alignment with cultural values of local lwi 	• •	Rakahore channel Education Cleaner Productior Initiatives
Laboratories	 Risk to the wastewater treatment plant – toxic waste is more difficult to treat and requires additional aeration Emerging contaminants in chemicals pose a risk to the receiving environment and biosolids 	•	Disposal of toxic substances by othe means (not into the Public Wastewater System) Proper managemen of mixing of substances when disposing
Hotels	 High instances of inappropriate substances being flushed into toilets. High loading on system which must be accounted for. High loading from swimming pools, restaurants and on-site laundry services must be managed according to the Bylaw and this Admin manual 	•	Management of guests and wastewater system Flow control for Discharges from swimming pool backwashes

		•	Grease traps (for restaurants) Lint screens (for laundries)
Swimming pools	 High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Diatomaceous Earth 	•	Flow control for Discharges from swimming pool backwashes Settling tank

B.10 Cleaner Production

B.10.1 Cleaner Production Guidelines

- 10.1.1 Cleaner Production should, at a minimum, address the following:
 - a) an overall approach to pollution prevention;
 - b) the effective use of water;
 - c) opportunities for reducing the contamination potential of Wastewater and Trade Waste constituents that enter the Public Wastewater System (for example, by using alternative chemicals that are less toxic, point source separation and reuse/recycling of Trade Waste streams);
 - the effectiveness of material use and processes (by employing methodologies to minimise waste and the unnecessary consumption of materials, including water conservation);
 - e) the provision of Pre-treatment works to prevent Trade Waste containing Culturally Offensive Characteristics from entering the Public Wastewater System;
 - f) continuing efforts to educate site staff around the importance of water to Māori to and adoption of te mana me te mauri o te wai concepts;
 - g) consideration of, and where appropriate, adoption of, innovative solutions; and
 - h) the practice of good housekeeping (to prevent spoilage and contamination due to poor handling or storage).

Part C - Wastewater

These provisions supplement those in Part A "Requirements Common to all Water Services" (of this Administration Manual and the Bylaw) and Part C "Wastewater" of the Bylaw.

C.1 Discharge of Wastewater to the Public Wastewater System

C.1.1 Acceptable and Prohibited Characteristics

- 1.1.1 Wastewater Discharged to the Public Wastewater System must not exceed the contaminant limits in Schedule A of this Administration Manual.
- 1.1.2 Wastewater with the prohibited Characteristics in Schedule B of this Administration Manual must not be Discharged to the Public Wastewater System.

C.1.2 Domestic Swimming Pools and Spa Pool Water

- 1.2.1 Filter backwash water from a domestic swimming pool or spa pool draining facility must be Discharged to the Public Wastewater System.
- 1.2.2 Water from a swimming pool and spa pool, other than filter backwash water, may only be Discharged to the Public Wastewater System once the residual chorine level is less than 0.5 ppm and only in quantities associated with a standard backwash of filters.

- 1.2.3 If the reason for Discharge is due to a chemical imbalance, i.e. a pH<6 or >9, then the Council must be consulted before the Discharge occurs.
- 1.2.4 All Discharges other than backwash must be made after 8pm and before 7am. Discharges outside of the stipulated time requires Council approval. Council reserves the right to limit the rate and timing of the Discharge.
- 1.2.5 Discharges are not allowed less than two days after a rain event.

C.1.3 Campervan / Motorhome Wastewater

1.3.1 All campervan/motor home and similar Domestic Wastewater must be properly disposed of at a designated Dump Station facility.

C.1.4 Impervious yard run off

- 1.4.1 For large impervious areas, the provisions in the Council's Land Development and Subdivision Code of Practice will apply and specific provision will be made for a permanent barrier which will prevent water from outside the confines of the facility from entering the Public Wastewater System.
- 1.4.2 Where it is impractical to cover a large impervious area, consideration will be given to a system which detains run-off from the first flush for ultimate disposal to the Public Wastewater System, with subsequent run-off disposal as uncontaminated Stormwater into the Public Stormwater Network.

C.1.5 Cleaner Production

1.5.1 The principles and practices of Cleaner Production as may be appropriate to a Domestic Wastewater Discharge apply where appropriate.

C.2 Point of Discharge

C.2.1 Single Ownership

- 2.1.1 For single dwelling units the Point of Discharge is located 0.5 meters outside to the boundary as shown in Schedule D of this Administration Manual or as close as possible where fences, walls or other permanent structures make it difficult to locate it at the required position. The Approval of other positions must be by the Council and recorded on the drainage plan
- 2.1.2 Where a Private Drain Discharges into a public sewer on that same Premises, the Point of Discharge is the upstream end of the pipe fitting which forms the junction with the public sewer, as shown in Schedule D of this Administration Manual.

C.2.2 Multiple Ownership

- 2.2.1 The Point of Discharge for the different forms of multiple ownership of Premises and/or land is as follows:
 - a) For company share/block scheme (body corporate) as for single ownership;
 - b) For leasehold/tenancy in common scheme (cross lease), Strata Title, and Unit Title (body corporate). Where practicable each owner must have an individual drain with the Point of Discharge determined by agreement with the Council. If not practicable there must be a common private drain which must be incorporated as an additional provision in the lease agreement. In specific cases other arrangements will be acceptable subject to individual Approval.
- 2.2.2 Each Owner's Point of Discharge must be approved by the Council and recorded on the drainage plan. Other arrangements will be considered only where there are advantages to the Council.

C.2.3 Common Private Drains

2.3.1 Common Private Drains are not preferred, but may be approved on exceptional circumstances on application.

Schedule A Permitted Discharge Characteristics

The nature and levels of the Characteristics of any Trade Waste and Wastewater Discharged to the Council's Public Wastewater Network System must comply at all times with the following requirements, except where the nature and levels of such Characteristics are varied by Council Approval as part of a Consent to Discharge a Trade Waste.

Physical Characteristics



Bylaw Requirements	Commentary from NZ Standard 9201: 2004 Part 23 Model General Bylaws – Trade Waste
Flow	
The 24-hour flow volume must be less than 5,000 L (5 m ³). The maximum instantaneous flow rate must be less than 2.0L/s.	Flows larger than the Guideline values should be Conditional Trade Waste Consent. Conditional Consents will be dependent on the Contaminant concentration/mass load.
Temperature	·
The temperature must not exceed 40 °C.	 Higher temperatures: Cause increased damage to Sewer structures; Increase the potential for anaerobic conditions to form in the Wastewater; Promote the release of gases such as H₂S and NH₃ (can adversely affect the safety of operations and maintenance personnel); and Reflect poor energy efficiency. It should be noted that this temperature has been

SolidsNon-faecal gross solids must have a maximum dimension that must not exceed 15 mm.The suspended solids content of any Trade Waste must have a Maximum concentration that must not exceed 2000 g/m³. For significant industry this may be reduced to 600 g/m³.The settleable solids content of any Trade Waste must not exceed 50mL/L.The total dissolved solids concentration in any Trade Waste must be subject to the approval of QLDC, having regard to the volume of the waste to be Discharged, and the suitability of the Public Wastewater System and the wastewater treatment plant to accept such waste.At no time must the sediment layer in any trap exceed 20% of the depth or volume of the trap.Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of Wastewater in the Public Wastewater System or wastewater treatment plant must not be present.	reduced from 50°C to come into line with the ARMCANZ/ANZECC Guidelines for Sewerage systems. A lower maximum temperature may be require for large volume Discharges. Gross solids can cause Sewer blockages. In case of Conditional Consents, fine screening may be appropriate. High suspended solids contents can cause Sewer blockages and overload the treatment processes. Where potential for such problems is confirmed, a lower limit appropriate to the risk may be set. A lower limit may be set between 600 g/m ³ and 2000 g/m ³ . The ANZECC Guidelines recommend a limit of 600 g/m ³ . High total dissolved solids reduce effluent disposal options and may contribute to soil salinity. Where potential for such problems exists, a limit of 10,000 g/m ³ may be used as a guideline.
Oil and Grease	
There must be no free or floating layer. Fat, oil or grease must not exceed 100 g/m ³ . At no time must the fat, oil or grease layer exceed 20% of the depth or volume of the trap	Oil and grease can cause Sewer blockages, may adversely affect the treatment process, and may impair the aesthetics of the receiving water. Where the Wastewater treatment plant Discharges to a sensitive receiving water, lower values should be considered.
	If the Council only has screening and/or primary treatment prior to Discharge, it is recommended that oil and grease be reduced to 100 g/m ³ . If quick break detergents are being used, it should be ensured that proper separation systems are being used by the Consent Holder. If not, oil will reappear in drainage systems as a free layer.

Solvents and other liquids	
There must be no free layer (whether floating or settled) of solvents or organic liquids.	Some organic liquids are denser than water and will settle in Sewers and traps.
Emulsions of paint, latex, adhesive, rubb	per, plastic
Where such emulsions are not treatable these may be Discharged into the Public Wastewater System subject to the total suspended solids not exceeding 1000 g/m3 or the concentration agreed with the Council.	'Treatable' in relation to emulsion Wastewater, means the Total Organic Carbon content of the waste decreases by 90% or more when the Wastewater is subjected to a simulated Wastewater treatment process that matches the Council treatment system.
The Council may determine that the need exists for Pre-treatment of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the wastewater treatment plant, e.g. reduces % UVT (ultra violet transmission).	Emulsions vary considerably in their properties and local treatment works may need additional restrictions depending on the experience of the specific treatment plant and the quantity of emulsion to be treated. Emulsion may colour the Council wastewater
Such emulsions of both treatable and non-treatable types, must be Discharged to the Public Wastewater System only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the Public Wastewater System.	treatment plant influent such that % UVT is unacceptably reduced. Emulsions will coagulate when unstable and can sometimes cause Sewer blockage. Emulsions are stable when dilute or in the correct pH range.
Radioactivity	
Radioactivity levels must not exceed, the Office of Radiation Safety Code of Practice CSPI for the use of Unsealed Radioactive Material.	Refer Office of Radiation Safety Code of Practice (as referenced) for the use of unsealed radioactive materials NRL C1
Colour	
No waste must have colour or a colouring substance that causes the Discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the Council's ability to comply with its legal requirements.	Colour may cause aesthetic impairment of receiving waters, and adverse effects on ultra- violet disinfection. Where potential for such problems exists, a level of colour that is rendered not noticeable after 100 dilutions may be used as a Guideline. Where UV disinfection is used special conditions may apply.

Chemical Characteristics

Table 3 - Chemical Characteristics

Bylaw Requirements	Commentary from NZ Standard 9201: 2004 Part 23 Model General Bylaws – Trade Waste		
pH value			
The pH must be between 6.0 and 10.0 at all times.	 Extremes in pH: Can adversely affect biological treatment processes; Can adversely affect the safety of operations and/or maintenance personnel; Cause corrosion of Sewer structures; and 		

	 Increase the potential for the release of toxic gases such as H2S and HCN.
	Relaxation of these limits to 5.5 and 11.0 is acceptable for low pressure Premises which Discharge into a large flow. Significant industries may need to be restricted to limits between 6.0 and 9.0.
Organic Strength	
Where there is no Council treatment system for organic removal the BOD5 must not exceed 1000 g/m ³ . For significant industry this may be reduced to 600 g/m ³ .	The loading on a treatment plant is affected by Biochemical Oxygen Demand BOD5 rather than Chemical Oxygen Demand (COD). For any particular waste type there is a fixed ratio between COD and BOD5. For Domestic Wastewater it is about 2.5:1 (COD: BOD5), but can range from 1:1 to 100:1 for Trade Waste. Therefore BOD5 is important for the treatment process and charging, but because of the time taken for testing, it is often preferable to use COD for monitoring.
	However, the use of COD testing must be balanced by the possible environmental effects of undertaking such tests due to the production of chromium and mercury wastes. Where a consistent relationship between BOD5 and COD can be established the Discharge may be monitored using the COD test. If the treatment plant BOD5 capacity is not limited, and sulphides are unlikely to cause problems, there may be no need to limit BOD5.
	High COD may increase the potential for the generation of sulphides in the Wastewater.
	A BOD5 limit which is too stringent may require
Maximum concentrations	
The Maximum concentrations permissible for the chemical characteristics of an Acceptable Discharge are set out in the following tables: Table 4 Table 5 Table 6	Where appropriate, maximum daily limits (kg/day) for Mass limit Permitted Discharges may also be given.

Table 4 – General Chemical Characteristics

Characteristic	Maximum concentration (g/m ³)	Mass Limits (kg/day)	Reason for limit
MBAS (Methylene blue active substances)	500	1.5	MBAS is a measure of anionic surfactants. High MBAS can:
			Adversely affect the

2

			 efficiency of activated Wastewater sludge plants; and Impair the aesthetics of receiving waters. For Wastewater treatment plants that suffer from the effects of surfactants the Maximum Concentration could be reduced significantly, e.g. Sydney Water utilize a level of 100 g/m3.
Ammonia (measured as	N)	<u> </u>	High ammonia:
Free ammonia (measured as ammoniacal nitrogen)	50	0.25	 May adversely affect the safety of operations and
Ammonium salts	200	1.0	 maintenance personnel; and May significantly contribute to the nutrient load to the receiving environment.
Kjeldahl nitrogen	150	1.0	High Kjeldahl nitrogen may significantly contribute to the nutrient load of the receiving environment. A value of 50 g/m3 should be used as a guideline for sensitive receiving waters.
Total phosphorus (as P)	50	0.75	High phosphorus nitrogen may significantly contribute to the nutrient load of the receiving environment. A value of 10 g/m3 should be used as a guideline for sensitive receiving waters.
Sulphate (measured as SO4)	500 1500 (with good mixing)	2.5	 Sulphate: May adversely affect the Public Wastewater System; and May increase the potential for the generation of sulphides in the Wastewater if the Public Wastewater System is prone to becoming anaerobic.
Sulphite (measured as SO2)	15	0.075	Sulphite has potential to release SO2 gas and thus adversely affect the safety of operations and maintenance personnel.

	1	1	1
Sulphide—as H2S on acidification	5	0.025	It is a strong reducing agent and removes dissolved oxygen thereby increasing the potential for anaerobic conditions to form in the Wastewater. Sulphides in Wastewater may:
			 Cause corrosion of the Public Wastewater System, particularly the top non- wetted part of a Sewer; Generate odours in Sewers which could cause public nuisance; and Release the toxic H2S gas that could adversely affect the safety of operations and maintenance personnel. Under some of the conditions above sulphide should be <2.0 g/m3.
Chlorine (measured as Cl2) Free chlorine Hypochlorite	3 30	0.015 0.15	 Chlorine: Can adversely affect the safety of operations and maintenance personnel; and Can cause corrosion of the Public Wastewater System. ARMCANZ/ANZECC Guidelines for sewerage systems utilise a figure of 10 g/m3.
Dissolved aluminium	100	1.5	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate on a scale that may cause a Sewer blockage.
Dissolved iron	100	1.5	Iron salts may precipitate and cause a Sewer blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Boron (as B)	25	0.125	Boron is not removed by conventional treatment. High

			concentration in Wastewater may restrict irrigation applications. Final Wastewater use and limits should be taken into account.
Bromine (as Br2)	5	0.025	High concentrations of bromine may adversely affect the safety of operations and maintenance personnel.
Fluoride (as F)	30	0.15	Fluoride is not removed by conventional Wastewater treatment, however Pre- treatment can easily and economically reduce concentrations to below 20 g/m3.
Cyanide — weak acid dissociable (as CN)	5	0.005	Cyanide may produce toxic atmosphere in the Sewer and adversely affect the safety of operations and maintenance personnel.

Table 5 – Heavy Metals

Metal	Maximum concentration (g/m ³)	Mass Limits (kg/day)	Metal	Maximum concentration (g/m ³)	Mass Limits (kg/day)
Antimony	10.0	0.025	Manganese	10.0	0.025
Arsenic	5.0	0.025	Mercury	0.05	0.0001
Barium	10.0	0.025	Molybdenum	10.0	0.025
Beryllium	0.005	0.0001	Nickel	10.0	0.050
Cadmium	0.5	0.001	Selenium	10.0	0.025
Chromium	5.0	0.050	Silver	2.0	0.010
Cobalt	10.0	0.025	Thallium	10.0	0.025
Copper	10.0	0.050	Tin	10.0	0.025
Lead	10.0	0.025	Zinc	10.0	0.050
Lead	10.0	0.020	ZINC	10.0	0.050

Note:

Heavy metals have the potential to:

- Impair the treatment process;
- Impact on the receiving environment; and
- Limit their use of Wastewater sludge and effluent.

Where any of these factors are critical it is important that local acceptance limits should be developed.

The concentration of chromium includes all valent forms of the element. Chromium (VI) is considered to be more toxic than chromium (III), and for a Discharge where chromium (III) makes up a large proportion of the characteristic, higher concentration limits may be acceptable. Specialist advice should be sought.

Metals will be tested as total, not dissolved. If sludge is used as a biosolid then metal concentration/mass are important such that the biosolids Guidelines are met.

Compound	Maximum concentration (g/m ³)	Mass Limits (kg/day)	Reason for limit
Formaldehyde (as HCHO)	50	0.25	Formaldehyde in the Sewer atmosphere can adversely affect the safety of operations and maintenance personnel.
Phenolic compounds (as phenols) excluding chlorinated phenols	50	0.25	Phenols may adversely affect biological treatment processes. They may not be completely removed by conventional treatment and subsequently impact on the environment.
Chlorinated phenols	0.02	0.001	Chlorinated phenols can adversely affect biological treatment process and impair the quality of the receiving environment.
Petroleum hydrocarbons	30	0.15	Petroleum hydrocarbons may adversely affect the safety of operations and maintenance personnel.
Halogenated aliphatic compounds	1	0.001	 Because of their stability and chemical properties these compounds may: Adversely affect the treatment process; Impair the quality of the receiving environment; and Adversely affect the safety of operations and maintenance personnel.
Monocyclic aromatic hydrocarbons	5	0.025	These compounds (also known as benzeneseries) are relatively insoluble in water, and are normally not a problem in Trade Waste. They may be carcinogenic and may adversely affect the safety of operations maintenance personnel.
Polycyclic (or polynuclear) aromatic hydrocarbons	0.05	0.001	Many of these substances have been demonstrated to have an

Table 6 – Organic compounds and pesticides

(PAHs) Including specifically: dibenzo [a,h] anthracene benzo [a] anthracene benzo[a] pyrene benzo [b] fluoranthene benzo [k] fluoranthene chrysene indeno [a,2,3-cd] pyrene			adverse effect on the health of animals. Some are also persistent and are not degraded by conventional treatment processes.
Halogenated aromatic hydrocarbons (HAHs)	0.002	0.0001	Because of their stability, persistence and ability to bioaccumulate in animal tissue these compounds have been severely restricted by health and environmental Regulators.
Polychlorinated biphenyls (PCBs) Polybrominated biphenyls (PBBs) Including specifically the following congeners using the IUPAC nomenclature: PCB-28 PCB-52 PCB-77 PCB-81 PCB-52 PCB-77 PCB-81 PCB-101PCB- 105 PCB-114 PCB-118 PCB-123 PCB-126 PCB- 138 PCB-153 PCB-156 PCB-157 PCB- 167 PCB-169 PCB-180 PCB-189	0.002	0.0001	Because of their stability, persistence and ability to bioaccumulate in animal tissue these compounds have been severely restricted by health and environmental Regulators.
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.002 each 0.2 in total	0.0001	 Pesticides: May adversely affect the treatment processes; May impair the quality of the receiving environment; and May adversely affect the safety of operations and maintenance personnel.
Organophosphate pesticides excludes pesticides not registered for use in New Zealand. These compounds must be accepted up to the given maximum concentration only when specifically Approved.	0.1	0.0001	

Inhibitor Chemicals

No waste being diluted at a ratio of 100 to 1 of Wastewater may inhibit the performance of the Wastewater treatment process, such that the Council is significantly at risk, or prevented from achieving its environmental statutory requirements.

After dilution with de-chlorinated water, at a ratio of 15 to 1 of Wastewater, a Discharge which has an acute result when subjected to the Whole Effluent Toxicity Testing, will be deemed to have inhibitory chemicals. Whole Effluent Toxicity Testing will be undertaken using organisms selected by Council.

Schedule B Prohibited Discharge Characteristics

SB.1 Prohibited Effects

Any Discharge has prohibited Characteristics if it has any solid, liquid or gaseous matters, or any combination or mixture of such matters, which by themselves or in combination with any other matters, will immediately or in the course of time:

- a) interfere with the free flow of Wastewater in the Public Wastewater System;
- b) damage any part of the Public Wastewater System;
- c) in any way, directly or indirectly, cause the quality of the treated Wastewater or residual biosolids and other solids from any Wastewater treatment plant in the catchment to which the waste was Discharged to breach the conditions of a consent issued under the Resource Management Act 1991, or water right, permit or other governing legislation;
- d) prejudice the occupational health and safety risks faced by Wastewater workers;
- e) after treatment be toxic to fish, animals or plant life in the receiving waters;
- f) cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a Nuisance; or
- g) have a colour or colouring substance that causes the Discharge from any Wastewater treatment plant to receiving waters to be coloured.

SB.2 Prohibited Characteristics

The Discharge has a prohibited Characteristic if it has any amount of:

- a) harmful solids, including dry solid wastes and materials that combine with water to form a cemented mass;
- b) liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule A of this Bylaw), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with Wastewater;
- c) asbestos;
- d) the following organo-metal compounds;
 - i. Tin (as tributyl tin and other organotin compounds);
 - ii. Any organochlorine pesticides;
 - Genetic wastes, as follows: All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the HSNO. The material concerned may be from Premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
 - iv. Any health care waste prohibited for Discharge to the Public Wastewater Systemby NZS 4304 or any pathological or histological wastes; or
 - v. radioactivity levels in excess of the National Radiation Laboratory Guidelines;
- e) cytotoxic waste, liquid antibiotics or any pharmaceutical waste;
- f) perfluorooctane sulfonate (PFOS), Perfluorooctanoic acid (PFOA), Perfluorooctanoic sulfonic acid (PFHxS)

Advice Note - Substance Mass limit yet to be determined

- g) flushable wipes
- h) Construction Debris

Prohibited Tanker Waste Streams:

- a) Grease waste
- b) Oil Interceptor Waste

Schedule C Fees and Charges – Methodology

Trade waste charging mechanism - methodology

The Trade Waste Charging Model is designed to be a true user pays mechanism for industrial and commercial Dischargers to the Public Wastewater System (including the Wastewater treatment plant). The following parameters are used to allocate charges:

- Average daily flow (m³/d)
- Peak instantaneous flow (I/s)
- Five day Biochemical Oxygen Demand (BOD₅) (mg/l)
- Chemical Oxygen Demand (COD) (mg/l)
- Suspended Solids (SS) (mg/l)
- Total Kjeldahl Nitrogen (TKN) (mg/l)
- Fat Oil & Grease (FOG) (mg/l)

Major Dischargers – Monthly Billing

The charges are based on the share of each parameter contributed by each major Discharger. Capital repayments and depreciation costs are assessed separately from operating costs. Operating cost charges are based on the actual monthly Discharge of each Operator. The capital charges are based on the reserved peak requested for each parameter by each Operator on a yearly basis.

The Public Wastewater System and Wastewater treatment plant are split into cost centres on the basis of how capital and operating costs are dependent on the measured parameters of the Wastewater. For example, the capital cost of screening is determined predominantly by the peak flow rate it must deal, with a small dependency on the amount of suspended solids loaded to it. The operating costs of screening are determined by the average daily flow and the amount of suspended solids in the Wastewater. Other parameters such as BOD₅, TKN etc. are not part of the charge assessment for that cost centre as they do not affect operation of the screens.

Capital and depreciation repayments and operating costs are split across the cost centres either directly or as a proportion for more general costs such as security and automation & control. Proportions of relevant parameters were allocated to each cost centre by a panel of expert Council Officers using a 5-scale rating system.

The amount a Discharger pays towards a single cost centre is based on their share of each relevant parameter compared to the total of that parameter for that cost centre. The resulting charges for each are then added to give the total capital or operating cost parameter for the relevant Operator. Operators are not charged for parts of the council Wastewater assets that they do not use.

Minor Dischargers – Quarterly/Annual Billing

Minor Dischargers will be charged a flat fee based on the costs of the commercial sector calculated by the model, and apportioned based on flow.

A small-scale Discharger on a fixed value may only pay quarterly or annually according to

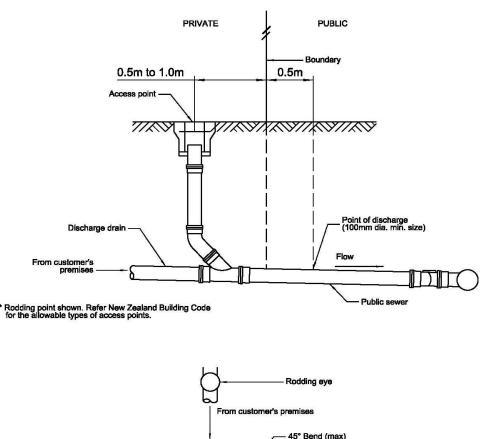
their preference.

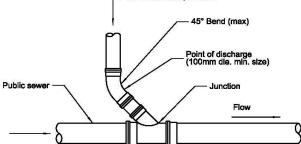
Administrative Charges

Fees and charges are reviewed and set annually by Council as part of its Annual Plan process and can be found at <u>https://www.napier.govt.nz/our-council/fees-and-costs/current/</u> under 'Wastewater'.

Schedule D Point of Discharge

LAYOUT AT POINT OF DISCHARGE

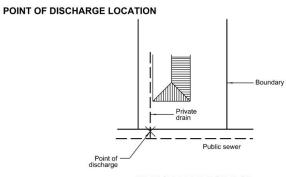


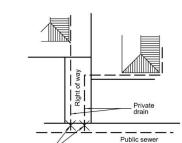


PLAN VIEW

DOMESTIC DISCHARGE TO PUBLIC SEWER ON PRIVATE LAND

Figure 1 - Layout at Point of Discharge

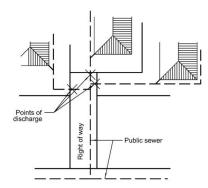






REAR LOTS ON RIGHT OF WAY (up to 2 customers)

Points of discharge



REAR LOTS ON RIGHT OF WAY (up to 3 customers)

Figure 2 – Point of Discharge Location

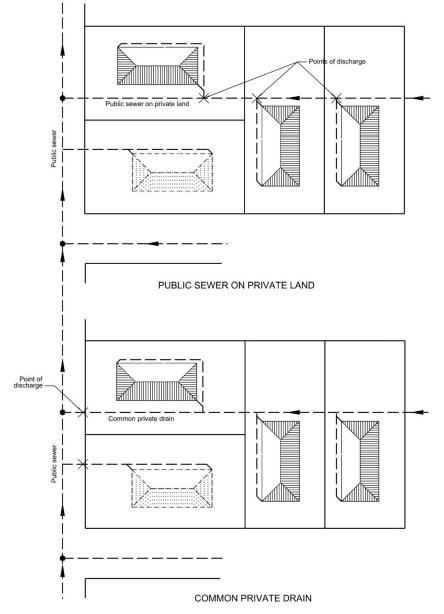


Figure 3 – Public Sewer on Private Land and Common Private Drain

Trade Waste Bylaw Review – Gap Analysis Report

Introduction

Purpose of Gap Analysis

This report presents findings on the operation of the Napier City Council's (**the Council**) Trade Waste Bylaw 2014 (**Bylaw**).

The Bylaw was adopted on 16 December 2015 and came into force on 23 December 2015. The Bylaw will be automatically revoked in December 2022 in accordance with s 160A of the Local Government Act 2002 (**LGA**), therefore the Council is now required to replace the Bylaw with a new bylaw addressing trade waste issues in the City.

Given that trade waste is discharged into the wastewater system, the Council has also considered the advantages of incorporating the Wastewater Bylaw (which is also due to be replaced) and this Bylaw into one comprehensive document will allow council to take an integrated and consistent approach to the management of its network.

Scope of the Gap Analysis

The gap analysis covers the Bylaw but not the Wastewater Bylaw. A separate report covers the gap analysis for the Wastewater Bylaw. Problems with the current Bylaw have been identified and options are discussed at the end of the report.

Background

Wastewater is the liquid waste that has water as the largest component, along with various types of impurities like human waste and used water from premises including houses, offices, factories, schools, hospitals, and industrial sites. The discharges from industrial sites that contain used water, solids (except that from toilets or bathrooms) and chemicals are called trade waste.

Trade waste is any liquid that is discharged from a business process or trade premises to the wastewater network.

Trade waste comprises a significant part of the wastewater that is conveyed, treated and discharged into Hawke Bay by the Council, both in terms of volume and loads of contaminants, which are detrimental to the environment and can damage infrastructure. Industries contributing significantly to trade waste in Napier include meatworks, tanneries, rendering plants, wool industries, juice/beer/wine manufacturing, meat and fish processing, galvanizing, fat processing, swimming pools and car washes.

Trade waste is regulated differently to domestic wastewater. This is because compared to domestic wastewater, trade waste may contain higher concentrations of substances which could harm people's health or the environment, corrode and/or block wastewater pipes and other wastewater facilities, create odours or place extra demands on the City's wastewater treatment plant and result in non-compliance with the Council's own discharge consent. Some

trade waste is separated from the domestic streams and undergoes less treatment at the Council facility, so must be pre-treated if it contains high levels of contaminants.

Although approximately 20% of the flow through the Council's Wastewater Treatment Plant (WWTP) comes from industries, the loading of contaminants attributable to trade waste relative to domestic waste is at a much higher proportion.

The current bylaw includes a consenting regime for premises discharging trade waste to the Council network. Parts 3 and 4 of the current Bylaw outline how the council will consider applications for consent and the conditions that may be imposed on the consent holder, especially for "conditional" trade waste discharges. It is proposed that the new Bylaw should also incorporate a consenting regime, but that this should be improved to incorporate a wider range of businesses / industries and to include a charging system that fairly recovers costs from industries for use of the network.

The Bylaw

The purpose of the current Bylaw is to:

- Protect the water quality in Hawke's Bay.
- Give effect to the Council's obligations under National Environmental Standards and Regional Plan rules, and achieve compliance with the Council's resource consents to discharge wastewater into the environment.
- Protect the health, safety and wellbeing of people within the Napier district.
- Ensure that the Council can meet its obligations under the Resource Management Act 1991 (RMA) and the LGA.
- Protect the wastewater network (including the treatment plant) from substances that have a detrimental effect on its operation and asset life.
- Optimise the capacity of the Council's wastewater infrastructure and treatment assets.
- Ensure compliance with the Council's resource consent conditions.
- Provide a basis for monitoring discharges from industrial and trade premises.
- Encourage waste minimisation, cleaner production and water conservation.
- Allow for fair cost recovery from industries for use of the network.
- Achieve a holistic and efficient approach to regulating the wastewater network.

These purposes are consistent with the objectives in the New Zealand Model General Bylaws NZS9201: Part 23:2004 (referred to below).

Protecting the Wastewater Infrastructure

The Bylaw helps to protect the pipes, pumps, and all other assets which are crucial for removing, conveying and treating wastewater. This assists in avoiding blockages, overflows and failures which could cause pollution of the Ahuriri Estuary and is a priority for the community. Managing this system better may also result in a significant reduction in maintenance costs (e.g. a reduction in the time drainage staff spend flushing CBD sewers, which they currently do every weekend, and clearing blockages of industrial screens at the WWTP – often at weekends).

The WWTP is designed for a certain loading, and problems are caused when the different components are overloaded with certain contaminants.

Trade waste contaminants can have a detrimental effect on the microbial population of the plants resulting in effluent discharge from the treatment plant that does not comply with resource consent conditions, designed to protect the receiving environment. Once these microbes have been affected by toxic contaminants they may take several weeks to regain organic strength, i.e. Biological Oxygen Demand (BOD) and be able to treat wastewater to an acceptable level again.

Trade waste discharges that exceed the limits for BOD and fats oil and grease (FOG) may also have the following effect on the wastewater network:

- block wastewater pipes
- damage pumps
- cause odours and accelerated corrosion of the wastewater network
- overload treatment plants
- block milliscreens
- more costly to treat than domestic wastewater.

Type of business activity	Risk to the waste water network	Pr	e-treatment required
Food premises	 FOG can clog the sewer network Risk to the Wastewater treatment plant – toxic waste and waste with a high nutrient load is more difficult to treat and requires additional aeration Emerging contaminants in cleaning chemicals pose a risk to the receiving environment and biosolids 	•	Grease trap Sink screens
Dentists	Amalgam from fillings contaminate the biosolids and should be recycled	•	Amalgam trap
Hairdressers	Hair can tangle around pumps in the pump station and assist in causing sewer blockages that can lead to sewer overflows	•	Sink screens
Medical Facilities	 Risk to the Wastewater treatment plant – toxic waste is more difficult to treat and requires additional aeration Emerging contaminants in cleaning chemicals pose a risk to the receiving environment and biosolids 	•	Sink screens and plaster arrestors

The table below presents more information about businesses which are not currently consented under the Bylaw, the risks that they can pose to the wastewater network and the pre-treatment options available to minimise their impact.

Car/truck washes	 Hydrocarbons/grit High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Emerging contaminants in cleaning chemical pose a risk to the receiving environment and contaminate the biosolids Solvents and used oil pose a risk to the Public Wastewater System if not stored correctly and requires to be collected for recycling purposes 	•	Oil/grit Interceptor
	 Hydrocarbons, oil and other solvents Solvents and used oil pose a risk to the Public Wastewater System if not stored correctly and requires to be collected for recycling purposes 	•	interceptors
Laundries	 High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Emerging contaminants, i.e. surfactants in washing powder and microfibres from fabrics pose a risk to the receiving environment and contaminate the biosolids 	•	Lint screens
Septic tank waste	 Toxic waste can have a detrimental impact on the microbes that break down the waste in the wastewater treatment plant. 	•	Management of septic tanks
Funeral Homes	 Wastewater from embalming process can be tapu and must be disposed of in alignment with cultural values of local lwi 	•	Rakahore channel Education Cleaner Productior Initiatives
Laboratories	 Risk to the wastewater treatment plant – toxic waste is more difficult to treat and requires additional aeration Emerging contaminants in chemicals pose a risk to the receiving environment and biosolids 	•	Disposal of toxic substances by othe means (not into the Public Wastewater System) Proper managemer of mixing of substances when disposing
Hotels	 High instances of inappropriate substances being flushed into toilets. High loading on system which must be accounted for. High loading from swimming pools, restaurants and on-site laundry services must be managed according to the Bylaw and this Admin manual 	•	Management of guests and wastewater system Flow control for Discharges from swimming pool backwashes Grease traps (for restaurants) Lint screens (for laundries)
Swimming pools	 High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Diatomaceous Earth 	•	Flow control for Discharges from swimming pool backwashes Settling tank

Legislative Framework

Section 146(a) (iii) of the LGA gives the Council the power to make bylaws for the regulation of trade waste. Section 148 sets out the requirements for making bylaws relating to trade waste.

The RMA and associated regulations, including the National Policy Statement for Freshwater Management 2020 point to increasingly stringent water quality standards.

The National Policy Statement for Freshwater Management (NPSFM) introduces the concept of Te Mana o te Wai. This refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. The NPSFM 2020 directs the Hawkes's Bay Regional Council to establish objectives which describes how the management of freshwater in the region will give effect to Te Mana o te Wai.

The Hawke's Bay Regional Council's Regional Resources Management Plan (RMP) promotes the disposal of wastewater in a manner that avoids remedies or mitigates the adverse effects of contaminants entering surface waterbodies or coastal water, and includes standards and limits for the water quality of surface water bodies receiving contaminants, to prevent further degradation to water quality and promote improvements.

Napier City Council conveys, treats and discharges wastewater from the city into the Ocean, which is managed with a consent held with Hawke's Bay Regional Council. The *Coastal Permit to discharge domestic sewage and industrial waste water into Hawke Bay at Awatoto via a marine outfall (AUTH-118503-02)* contains various conditions which Council must comply with, including limits on contaminants and monitoring requirements at the outfall and in the wastewater treatment plans. The consent was initially granted in 2011 and granted by the Environment Court in 2012. It was reviewed in 2019 when QRMA conditions were added. It is due for renewal in 2036, but this may be brought forward if changes are made to the outfall pipe and pumping station.

The NZS 9201.23:2004 Model general bylaw - Trade waste provides a model for local authorities to use as the basis of a bylaw to regulate trade waste.

Problems with current trade waste management

In recent years, during monitoring and enforcement undertaken by Council officers, a number of problems with the current Bylaw have been identified:

 Limits are generic and only expressed in concentrations – this means that water conservation is currently penalised if it results in trade waste becoming more concentrated. It also means that there could be over-allocation of loading that the treatment plans can accept and that each discharge consent allows for. The lack of control over load allocations also makes it difficult for the Council to plan for peak loading times, seasonal variations and potential future upgrades.

- The bylaw currently provides no ability for the Council to have oversight of industries that, despite being lower risk may still adversely affect the network (i.e. those listed in the Table above). These may include industries whose contaminants are not measured or regulated yet, but may contain emerging contaminants (see section below).
- The main regulatory tool available to the Council is enforcement action, which has not been used to date, therefore confidence in the process is low. The fining provision has never been used and there are frequent breaches of trade waste consents with little consequences. The Council has preferred to take an educative approach rather than these heavy-handed options. Reasonable time periods have been granted to industries that need to improve pre-treatment, and the Covid-19 pandemic has also caused delays.
- Trade waste charges are low relative to the rest of New Zealand and the justification for these charges is unknown. It is very cheap to dump contaminants down the drain as trade waste and there are no real incentives to invest in better pre-treatment. It is likely that the Council is not accurately recovering the cost to convey and treat trade waste from businesses and therefore the ratepayers may be subsidising this. Businesses (that are not currently consent holders) in the same areas pay very similar or the same rates for wastewater, regardless of how much they discharge into the network, and how much Pre-treatment they do.Separate Bylaws control trade waste and wastewater, despite these waste streams both being managed by the same network and regulated by the same regional resource consent (CD090514Wa). The Wastewater Bylaw mostly duplicates information which is also covered in the Code of Practice. It is not considered to be an effective tool for regulating domestic wastewater and so is under-utilised.
- During heavy rainfall, the wastewater network can become inundated with rain water due to high levels of infiltration and inflow. In the short term, all flows into the wastewater network must be reduced as much as possible. Most industries reduce flows and even temporarily stop production when asked, but this needs to be mandated to help prevent serious flooding and damage to properties, both commercial and residential.

Additionally, a number of emergent issues have arisen that the Bylaw in its current form is ineffective at addressing, such as:

Emerging Organic Contaminants

While water quality investigations usually focus on nutrients, bacteria, heavy metals and priority contaminants (compounds with known health effects), recent research has identified the occurrence of many organic contaminants in wastewater that have impacted urban surface waters. These organic compounds are collectively referred to as Emerging Organic Contaminants (EOC's) and include compound classes, i.e. human and veterinary pharmaceuticals, hormones, antibiotics, surfactants, endocrine disruptors, x-ray contrast media, pesticides and metabolites, disinfectant byproducts and taste-and-odour compounds.

EOCs originate from products that that are used in relatively small amounts. However, as they are used by many differ individuals/businesses on multiple occasions, the cumulative amount released into the environment becomes significant.

EOCs are present in recently developed industrial compounds that have been newly introduced to the environment and other compounds that are commonly used, but their harmful eco-toxicological effects have only recently been determined. The toxic significance of these EOC's are difficult to assess and their accepted concentrations in drinking water and discharge limits for wastewater effluent have not yet been determined .

A recent paper by the Department of Internal Affairs has proposed that the current national water policy review set policy for EOC and related contaminants.

Besides discharges from chemical industries, the main source of EOCs released to the environment is from wastewater treatment plant effluents. A wide variety of EOCs are collected in the wastewater steam but not fully degraded and /or removed from the waste steam by traditional primary and secondary wastewater treatment systems. Biosolids and effluent from municipal wastewater treatment plants have been identified as the major source.

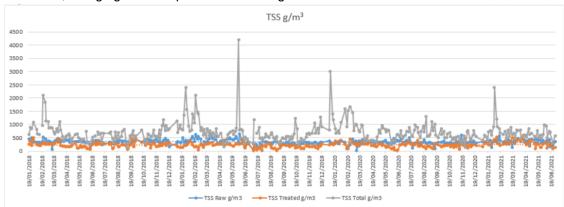
The Bylaw must allow for better regulation of EOCs to align with developments in the field.

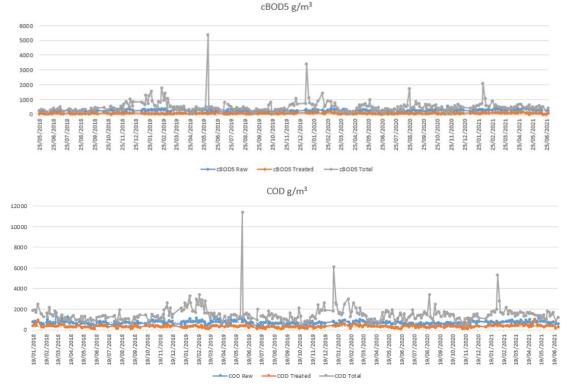
Consent Compliance

The Council holds a consent to discharge treated waste water into Hawke Bay from the Hawke's Bay Regional Council.

Shown below are graphs of Total Suspended Solids, carbonaceous Biochemical Oxygen Demand, and Chemical Oxygen Demand taken from the Napier City Council Waste Water Treatment Plant. 'Raw' denotes samples taken from the incoming effluent on the domestic line, 'Treated' denotes samples taken after the domestic stream has been treated by millicreen and Biological Trickling Filter, and 'Total' denotes the total combined stream of treated domestic plus industrial flows (currently only Awatoto industrial).

The difference between the Total line (grey) and the Treated line (orange) shows the contribution from Awatoto industries. It is clear that the peaks are coming from industrial flows. The Bylaw does not allow for sufficient management of this as no load limits are applied and provisions are not made for seasonal or daily peaks. A model being developed by consultants BPO would assist this, and the Bylaw must be simplified and allow for its use in allocation, charging and compliance monitoring.





SLR Consulting NZ Ltd have recently completed an independent performance review of the WWTP and noted the following key issues:

- The volume of wastewater being discharged is within consented limits, however the annual average amount of organic material (expressed as cBOD5) in what arrives at the Biological Trickling Filters, which treat the waste water by removing nutrients therefore reducing the cBOD5, exceeds consented limits.
- Industrial flows from the Awatoto Industrial Zone are contributing to this while the Pandora Trade Waste Pipe remains offline.
- Levels of ammonia and zinc in the wastewater are above consented limits.
- It is difficult to understand the exact source of these chemicals without testing every wastewater connection. However, the elevated ammonia and zinc likely comes from industrial sites in Pandora.
- The levels of suspended solids have consistently exceeded consented limits.
- The amount of FOG in the discharged wastewater occasionally exceeded consented limits.

More control over the quality of trade waste arriving at the WWTP will help to reduce these levels, but also allow the Council to assess whether any upgrades or expansion at the WWTP is required to meet consent conditions.

Pandora Industrial Pipeline

Trade waste from sites connected to the Pandora Industrial Pipeline is currently being diverted into the domestic stream as the pipe is blocked. Work is underway to unblock and recommission this pipeline, which will result in reduced treatment of this trade waste and may increase concentrations of the Total (grey line) levels on the graphs.

Various reports about the Pandora Industrial Pipeline by consultants Stantec in 2017 and then Beca in 2020 identify the need to improve the quality of trade waste being discharged into it. Control over trade waste quality and allocation of plant loading must be significantly improved before this pipeline is recommissioned to enable the Council to comply with its resource consent conditions.

Media Interest

Since July 2020, there has been considerable media interest in Trade Waste compliance, initially in Napier then on the wider national situation. The <u>first article</u> identified companies in Napier that had breached consent limits in the 12 months prior to the journalist's request. The <u>second article</u> focused on the whole of New Zealand, with data provided by 11 Councils initially, and more material was published after additional Councils released information due to involvement from the Ombudsman. The second RNZ article poses the question: "*How many have been slapped with fines?* This reply follows: *None. A legal loophole means Councils have no power to issue them, so are instead forced to take an "educative" approach with errant firms*". The issue with trade waste management is highlighted by spokespeople for the New Zealand Trade and Industrial Waters Forum, who claim that Bylaws and the legislation they sit under are not strong enough to properly enforce rules.

Liquid Waste (Tanker) Operators

A number of liquid waste (tanker) operators truck waste water and trade waste in Napier. Currently there is a paper docket tracking system at the WWTP but no information is taken or recorded about the contents of the loads being dumped. The septic tank disposal area discharges into the domestic stream and over the BTFs. There is risk that a tanker could dump a load that is toxic for the organisms in the BTFs and cause failure in the plant. There is also the risk that some operators are dumping illegally into areas of the network around the City. Service Requests have been received by the Council officers from members of the public observing suspicious behaviour of trucks. In other areas of the country, Liquid Waste Operators are issued their own trade waste consents and held responsible for the loads they convey and dump. There is also a national tracking system WasteTRACK, which ensures all tankers are code compliant and tracks their operations, introducing a level of automation for Council's monitoring. This allows better regulation and control, and helps to prevent illegal dumping which could cause issues in the waste water network or pollution events if dumped into stormwater.

Grease Traps

Industries and commercial properties that discharge high levels of fat, oil and grease (FOG) to the waste water network present significant risk of blockages and overflows. Currently, the CBD is flushed every weekend by the City Services Team to prevent build-up of fat bergs and potential overflows due to the fast build-up of high levels of FOG on a weekly basis. This presents significant cost to Council and significant risk to infrastructure and the environment. Premises discharging FOG should be classed in a trade waste category as pre-treatment is required, usually in the form of a grease trap. This would allow the Council more oversight and regulatory control, as well as the ability to recover costs incurred which does not currently happen. Grease traps must be correctly sized and maintained in order to work well, so

regulations, guidelines and monitoring is needed to prevent the Public Wastewater System being overloaded with these contaminants.

Early Consultation Completed

Industry – Current Consent Holders

Three workshops have been held in October 2021 with current consent holders to initiate conversations about prospective changes, including detail about the charging model that consultants BPO have been engaged to create. 18 attendees representing 16 sites holding current trade waste consents attended the workshops, with general agreement and support for the proposed changes. Some industries have previously voiced concerns about issues such as lack of incentives and rewards for good practise, lack of ability to allow for water conservation if trade waste is consequently concentrated, and inability to have large capital projects for pre-treatment upgrades approved due to the low trade waste charges.

Councillors

An introductory workshop was held with the Council Councillors on 5 October 2021. The topic of trade waste and high level issues with the current Bylaw were discussed. A paper was submitted to Nga Manukanuka o te Iwi (Māori Committee) on 30 September 2021, and presented on 25 February 2022.

A detailed workshop will be held with Councillors on the 17 March prior to the Sustainable Napier Committee meeting on 24 March 2022.

Mana whenua

The process of engagement with Māori groups began on 15th July 2021, when Te Waka Rangapu (the Council Māori Directorate) were briefed on the project and asked for assistance with consultation with all appropriate lwi and mana whenua groups. Another meeting was held on 6 October 2021, after the workshop with the Napier City Councillors to discuss potential attendance at a board meeting of Mana Ahuriri. A representative from Mana Ahuriri attended a meeting on 5 November 2021 and was briefed on the trade waste bylaw, trade waste management issues and potential changes. Members of Mana Ahuriri have been invited to the Awatoto Waste Water Treatment Plant with the date to be confirmed. Tapu waste water generated at funeral homes was discussed as a particular point of interest.

In March 2022 Te Waka Rangapu assisted with providing background information about the significance of water to Māori and how modern Wastewater management does not align with this. Through the Bylaw, Council can advocate for increased education around the cultural values of all water, and continuous improvement of Wastewater management to work towards better outcomes which incorporate 'te mana me te mauri o te wai'.

Funeral Homes

All four funeral homes in the City have been visited by the Council officers in an initial meeting to inform them that the Bylaw review was taking place, and collect some information about current practices at each site. Two out of three have Rakahore Channels installed and operational, containing blessed rocks which are intended to restore mauri (life force) back into the waste water as it passes over them. The third site indicated they would accept any new

regulations and do what was required to comply. One funeral home voiced concerns about the logistics of pumping trade waste into tanks to irrigate over ground. They argue this creates other cultural, logistical and financial problems.

The fourth funeral home, and the only one that is Māori owned and operated, does not currently embalm at their Napier site, but is looking to do so in future.

Council Communications

A member of the Council Communications Team has developed a Consultation Plan and assisted with all consultation. Documentation such as a one-pager and explanatory notes for the Council's Wastewater consent held with HBRC has been developed and circulated with relevant stakeholders.

Hawkes Bay Regional Council

Hawkes Bay Regional Council have had some minor involvement in trade waste management due to occasional high levels of contaminants at the WWTP, including cBOD, OAG, ammonia and Zinc. They have indicated that more control over trade waste quality is a requirement for the Council's ongoing compliance with their WW consent and obligations. A meeting was held with a representative from Hawkes Bay Regional Council on Thursday 28th October to update on the Bylaw review and progress with the charging model. It was indicated that in future, resource consents may have increased focus on nitrates and phosphates. It was agreed that HBRC would be kept involved and shown a copy of any reviewed Bylaw in draft.

Objectives and advantages of an Integrated Trade Waste and Wastewater Bylaw

It is considered that there are a wide range of advantages to taking an integrated approach to the regulation and management of trade waste and wastewater in the district. These include:

- Protection of the built environment in an integrated, sustainable and planned manner will provide for positive environmental, social, cultural and economic outcomes that will follow through to future generations.
- Provides a common framework that enables the council to control discharges into the wastewater network which ultimately protects the receiving environment, public health and those people working on the networks, as well as ensures an integrated approach to ensuring compliance with the Council's own discharge consent.
- Provides clear regulatory direction for council's role in decision making on what is discharged into the Council wastewater network, regardless of the source.
- Allows for a consistent approach across the district that will improve organisational efficiency that is effective and easily understood.
- Future bylaw reviews will take an overall holistic approach to any issues affecting the wastewater network.
- Ensures a consistent and holistic approach to the promotion of sustainable behaviours and activities including water conservation, waste minimisation, cleaner production and on-site pre-treatment of wastewater.
- Fosters education focused on the interaction between all types of wastewater discharges, the network, the natural water cycle and the receiving environment.

Recommended changes to the Bylaw

In light of the findings above, the following changes to the current Bylaw are recommended:

- Consolidation of the Trade Waste and Wastewater Bylaws
- Clear and robust definitions, and records kept of reasons for Bylaw conditions with intentions for rollout.
- A simplified Bylaw with detail in Administration Manual and trade waste consents
 - Review of trade waste classifications and the addition of a fourth category as follows:
 - Permitted (under flow and volume triggers, meets quality criteria without pretreatment)
 - Controlled (under flow and volume triggers, requires pre-treatment to meet quality criteria)
 - Conditional (over flow and volume triggers, may require pre-treatment to meet quality criteria)
 - Prohibited (contains any substances listed as prohibited)
- A clearer and simpler registration/application process
- A solution for cultural issues such as tapu trade waste from funeral homes through engagement with Mana Ahuriri, (which has begun with a meeting and presentation).
- Ability to refuse trade waste flows during emergencies (e.g. heavy rainfall, emergency maintenance)
- More technical detail to be contained in the Administration Manual and in trade waste consents, with a technical review of the current specifications in the Bylaw
- Review of charges and development of charging model
- Better regulation of FOGs and EOCs
- Ability to use asset, financial and monitoring data annually to calculate and control trade waste loadings and charges
- Potential to certify liquid waste operators (tankers and sucker trucks), issue consents and manage through WasteTRACK.

Administrative Manual

It is proposed that the Bylaw will be accompanied by an Administration Manual. The purpose of the Administration Manual is to provide material complementary to the integrated Trade Waste and Wastewater Bylaw by bringing together those aspects which are of a more administrative nature and which may need regular review and updating. For example, a schedule referenced in the bylaw outlining methods for the control of contaminants that is likely to need updating regularly or public guidance documents. In taking this approach, it will simplify the administration of the bylaw, allow for administrative and technical processes to be kept up to date, and assist in interpretation of the bylaw.

Management of the Administration Manual would be conducted under delegated authority of the Bylaw, and will govern the implementation and operation of the bylaw. The Administration Manual will be a public document and available on the council's website alongside the bylaw.

In addition to making the bylaw simpler and more streamlined, the inclusion of an Administration Manual is intended to make amendments simpler and more responsive to change. Amendments to the Administration Manual can be made by council resolution, with appropriate community engagement, and would not require the use of the Special Consultative Procedure, making decision-making more cost-effective and timely.

Charging model

- A charging model has been developed by consultants BPO, who are experienced in the trade waste industry. The charging model uses asset and financial data provided by Council to calculate the costs of specific parts of the network according to what it is affected by, and is designed to:
 - provide the real costs of treating major trade waste customers' waste;
 - provide positive feedback and reward customers that practice waste minimisation and/or waste pre-treatment;
 - provide operators with predictive charging options so that they can make intelligent decisions about the financial return of improvements to their discharge;
 - equitably charge for the use of the wastewater treatment plant and the associated infrastructure based on the discharger's share of the peak and average loads to the plant;
 - both incentivise waste reduction and is fair;
 - ensure operators pay for their share of the operating and capital cost of the wastewater treatment plant based on a sophisticated breakdown of the waste components and allocation of appropriate cost for the component's treatment; and
 - be issued as a "black box" to each industry allowing them to determine the benefit of any spend on waste minimisation.

It will allow for the allocation of loadings of certain contaminants the Council can accept at the WWTP and discharge in accordance with its resource consent. The most important change this will bring is financial incentive for businesses to comply with rules and improve pre-treatment.

Wastewater Drainage Bylaw Review – Gap Analysis Report

Introduction

enda

Purpose of Gap Analysis

This report presents findings on the operation of Napier City Council's (**the Council**) Wastewater Drainage 2014 (**Bylaw**).

The Bylaw was automatically revoked in December 2021 in accordance with s 160A of the Local Government Act 2002 (**LGA**), therefore the Council is now required to replace the Bylaw with a new bylaw addressing wastewater drainage issues in the City.

Given that both trade waste and wastewater are discharged into the wastewater system, the Council has considered the advantages of incorporating the Trade Waste Bylaw (which is also due to be replaced) and this Bylaw into one comprehensive document will allow the Council to take an integrated and consistent approach to the management of its network.

Scope of the Gap Analysis

This gap analysis covers the Bylaw but not the Trade Waste Bylaw. A separate report covers the gap analysis for the Trade Waste Bylaw. Problems with the Bylaw have been identified and options are discussed at the end of the report.

Background

Wastewater is the liquid waste that has water as the largest component, along with various types of impurities like human waste and used water from premises including houses, offices, factories, schools, hospitals, and industrial sites.

Domestic wastewater is generally comprised of toilet waste, household grey water (i.e. from kitchens, bathrooms and laundries) and waste from domestic pools and spa pools.

Liquid wastes produced by commercial and industrial businesses known as trade waste. Issues relating to trade waste are separately addressed by the Trade Waste Bylaw.

Rainwater is able to penetrate the wastewater network through manholes, inappropriately constructed drains and illegal connections which could cause the network to become hydraulically overloaded during heavy rain fall events and for overflows to occur.

Council's Wastewater Infrastructure

The Council's wastewater scheme serves 26,151 properties, roughly 97% of the population. The scheme comprises 392 km of wastewater mains, 49 wastewater pumping stations, a treatment facility located at Awatoto, and a 1.5km long marine outfall.

Approximately 64% of the network mains identified with condition rating from Moderate to Very Poor while approximately 73% percentage of pipe material belongs to non-plastic nature. Thus it is important to revise and implement the bylaw to achieve its purpose and objectives to sustain the operation and services as network protection and sustenance of operation is inevitable.

The current Bylaw

The purpose of the current Bylaw is to:

- · Prevent the misuse of the Council's wastewater drainage system;
- Ensure the protection of wastewater authority (WWA) personnel and the general public;
- Protect the ability of the WWA to meet the requirements of legislation;
- Protect investment in the existing and any future infrastructure, treatment plant and disposal facilities.

Compliance with the current Bylaw should be achieved through:

- Resource consenting
- During Building inspection and certification,
- Compliance; monitoring the quality/quantity of discharge into the network, and
- Enforcement systems.

However, in practice the Bylaw had proved challenging to implement and enforce, for reasons including that much of the information contained in the bylaw is duplicated in the Council's Subdivision Code of Practice and is therefore redundant.

Legislative Framework

The 1974 and 2002 Local Government Acts give the Council general powers for the management of council assets, including the wastewater network.

The RMA and associated regulations, including the National Policy Statement for Freshwater Management 2020 (NPSFM) point to increasingly stringent water quality standards. In particular, the NPSFM introduces the concept of Te Mana o te Wai. This refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. The NPSFM directs the Hawkes's Bay Regional Council to establish objectives which describes how the management of freshwater in the region will give effect to Te Mana o te Wai.

The Hawke's Bay Regional Council's Regional Resources Management Plan (RMP) promotes the disposal of wastewater in a manner that avoids remedies or mitigates the adverse effects of contaminants entering surface waterbodies or coastal water, and includes standards and limits for the water quality of surface water bodies receiving contaminants, to prevent further degradation to water quality and promote improvements.

The Council conveys, treats and discharges wastewater from the city into the Ocean, which is managed with a consent held with Hawke's Bay Regional Council.

The Coastal Permit to discharge domestic sewage and industrial waste water into Hawke Bay at Awatoto via a marine outfall (AUTH-118503-02) contains various conditions which Council must comply with, including limits on contaminants and monitoring requirements at the outfall and in the wastewater treatment plans. The consent was initially granted in 2011 and granted by the Environment Court in 2012. It was reviewed in 2019 when QRMA conditions were added. It is due for renewal in 2036, but this may be brought forward if changes are made to the outfall pipe and pumping station.

Problems with current wastewater drainage management

As a result of observations made by Three Waters staff during operations and strategic planning, a number of problems with the current Bylaw have been identified:

- The Bylaw does not clearly distinguish between trade waste that enters the separated trade waste network and trade waste that is able to enter the domestic wastewater network.
- The Bylaw currently treats a number of waste streams as stormwater that are more appropriately categorised as wastewater (including water generated from the draining of domestic swimming and spa pools).
- Cooling and condensing water should also be treated as wastewater and not discharged into the stormwater network. Any discharge from domestic activities which would be a breach of the Stormwater Bylaw (2020) should be considered to be allowed as a wastewater discharge, as long as it would not cause damage to the network or compromise Council's ability to comply with its resource consents.
- Large private networks such as those at the new retirement villages (Summerset, BUPA etc.) should be required to install flow meters and telemetry to allow Council to have better control over the network downstream and adequately plan for capacity and maintenance.
- The Bylaw is overly complicated and lengthy and is lacking a number of important defined terms.
- There is a need for the Council to push some responsibility upstream to the network users in order to ensure compliance with its consent, and to protect infrastructure in the network and at the wastewater treatment plans. This is in conjunction with operational monitoring of the plant and planned upgrades to meet development requirements and any new conditions imposed by HBRC when the consent is updated or renewed.
- Some of the defined terms used in the Bylaw require the reader to reference an external document (the Napier City Introductory Bylaw).
- Separate Bylaws control trade waste and wastewater, despite these waste streams both being managed by the same network and regulated by the same regional resource consent (CD090514Wa). The Wastewater Bylaw mostly duplicates information which is also covered in the Code of Practice. It is not considered to be an effective tool for regulating domestic wastewater and so is under-utilised.

Additionally, a number of emergent issues have arisen that the Bylaw in its current form is ineffective at addressing, such as:

- Regular overflows of the wastewater network. These require significant resources to attend and resolve, and are often caused by blockages. There is a risk that overflows will enter the stormwater network, which is a breach of the Stormwater Bylaw (2020), and could ultimately enter the environment, in breach of the Resource Management Act 1991. The Wastewater Bylaw should aim to eliminate the sources of blockages which may come from domestic activities, as the Trade Waste Bylaw deals with commercial and industrial sources.
- The current Bylaw does not allow for low pressure sewers. The Bylaw will be reviewed/updated once the low pressure sewer system is adopted, the Engineering Code of Practice is updated and system added to the network.

Wastewater Management Objectives

The following core objectives have been identified for the new Bylaw to ensure for the provision of an effective and efficient public wastewater network and to align the outcomes of the council's investigation with its long term strategies for the district and key legislative requirements.

- To protect the wastewater network from damage, misuse and interference.
- To enable the Council to meet relevant legislative requirements, objectives, policies, standards and resource consents for discharges from the wastewater network.
- To protect the land, structures and infrastructure of the wastewater network, and to protect investment in the existing and any future infrastructure, treatment plant and disposal facilities.
- To protect public health and safety (including the health and safety of council personnel working on the wastewater network).
- To prohibit a range of contaminants (including stormwater and trade waste) being discharged to the wastewater network.
- To protect the environment from adverse effects of harmful substances discharged to the wastewater system.
- To ensure on-site wastewater systems and land application areas work efficiently and effectively.

Advantages of an Integrated Trade Waste and Wastewater Bylaw

It is considered that there are a wide range of advantages to taking an integrated approach to the regulation and management of trade waste and wastewater in the district. These include:

- Protection of the built environment in an integrated, sustainable and planned manner will provide for positive environmental, social, cultural and economic outcomes that will follow through to future generations
- Provides a common framework that enables the Council to control discharges into the wastewater network which ultimately protects the receiving environment, public health

and those people working on the networks, as well as ensures an integrated approach to ensuring compliance with the Council's own discharge consent.

- Provides clear regulatory direction for council's role in decision making on what is discharged into the Council wastewater network, regardless of the source.
- Allows for a consistent approach across the district that will improve organisational efficiency that is effective and easily understood.
- Future bylaw reviews will take an overall holistic approach to any issues affecting the wastewater network.
- Ensures a consistent and holistic approach to the promotion of sustainable behaviours and activities including water conservation, waste minimisation, cleaner production and on-site pre-treatment of wastewater.
- Fosters education focused on the interaction between all types of wastewater discharges, the network, the natural water cycle and the receiving environment.

Administrative Manual

It is proposed that the integrated Bylaw will be accompanied by an Administrative Manual that will provide material complementary to the integrated Trade Waste and Wastewater Bylaw by bringing together those aspects which are of a more administrative nature and which may need regular review and updating.

For example, diagrams indicating the location of the Point of Discharge for different types of Domestic Premises could be included in the Manual rather than in the body of the Bylaw.

In taking this approach, it will simplify the administration of the bylaw, allow for administrative and technical processes to be kept up to date, and assist in interpretation of the bylaw. Management of the Administration Manual would be conducted under delegated authority of the Bylaw, and will govern the implementation and operation of the bylaw. The Administration Manual will be a public document and available on the council's website alongside the bylaw.

In addition to making the bylaw simpler and more streamlined, the inclusion of an Administration Manual is intended to make amendments simpler and more responsive to change (including changes that may be made to the Council's Code of Practice for Land Use and Subdivision). Amendments to the Administration Manual can be made by council resolution, with appropriate community engagement, and would not require the use of the Special Consultative Procedure, making decision-making more cost-effective and timely.

Recommended changes to the Bylaw

In light of the findings above, the following changes to the Bylaw are recommended:

- Consolidate the Trade Waste and Wastewater Bylaws into a single Integrated Bylaw.
- Amend a number of existing definitions, and add new defined terms, to improve the clarity, usability, and enforceability of the Bylaw.
- Update legislative references and references to other external policy documents or regulations throughout the Bylaw.

- Incorporate various amendments to allow for low pressure sewers, specifically definitions and technical specifications.
- Reflect the new requirement that easements are obtained for all new sewers to ensure the ongoing protection of and access to the network, and incorporate an example of a standard wastewater easement.
- Insert cross references to the Napier City Council Code of Practice for Subdivision and Land Development where appropriate and remove unnecessary duplication of the Code of Practice requirements within the Bylaw.
- Update details about drainage plans and how they may be viewed by the public.
- Introduce further protections and obligations to avoid inflow and infiltration of the wastewater network by stormwater (including contaminated stormwater) and trade waste in a dedicated section about inflow and infiltration.
- Simplify the Bylaw and include more detail as to the Bylaw's implementation in the Administration Manual.

High Level Engagement Plan – Integrated Trade Waste and

The Project

Wastewater Bylaw

The Napier City Council administers a Trade Waste Bylaw to protect the City's wastewater infrastructure and regulate the treatment and disposal of trade waste. The Council also administers a Wastewater Drainage Bylaw which covers disposal of wastewater not captured by the Trade Waste Bylaw. Trade Waste covers any liquid discharged from a business, trade or industrial premises into the Council's wastewater network. A separate regime of monitoring Trade Waste recognises that discharges from businesses and industrial users are likely to place a higher burden per capita on the Council's wastewater network.

The Council's Environmental Solutions and Three Waters teams are in the process of reviewing the bylaws with a view to consolidating the two. Several opportunities and areas for improvement have been identified and the bylaw review process seeks to capture these. These ideas will be developed with key stakeholders and will inform the content of the proposed Bylaw.

The proposed Bylaw seeks to promote good environmental outcomes and protect our local waterways. It also looks to promote a greater level of user responsibility and more equitably distribute the cost of treatment and network maintenance.

Significance and Engagement Policy

The proposed Bylaw will be developed in consultation with Mana Whenua, key stakeholders and affected parties. The review of a bylaw requires Council to use a Special Consultative Procedure as per the Local Government Act 2002. This means that a statement of proposal will be made widely available and the opportunity for hearings will be provided.

The proposed Bylaw is likely to be of low interest to the wider community but will be of moderate to high interest for affected businesses and key stakeholders. The primary impact of the changes being suggested in the proposed Bylaw falls on commercial and industrial ratepayers.

Purpose of Consultation and Engagement

The objectives of this consultation process on the proposed Trade Waste and Wastewater Bylaw are to:

- Ensure information about the bylaw is accessible, understandable, and relevant
- Engage with key stakeholders to discuss current issues and gather input on the direction of the proposed Bylaw
- Provide a range of opportunities for key stakeholders, affected parties, and the community to learn about the bylaw and provide feedback
- Inform key stakeholders, affected parties, and the community about how the proposed • Bylaw relates to other work being done to improve environmental outcomes and water quality.

Approach

Consultation and engagement on the proposed Bylaw will occur over two stages:

Stage one – pre-engagement (August 2021 – March 2022)

Key stakeholders, mana whenua and trade waste consent holders will be given the opportunity to provide input into the initial discussion of issues and the likely direction the bylaw will take. This will take place through a series of workshops and meetings with identified parties. Feedback from these sessions will be used to assist the drafting of the bylaw.

Key stakeholders who will be engaged with during this time include Napier City Business Inc. current consent holders and local businesses. The focus will on ensuring that adequate information is provided and key concerns are captured. All commercial and industrial properties in Napier will be provided with advance notice of the bylaw review and provided with ample time to prepare a submission.

Stage two – public consultation (March 2022 – May 2022)

Previously involved stakeholders, additional interest groups and the wider community will be invited to provide feedback on the draft bylaw. A range of promotional tools will be used to raise awareness on what the bylaw is about and encourage people to make a submission. Public events such as tours of the Wastewater Treatment Plant will be run to provide interested parties an opportunity to find out more and have their questions answered. An opportunity to speak at a Council hearing will be provided. Hearings are scheduled for late June 2022.

Communication & Engagement Tools

The following tools will be used during the consultation period:

- Workshops and meetings (with key stakeholders and affected parties)
- Drop in sessions
- Wastewater Treatment Plant tours
- Advertising including digital, print and social media
- Signage
- Media releases
- Direct emails and letters
- Presentations to various interest groups.

A detailed project plan will be implemented across the two phases.

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1441447
Reporting Officer/s & Unit:	Russell Bond, Manager Water Strategy
	Lance Groves, Water Planning Lead

2. WATER SUPPLY BYLAW STATEMENT OF PROPOSAL

2.1 Purpose of Report

The purpose of this report is to:

- Outline a proposal to re-promulgate the Napier City Water Supply Bylaw that was revoked pursuant to s 160A of the Local Government Act 2002 (LGA) on 26 June 2019 (the proposal); and
- 2) To recommend that the Napier City Council (the Council) commence the special consultative procedure in accordance with s 83(1) of the LGA in relation to the proposal.

Committee's recommendation

Councillors Browne / Simpson

The Sustainable Napier Committee:

- a. Make a **DECISION OF COUNCIL** under delegated authority to enable public consultation to occur at the same time as the Trade Waste and Wastewater Bylaw public consultation.
- b. Endorse the content of this report (including Attachment 1 Statement of Proposal).
- c. Endorse that pursuant to ss 155(2)(b) and 155(3) of the LGA, the proposed Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
- d. Adopt the proposal and the proposed Water Supply Bylaw for the purposes of public consultation.
- e. Approve the commencement of the special consultative procedure in accordance with s 83(1) of the LGA in relation to the proposal.

Carried

2.2 Background Summary

The Proposal

The Council's Water Supply Bylaw regulates Napier's drinking water network and provides Council with the ability to protect critical water infrastructure from damage or inappropriate

use. The proposed Bylaw covers such as issues as taking water from fire hydrants, water quality and standards for new connections and water infrastructure.

The previous Water Supply Bylaw was adopted in 2012 and created a framework that was successfully used for a number of years. The Water Supply Bylaw has been reviewed and a copy of the full proposal and proposed bylaw can be found attached to this report, titled Attachment 1 – Statement of Proposal. Proposed amendments to the 2012 Bylaw are shown in tracked changes.

Making a new bylaw: The process

The LGA establishes the statutory process that the Council must follow in order to make a new bylaw. Broadly speaking, this involves two key steps:

- 1. The Council must make the determinations required by s155 of the LGA; and
- 2. The Council must consult with the public and affected parties in the manner prescribed by the LGA.

Section 155: Determination of whether the bylaw is appropriate

Having undertaken an assessment, in accordance with s155 of the LGA, Officers are satisfied that the Water Supply Bylaw that is proposed to be re-made is still appropriate and necessary. The full assessment of the bylaw under s155 of the LGA can be found at Schedule 2 to the Statement of Proposal at **Attachment 1** and includes:

- problem identification and assessment for the bylaw being re-made;
- council's assessment of whether the proposed bylaw is the most appropriate way of addressing the perceived problem;
- an assessment of whether the proposed bylaw gives rise to implications under NZBORA; and
- the proposal in respect of the bylaw.

In accordance with s77(1) of the LGA, Officers have also undertaken an assessment of all reasonably practicable options that may be available to achieve the Council's objectives, and have considered the advantages and disadvantages of each option.

Public consultation

Once it has made the determinations required under s155 of the LGA, the Council must consult with the community on the proposal in a manner that is consistent with the consultative procedure required by the LGA.

Under s156 of the LGA, if the Council agrees with the recommended option to make a new Water Supply Bylaw, it must use the special consultative procedure if the bylaw concerns a matter identified in the Council's Significance and Engagement Policy as being of significant interest to the public, or if the Council considers there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes.

The proposal is considered to be of high significance, as determined by reference to the Council's Significance and Engagement Policy for reasons including that:

- it is likely to have a small impact on a large proportion of the City's residents or ratepayers (namely all water supply customers);
- It engages issues of interest to Māori;
- it affects strategic Council assets, specifically the Council's water supply distribution systems, including reservoirs, pump stations and reticulation network, and the delivery of associated council services; and

 the regulation of the water supply network impacts public health and wellbeing as well as the receiving environment.

However, it is unclear how much public interest there will be in this review as the changes being proposed are minor and bring the bylaw into alignment with current operational practices. It is acknowledged that mana whenua partners have an extra interest in this consultation, as will a limited number of key stakeholders.

Targeted engagement with mana whenua will occur in consultation with Te Waka Rangapū to ascertain where areas of cultural sensitivity may be addressed through the proposed Bylaw. There will be opportunities for the public to learn more about the review and have their questions answered, however public events during the consultation will look to leverage the existing opportunities planned for in the Trade Waste and Wastewater Bylaw.

Public consultation on the proposed Water Supply Bylaw will occur in parallel with the Trade Waste and Wastewater Bylaw over a two month period from 28 March to 28 May 2022. It is acknowledged that this consultation will also partially overlap with consultation on the draft Annual Plan and efforts will be made where feasible to promote the active consultations as a group. The proposed consultation process for the bylaw is as follows:

- 1. Public consultation to commence on 28 March 2022. This will involve:
 - a. Targeted consultation with mana whenua through Te Waka Rangapū.
 - b. Community drop-in sessions. These will allow interested members of the community to learn more about the bylaw and have their questions answered by relevant council officers.
 - c. Advertising across digital, social and print media to ensure public awareness and participation in the review.
 - d. Online and hard copy submission forms that will be available at Council's libraries and Customer Service Centre
- 2. Submissions on the proposal will close at midday on 25 May 2022.
- 3. Submissions on the proposal will be heard by Councillors on 22 and 23 June 2022.

The Council will consider the outcome of the consultation and hearing process and make a decision on the proposal on 14 July 2022.

2.3 Issues

Bayview Water Supply connections have historically been billed via a volumetric targeted rate. The rating structure differed to the rest of the Napier Water Supply to reflect the loans required for the extension of the Council network to include the community into the City supply. The term of these loans have now expired. The change in the Water Supply Bylaw now reflects this change and the Rural and Urban connections now respectively align with the other connection types in the Napier City Water Supply.

Consideration has been given to fairness of water billing between Commercial and Domestic users. Targeted Volumetric Water Rate differences between these users has consistently been raised, by our community, as an issue with Napier's pricing structure. The setting of these rates is not determined as part of the function of this bylaw and will be addressed through the financial fees and charges during the Annual Plan process. It is proposed to remove the two charges and have a single volumetric rate for these users.

2.4 Significance and Engagement

As noted above, the relevant Council officers have undertaken an assessment of the proposed bylaws against the Napier City Significance and Engagement Policy and determined that this matter is of high significance, therefore consultation is to occur in accordance with the special consultative procedure prescribed by s 83 of the LGA.

2.5 Implications

Financial

Current budgets are sufficient to re-make and implement the proposed bylaw.

Social & Policy

N/A

Risk

There is unlikely to be any significant risk to the bylaws process or to the public as it is proposed that the bylaw continue with limited changes.

Council can rely on primary legislation to regulate any issues that arise for the period that the bylaw will not be in effect.

2.6 Options

The options available to Council are as follows:

- 1. Do not have a bylaw which regulate water supply
- 2. Have a bylaw which regulates water supply on similar terms to the 2012 Bylaw
- 3. Make a new Water Supply Bylaw on substantially different term to the 2012 Bylaw

A full assessment of all reasonably practicable options is included in **Schedule 2** of the Statement of Proposal at **Attachment 1**.

2.7 Development of Preferred Option

That the Council:

 Resolve to consult with the public in accordance with s 83 of the LGA on the proposal to re-make the Water Supply Bylaw 2012 on largely the same terms as the 2012 Bylaw.

The bylaw is considered appropriate and necessary to manage issues within Napier City, and the recommended option will ensure that the bylaw continues until such time that it is next reviewed in accordance with s 158 of the LGA.

Accordingly it is recommended that The Sustainable Napier Committee:

- a. Endorse the content of this report (including *Attachment 1 Statement of Proposal*)
- b. Agree that pursuant to s155(2)(b) and s155(3) of the LGA, the proposed bylaw is not inconsistent with NZBORA.
- c. Adopt the proposal and the proposed bylaw for the purposes of public consultation.
- d. Approve the commencement of the special consultative procedure in relation to the proposal in accordance with s83(1) of the LGA.
- e. Appoint Councillors to hear and consider the submissions on the proposal and make recommendations to the Council on the adoption of the proposed bylaw.

At the Meeting

The Officer spoke to the report and clarified that the residents in Bayview will not be charged the volumetric targeted rate moving forward as their demand is the same as all other Napier residents in the urban boundary.

2.8 Attachments

1 Water Supply Bylaw Statement of Proposal March 2022

NAPIER CITY COUNCIL WATER SUPPLY BYLAW

STATEMENT OF PROPOSAL MARCH 2022

The Napier City Council (**the Council**) is seeking public feedback on its proposal to make a new water supply bylaw for Napier City (**City**) on largely the same terms as the Napier City Council Water Supply Bylaw 2012.

What is a bylaw?

Bylaws are rules or regulations made by local authorities under national legislation that are created to control specific activities of potential concern within the boundaries of a particular district or region. They allow a local authority to address local problems with local solutions.

The Local Government Act 2002 (**LGA**) enables local authorities to adopt bylaws for the following general reasons:

- To protect the public from nuisance (section 145(a));
- To protect, promote and maintain public health and safety (section 145(b)); and
- To minimise the potential for offensive behaviour in public places (section 145(b)).

Section 158 of the LGA requires local authorities to review all bylaws within five (5) years of the date on which they were first made. After a bylaw has been reviewed in accordance with section 158, it can then be reviewed every 10 years thereafter. Bylaws that are not reviewed within the statutory timeframes are then revoked under section 160A of the LGA.

The proposal

The Council's Water Supply Bylaw regulates Napier's drinking water network and provides Council with the ability to protect critical water infrastructure from damage or inappropriate use. The proposed Bylaw covers such as issues as taking water from fire hydrants, water quality and standards for new connections and water infrastructure.

The previous Water Supply Bylaw was adopted in 2012 and created a framework that was successfully used for a number of years. However, the Council's Water Supply Bylaw 2012 was revoked on 26 June 2019 pursuant to s 160A of the LGA.

As the Bylaw has been revoked (i.e. is no longer in force), Council staff have needed to review it and analyse what improvements need to be made to create a new bylaw. The Council officers consider that the framework of the Water Supply Bylaw remains sound and only needs some minor updates to capture legislative and policy changes and reflect new operational practices, such as changes to hydrant access. It is therefore proposed that it be replaced with a new bylaw that is made on largely the same terms as the 2012 Water Supply Bylaw, with only minor changes to:

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- Resolve typographical and formatting errors;
- Update dates;
- Modernise and simplify the language used;
- Incorporate amendments for consistency with other relevant Napier City Bylaws; and
- Update or remove references to primary legislation, standards, and codes.

Making new bylaws

To make new bylaws, the Council is required by section 155 of the LGA to determine whether a bylaw is the most appropriate way of addressing the perceived problem and, if so, whether the proposed form of bylaw is appropriate and whether there are any implications under the New Zealand Bill of Rights Act 1990 (**NZBORA**).

The Council has undertaken these assessments and considers that the Water Supply Bylaw is appropriate and necessary, for the reasons set out in **Schedule 1** to this Statement of Proposal.

The Council has also undertaken an assessment under section 77(1) of the LGA to identify all reasonably practicable options that may be available to achieve the Council's objectives. An assessment of the advantages and disadvantages of each option can be found at **Schedule 2** to this Statement of Proposal.

Consultation process

The proposal to make the Water Supply Bylaw must follow the special consultative procedure in the LGA.

Proposed bylaw

A copy of the proposed bylaw can be found at **Schedule 3** to this proposal, with the proposed changes to the Water Supply Bylaw 2012 shown in tracked changes.

Print copies of the proposed bylaw may be inspected from **28 March to 25 May 2022** at the following places during normal office and library hours:

[locations]

Electronic copies are available on Council's website: [link]

Right to make a submission and be heard

The Council is now seeking your views and wants to hear from any person, group or business that would like to make submissions with respect to the proposed Water Supply Bylaw.

Any person or organisation has a right to be heard in regard to this Statement of Proposal and the Council encourages everyone with an interest to do so. Submissions should be directed toward matters that are within the scope of the Statement of Proposal.

Parties intending to make a submission are encouraged to set those submissions out in writing and submit them to the Council by:

- Online form: [link]
- Post to: [address]
- Delivery to: [address]

All submissions must be made in writing (hardcopy or electronic) and received at [location] by midday on Wednesday, 25 May 2022.

Making an effective submission

Written submissions can take any form (e.g. email or letter). An effective submission references the clause(s) of the proposed Bylaw, states why the clause is supported or not supported, states what change to the clause is sought, and why. Submissions on matters outside the scope of the proposal cannot be considered by the Council.

Hearing

After submissions have been received, the Council will convene hearings on **22 and 23 June 2022**. Any party who wishes to do so can present their submission in person. The Council will give equal consideration to written and oral submissions.

The Council will permit parties to make oral submissions (without prior written material) or to make a late submission, only where it considers that special circumstances apply.

Every submission made to the Council will be acknowledged in accordance with the LGA, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.

Consultation timeline

The key dates in the Council's consultation programme are set out below:

- 1. Public consultation to commence on **28 March 2022**. This will involve:
 - a. Targeted consultation with mana whenua through Te Waka Rangapū.

- b. Community drop-in sessions. These will allow interested members of the community to learn more about the Bylaw and have their questions answered by relevant council officers.
- c. Advertising across digital, social and print media to ensure public awareness and participation in the review.
- d. Online and hard copy submission forms that will be available at Council's libraries and Customer Service Centre
- 2. Submissions on the proposal will close at midday on **25 May 2022**.
- 3. Submissions will be heard by Councillors on **22 and 23 June 2022.**
- 4. The Council will consider the outcome of the consultation and hearing process and make a decision on the proposal on **14 July 2022**.

Schedule 1

Section 155 determinations

Section 155 of the LGA requires that the Council assess whether a bylaw is the most appropriate way of addressing the perceived problem and, if so:

- whether the proposed form of bylaw is appropriate; and
- whether the proposal gives rise to any implications under the NZBORA.

Those assessments are set out below.

Problem identification and assessment

The public water supply network is core infrastructure managed by the Council, and provides for safe drinking water, reliable and adequate pressure and flow, compliance with the Fire Fighting Standard FW2 for all areas, and ensures that water is used and allocated efficiently within the City by minimising losses and excessive water consumption.

Perceived problems

In addressing the risks associated with the operation of the public water supply network the Council has identified the need to:

- allow only Council authorised contractors to connect or disconnect from the water supply;
- ensure appropriate standards for any new infrastructure under Council's control;
- enable Council to refuse connections where there is insufficient network capacity;
- protect the quality of the water supply, assisting compliance with the drinking water standards;
- protect the water supply network from damage;
- manage work near the water supply network;
- allow for restricting the water supply to maintain enough drinking water, in the event of drought or other emergency; and
- prohibit taking of water from a hydrant except for fire-fighting purposes.

Is a bylaw the most appropriate way of assessing the perceived problems?

There is an identified need for Council to continue to regulate water supply in the City. The Council considers that a bylaw is the most appropriate way to address these issues, as a bylaw allows the Council to effectively regulate behaviours that affect water management and the use of water supply systems in the City (including by using the enforcement powers provided under the LGA).

The purposes of the former Water Supply Bylaw 2012 included:

• Promoting the efficient use of water and protect against waste or misuse of water from the water supply system;

- Protecting the water supply and water supply system from pollution and contamination;
- Managing and protecting from damage, misuse, or loss of land, structures and infrastructure associated with the water supply system; and
- Preventing the unauthorised use of land, structures or infrastructure associated with the water supply system.

The Council considers that the purposes of the bylaw remain important and that the most appropriate way to respond to the perceived problems described above is through replacing the existing bylaw with a bylaw on largely the same terms, so that the Council can continue to regulate water supply in the City via the proposed bylaw.

Is the proposed bylaw the most appropriate form of bylaw?

The previous Water Supply Bylaw was adopted in 2012 and created a framework that was successfully used for a number of years. The proposed bylaw has only minor changes due to its operational effectiveness to date in managing the water supply infrastructure and level of services requirements. No complaints on the use of the Water Supply Bylaw 2012 have be received since its time of adoption.

In coming to this conclusion, the Council officers have undertaken an assessment of a range of options pursuant to section 77 of the LGA, which are summarised in **Schedule 2** below.

NZBORA implications

The Council considers that the proposed Bylaw does not give rise to any implications under the NZBORA.

Determinations

For the reasons given above the Council determines that:

- A bylaw is the most appropriate way to address the perceived problem, pursuant to section 155(1) of the LGA;
- The proposed bylaw is the most appropriate form of bylaw, pursuant to section 155(2)(a) of the LGA; and
- The proposed bylaw does not give rise to any implications under the NZBORA, pursuant to section 155(2)(b) of the LGA.

Schedule 2

Section 77(1) assessment of all reasonably practicable options

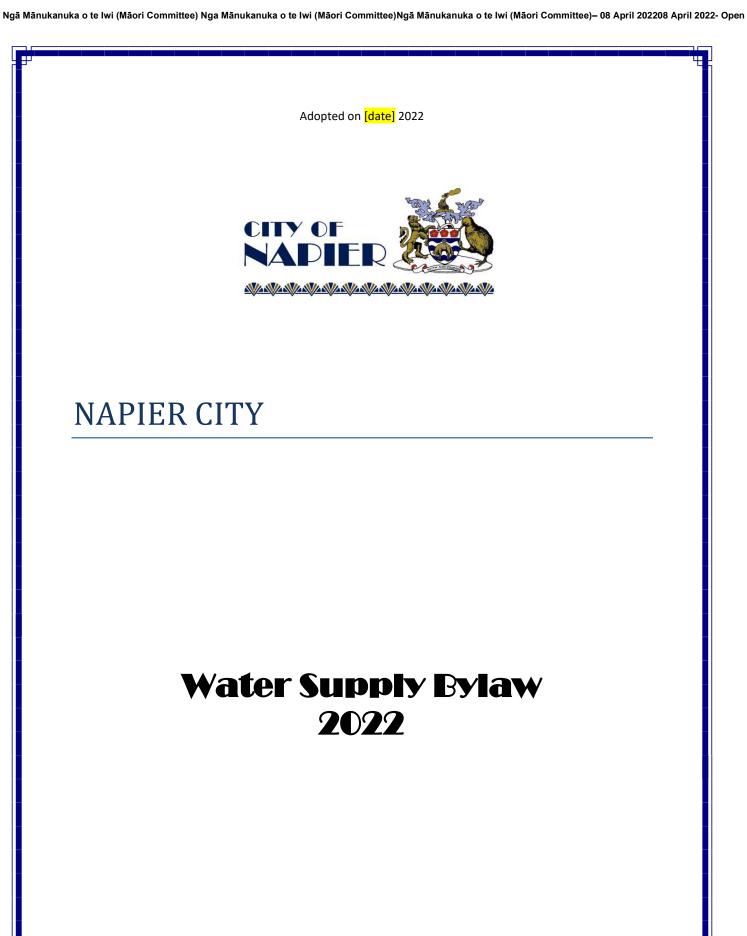
Option(s)	Advantages and disadvantages
Option 1	Advantages
Do not have a bylaw which regulates water supply	As part of this review, the Council has considered the option of not replacing the 2012 bylaw and instead regulating the water supply network using other means. This option would require the Council to rely on existing legislation and an educative approach to ensure its network was not compromised.
	Costs associated with setting up and implementing a new bylaw could be allocated to other Council projects and to increasing awareness to change behaviour using a programme of educational outreach, industry guidelines and targeted programmes to improve outcomes.
	Disadvantages
	The disadvantages with this option are that high risk activities and behaviours cannot be monitored and investigated to provide control. The Council runs the risk of not taking all practical steps to protect, promote and maintain public health and safety and the natural environment. The Council also runs the risk of not meeting environmental standards, not protecting public health and safety and not protecting its water supply infrastructure. There is a risk that a purely educative approach will not be as successful as immediate or readily enforceable measures provided under a bylaw.
	Conclusion
	Overall, the Council does not consider that this option would be effective at achieving its desired objectives and has therefore discounted it.

Option 2	Advantages
Have a bylaw which regulates water supply on similar terms to the 2012 Bylaw.	The previous Water Supply Bylaw was adopted in 2012 and created a framework that was successfully used for a number of years. During the period that the Water Supply Bylaw 2012 was in force, there were no operational issues with enforcing control or risk mitigation in managing Council water supply infrastructure, therefore no major change is considered to be required to the Water Supply Bylaw 2012 terms and framework.
	A new bylaw will have the same advantages of the 2012 bylaw. The cost of establishing the new bylaw would be minimal in this case as it would be replaced on largely the same terms as the 2012 bylaw.
	Under this option Council will be seen as continuing to actively protect the City's water supply network, including maintaining public health and safety.
	There is no statutory reason why the terms of the 2012 bylaw should be significantly amended.
	Disadvantages
	The cost of setting up the bylaw. However the cost of establishing the new bylaw is minimal in this case as it is proposed that the bylaw be replaced on the same terms as the current bylaw.
	Conclusion
	The Council has considered the options available to address the problems identified in respect of water supply and determined that promulgating a new Water Supply Bylaw on similar terms to the 2012 bylaw is the most appropriate form of bylaw for addressing the identified issues.
Option 3	Advantages

Make a new Water Supply Bylaw on substantially different terms to the 2012 bylaw.	
	Disadvantages
	Community resistance to increased levels of regulatory management and the costs associated with adopting a Bylaw on new terms.
	The previous Water Supply Bylaw was adopted in 2012 and created a framework that was successfully used for a number of years. During the period that the Water Supply Bylaw 2012 was in force, there were no operational issues with enforcing control or risk mitigation in managing Council water supply infrastructure, therefore no major change is considered to be required to the Water Supply Bylaw 2012 terms and framework.
	Conclusion
	Overall, the Council does not consider that this option would be effective at achieving its desired objectives and has therefore discounted it.

Schedule 3

Proposed Bylaw



Last amended 15 June 2022 JJM-100095-70-78-V2

Napier City Water Supply Bylaw 2022

Adopted on [date] 2022

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NAPIER CITY WATER SUPPLY BYLAW 2022

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Napier City Water Supply Bylaw 2022

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1. Title

enda

1.1 This Bylaw is the "Water Supply Bylaw 2022".

2. Commencement

2.2 This Bylaw comes into force on [date] 2022.

3. Application of Bylaw

3.3 This Bylaw applies to the district of the Napier City Council.

4. Scope

- 4.4 This Bylaw is made under the authority of the Local Government Act 2002 for the supply of water to its Customers by the Water Supply Authority (WSA). The supply and sale of water by the WSA is subject to:
 - (a) Statutory Acts and Regulations, including, but not limited to:
 - (i) Building Act 2004;
 - (ii) Fire and Emergency New Zealand Act 2017;
 - (iii) Health Act 1956;
 - (iv) Local Government Act 2002;
 - (v) Local Government (Rating) Act 2002;
 - (vi) Resource Management Act 1991; and
 - (b) Relevant Codes and Standards, including, but not limited to:
 - (i) Drinking Water Standards for New Zealand 2005 (revised 2018)
 - (ii) SNZ PAS 4509:2008 New Zealand Fire Service firefighting water supplies code of practice
 - (iii) New Zealand Water and Wastes Association (NZWWA) Backflow Code of Practice 2006
 - (iv) NZWWA Water Meter Code of Practice 2003
 - Napier City Council Code of Practice for Subdivision and Land Development; and
 - (c) So far as they are applicable, and are not contrary to the application of this Bylaw, the provisions of the Council's Introductory Bylaw are incorporated into and form part of this Bylaw.
 - •
 - (d) Any reference in this Bylaw to repealed legislation, bylaws, regulations or standards, is a reference to legislation that, with or without modification, replaces, or that corresponds to, the legislation, bylaw, regulation or standard, repealed.

Napier City Water Supply Bylaw 2022

Adopted on [date] 2022

5. Definitions

For the purpose of this Bylaw, unless inconsistent with the context, the following definitions apply (if the definitions are not covered within the following refer to the Council's Introductory Bylaw 2021):

Approved	Approved in writing by the WSA, either by resolution of the Council or by any authorised officer of the WSA
Backflow	The unplanned reversal of flow of water or mixingof water and contaminants into the water supply system from other sources
Buried Service	means all Water Supply System features, and other underground utilities under the responsibility of the Council, in public or private land
Council	The Napier City Council or any authorised officer
Code of Practice for Subdivision and Land Development	The Council's current Code of Practice for Subdivision and Land Development which details the engineering standards required for land development which is reviewed and amended from time to time.
Customer	A person who uses, or has obtained the right to use or direct the manner of use of, water supplied by the WSA
Detector check valve	A check (non-return) valve which has a positive closing pressure and a metered bypass to measure flows typically associated with leakage or unauthorised use on a dedicated fire supply
Extraordinary supply	A category of on demand supply including all purposes for which water is supplied other than ordinary supply and which may be subject to specific conditions and limitations
Fees and charges	The list of items, terms, and prices for services associated with the supply of water as adopted by the Council in accordance with the Local Government Act 2002 and the Local Government (Rating) Act 2002
Level of service	The measurable performance standards on which the WSA undertakes to supply water to its Customers
On demand supply	A supply which is available on demand directly from the Point of Supply subject to the agreed level of service

Ordinary supply	A category of on demand supply used solely for domestic purposes									
Point of Supply	The point on the water pipe leading from the water main to the premises, which marks the boundary of responsibility between the Customer and the WSA, irrespective of property boundaries									
Potable	Water that does not contain or exhibit any determinands to any extent that exceeds the maximum acceptable values (other than aesthetic guideline values) specified in the Drinking Water Standards for New Zealand									
Premises	Premises include the following:									
	(a) A property or allotment which is held under a									
	separate certificate of title or for which a separate certificate of title may be issued and in respect to which a building consent hasbeen or may be issued; or									
	(b) A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or									
	(c) Land held in public ownership (e.g. reserve) for a particular purpose									
Restricted flow supply	A type of water supply connection where a small flow is supplied through a flow control device, and storage is provided by the Customer to cater for the Customer's demand fluctuations									
Restrictor	A flow control device fitted to the service pipe to limit the flow rate of water to a Customer's premises									
Roading authority	A territorial authority or Waka Kotahi NZ Transport Agency									
Rural water supply area	An area formally designated by a WSA as an area serviced by a reticulated water supply system that is intended to supply water for specified purposes via restricted flow supplies and/or on demand supplies but not necessarily with a firefighting capability									
Service pipe	The section of water pipe between a water main and the Point of Supply									
Service valve (Toby)	The valve at the Customer end of the service pipe									
Storage tank	Any tank having a free water surface									

Supply pipe	The section of pipe between the Point of Supply and the Customer's premises through which water is conveyed to the premises
Urban water supplyarea	An area formally designated by a WSA as an area serviced by a reticulated water supply system with a firefighting capability, that is intended to supply water to Customers via on demand supplies
Water supply authority (WSA) Water supply system	The operational unit of the Council responsible for the supply of water All those components of the network between the point of abstraction from the natural environment and the Point of Supply. This includes but is not limited to: wells, bores, falling mains, treatment plants, treated waterreservoirs, trunk mains, service mains, rider mains, pump stations and pumps, valves, hydrants, scour lines, service pipes, boundary assemblies, meters, backflow prevention devices and tobies.
Water unit	The basis of measurement for a restricted flow supply and equal to a volume of 365 m ³ delivered at

the rate of 1 m³ per day

6. Protection of Water Supply System

6.1 Access to system

No person other than the WSA may access any part of the water supply system, except to connect to the Point of Supply, subject to 7.1, and to operate the service valve.

6.2 No person to connect to, or interfere with a water supply system

Except as set out in 6.1, 6.3 and 6.4, no person may connect to, or otherwise interfere with, any part of the water supply system.

6.3 Fire Hydrants

Only the attending Fire Service/s may access, and draw water from, fire hydrants for the purpose of fighting fires, training, and testing.

NOTE – Use of the fire hydrants by untrained personnel can result in damage to the water supply system.

6.4 Other uses

The right to access, and draw water from, the water supply system for uses other than firefighting (for example, flow testing or pipe flushing) is restricted to:

- WSA
- Or other emergency services

Without prejudice to other remedies available, the WSA may remove and hold any equipment used to gain access to, or draw water from a fire hydrant or any other part of the water supply system.

6.5 Working around buried services

The WSA will keep accurate permanent records ('as-builts') of the location of its buried services. This information will be available for inspection. Charges may be levied to cover the costs of providing copies of this information.

Any person proposing to carry out excavation work may view the as-built information to establish whether or not WSA services are located in the vicinity. Notice in writing must be given to the WSA of an intention to excavate in the vicinity of its services. Where appropriate the WSA will mark out to within ± 0.5 m on the ground the location of its services, and nominate in writing any restrictions on the work it considers necessary to protect its services. The WSA may charge for this service.

When excavating and working around buried services due care must be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate WSA specification.

Any damage which occurs to a WSA service must be reported to the WSA immediately.

The person causing the damage must reimburse the WSA with all costs associated with repairing the damaged service, and any other costs the WSA incurs as a result of the incident.

All Buried Services must be protected by easement as detailed in the Code of Practice for Subdivision and Land Development, where the owner of that Buried Service is not the property owner. Every Person proposing to carry out excavation work must first:

- i. Establish whether Buried Services are located in the vicinity of the proposed excavation. Plans showing the location of Buried Services can be accessed via the Council's utilities maps, before Udig database; and
- ii. Identify whether the area is listed as Waahi Tapu. If a site is listed as Waahi Tapu or an unknown archaeological site is discovered, the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 must be adhered to.

No Person may excavate, or carry out piling or similar work closer than:

- i. Five (5) metres from the centre line of Buried Services, or
- ii. Two (2) metres from the centre line of Buried Services, without Council approval. Such approval may impose conditions on the carrying out of any work near the Buried Services.

At least five (5) Working Days' written notice must be given to the Council before any excavation or physical works close to Buried Services commence. Where appropriate the Council may mark out to within 1m on the ground the location of any Buried Services, and may impose reasonable restrictions on the work it considers necessary to protect the Buried Services.

No Person may cause the crushing load imposed on any Buried Services to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined in the NZ Transport Agency Bridge Manual).

No Person may place any additional material over or near Buried Services without Council approval. Removal of any covering material will be at the Customer's expense.

When excavating and working around Buried Services due care musr be taken to ensure the services are not damaged, and that bedding and backfill is reinstated in accordance with the appropriate Council specification.

Excavation within a road reserve is also subject to the permit process of the Council and/or roading authority.

No building foundations or structures may be built over Buried Services,

- iii. within the easement for the Buried Service or
- iv. what would be the width of the easement for the Buried Service as detailed in the Code of Practice for Subdivision and Land Development.

No Person may allow trees or shrubs to be planted over a Buried Service

- i. within the easement for the Buried Service or
- ii. what would be the width of the easement for the Buried Service as detailed in the Code of Practice for Subdivision and Land Development.

NOTE – Excavation within roadways is also subject to the permit process of the appropriate roading authority.

7. Conditions of supply

7.1 Application for supply

7.1.1 Initial application

Every application for a supply of water must be made in writing on the standard WSA form accompanied by the prescribed charges. The applicant must provide all the details required by the WSA.

On receipt of an application the WSA will, after consideration of the matters in 7.4 and 7.5, either:

- (a) Approve the application and inform the applicant of the type of supply, the level of service, the size of the connection and any particular conditions applicable; or
- (b) Refuse the application and notify the applicant of the decision giving the reasons for refusal.

For the agreed level of service to the applicant, the WSA will determine the sizes of all pipes, fittings and any other equipment, up to the Point of Supply. The WSA may at applicant's cost supply and install the service pipe up to the Point of Supply or allow the supply and installation of the Service Pipe or Supply Pipe to be carried out by approved contractors.

An applicant must have the authority to act on behalf of the owner of thepremises for which the supply is sought, and must produce written evidence of this frequired.

An approved application for supply which is not actioned within six months of the date of application will lapse unless a time extension has been approved. Any refund of fees and charges may be at the discretion of the WSA.

7.1.2 Change of use

Where a Customer seeks a change in the level of service or end use of water supplied to Premises, and/or the supply changes from an ordinary to an extraordinary type (see 7.4) or vice versa, a new application for supply must be submitted by the Customer.

7.1.3 Prescribed charges

Charges applicable at the time of connection may include:

- (a) The cost of the physical works required to provide the connection;
- (b) A development contribution under the LocalGovernment Act 2002;
- (c) A financial contribution under the ResourceManagement Act 1991.

7.2 Point of Supply

7.2.1 Responsibility for maintenance

The WSA owns and maintains the Service Pipe or Supply Pipe and fittings up to the Point of Supply. The Customer owns and maintains the pipe beyond the Point of Supply.

7.2.2 Single ownership

For individual Customers the Point of Supply is as shown in the Code of Practice for Subdivision and Land Development, as close as possible. Other positions will require specific approval.

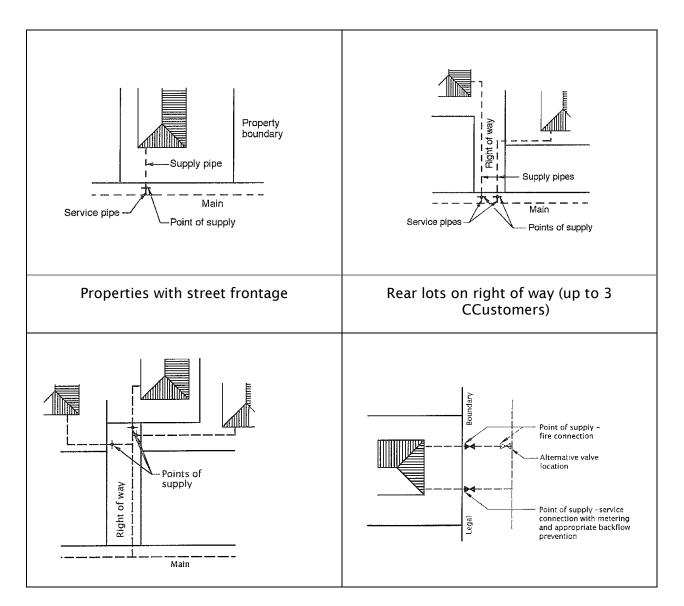
Each individual Customer has only one Point of Supply, unless otherwise approved by the WSA.

The typical layout at a Point of Supply is shown in figure 2.

The WSA does not guarantee the serviceability of the valve located on the service pipe. Where there is no Customer stopcock, or where maintenance is required between the service valve and theCCustomer stopcock, the Customer may use the service valve to isolate the supply. However the WSA reserves the right to charge for maintenance of this valve if damaged by the Customer.

Figure 1 - Point of Supply location - Individual Customers

Note – Point of Supply is tail piece of boundary box, meter, or service valve regardless of property boundary.



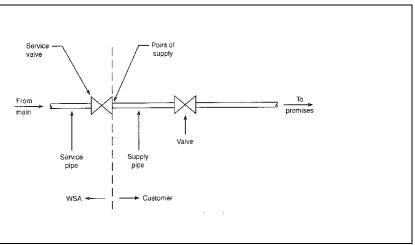
Rear lots on right of way (more than 3

Industrial, commercial and domestic fire

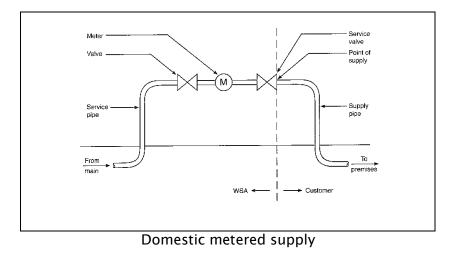
CCustomer s) collections

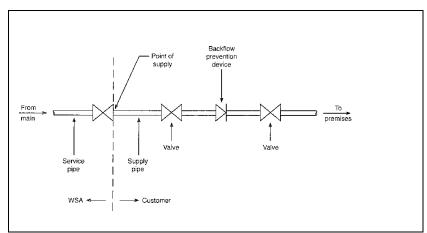
Figure 2 - Typical layout at Point of Supply

Note - Point of Supply is tail piece of boundary box, meter, or service valve regardless of property boundary.



Domestic unmetered supply





Unmetered supply with backflow prevention device owned by the CCustomer

Napier City Water Supply Bylaw 2022 Adopted on [date] 2022Customer

7.2.3 Multiple ownership

The Point of Supply for the different forms of multiple ownership of premises and/or land is:

- (a) For Company Share/Block Scheme (Body Corporate) as for single ownership;
- (b) For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership – each Customer must have an individual supply with the Point of Supply determined by agreement with the WSA. Other arrangements may be acceptable, subject to WSA approval.

For a multiple ownership supply in existence prior to this Bylaw coming into effect, the Point of Supply will be the arrangement existing at that time, or as determined by agreement with the WSA.

7.3 Access to, and about Point of Supply

7.3.1 Rights of access

Where the Point of Supply is on private property the Customer must provide the WSA access to the Point of Supply between 7.30 am and 6 pm on any day for:

- (a) Meter reading without notice; or
- (b) Checking, testing and maintenance work, with notice being given whenever possible.

Outside these hours (such as for night time leak detection) the WSA will give notice to the Customer.

Where access is not provided during the above times and a return visit is required by the WSA, a rate may be charged for 'Meter reading by appointment'.

Under emergency conditions the Customer must provide the WSA free access to the Point of Supply at any hour.

7.3.2 Maintenance of access

The Customer must maintain the area around the Point of Supply, keeping it free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access.

7.4 Types of Supply

7.4.1 General

Water supply are classified as either 'on demand' or 'restricted flow' and the use of water from the supply will be either 'ordinary' or 'extraordinary'.

7.4.2 On demand supply

Every premises is entitled to an ordinary supply of water subject to the following conditions:

(a) The premises is within an urban water supply area;

- (b) The exclusion of its use for garden watering under any restrictions made by the WSA under 7.7.3;
- (c) Payment of the appropriate charges in respect of the premises;
- (d) Any other charges or costs associated with subdivisional development; and
- (e) Any other relevant conditions in section 9 of this Bylaw.

The WSA is under no obligation to provide an extraordinary supply of water (see also the provisions of 7.7 and 7.9.2).

7.4.3 Restricted Flow Supply

Restricted flow supply is available to premises within a designated area only, or under special conditions set by the WSA.

The water supply will be restricted so as to deliver the agreed number of water units at a steady flow rate.

The WSA will charge for the restricted flow supply based on:

- (a) The volume passing through a meter; or
- (b) The agreed number of water units.
- 7.4.4 Ordinary use

Ordinary use is for domestic purposes (which may include use in a fire sprinkler system to NZS 4517:2010 Fire sprinkler systems for houses (NZS 4517)) and includes:

- (a) Washing down a car, boat, or similar;
- (b) Garden watering by hand; and
- (c) Garden watering by a portable sprinkler (subject to the provisions of 7.7.3)

NOTE – For use from a fire protection system to NZS 4517 to be classified as an ordinary use, the Customershould comply with the conditions set under 7.9.1

7.4.5 Extraordinary use

Extraordinary use includes:

- Domestic spa or swimming pool in excess of 10m³ capacity, fixed garden irrigation systems;
- (b) Construction use;
- (c) Commercial and business;
- (d) Industrial;
- (e) Agricultural;
- (f) Horticultural;
- (g) Viticultural;
- (h) Lifestyle blocks (peri-urban or small rural residential);
- (i) Fire protection systems other than sprinkler systems installed to complywith NZS 4517;
- (j) Out of district (supply to, or within another local authority); and
- (k) Temporary supply.

7.5 Metering

7.5.1 Napier Urban (including Bay View Urban) Water Supply Area

In the Napier Urban Water Supply Area, an ordinary use of water will not normally be metered (subject to the WSA reserving the right to fit a meter and charge where it Page 26

considers water use is excessive, or at the Customer's Napier City Water Supply

Bylaw 2022 request). The cost of such use will be as prescribed in the Local Government (Rating) Act 2002, sections 9, 15 to 19, and sections 101 to 103.

An extraordinary use will normally be metered and charged for in accordance with 7.15. Where the extraordinary use is for fire protection only, this supply will not normally be metered.

7.5.2 Napier Rural (including Bay View Rural) Water Supply Areas

Extraordinary uses of water will normally be metered and levied as rates, as prescribed in the Local Government (Rating) Act 2002, sections 9, 15 to 19, and sections 101 to 103.

7.6 Level of Service

The WSA will provide water in accordance with the level of service contained in the Council's Long Term Plan. For those periods where the level of service allows non-compliance with the specified value(s), the WSA will make every reasonable attempt to achieve the specified value(s).

7.7 Continuity of supply

7.7.1 Supply

Due to practical and physical limitations the WSA cannot guarantee an uninterrupted or constant supply of water in all circumstances, or the continuous maintenance of any particular pressure, but will do its best to meet the continuity of supply levels of 7.6, subject to the exemptions contained in 7.7.3 and 7.7.4.

Where works of a permanent or temporary nature are planned which will affect an existing supply, the WSA will consult with, or give notice to all known Customers likely to be substantially affected.

7.7.2 Uninterrupted service

If a Customer has a particular requirement for an uninterrupted level of service (flow, pressure, or quality), it is the responsibility of that Customer to provide any storage, back-up facilities, or equipment necessary to provide that level of service.

7.7.3 Demand management

The Customer must comply with any restrictions imposed by the WSA to manage high seasonal or other demands. Customers will be advised on such restrictions by public notice on digital, social and/or print media as appropriate.

Notwithstanding any such restrictions the WSA will take all practicable steps to ensure an adequate supply for domestic purposes.

7.7.4 Emergency restrictions

During an emergency the WSA may restrict or prohibit the use of water for any specified purpose, for any specified period, and for any or all of its Customers. Such restrictions will be advised by public notice. The WSA may enact penalties over and above those contained in these conditions to enforce these restrictions. The decision to make and lift restrictions, and to enact additional penalties, will be made by the Council, or where immediate action is required, by the manager of the WSA, subject to subsequent Council ratification.

7.7.5 Maintenance and repair

Wherever practical the WSA will make every reasonable attempt to notify the Customer of a scheduled maintenance shutdown of the supply before the work

commences. Where immediate action is required and notification is not practical, the WSA may shut down the supply without notice.

7.8 Liability

The WSA will endeavour to meet the level of service requirements of 7.6, but isnot liable for any loss, damage or inconvenience which the Customer or any person using the supply sustains as a result of deficiencies in, or interruptions **b** the water supply.

The WSA may, under certain circumstances and at its sole discretion, make payments for damage caused to equipment, appliances, processes, and materials as a direct result of a variation in the water supply, provided that any such equipment or appliances have been designed to cater for reasonable variations in the flow, pressure, and quality of the water supply.

7.9 Fire protection connection

7.9.1 Connection application

Any proposed connection for fire protection must be the subject of a specific application (on the standard WSA form) made to the WSA for approval. Any such connection must be subject to the conditions specified by the WSA.

7.9.2 Design

It is the Customer's responsibility to ascertain in discussion with the WSA and monitor whether the supply available is adequate for the intended purpose.

7.9.3 Fire protection connection metering

Where the supply of water to any premises is metered the WSA may allow the supply of water for the purposes of firefighting to be made in a manner which bypasses the meter, provided that:

- (a) The drawing of water is possible only in connection with the sounding of an automatic fire alarm or the automatic notification of the fire brigade; or
- (b) A WSA approved detector check valve and meter has been fitted.

Any unmetered connection provided to supply water to a fire protection system must not be used for any purpose other than firefighting and testing the fire protection system unless the fire protection system is installed in accordance with NZS 4517.

Where a fire connection has been installed or located so that it is likely or possible that water may be drawn from it by any person for purposes other than firefighting, the WSA may require the supply to be metered.

7.9.4 Fire hose reels

Where the supply of water to any premises is metered, fire hose reels must be connected only to the metered supply, not to the fire protection system. The water supply to fire hose reels must comply with the requirements of NZS 4503:2005 Hand operated fire-fighting equipment.

7.9.5 Charges

Water used for the purpose of extinguishing fires will be supplied free of charge. Where the fire protection connection is metered and water has been used for firefighting purposes, the WSA will estimate the quantity of water so used, and credit to the Customer's account an amount based on that estimate.

7.9.6 Ongoing testing and monitoring

Customers intending to test fire protection systems in a manner that requires a draw-off of water, must obtain the prior approval of the WSA. Water used for routine flushing and flow testing does not constitute waste but the quantity of water used may be assessed and charged for by the WSA.

7.10 Backflow prevention

7.10.1 Customer responsibility

It is the Customer's responsibility (including under the Health Act 1956, and the Building Act 2004) to take all necessary measures on the Customer's side of the Point of Supply to prevent water that has been drawn from the WSA's water supply from returning to that supply.

Such measures may include:

- (a) Backflow prevention either by providing an adequate air gap, or by the useof an appropriate backflow prevention device;
- (b) The prevention of any cross-connection between the WSA water supply and:
 - (i) Any other water supply (potable or non-potable)
 - (ii) Any other water source
 - (iii) Any storage tank
 - (iv) Any other pipe, fixture or equipment containing chemicals, liquids, gases, or other non-potable substances.

NOTE – Fire protection systems that include appropriate backflow prevention measures would generally not require additional backflow prevention, except in cases where the system is supplied by a non-potable source or astorage tank or fire pump that operates at a pressure in excess of the WSA's normal minimum operating pressure.

7.10.2 Unmanaged risk

Notwithstanding 7.10.1 the WSA may fit a backflow prevention device on the WSA side of the Point of Supply where the Customer cannot demonstrate that the risk of backflow is adequately managed, at the Customer's cost, and charge accordingly.

7.11 WSA equipment and inspection

7.11.1 Care of Water Supply System

The Customer must take due care not to damage any part of the water supply system, including but not limited to pipework, valves, meters, restrictors, chambers, and backflow prevention devices.

7.11.2 Inspection

Subject to the provisions of the Local Government Act 2002, the Customer must allow the WSA with or without equipment, access to any area of the premises for the purposes of determining compliance with these conditions.

7.12 Meters and flow Restrictors

7.12.1 Installation

Meters for on demand supplies, and restrictors for restricted flow supplies, willbe supplied, installed and maintained by the WSA, and will remain the property of the WSA. Where on demand supplies are not universally metered, the WSA where it considers water use is unusually high, reserves the right to fit a meter at the Customer's cost, and charge accordingly.

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Adopted on <mark>[date]</mark> 2022

7.12.2 Location

Meters and restrictors must be located in a position where they are readily accessible for reading and maintenance, and if practicable immediately on the WSA side of the Point of Supply, Refer to the Code of Practice for Land Development and Subdivision.

7.12.3 Accuracy

Meters will be tested as and when required by the WSA or as prescribed in the Quternational Organisation of Legal Metrology Standard OIML R49 *Water meters intended for the metering of cold potable water* (OIML R49). The maximum permissible error for the upper flow rate zone (Q < Q < Q) is ±2%, for temperatures from 0.3°C to 30°C and the maximum permissible error for the lower flow rate zone (Q < Q < Q) is ±5%. This accuracy will be applied to all water meters with Q < 100m³/h and may be applied to water meters with values of >100m³/h.

The flow restrictors must be accurate to within $\pm 10\%$ of their rated

capacity.NOTE - Where Q is the flow rate:

Q, is the minimum flow rate;

Q, is the transitional flow rate;

Q₃ is the permanent flow rate; and

 Q_4 is the overload flow rate as defined in OIML R49-1

Any Customer who disputes the accuracy of a meter or restrictor may apply to the WSA for it to be tested provided that it is not within three months of the last test. If the test shows non-compliance with the accuracy above, the Customer will not be charged for the test. If the test shows compliance, the Customer will pay a fee in accordance with the WSA current fees and charges.

Meters will be tested as prescribed in OIML R 49-2 and the test report will be made available as prescribed in OIML R 49-3.

The variation in the error curve must not exceed 3% for flow rates in the lower zone and 1.5% for flow rates in the upper zone. For the purpose of determining these requirements the mean values of the errors (of indication) at each flow rate, will apply.

The curves must not exceed a maximum error of $\pm 6\%$ for flow rates in the lower zones and $\pm 2.5\%$ for flow rates in the upper zones.

Restrictors will be tested by measuring the quantity that flows through the restrictor in a period of not less than 1 hour at the expected minimum operating pressure. A copy of independent certification of the test result will be made available to the Customer on request.

7.12.4 Adjustment

If any meter, after being tested, is found to register a greater or lesser consumption than the actual quantity of water passed through the meter, the WSA will adjust the readings in accordance with the test, backdated for a period at the discretion of the WSA but not exceeding 12 months, and the Customer will pay a greater or lesser amount according to the adjustment.

Where a meter is under-reading by more than 20% or has stopped, the WSA reserves

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the right to charge for the actual amount of water used over the past billing period, taking into account any seasonal variations in demand.

Where a meter is over-reading, the WSA will make appropriate adjustments to the Customer's invoice(s), based on a period of similar use and backdated to when it is agreed the over-reading is likely to have occurred.

7.12.5 Estimating consumption

If any meter is out of repair, ceases to register, or is removed, the WSA will estimate the consumption for the period since the previous reading of that meter, based on the average of the previous four billing periods charged to the Customer and the Customer will pay according to that estimate. If, by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four billing periods would be an unreasonable estimate of consumption, the WSA may take into consideration other evidence for the purpose of arriving at a reasonable estimate, and the Customer will pay according to that estimate.

If metering shows a significant increase in consumption for a premises, and the increase is established as being caused by a previously unknown leak, the WSA may estimate consumption as above, providing that the Customer repairs the leak with due diligence.

Where the seal or dial of a meter is broken, the WSA may declare the reading void and estimate consumption as described above.

7.12.6 Incorrect accounts

Where a situation occurs, other than as provided for in 7.12.5, where the recorded consumption does not accurately represent the actual consumption on a premises, the account must be adjusted using the best information available to the WSA. This includes, but is not limited to, misreading of the meter, errors in data processing, meters assigned to the wrong account, and unauthorised supplies. Where an adjustment is required, in favour of the WSA or the Customer, this will not be backdated more than 12 months from the date the error was detected.

7.13 Plumbing system

Quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations to be transmitted within the water supply system, or compromise the ability of the WSA to maintain its stated levels of service must not be used on any piping beyond the Point of Supply, except where approved in special circumstances by the WSA.

In accordance with the Building Regulations 1992 the plumbing system must be compatible with the water supply. Specific features of the WSA supply which need to be taken into account are contained in table 1.

Table 1 - Compatibility features

Feature	Value			
Maximum pressure	90 metres head			
Normal operating pressure	15 to 45 metres head			

7.14 Prevention of waste

The Customer must not intentionally allow water to run to waste from any pipe, tap, or other fitting, or allow the condition of the plumbing within a premises to deteriorate to the point where leakage or wastage occurs.

The WSA provides water for consumptive use not as an energy source. The Customer must not use water or water pressure directly from the supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the WSA.

The Customer must not use water for a single pass cooling system or to dilute trade waste prior to disposal, unless specifically approved by the WSA.

7.15 Payment

The Customer is liable to pay for the supply of water and related services in accordance with the WSA fees and charges prevailing at the time.

The WSA may recover all unpaid water charges as prescribed in the Local Government (Rating) Act 2002, sections 57 to 82.

7.16 Transfer of rights and responsibilities

The Customer must not transfer to any other party its rights and responsibilities under this Bylaw.

A supply pipe must serve only one Customer, and must not extend by hose or any other pipe beyond that Customer's premises.

Without limiting the above, any water which the Customer draws from the water supply system must not be provided to any other party without approval of the WSA.

7.17 Change of ownership

If a premises changes ownership the WSA will record the new owneras being the Customer at that premises. Where a premises is metered the outgoing Customer must give the WSA five working days' notice to arrange a final meter reading.

7.18 Disconnection at the Customer's request

The Customer must give 20 working days' notice in writing to the WSA of the requirement for disconnection of the supply. Disconnection will be at the Customer's cost.

8. Breaches and infringement Offences

8.1 Breaches of conditions of supply

The following are deemed breaches of the conditions to supply water and constitute an offence against this Bylaw:

- (a) An incorrect application for supply which fundamentally affects the conditions of supply (section 7);
- (b) Failure by the Customer to meet and comply with the conditions of supply;
- (c) Failure to meet any obligation placed on the Customer under any current Acts or Regulations specified in section 4.4 (a) and elsewhere within this Bylaw;
- (d) Frustration of the WSA's ability to adequately and effectively carry out its obligations;
- (e) Any other act or omission in breach of this Bylaw including but not limited to any of the following:
 - (i) Failure to pay the appropriate charges by the due date;
 - (ii) Failure to repair a leak, or in any way willfully allowing water to runto

waste, or to be misused;

- (iii) The fitting of quick-closing valves, pumps, or any other equipment which may cause pressure surges or fluctuations within the water supply system, or compromise the ability of the WSA to maintain its levels of service (subject to 7.13);
- (iv) Failure to prevent backflow (see 7.10);
- Failure to comply with water use restrictions or prohibitions introduced by the WSA for any specified purpose;
- (vi) Using water or water pressure directly from the supply for driving lifts, machinery, educators, generators, or any other similar device, unless specifically approved by the WSA;
- (vii) Using water for a single pass cooling or heating system, or to dilute trade waste prior to disposal, unless specifically approved by the WSA;
- (viii) Extending by hose or any other pipe a private water supply beyond that Customer's premises; and/or
- (ix) Providing water drawn from the water supply system to any other party without approval of the WSA.

In the event of a breach of this Bylaw the WSA will serve notice on the Customer advising the nature of the breach and the steps to be taken to remedy it. If, after one week, the Customer persists in the breach, the WSA reserves the right to reduce the flow rate of water to the Customer without notice. In such an event the full service of the supply will be re-established only after payment of the appropriate fee andremedy of the breach to the satisfaction of the WSA.

In addition, if the breach is such that the WSA is required to disconnect the supply for health or safety considerations, such disconnection should be carried out forthwith.

8.2 Interference with equipment

Any tampering or interfering with WSA equipment, either directly or indirectly, constitutes a breach of this Bylaw. Without prejudice to its other rights and remedies, the WSA is entitled to estimate (in accordance with 7.12.5) and charge for the additional water consumption not recorded or allowed to pass where a meter or restrictor has been tampered with, and recover any costs incurred.

8.3 Offences and penalties

A person who is convicted of an offence against this Bylaw is liable under sections 239 and 242 of the Local Government Act 2002 to a fine not exceeding \$20,000.

A person who is alleged to have committed an infringement, as specified in regulations made under the Local Government Act 2002, by breaching the Bylaw, may be served with an infringement notice in accordance with section 245 of the Local Government Act 2002.

Napier City Water Supply Bylaw 2022

Adopted on [date]

2022

This Bylaw was made by the Napier City Council by resolution at a Council meeting on [date] 2022.

Sealed with the Common Seal of the NAPIER CITY COUNCIL

in the presence of:

Mayor

Chief Executive

3. REPORT ON THREE WATERS REFORM PROGRAMME

Type of Report:	Operational							
Legal Reference:	N/A							
Document ID:	1442095							
Reporting Officer/s & Unit:	Rebecca Huckle, Three Waters Reform Programme Manager							
	Russell Bond, Manager Water Strategy							

3.1 Purpose of Report

To inform the Council on the progress of the Three Waters Reform Programme within Napier.

Committee's recommendation

Councillor Chrystal / Mayor Wise

The Sustainable Napier Committee:

a. Endorse the report on the Three Waters Reform Programme.

Carried

3.2 Background Summary

Three Waters Reform Programme was launched by Central Government to reform the delivery of Local Government's three waters (Water Supply, Wastewater and Stormwater) alongside the appointment of a new regulator.

Napier City Council has undertaken a programme of work in readiness for this reform with funding support from the Department of Internal Affairs (DIA) in the order of \$12.51m over a period of 20 months (November 2020- June 2022).

The goal for Council over this timeframe is to catch up on operational work that has not been prioritised in the past and to ensure that the assets, services, the data and the people are in the best state possible moving as the reform process progresses.

The key principles of Napier City Council's programme are:

- · Improved capacity and capability to accelerate infrastructure projects
- Preparation of the team and local industry for upcoming standards as part of reform process
- Improving safety and quality of drinking water by fast tracking delivery of low manganese water to reduce dirty water events and address fire-flow issues
- Improving Māori/iwi and community engagement
- Upgrades to the three waters asset management system and maintenance management transformation programme

3.3 Issues

There are no issues associated with this report.

3.4 Significance and Engagement

This programme is engaging with mana whenua through the *lwi engagement on Three Waters and Cultural Values Assessments* programme of work. This piece of work aims to extend the Council's capacity and capability for engaging with Māori, including development of a cultural values assessment.

Council engaged with residents during the 2020/2021 summer break around what the community saw as key issues. Three Waters concerns were highlighted by this consultation, noting that some of the projects in the reform programme are going some way to addressing these concerns in combination with "business as usual" work.

3.5 Implications

Financial

Council has been given \$12.51m by the DIA to undertake a programme of work in addition to business-as-usual programmes. Detailed financial reporting on this spend is required quarterly to the DIA as part of a Memorandum of Understanding between the agencies. This includes hours spent by staff on each activity. Council has supplied co-funding for some of the projects, with the total anticipated spend for this programme at \$19.5m

To date the committed spend against all projects is \$17.132m, with \$2.3m yet to be committed. Actual Spend to end of February 2022 is \$11.715m

The attached report indicates current progress on the programme of work.

COUNCIL	PROJECT	VALUE
Napier Total - \$12.51m	 Capital Projects: Alternative Water Supply – address dirty water issues Water Safety Plan - delivery of improvement items Fire Flow Network Upgrades to meet levels of service Scoping Three Waters Master Plan Projects – additional resources to assist with the delivery of the current and reform capital plan Te Awa Structure Plan – Three Waters - additional funding to develop water infrastructure in Te Awa Pandora Industrial Waste – works associated with trade waste and understanding flow and composition 	\$8.45m
	Review of private water supplies – provide upgraded supply for the Meeanee School hall	
	 Planning and Asset Management Projects: Parks Water Bores Investigation and Implementation – assessment of bores and commence consenting process for water conservation Essential Service Planning and Contributions Policy – ensure that three waters programmes are funded appropriately to develop the networks Maintenance Management Practices - Develop maintenance management practices and workflows and integrate these into the Asset Management System Delivery Improvement Review – systems and process development Asset Management Systems & Data Collection Three Water Models & Masterplans – peer review of models, additional calibration, and peer review of master plans 	\$3.16m
	Collaborative Projects:	\$900k

The projects and associated DIA spend are as follows:

COUNCIL	PROJECT	VALUE
	 Iwi engagement on Three Waters and Cultural Value Assessments – extending the capacity and capability for with Māori, including development of a cultural values as Regional Water Projects 	or engaging

Progress

Significant progress has been made in the last quarter (Oct-Dec 2021)

All capital projects have progressed either to or past the tender stage with most now having contractors on site. Operational projects are also progressing. Key capital projects are more advanced than operational projects.

Water Quality Improvement is progressing with the completion of the A3 bore at Meeanee Road. Work is now starting on the new bore (T8) at Guppy Road, Taradale with a temporary drilling pad and accessway being constructed.

Fireflow Network Upgrades in nearing completion with commissioning taking place in the first three weeks of March.

The Parks and Reserves Water Bores work has been completed, with designs received for the Anderson Park splash pad project alongside a new bore on site, as well as the remediation of the reticulation system at the Botanic Gardens.

Asset Management Systems and Data Collection continues with the upgrade of the current system, with contractors engaged and on board. Significant progress is anticipated over the next two months.

Delivery Improvement Review work targeting carbon zero and climate risk & maturity continues under the stewardship of Councils Senior Policy Analyst – Climate Resilience for both Carbon Reduction and combined Environmental Maturity & Risk. Reports from consultants undertaking the work are expected by March 2022. Council-wide engagement is taking place.

Iwi Engagement continues with the support of Te Waka Rangapū. Work with Ngati Pārau continues with the first of a series of wānanga taking place on 11 March 2022. A full work plan has been received for this work going forward. An underspend against the full project is anticipated at this point, however as with Regional Collaboration Projects above there is an opportunity to offset some co-funding against other projects.

Regional Collaboration Projects have also fallen behind. After discussion with the Programme Manager for this piece of work, NCC's portion of the underspend, including the portion for the contestable fund will be returned to Council for reallocation.

A meeting was held with Crown Infrastructure Partners (CIP) who manage the reform projects for the DIA. They highlighted that underspend in projects can be used as a priority with CIP funds needing to be spent before the 30 June 2022.

Social & Policy

There are no social and/or policy implications associated with this report.

Risk

The major risks to the programme:

1. <u>Risk</u>:

There is a risk that the programme of work will not be completed by the revised date of 30 June 2022 (Previously 31 March 2022), leading to an underspend of funds. This is due to other competing priorities for key staff at the beginning of the programme

such as the Long-Term Plan, the knock-on effects of the flooding event in November 2020 and constraints due to Covid-19 including supply chain issues as well as staffing. There is also a risk that internal or external resources are not available to deliver parts of the programme when required.

Mitigation:

In order to mitigate these risks officers are engaging with suppliers in advance of needing any physical assets and have instructed that these are held for us until required if possible. Where this is not possible, we are working in an agile way to keep work going while awaiting delivery. We are also engaging with consultancies to ensure we can maintain levels of service in the form of staffing from them ahead of time. We have supplemented permanent staff where needed with contract staff in order to progress the projects where necessary.

2. <u>Risk</u>:

There is currently some minor programming concern with the progress within the Water Safety Plan Improvements project, the contractor (Trility) is showing delays in the manufacture and delivery of instrument cabinets. This item is part of the critical path and has an effect on the completion date of the project for the delivery of all of the units. This delay is on a small portion of the Water Quality Monitoring project and will not impact the practical completion of the Water Treatment Plants.

Mitigation:

The programming of this critical path has been highlighted with the project team and the contractor to ensure the cabinets are delivered fabricated to ensure that they are able to be installed as soon as they arrive on site. This will minimise any delays to a small number of sites for the water quality project.

3.6 Options

The options available to Council are as follows:

1. To endorse this report on Implementation of the Three Waters Reform Project

3.7 Development of Preferred Option

This report is for information purposes only.

At the Meeting

The Officer took the report as read.

In response to questions from the Committee it was clarified:

- In response to the risk outlined in the report, that the programme of work may not be completed by the cut-off date for the Department of Internal Affairs (DIA) funding, which would require a refund of unspent funds, the team have a list of back up projects to use that funding on. The Crown infrastructure partnership is supportive of flexibility in the work programme.
- The parks water bores investigation and implementation project involved some pieces of work. Council staff found a leak in the race at the botanical gardens. By sealing the race they have improved the water use and efficiency, and they have looked at lining the pond. There was also some irrigation efficiencies that could be made in one of the other parks. Staff are also looking at installing

backflow preventers in the parks as there is a potential for bore use in the parks so would need to protect the water supply.

Accepting funding from the DIA does not commit NCC to the government's proposed Three Waters Reform model. Council will continue to have conversations with the government about this and advocate on behalf of the community.

3.8 Attachments

1 Three Waters Reform Progress Sustainable Napier March 2022



3 Waters Reform Program 2021 - March 2022



No.	Project	Description	Value	Committed to Date	Sponsor	Key Lead/ Project Manager	Progress	Financial	Scoping	Procurement	Project Underway	Final Review/ Commissioning	Project Complete	Progress Comments	Project Risks & Issues.
1	Water Quality Improvement Project	Low Manganese water (reduce water quality issues for the city thorugh alternative supplies)	\$5.8m	\$4.86.m	R Huckle	lain Sutherland (Beca)	۵	۵	۵	٩	٠	٠	٠	A2 bore drilling complete, A3 due to complete within the week. Testing of A3 has indicated low managnese and iron. Commissioning will proceed.T8 bore due to commence in the next 4-6 weeks. Tenders have been let, containerised treatment plants being produced as per Water Safety Plan Delivery reported below. Due to extended scope, cofunding has been provided from LTP budget. Programme on-track	Consenting - highest risk Timeliness Procurement of physical assets is a challenge with Covid related shortages, now compounded by extended international delivery times due to Ukraine crisis.
2	Water Safety Plan Delivery of Improvement Items	Water Safety Plan Delivery of improvement items (provide network monitoring to manage quality and safety of the water supply and deliver other network improvements.	\$1m	\$1.32m	R Huckle / T Garrett	Tom Garrett (Beca)		۵					٠	Design and build has commenced, with EA approval currently being sought. Materials are being procured ahead of time where possible	There has been some slippage in the delivery schedule which could push completion date out near to 30 June deadliine. PM working with Trility to try and mitigate, however some key staff now being affected by Covid.
3	Fire Flow Network Upgrades to meet Levels of Service	FW-2 (Address urgent fireflow issues across the network as identified from recent model and master plan project outcomes)	\$2.7m	\$2.372m	R Huckle / T Garrett	Karlton Karangaroa	١	۵	٩			٠	٠	Onehunga Rd 95% complete and awaiting commissioning. Franklin Road is 80% complete and awaiting connections to be added before commissioning, Le Quesne is 40% complete. Financials on track at this point.	Previous cost overrun risk mitigated by the PM, with a small underspend anticipated. Cost Overruns
4	Parks Water Bores Investigation and Implementation	Parks Water bores Investigation and implementation (Increase resilience and improve water conservation)	\$0.37m	\$0.416m	R Huckle	Mike Alebardi	١	١	٠				٠	Final report for decomissioned bores expected within the next two weeks. This will be the last piece of work to complete this project	
5	Review of Private Water Supplies	Review of Private Water Supplies (Provide upgraded supply for the Meaane school and hall)	\$0.41	\$0.115m	R Huckle / T Garrett	Tom Garrett (Beca)				١	٠		٠	The project has been tied in with the Awatoto Industrial water supply. Now progressing with D&B option, tender process beginning.	Completion at risk due to contractor panel delays. Mitigation by looking at combined Design & Build option and procurement of physical assets ahead of time
6	Peer Review 3 Waters Models & Master plans	Peer review - 3 Water models & Master plans (Continue with the master planning process by undertaking peer reviews of models, additional calibration and peer review of master plans	\$0.35m	\$0.1m	R Huckle	T Garrett (Beca)		١	١	١			٠	Peer review of modelling went to tender with preference for all three waters to be reviewed by the same consultants. There was no appetite by consultants to review all three. PM now taken this to contractor panel who are responding with preferred models to review	Appetite by consultants to provide the reviews- due to lack of resource is still an issue, however this is being mitigated by the use of the new contractor panel.
7	Scoping Three waters Master Plan projects	Engineering expertise to assist with the upfront work to deliver the \$449m of Three Waters capital works coining up in the I0 year plan	\$0.69m	\$0.504m	R Huckle / T Garrett	3W team								Additional Resources engaged and underway with scoping and managing the water programme. Good progress being made.	
8	Te Awa Structure Plan and 3 Waters Infrastructure	Te Awa Structure Plan - 3 Waters (Enable growth and address affordability issues)	\$5.4m	\$5.372m	R Huckle	Jamie Goodsir	٢		۵	١		٠	٠	Project Back on track now with 3 contractors on site. Have transfered total to the project budget from this code to the project code.	Further delays to the project from scope changes
9	Pandora Industrial Wastewater Pipe	Back up project replacing the WW outfall chamber as this was already repaired. Updated project will be used to install flow meters on tradewaste customers.	\$0.28m	\$0.148m	R Huckle	Matt Johnston (Beca)	۵		١	١			٠	Design and build phases now underway with design nearing completion and EA approval sought. Flow meters adn sampling stations have been identified and will be procured within the next 4 weeks.	There is a risk that the lead time for the meters and samplers could cause to project to come close to project deadlines. PM finding shipping timelines and sources of these parts domestically
10	Asset Management Systems & Data Collection	Data Collection - EAM (Fully implement an upgraded enterprise asset management system for 3W team, undertake asset data condition assessments and upgrade information	\$.5m	\$0.319m	R Huckle	Andrew Hartrick								The project manager has engaged with software firms and the project is now gathering pace including the investigation of viable new options for the asset management system.	Software companies not delivering on promised upgrades. Increase in costs is a risk.
11	Delivery Improvement Review	Delivery improvement review (integrate Project Management Framework, contract management., procurement, design, PMO etc. to Improve our project management and delivery capability	\$0.3m	\$0.244m	R Huckle	R Huckle	۵	۵					٠	Consultant engaged to assist with asset management improvements. Carbon reduction project for 3W is well underway with analysis being undertaken by consultant. Climate Change roadmap for 3W started with council-wide engagement taking place	Buy-in and support from Council staff due to capacity.
12	Maintenance Management Practices	Extend MMTP (Deliver Maintenance Management Transformation Programme faster and equip our internal service provider to be more competitive in preparation for the reform whilst improving asset data and operational processes	\$0.18m	\$0.128m	R Huckle	AMIT/ 3W teams		۵	٢				٠	Stantec currently working on the P&IDs (Piping & Instrumentation Diagrams) for all pump stations. Anticipated to complete these by 30 March. If extra budget available by March end, we will look to expand to other areas.	Availability of other teams to assist.
13	Waters Essential Services Plan and structure plans	Essential Services Plans and FC/DC Policy review (Ensure that 3W programmes are funded appropriate ly and that our FC/DC policy is upto- date and robust to enable capture of funds to develop the networks)	\$0.29m	\$0.170m	R Huckle / T Garrett	Develop- ment & Stds Team						٠	١	Structure plans budget is being used in conjunction with City Strategy, with all remaining budget to be spent	There is a risk of overspend, however this could be mitigated by tansferring of funds from an underspent project
14	lwi Engagement on 3 Waters & Cultural Values Assessment	Iwi Engagement on 3 Waters (Extending the capacity and capability for engaging with Maori and mana whenua, including development of a cultural values assessment	\$0.40m	\$0.297m	R Huckle	Te Waka Rangapū / R Huckle						٠	٠	Ngāti Pārau are now fully engaged with NCC, providing a plan for their engagement around 3 waters. Engagement with other Iwi is ongoing, with assistance and guidance provided by Te Waka Rangapū	There is a risk that lwi will not engage with NCC and underspend will continue.
		Regional Projects (a \$500,000 allowance has been made to work on Regional Projects. The local suppliers have worked together to develop a shared regional programme of work, valued at \$1.4m		\$0.213m	Toni Goodlass	T Goodlass and external providers								Agreement has been reached with the Regional Programme Manager to remove any underspend, and apply to DIA to place this against NCC controlled projects. This will decrease NCC cofunding and increase the DIA spend by the same amount on the selected project	There will be an underspend based on current reporting from Regional Projects.
		Three Waters Reform Programme RFI		\$0.754m	AMIT Team	Various				•				Project largely completed, some remaining questions coming from DIA and WICS.	
15	Regional Projects	Regional Private Supplier Assessment		\$0.3m	Toni Goodlass	Various						٠	٠	RFP scoped and DIA involved in finalising scope. Calls to private suppliers underway	
		Regional Contestable Fund for private - scheme assistance and support.									•			scoping discussions underway	
		Regional Engineering code of practice Regional Audit of Asset Management/GIS systems								A				Project no longer visible Project no longer visible	
		Regional Cadet and Operators Scheme					-				_			This project no longer a viable option	

4. DECORATIVE PAVING SHOP ENTRANCE POLICY

Type of Report:	Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1431134
Reporting Officer/s & Unit:	Robin Malley, Team Leader Transportation

4.1 Purpose of Report

To seek approval to withdraw the *Decorative Paving Shop Entrances Policy* which is considered by Officers to be surplus to requirements.

Committee's recommendation

Councillors Simpson / McGrath

The Sustainable Napier Committee:

a. Approve the withdrawal of the Decorative Paving Shop Entrances Policy.

Carried

4.2 Background Summary

The *Decorative Paving Shop Entrances Policy* was introduced in 1991, relating to the redevelopment of Emerson Street to its current layout. The redevelopment included the installation of the brick pavers. Some decorative elements along shop fronts were included in the construction, ranging from simple geometric patterns to individual icons such as a dollar symbol and wine glass.

It is not clear whether the Policy originated in response to requests from businesses and landlords for custom paving to be included in the construction, or to control future requests once the 'new' paving had been installed.

There do not appear to have been any areas of decorative paving installed since the construction was completed in 1992.

The Policy provides criteria for the approval of any decorative paving requests, including the agreement of the 'coordinating architect' and minimum skid resistance levels for the pavers. It also provides a set of conditions providing Council with the ability to remove or replace the paving.

4.3 Issues

No issues.

4.4 Significance and Engagement

N/A

4.5 Implications

Financial

None

Social & Policy

None

Risk

None

4.6 Options

The options available to Council are as follows:

- a. Retain the Decorative Paving Shop Entrances Policy.
- b. Withdraw the *Decorative Paving Shop Entrances Policy*. This is the preferred option.

4.7 Development of Preferred Option

The controls provided for in the Policy are within the powers afforded to Council under the Local Government Act 1974 as road controlling authority. With or without the Policy in place, Council would need to approve any proposed works within the road reserve corridor. Further, the right to make changes to any paving already installed remains with Council.

The Policy as currently adopted applies only to Emerson Street. Other than in the context of the 1992 upgrade works, there is little reason to have a specific policy for Emerson Street which does not apply consistently across the whole CBD.

From a search of digitised Council records, there have been no applications made under the Policy for at least 15 years.

There is no risk of uncontrolled modification of public space or assets if the Policy is withdrawn.

At the Meeting

The Officer spoke to the report. The withdrawal of this policy requires Council approval.

There were no questions from the Committee.

4.8 Attachments

1 Decorative Paving Shop Entrances Policy (2017)



Decorative Paving Shop Entrances Policy (policy being discarded)

Approved by:	Council	Council					
Department:	Infrastructure Services	Infrastructure Services					
Date Approved:	29 July 1991	Reviewed:	27 March 2017				
Next Review Date:	N/A	DOC ID:	346195				
Relevant Legislation:	N/A						
NCC Documents referenced:	C35-0007						

Policy

- 1.1. Emerson Street businesses are permitted to have customised pavers/tiles of their choice, limited to that area outside their shop entrance.
- 1.2. The co-ordinating architect must approve Design/layout.
- 1.3. Pavers must have coefficient of friction of 0.6/greater as measured by the Tortus method.
- 1.4. Non standard blocks are to be laid by the Council's contractor at the cost of the business.
- 1.5. Council has the right to lift & re pave non-standard blocks for future maintenance.
- 1.6. Council has the right to replace non-standard with standard blocks if a similar replacement cannot be found.

5. CAPITAL PROGRAMME DELIVERY

Document ID: 1440069	
Legal Reference: N/A	
Type of Report: Information	

Reporting Officer/s & Unit: Jon Kingsford, Director Programme Delivery

1.1 Purpose of Report

To provide Council with information on the 2021 Long Term Plan Capital Programme and initiatives underway to improve Capital Programme Delivery.

Committee's recommendation

Councillors Brosnan / Simpson

The Sustainable Napier Committee:

a. Receive the report titled "Capital Programme Delivery".

Carried

1.2 Background Summary

Situational update

The Omicron variant of Covid-19 continues to present a clear risk to the delivery of Napier's capital programme.

Information on rapidly rising material costs has been provided by Council's contractors, for example the cost of PVC and PE pipes has increased 11% in the last 3 months, which combined with increases over the last 12 months equates to a 50+% increase in the cost of these materials. This puts pressure on materials acquisition at quoted prices, particularly for longer term contracts.

Council have already moved to payment on evidenced delivery of materials to a secure site and contractors are being encouraged to confirm and secure orders as soon as contracts are in place in order to manage price risk.

Capital Programme Summary

Currently the Design and Projects team have 36 projects in progress to the value of \$20.5 million, with the balance of projects being managed within each activity to which they relate. These projects may have carry over funding associated with their delivery in the 2021/22 financial year.

Projects Going to Tender

The following notable projects are progressing through the tender in this reporting period:

- Pandora Industrial Pipeline Remediation
- Essex Street Playground Civil Works
- Maggies Way Dolbel to Otatara

- Onslow Steps and Ramps
- Taradale Library Air Conditioning Upgrade

Projects nearing/at completion

The following notable projects are nearing completion of the construction phase in this reporting period:

- Centennial Hall Court Lighting
- FW2 Fire flows network upgrades
- Dedicated Hydrant Water Take Thames Street now operational
- HBRU game field lighting

The attached report **(Appendix 1)** further demonstrates progress of-notable projects currently underway.

Processes Undergoing Review

In order to improve programme delivery performance, a number of processes are being reviewed. The objective of these reviews is to ensure processes are fit for purpose and as efficient as possible with respect to the time to complete them. These work packages are summarised below:

Project Management Policy and Strategy

A review of the current Project Management Policy and Strategy is required to reflect the creation of the Programme Delivery Directorate and to identify the opportunities created by the new directory. The goal is to complete this work in time for the delivery of Project Management related training to ensure that Council direction on Programme Delivery is consistently communicated through this training.

Council's Project Management Framework

Council has formalised is approach to the consistent delivery of projects through the development of its Project Management Framework or **PMF**. This framework has been developed for small and large projects and is documented in Council's Sycle enterprise software solution.

Since the implementation of the PMF user experience has increased but also new people have joined Council and have not had the benefit of any formal training on the PMF and therefore are not very familiar with its intended purpose and how to use it.

The review team will engage with regular users of the PMF to identify what works well, what doesn't work well and what improvements should be considered. Council Officers involved in project work who use the PMF infrequently, are uncertain about the use of the PMF, or who do not use the PMF at all will also be engaged with in the review to identify opportunities to improve the uptake of the PMF.

The initial workshops with staff were impacted by COVID and large numbers of staff working from home requiring an online approach to gaining the engagement and feedback sought needed to be investigated. Although this work was developed as a standalone piece of work it aligns closely with the other initiatives currently underway and so will be integrated with those processes going forward.

The outcome of this review is likely modifications to the PMF in Sycle and the development and delivery of training material to project related staff across Council.

Project Financial Reporting

The current process available to staff to track project related spend is a very manual process is very inefficient and consumes significant staff time every month to complete.

Rather than continue to attempt to modify processes within the constraints of multiple existing systems, the review team will be taking a step back from the current process to reassess what level and detail of financial information is required to enable project teams to track spend on projects. The review team will then look to see if the revised information needs can be met by existing systems or whether different tools are required.

Programme and Project Reporting

There are multiple layers of reporting requirements associated with both individual projects and Council's programme of work. Sycle has a number of report templates that are intended for different audiences, some of which are not fit for purpose or are cumbersome to use.

Sycle now has a new reporting module that enables users to develop their own reports tailored to their own and stakeholder needs. Council will be reviewing this module to ascertain its ability to meet our reporting needs, with a view to rolling out to users in the near future.

The intention is to develop new reports that inform Council's current reporting processes (for example Sustainable Napier Capital Programme Report tables, Mega Projects Governance Group Reports and ideally A Programme Level dashboard).

NCC Project Management Manual

Together with the above packages of work, some of which will feed into this package of work, Council's existing project related manuals, documentation and templates is underway with the intention of developing a new Project Management Manual. This documentation will be complemented with training material that can be rolled by repeatedly to Council Officers and panel members involved in the development and delivery of Council projects.

While the manual is not intended to be a step by step process on project delivery, it will seek to cover asset and non-asset, operational and capital project related processes. The manual will also seek to provider a greater level of clarity of roles and responsibilities relating to the PMF throughout is multiple phases with a view to making a project's transition through the PMF and/or from one role holder to another more efficient.

In parallel to the manual, work has commenced on the development of project scoping templates so that better direction can be provided to Activity and Asset Managers as they work up project scopes for the Programme Delivery team. These templates will be included in the manual and training materials.

Procurement Opportunities

With a Procurement Lead now appointed, opportunities will be explored to further improve Council's procurement process and communicate out to and support staff involved in procurement.

Of particular interest are opportunities to bundle projects of like work to form packages of work that are more attractive in a construction industry that is at or beyond capacity.

Project Management Training

In addition to the training associated with the Project Management Manual now in development, introductory training on Project Management fundamentals is being

investigated. This level of training is intended for new staff members and/or staff members new to projects that do not have a great deal of experience in developing or managing project of any size.

1.3 Issues

Industry Capacity

The construction industry, including professional service providers and contractors; is currently stretched beyond capacity. This is impacting on the Hawkes Bay and Napier City Council's programme delivery. The arrival of the Omicron variant of COVID-19 is likely to add additional pressures on workforce availability and supply chains.

1.4 Significance and Engagement

This report is for information purposes only.

1.5 Implications

Financial

The financial performance of individual projects does not form part of this report.

Social & Policy

There are no social and/or policy implications associated with this report.

Risk

Significant project risks are reported to Council separately via the Audit and Risk Committee.

1.6 Options

This report is for information purposes only.

1.7 Development of Preferred Option

This report is for information purposes only.

At the Meeting

The Officer spoke to the report. In response to questions from the Committee it was clarified:

- The Centennial Hall will hopefully be reopening by the end of April, subject to availability of materials.
- A review of Council's financial management information system in the current operating environment is being prioritised over the coming year. Council will be looking at the level of financial reporting that is required from a project perspective, and what the current gaps are, to inform what system would meet all Council's needs. There is funding set aside in Council's Long Term Plan for an upgrade of the current finance system or for a replacement system. NCC is talking to other Councils about what they are using, but it is also bearing in mind the potential impact of the Three Waters Reform.
- Poraiti Road Corridor Improvement project has been deferred.

The answer given in the meeting was so Council could work with Mission Development and to work through any land purchases required to complete the project. This answer was corrected after the meeting:

The project is 'on hold' is for minor sightline improvements on Poraiti Road itself. It was programmed for a previous year, but Covid interruptions (and

the subsequent shovel-ready flurry of unprogrammed activity) meant we had to re-prioritise resources. Now that the speed limit has been reduced, the risks are lower and therefore project priority has reduced. There are still some improvements which would be worthwhile, but these will probably be on a more operational scale now.

5.8 Attachments

1 Capital Programme report

PROJECT NAME	PROJECT PHASE	ASSET DISCLIPINE	PROJECT UPDATE	PROJECT PHASE	% OF PROJECT	FINANCIALS	SCHEDULE	REASON FOR RED OR AMBER STATUS	Completion Date
McLean Park Digital Screen	PLAN & EXEC	Business & Tourism	The screen is currently being manufactured by Daktarin and will be shipped to NZ. The expected time of arrival on site and commencement of install is late May / early June 2022. A structural report on the condition of the housing is due for completion by end of February 2022.						Aug-22
Centennial Hall (RGCEC Floor and Lighting Replacement)	Initiate	BAM	main floor and lighting work completed. Atkins contracted to carry out the door, carpentry, vinyl and fover flooring.	Construction	59%				Jun-22
Doris Memorial	Initiate	Business & Tourism	On hold due to budget issues - sponsor to require funds of \$178k	Initiate					
Marine Parade War Memorial	Initiate	Business & Tourism	Developed Design is currently being costed by QS. A final design for the floral clock is nearing completion.	Design	55%				Jan-23
Napier Aquatic Centre Expansion	Initiate	Sports & Recreation	report to be presented to Council March 2022.	Survey					
Swan Memorial Lamp Repair	PLAN & EXEC	Parks Reserves and Sportsgrounds	The project has been delayed by two months and is expected to be finished by end of May.	Procurement	82%			The reason for the delay is resource constraints experienced by the fabricators due to Covid.	May-22
Aquarium Reef Tank Diver Access Investigation	PLAN & EXEC	National Aquarium	Project is delayed by three months. Awaiting reports to be provided by the consultant.		57%			Delays due to supplier availability	
Essex Street Reserve Playground Renewal	Initiate	Parks Reserves and Sportsgrounds	Work progressing as per the approved revised scope, planned schedule and budget. Contract (2199 is awarded to Playco. Tender for civil works will be sent out by end of this week (ending 27 Feb).	Design	65%				Oct-22
Puketitiri Road Safety Improvements	Initiate	Transportation	Concept design completed. Information on Emerald Hilldevelopment is required to progress the design further.	Design	5%				
Dolbel to Otatara (Maggie's Way)	initiate	Parks Reserves and Sportsgrounds	be out once approved. Scope to be finalised before tender process begins.	Tender	45%				Nov-22
Marewa Shops Improvements	PLAN & EXEC	Transportation	Roading layout provided on 11.02.2022 for review. Engineer's Estimate requested. Awaiting further instructions from project sponsor.	Design	55%			Project to be re-scoped. New budget.	
HBRU Game Field	PLAN & EXEC	Sportsgrounds	Delays in getting the lights livened. HBRU Subdivision to go ahead, as per Sponsor's advice (8000m2 land).	Construction	69%				Jun-22
Parklands Area 4	Initiate	Parklands	Currently programmed to complete construction in May 2022	Design	16%				May-22
Poraiti Road Corridor Improvements	PLAN & EXEC	Transportation	Project deferred. With Sponsor.	Programme	29%			With Sponsor	
Munroe Street WWPS	Execute	3 waters	EA issued 25/11/2021. Depot to complete construction. To by completed by July 2022.	EA	59%			Project budget to be confirmed. New GL to be determined post EA.	Jul-22
Parklands Area 3 Stages 8, 9, 10	PLAN & EXEC	Parklands	Downer are 44% complete overall. Stage 8 (Separable Portion A) is 70% complete. Project programmed for completion in July 2022. Project budget of \$6M. 44% of contract value complete. Covid may impact completion dates.	Construction	88%				Jul-22
W2 Fire Flow Network Upgrades	PLAN & EXEC	Transportation	The design is complete. New Eng Estimate needs to be generated to inform future budget. Project will then go on hold pending budget confirmation to proceed. Current Eng est is \$400k.	EA	56%			Budget yet to be confirmed.	
Whakarire Ave Coastal	PLAN & EXEC	Reserves	Single tender received - higher than available budget. Project on hold pending Council decision.	Tender	63%			Current budget needs to be increased; the only tender submission \$1.3M over Eng Est	
Latham Street Rising Main Valve Renewal	PLAN & EXEC	Waste Water	Project design currently at 100% stage ready for Engineering Approval grant. 3 PE pipes have been ordered and waiting for couplers to arrive at December 2021 to begin construction.	Plan & Execute	53%			At this stage budget is unclear as still waiting for prices for Gibaults. Depot to provide budgets for there works and materials in stock.	
Ellison St to Marine Parade Valking & Cycling Improvements	PLAN & EXEC	Transportation	Project still being re-scoped to meet MBIE \$2.747M funding allocation. Additional funding agreed from 3Waters and Roading teams. Discussions with NBH resolved. Contract completion programmed for April 2022 (contractor behind schedule last month). Revised completion date negotiated with MBIE 30.06.2022	Construction	61%				
Eriksen / Kenny Rd Intersection Upgrade	PLAN & EXEC	Transportation	Project in construction phase. EA yet to be issued (with WSP). The project continues to increase in scope as adjoining developers signal their requests for points of connection. Current programme completion in June 2022.	Construction	63%			Large variations approved for EOT delays, methodology changes , extra TTM. Possibly additional contingency required.	
			Minor issues with commissioning on Onehunga Rd						

FW2 Fire Flow Network Upgrades	PLAN & EXEC	Water Supply	Minor issues with commissioning on Onehunga Rd resolved. Kiwi Rail approved for NCC to undertake the works under the rails. NZTA approved the works on Main Rd. The works on Main Rd have commenced.	Construction	68%		delays due to contract & COP clash	
Ocean Spa Upgrades (Sauna and Steam Room)	PLAN & EXEC	Parade Pools	Sauna equipment has been ordered and awaiting shipping from Finland to NZ. The changing rooms 10% design is underway.	Design	85%			
Kennedy Road Cycleway - Georges Dr to Wellesley Rd	PROGRAMME	Transportation	Design nearing completion at which point Project will be put on hold due to insufficient funding	Design	61%		Insufficient budget to progress to tender	

Westshore to Ahuriri Walking & Cycling Connectivity	PLAN & EXEC	Transportation	Sponsor has sent design to an independent safety auditor for review. Draft tender document completed and awaiting final review.	Design	60%		Design delays	
Ocean Spa - Changing Rooms Renewal	Initiate	Sports & Recreation	The designer is progressing in a detailed design to help the Sponsor complete scoping this project. GW1 & GW2 need approvals in Sycle.	Design	53%			
Steps and Ramps 2020/21 (Onslow Steps)	INITIATE	Transportation	The increased budget has been approved by Sponsor (\$260,000.00). Tender awaiting the final design.	Design	71%			
Airport Sewer Pump Station Renewal	PLAN & EXEC	Waste Water	LPS largely completed and currently operating. Project on hold until we can dewater again. Options have been investigated, costed, and to be implemented in the week starting 28/02. It is highly likely more funding is required to replenish the likelihood of an exhausted contingency.		87%		Increse in budget is likely. Delays due to the rainfall event.	
Reservoir Inlets and Outlets Improvements	INITIATE	Water Supply	Lack of progress on scope confirmation and associated available budget means it is highly unlikely that this project will be able to be completed in the current FY.	Options review	56%		Scope change and related delays in approving design changes combined with low availability of resources are likely to have a negative impact on budget. No update on progress of Memo requesting increased budget.	
Taradale Library Air Conditioning Upgrade	PLAN & EXEC	Libraries	The project is getting ready to proceed through the design acceptance and procurement planning phase and into tendering phase now that final design has been returned by Jacksons. There are a few minor confirmations required from Project Owner but the project team should be able to move forward reasonably quickly towards getting the documentation in place for going to market in March.	Procurement	78%		Additional budget required to ensure the project goes ahead. Design received 11 Feb.	
Aquarium Sea Water Supply Pump	Initiate	National Aquarium	Project design has now been all but finalised, with only some minor control and instrumentation and non-return valve items to be finalised. This will enable initiation of the resource consenting process and cost estimation for project funds. Depot is assessing ability to resource as they might not be able to. PM and Project Owner to discuss procurement planning.		78%		Pending final estimate from Depot.	
Ahuriri Regional Park Master Plan	Initiate	City Strategy	The Working Group met on 14th February 2022 to discuss governance structure options. Further discussion required with Mana Ahuriri	Initiate	5%			
Awatoto WWTP Upgrade - Additional Storage	Programme		Preliminary design phase for project completion targeted end of late April 2021 and detailed design phase completed mid June. Estimated construction begin date targeted for early August 2021.		77%		Schedule impacted due to Liner scope change. Schedule to be reset.	твс
CBD - Stormwater upgrade	Initiate		Developing scope and concept plans		0%			
Dalton Street - Upgrade stormwater pump station	Initiate		Developing the project scope and concept plan		0%			
Eriksen Road / Kenny Road intersection upgrade	Plan and Execute		Construction has continued. We are 75% through the latest construction programme and have spent \$5.38M of the \$8.19M budget being tracked (65%).		65%			Jul-22
FW2 Fire Flow Network Upgrades	Plan and Execute		 Design EA approved. Onehunga Rd 95% completed - awaiting commissioning. Franklin Rd 95% completed - awaiting commissioning Le Quesne Rd 90% completed - awaiting kiwi rail pipe installation and commissioning Main Rd 40% completed - awaiting pipe installation Hill Rd 10% completed - awaiting pipe welding 		68%			Jun-22
Hospital Hill falling main	Initiate		Preliminary design and alignment of stage one.		0%			
Lagoon Farm Diversion	Initiate		The detailed investigation and preliminary design to start in 2021/22 and competition by June 2027		0%			Jun-27
New Taradale - Rising & Falling Trunk Mains	Initiate		Preliminary design work being scoped and implemented with 148k carry over budget.		11%			
Reservoir Inlets and Outlets	Plan and Execute		Awaiting Design report approval of solution and funding		56%		Design report approval outstanding. Further	
Improvements Standby Generators for	Plan and Execute		confirmation prior to going to tender. Procurement Process underway		50%		delays may impact on material costs.	
Pumpstations/Reservoirs Thames/Tyne Property			· · · · · · · · · · · · · · · · · · ·					
encroachment strategy.	Programme		Concept being developed. part single peer review contract to review both model		33%			
Water Supply Network – Master Plan Peer Review	Execute		and master plan. Reform Consultant assigned as PM as project funded by reform - to manage project execution.		50%		Availability of Consultants to undertake the work	
Water Supply Network Hydraulic Model	Initiate		Water Model is in the final stages of calibration. and has been used to provide input into the master planning projects.		0%			
Water Supply Network Hydraulic Model – Model Peer Review	Execute		Model peer review templates underway and single Procurement Plan for all reviews to follow.		48%		Availability of Consultants to undertake the work	
WS_Mataruahou (Napier Hill) Reservoir	Plan and Execute		Business Case on site selection completed. Project procurement strategy - completed. Procurement for a Project Manager (PM) - on-going. Dedicated PM acting on behalf of NCC identified as critical. 2021.08.02		49%			
WW Outfall - Consenting	Programme		Procurement plan is currently being developed.		25%			
WW_Pandora Industrial Tradewaste Treatment	Initiate		Tender process for remediation contract underway		16%		time taken to get to tender. Schedule to be reset.	

Iradewaste Ireatment					

6. LEASE OF RESERVE - DANISH DELIGHT

Type of Report:	Legal
Legal Reference:	Reserves Act 1977
Document ID:	1440552
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

6.1 Purpose of Report

To obtain approval to grant a new lease to Danish Delight HB Limited in the mid to southern end of the Marine Parade Foreshore Reserve for a three year term plus two rights of renewal of two years.

Committee's recommendation

Councillors McGrath / Brosnan

The Sustainable Napier Committee:

- a. Agrees to grant a new lease, under Section 54(1)(d) of the Reserves Act 1977, for Danish Delight HB Limited to continue to occupy an area in the mid to southern end of the Marine Parade Foreshore for a three year term plus two rights of renewal of two years.
- b. Notes that Council is acting under delegated authority from the Minister of Conservation in granting this lease.

Carried

6.2 Background Summary

The Danish Delights kiosk commenced operation many years ago on a site at the old boating lake on Marine Parade. With the closure of the boat lake, it moved to its present site in 2002 shown on the attached aerial plan with a pink star.

The business has been sold twice since then with the current lessee operating since March 2020.

The current lease is due to expire on 31 May 2022 at the end of the last renewal. It is therefore, necessary to obtain approval for a new lease.

The proposed term for the new lease is three years with two rights of renewal of two years.

Danish Delights trades in Danish waffles and ice cream. The sale of these confectioneries compliment and work well with neighbouring activities. The kiosk is adjacent to one of Council's car parks and outdoor seating areas as well as the Junior Bike Track.

6.3 Issues

While the kiosk is a commercial business operating on Reserve land, it is deemed to be for the convenience of the public using the marine Parade Foreshore Reserve and thus allowed under the Reserves Act.

6.4 Significance and Engagement

Not applicable.

6.5 Implications

Financial

There are no costs to Council with the lessee owning the building. The current monthly rental is 5% of gross income and it is proposed this continue. Payments are made on time and there is provision for Council to ascertain or check the amounts by requesting a copy of the annual audited accounts.

Social & Policy

Not applicable.

Risk

There is no risk to Council.

6.6 Options

The options available to Council are as follows:

- a. To approve a new lease to Danish Delight HB Limited in the mid to southern end of the Marine Parade Foreshore Reserve for a three year term plus two rights of renewal of two years.
- b. To decline a new lease to Danish Delight HB Limited.

6.7 Development of Preferred Option

Option (a) is the preferred option as it provides a service to those using or passing along Marine Parade.

At the Meeting

The Officer spoke to the report, indicating the location star on the map in the agenda was over the wrong building, and should be on the building to the right of the star. This will be amended for future documentation.

Amended below for the Ngā Mānukanuka o te Iwi Committee agenda.

There were no questions from the Committee on this report.

6.8 Attachments

1 Danish Delights HB Ltd location map





Scale: 1:655 Original Sheet Size A4 Print Date: 24/03/2022

CITY OF ADIER 2

Digital map data sourced from Land Information New Zealand, CROWN COPYRIGHT RESERVED. The information deplayed in the GVS has been taken from Napter City Counci's databases and maps. It is made available in good talk but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.



NAPIERTheArtDecoCity

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REPORTS FROM FUTURE NAPIER COMMITTEE HELD 24 MARCH 2022

1. RESOURCE CONSENT ACTIVITY UPDATE

Type of Report:	Enter Significance of Report
Legal Reference:	Enter Legal Reference
Document ID:	1438421
Reporting Officer/s & Unit:	Luke Johnson, Team Leader Planning and Compliance

1.1 Purpose of Report

This report provides an update on recent resource consenting activity. The report is provided for information purposes only, so that there is visibility of major projects and an opportunity for Elected Members to understand the process.

Applications are assessed by delegation through the Resource Management Act (RMA); it is not intended to have application outcome discussions as part of this paper.

This report only contains information which is lodged with Council and is publicly available

Committee's recommendation

Mayor Wise / Councillor Taylor

The Future Napier Committee:

- a) Note the resource consent activity update for period 18 January 2022 to 27 February 2022.
- b) **Note** the change to a Key Account Manager (KAM) model for managing significant consenting projects.

Carried

1.2 Background Summary

The following is an outline of recent activity regarding applications received by Council for consenting pursuant to the Resource Management Act.

Since the February update, the submission of applications to the Resource Consenting team have continued to remain steady however have declined in comparison to the same period 12 months ago down to 34 from 42. Whilst there has be a minor decrease in the number of resource consent applications received, the resource consenting team has taken this opportunity to focus on the processing of current applications and responding to planning related customer enquiries.

As can be seen from the summary table below, Council has not received any new applications that could be considered noteworthy.

Summary Table

Address	Proposal	Current Status	Update
115 Carlyle Street, Napier	Expansion of the Existing Car Sales Operation	Further information requested	Previously reported to Future Napier Committee. No further update
2 Darwin Crescent, Maraenui	Koha Shed and Recreational Activities	Under Assessment	Further information provided below
200 Waitangi Road, Awatoto	Earthworks and Disturbance of Soil in HAIL area (NESCS)	Decision Notified	Approved
113 Fryer Road, Napier	One Lot into Two Lot Subdivision	S357 Objection to Decision	Objection under assessment
16 and 38 Willowbank Avenue, Meeanee	Proposed lifestyle village	Appeal process	Previously reported to Future Napier Committee. No further update
	Kāinga Ora - Construction an	d Innovation	
19 Dinwiddie Avenue, Maraenui	Three Lot into Five Lot Subdivision and Multi Unit Development	Further information requested	Previously reported to Future Napier Committee. No further update
4 Lamb Terrace, Onekawa	One Lot into Two Lot Subdivision and Multi Unit Development	Under Assessment	Previously reported to Future Napier Committee. No further update

1.3 Key Account Manager Team

The Key Account Managers Team has been formed through the identification of a need to provide improved integrated cross-Council advice and guidance to major developers. The team is made up of five members including Georgina King (Team Leader City Design and Urban Renewal), Retha du Preez (Team Leader Development and Standards), Sophie Elliott (Major Development Lead), Fleur Lincoln (Strategic Planning Lead) and Luke Johnson (Team Leader Planning and Compliance). The responsibility of this group is to provide end-to-end management through the Council regulatory system, including assembling and co-ordinating project teams, providing a primary point of contact for the external stakeholder and to ensure that all internal stakeholders are informed of progress of respective projects, all whilst providing a high standard of customer service and strategic alignment.

A core function of this team is to provide a strong focus on identifying and resolving issues ahead of application lodgement and removing unnecessary delays throughout Council's processing framework.

It is expected that each Resource Consent Activity Report will include an update on the Key Account Manager Team projects.

Kāinga Ora

Recent discussions with Kāinga Ora have allowed Council's Key Account Manager Team to gain an insight into their proposed work programme for the near future. The collaboration between Kāinga Ora and Napier City Council allows for an open line of communication between each organisation that amongst other things, aims to assist in the resource consenting process whilst enabling positive development for the community. The hui occurs each month and supports the forward planning of both organisations and further, allows for the appropriate management of Council resources throughout the respective resource consent processing stages.

Riverbend Road – Fast Track Consenting

In December 2021, the Ministry for the Environment granted the authorised consortium of Tawanui Development Limited; K3 Properties Limited; and Mana Ahuriri Holdings Limited permission to take The Riverbend Residential Development through the Covid-19 Recovery (Fast-track Consenting) Act 2020 process. This process allows developers of approved developments to avoid the standard application and assessment process undertaken by Local Authorities, and instead to apply to an Expert Consenting Panel, supported by the Environmental Protection Agency. This has been established to process any resource consent applications and notices of requirement directly (i.e. missing out the Council's consenting process). Council effectively becomes a submitter in the process, but still must operate and maintain any infrastructure vested in Council.

The Riverbend Residential Development relates to a 23.2ha rural zoned land area adjacent to Pukemokimoki Marae and accessed from Riverbend Road. It is proposed the development will consist of approximately 670 residential units, public open spaces, commercial premises, and associated infrastructure. The Riverbend Residential Development consortium have appointed a team of consultants to design the development, including urban designers, engineers and planners. This consultant team are currently working closely with Council's Key Account Manager team to ensure the design is appropriate for the site and will not cause problems with the surrounding environs and infrastructure. Tasks currently being completed include:

- Agreement on urban design matters (the layout of streets, walkways, typology of housing etc)
- Agreement of size, location, and purpose of green open spaces
- Agreed briefs to undertake stormwater and wastewater modelling
- Initial discussions about transportation infrastructure needs
- Agreed information that can be provided to the public about the development (to be provided by the developers)

Further updates will focus primarily on any changes to the tasks being undertaken and progress made.

At the Meeting

The Team Leader Planning and Compliance, Mr Johnson spoke to the report, providing a brief overview and noted that since the February update, the submission of applications to the Resource Consenting team have continued to remain steady however have slightly declined in comparison to the same period 12 months ago down to 34 from 42. A recent initiative has been the formation of a Key Account Management Team has been formed to provide a higher level of customer service and strategic alignment from Council's perspective to developers with large projects within Napier. The group consists of five existing council officers Strategic Planning Lead (Fleur Lincoln); Major Development Lead (Sophie Elliott); Team Leader City Design & Urban Renewal (Georgina King); Team Leader Development and Standards (Retha du Preez); and Team Leader Planning and Compliance, Mr Johnson.

In response to questions from Councillors it was clarified that:

- 114 Carlyle Street The processing of an application with this level of complexity for required Council to be assured that adverse effects from earthworks were not going to occur as a result. This has led to the engagement with a number of the applicant's external experts in geotechnical and other fields to provide a factual basis for a notification decision. Geotechnical, engineers, landscape architects have been engaged by both parties in regard to the stability of the extensive cut that was proposed and also the landscape and visual assessment impact on the environment and surrounding residents.
- The complexity of these matters has drawn out the process however, officers have worked closely with the applicant's and Council experts and sufficient information is now available to make an informed notification decision under section 95 of the Resource Management Act.
- **Riverbend Road Project** The applicant has been asked to provide Council with an information package that can be provided to Councillors, Senior Management Team and uploaded to Council's website to ensure the messaging for this development is consistent across the board.

1.3 Attachments

Nil

2. DOG CONTROL BYLAW AND POLICY STATEMENT OF PROPOSAL

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1439107
Reporting Officer/s & Unit:	Paulina Wilhelm, Manager City Development

2.1 Purpose of Report

The purpose of this report is to:

- 1. Present a revised Dog Control Bylaw and Policy, including associated Statement of Proposal (the proposal); and
- 2. Recommend that the Napier City Council **(the Council)** commence public consultation in accordance with sections 83 and 156(1)(b) of the Local Government Act 2002 in respect of the proposal.

Committee's recommendation

Councillors Chrystal / Wright

The Future Napier Committee:

- a. **Confirm** that pursuant to sections 155(2)(b) and 155(3) of the Local Government Act 2002 (LGA), the proposed bylaw and policy are not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
- b. **Adopt** the Statement of Proposal and Proposed Dog Control Bylaw and Policy for the purposes of public consultation.
- c. **Authorise** public consultation in respect of the proposal in accordance with sections 83 and 156(1)(b) of the LGA.
- d. **Note** the timeframe for consultation release to be in the next twelve months at the discretion of the Chief Executive Officer to allow flexibility in working with the existing consultation schedule.
- e. **Note** minor amendments to the Lagoon Farm and Ahuriri Estuary maps following Committee's discussion.

Carried

2.2 Background Summary

The Proposal

Napier City Council proposes to revoke its existing Dog Control Bylaw and Dog Control Policy (2014) and adopt a new Dog Control Bylaw and Policy 2022. A copy of the full proposal can be found in the attached Statement of Proposal.

The Review Process

The LGA establishes the statutory process that the Council must follow in order to review a bylaw. Broadly speaking, this involves two key steps:

i. The Council must make the determinations required by s155 of the LGA; and

ii. The Council must consult with the public and affected parties in the manner prescribed by the LGA.

Additionally s10AA of the Dog Control Act 1996 specifies Council must review its dog control policy if its dog control bylaw is being reviewed. Council gives effect to its dog control policy by making a complimentary dog control bylaw.

In adopting a Dog Control Policy, Council must have regard to-

- (a) the need to minimise danger, distress, and nuisance to the community generally;
- (b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
- (c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- (d) the exercise and recreational needs of dogs and their owners. Council started the process with a thorough review of both its dog control bylaw and policy.
- iii. Officers have undertaken a thorough review of the existing dog control bylaw and policy including
 - (a) an analysis of Council's dog control statistics including complaints and service requests; and
 - (b) gathering feedback from key stakeholders including DOC, Hastings District Council Animal Control, Napier Port, NCC Parks and Reserves, NCC Animal Control and from participants on Council's 'People Panel' by way of survey.
- iv. General consensus from the initial review was that the dog control bylaw and policy was in need of a refresh to make them fit for current needs. Officers have drafted the proposed dog control bylaw and policy with the aim to:
 - (a) further simplify aspects of the bylaw and policy to improve clarity and consistency;
 - (b) strive for consistency with Hastings dog control bylaw and policy;
 - (c) balance the needs of dog owners with non dog owners; and
 - (d) endeavour to be a 'dog friendly' city, as far as possible.
 - v. The key findings from the review, including proposed changes to the bylaw and policy, were workshopped with Council on 2 December 2021. Where appropriate Councillors ideas and comments have been incorporated in the documents presented today.

Key Changes Proposed in the Dog Control Bylaw/Policy 2022

Along with a general tidy up of the existing bylaw and policy, officers have addressed the following key issues within the proposed bylaw and policy.

- 1. Retained the maximum number of dogs allowed to be kept on a property to two (2).
- 2. Strengthened the 'nuisance' section of the bylaw to allow Council the necessary tools to manage the usual nuisance type situations caused by dogs and how they are kept.
- 3. Revised the Dog Access Areas:

- To reduce the number and type of dog access areas from four to three i.e. Prohibited, Controlled (on-lead) and Exercise Areas
- If you're walking your dog within a public place that is neither a 'prohibited area' or a 'dog exercise area' i.e. 'controlled area', the dog/s must be on a lead. Previously it was ambiguous between the policy/bylaw whether owners could walk dogs 'off lead' in a 'controlled area' or not
- To amend the various public dog access areas to include new suitable areas to exercise dogs, better defined access areas within certain public spaces and parks to ensure compatibility of uses, protect children's play areas and protect other users or wildlife.
- 4. Redrafted the bylaw and policy to simplify remove sections that are no longer required or already covered within the Dog Control Act.

Determination whether the bylaw is appropriate (section 155), the most appropriate form and consistent with the New Zealand Bill of Rights

Pursuant to s155(1) of the LGA, Council must first decide whether the bylaw is the best way of addressing the problem. Then, s155(2) requires the Council to decide whether the proposed bylaw is the most appropriate form of bylaw along and whether it gives rise to any implications under NZBORA.

Officers have assessed the proposed bylaw against these requirements using standard bylaw making assessment tools. This assessment includes examining all reasonably practicable options, including considering the advantages and disadvantages of each option. This analysis is contained within the attached Statement of Proposal.

Having undertaken these assessments, officers are satisfied the proposed bylaw is appropriate and necessary, in the appropriate form and does not give rise to any unjustified limitations on any rights under the NZBORA.

Public Consultation

Public consultation on Council bylaws is regulated by section 83 of the LGA. This requires the Council to follow the special consultative procedure prescribed by legislation as a minimum standard during the consultation period. The section requires a number of steps to be followed such as the publishing of a statement of proposal, providing the opportunity for hearings and widely advertising the opportunity to make a submission.

Consultation on the proposed Dog Control Policy and Bylaw will run from 27 May to 27 June. Submissions will be able to be made both online and in hard copy with the opportunity for hearings in late July 2022. During the consultation period there will be several events and opportunities for the public to provide feedback and have questions about the bylaw and policy answered. All dog owners will be notified of the consultation period during the annual dog registration process. This will be supported by a comprehensive communications and marketing campaign.

A high level engagement plan for this project is attached to this report.

2.3 Issues

No issues identified. This is a review of an existing bylaw.

2.4 Significance and Engagement

Officers have undertaken an assessment of the proposed bylaw against the Napier City Significance and Engagement Policy and determined that the bylaw is one of moderate significance. The special consultative procedure is being followed as required by

legislation in order to update the policy and bylaw. Early engagement with a number of key stakeholders and mana whenua has already occurred as discussed earlier in this report.

2.5 Implications

Financial

Current budgets are sufficient to make and implement the Bylaw and Policy.

Social & Policy

N/A

Risk

There is unlikely to be any significant risk to the bylaw process or to the public as the proposed bylaw contains relatively minor changes.

2.6 Options

A full assessment of the options are included in the Statement of Proposal.

2.7 Development of Preferred Option

That the Council resolves to consult with the public in accordance with s83 of the LGA on the proposal to make a revised Dog Control Bylaw and Policy.

At the Meeting

The Manager City Development, Ms Wilhelm spoke to the report which was to present a revised Dog Control Bylaw together with the Statement of Proposal for adoption to release to the public.

In response to questions from Councillors it was clarified that:

- In regard to the map for Lagoon Farm it showed a dog on leash area, however it was confirmed that the bylaw applies to the public area only which is the track and does not include allowing dogs on private property, which is the farm area.
- Amendments to the map to clearly define the area as relating specifically to the cycle path.
- The area at Dolbel Reserve was discussed with the Manager of Parks and Reserves and it was identified that the area that is proposed to be off lead is the area that is currently separated through a fence from the area where the sheep roam.
- The Westshore map through to Bay View has got off lead exercise areas as being only between April to September to avoid dogs during the nesting season of the Dotterels.
- When the Bylaw has been released and adopted the signage will be revised and ensure that the public understand how the Bylaw will be applied.
- The dog exercise on lead pathways at the Ahuriri Estuary will be clearly identified on the maps.

2.8 Attachments

- 1 Proposed Dog Control Bylaw 2022 (Doc Id 1441426)
- 2 Proposed Dog Control Policy 2022 (Doc Id 1441423)
- 3 Statement of Proposal Napier City Council Proposed Animal Control Bylaw and Policy 2022 (Doc Id 1441425)
- 4 High Level Engagement Plan (Doc Id 1441424)

enda

DOG CONTROL Bylaw

2022





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1. Title

1.1 This Bylaw is the Napier City Council Dog Control Bylaw 2022.

2. Commencement

2.1 This Bylaw comes into force on 1st of July 2022.

3. Repeal

3.1 The Napier City Dog Control Bylaw 2004 is repealed on the commencement date of the Napier Council Dog Control Bylaw 2022.

4. Introduction

4.1 The Napier City Council, under section 20 of the Dog Control Act 1996, makes this Bylaw for the control of dogs in the Napier City.

5. Purpose

- **5.1** The purpose of this Bylaw is to give effect to the Dog Control Policy by:
 - a) Regulating dogs to prevent nuisance;
 - b) Prohibiting dogs, whether under control or not, from specified public places;
 - c) Requiring dogs to be controlled on-leash in any specified public place;
 - Regulating and controlling dogs in any other public place;
 - e) Ensuring the number of dogs kept on a premise is suitable; and
 - Requiring the owner of any dog that defecates in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces.

6. Interpretation

6.1 In this bylaw, unless the context otherwise requires:

ACT means the Dog Control Act 1996.

ANIMAL CONTROL OFFICER includes a Dog Control Officer appointed under section 11 of the Act and a Dog Ranger appointed under section 12 of the Act.

AT LARGE means that the dog is off leash and kept under control at all times.

AUTHORISED OFFICER means a warranted Dog Control Officer or Dog Ranger or a person so warranted pursuant to the Local Government Act 2002. **BYLAW** means the Napier City Council Dog Control Bylaw 2022.

CHILDREN'S PLAYING AREA means any public place or play area designed and equipped with facilities for recreational use by children, including and not limited to playgrounds, bike parks, skate parks and sport parks.

CITY means the area designated as the Napier City.

COUNCIL means the Napier City Council.

DOG EXERCISE AREA means a public place identified in the Bylaw as an area, including all walkways and tracks within the exercise area, where dogs may be exercised providing the dog is kept under control at all times.

DOG ON LEASH means that the dog must be on a leash and kept under control at all times by the owner or person in charge of the dog.

DOG ON LEASH AREA means an area identified in this Bylaw where dogs must be on a leash and kept under control at all times.

KEPT UNDER CONTROL means the dog is not causing a nuisance or danger; and that the person in charge of the dog has the dog under continuous surveillance and is able to obtain the desired response from the dog by use of a leash and, when not on a leash, the dog is obedient and responsive to the dog owner's commands without hesitation.

LEASH means a lead which is capable of restraining the dog.

NEUTERED DOG means a dog that has been spayed or castrated; and does not include a dog that has been vasectomised.

OWNER, in relation to any dog, means every person who:

- a) Owns the dog; or
- b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or

c) the parent or guardian of a person under the age of 16 years who:

i) Is the owner of the dog pursuant to paragraph (a) or paragraph (b); and

ii) Is a member of the parent or guardian's household living with and dependent on the parent or guardian;

but does not include any person who has seized or taken custody of the dog under this Act or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Te Urewera Act 2014 or the Conservation Act 1987 or any order made under this Act or the Animal Welfare Act 1999.

POLICY means the Napier City Council Dog Control Policy 2022.

PROHIBITED PUBLIC PLACE means a public place identified in this Bylaw as a place where dogs are prohibited, except as provided for in this Bylaw or the Act.

PUBLIC PLACE

- a) Means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place; and
- b) Includes any aircraft, hovercraft, ship or ferry or other vessel, train, or vehicle carrying or available to carry passengers for reward.

WORKING DOG has the same meaning as that provided in section 2 of the Act.

- **6.2** Any undefined words, phrases or expressions used in this Bylaw have the same meaning as in the Act unless the context plainly requires a different meaning.
- **6.3** Any ambiguity in the wording of this Bylaw should be, as far as practicable, interpreted accordance with the intent and provisions of the Interpretation Act 2019.

7. Nuisances

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- 7.1 The owner or occupier of any premises where any dog or dogs are customarily kept shall take all necessary steps to prevent the keeping of the dogs from becoming a nuisance or injurious to health.
- **7.2** If in the opinion of an authorized officer the keeping of dogs referred to in clause 7.1 become or are likely to become a nuisance or injurious to health, the authorized officer may, by notice, require the owner or occupier of the premises to do all or any of the following:
 - a) To reduce the number of dogs kept on the premises;
 - b) To take such action as stipulated in the notice so as to remove and mitigate the nuisance or injury to health, or likelihood of nuisance or injury that exists;

Any person who fails to comply with a notice under this clause within the time specified commits an offence against the Act.

- **7.3** The owner of every dog shall ensure that the dog does not create a nuisance including, without limitation, by:
 - a) Obstructing the lawful passage of any person in a public place or on private property.
 - b) Rushing at, chasing, frightening, intimidating or causing any person in a public place or lawfully on private property to suffer injury or distress.
 - c) Destroying, tearing or otherwise interfering with any refuse container, whether the container is on private property or in a public place.
 - d) Interfering with any person's property, whether on private property (other than the owners) or in a public place.
 - e) Rushing at, chasing, frightening, obstructing or causing injury or distress to any stock, poultry, domestic animal or protected wildlife, whether on private property (other than the owners) or in a public place.
 - f) Barking, howling and/or whining in a persistent and loud manner.
 - g) Rushing at any vehicle.

8. Dog Faeces

- **8.1** When in a public place dog owners must ensure the immediate removal and disposal of their dog's faeces. This must be done in a way that does not cause a nuisance.
- **8.2** Clause 8.1 does not apply to any dog herding or driving stock on a road where the dog is kept solely or principally for the purposes of herding or driving stock.

9. Limitation on Number of Dogs

- **9.1** No occupier of any property in an urban area may allow or cause to remain or keep on the property, more than two (2) dogs, over the age of three months (whether or not such dogs are registered) unless the occupier has obtained a permit from Council.
- **9.2** A permit may be issued upon or subject to such terms, conditions or restrictions as Council may consider necessary and any breach of such terms, conditions or restrictions shall result in revocation of the licence.

10. Prohibition of Dogs in Public Places

- 10.1 The owner of any dog must ensure their dog does not enter or remain in any public place specified as a 'prohibited' area as set out in the First Schedule of this Bylaw.
- **10.2** Clause 10.1 does not apply in the following cases:
 - Any working dog accompanying and assisting a person or accompanying a person engaged in the dog's training; or
 - b) Where the only pedestrian access to either the owners residence or a veterinary surgery is through a prohibited public place provided that:

i) The owner takes the most direct route through the prohibited public place; and

ii) The dog is under control on a leash.

c) where a dog is:

i) Wholly contained within a vehicle; or
ii) In the case of a ute or truck, securely tethered to the flat deck so that the dog is unable to reach the side or rear of the flat deck and a person in a public place is able to walk past a vehicle without fear of attack or intimidation.

11. Dogs in designated Dog Exercise Area

enda

11.1 The owner of any dog may cause, permit or allow the dog to enter or remain, off leashed, in a designated dog exercise area, as provided for in the Second Schedule of this Bylaw, provided the dog is kept under control at all times.

12. Control of Dogs on a Leash in Public Places

- **12.1** The owner of any dog must ensure that the dog is under control on a leash in any public place specified in the Third Schedule of this Bylaw.
- 12.2 Clause 12.1 does not apply to:
 - a) Any dog confined in a vehicle or cage; or
 - Any working dog accompanying and assisting a person or accompanying a person engaged in the dog's training.

13. Non-Compliance with this Bylaw

- **13.1** The Council may use its powers under the Act and the Local Government Act 2002 to enforce this Bylaw.
- **13.2** A person who fails to comply with any control, restriction, limitation or prohibitions contained within or made pursuant to this Bylaw commits an offence under the Act and/or the Local Government Act 2002 and is liable to the penalties under the Act and/or the Local Government Act 2002.

14. Date Bylaw Made

This bylaw was made by the Napier City Council at a meeting of the Council on **DATE TBA.**

Sealed with the Common Seal of the Napier City Council in the presence of:

Mayor:

Chief Executive:

Date: **TBA**

Schedule 1 - Prohibited Areas (Clause 10)

enda

- a) City of Napier Civic Building Public Libraries Public Swimming Pools Kennedy Park Resort Mclean Park Nelson Park.
- b) Children's playing areas under the control of the Council.
- c) Within the boundaries of all playing areas under the control of the Council set aside and patently prepared for organised games or sports and all other areas zoned as Sports Parks in the City of Napier District Plan including:

McLean Park Nelson Park Whitmore Park Marewa Park Taradale Park **Bledisloe Park** Maraenui Park Park Island Onekawa Park Petane Domain Taraha Recreation Reserve Taraha Park Park Island North Tremain field **Bluewater Stadium** Hawke's Bay Hockey.

d) Te Whanganui a Orotu (The Ahuriri Estuary) including the whole

of the Westshore Wildlife Reserve, the Ahuriri Estuary Wildlife Refuge Park area below the MHWS (Mean High Water Springs) mark and Department of Conservation land area. This includes from the boundary of the mowed grass area to the MHWS mark and all of the boardwalk and all formed tracks within, and, all of the Humber Street City Council reserve and associated beach area to the MHWS.

Note: See Map 1 attached to this bylaw for further clarification.

- e) Watchman Road Reserve.
- f) Port Beach West

Note: See Map 2 attached to this bylaw for further clarification.

Schedule 2 - Dog Exercise Areas (Clause 11)

- a) The Reserve running between Taradale and Kennedy Roads (beside Riverbend Road).
- b) The continuation of the Taradale/Kennedy Road greenbelt between Latham Street, Nash Street and Willowbank Avenue, and the continuation of this greenbelt to and including Te Awa Park, Nash Street Reserve, Lathan Street Reserve and Riverbend Road Reserve.
- c) The Plantation Reserve running from Henry Hill School to Taradale Road.
- d) The Drainage Reserve running around Westminster Avenue.
- e) Riverside Park behind the Pettigrew-Green Arena.
- f) Karitoki Whare (Sturms Gully Reserve).
- g) The area in Anderson Park on the northern side of the ponds and waterways bounded by York Avenue and Freyberg Avenue, including the strip of green belt from Taradale Road alongside Islington Place to Freyberg Avenue.
- h) Alexander Park from Taradale Road to Te Awa Park.
- All that area of beach and foreshore, known as Beach Domain on the seaward side of State Highway 2 from the Aquarium southward to the City boundary.
- j) All that area of beach and foreshore on the seaward side of the Esplanade and the Napier/Gisborne railway line from the public toilets on The Esplanade foreshore northward to the City boundary during April to September only. During October to March, dogs must be exercised on leash.

Note: See Map 3 attached to this bylaw for further clarification.

 k) The land around the base of Western Hills and Park Island cemeteries bounded by the northern-most boundary of the soccer and cricket grounds, Clyde Jeffrey Drive and the waterways, including all the walkways therein.

- The reserve between the south side of Atherfold Crescent, Spriggs Crescent and Perry Crescent and north of the motorway culvert.
- m) Ahuriri Reserve

Note: See Map 4 attached to this bylaw for further clarification.

- n) All of the Taipo Stream Reserve from Willow Drive through to Balmoral Street, Osier Road and Church Road.
- o) Dolbel Reserve

Note: See Map 5 attached to this bylaw for further clarification.

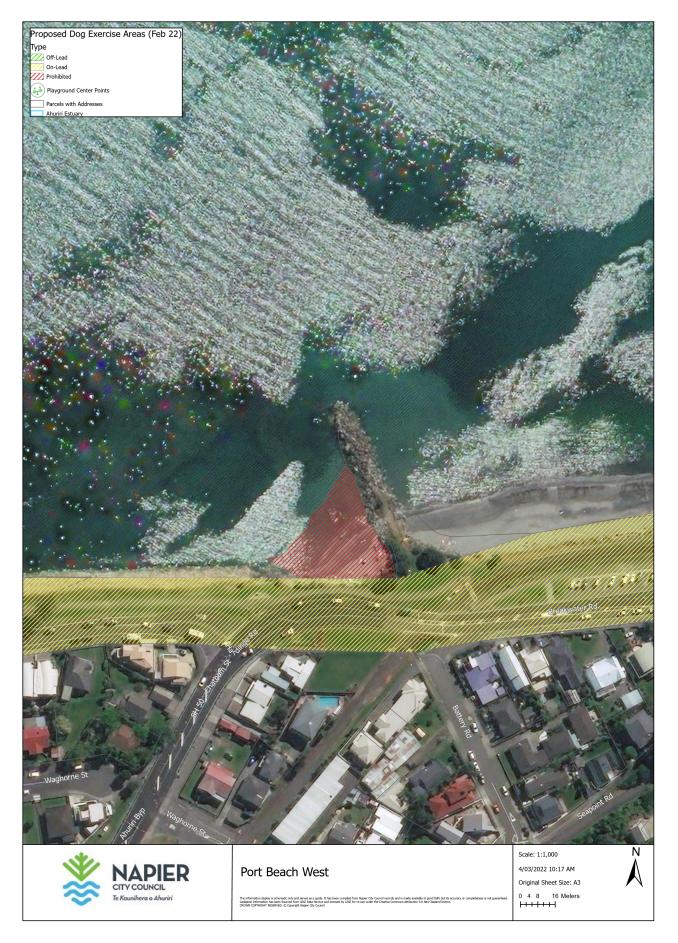
Schedule 3 - On-Lead Areas (Clause 12)

All those public places that are not designated either a Prohibited Area (First Schedule) or Exercise Area (Second Schedule) are considered On-lead Areas for the purposes of clause 12 of this Bylaw.

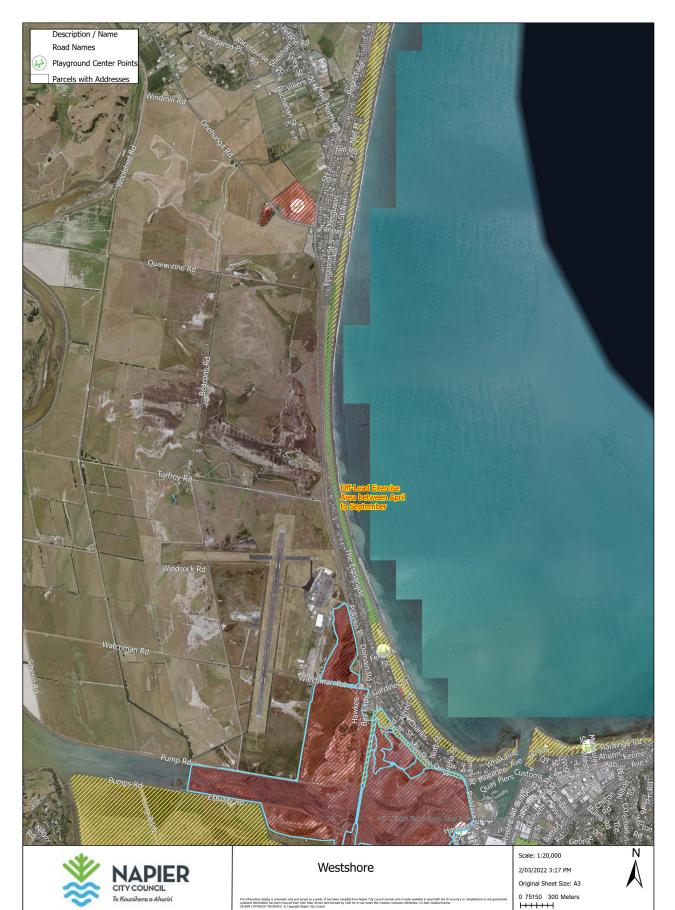
Map 1: Te Whanganui a Orotu (The Ahuriri Estuary) Prohibited Area (First Schedule (d))



Map 2: Port Beach West Prohibited Area (First Schedule (f))



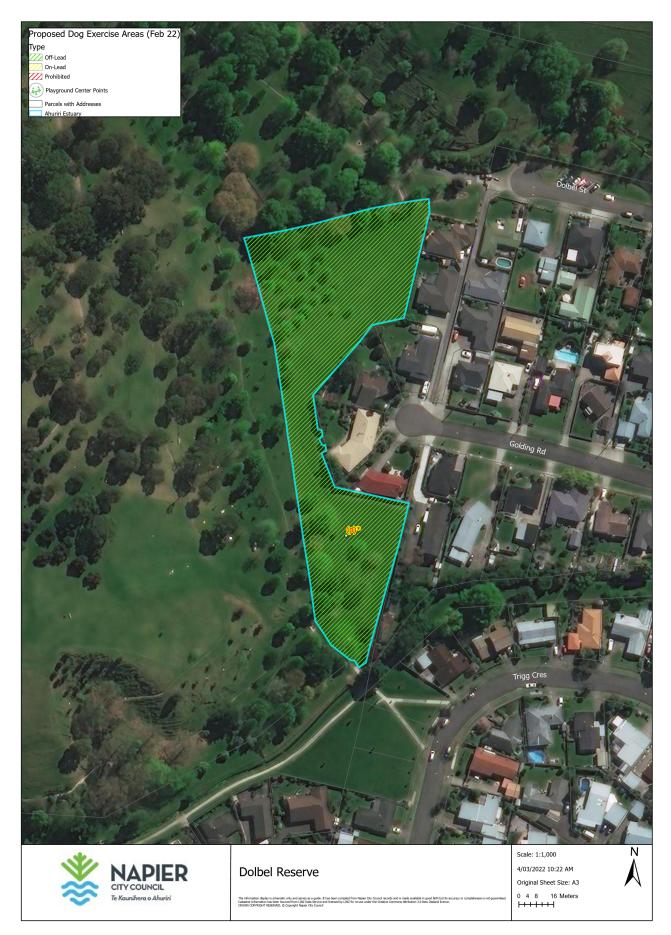
Map 3: Westshore (Second Schedule (j))



Map 4: Ahuriri Reserve Dog Exercise Area (Second Schedule (m))



Map 5: Dolbel Reserve Dog Exercise Area (Second Schedule (o))



PUBLIC POLICY



Proposed Dog Control Policy 2022						
Adopted By	ТВА					
Department	City Strategy and City Services					
Original Adoption Date	1 May 2014	Review Adoption Date				
Next Review Deadline		Document ID				
Relevant Legislation	Dog Control Act 1996					
NCC Docs Referenced						
NCC Docs Referenced						

Strategic Context and Backgroun

- 1.1. This Policy is adopted under section 10 of the Dog Control Act 1996 (the Act), which requires the Council to adopt a policy in respect of dogs in the Napier City.
- 1.2. The Act requires this Policy to be made having regard to:
 - a) The need to minimise danger, distress, or nuisance to the community;
 - b) The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults;
 - c) The importance of enabling, as far as practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
 - d) The exercise and recreational needs of dogs and owners.
- 1.3. Council has adopted this Policy and associated Bylaw with the intended outcome of providing a safe and healthy environment for citizens and visitors in Napier. The focus of implementing this policy is to prioritise safe interactions between dogs, people and their environment; reduce nuisance situations, minimise the possibility of dog attacks and promote the welfare of dogs generally.
- 1.4. Council has concurrently reviewed and adopted this Policy and its Dog Control Bylaw ("Bylaw") to ensure the Bylaw gives effect to and reflects the Policy.

Purpose

- 2.1. The purpose of this Policy is to outline how Council will administer the requirements of the Act, and to facilitate good dog behaviour and good dog ownership, including annual registration.
- 2.2. The Policy objectives are to:
 - a) fulfil the requirements of the Act;
 - b) adopt measures to minimise the problems caused by dogs;

Policy

Page 1 of 7

- c) provide a safe environment for the community through active enforcement and the education of owners on appropriate dog ownership and care; and
- d) acknowledge and encourage good dog ownership and care.

Application and Scope

- 3.1. This Policy is made under section 10 of the Dog Control Act 1996; and
- 3.2. Applies to the Napier City.

How the Policy will be Implemented

- 4.1. Council will implement this Policy through:
 - a) the Bylaw;
 - b) enforcement of the Bylaw and Act; and
 - c) non-regulatory methods including education and a structured fee schedule that rewards and promotes good dog ownership and behaviour.

Fees

- 5.1. In prescribing fees the Council shall have regard to the relative cost of the registration and control of dogs in the various categories described in section 37 of the Act.
- 5.2. A reduced registration fee applies to owners of working dogs. Council may require an inspection to confirm working dog status.
- 5.3. A reduced registration fee applies to owners with the 'Responsible Dog Owner' classification.
- 5.4. All money received from registration fees or other charges (including infringement fines) under the Act is to be applied for dog control purposes in the city. Good care and management of dogs in the district provides a public benefit. However, the Council also seeks to achieve a high level of cost recovery from infringement offences so that the cost to ratepayers in dealing with dogs which are irresponsibly cared for is minimised. In addition, the Council will manage the pound as far as possible on a user pays basis.

Dog Faeces

- 6.1. Dog faeces can harbour bacterial disease and parasitic infection, which can cause illness particularly in young children who play on the ground in our parks and playgrounds or even around homes.
- 6.2. It is an owner's responsibility to remove dog faeces from a public place immediately. [Ref. NCC Proposed Dog Control Bylaw 2022 Clause 8]
- 6.3. Private land owners are also encouraged to collect and dispose of dog waste daily so that nuisance conditions such as odour and breeding of flies do not develop. [Ref. NCC Proposed Dog Control Bylaw 2022 Clause 7]
- 6.4. Where possible (having regard to, among other things, budgetary constraints) the Council will provide bag dispensers and disposal containers in high use sites for dog faeces. The main focus will however continue to be the owner's personal responsibility to pick up after their dog by taking an appropriate bag with them.

Barking

- 7.1. Barking, or vocalisation, is a natural behaviour of every dog. It is not unlawful for an owner to allow his or her dog to bark. A dog barks for a variety of reasons such as:
 - a) If there is an intruder in its territory;
 - b) When it is distressed: and
 - As a reaction to environmental sounds. c)
- 7.2. A dog is permitted to display natural patterns of behaviour, including barking as a vocal expression and its owner is obliged to ensure that such needs are met.
- 7.3. However, when the barking or howling becomes a nuisance, Council may intervene under section 55 of the Dog Control Act or its Bylaw. [Ref. NCC Proposed Dog Control Bylaw 2022 Clause 7]
- 7.4. There are three elements to section 55 of the Act:
 - a) A complaint has been made;
 - A nuisance is being created; and b)
 - The barking or howling is persistent and loud. C)
- 7.5. Council is likely to have reasonable grounds for believing that a nuisance is being created by the persistent and loud barking or howling of the dog; both of those elements must be present before the Council will take action.
 - Persistent means: a)
 - i. Refusing to give up or let go:
 - ii. Insistently repetitive, continuous, constantly repeated;
 - i ii Existing or remaining in the same state for an indefinitely long time; and/or
 - Enduring iv
 - Loud means:
 - i. Strongly audible;
 - ii. Striking forcibly on the sense of hearing.
- 7.6. In the event that the owner does not take all reasonable steps to prevent the dog from causing a nuisance by barking, enforcement action pursuant to the Act or Bylaw may be taken. [Ref. NCC Proposed Dog Control Bylaw 2022 Clause 7]

Number of Dogs

b)

- 8.1. Within an urban area, having multiple dogs on premise increases the likelihood of creating a nuisance to surrounding properties.
- In order to limit the likelihood of nuisance, no more than two (2) dogs over the age of 8.2 3 months will be allowed to be kept on a premises within the urban area at any one time. [Ref. NCC Proposed Dog Control Bylaw Clause 9]
- 8.3. Council may give approval for a person to keep three (3) or more dogs on a premises within the urban area where it is satisfied that any potential impacts on surrounding neighbours and activities can suitably be managed.

[Ref. NCC Proposed Dog Control Bylaw Clause 9 (2)]

Dog Access Areas

- 9.1. Dogs can form an integral part of family life and offer companionship to their owners, particularly to the elderly. The activity of exercising a dog also provides an important means of exercise for many owners and therefore contributes to health and wellbeing generally.
- 9.2. Council seeks to support the integration of properly socialised dogs into public places in a way that minimises nuisance and allows the community (including vulnerable persons) to use our public spaces.
- 9.3. This policy identifies the following types of dog access rules:
 - a) Prohibited area a public place where dogs are not permitted to be, and other users have absolute priority. Council's Bylaw prohibits dogs entering and remaining in defined prohibited areas listed in its first schedule. [Ref. NCC Proposed Dog Control Bylaw Clause 10 and First Schedule]
 - b) Exercise Area (Off-leash) a public place shared with other users, where dogs (excluding dangerous dogs) may be off a leash but must still be under control at all times. Council's Bylaw allows dogs to enter and remain in specified public places that are designated Dog Exercise Areas. [Ref. NCC Proposed Dog Control Bylaw Clause 11 and Second Schedule]
 - c) Dog on Lead area a public place shared with other users, where dogs must be on a leash and under control at all times. Any public place that is not classified as a Prohibited area (First Schedule) or a Designated Exercise (Off-leash) area (Second Schedule) are default on-leash areas. [Ref. NCC Proposed Dog Control Bylaw Clause 12]
- 9.4. Owners must carry a leash at all times in any public place as required by the Act. Owners must also carry a dog waste bag at all times in any public place to collect and properly dispose of dog faeces.

Release from the Pound

- 10.1. Dogs in breach of the Bylaw and Act that are impounded incur a cost to Council in catching, collecting, housing and feeding. The pound also creates opportunities for the public to adopt dogs which are suitable for re-homing. It is important that impounded dogs are returned to their owners as soon as possible, and that costs are recovered as far as practicable. Section 36A of the Dog Control Act requires that all unregistered, menacing and dangerous dogs, as well as dogs impounded for a second time, be microchipped (at the owner's expense) before release from the shelter.
- 10.2. Impounded dogs should only be released when proof of ownership has been established and upon payment of all fees including registration where applicable. In the case of a dog classified as a menacing dog, release to the owner shall only occur when the dog is provided with a suitable muzzle which must be worn in public areas. It shall be unlawful to remove any dog from the shelter or from a Council vehicle without the approval of a Council officer.
- 10.3. The adoption of any dog from the pound will be subject to:
 - a) the dog remaining unclaimed more than seven days after impounding;
 - b) the dog having a suitable temperament/potential for adoption and being healthy, neutered, vaccinated, wormed, flea treated, registered and micro-chipped;
 - c) approval of the new owner by Council;
 - d) payment of an adoption fee.

Classification of Menacing Dogs

- 11.1. The Council will require that all dogs classified by it as menacing under sections 33A or 33C of the Dog Control Act 1996 be neutered under section 33E(1)(b) of the Dog Control Act 1996.
- 11.2. The Council will require that dogs classified as menacing under section 33A or 33C of the Dog Control Act 1996 by any other territorial authority are required to be neutered under section 33EB(2) of the Dog Control Act 1996 if the dog registration is transferred to the Napier City.

Explanation Section 33A(1)(b) of the Dog Control Act 1996 allows Council to classify dogs as menacing if it considers the dog "may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of:

- Any observed or reported behaviour of the dog.
- Characteristics typically associated with the dog's breed or type."

Section 33C of the Dog Control Act 1996 requires that Council must classify the breeds or types of dogs listed in Schedule 4 of the Dog Control Act 1996 as menacing. Currently those breeds or types are:

Breeds:

- Brazilian Fila
- Dogo Argentino
- Japanese Tosa
- Perro de Presa Canario

Type:

American Pit Bull Terrier

Council believes it is appropriate that dogs classified as menacing be required to be neutered. Neutered dogs appear to feature less in reported dog bite statistics.

Working Dogs

- 12.1. It is generally recognised that working dogs pose few problems to the animal control unit. The animals' general demeanour, their housing, location and their use as working animals ensure owner responsibility. It is also acknowledged that working dogs used for public duties and for assisting people with disabilities are unlikely to pose problems.
- 12.2. The registration fees for working dogs will generally be set to recover as near as practicable only the cost of the registration process. In recognition of the value of dogs trained for the public good or used by people with disabilities, the registration fee should be of a peppercorn nature. This includes registration for:
 - guide dogs;
 - hearing ear dogs;
 - companion dogs;
 - dogs kept by:
 - the Police;
 - the Customs Department;
 - the Ministry of Primary Industries
 - the Ministry of Defence;

- the Department of Conservation;
- the Department of Corrections;
- the Aviation Security Service;
- and dogs certified by the Director General of Civil Defence Emergency Management
- the Council may seek written statements or certificates of authority in relation to working dogs, which are used solely or principally for the purposes of herding or driving stock.

Infringement Notices

- 13.1. An infringement notice like a parking ticket is an instant fine and, if paid within a certain period of time, avoids court procedures.
- 13.2. An infringement notice is only able to be issued for an infringement offence. The offences and fixed fines are specified in the First Schedule of the Dog Control Act 1996.
- 13.3. Failure to comply with an infringement notice can lead to court proceedings.
- 13.4. The advantages of the infringement notice system is fixed fines, with the cost, time and uncertainty involved in seeking a judges' decisions removed. It also allows for the withdrawal of the notice at the discretion of the officer. Direct action with an offender cuts down on the use of legal advisors and all the infringement fees are retained by Council as opposed to only 90% of any fine issued by a court.

Wilful obstruction of dog control officer or dog ranger	\$750.00
Failure or refusal to supply correct information about a dog or wilfully providing false particulars	\$750.00
Failure to comply with any bylaw authorised by Section 20 of the Dog Control Act	\$300.00
Failure to undertake dog owner education programme or dog obedience course (or both)	\$300.00
Failure to comply with obligations of probationary owner	\$750.00
Failure to comply with effects of disqualification	\$750.00
Failure to comply with effects of classification of dangerous dog	\$300.00
Fraudulent sale or transfer of dangerous dog	\$500.00
Failure to comply with effects of classification of menacing dog	\$300.00
Failure to advise person of muzzle and leashing requirements	\$100.00
Failure to implant microchip transponder in dog	\$300.00
False statement relating to registration	\$750.00
Falsely notifying death of dog	\$750.00
Failure to register dog	\$300.00

13.5. Council endorses the use of infringement notices as provided in the Dog Control Act 1996.

Fraudulent attempt to procure replacement label or disc	\$500.00
Failure to advise change of ownership	\$100.00
Failure to advise change of address	\$100.00
Removal or swapping of labels or discs	\$500.00
Failure to keep dog under control or confined	\$200.00
Failure to provide proper care/food/water/shelter/exercise	\$300.00
Failure to use or carry leash in public place	\$100.00
Failure to comply with barking dog abatement notice	\$200.00
Allowing dogs known to be dangerous to be at large unmuzzled	\$300.00
Failure to advise of muzzle and leashing requirements	\$100.00
Releasing dog from custody	\$750.00

Policy Review

Document History

Version	Reviewer	Change Detail	Date
	[To be populated]		

Ngā Mānukanuka o te lwi (Māori Committee) Nga Mānukanuka o te lwi (Māori Committee)Ngā Mānukanuka o te lwi (Māori Committee)– 08 April 202208 April 2022- Open

Proposed Dog Control Policy and Bylaw 2022 - SOP



Statement of Proposal Proposed Dog Control Policy and Bylaw 2022

For Public Consultation



1. PROPOSAL

Napier City Council proposes to revoke its existing Dog Control Policy and Bylaw (2014) and adopt a new Dog Control Policy and Dog Control Bylaw 2022. This follows a thorough review process.

This statement of proposal is prepared under Sections 83, 83AA and 86 of the Local Government Act 2002. This document contains:

- A summary of the information contained in the statement of proposal;
- A copy of the draft policy and bylaw

2. SUMMARY OF INFORMATION

Napier City Council ("the Council") is seeking feedback on its revised Dog Control Policy and Dog Control Bylaw 2022. The proposed amendments to the revised Dog Control Policy and Bylaw are not considered major policy/regulatory changes but rather necessary amendments to further enhance dog ownership, management and enforcement in Napier.

Key changes within the proposed Dog Control Policy and Bylaw 2022 are:

- Redrafting of the Policy and Bylaw to improve clarity and to ensure the Policy and Bylaw are consistent with and give effect to each other;
- To ensure as far as practicable Napier's Dog Control Policy and Bylaw are consistent with Hastings' Bylaw/Policy;
- To retain the current limitation on the number of dogs allowed to be kept on any urban property to 'no more than two'.
- To amend the dog access descriptions to make them simpler to understand, comply with and enforce. The previous Policy had four 'dogs access definitions' – 'Prohibited Areas', 'Controlled Areas', 'Off-lead Areas' and 'Exercise Areas' with the revised Policy/Bylaw proposing three areas i.e. 'Prohibited Areas', 'On Leash Areas' and 'Dog Exercise Areas'.
- The 'Controlled Areas' in public places will now be 'On Leash Areas' with 'Off-lead Areas' being
 removed. Previously it was ambiguous between the Bylaw/Policy whether owners could walk
 dogs 'off lead' in the 'Controlled' area or not.
- Council has rationalised and amended the various public dog access areas to include new suitable areas to exercise dogs, better define access areas within certain public spaces (such as parks) to ensure compatibility of uses and to protect children play areas, and to redefine current access areas where other users or wildlife are better protected.
- To enhance the 'nuisances' section of the bylaw to increase Council's ability to control 'nuisance' situations caused by dogs in public areas, as well as where the dogs are kept.

 To delete a number of sections from the Dog Control Policy and, to a lesser degree, the Dog Control Bylaw, which are either unnecessary or already adequately covered under the Dog Control Act 1996.

Council considers that the revised Policy and Bylaw is the most appropriate way to address the issues related to dog control within the Napier City; and the Bylaw is the most appropriate form of bylaw, and does not give rise to implications under the New Zealand Bill of Rights Act 1990.

The Council wants to hear what the community thinks of the proposed changes before making any final decisions on the proposed Policy/Bylaw. You can make a submission by going online at www.sayitnapier.nz or visiting the Napier City Council Customer Service Centre.

3. BACKGROUND AND REASONS FOR PROPOSAL

Council is required to adopt a policy on dogs and must make a bylaw to give effect to the policy.

Council's current Dog Control Policy and Bylaw were last reviewed and amended in 2014 and are due for further review and amendment.

In making or amending a policy on dogs, Council must have regard to the matters within s10(4)(a) of the Dog Control Act 1996, which can be summarised as the need to provide for public safety and comfort, and the needs of dog owners.

In reviewing the dog control Policy and Bylaw, feedback was sought from key stakeholders i.e. the Department of Conservation, Hastings District Council Animal Control, Napier Port, and Council's own Parks and Reserves and Animal Control teams. Council also sought feedback on dog control issues from participants on Council's 'People Panel' by way of a survey. Council also considered statistics and trends from its Animal Control activity, including complaints and enforcement statistics.

4. OPTIONS FOR CONSIDERATION

4.1 Limitation on the number of dogs (Bylaw)

The proposal is to retain the current limitation on the number of dogs allowed to be kept on any urban property to 'no more than two (2)', unless a permit has been granted by Council.

Generally speaking the more dogs kept on residential properties the more likelihood nuisance type situations develop such as barking/whining noises, unpleasant odours etc.

Option A1 – Retain the existing 'Limitation on the number of dogs' requirement (Status Quo and preferred).

Under this option Council would retain the existing limitation on the number of dogs allowed to be kept on any urban property to 'no more than two (2) '.

Comments

- Existing provision that Animal Control advises works well and is well understood;
- Has an associated Council permit option for good dog owners to keep more than two dogs should circumstances allow;

- Is a useful regulatory 'tool' to control a number of nuisance situations caused by too many
 dogs contained within residential properties. Simple to understand and relatively easy to
 enforce.
- Forces a number of good dog owners with more than two dogs to go through a Council permit system.
- Is the same as Hastings District Council's Bylaw and assists with consistency in the region.

Option A2 – Amend the 'Limitation on the number of dogs' requirements from two (2) to three (3).

Under this option Council would retain a limitation on the number of dogs allowed to be kept on any urban property and increase it from two (2) to three (3).

Comments

- The limit of three (3) dogs is favoured by some Councils, although the majority favour two (2).
- Changing from a limit of two to three dogs would mean fewer dog owners are captured by the need to seek an exemption to keep more than two dogs, and result in less enforcement and permits being issued.
- Would result in inconsistency with Hastings District Council's Bylaw limit of two (2).

Option A3 - Remove the requirement from the Bylaw.

Comments

- Would result in owners being allowed to keep as many dogs on an urban property as they like.
 Council would no longer need to manage a permit system.
- Would result in more nuisance type situation and complaints.
- Would require Council to use its 'nuisance' abatement rules within the Bylaw to enforce situations where the number of dogs cause adverse effects.
- Results in inconsistencies with Hastings District Council's Bylaw limit of two (2).

4.2 Dog Access Areas

Dog walking provides an important means of exercise for many owners and their dogs and therefore contributes to health and wellbeing generally. However, dogs need to be socialised into public places in a way that minimises nuisance and allows the community (including vulnerable persons and wildlife) to use Napier's public spaces. In considering vulnerable persons, it is also important to note that a number of people actively avoid places where they are likely to encounter dogs.

In rationalising rules around dog access areas and where they might be best located, Council has considered dog access rules in a comprehensive manner, with an emphasis on consistent and easy to understand rules that comply with the following objectives:

Promote safe interaction between dogs and people using public places and private ways to
ensure that dogs do not injure, endanger, intimidate or otherwise cause distress to any person, in
particular, children and vulnerable adults;

Integrate, where practicable, owners and their dogs with other users of public places;

 Manage the conflict between dogs and protected wildlife, stock, poultry, domestic animals, property and natural habitat;

 Recognise owners as legitimate users of public places and dog access as desirable for dog welfare;

 Ensure that areas with different dog access rules have clearly visible boundaries, which may be achieved through transition zones, vegetation, topography and fencing.

4.2.1 Dog Access Areas definition amendments (Bylaw and Policy)

The previous Policy had four 'dogs access definitions' – 'Prohibited Areas', 'Controlled Areas', 'Offlead Areas' and 'Exercise Areas'. This has led to confusion around where dogs can be exercised in public areas 'off-lead' in Napier, resulting in a public understanding that dogs can be exercised generally in Napier 'off lead'.

It's now proposed that the 'Controlled Areas' in public places will now be 'On Leash Area' with 'Controlled Areas' and 'Off-lead Areas' being removed. Previously it was ambiguous between the Bylaw/Policy whether owners could walk dogs 'off lead' in this area or not.

Option B1 – Retain the existing Dog Exercise Areas definitions - 'Prohibited Areas', 'Controlled Areas', 'Off-lead Areas' and 'Exercise Areas'.

Comments

- Having 'Controlled Areas' and 'Off-lead Areas' creates confusion for dog owners and Council officers alike;
- Whilst its admirable to provide greater areas for dogs to be exercised, it's preferable that these areas are defined as 'Exercise Areas' rather than 'Off-lead Areas';
- The general public perception that dogs can be exercised in public areas of Napier whilst 'off lead' is dangerous, with the preferable option being dogs can be exercised 'on-lead' unless within a defined exercise area.

Option B2 – Change the Dog Exercise Areas definitions to - 'Prohibited Areas', 'On-leash Areas' and 'Exercise Areas' (Preferred Option).

Comments

- Simplifies classifications from four to three to promote consistent and easy to understand rules and compliance
- Allows for general exercise of dogs in public places as 'on-lead' rather than 'off-lead' to promote safe interaction between dogs and people.
- Assists with surveillance and enforcement.

4.2.2 Dog Access Areas – proposed area amendments (Bylaw and Policy)

Council has conducted a critical review of its dog access areas as listed in the current Dog Control Bylaw/Policy and is proposing the following main amendments to the lists.

- Adding sports playing areas at Taraha Park, Park Island North, Tremain field, Bluewater Stadium, Hawkes Bay Hockey as defined Prohibited Areas. (new)
- Extending the prohibited area around the Ahuiriri Estuary to protect the endangered bird life and its habitat. This includes the Humber Street Reserve in Pandora Pond.
- Changing the Lagoon Farm area (controlled by Napier City Council) and the estuary stop banks from Prohibited Areas to On-leash Areas.
- Including Watchman Road Reserve and Port Beach West public spaces as Prohibited Areas.
- The Taradale/Kennedy Road greenbelt area better defined and classified an Exercise Area to improve connectivity between Exercise Areas.
- Widening the Exercise Area in Alexander Park to extend from Taradale Road to Te Awa Park.
- Introducing a seasonal restriction to the existing Esplanade foreshore Exercise Area to better protect nesting birds.
- Increasing the Exercise Area within the Taipo Stream Reserve.
- Introducing part of Dolbel Reserve as a new Exercise Area.

In reviewing these areas and making the proposed amendments, Council has consulted with various affected parties and stakeholders, looked at its activity statistics, and considered existing access areas to define clear boundaries based on use, vegetation, topography and fencing.

Council also looked at areas of new development where it will be advantageous to provide for new dog access areas.

Option C1 – Status Quo - Retain the existing Dog Access Areas

Comments

Having gone through an initial review process, including talking to key stakeholders, Council considers that some of these dog exercise areas are either no longer suitable or need amending, including new areas incorporated to better meet community needs, recent urban developments and better protect existing wildlife. For these reasons, to retain the status quo would be a missed opportunity to continuously improve and add dog exercise areas for dog and owner welfare.

Option C2 – Amended Dog Access Areas (Preferred)

It makes sense to continually review and upgrade Dog Access Areas to make them relevant for all.

The suggested amendments follow an extensive review involving stakeholder feedback and data analysis.

4.2.3 Enhance the 'nuisance' section of the Bylaw

Option D1 - Status Quo

Comments

The current Bylaw contains generic 'nuisance' provisions relating to where dogs are kept (private property), including remedies Council officers can take to require dog owners to remedy those nuisance situations. This works well for nuisance situations on private properties however is silent on nuisance situations in public places.

Option D2 Enhanced amendment of 'nuisance' section of Bylaw (Preferred)

Comments

The proposed Bylaw retains the existing Bylaw's private property nuisance provisions as well as introducing clauses defining nuisance situations that dog owners must not create in a public place or on private property. This allows for a wider control of nuisance situations in public places.

The proposed new nuisance clauses includes the following situations -

- Obstructing lawful passage,
- Rushing, chasing, frightening and intimidating behaviour causing injury or distress,
- Destroying, tearing or interfering with refuse containers,
- Interfering with property,
- Rushing at, chasing, frightening, obstructing or causing injury or distress to stock, domestic animals, etc
- Barking, howling or whining,
- Rushing at vehicles.

5. DETERMINATION OF APPROPRIATENESS

In reviewing the Dog Control Policy and Bylaw, Council intends to provide a safe and healthy environment for citizens and visitors in Napier. The focus of implementing this Policy and Bylaw is to prioritise safe interactions between dogs, people and their environment; reduce nuisance situations, minimise the possibility of dog attacks and promote the welfare of dogs generally.

Council has taken care to ensure the revised documents are consistent with each other, as far as practicable in unison with Hastings District Council's Policy/Bylaw, easy to read and understand, and balance the needs of dog owners with non-dog owners.

The Dog Control Policy, enforced through the Dog Control Bylaw, is considered to be the most efficient and effective method of managing the issues related to dogs.

FORM OF BYLAW

The proposed Dog Control Bylaw 2022 is considered the most appropriate form of bylaw to address the issues and for the purpose of public consultation.

7. NEW ZEALAND BILL OF RIGHTS ACT 1990

The Local Government Act requires the Council to determine whether there are any implications for the proposed bylaw under the New Zealand Bill of Rights Act 1990 i.e. no bylaw may be made that is inconsistent with that Act. In Council's opinion the proposed bylaw does not contain any provision that is in conflict with the New Zealand Bill of Rights Act 1990.

Following the prescribed special consultative procedure set out in section 83 of the Local Government Act 2002 (the LGA 2002), the Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

8. CONSULTATION AND SUBMISSION

In making, amending, or revoking the Policy and Bylaw, Council must use the Special Consultative Procedure set out in section 83 of the LGA 2002. Council has prepared and adopted the proposed Policy and Bylaw for public consultation. Any person can make a submission on the proposed Policy and Bylaw.

A copy of the Statement of Proposal, including the proposed Policy/Bylaw and information about making a submission can be obtained from the Council website

You can make a submission online at online at www.sayitnapier.nz or visiting the Napier City Council Customer Service Centre. Please indicate whether you would like to speak to your submission and include contact details. People who wish to be heard by Council will be given the opportunity to do so. The hearing of submissions is scheduled for July 2022.

For any queries please contact Paulina Wilhelm, Manager City Development on paulinaw@napier.govt.nz.

The period for making submissions is from 23 May 2022 to 22 June 2022.

9. ATTACHMENTS

Attachment 1 – Proposed Dog Control Policy 2022

Attachment 2 - Proposed Dog Control Bylaw 2022

Attachment 3 – High Level Engagement Plan

High Level Engagement Plan – Dog Control Policy and Bylaw

Background

The Dog Control Policy and Bylaw provides clear guidance to the public and Council staff on the rules and expectations around the keeping of dogs in Napier. These two documents set the regulatory framework through which the Council applies the Dog Control Act 1996. The current regime seeks to balance the need to provide a safe and healthy environment for residents and visitors to Napier with the general welfare of dogs and the companionship and enjoyment they provide to many residents.

The Napier City Council are embarking on a review of our Dog Control Policy and Bylaw framework. This review seeks to respond to some of the public inquiries and complaints we have received since the last review in 2014. The key changes being proposed at this stage involve amending the definitions around control of dogs and reviewing some our dog exercise areas. The review will also test whether the balance the current policy strikes in terms of restrictions on dog owners remains correct and continues to achieve the aims of the policy and bylaw.

Significance and Engagement Policy

This matter is likely to be of interest to a large number of Napier residents who own dogs. Dog control is thought to be of moderate significance to the wider community and the approach to engagement will recognise that both non-dog owners and dog owners are affected by the review.

It is acknowledged that there are specific groups (such as dog walking groups, conservation groups and mana whenua) that will have an extra level of interest in these review and particular effort will be made to engage with these key stakeholders.

Amendments to bylaws require the Special Consultative Procedure set out in section 83 of the Local Government Act 2002 to be followed. As such, a Statement of Proposal will be prepared. This and the draft bylaw will be made publicly available for feedback during May and June 2022 with hearings to take place in July 2022.

Approach

A two stage approach to engagement will be used for this project. This will involve a preengagement period which will socialize the issues and gather ideas for the content of the policy and bylaw. This will be followed by a formal consultation period where a statement of proposal will be published and feedback on the draft bylaw and policy collected. There will also be an opportunity for hearings at this stage.

The two-stage approach will be undertaken as follows:

Early engagement (November to March) – To educate the community on the current
regime and gather their input on to how Napier should balance public safety concerns
with rights of responsible dog owners. This process will be underpinned by initiatives
that focus on raising interest in the community and provide chances for people to say
what is important for the policy/bylaw to pay attention to. It will offer an opportunity for

interested people to contribute ideas into the development of the revised policy and bylaw.

 Consultation (Late May - Late June) – To provide an opportunity for the community to identify their preferred options and give feedback to Council prior to it making a decision. The campaign will change to focus on specific initiatives being proposed under the policy and bylaw. People will also be encourage to voice their opinion and speak to their submission at the hearings in June.

Online submissions will be strongly encouraged, but hard copy documents of the statement of proposal and submission form will be available at Napier City Council Customer Services and Libraries and will be sent out by request.

Communication & Engagement Tools

Phase one – Early engagement (Nov 2021 – Mar 2022) Focus: Knowledge building and policy shaping

- People's Panel Survey
- Advertising (digital)
- Exercise area mapping survey
- Dog park walk-alongs
- Stakeholder and interest group discussions

Phase two – Consultation (Late May 2022 - Late June 2022) Focus: Call to action (SayIt / Körero Mai)

- ocus: Call to action (Sayit / Korero r
 - Bark Island event
 - Advertising (print/radio/digital)
 - Media releases
 - Direct emails to registered dog owners
 - Community drop-ins
 - Online and hard copy consultation

A detailed project plan will be implemented across the two phases.

NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) Open Minutes

Meeting Date:	Friday 25 February 2022
Time:	9.00am
Venue	Zoom (Audio visual Link) and livestreamed via Council's Facebook page
Present	Ngāti Pārau Hapū Trust – Chad Tareha (Chair) Maraenui & Districts Māori Committee – Waitiria Greeks Māngai ā-Hapori – Rapihana Te Kaha Hawaikirangi Mayor Kirsten Wise Deputy Mayor Annette Brosnan Councillor Maxine Boag Councillor Keith Price
Also Present	Councillor Sally Crown
In Attendance	 Pou Whakarae (Mörehu Te Tomo) Chief Executive (Steph Rotarangi) 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) Communications and Marketing Manager (Julia Atkinson) Manager Sport & Recreation (Glenn Lucas) Manager Community Strategies (Natasha Mackie) Team Leader Governance (Helen Barbier) Manager Environmental Solutions (Cameron Burton) Environmental Compliance Officer (Caitlin Egan) Manager Property (Bryan Faulknor) Three Waters Reform Programme Manager (Rebecca Huckle) Māori Partnership Manager – Te Kaiwhakahaere Hononga Māori (Hilary Prentice) Team Leader Planning & Compliance (Luke Johnson)

Transportation Engineer (Sahar Pour)
Te Waka Rangapū Kaiāwhina (Wai Tupaea)

Administration Governance Advisor (Anna Eady)

Karakia

The Chair opened the meeting with a karakia and a welcome to Waitiria Greeks, the new representative of the Maraenui & Districts Māori Committee.

Apologies

It was noted by the Committee that Robbie Paul was absent without an apology.

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Chairperson

Nil

Announcements by the management

There was an announcement by Manager Environmental Solutions about three culturally significant items currently being worked on:

- The Thames-Tyne encroachment project, which aims to reduce encroachment so Council can remediate the waterways leading to Te Whanga in the Pandora area.
- The Napier Urban Waterways working group, which is being established in relation to the stormwater discharges from the city, which go through the Westshore tidal gates on either side of the northern stretch of the Expressway.
- Later in 2022 the team will be working on the Solid Waste Bylaw renewal and reviewing the Waste Minimisation and Management Plan, which Napier City Council (NCC) holds jointly with Hastings District Council. These will require significant input from officers, and will be seeking lwi engagement prior to going out for wider community engagement.

Confirmation of minutes

RTK Hawaikirangi / Mayor Wise

That the Minutes of the meeting held on 3 September 2021 were taken as a true and accurate record of the meeting.

Kua Mana

AGENDA ITEMS

1. NCC TRADE WASTE AND WASTEWATER DRAINAGE BYLAW RENEWAL

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	1381795
Reporting Officer/s & Unit:	Caitlin Egan, Environmental Compliance Officer

1.1 Purpose of Report

The purpose of this document is seek approval to renew and consolidate the Wastewater Drainage and Trade Waste Bylaws.

At the Meeting

The officer spoke to the report and in response to questions from the Committee it was Clarified:

- Officers are working towards the renewed and consolidated bylaw being adopted by the Council in July 2022.
- Once adopted the bylaw will be phased in over one to three years, depending on the regulation. For example all businesses will need to comply with grease trap regulations within a year. This time period will allow businesses which need to install grease traps to do so, and to implement a regular maintenance schedule for them. Charges for non-compliance may be delayed for smaller businesses by two years in recognition of the pressures Covid settings have put on small businesses. The aim is to have the phasing information as part of the community consultation to allow the community to comment if the timelines are reasonable.
- Three funeral homes in Ahuriri/Napier have been contacted by council officers to discuss the renewal and to ask what they do with their wastewater. Two have rakahore channels installed. The other Funeral home has no cultural treatment in place currently, but is happy to comply with Council's recommendation. There is a new Māori-owned funeral home opened, called Simplicity; officers will go and talk to them to see what their practice is going to be.
- To begin the mana whenua consultation officers briefed the Te Waka Rangapū team at NCC, they have also been trying to meet with the Mana Ahuriri Board to brief them. Officers have met with Mike Tane about it though. An idea is to have a workshop on the cultural aspect of wastewater management at the wastewater treatment plant could be held so members of the Mana Ahuriri Board can go and see where the wastewater ends up and see what NCC are proposing.
- The project is at a critical time in regards to timeframes. A manual will be written which will contain a lot of the information which sits behind the Bylaw, this can then be updated with the preferences which emerge from the consultation with Mana Ahuriri. The Bylaw will be written so it links back to the manual.

Ngā Mānukanuka o te lwi (Māori Committee) recommendation

RTK Hawaikirangi / KP Price

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Receive this update on the proposed Trade Waste and Wastewater Bylaw renewal;
- b. Note that Officers are recommending the consolidation of the Wastewater Drainage and Trade Waste Bylaws;
- c. Note that Officers are recommending a timeline for the Wastewater Drainage and Trade Waste Bylaw review; and
- d. Support Napier City Council to conduct consultation with, and receive input from, mana whenua to inform the Consultation Plan and Statement of Proposal.

Kua Mana

With agreement by the Committee the Committee Member and Pou Whakarae updates were taken out of order.

Updates from Committee Members

Rapihana Te Kaha Hawaikirangi

- Te Wai Mauri Trust The trust has 15 whānau employed in kaitiaki roles. There has been the development of the native plant nursery at Waiohiki Marae, and this is expected to expand over the next year or two. There are three nursery staff there and they are looking forward to the planting season where they will be planting around the Tutaekuri river, but also at other locations.
- Te Ātea-a-Rangi Trust Earlier this year Te Matau a Māui Waka voyaged to the Chatham Islands over four days, using celestial navagation. The voyage went well and the crew were well received in the Islands. Unfortunately in a seperate incident, when the waka was moored in Ahuriri, someone released the mooring lines. The waka could have floated away or been damaged. Conversations have been had with NCC about how to make the waka more secure. Conversations have also been had around progressing the proposed development of a more permanant berth in Ahuriri for the waka, and some short term security.
- Waiohiki Marae There has been a lot of community interest in the new marae building, with school groups and others coming to see the marae. The red level covid settings are being observed. Funding is being applied for to build a wharekai through Oranga Marae Fund. The team are also doing Civil Defence training so that the marae can be a centre in the case of a civil defence emergency in Hawke's Bay.

Napier City Council – Mayor Kirsten Wise

 In regards to the waka and the ongoing conversations, a permanent berth will be a number of years away, so Council is looking at some more immediate solutions. Council is looking at installing security fencing along the wharf where the waka is currently moored. There is security lighting there and Council are also looking to review the location for CCTV as part of a wider CCTV investigation. A floating pontoon could be an option, but this would be at a significant cost of \$500,000, this installation would also need a resource consent so there are a few hurdles to go through before it could be guaranteed.

- Council has had a busy start to 2022. There is a lot happening at a national level with government reforms. The three waters reform is gaining traction, a working group has been established by the government which is due to complete a report making recommendations to the Minister to address Local Government's concerns and governance questions.
- The Local Government reform is also gaining momentum.
- NCC will be consulting on the 2022/23 Annual Plan in April.
- Council is carrying out a strategic housing review. Council owns around 377 houses and it needs to establish the future direction for these as it can no longer fund the maintenance required through established means. There are three options being explored, staying with the status quo and funding the shortfall in funding with rates, or with increased rents, or with a combination of the two; part retain and part sell the portfolio; or transfer the portfolio to an established low income housing provider. Council has ruled out putting the portfolio on the open market as it wants to secure the houses for retirees and retain current tenants.
- The Tradewaste and Wastewater Bylaw and the Dog Control Bylaw is going out for consultation soon.
- It is an election year for Local Government and as a result from July until October Council cannot consult or make decisions on anything significant.

Chair of Napier People and Places Committee – Councillor Maxine Boag

• The main items on this Committee's agenda were the Strategic Housing Review, the decommissioning of the alert siren, and the process behind Council's Community Grants.

Chair of Future Napier Committee – Deputy Mayor Annette Brosnan

- The main items on this Committee's agenda is bylaw reviews, and there will be a draft notified District Plan out for consultation this year.
- The demolition of the Civic Building will take place in the first half of this year, which is a milestone in progressing the Civic Precinct and Library project.
- Looking at progressing the Regional Park concept and the initial governance conversations. The minutes of the first working group meeting will come through the Future Napier Committee.

Chair of Sustainable Napier – Councillor Keith Price

• The main item for this Committee is the Aquatic Redevelopment project.

Ngāti Pārau Hapū Trust – Chad Tareha

- The Ngāti Pārau Hapū Trust held elections. There are four new trustees on the board and they will be meeting to appoint new positions on the board.
- The marae have a whānau day on the 27th of February to spread bark around the new playground, which was moved to the marae from behind the Pettigrew Green Arena. Chad thanked NCC for their help in that. The Ministry of Health guidelines will be followed for this event.
- Ngāti Pārau are working with NCC, and their three waters team, on a cultural values assessment for the three waters kaupapa. There is a day planned on 11th March for Council Officers to go to the marae and explain the changes proposed under the three waters reform. Hopefully someone will come and speak to Te Mana o Te Wai.
- There will also be site visits to the Matāruahou drinking water reservoir, the Awatoto wastewater treatment plan and the Westshore tidal gates.

Maraenui and Districts Māori Committee – Waitiria Greeks

- Waitiria says she was pulled into the Maraenui and Districts Māori Committee by Aunty Minnie (Ratima) before she passed away.
- There are good things happening in Maraenui. Levi Armstrong created Backyard Motivation, a fitness pod; he has passed this onto the community and as a result it has grown. This has been a great example to the young whānau of Maraenui, showing they can start a business which will succeed, and will help the community. Adrienne Taputoro has also been doing after school activities with tamariki.

Update from Pou Whakarae

- A programme of hui with mana whenua will be set up to discuss how this committee will fit into NCC's governance structure in the next triennium. The aim is to have a robust structure planned, to then put in place. There are a lot of logistics to work through, and there will be budget implications too if the governance structure is changed. Ngā Mānukanuka o te lwi will make a recommendation to Council on their preferred setting. A decision needs to be made by Council before the election period begins in July.
- Te Waka Rangapū (TWR) is very busy at the moment. A big project is Reo Rua, having dual signage for Ahuriri. The aim is to have this in place by 2040 for the 200 year anniversary of the signing of Te Tiriti o Watitangi.
- The team are working on their team strategy and are hoping for Executive Team buy in.
- TWR's end-of-month pānui will be going out to marae soon, to keep people up to date with what NCC is working on. Previous editions have had a good response.
- On 3 March Mana Ahuriri will be 40 days from the third reading of their Bill. Council has been working behind the scenes to strengthen the relationship with Mana Ahuriri.

REPORTS FROM STANDING COMMITTEES

NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) RECOMMENDATION

That the Ngā Mānukanuka o te lwi (Māori Committee) Recommendations arising from the discussion of the Committee reports be submitted to the Council meeting for consideration.

REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 3 FEBRUARY 2022

1. NAPIER CIVIL DEFENCE SIREN NETWORK REMOVAL

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1311200

Reporting Officer/s & Unit: Antoinette Campbell, Director Community Services

1.1 Purpose of Report

To approve the decommissioning of Napier's siren system and removal of the siren infrastructure.

At the Ngā Mānukanuka o te lwi (Māori Committee) meeting

There was no discussion on this item.

Ngā Mānukanuka o te lwi (Māori Committee) recommendation

Dep. Mayor Brosnan / Mayor Wise

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

Committee's Amended Recommendation

Councillors Simpson / Browne

The Napier People and Places Committee:

- a. Approve the decommissioning and removal of the remaining Napier City Councilowned siren warning system infrastructure from the remaining locations, and support the Emergency Management Alert (EMA) system and continue to support the Hawke's Bay Civil Defence Emergency Management Group education and public information campaigns.
- b. Request CDEM group provide to Council, for information, their proposed public education programme, including the frequency and outreach components.

Carried

2. STRATEGIC HOUSING REVIEW

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1412891
Reporting Officer/s & Unit:	Natasha Mackie, Manager Community Strategies

2.1 Purpose of Report

This report summarises the Strategic Housing Review findings and seeks approval to undertake a Special Consultative Procedure on the three options outlined.

At the Ngā Mānukanuka o te lwi (Māori Committee) meeting

The Officer spoke to the report, highlighting:

- 80% of Council housing is for Kaumatua or people with a disability. The rest is social housing which is more whanau based.
- Council does not have a preferred option currently, they are keen to hear from the Community about their preference. However Council does not have an appetite to sell the housing on the open market.

It was also noted that when Council begins the community consultation on the 16th of March there will be an expectation that interested parties, such as community housing providers, may want to make a submission. So if there is an interest from Mana Ahuriri Trust or other iwi authorities, that is a good time to look at the possibilities available.

Council will be intentionally engaging with mana whenua, as it recognises this is a significant issue for local iwi.

Ngā Mānukanuka o te lwi (Māori Committee) recommendation

RTK Hawaikirangi / M Boag

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

Committee's Amended Recommendation

Councillors Brosnan / Browne

The Napier People and Places Committee:

- a. Approve Council consult on three options, being the status quo, part retain/part sell, and transfer (CHP, Regional or local community housing provider, or Kāinga Ora) options.
 - i. Note the removal of the open market sale, as it is not likely to achieve the affordable housing outcomes the council is looking to achieve through its housing portfolio.
- b. Note that further consultation may be required dependant on the decision made following this consultation.
- c. Resolve that Council approve the detailed consultation plan and consultation document.

Carried

3. COMMUNITY GRANTS AND FUNDING OVERVIEW

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1374940
Reporting Officer/s & Unit:	Belinda McLeod, Community Funding Advisor
	Matt Adamson, Senior Advisor Policy

3.1 Purpose of Report

To provide an update on the activities of the Community Grants and Funding Programme.

At the Ngā Mānukanuka o te lwi (Māori Committee) meeting

There was no discussion on this item.

Ngā Mānukanuka o te lwi (Māori Committee) recommendation

RTK Hawaikirangi / M Boag

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

Committee's Recommendation

Mayor Wise / Councillor Chrystal

The Napier People and Places Committee:

a. Receive the report titled "Community Grants and Funding Overview".

Carried

DUE TO LACK OF QUORUM THE REST OF THE STANDING COMMITTEE REPORTS IN THE AGENDA WERE NOT ADDRESSED BY THE COMMITTEE.

The meeting closed with a karakia at 10.02am

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

Chairperson

Date of approval