



**NAPIER**  
CITY COUNCIL

Te Kaunihera o Ahuriri

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# EXTRAORDINARY COUNCIL

## Open Agenda

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Meeting Date: Thursday 18 May 2023

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Time: 11.00am

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Venue: Council Chambers  
Hawke's Bay Regional Council  
159 Dalton Street  
Napier

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*Livestreamed via Council's Facebook page*

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Council Members **Chair:** Mayor Wise

**Members:** Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Greig, Mawson, McGrath, Price, Simpson, Tareha and Taylor

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Officer Responsible Chief Executive

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Administrator Governance Team

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## 2022-2025 TERM OF REFERENCE - COUNCIL

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<i>Chairperson</i>	<i>Her Worship Mayor Kirsten Wise</i>
<i>Deputy Chairperson</i>	<i>Deputy Mayor Annette Brosnan</i>
<i>Membership</i>	<i>All elected members</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>At least 6 weekly and as required</i>
<i>Executive</i>	<i>Chief Executive</i>

### **Purpose**

The Council is responsible for:

1. Providing leadership to and advocacy on behalf of the people of Napier.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

### **Terms of Reference**

The Council is responsible for the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body<sup>1</sup>:

1. The power to make a rate
2. The power to make a bylaw
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
4. The power to adopt a long-term plan, annual plan, or annual report
5. The power to appoint a chief executive
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement, including the 30-Year Infrastructure Strategy
7. The power to adopt a remuneration and employment policy.
8. The power to establish a joint committee with another local authority or other public body<sup>2</sup>.
9. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
10. The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
11. The power to make a final decision whether to adopt, amend, revoke, or replace a local Easter Sunday shop trading policy, or to continue a local Easter Sunday shop trading policy without amendment following a review.<sup>3</sup>

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1 Schedule 7, Clause 32. Local Government Act 2002.

2 Schedule 7, Clause 30A

3 Shop Trading Hours Act 1990, Section 5D.

### **Delegated Power to Act**

The Council retains all decision making authority, and will consider recommendations of its committees prior to resolving a position.

Specific matters that will be considered directly by Council include without limitation unless by statute:

1. Direction and guidance in relation to all stages of the preparation of Long Term Plans and Annual Plans
2. Approval or amendment of the Council's Standing Orders<sup>4</sup>.
3. Approval or amendment the Code of Conduct for Elected Members<sup>5</sup>.
4. Appointment and discharging of committees, subcommittees, and any other subordinate decision-making bodies<sup>6</sup>.
5. Approval of any changes to the nature and delegations of any Committees.
6. Appointment and discharging of members of committees (as required and in line with legislation in relation to the role and powers of the Mayor) <sup>7</sup>.
7. Approval of governance level strategies, plans and policies which advance council's vision and strategic goals.
8. Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer.
9. Reviewing of representation arrangements, at least six yearly<sup>8</sup>.
10. Approval of any changes to city boundaries under the Resource Management Act.
11. Appointment or removal of trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (COs) and to other external bodies.
12. Approval the Local Governance Statement as required under the Local Government Act 2002.
13. Approval of the Triennial Agreement as required under the Local Government Act 2002.
14. Allocation of the remuneration pool set by the Remuneration Authority for the remuneration of elected members.
15. To consider and decide tenders for the supply of goods and services, where tenders exceed the Chief Executive's delegated authority, or where projects are formally identified by Council to be of particular interest. In addition, in the case of the latter, milestone reporting to Council will commence prior to the procurement process.

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4 Schedule 7, Clause 27,

5 Schedule 7, Clause15,

6 Schedule 7, Clause30,

7 Schedule 7, Clause 30,

8 Local Electoral Act 2001, Section 19H.

# ORDER OF BUSINESS

**Karakia**

**Apologies**

Nil

**Conflicts of interest**

**Announcements by the Mayor**

**Announcements by the management**

**Agenda items**

1 Fees and Charges 2023/2024.....5

**Public Excluded**

Nil

# AGENDA ITEMS

## 1. FEES AND CHARGES 2023/2024

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1654102
<i>Reporting Officer/s &amp; Unit:</i>	Alister Edie, Strategic Finance Advisor Caroline Thomson, Chief Financial Officer

### 1.1 Purpose of Report

To consider the amended fees and charges for the year commencing 1 July 2023.

#### Officer's Recommendation

That Council:

- a. **Adopt** the Schedule of Fees and Charges for 2023/24 as specified in the attachment, to take effect from 1 July 2023.
- b. **Note** the Animal Control fees will be publically advertised the month preceding the start of the dog registration year and will apply from the start of the 2023/24 registration year.

### 1.2 Background Summary

Officers have reviewed Council's schedule of fees and charges, and have recommended a series of changes to ensure Council's costs for providing services are covered, all while maintaining compliance with our Revenue and Financing Policy. Most fees and charges have increased by the appropriate cost inflator to maintain cost recovery and Revenue and Finance Policy requirements.

The amended schedule of fees and charges is included as an attachment to this report for adoption.

The Dog Control Act 1996 requires dog registration fees to be publically advertised the month preceding the start of the dog registration year. This report is seeking approval for the dog registration fees to be applied from the start of the 2023/24 registration year.

### 1.3 Issues

The proposed changes to Council's fees and charges support cost recovery and Annual Plan revenue amounts. The cost of providing services has increased and the proposed changes maximise user funding as opposed to subsidisation from ratepayers. The default increase applied to fees and charges is the Consumer Price Index (CPI) at 7.2%.

Some activities are proposing various changes to fees and charges to recover costs and support users. Bay Skate is increasing annual membership fees by 15.8%, increasing per-visit non-member fees by 11% but keeping per-visit member fees unchanged. The National

Aquarium has also introduced a discounted fare for local residents across their different fees.

Some community services are increasing fees below CPI to support users. Napier Aquatic Centre has moved the spectator fee but increased Adults Single Admission fees by 13% to support cost recovery. Library services are decreasing charges where costs have decreased e.g. book, DVD/audiobook & puzzle replacement charges are dropping 18%, 29% and 29% respectively. The Faraday Centre is also proposing fee decreases for adults, children, family passes and groups of children and Napier i-SITE is not changing Paid Advertising charges to support businesses impacted by the cyclone.

Depot operating expenses have increased 15% in the 2023/24 Annual Plan, due to increased Salary, Wages and Training expenses. Sewerage, Stormwater and Water Supply charges are therefore increasing by 15% to maintain cost recovery. Charges for 150mm Connections, Open Ground Pipelaying and Road and Footpath Crossing Connections have increased above 15% to recover increased costs and One-off Testing charges have been added to Backflow Prevention. Financial contributions are also increasing by 12.5%, matching the change in the Producer Price Index (PPI) as per the Financial Contributions policy.

Cemetery fees are also increasing to recover increased Depot expenses and are in alignment with Hastings District Council (HDC) charges e.g. Disinterment Ashes fees are increasing 29% and a new Saturday morning Burial fee has been introduced. Policy planning is also increasing some charges to maintain cost recovery e.g. Alteration of Designations at 45%, Requests to Change District Plans at 36% and other rates increasing to align with HDC.

#### **1.4 Significance and Engagement**

This report has been assessed under the Council's Significance and Engagement policy and does not trigger the threshold of that Policy.

In line with the Council approved approach for the 2023/24 Annual Plan, the public was not consulted on the proposed changes to fees and charges. However, stakeholders will be consulted on some items e.g. Animal Control fees.

#### **1.5 Implications**

##### **Financial**

The proposed changes to fees and charges are intended to maintain cost recovery, and are included in the financial information for the Annual Plan 2023/24.

##### **Social & Policy**

Fees and charges are used to fund both operating and capital expenditure as set out in the Revenue and Financing Policy.

##### **Risk**

There is a risk that the revenue received from fees and charges does not meet the private good funding guidelines set out in the Revenue and Financing Policy for each activity. Council's revenue is closely monitored throughout the year and any variances to budget are reported to Council on a quarterly basis.

#### **1.6 Options**

The options available to Council are as follows:

- a. Approve the fees and charges for 2023/24

- b. Not approve the fees and charges for 2023/24
- c. Council can make changes to the fees and charges for 2023/24

### **1.7 Development of Preferred Option**

Option A – approve the fees and charges for 2023/24.

### **1.8 Attachments**

- 1 Schedule of Fees and Charges (Doc Id 1657284) [↓](#)









































































































































