



# ORDINARY MEETING OF COUNCIL

## Open Agenda

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Meeting Date: Thursday 20 July 2023

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Time: 9.30am

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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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**Next Council Meeting**  
**Thursday 31 August 2023**

## 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

## Public forum

**Emma Horgan - Collective Iwi and environment groups advocacy presentation**

## Announcements by the Mayor including notification of minor matters not on the agenda

*Note: re minor matters only - refer LGOIMA s46A(7A) and Standing Orders s9.13*

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

## Announcements by the management

### Confirmation of minutes

That the Draft Minutes of the Ordinary Meeting of Council held on Thursday, 8 June 2023 be confirmed as a true and accurate record of the meeting. ....162

### Information items

#### Agenda items

1	Renaming Napier War Memorial Centre Ballroom.....	6
2	Clifton to Tangoio Coastal Hazards Joint Committee - Changes to Terms of Reference ..	8
3	Climate Action Joint Committee - changes to Terms of Reference .....	18
4	Napier City Council submission to the Governance and Administration Select Committee on the Water Services Entities Amendment Bill.....	29
5	LGNZ Remits.....	35
6	Changes to Hawke's Bay Civil Defence Emergency Management Group Joint Committee - Terms of Reference.....	43
7	Minutes of the Regional Transport Committee - 5 and 23 May 2023 .....	55
8	Minutes of Hawke's Bay Civil Defence Emergency Management Group Joint Committee - 28 April 2023 .....	71
9	Minutes of the Omarunui Refuse Landfill Joint Committee - 2 December 2022 .....	77
10	Minutes of the Napier-Hastings Future Development Strategy Joint Committee - 27 April 2023 .....	86
11	Action Points Register as at 27 June 2023 .....	128

### Minor matters not on the agenda – discussion (if any)

## Reports / Recommendations from the Standing Committees

### Reports from Audit and Risk Committee held 23 June 2023

1	Health and Safety Report - January/February/March 2023 .....	141
2	Review and Improvement Recommendations for Asset Management Maturity: A Comparative Analysis of 2019 and 2021 Reports.....	143
3	Risk Management Report.....	145
4	Sensitive Expenditure - Mayor and Chief Executive .....	147
5	Internal Audit status update.....	148
6	External Audit actions status update.....	149

### Reports from Ngā Mānukanuka o te Iwi (Māori Committee) held 30 June 2023

1	Matariki 2023 .....	150
2	Nomination of appointed member to be member of Sustainable Napier and Future Napier Committees.....	152
3	3 Waters Project Brief.....	154

### Reports under Delegated Authority

1	Tenders Let.....	156
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	<b>Recommendation to Exclude the Public.....</b>	<b>158</b>
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# AGENDA ITEMS

## 1. RENAMING NAPIER WAR MEMORIAL CENTRE BALLROOM

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1673645
<i>Reporting Officer/s &amp; Unit:</i>	Steve Gregory, Manager Business & Tourism

### 1.1 Purpose of Report

The purpose of this report is to get an approval from Council to rename the Napier War Memorial Ballroom to 'The Natusch Ballroom'.

#### Officer's Recommendation

That Council:

- a. Approve the renaming of the Napier War Memorial Ballroom to the Natusch Ballroom

### 1.2 Background Summary

Renowned local architect Guy Natusch designed the original Napier War Memorial Hall and many other significant buildings in Napier. Mr Natusch was involved in the process to re-design the new War Memorial but died on 30 September 2020, aged 99.

Mr Natusch served in the Royal New Zealand Navy, from 1942 to 1945, during WWII. He was awarded the Distinguished Service Cross in 1944.

Mr Natusch was the son and grandson of architects, and worked as one himself until 1997. He earned a reputation for elegant, eye-catching homes and an unconventional approach to commercial projects. As a champion of heritage architecture he also fought to save many of Napier's buildings.

Mr Natusch's other noteworthy local designs include the former Red Cross Hall, on Tennyson Street, Napier. In the 2003 Honours, he was appointed a Member of the New Zealand Order of Merit for services to architecture.

To acknowledge Mr Natusch contribution to the Napier War Memorial Centre it is only fitting to rename the existing Ballroom to the 'Natusch Ballroom' in his honour.

Operationally, it is proposed to have 'The Natusch Ballroom' lettering above the doorway and then to the right hand side of the door to have a plaque recognising his formal rank title, SLt. Guy Natusch MNZM DSC Ballroom (Sub-lieutenant Guy Natusch MNZM DSC Ballroom) and a storyboard depicting his contribution to the Napier War Memorial Centre and architecture to Napier.

### **1.3 Issues**

NA

### **1.4 Significance and Engagement**

NA

### **1.5 Implications**

#### **Financial**

The design and fabrication, story board, and brass plaque has not been budgeted for but it is estimated to cost around \$20,000.

#### **Social & Policy**

NA

#### **Risk**

NA

### **1.6 Options**

The options available to Council are as follows:

- a. Approve the renaming of the Napier War Memorial Ballroom to the Natusch Ballroom
- b. Status quo and maintain the Ballroom as the existing room name.

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

Due to the significant contribution Mr Natusch has had on the Napier War Memorial Centre architecture and development it is only fitting the existing Ballroom is renamed to 'The Natusch Ballroom'

### **1.8 Attachments**

Nil

## 2. CLIFTON TO TANGOIO COASTAL HAZARDS JOINT COMMITTEE - CHANGES TO TERMS OF REFERENCE

Type of Report:	Legal
Legal Reference:	Enter Legal Reference
Document ID:	1670228
Reporting Officer/s & Unit:	Heather Bosselmann, Senior Policy Analyst - Climate Resilience

### 2.1 Purpose of Report

To present proposed changes to the current Terms of Reference for the Coastal Hazards Joint Committee.

#### Officer's Recommendation

That Council:

- a. **Receive** report on changes to the Terms of Reference for the Clifton to Tangoio Coastal Hazards Joint Committee.
- a. **Adopt** the changes made to the Terms of Reference for the Clifton to Tangoio Coastal Hazards Joint Committee (Doc Id 1673844).

### 2.2 Background Summary

The Terms of Reference for the Clifton to Tangoio Coastal Hazards Joint Committee are reviewed and amended as necessary at the beginning of each new term. Due to the Cyclone the first Joint Committee meeting was not held until 12 May 2023. The attached amended Terms of Reference was proposed and agreed by the Joint Committee at that meeting.

The main amendments are:

- 7.2 Considering and recommending a draft strategy to ~~each of the Partner Councils~~ Hawke's Bay Regional Council for public notification and consultation
- ~~7.3 Considering comments and submissions on the draft strategy and making appropriate recommendations to the Partner Councils~~
- ~~7.4 Considering and recommending a final Clifton to Tangoio Coastal Hazards Strategy to each of the Partner Councils for approval~~
12. ~~Election of~~ Chairperson and Deputy Chairperson
  - ~~12.1 The Chairperson of the Joint Committee will be one of the Hawke's Bay Regional Council members as elected and appointed by Hawke's Bay Regional Council.~~
  - 12.2 ~~On the formation~~ At the first meeting of the Joint Committee the members shall elect ~~a Joint Committee Chairperson and may elect~~ up to two Deputy Chairpersons. ~~The Chairperson is to be elected from among the group of Council members.~~
  - 12.2 The mandate of the Chairperson ~~or~~ and Deputy Chairperson ends if that person, through resignation or otherwise, ceases to be a member of the Joint Committee.

These amendments reflect the intention that the Hawke's Bay Regional Council will take over and implement the strategy.

### **2.3 Issues**

No issues.

### **2.4 Significance and Engagement**

The changes to the Terms of Reference reflect a position that Napier City Council has consulted on as part of the 2022 Annual Plan consultation and so there is nothing new of significance in these changes.

### **2.5 Implications**

#### **Financial**

No change to current financial obligations.

#### **Social & Policy**

N/A

#### **Risk**

These changes reflect a position that Napier City Council has agreed to so the risk is limited.

### **2.6 Options**

The options available to Council are as follows:

- a. Adopt the amended Terms of Reference.
- b. Do not adopt the amended Terms of Reference.

### **2.7 Development of Preferred Option**

Based on agreement by the Joint Committee and the limited scope of these changes to the Terms of Reference, as well as the changes being in line with Napier City Council's position, it is recommended that the amended Terms of Reference be adopted.

### **2.8 Attachments**

- 1 Amended Terms of Reference with tracked changes (Doc Id 1673844) [↓](#)

## Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

*As adopted by resolution of:*

Hastings District Council, --- 2023

Napier City Council, --- 2023

Hawke's Bay Regional Council, --- 2023

### 1. Definitions

For the purpose of these Terms of Reference:

- 1.1 **Act** means the Local Government Act 2002
- 1.2 **Administering Authority** means Hawke's Bay Regional Council
- 1.3 **Coastal Hazards Strategy** means the Coastal Hazards Strategy for the Hawke Bay coast between Clifton and Tangoio<sup>1</sup>
- 1.4 **Council member** means an elected representative appointed by a Partner Council
- 1.5 **Hazards** means natural hazards with the potential to affect the coast, coastal communities and infrastructure over the next 100 years, including, but not limited to, coastal erosion, storm surge, flooding or inundation of land from the sea, and tsunamis; and includes any change in these hazards as a result of sea level rise
- 1.6 **Joint Committee** means the group known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee set up to recommend both draft and final strategies to each Partner Council.
- 1.7 **Member** in relation to the Joint Committee means each Council Member and each Tangata Whenua Member.
- 1.8 **Partner Council** means one of the following local authorities: Hastings District Council, Napier City Council and Hawke's Bay Regional Council
- 1.9 **Tangata Whenua Appointer** means:
  - 1.9.1 The trustees of the Maungaharuru-Tangitū Trust, on behalf of the Maungaharuru-Tangitū Hapū
  - 1.9.2 Mana Ahuriri Incorporated, on behalf of Mana Ahuriri Hapū
  - 1.9.3 Heretaunga Tamatea Settlement Trust, on behalf of the hapū of Heretaunga and Tamatea
- 1.10 **Tangata Whenua member** means a member of the Joint Committee appointed by a Tangata Whenua Appointer.

### 2. Name and status of Joint Committee

- 2.1 The Joint Committee shall be known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
- 2.2 The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Act.

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<sup>1</sup> The Coastal Hazards Strategy is further defined in Appendix 1 to these Terms of Reference.

### 3. Partner Council Members

- 3.1 Each Partner Council shall appoint three Council members and one alternate to the Joint Committee.
- 3.2 If not appointed directly as Council members, the Mayors of Hastings District Council and Napier City Council and the Chairperson of Hawke's Bay Regional Council are ex officio Council members.
- 3.3 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Council member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the member.

### 4. Tangata Whenua members

- 4.1 Each Tangata Whenua Appointer may appoint one member to sit on the Joint Committee.
- 4.2 Each Tangata Whenua Appointer must make any appointment and notify all Tangata Whenua Appointers and Partner Councils in writing of the appointment.
- 4.3 The Tangata Whenua members so appointed shall be entitled to vote.
- 4.4 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Tangata Whenua member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Tangata Whenua Appointer that appointed the member.

### 5. Purpose of Terms of Reference

- 5.1 The purpose of these Terms of Reference is to:
  - 5.1.1 Define the responsibilities of the Joint Committee as delegated by the Partner Councils under the Act.
  - 5.1.2 Provide for the administrative arrangements of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee as detailed in Appendix 2.

### 6. Delegated authority

The Joint Committee has the responsibility delegated by the Partner Councils for:

- 7.1 Guiding and providing oversight for the key components of the coastal hazards strategy including:
  - 7.1.1 The identification of coastal hazards extents and risks as informed by technical assessments
  - 7.1.2 A framework for making decisions about how to respond to those risks
  - 7.1.3 A model for determining how those responses shall be funded; and on a plan for implementing those responses when confirmed
- 7.2 Considering and recommending a draft strategy to ~~each of the Partner Councils~~ Hawke's Bay Regional Council for public notification and consultation
- ~~7.3 Considering comments and submissions on the draft strategy and making appropriate recommendations to the Partner Councils~~
- ~~7.4 Considering and recommending a final Clifton to Tangoio Coastal Hazards Strategy to each of the Partner Councils for approval~~
- 7.5.3 Advocating for and/or advancing the objectives of the Strategy by submitting on and participating in processes, including but not limited to:
  - 7.5.1 Council long term plans

- 7.5.2 Council annual plans
  - 7.5.3 District and regional plan and policy changes
  - 7.5.4 Reserve management plans
  - 7.5.5 Asset management plans
  - 7.5.6 Notified resource consent applications
  - 7.5.7 Central Government policy and legislation
  - 7.6 Investigating and securing additional sources of funding to support strategy implementation.
7. Powers not delegated
- The following powers are not delegated to the Joint Committee:
- 8.1 Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002
  - 8.2 The determination of funding for undertaking investigations, studies and/or projects to assess options for implementing the Clifton to Tangoio Coastal Hazards Strategy.
8. Remuneration
- 9.1 Each Partner Council shall be responsible for remunerating its representatives on the Joint Committee and for the costs of those persons' participation in the Joint Committee.
  - 9.2 The Administering Authority shall be responsible for remunerating the Tangata Whenua members.
10. Meetings
- 10.1 The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer ([Chief Executive](#)) of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.
  - 10.2 The Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.
  - 10.3 Notice of meetings will be given as far in advance a possible to all Joint Committee members, and in accordance with the provisions of the Local Government Official Information and Meetings Act.
  - 10.4 Members, or their confirmed alternates, will attend all Joint Committee meetings.
  - 10.4 The quorum shall be 6 Members, provided that at least one Partner Council member is present from each Partner Council.
11. Voting
- 11.1 In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each Council member has full authority to vote and make decisions within the delegations of the Terms of Reference on behalf of the Partner Council without further recourse to the Partner Council.
  - 11.2 Where voting is required, each member has one vote.
  - 11.4 Best endeavours will be made to achieve decisions on a consensus basis.
  - 11.5 The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, [has may use](#) a casting vote.

## 12. ~~Election of~~ Chairperson and Deputy Chairperson

12.1 The Chairperson of the Joint Committee will be one of the Hawke's Bay Regional Council members as elected and appointed by Hawke's Bay Regional Council.

12.2 ~~On the formation~~At the first meeting of the Joint Committee the members shall elect ~~a Joint Committee Chairperson and may elect~~ up to two Deputy Chairpersons. ~~The Chairperson is to be elected from among the group of Council members.~~

12.2 The mandate of the Chairperson ~~or~~and Deputy Chairperson ends if that person, through resignation or otherwise, ceases to be a member of the Joint Committee.

## 13. Reporting

13.1 All reports to the Committee shall be presented via the Technical Advisory Group<sup>2</sup>.

13.2 Following each meeting of the Joint Committee, the Project Manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information, to each member. Such reports will be in addition to any formal minutes prepared by the Administering Authority, which will be circulated to Joint Committee representatives.

13.3 The Technical Advisory Group shall ensure that the summary report required by 13.2 is also provided to each Partner Council for inclusion in the Agenda for the next available Council meeting. A Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions.

## 14. Good faith

14.1 In the event of any circumstances arising that were unforeseen by the Partner Councils, the Tangata Whenua Appointers, or their respective representatives at the time of adopting this Terms of Reference, the Partner Councils and the Tangata Whenua Appointers and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and the Tangata Whenua Appointers collectively.

## 15. Variations to the Terms of Reference

15.1 Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee.

15.2 Amendments to the Terms of Reference may only be made with the approval of all Members.

## 16. Recommended for Adoption

16.1 The Clifton to Tangoio Coastal Hazards Strategy Joint Committee, made up of the following members, ~~recommends~~confirms this Terms of Reference for adoption to the three Partner Councils.

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<sup>2</sup> A description of the Technical Advisory Group and its role is included as Appendix 2 to these Terms of Reference.

Maungaharuru-Tangitū Trust (MTT) represented by Ms Tania Hopmans

Hastings District Council represented by councillors Alwyn Corban, Ann Redstone and Malcolm Dixon, and councillor Tania Kerr as alternate

Mana Ahuriri Trust represented by Evelyn Ratima

Napier City Council represented by councillors Nigel Simpson, Hayley Browne and Keith Price and councillor Annette Brosnan as alternate

Heretaunga Tamatea Settlement Trust represented by Gilvrey Mohi

Hawke's Bay Regional Council represented by councillors Jerf van Beek, Xan Harding and Charles Lambert, and Sophie Siers as alternate

## Appendix 1 – Project Background

### 1. Project Goal

- 1.1 A Clifton to Tangoio Coastal Hazards Strategy is being developed in cooperation with the Hastings District Council (HDC), the Hawke's Bay Regional Council (HBRC), the Napier City Council (NCC), and Maungaharuru-Tangitū Trust (MTT), Mana Ahuriri Trust and Heretaunga Tamatea Settlement Trust representing Mana Whenua. This strategy is being developed to provide a framework for assessing coastal hazards risks and options for the management of those risks for the 105 years from 2015 to 2120.
- 1.2 The long term vision for the strategy is that coastal communities, businesses and critical infrastructure from Tangoio to Clifton are resilient to the effects of coastal hazards.

### 2. Project Assumptions

The Coastal Hazards Strategy will be based on and influenced by:

- 2.1 The long term needs of the Hawke's Bay community
- 2.2 Existing policies and plans for the management of the coast embedded in regional and district council plans and strategies
- 2.3 Predictions for the impact of climate change
- 2.4 The National Coastal Policy Statement.

### 3. Project Scope

The Coastal Hazards Strategy is primarily a framework for determining options for the long term management of the coast between Clifton and Tangoio. This includes:

- 3.1 Taking into account sea level rise and the increased storminess predicted to occur as a result of climate change, an assessment of the risks posed by the natural hazards of coastal erosion, coastal inundation and tsunamis.
- 3.2 The development of a framework to guide decision making processes that will result in a range of planned responses to these risks.
- 3.3 The development of a funding model to guide the share of costs, and mechanisms to cover those costs, of the identified responses.
- 3.4 The development of an implementation plan to direct the implementation of the identified responses.
- 3.5 Stakeholder involvement and participation.
- 3.6 Protocols for expert advice and peer review.
- 3.7 An action plan of ongoing activity assigned to various Members.

### 4. The Strategy will:

- 4.1 Describe a broad vision for the coast in 2120, ~~and how the Hawke's Bay community could respond to a range of possible scenarios which have the potential to impact the coast by 2120.~~
- 4.2 Describe the possible effects of coastal hazards and sea level rise, and propose responses to those risks under a Dynamic Adaptive Policy Pathways (DAPP) framework.
- 4.3 Set out proposed funding principles based on the requirements of the Local Government Act 2002 and a proposed funding model for Strategy implementation that gives effect to those principles.
- 4.24.4 Propose policies to guide any intervention to mitigate the impact of coastal processes and hazards through the following regulatory and non-regulatory instruments:

4.1.1 Regional Policy Statement

4.1.2 District Plans

4.1.3 Council long-term plans

4.1.4 Infrastructure Development Planning (including both policy and social infrastructure networks).

4.34.5 Describe how the Strategy will be implemented and a monitoring and review process.

## Appendix 2 - Administering Authority and Servicing

- 1 The administering authority for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee is Hawke's Bay Regional Council.
- 2 The administrative and related services referred to in clause 16.1 of the conduct of the Joint Committee under clause 30 Schedule 7 of the Local Government Act 2002 apply.
- 3 Until otherwise agreed, Hawke's Bay Regional Council will cover the full administrative costs of servicing the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
- 4 A technical advisory group (TAG) will service the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
- 5 The TAG will provide for the management of the project mainly through a Project Manager. TAG will be chaired by the Project Manager, and will comprise senior staff representatives from each of the participating councils and other parties as TAG deems appropriate from time to time. TAG will rely significantly on input from coastal consultants and experts.
- 6 The Project Manager and appropriate members of the TAG shall work with stakeholders. Stakeholders may also present to or discuss issues directly with the Joint Committee.
- 7 Functions of the TAG include:
  - 7.1 Providing technical oversight for the [studyStrategy](#).
  - 7.2 Coordinating agency inputs particularly in the context of the forward work programmes of the respective councils.
  - 7.3 Ensuring Council inputs are integrated.

### 3. CLIMATE ACTION JOINT COMMITTEE - CHANGES TO TERMS OF REFERENCE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1670279
<i>Reporting Officer/s &amp; Unit:</i>	Heather Bosselmann, Senior Policy Analyst - Climate Resilience

#### 3.1 Purpose of Report

To convey proposed changes to the Climate Action Joint Committee Terms of Reference and recommend the changes be adopted.

#### Officer’s Recommendation

That Council:

- a. **Receive** the report on the amended draft Terms of Reference for the Climate Action Joint Committee.
- a. **Adopt** the amended Terms of Reference for the Climate Action Joint Committee (Doc Id 1673834).

#### 3.2 Background Summary

Elected Members considered and adopted the first draft of the Terms of Reference on 19 March 2023. The Terms of Reference were then discussed at the first Climate Action Joint Committee Meeting on 22 May 2023. Two changes were proposed and discussed. Hawke’s Bay Regional Council staff have provided an amended Terms of Reference on the basis of those discussions.

#### 3.3 Issues

##### *First proposed change:*

The first was proposed by Tania Hopkins on behalf of the PSGEs. She raised the issue of representation and stated that given the importance of this committee the PSGEs should all be provided with an opportunity for a seat at the table. The original Terms of Reference provided the PSGEs with two representatives appointed by the HBRC Regional Planning Committee. It was agreed that membership be amended to be PSGE appointees instead of PSGE appointees on the RPC and that each PSGE would be invited to make an appointment. The Terms of Reference have been amended to reflect this (as below) and HBRC have formally reached out to each PSGE to ask for appointment of one member and one alternate per PSGE.

#### 4. Membership<sup>5</sup>

- 4.1. Up to two elected members from the Hawke's Bay Regional Council; being the Chair and one other elected member, and one alternate.
- ~~4.2. Up to two elected members from each Territorial Authority within the Hawke's Bay region; preferably the Mayor and one other elected member, and one alternate.~~
- ~~4.3.4.2. Up to two members and one alternate appointed to represent the Post [Treaty] Settlement Governance Entity (PSGE) representatives on the HBRC Regional Planning Committee<sup>6</sup>.~~
- 4.3. Each Post [Treaty] Settlement Governance Entity (PSGE) within the Hawke's Bay region is invited to appoint one member, and one alternate.
- 4.4. Up to two members and one alternate appointed to represent the Ngāti Kahungunu Taiwhenua and Board representatives on the HBRC Māori Committee<sup>7</sup>.
- 4.5. Under clause 30A(6) Schedule 7 of the Act, the power to discharge any member on the Joint Committee and appoint his or her replacement shall be exercisable only by the body that appointed the member.

This change is appropriate to reflect the important of working in partnership with mana whenua, particularly for an issue that has such far reaching consequences and is likely to disproportionately impact Māori. Alongside the two representatives appointed by the HBRC Māori Committee this will result in approximately equal representation for Māori representatives and Councillors on the Joint Committee.

#### *Second proposed change:*

CHBDC raised an issue with the reference in 2.3 to "within the boundaries of the natural environment". Some clarification regarding the purpose was sought and an initial high level discussion around protecting food production as per the Paris Agreement Article 2 was held. Agreement was reached for minor changes to reflect the discussion and ensure the Terms of Reference remain in the Governance space without seeking to predetermine the path the committee will take. HBRC have drafted a proposed change that aligns us with central government direction:

- 2.3. The Joint Committee aims to support resilient communities and industries to become resilient to the effects of climate change and to thrive within the means- boundaries of our natural environment in a manner that aligns with central government policy on climate change<sup>2</sup>.

This change is minor and aligns us with national direction which is important to ensure we can advocate for Hawke's Bay at the national level.

### 3.4 Significance and Engagement

The change with regard to Māori membership is one that has been requested by the PSGE representative who was present at the Joint Committee and all PSGEs have now been invited. This is a positive change to reflect our partnership obligations.

The second change is minor.

### 3.5 Implications

#### Financial

There will be an extra cost associated with compensating the additional PSGE representatives which will need to be considered as part of funding the Joint Committee going forward.

#### Social & Policy

N/A

**Risk**

N/A

**3.6 Options**

The options available to Council are as follows:

- a. Adopt the amended Terms of Reference with proposed changes.
- b. Do not adopt the amended Terms of Reference.

**3.7 Development of Preferred Option**

The changes to the Terms of Reference are appropriate and in line with the discussion held at the Joint Committee meeting and it is recommended that option a. be selected.

**3.8 Attachments**

- 1 CAJC revised draft Terms of Reference (Doc Id 1673834) [↓](#)

**Terms of Reference  
for the  
Climate Action Joint Committee**

*Adopted by resolution of:*

Hawke's Bay Regional Council, ~~25 January~~ \_\_\_\_\_ 2023

Hastings District Council, ~~2 March~~ \_\_\_\_\_ 2023

Napier City Council, ~~16 March~~ \_\_\_\_\_ 2023

Central Hawke's Bay District Council, ~~23 March~~ \_\_\_\_\_ 2023

Wairoa District Council, ~~16 May~~ \_\_\_\_\_ 2023

**1. Name and status of Joint Committee**

- 1.1. The Joint Committee shall be known as the Climate Action Joint Committee.
- 1.2. The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act (the Act).

**2. Purpose**

- 2.1. Climate mitigation and adaptation is core business for councils. It spans multiple council workstreams such as urban planning, land-use and resource management, transport, flood protection, coastal hazards and emergency management. Without duplicating effort, the purpose of the Joint Committee is to support a coordinated and collaborative response to address the complex challenge of Climate-Resilient Development<sup>1</sup> for the communities of Hawke's Bay.
- 2.2. The focus of the Joint Committee will be promoting action to mitigate climate change (emissions reductions and offsetting) and adapt to the changing regional climate.
- 2.3. The Joint Committee aims to support resilient communities and industries to become resilient to the effects of climate change and to thrive within the means boundaries of our natural environment in a manner that aligns with central government policy on climate change<sup>2</sup>.

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**3. Objectives**

- 3.1. Oversee and guide the development and implementation of a Regional Emissions Reduction Plan including recommending actions for partner councils to consider for inclusion in their Long Term Plans.
- 3.2. Oversee and guide the development and implementation of a spatial Regional Climate Risk Assessment to deliver on responsibilities under the National Adaptation Plan to:
  - 3.2.1. Reduce vulnerability to the impacts of climate change
  - 3.2.2. Enhance adaptive capacity and consider climate change in decisions at all levels
- 3.3. Strengthen resilience

<sup>1</sup> Climate Resilient Development is a framework developed in the Intergovernmental Panel on Climate Change 6<sup>th</sup> report – Impacts, Adaptation and Vulnerability. It combines strategies to adapt to climate change with actions to reduce greenhouse gas emissions to support sustainable development for everyone ([FAQ 6: What is Climate Resilient Development? ipcc.ch](#))

<sup>2</sup> [Including UNFCCC Paris Agreement on Climate Change.](#)

- 3.4. Support compliance with the statutory requirement to “have regard to” the National Emissions Reduction Plan and the National Adaptation Plan in all RMA-related plans of partner councils<sup>3</sup>.
- 3.5. Inform planning to drive climate-resilient development in the right locations within the Future Development Strategy required under the National Policy Statement on Urban Development, and the Regional Spatial Strategy and regional combined plan proposed under the Spatial Planning and Natural and Built Environments legislation.
- 3.6. Collaborate on the delivery key services for infrastructure impacted by climate change on respective councils.

#### 4. Membership<sup>4</sup>

- 4.1. Up to two elected members from the Hawke’s Bay Regional Council; being the Chair and one other elected member, and one alternate.
- 4.2. Up to two elected members from each Territorial Authority within the Hawke’s Bay region; preferably the Mayor and one other elected member, and one alternate.
- ~~4.3.4.2. Up to two members and one alternate appointed to represent the Post [Treaty] Settlement Governance Entity (PSGE) representatives on the HBRC Regional Planning Committee<sup>5</sup>.~~
- 4.3. Each Post [Treaty] Settlement Governance Entity (PSGE) within the Hawke’s Bay region is invited to appoint one member, and one alternate.
- 4.4. Up to two members and one alternate appointed to represent the Ngāti Kahungunu Taiwhenua and Board representatives on the HBRC Māori Committee<sup>6</sup>.
- 4.5. Under clause 30A(6) Schedule 7 of the Act, the power to discharge any member on the Joint Committee and appoint his or her replacement shall be exercisable only by the body that appointed the member.

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#### 5. Chairperson and Deputy Chairperson

- 5.1. The Chairperson of the Joint Committee will be the Chair of the Hawke’s Bay Regional Council.
- 5.2. At the first meeting of the Joint Committee the members shall elect a Deputy Chairperson.
- 5.3. The mandate of the Chairperson and Deputy Chairperson ends if that person, through resignation or otherwise, ceases to be a member of the Joint Committee.

#### 6. Delegated authority

The Joint Committee has delegated responsibilities for:

- 6.1. Guiding and monitoring climate mitigation and adaptation across the region with current and relevant technical inputs.
- 6.2. Leading regional emissions reduction plans including recommending actions for consideration to partner councils to include in their long term plans

<sup>3</sup> From 30 November 2022 it is a legal requirement for local government to ‘have regard to’ the national adaptation plan and the emissions reduction plan when preparing or changing regional policy statements, regional plans and district plans. (Guidance note environment.govt.nz)

<sup>4</sup> Membership will be reviewed at the end of the three-yearly cycle.

~~<sup>5</sup> HBRC Regional Planning Committee is a co-governance committee composed of an equal number of elected councillors and appointees from each of the Post Settlement Governance Entities (PSGEs) within the HB Region.~~

<sup>6</sup> HBRC Māori Committee has 13 tangata whenua representatives, 3 from each of the Taiwhenua (and Wairoa Kahungunu Executive) within the Hawke’s Bay regional boundary and 1 from the Ngāti Kahungunu Iwi Inc Board.

- 6.3. Leading spatial regional climate risk assessments to deliver on responsibilities under the National Adaptation Plan
- 6.4. Setting targets, including interim goals, towards achieving carbon neutrality by 2050
- 6.5. Monitoring regional greenhouse gas emissions (community carbon footprint) on a regular basis and reporting annually on implementation of regional emissions reduction plans
- 6.6. Considering and recommending key emissions reduction actions to each of the partner councils and industry for consideration
- 6.7. Advocating for and/or advancing the objectives of regional climate action by submitting on and participating in processes, at the Joint Committee's discretion, including but not limited to:
  - 6.7.1. Council long term plans
  - 6.7.2. Council annual plans
  - 6.7.3. District and regional plan and policy changes
  - 6.7.4. Reserve management plans
  - 6.7.5. Asset management plans
  - 6.7.6. Notified resource consent applications
  - 6.7.7. Central Government policy and legislation
  - 6.7.8. Investigating and securing additional sources of funding to support regional decarbonisation, offsetting and protecting communities from the impact of climate change.
- 6.8. For the avoidance of doubt, the Joint Committee can only make recommendations to partner councils. Without legally binding subsequent council decisions, the partner councils agree to:
  - 6.8.1. Have particular regard to the recommendations of the Joint Committee in developing policies, determining priorities, and allocating resource;
  - 6.8.2. Progress, to the fullest possible extent, actions identified through joint planning and decision-making arrangements.

#### 7. Powers not delegated

The following powers are not delegated to the Joint Committee:

- 7.1. Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 7.2. Decisions relating to the allocation of funding for undertaking investigations, studies and/or projects in climate adaptation, offsetting or climate mitigation and matters relating to consenting.

#### 8. Meetings

- 8.1. The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer (Chief Executive) of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.
- 8.2. The Joint Committee shall hold meetings at such frequency, times and place(s) as required for the performance of the functions, duties and powers delegated under this Terms of Reference, at least three times per year.

- 8.3. Notice of meetings will be given as far in advance a possible to all Joint Committee members, and in accordance with the provisions of the Local Government Official Information and Meetings Act 1987.
- 8.4. Meetings may provide for members' attendance by audio-visual link if required.
- 8.5. Members, or their confirmed alternates, will attend all Joint Committee meetings.
- 8.6. The quorum will consist of a majority of members.

#### 9. Voting

- 9.1. In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each member has full authority to vote and make decisions within the delegations of the Terms of Reference on behalf of the body that appointed them without further recourse to the appointing body.
- 9.2. Where voting is required, each member has one vote.
- 9.3. Best endeavours will be made to achieve decisions on a consensus basis.
- 9.4. The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, may use a casting vote.

#### 10. Good faith

- 10.1. In the event of any circumstances arising that were unforeseen by the partner councils or their representatives at the time of adopting these Terms of Reference, the partner councils and their representatives hereby record their intention that they will negotiate in good faith to add to or vary these Terms of Reference so as to resolve the impact of those circumstances in the best interests collectively of the partner councils taking into account also the views of the Regional Planning Committee and Māori Committee appointed members in relation to those circumstances.

#### 11. Remuneration

- 11.1. Each partner council shall be responsible for remunerating its representatives on the Joint Committee and for the costs of those persons' participation in the Joint Committee.
- 11.2. Hawke's Bay Regional Council as the Administering Authority shall be responsible for remunerating the ~~Regional Planning Committee and~~ Māori Committee representatives ~~and the PSGE representatives~~ on the Joint Committee for travel and attendance as per its agreed meeting fees policy.

#### 12. Technical Advisory Group and Reporting

- 12.1. A technical advisory group (TAG) will service the Climate Action Joint Committee.
- 12.2. The TAG will comprise of staff members from the partner councils who are working in climate mitigation and adaptation and will involve subject matter experts as required to ensure linkages with other workstreams, such as the work of the Regional Transport Committee and Napier-Hastings Future Development Strategy Joint Committee. The TAG will be led by the Hawke's Bay Regional Council Climate Action Ambassador along with the dedicated climate roles at Napier City Council and Hastings District Council.
- 12.3. Following each meeting of the Joint Committee, the TAG shall create a summary report of the business of the meeting which will be distributed, for information, to each partner council for inclusion in the agenda for the next available council meeting. Such reports will be in addition to

any formal minutes prepared by the Administering Authority, which will be circulated to Joint Committee members.

### 13. Variations to the Terms of Reference

- 13.1. Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee for recommending to the partner councils if agreed.
- 13.2. Amendments to the Terms of Reference must be agreed by all partner councils before taking effect.

### 14. Recommended for Adoption

- 14.1. The Climate Action Joint Committee, made up of the following members, confirms this Terms of Reference as adopted by the five partner councils and Regional Planning Committee and Māori Committee representative members.

**Hawke's Bay Regional Council** represented by:

Councillors Hinewai Ormsby and Xan Harding, and Di Roadley as alternate.

Councillor Hinewai Ormsby as Chairperson of the Climate Action Joint Committee

Appointed by HBRC resolution on 25 January 2023.

**Hastings District Council** represented by:

Mayor Sandra Hazlehurst and Councillor Ann Redstone, and Councillor Tania Kerr as alternate.

Appointed by HDC resolution on 2 March 2023.

**Napier City Council** represented by:

Councillors Annette Brosnan and Hayley Browne, and Chad Tareha as alternate.

Appointed by NCC resolution on 16 March 2023.

**Central Hawke's Bay District Council** represented by:

Councillors Alex Walker and Tim Aitken, and Jerry Greer as alternate.

Appointed by CHBDC resolution on 23 March 2023.

**Wairoa District Council** represented by:

Councillors Craig Little and Denise Karekare, and Roz Thomas as alternate.

Appointed by WDC resolution on 16 May 2023

**HBRC Māori Committee representatives** Paul Kelly and Roger Maaka and Marei Apatu as alternate.

Appointed by Māori Committee resolution on 3 May 2023.

~~Regional Planning Committee representatives, Tania Hopmans and Keri Ropiha.~~

Post [Treaty] Settlement Entity appointees:

[Heretaunga Tamatea Settlement Trust](#)

[Mana Ahuriri Trust](#)

[Maungaharuru-Tangitu Trust](#)

[Ngati Pahauwera Development & Tiaki Trusts](#)

[Ngati Tuwharetoa Hapu Forum](#)

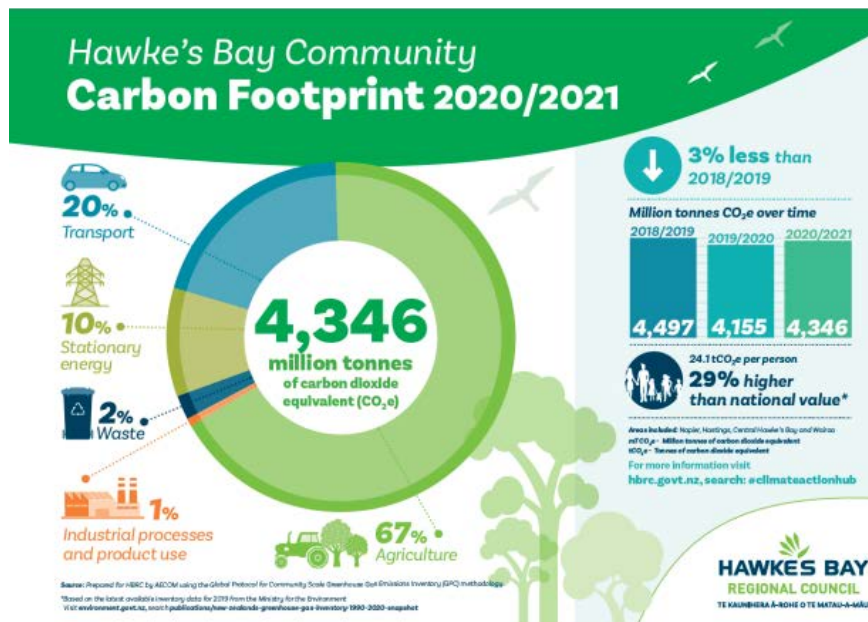
[Tātau Tātau o Te Wairoa](#)

[Te Kopere o te Iwi Hineuru](#)

[Te Toi Kura o Waikaremoana](#)

**Appendix A – Project Background**

1. The Regional Council declared a climate emergency for the Hawke’s Bay region on 26 June 2019. The declaration recognises that the climate crisis is an urgent and pervasive threat to human and ecological wellbeing and that we have a small window of time to act to avoid the most damaging effects of the climate crisis in the longer term. This climate crisis declaration was one of many declarations by councils across the country, with the Government declaring a climate emergency on 2 December 2020.
2. In 2022 HBRC, HDC, and NCC each invested in dedicated strategic climate change roles, an acknowledgement of the important leadership role councils can, and should, play in regional climate action.
3. There is a general acknowledgement that the transition to a low emissions future cannot be achieved by individual councils working in isolation and a regional approach is needed.
4. In 2022 the Ministry for Environment released Aotearoa’s first Emissions Reduction Plan. [A significant number of the actions in that plan involve Local Government. National legislation introduced in November 2022 states that local government must have regard to the National Emissions Reduction Plan and the National Adaptation Plan when developing RMA-related plans.](#)
5. In September 2022 the first Hawke’s Bay Community Carbon Footprint was released, measuring greenhouse gas emissions from 2018-19 to 2020-21. Separate footprints were created for each Territorial Authority. The whole of region footprint established that our regional emissions for 2020/21 were made up of:
  - 5.1. Agriculture 67%
  - 5.2. Transportation 20%
  - 5.3. Stationary Energy 10%
  - 5.4. Waste 2%
  - 5.5. IPPU 1% (Industrial Processes and Product Use)



6. The next step for is to create a Regional Emissions Reduction Plan, with input from all Hawke’s Bay councils, as well as significant engagement across expert, business, and community spheres.

6.7. ~~The Planetary Boundaries Framework by the Stockholm Resilience Centre guided the development of these Terms of Reference with respect to thriving within boundaries of the natural environment and ensuring social foundations for all. However, we recognise that more work is required to determine regional applicability.~~

## 4. NAPIER CITY COUNCIL SUBMISSION TO THE GOVERNANCE AND ADMINISTRATION SELECT COMMITTEE ON THE WATER SERVICES ENTITIES AMENDMENT BILL

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1674406
<i>Reporting Officer/s &amp; Unit:</i>	Lauren Sye, Manager 3 Waters Transition

### 4.1 Purpose of Report

This is a covering report to accompany Council's submission to the Governance and Administration Committee on to the Water Services Entities Amendment Bill ('the Bill').

This submission is being provided for your information and posterity, as the 9 working day window for submitting on the Bill did not allow for Council's standard process of considering a submission in a meeting before lodgement.

### Officer's Recommendation

That Council:

- a. **Note** the contents of Council's submission to the Governance and Administration Select Committee on the Water Services Entities Amendment Bill, lodged on 5 July 2023

### 4.2 Background Summary

The Water Service Entities Amendment Bill received its first reading in the House on 22 June 2023. This Bill gives effect to "reset" announcements made by the Prime Minister and Minister for Local Government in April 2023. It's the fourth and final Bill in a series that set up the new framework for water service delivery and regulation.

With the Government's commitment to having all of the pieces of legislation associated with the water services reforms passed before the upcoming General Election, the Select Committee submissions process was predictably incredibly rapid.

Officers prepared a submission on behalf of Elected Members based on feedback shared intersessionally. That submission is included in the appendix of this report for your information.

### 4.3 Issues

Council's concerns, as set out in the submission, largely mirror those of Communities 4 Local Democracy, a local government action group advocating for an alternate reform model where councils retain control and ownership of assets.

In addition, the Bill clarifies the continued ability for councils to receive and use 'development contributions' (provided for in the Local Government Act 2002) in light of the amendment timeframes for establishment of the ten water services entities. However Napier City Council receives and applies 'financial contributions' (under the Resource

Management Act 1991) to help offset the costs of increased infrastructure and services resulting from the development, such as roads or water supply system. The ongoing applicability of this mechanism in light of the new two year 'window' for go-live of the entities is not entirely clear across the combined drafting of this Bill and the Water Services Legislation Bill. The submission requests greater clarity regarding Council's ability to keep collecting these contributions in the period before assets transfer.

#### **4.4 Significance and Engagement**

There is no statutory compulsion to carry out public consultation before making a submission to a Select Committee, and indeed the Select Committee timing did not permit for public consultation, or engagement with mana whenua, before this submission was lodged.

#### **4.5 Implications**

##### **Financial**

Not applicable.

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

Not applicable.

##### **Risk**

Not applicable.

#### **4.6 Options**

The options available to Council are as follows:

- i. Note the contents of Council's submission to the Governance and Administration Select Committee on the Water Services Entities Amendment Bill, lodged on 5 July 2023.

#### **4.7 Development of Preferred Option**

Not applicable.

#### **4.8 Attachments**

- 1 Napier City Council submission - Water Service Entities Amendment Bill (Doc Id 1674623) [↓](#)



5 July 2023

Chairperson  
Governance and Administration Committee  
Parliament Buildings  
Wellington

### Submission to the Governance and Administration Committee on the Water Services Entities Amendment Bill

Napier City Council appreciates the opportunity to submit on the Water Service Entities Amendment Bill ('the Bill').

Napier City Council is a provincial territorial authority servicing an estimated resident population (as at June 2021) of 66,000.<sup>1</sup> We, along with our regional counterparts, have had first-hand experience of the ramifications for our community and environment when our networks and workforce are under resourced. We are committed to seeing this change in the interest of our community, now and in the future.

Napier City Council has made a previous submission to the Finance and Expenditure Committee in relation to the Water Services Entities Bill (now Act) passed in December 2022. While we're acknowledge that the April 2023 policy reset has addressed some of the concerns expressed in our original submission, we still harbour reservations regarding this policy generally, the underlying assumptions, and the implementation challenges facing councils such as ours. We recognise that the status quo is not an option for the future of three waters service delivery in Napier, but we feel obligated to continue to raise concerns about the Government's chosen model and advocate for the Hawke's Bay asset owning council controlled organisation model as articulated in 2020.<sup>2</sup>

This submission will be structured per the following substantive points:

1. Our concern that the reforms are underpinned by flawed analysis around the level of investment required in water infrastructure across Aotearoa
2. Our concern that the purported savings associated with the reforms have been overstated
3. Our continued concern that local communities and mana whenua will lose their voice and influence
4. Our concern that the decision-making process leading up to this Bill has not allowed for adequate and balanced consideration of legitimate alternative options for reform.

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<sup>1</sup>Statistics New Zealand (Tatauranga Aotearoa), 2018, *New Zealand Census of Population and Dwellings*, Wellington NZ. Sourced from People & Places: DOTlovesdata.

<sup>2</sup> Morrison Low, 2020, *Hawke's Bay Three Waters: Business Case of Three Waters Service Delivery Options*.

5. Our concern around the Bill's drafting in relation to clarity around the ongoing collection of financial contributions under the Resource Management Act 1991.

### *Peer reviews suggest overstatements in investment modelling*

We echo the concerns set out by Communities 4 Local Democracy ('C4LD') around the model employed by the Government and Water Industry Commission of Scotland to estimate required investment in water infrastructure over the next 30 years. In order for this reform programme to unlock the right benefits for New Zealand, councils' own data submitted through the 2021 Request for Information should have been the basis for building reliable investment modelling, not a single international case study from Scotland with a vastly different geographical spread.

Our concern is that reliance on this modelling unjustifiably narrowed the scope of the options and interventions considered by the Government, with genuine and workable alternatives ruled out from the very initial stages of the work programme.

### *Efficiency assumptions*

We hold significant doubt that the projected operational savings of up to 50% by 2051 under a reformed delivery model are achievable, particularly in light of the Staff Transition Guidelines of March 2023 which commit to safeguarding the employment of staff currently solely or primarily involved in water service delivery. We are yet to see compelling evidence underpinning this modelling, and again hold concerns that these possibly exaggerated benefits have formed a basis on which the Hawke's Bay model has been ruled out prematurely. Modelling conducted by WSP Opus and Morrison Low for the Hawke's Bay Councils resulted in a conservative (low to mid-point) estimate of a 10-11% efficiency saving in opex after 10 years of operation of an asset-owning CCO, which we consider to be more realistic.

This is a once in a generation opportunity to recalibrate and reimagine the way we manage and use water in Aotearoa – let an issue of this magnitude not be rushed on the premise of optimistic estimates that end in higher bills for households (a core tenet of the reforms to begin with).

### *Loss of voice and eroded accountability*

The April 2023 reset has brought welcome changes, particularly the addition of six new water services entities which now means the Entity F Regional Representation Group ('RRG') will comprise representatives from every territorial authority. That being said, outside of making appointments to the Entity Board, the RRG will not have the same level of influence (and accountability) that asset-owning councils currently hold.

The intent behind the newly introduced 'Community Priority Statements' is a step in the right direction in terms of valuing local voices in decision making, but the mechanism leaves a lot to be desired in terms of accountability to customers. A report once a year from the entity's Chief Executive about how views expressed in these statements "may" be considered and responded to risks a complex and ultimately frustrating process for members of our community.

Asset ownership remains at the heart of the concerns for our community. The Hawke's Bay model proposed in 2020 would allow Hawke's Bay councils to retain ownership of three waters assets and, crucially, keep them on Council's balance sheet to enable higher borrowing capacity.

It has been promoted that Councils require the new entity structure to enable higher debt levels. Through our own review, we are confident we can raise debt to the levels required (within the current 250% debt/revenue caps) as part of our proposed Hawke's Bay model.

Ultimately, we don't see a need for the level of government intervention involved in this Bill when the same objectives could be unlocked through implementation of the Hawke's Bay model, while safeguarding a higher level of community influence and ensuring a responsive and agile localised structure.

### *Concern about the policy process and consideration of alternatives*

We have welcomed the policy shift reflected in this Bill, but wish to reiterate our ongoing frustration that despite several alternative reform options being presented, these have never been seriously considered. Council has continued to engage in good faith despite consultation with iwi and our community involving the presentation of a significantly advanced proposal with very little scope for amendment or regional variation, and the original opt-out option being taken off the table.

### *A lack of clarity in the legislative regime about the future treatment of financial contributions*

Napier City Council receives and uses Financial Contributions under the Resource Management Act 1991 to help fund the construction or improvement of infrastructure such as roads, water supply systems, wastewater treatment facilities, parks, and community facilities in light of increasing demand from developments.

Clause 350 of the Water Services Legislation Bill as it stands per the report back from the Finance and Expenditure Select Committee reads as follows:

#### **350 Territorial authorities may no longer use certain contributions**

- (1) Despite anything in the Local Government Act 2002 or the Resource Management Act 1991, on or after 1 July 2024, a territorial authority
  - (a) may not require development contributions under the Local Government Act 2002 or financial contributions under the Resource Management Act 1991 to fund infrastructure or other assets that the water services entity holds, including infrastructure or other assets transferred from the territorial authority to a water services entity:
  - (b) may not use development contributions collected under the Local Government Act 2002 or financial contributions collected under the Resource Management Act 1991 to fund infrastructure or other assets that the water services entity holds, including infrastructure or other assets transferred from the territorial authority to a water services entity
- (2) Nothing in this section prevents a territorial authority from requiring development contributions or financial contributions to fund water services infrastructure where applications for a resource consent, building consent, or service connection have been lodged prior to 1 July 2024.

The Water Services Entities Amendment Bill, the subject of this submission, makes no further changes to this provision, but does clarify in clause 35 the applicability of development contributions under the Local Government Act 2002.

While we assume that the effect of the phrase “to fund infrastructure or other assets that the water services entity holds...” in subclauses (1)(a) and (b) above means that we could require financial contributions post July 1 2024 to fund infrastructure still held by Council, up until the point at which Entity F was considered to “hold” water infrastructure (presumably go-live date), the drafting could certainly be less ambiguous. We request the Committee consider options for achieving more certainty in the wording as has been provided for development contributions; at the very least a clear line in the sand for when a new entity is deemed to “hold” assets.

In summary, the positive changes made through this Amendment Bill are well received but we want to ensure that our concerns about the process to date and the analysis and assumptions underpinning the Government’s preferred model continue to be heard. We also wish to reiterate preference that Council retains ownership of assets through a locally driven, locally designed and more agile solution based on the 2020 Hawke’s Bay reform model.

Ngā mihi



**Mayor Kirsten Wise**  
*on behalf of Napier City Council*

## 5. LGNZ REMITS

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1671474
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance

### 5.1 Purpose of Report

This report seeks Council’s decisions on whether to support the following two remits that will be considered at the LGNZ AGM on 26 July 2023:

1. Remit from New Plymouth District Council relating to roading/transport maintenance funding
2. Remit from Whanganui District Council relating to reducing fees for annual report audits.

### Officer’s Recommendation

That Council:

- a. Approve supporting the remit from New Plymouth District Council relating to roading/transport maintenance funding
- b. Approve supporting the remit from Whanganui District Council relating to reducing fees for annual report audits.

### 5.2 Background Summary

The LGNZ’s AGM will be held on 26 July 2023. The agenda for the AGM includes consideration of the eleven proposed remits that LGNZ’s Remit Screening Committee has approved for discussion.

Two of the remits to be considered are:

1. Remit 03: Roading/Transport Maintenance Fund (proposed by New Plymouth District Council). This remit proposes that LGNZ should:
  - *“Publicly lobby all political parties to increase Crown funding for state highway and local road maintenance budgets.*
  - *Consider and pursue other avenues including the Office of the Auditor-General to seek resolution of the issues facing the country in relation to the systemic rundown of our national roading infrastructure.”*
2. Remit 11: Audit NZ Fees (proposed by Whanganui District Council). This remit proposes that LGNZ *“calls on central government to take action to reduce council audit fees by:*
  - *revisiting the scope and requirements of reporting and auditing on councils*
  - *conducting a review on the practice of audit in councils and work on best practice guidance to streamline this process”.*

The full copy of each remit is attached.

### 5.3 Issues

These remits will be considered at the LGNZ AGM, at which each local authority will be able to vote whether to support the remit.

Remit 03 seeks support for LGNZ to seek additional Crown funding for state highway and local road maintenance budgets. The remit includes data relating to the average seal life of roads by region, which shows that the seal life for Hawke's Bay roads is significantly lower than the seal life in most other regions.

Remit 11 seeks support for LGNZ to ask central government to reduce council audit fees. In particular, it suggests that central government should consider the scope and requirements for reporting and auditing, review auditing practice within councils, and work on best practice guidelines to streamline the auditing process. While recognising the need for audits, the remit questions whether the costs of meeting audit requirements exceeds the benefits that audits provide to communities.

### 5.4 Significance and Engagement

In relation to Remit 03, the roading network is a strategic asset. However, the decision whether Council should support the remit is of low significance.

Similarly, the decision whether to support Remit 11 is of low significance.

Subsequent decisions that may flow out of these decisions whether to support the remits may have greater significance under the Significant and Engagement Policy.

### 5.5 Implications

#### Financial

N/A

#### Social & Policy

N/A

#### Risk

N/A

### 5.6 Options

The options available to Council are as follows:

- a. to support Remit 03: Roding/Transport Maintenance Fund
- b. not to support Remit 03: Roding/Transport Maintenance Fund
- c. to support Remit 11: Audit NZ Fees
- d. not to support Remit 11: Audit NZ Fees.

### 5.7 Development of Preferred Option

N/A

### 5.8 Attachments

- 1 Remit 03: Roding/Transport Maintenance Funding (Doc id 1673390) [↓](#)
- 2 Remit 11: Audit NZ Fees (Doc Id 1673389) [↓](#)

## 03 Roading/Transport Maintenance Funding

**Remit:** That LGNZ:

- *Publicly lobby all political parties to increase Crown funding for state highway and local road maintenance budgets.*
- *Consider and pursue other avenues including the Office of the Auditor General to seek resolution of the issues facing the country in relation to the systemic rundown of our national roading infrastructure.*

**Proposed by:**

New Plymouth District Council

**Supported by:**

Kāpiti Coast District Council, Whanganui District Council, Palmerston North City Council, Grey District Council, Waipā District Council, Matamata-Piako District Council, Rotorua Lakes Council, Thames-Coromandel District Council, Masterton District Council, Whakātane District Council, Far North District Council, South Taranaki District Council, Rangitīkei District Council, Tasman District Council, Wairoa District Council, Waimakariri District Council, South Waikato District Council, Kaikōura District Council, Waikato District Council, Hamilton City Council, Mackenzie District Council, Central Hawke's Bay District Council

### Why is this remit important?

The current state of national highways is unacceptable. Sufficient increase in funding is required to achieve a national average for remaining seal life of no less than 3.6 years (pre-2010 levels) across the state highway network. This needs to be done within the next 10 years, in partnership with councils, and with corresponding asset health improvements on local roads, to ensure the safety of all New Zealanders. Other avenues to seek resolution from include the Auditor-General, relevant Ministers and the Transport and Infrastructure Select Committee.

### Background and Context

Waka Kotahi's maintenance and renewal programme has clearly been insufficient to maintain asset health measured via the average remaining seal life. There are numerous media reports about the issues being faced across New Zealand.

Graph 1 (attached in Appendix #) shows the average remaining seal life of state highways by region. This information was obtained under the Official Information Act 1982 from Waka Kotahi. It shows the significant decline in the average seal life of state highways. Nationally, the average remaining life in 2010 was 3.6 years. In 2018 this declined to around 1.8 years and remains steady. However, at a regional level there are large discrepancies.

In 2010 every region had an average remaining life of between 2.9 and 4.4 years (a range of 1.5 years difference). By 2023 the range was from -0.6 to 3.3 years (a range of 3.9 years) with four regions having a seal age of less than one year, including Hawke's Bay which recorded its seventh year with an average of less than zero.

The issue nationally is predominantly with chipseal roads rather than asphalt mix, with some exceptions. In 2023, across chipseal roads, five regions have an average remaining life of less than one year, with Hawke's Bay's roads again below zero. Within asphalt roads, Southland set an unfortunate record with an average remaining life of -2.5 years. Graph 2 (attached) shows the average remaining life of different surface types by region today.

Last year LGNZ commissioned Infometrics to undertake a report into trends in road transport funding<sup>1</sup>. That report noted that funding for roads per kilometre travelled only increased by 0.8% p/a in the five years to 2021, whilst construction costs increased 1.1% p/a in the same five years. That report ended its analysis in 2021. With considerable cost inflation over the past two years and decreased land transport revenue due to Covid, it is almost certain that the funding gap has grown even further. Inflation for Heavy and Civil Engineering Construction peaked at 15.1% pa in the September 2022 quarter<sup>2</sup>.

That increased funding gap to roads is likely to result in even further pressure on state highway maintenance and lifespans. The national stabilisation of the average remaining life of state highways may falter in the coming years, seeing further downward movement. Such a decrease will see more parts of the state highway network fail.

This year the Government is developing its next Government Policy Statement on Land Transport (the GPS). The GPS sets the funding buckets for Waka Kotahi. Influencing the development of the next GPS is one key way in which to ensure regional state highways do not continue to deteriorate. The Land Transport Management Act specifically states the Minister must regard the views of LGNZ. This remit therefore proposes a position for LGNZ.

### **How does this remit relate to LGNZ's current work programme?**

Following the commissioning of the Infometrics report, there is further work to be done to ensure New Zealand's roading infrastructure reaches an acceptable quality level. LGNZ need to have input into the development of the next GPS and undertake a much wider advocacy role by:

- Seeking further investigations from the Auditor-General on state highway maintenance and asset management practices. This will build on the 2020 investigation into the Network Outcomes Contracts<sup>3</sup> which highlighted poor performance measures for network performance.
- Meeting with relevant Ministers (including Transport, Infrastructure and Finance) on issues with the funding, renewals and asset management of state highways, to highlight the outlined issues.

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<sup>1</sup> <https://www.lgnz.co.nz/assets/PDFs/Analysing-trends-in-road-transport-funding-November2022.pdf?vid=3>

<sup>2</sup> <https://www.stats.govt.nz/information-releases/business-price-indexes-december-2022-quarter/>

<sup>3</sup> <https://oag.parliament.nz/2020/nzta-contracts>

- Meeting with the Transport and Infrastructure Select Committee and its members at appropriate times to highlight these issues, such as during the annual review of Waka Kotahi.

Progressing this remit would form part of LGNZ's existing, broader advocacy work on transport.

**How will the proposing council help LGNZ to make progress on this remit?**

New Plymouth District Council would be available in an advocacy/committee member capacity to provide input and feedback as LGNZ undertake the tasks outlined in this remit.

**Is the remit relevant to local government as a whole?**

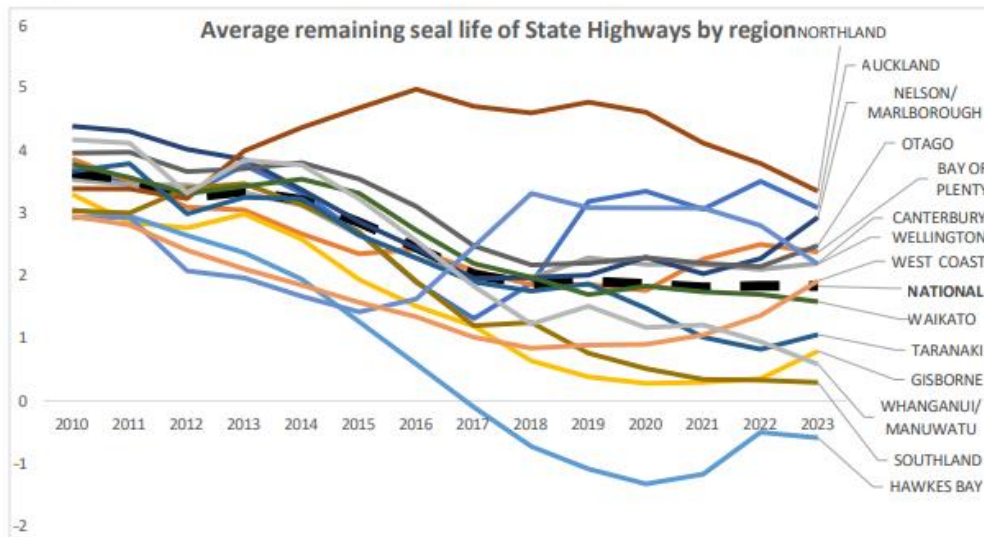
Yes. This remit is about addressing the rundown of our national roading infrastructure and increasing the funding available for the network as a whole. The 23 councils that supported it represent five out of six LGNZ zones, showing it's an issue across local government.

**Is the remit of a major policy nature?**

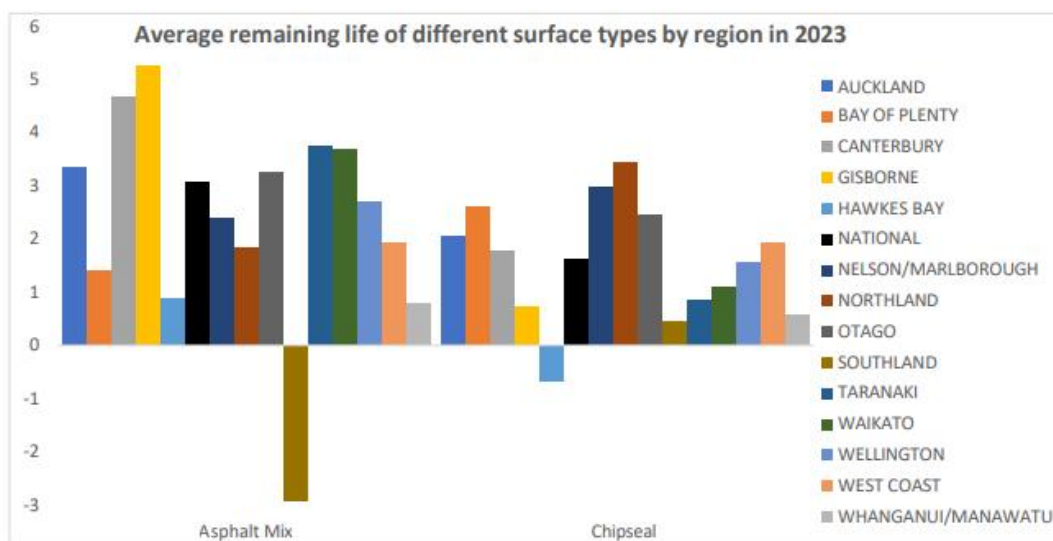
Yes. This remit deals with national funding and a large, system-wide issue that affects the safety of our roads for all New Zealanders.

# Supporting Document

**Graph 1**



**Graph 2**



## 11 Audit NZ Fees

**Remit:** *That LGNZ calls on central government to take action to reduce council audit fees by:*

- *revisiting the scope and requirements of reporting and auditing on councils*
- *conducting a review on the practice of audit in councils and work on best practice guidance to streamline this process*

*This review should examine whether the reporting and audit requirements of councils are consistent with the level of reporting and audit that is required of other public entities.*

**Proposed by:** Whanganui District Council  
**Supported by:** New Plymouth District Council, Horizons Regional Council, Palmerston North City Council, Stratford District Council, Selwyn District Council

### **Why is this remit important?**

While reporting and audit requirements are important for transparency and accountability, the scope of them are constantly inflating as council work programmes and rates intakes increase over time. These costs are then passed back to the ratepayer during a cost-of-living crisis and with food and housing insecurity steadily increasing. The scale and content of reporting and auditing needs to be reviewed to ensure that they are being conducted efficiently, relate to information that is relevant to the community and to council fulfilling its statutory duties, and is not overly onerous on under-resourced councils.

### **Background and Context**

Local authorities have significant reporting requirements under the Local Government Act 2002 (LGA). These include annual reports, which review financial and service performance for the preceding financial year, and Council-Controlled Organisation (CCO) reports, and audits of LongTerm Plans and Long-Term Plan amendments. In the interests of transparency and accuracy, these reports are required to be audited under the LGA.

The Auditor General is the auditor of all public entities and they determine who will audit specific organisations. Council audits are conducted by Audit New Zealand. We understand that some councils' CCOs have permission to seek other audit providers, but for the vast majority of councils Audit New Zealand is the only allowable provider.

Councils are legally required to conduct an audit but do not have the ability to choose between multiple organisations to conduct it, which prevents competition on cost. Further, there are barriers to the timing and efficiency of the annual audit due to only being able to use one provider. While Whanganui District Council (Council) agrees that the audit is a critical function that provides assurance on information contained within our reports, it questions whether the financial and staffing costs of audits are now exceeding the benefit provided to our communities.

Reporting and auditing are a key part of local democracy. Reporting is a necessary factor for transparency and accountability both to central government and to the communities that councils serve. Audits ensure that the information being reported is full, accurate, and meets all its requirements under legislation.

Whanganui District Council is also aware of the technical difficulty of conducting audits. Even when conducted by organisations with extensive experience, auditing council financial reports involves working through a significant amount of financial information and highly technical analysis and close familiarity with the accounting standards financial reports are held to

The amount of work needed to complete an audit also increases over time in line with the amount and complexity of information going into council reports. Councils have increasing expenditure and increasing workloads over time, both internally as a result of work undertaken on behalf of their communities, and externally as outside pressures such as economic conditions, legislation and pressing issues like housing require more direct local investment and management.

**How does this remit relate to LGNZ's current work programme?**

This is an issue for the entire sector, with many councils expressing concern over the extent of fees required for obligatory audits of our reporting. It aligns with responsiveness to the needs of local government by taking action on a mandatory cost that local government bodies have no control over.

Advocacy on this issue aligns with LGNZ's commitment to localism and championing local voice on issues that are having significant impact at the local level.

LGNZ is aware of members' concerns about audit fees and has been having a number of conversations with Audit New Zealand, the Minister and central government officials. However, this remit would add further weight to the importance of the issue.

**How will the proposing council help LGNZ to make progress on this remit?**

Whanganui District Council will submit on consultations run by either central government or LGNZ.

**Is the remit relevant to local government as a whole?**

Yes: all councils are currently required to pay audit fees.

**Is the remit of a major policy nature?**

Yes

## 6. CHANGES TO HAWKE'S BAY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE - TERMS OF REFERENCE

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1675283
Reporting Officer/s & Unit:	Andrew Springett, Manager Governance

### 6.1 Purpose of Report

The purpose of this report is to receive the Hawke's Bay Civil Defence Emergency Management Group Joint Committee's report titled "HB CDEM Group Joint Committee Mana Whenua Representation" attached, and adopt the corresponding amendments to the Joint Committee's Terms of Reference (Doc Id 1675280).

#### Officer's Recommendation

That Council:

- a. **Receive** the report on changes to the Terms of Reference for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee.
- a. **Adopt** the changes made to the Terms of Reference for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee (Doc Id 1675280).

### 6.2 Background Summary

The Hawke's Bay Civil Defence Emergency Management Group Joint Committee (the Joint Committee) met on 26 June 2023 to consider the proposed proactive change to the Joint Committee's Terms of Reference, to enable mana whenua representatives on the Joint Committee.

At that meeting, the Joint Committee resolved the following:

1. **Receives** and considers the HB CDEM Group Joint Committee mana whenua representation staff report.
2. **Agrees** that the decisions to be made are not significant under the criteria contained in Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Joint Committee can exercise its discretion and make the necessary decisions without conferring directly with the community.
3. **Adopts** the Terms of Reference for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee following, to replace and supersede all previous versions.

4. **Recommends** to each of the partner councils, the adoption of the amended Terms of Reference for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee as proposed

### 6.3 Issues

The Terms of Reference attached show, in track changes, the amendments that the Joint Committee adopted.

### 6.4 Significance and Engagement

N/A

### 6.5 Implications

#### Financial

N/A

#### Social & Policy

N/A

#### Risk

N/A

### 6.6 Options

The options available to Council are as follows:

- a) Adopt the amended Terms of Reference for the Joint Committee (preferred option).
- b) Not adopt the amended Terms of Reference for the Joint Committee.

### 6.7 Development of Preferred Option

N/A

### 6.8 Attachments

- 1 Changes to HB Civil Defence Emergency Management Group Terms of Reference (Doc Id 1675280) [↓](#)

**HAWKE'S BAY REGIONAL COUNCIL**  
**HB CDEM GROUP JOINT COMMITTEE**

**26 June 2023**

**Subject: HB CDEM GROUP JOINT COMMITTEE MANA WHENUA  
REPRESENTATION**

**Reason for Report**

1. This item proposes a proactive change to the Terms of Reference (ToR) for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee (Joint Committee) and seeks a recommendation from the Joint Committee to each of the Partner Councils to adopt the amended ToR to enable mana whenua representation on the Joint Committee.

**Officers' Recommendations**

2. Council officers recommend that the Terms of Reference for the Joint Committee is amended to include mana whenua members on the Joint Committee. This is an interim step for the period leading up to the enactment of the Emergency Management Bill (EMB), which is expected to include provisions for mana whenua membership on CDEM Groups at both the governance (Joint Committee) and operational (Coordinating Executive Group [CEG]) levels.
3. The Bill will also introduce a clause that outlines how the principles of Te Tiriti o Waitangi will be enacted in emergency management.

**Executive Summary**

4. As part of the corrective actions from the report "Strengthening CDEM in Hawke's Bay", it was recognised that the CDEM Group structure, both at the governance and operational levels, did not effectively provide for tangata whenua representation and participation. At the time there was work between Te Puni Kōkiri, iwi, NEMA, and Group Managers to identify changes within the legislation through the *Emergency Management Trifecta Reforms*. It was hoped these changes would give certainty as to how iwi/mana whenua representation, relationships and partnerships could be provided for within CDEM.
5. The resulting EMB was supposed to be introduced in August last year, however due to a number of significant event responses over the last 12 months this was delayed. The EMB is now progressing through the legislative process and this gap is proposed to be closed by provisions added specifically so that "iwi and Māori participation is recognised, enabled, and valued".
6. Although the EMB was introduced in Parliament on 7 June 2023, it is not anticipated to be enacted before the end of this year given Select Committee and Committee of the Whole House stages are still to come, as well as a general election on 14 October 2023.
7. For Hawke's Bay, tangata whenua participation in emergency management is a critical element of the region's recovery from Cyclone Gabrielle and future responses and cannot wait until the lengthy legislative process concludes.

**Options Assessment**

8. The options available to the Joint Committee are to:
  - 8.1. Wait until the legislative process concludes and the EMB and associated Regulations are enacted to invite tangata whenua to make appointments to the Joint Committee
  - 8.2. Take proactive steps now to enable and invite tangata whenua participation at the

governance level, on the HB CDEM Group Joint Committee, as advisory, non-voting members.

9. In addition to changes proposed to membership and the consequential amendments, staff have taken advantage of this opportunity to propose a change in relation to audio or audio-visual attendance at Joint Committee meetings.

#### **Financial and resource implications**

10. It is proposed to initially pay appointed tangata whenua representatives \$452 per meeting attended, plus associated travel reimbursement, which is the current HBRC rate paid to tangata whenua appointees on the Māori Committee.
11. As more detail becomes available on what the EMB provisions are, it is likely the remuneration of members will be reviewed to ensure that they are being remunerated appropriately.

#### **Decision Making Process**

12. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
  - 12.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
  - 12.2. The use of the special consultative procedure is not prescribed by legislation.
  - 12.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
  - 12.4. The persons affected by this decision are everyone in the region, particularly in relation to emergency management.
  - 12.5. Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

#### **Recommendations**

That the Hawke's Bay Civil Defence Emergency Management Group Joint Committee:

1. Receives and considers the *HB CDEM Group Joint Committee mana whenua representation* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Joint Committee can exercise its discretion and make the necessary decisions without conferring directly with the community or persons likely to have an interest in the decision.
3. Recommends to each of the partner councils, the adoption of the amended Terms of Reference as proposed (**OR**) as amended as agreed by the Joint Committee.

#### **Authored by:**

**Leeanne Hooper**  
**TEAM LEADER GOVERNANCE**

#### **Approved by:**

**Ian Macdonald**

## **HB CDEM GROUP CONTROLLER / MANAGER**

### **Attachment/s**

- 1 June 2023 amended CDEM Group Joint Committee Terms of Reference
- 2 Emergency Management Act provisions relating to Joint Committee Terms of Reference proposed amendments



# Hawke's Bay Civil Defence Emergency Management Group Joint Committee

## Terms of Reference

### 1. Preamble

- 1.1 The Hawke's Bay Civil Defence Emergency Management Group was established pursuant to a Terms of Reference dated August 2003 which was subsequently amended in December 2013, and further amended and adopted in December 2016 and again on 23 March 2020. Pursuant to a resolution passed by the Group on 23 March 2020 26 June 2023, this Terms of Reference is adopted to replace and supersede all previous versions of the Terms of Reference for the Joint Committee.

### 2. Parties

- 2.1 Each of the following local authorities is a Member of the Hawke's Bay Civil Defence Emergency Management Group and is a party to this Terms of Reference:

Central Hawke's Bay District Council  
 Hastings District Council  
 Hawke's Bay Regional Council  
 Napier City Council  
 Wairoa District Council

### 3. Definitions

For the purpose of this Terms of Reference:

- 3.1 "Act" means the Civil Defence Emergency Management Act 2002.
- 3.2 "Administering Authority" means the Hawke's Bay Regional Council.
- 3.3 "Coordinating Executive Group" (the CEG) means the Coordinating Executive Group to be established under section 20 of the Civil Defence and Emergency Management Act 2002.
- 3.4 "Group" means the Hawke's Bay Civil Defence Emergency Management Group.
- 3.5 "Group Controller" means a person appointed under section 26 of the Civil Defence and Emergency Management Act 2002 and clause 10.1 of this Terms of Reference as a Group Controller.
- 3.6 "Group Plan" means the Hawke's Bay Civil Defence Emergency Group Plan prepared by the Group in accordance with the Act.
- 3.7 "Hawke's Bay Region" for the purposes of this document means the Hawke's Bay region as defined in the Local Government (Hawke's Bay Region) Reorganisation Order 1989, excluding the parts of Rangitikei and Taupo District Councils falling within the area administered by the Hawke's Bay Regional Council.
- 3.8 "local authority member or Partner Council" means a Local Authority that is a member of the Civil Defence Emergency Management Group that is the subject of this document.
- 3.9 "4Rs" means Reduction, Readiness, Response, and Recovery.

#### 4. The purpose and term of this Terms of Reference

- 4.1 The purposes of this Terms of Reference are to:
- 4.1.1 set out the purposes, functions, powers, and duties of the Group and its members in accordance with the requirements of the Act;
  - 4.1.2 define the responsibilities of the Group as delegated to the Group by the Members; and
  - 4.1.3 provide for the administrative arrangements of the Group.

#### 5. Joint Committee

- 5.1 Pursuant to section 12 of the Act the Parties were united in August 2003 to establish a Group as a Joint Standing Committee now under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002. This choice is irrevocable under section 14(3) of the Act.
- 5.2 In accordance with section 12(2) of the Civil Defence Emergency Management Act 2002, neither clause 30(5) nor (7) of Schedule 7 of the Local Government Act 2002 which provides for a committee to be discharged or reconstituted, or be discharged following the triennial general election, shall apply to the Joint Committee.

#### 6. Membership of the Group

- 6.1 The members of the Group are the Hawke's Bay Regional Council and all those territorial authorities that lie wholly within the boundaries of the Hawke's Bay region. Each member is to be represented on the Group by one person only, being the Mayor or Chairperson of that local authority, or if they are unavailable an alternate representative who has been given the delegated authority to act for the Mayor or Chairperson.
- 6.2 Under section 13(4) of the Act, the alternate representative must be an elected person from that local authority.
- 6.3 Under clause 30(9) of Schedule 7 of the Local Government Act 2002, the powers to discharge any representative of the Group and appoint his or her replacement shall be exercisable only by the local authority member that appointed the representative being discharged.

#### 6.4 Tangata whenua representatives appointed as advisory, non-voting members representing:

- 6.4.1 Mana Ahuriri
- 6.4.2 Maungaharuru-Tangitu Trust
- 6.4.3 Heretaunga Tamatea Settlement Trust
- 6.4.4 Tatau Tatau o Te Wairoa
- 6.4.5 Ngati Kahungunu Iwi Incorporated.

#### 7. Representatives to have full Delegated Authority

- 7.1 Each local authority member agrees to confer full delegated authority on its representative, or in their absence the alternate representative in order for the Group to exercise the functions, powers, and duties of members under the Act within approved Group budgets.
- 7.2 At meetings of the Group, each local authority member's representative is to have full authority to vote and make decisions on behalf of that Member-local authority without further recourse to that Member in respect of the authority granted under 7.1 above.

- 7.3 If a [local authority](#) member's representative to the Group is not re-elected at the triennial Local Government Elections that representative will cease to be a member of the Group and will be replaced by the elected Mayor or Chairperson of the relevant local authority.
- 7.4 It is the responsibility of each member of the Group to ensure that they have a representative available to participate in the Group, as soon as practicable after their representative is no longer able to represent that member for whatever reason, with the same delegated functions, duties and powers as their predecessor.

## 8. The Group to give effect to the purposes of the Act

- 8.1 The functions, powers and duties of the Group are specified in sections 16, 17 and 18 the Act. To assist the Group to meet these requirements, the Group adopts the following objectives:
- 8.1.1 To ensure that hazards (as defined in the Act) and the consequential risks are identified and assessed.
- 8.1.2 Improve and promote the sustainable management of identified hazards in a way that contributes to the long term social, economic, cultural, and environmental well-being and safety of people and communities.
- 8.1.3 Encourage and enable communities to achieve acceptable levels of risk (as risk is defined in the Act), including, without limitation
- (i) identifying, assessing, and managing risks, and
  - (ii) consulting and communicating about risks, and
  - (iii) identifying and implementing cost-effective risk reduction, and
  - (iv) monitoring and reviewing the risk management process.
- 8.1.4 To require local authorities to co-ordinate, through regional groups, planning, programmes, and activities related to civil defence emergency management across the 4Rs, and encourage co-operation and joint action within those regional groups.
- 8.1.5 To encourage through partnership and co-ordination, emergency management planning and civil defence emergency management activities amongst the organisations represented on the Co-ordinating Executive Group, other CDEM partners and the Lifeline utility operators that operate within the region.
- 8.1.6 To ensure an effective and efficient region-wide civil defence emergency management capability to respond to and recover from emergencies.

## 9. Obligations of [local authority](#) members

- 9.1 Each [local authority](#) member of the Group will:
- 9.1.1 In accordance with section 7 and 8 above, appoint their Mayor or Chairperson to the Joint Committee; and
  - 9.1.2 appoint its chief executive officer to the Co-ordinating Executive Group (CEG); and
  - 9.1.3 participate in the preparation of and agree to the content of a Group Plan; and
  - 9.1.4 contribute technical expertise and resources to maintain an effective Group and local level response capability; and
  - 9.1.5 provide to the Group the information or reports that may be required by the Group to discharge its powers, functions and duties under the Act and the Group Plan.
- 9.2 Each local authority [Member member](#) of the Group will be responsible for the risk reduction, readiness, response and recovery arrangements required of it under the Act, and under the Group Plan or as otherwise agreed by the Group, to the standards agreed by the Group.

## 10. Delegated Authority

- 10.1 Power to appoint Group Controller. The Group will appoint one or more suitably qualified and experienced persons or person to be the Group Controller for the CDEM Group pursuant to by section 26 of the Act and in accordance with the Governance and Management section of the current Group Plan. The powers delegated to the Group Controller(s) are as defined in the Group Plan.
- 10.2 Appointment of Local Controllers. The Group may from time to time appoint, in accordance with section 27 of the Act and following consultation with the relevant members, one or more persons to be a Local Controller in accordance with the Governance and Management section of the current Group Plan.
- 10.3 Appoint persons who may Declare a State of Local Emergency. The Group will appoint at least one person as a person authorised to declare a state of local emergency for its area and in accordance with the Governance and Management section of the current Group Plan.

## 11. Civil Defence Emergency Management Group Plan

- 11.1 The Group will prepare, approve, adopt and review a Group Plan in accordance with sections 48 to 57 of the Act.
- 11.2 For the avoidance of doubt each and every obligation, agreement, covenant, responsibility and liability under the Group Plan is binding on and will continue to bind each and every Member of the Group and is and will continue to be enforceable as between each of the Members, against each of the other Members, and every Member of the Group agrees and covenants to carry out and perform all of its obligations under the Group Plan.

## 12. Maintain the Coordinating Executive Group

- 12.1 In accordance with section 20 of the Act, establish and maintain a Co-ordinating Executive Group consisting of:
- 12.1.1 The chief executive officer of each Member or a senior person acting on that person's behalf; and
- 12.1.2 A senior representative of the Police assigned for the purpose by the Commissioner of Police; and
- 12.1.3 A senior representative of Fire and Emergency New Zealand assigned for the purpose by their Chief Executive; and
- 12.1.4 The chief executive of a District Health Board in Hawke's Bay representing the District Health Board in Hawke's Bay, or a person acting on their behalf; and
- 12.1.5 Any other persons that may be co-opted by the CDEM Group to assist the CEG to undertake its responsibilities.

## 13. Remuneration

- 13.1 Each local authority member of the Group shall be responsible for remunerating its representative on the Group for the cost of that person's participation in the Group.

13.2 Each tangata whenua member will be remunerated \$452 per meeting attended, plus reimbursed mileage to travel to/from meetings at the rate of \$0.83/km. These costs will be divided proportionally among the local authority members.

## 14. Meetings

- 14.1 The Hawke's Bay Regional Council standing orders will be used to conduct Group meetings.
- 14.2 Other standing orders may be used, subject to the agreement of the Group, and in accordance with section 19(1) of the Act.
- 14.3 The Group shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference. However there will be at least two meetings per year.
- 14.4 In accordance with clause 23 of Schedule 7 of the Local Government Act 2002 the quorum of the Group is all [local authority](#) members.
- 14.5 A representative may attend any meeting of the Joint Committee by means of audio or audio-visual link unless lawfully excluded.
- 14.6 A representative may attend a meeting by means of audio or audio-visual link despite –
- 14.6.1 clauses 25A(1) and (4) and 27(5)(a) of the Local Government Act 2002, and
- 14.6.2 any limitation or condition on the use of an audio or audio-visual link, or other contrary provision, that is contained in any standing orders that apply to the meeting.
- 14.7 A representative who attends a meeting by means of audio or audio-visual link in accordance with this Terms of Reference is to be counted as present for the purposes of (the quorum) clauses 23 and 30A of Schedule 7 of the Local Government Act 2002.
- 14.8 In the event that a quorum cannot be achieved, the business at any meeting convened for the Joint Committee may be considered without further notice by a subcommittee of the Joint Committee. The recommendations of this subcommittee will be reported for final decision at the next Joint Committee meeting.

## 15. Voting

- 15.1 Each [local authority](#) member has one vote at a meeting of the Group or when the Group is required at any time to make a decision in respect of an action to be taken by the Group.
- 15.2 All actions (other than the entering into of contracts within the authorised Group budget) to be taken by the Group must first be approved by way of a majority vote of all members that are present and voting.
- 15.3 The ~~Ministry of Civil Defence and National~~ Emergency Management [Agency](#) shall have observer status on the Group and also the Coordinating Executives Group.

## 16. Election of Chairperson and Deputy Chairperson

- 16.1 The Group may elect a Group Chairperson and Deputy Chairperson for the Group at the first meeting following the triennial local government elections, [from amongst the local authority representatives](#), and appoint replacements when any of those offices become vacant between elections.
- 16.2 The Group's Chairperson and Deputy Chairperson shall hold office until the first meeting following the triennial general election.

## 17. Administering Authority

- 17.1 In accordance with section 23 of the Act, the Administering Authority for the Group will be the Hawke's Bay Regional Council. The Administering Authority is responsible for the provision of administrative and related services that may from time to time be required by the Group.

**18. Group Emergency Management Office**

- 18.1 The Hawke's Bay Regional Council will establish and manage a Hawke's Bay Emergency Management Group Office on behalf of the Group.
- 18.2 The Group Office shall coordinate technical expertise, planning and operational functions, performance monitoring, coordination of Group wide projects and any other functions as are assigned to it by the Group. The Group Office will also maintain at least one Emergency Management Advisor to be co-located in each TLA to support and where appropriate implement local emergency management outcomes.
- 18.3 The Hawke's Bay Regional Council will employ staff for the Group Office as authorised by the Group and manage the office's expenditure in accordance with the principles of the Local Government Act 2002 and amendments.

**19. Group Funding and Budget**

- 19.1 The proposed annual Group work programme and budget will be signed off by the Group no later than ~~the 30th of~~30 November of the year ~~proceeding-preceeding~~ the year ~~to~~ which the programme and budget will apply.
- 19.2 The Group work programme, and administrative and related services pursuant to section 24 of the Act, will be funded by way of a Targeted Rate Uniform General Charge (UGC) across the area of the Group and administered by the Hawke's Bay Regional Council. In order to set the Targeted Rate UGC, the Group will communicate its agreed programme and budget to the Hawke's Bay Regional Council no later than 1 February of the year which the programme and budget applies.
- 19.3 The Joint Committee is responsible for deciding the civil defence and emergency management levels of service and outcomes to be provided to the community. As the Administrating Authority the Hawke's Bay Regional Council is responsible for providing the resources to achieve these outcomes.

**20. Good Faith**

- 20.1 In the event of any circumstances arising that were unforeseen by the parties at the time of adopting this Terms of Reference, the parties hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of:
- 20.1.1 the members of the CDEM Group collectively; and
- 20.1.2 the Hawke's Bay community represented by the members of the Group collectively.

**21. Variations**

- 21.1 Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Group.
- 21.2 ~~Amendments to the Terms of Reference may only be made with the unanimous agreement of all local authority members. The Terms of Reference will only be amended upon a unanimous vote and resolution passed by the Group and duly recorded in writing.~~

**22. Review of the Terms of Reference**

- 22.1 The Terms of Reference will be reviewed and if appropriate amended by the Group at its first meeting following the following the triennial local government elections.
- 22.2 The adoption of an amended Terms of Reference revised under clause 22.1 will be undertaken in accordance with section 21 above.

23.3 Amendments to the Terms of Reference will come into effect once agreed, by resolution, by all partner councils in accordance with Schedule 7, clause 30A of the Local Government Act.

### **23. Adopted**

~~The Common Seal~~ by resolution of the  
Central Hawke's Bay District Council  
Mayor Alex Walker

~~The Common Seal~~ by resolution of the  
Hastings District Council  
Mayor Sandra Hazlehurst

~~Signed under the Common Seal~~ 26 July 2023 by resolution of the  
Hawke's Bay Regional Council  
Chair Hinewai Ormsby

~~The Common Seal~~ by resolution of the  
Napier City Council  
Mayor Kirsten Wise

~~The Common Seal~~ by resolution of the  
Wairoa District Council  
Mayor Craig Little

## 7. MINUTES OF THE REGIONAL TRANSPORT COMMITTEE - 5 AND 23 MAY 2023

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1672658
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance

### 7.1 Purpose of Report

The purpose of this report is to receive the unconfirmed minutes of the Regional Transport Committee meetings held on 10 February and 5 May 2023.

To view the full agenda relating to these minutes please refer to the Hawke's Bay District Council website: <https://www.hbrc.govt.nz/our-council/meetings>

### Officer's Recommendation

That Council:

- a) **Receive** for information the unconfirmed minutes of the Regional Transport Committee meetings held on 10 February and 5 May 2023.

### 7.2 Background Summary

The Regional Transport Committee met on 10 February and 5 May 2023 and the unconfirmed minutes of the meeting are attached.

### 7.3 Issues

N/A

### 7.4 Significance and Engagement

N/A

### 7.5 Implications

#### Financial

N/A

#### Social & Policy

N/A

#### Risk

N/A

### 7.6 Options

The options available to Council are as follows:

- a. To receive the unconfirmed minutes of the Regional Transport Committee.

### **7.7 Development of Preferred Option**

N/A

### **7.8 Attachments**

- 1 10 February 2023 Minutes of the Regional Transport Committee (Doc Id 1673095)  
[↓](#)
- 2 5 May 2023 Minutes of the Regional Transport Committee meeting (Doc Id 1673096) [↓](#)



**HAWKES BAY**  
**REGIONAL COUNCIL**  
 TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

## Minutes of a meeting of the Regional Transport Committee

<b>Date:</b>	10 February 2023
<b>Time:</b>	10.00am
<b>Venue:</b>	Council Chamber Hawke's Bay Regional Council 159 Dalton Street NAPIER
<b>Present:</b>	Cr M Williams, Chair Cr J van Beek, Deputy Chair Mayor C Little – WDC Cr T Kerr – HDC Cr K Taylor – CHBDC Cr K Price – NCC L Stewart – NZTA
<b>Advisory members:</b>	M Broderick – NZ Police <i>left at 1.22pm</i> P Michaelsen – AA N Ganivet – Port of Napier Ltd <i>virtually</i>
<b>In Attendance:</b>	Mayor A Walker - CHBDC alternate S Downs – NZTA alternate M Hardie – TAG K Brunton – Group Manager Policy & Regulation K Nimon – Transport Manager B Cullen – Transport Strategy & Policy Analyst R Malley – TAG S McKinley – TAG J Pannu – TAG P Martin – Senior Governance Advisor

## 1. Welcome/Karakia /Apologies

The Chair welcomed everyone led the meeting in an opening karakia.

### Resolution

RTC1/23 That the apologies for absence from Angus Hodgson and Api Robin be accepted.

Williams/Price  
CARRIED

### Notices

Councillor Tania Kerr gave notice of discussions relating to northern road access to the HB Airport.

Councillor Martin Williams advised that Dr Bridget Wilson from Te Whatu Ora will be joining the Committee as the health representative and welcomed her as a guest pending formal confirmation of her appointment.

## 2. Conflict of Interest declarations

Councillor Kerr declared an interest in relation to item 10 as Chair of the Regional Sports Park Trust.

## 3. Regional Transport Committee Terms of Reference and member appointments

The Chair introduced the item, and discussions highlighted:

- Health sector advisory representative is to be specified as representing Te Whatu Ora
- Wairoa District Council representatives are Mayor Craig Little and Councillor Chaans Tumataroa-Clarke as alternate.
- Dr Bridget Wilson will be Te Whatu Ora's non-voting representative, with formal confirmation to be provided.
- CHBDC representative is Councillor Kate Taylor and Mayor Alex Walker as alternate.
- Terms of Reference, with tracked changes, to be brought to the May Committee meeting for confirmation.

### RTC2/23 Resolutions

That the Regional Transport Committee:

1. Receives and considers the *Regional Transport Committee Terms of Reference and member appointments* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring with the community or persons likely to have an interest in the decision.
3. Agrees to the membership as detailed in the Terms of Reference adopted by Hawke's Bay Regional Council on 16 November 2022, and accepts the appointment of representatives, being:
  - 3.1. Councillor Martin Williams representing Hawke's Bay Regional Council as Chair of the Regional Transport Committee
  - 3.2. Councillor Jerf van Beek representing Hawke's Bay Regional Council as Deputy Chair of the Regional Transport Committee
  - 3.3. Councillor Kate Taylor and Mayor Alex Walker as alternate, representing Central Hawke's Bay District Council.
  - 3.4. Councillor Tania Kerr and Mayor Sandra Hazlehurst as alternate, representing Hastings District Council.
  - 3.5. Councillor Keith Price and Mayor Kirsten Wise as alternate, representing Napier City Council.

- 3.6. Mayor Craig Little and Councillor Chaans Tumataroa-Clarke as alternate, representing Wairoa District Council.
- 3.7. Linda Stewart and Sarah Downs as alternate, representing Waka Kotahi.
- 3.8. Angus Hodgson representing KiwiRail as a non-voting advisory member.
- 3.9. Matthew Broderick representing New Zealand Police as a non-voting advisory member.
- 3.10. Nicolas Ganivet representing Napier Port as a non-voting advisory member.
- 3.11. Paul Michaelsen representing Automobile Association (access and mobility, including private motorists, pedestrians, cyclists and public transport users) as a non-voting advisory member.
- 3.12. Ian Emerson representing Road Transport Association NZ (road transport industry) as a non-voting advisory member.
- 3.13. Api Robin representing the HBRC Māori Committee (cultural and environmental interests) as a non-voting advisory member.
- 3.14. Dr Bridget Wilson representing **Te Whatu Ora** (instead of Health sector) in Hawke's Bay as a non-voting advisory member.
- 3.15. A representative of active transport in the Hawke's Bay region to be confirmed.

**van Beek/Stewart**  
**CARRIED**

#### 4. **Setting the priorities and principles for the Regional Speed Management Plan**

Bryce Cullen, Transport Strategy & Policy Analyst, introduced the item, which was taken as read. Discussions covered:

- Suggestion that a principle for “whole of system approach” and another around active transport and “access to *safe* multi-modal/active transport” be added.
- Road Controlling Authorities (Waka Kotahi and District & City councils) will consult with their communities’ on their individual plans which will then be drawn together into a Regional Plan for consultation at the regional level.
- Beaches need to be included in RCA speed plans.
- School/kura ‘walking/cycling distance catchments’ to be taken into account in multi-modal transport to-from school.

#### RTC3/23 **Resolutions**

That the Regional Transport Committee:

1. Receives and considers the *Setting the principles and priorities for the Regional Speed Management Plan* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Committee can exercise its discretion and make decisions on this issue without conferring directly with the community or persons likely to have an interest in the decision.
3. Adopts the principles and priority areas as proposed; being:

##### **Principles**

- 3.1 Safe communities and connections for all, applying a whole of system approach
- 3.2 Greater public and community understanding of safe system principles, and by all those involved in transport network planning and decision-making

- 3.3 Increased connectivity within and between communities – designed with and for the community
- 3.4 Network coherence across the region and beyond the region
- 3.5 Increased opportunity for, and access to safe multi-modal/active transport
- 3.6 A speed management approach that serves the needs of the community that the network is serving / supporting
- 3.7 Work with Iwi and community leaders as key partners in the development of speed management plans
- 3.8 Movement and place framework - speed limits will be appropriate for the function, the surrounding environment and design of the road, reflecting that people use them in different ways

#### Primary priority areas

- 3.9 Schools/Kura and their immediate walking and cycling catchments
- 3.10 Marae

#### Other priority areas

- 3.11 Community plan areas
- 3.12 Those streets and roads with currently misaligned speed limits across our urban and rural networks
- 3.13 Isolated rural communities and beaches in the region
- 3.14 Town centres
- 3.15 Locations with the presence of other key community facilities, such as hospitals, parks, rest homes, early childhood education centres, etc
- 3.16 Road works zones, as applicable and appropriate
- 3.17 Active transport corridors.

**van Beek/Taylor**  
**CARRIED**

## 5. Johanna Birrell deputation - Te Whatu Ora HB safe cycling report

Johanna Birrell from Te Whatu Ora Hawke's Bay, supported by Dr. Bridget Wilson, made a presentation that highlighted:

- HB staff survey revealed lack of safe cycling routes key reason hospital workers don't cycle to work
- Hastings based research estimated the health cost-benefit ratio of 1:11 from improvements in cycling infrastructure. Measurable, positive returns on investment in safe cycling infrastructure.
- Several recommendations of the report include establishing visionary policies for reallocating street space for pedestrians and cycling (including mandatory upgrades during street renewals based on traffic conditions and establishing off-road direct cycle highways.
- Suggested that the report is used as a resource for TAG when developing the Regional Land Transport Plan, particularly safe cycling initiatives.

### RTC4/23 Resolution

That the Regional Transport Committee receives and notes the *Johanna Birrell deputation - Te Whatu Ora HB safe cycling* report and commends the report to the Technical Advisory Group for application in the development of the next Regional Land Transport Plan.

**Price/van Beek**  
**CARRIED**

**6. Regional Land Transport Plan investment and delivery update**

Katie Nimon introduced the item which highlights early, high level inputs to the 2024 Regional Land Transport Plan that staff are beginning to develop.

RTC5/23 **Resolution**

That the Regional Transport Committee receives the *Regional Land Transport Plan investment and delivery update* and requests that a workshop is held to discuss development and delivery of the 2024 Regional Land Transport Plan.

**Williams/van Beek  
CARRIED**

**7. Transport Emissions Reduction Plan update**

Katie Nimon and Bryce Cullen introduced the item, which was taken as read.

- Transport TAG will be involved in development of 'transport emissions reduction' chapter, which will be workshopped with the RTC prior to being finalised for inclusion within the overall Regional Emissions Reduction Plan; a key focus for the Climate Action Joint Committee.

RTC6/23 **Resolution**

That the Regional Transport Committee receives and notes the *Transport Emission Reduction Plan update* staff report.

**Williams/Little  
CARRIED**

**8. Regional Transport Programme update February 2023**

Katie Nimon introduced the item, requesting feedback from members on the programme tracker which is in the format proposed for future reporting to the RTC. Feedback included:

- Particular matters to be prioritised according to legislative timeframes and when decisions need to be made.

RTC7/23 **Resolution**

That the Regional Transport Committee receives and notes the *Regional Transport programme update February 2023* staff report and requests that staff prioritise items (on the Regional Transport Programme tracker) for future reports where decisions need to be made.

**Williams/Price  
CARRIED**

**9. Regional Road Safety update**

Bryce Cullen introduced the item, noting that an integrated approach to road safety involves moving from the traditional 'inform and educate' model to a model where communities identify their own road safe landscape and local solutions.

RTC8/23 **Resolution**

That the Regional Transport Committee receives and notes the *Roadsafe Hawke's Bay* staff report and endorses the new approach.

**Williams/van Beek  
CARRIED**

**10. Public Transport update**

Katie Nimon introduced the item which was taken as read.

RTC9/23 **Resolution**

The Regional Transport Committee receives and notes the *Public Transport update* staff report.

**van Beek/Kerr  
CARRIED**

**11. Active Transport update**

Katie Nimon presented the item with assistance from Bryce Cullen and Robin Malley, noting:

- NCC is redesigning Carlyle Street, the Balmoral area and Murphy Road in Taradale with active transport users in mind
- Technical Advisory Group includes community members with active transport expertise
- HBRC has offered assistance to help establish the Regional Active Transport Committee (RATC) which, once formed, will have advisory representation at RTC and be involved with TAG.

RTC10/23 **Resolution**

That the Regional Transport Committee receives and notes the *Active Transport update* staff report.

**Little/Price  
CARRIED**

**12. NZTA Regional Relationships Director's February 2023 report**

Linda Stewart presented the item, highlighting:

- Ernst and Young is evaluating/reviewing the State Highway 5 80km/h speed limit introduction, which will be presented to RTC
- The SH5 programme business case is expected by the end of July 2023
- Emergency works updates are provided to individual Councils but could be included in the report. Difficulties getting supplies and labour to carry out such work, particularly as the number of weather events increases.

RTC11/23 **Resolution**

That the Regional Transport Committee receives and notes the *Regional Relationships Director's February 2023 report*.

**Williams/Little  
CARRIED**

**13. Verbal updates from advisory representatives**

Paul Michaelsen, AA is being more active in building relationships with key stakeholders including RTC members.

RTC12/23 **Resolution**

That the Regional Transport Committee receives the *Verbal updates from advisory representatives*

**Williams/Price  
CARRIED**

*Martin Williams led a karakia to close the meeting.*

**Closure:**

There being no further business, the Chair declared the meeting closed at 2.32pm on Friday, 10 February 2023.

Signed as a true and correct record.

**Date:** 5 May 2023 by RTC resolution

**Chair:** Jerf van Beek



**HAWKES BAY**  
**REGIONAL COUNCIL**  
 TE KAUNIHERA Ā-ROHE O TE MATAU-A-MĀUI

**Unconfirmed**

**Minutes of a Meeting of the Regional Transport Committee**

<b>Date:</b>	5 May 2023
<b>Time:</b>	12.30pm
<b>Venue:</b>	Council Chamber Hawke's Bay Regional Council 159 Dalton Street NAPIER
<b>Present:</b>	Cr J van Beek – HBRC Chair Cr M Williams – HBRC <i>virtually</i> Mayor C Little – WDC <i>virtually</i> Cr Tania Kerr – HDC Cr Kate Taylor – CHBDC Cr K Price – NCC L Stewart – NZTA
<b>Alternates:</b>	Mayor K Wise – NCC Mayor S Hazlehurst – HDC Mayor A Walker – CHBDC <i>virtually</i> S Downs – NZTA
<b>Advisory Members:</b>	B Wilson – Te Whatu Ora D Murray – Automobile Assn. I Emmerson – Road Transport Assn. N Ganivet – Port of Napier <i>virtually</i> R Stratford – HB Airport <i>virtually</i> A Robin – Māori Committee
<b>In Attendance:</b>	D Headifen – KiwiRail D Gordon – KiwiRail <i>virtually</i> D Suisted – HB Airport <i>virtually</i> P Martin – Senior Governance Advisor
<b>TAG:</b>	B Cullen – Transport Strategy and Policy Analyst V Nanayakkara – Waka Kotahi R Malley – NCC K Nimon – Transport Project Manager S McKinley – CHBDC <i>virtually</i> M Hardie – WDC <i>virtually</i>

**1. Welcome/Karakia /Apologies**

The Chair, Jerf van Beek, welcomed everyone and Api Robin opened the meeting with a karakia.

**2. Conflict of interest declarations**

There were no conflicts of interest declared.

**3. Confirmation of Minutes of the Regional Transport Committee meeting held on 10 February 2023**

RTC13/23

**Resolution**

Minutes of the Regional Transport Committee held on Friday, 10 February 2023, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Robin/Price  
CARRIED**

**4. HB Airport deputation - Northern Roundabout**

Rob Stratford from HB Airport gave a presentation. Discussions and queries covered:

- Airport is seeking a second road access point by adding a roundabout at the northern approach to the airport
- Airport is a Civil Defence lifeline and remained operational to provide Civil Defence support and community connectivity (Wi-Fi and power) during Cyclone Gabrielle
- Having only one access road is a risk for the community and for the airport itself in the event of an emergency on site
- If business case is endorsed by RTC, the proposal will need to be included in the RLTP

RTC14/23

**Resolution**

That the Regional Transport Committee receives and notes the HB Airport deputation and supports the proposal for a second roundabout being assessed through Regional Recovery Planning and the Regional Land Transport Plan process.

**Williams/Hazlehurst  
CARRIED**

**5. Follow-ups from previous Regional Transport Committee meetings**

The Chair introduced the item, which was taken as read

RTC15/23

**Resolution**

That the Regional Transport Committee receives and notes the *Follow-ups from previous Regional Transport Committee meetings*.

**Taylor/Hazlehurst  
CARRIED**

**6. Regional Transport Committee Terms of Reference and member appointments**

Leeanne Hooper introduced this item, which was taken as read. Comments and queries covered:

- Allow an alternate for advisory members
- Clarify that if council member and alternate both present, there is only 1 vote counted

RTC16/23

**Resolutions**

That the Regional Transport Committee:

1. Receives and considers the *Regional Transport Committee Terms of Reference* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy, and that Council can exercise its discretion and make decisions on this issue without conferring with the community or persons likely to have an interest in the decision.
3. Confirms the Terms of Reference for the Committee (as follows) as adopted by Hawke's Bay Regional Council on 29 March 2023 as amended to allow Advisory members to have an Alternate.
4. Agrees to the membership of the Regional Transport Committee including:
  - 4.1. Advisory member Rob Stratford, representing Hawke's Bay Airport
  - 4.2. Advisory member David Murray representing Automobile Association, replacing Paul Michaelsen.

**Williams/Little**  
**CARRIED**

## **Regional Transport Committee**

### **Terms of Reference**

*Adopted by Hawke's Bay Regional Council resolution 29 March 2023*

The purpose of the Regional Transport Committee is to:

1. Prepare the Regional Land Transport Plan (RLTP) and any significant variation to the RLTP for adoption by the Regional Council, in accordance with the Land Transport Management Act 2003.
2. In accordance with the Land Transport Management Act 2003, adopt a policy that determines significance in respect of:
  - 2.1. variations made to regional land transport plans under section 18D of the Land Transport Management Act 2003, and
  - 2.2. the activities that are included in the regional land transport plan under section 16 of the Land Transport Management Act 2003.
3. Prepare the Regional Public Transport Plan (RPTP) for adoption by the Regional Council, in accordance with the Land Transport Management Act 2003.
4. Monitor the implementation of the Regional Land Transport Plan and the Regional Public Transport Plan.
5. Plan and provide for emissions reductions through multi modal activities.
6. Plan and provide for active transport in the region.
7. Advocate on strategic regional and inter-regional transport matters to Central Government and other key stakeholders as appropriate.
8. Make recommendations in support of land transport activities that are eligible for national funding and align with the regional land transport plan.
9. Approve submissions to Central Government, local authorities and other agencies on Regional Transport Committee matters.
10. Monitor and provide advocacy on regional road safety matters.
11. Monitor passenger transport objectives and make recommendations to the Regional Council on public transport policies.
12. Provide the Regional Council with any advice and assistance it may request in relation to its transport responsibilities.

#### **Members      Voting Members**

Two elected members of the Regional Council, being:

- Councillors Martin Williams and Jerf van Beek

One representative and one alternate, appointed by each of the following organisations, being:

- Wairoa District Council: Mayor Craig Little and Cr Chaans Tumataroa-Clarke as alternate
- Hastings District Council: Cr Tania Kerr and Mayor Sandra Hazlehurst as alternate
- Napier City Council: Cr Keith Price and Mayor Kirsten Wise alternate
- Central Hawke's Bay District Council: Cr Kate Taylor and Mayor Alex Walker as alternate
- New Zealand Transport Agency, being Linda Stewart and Sarah Downs as alternate

**Advisory Members (non- voting)**

- New Zealand Police (representing road safety), being TBC (& alternate if appointed)
- Automobile Association (representing access and mobility, including private motorists, pedestrians, cyclists and public transport users), being David Murray (& alternate if appointed)
- Port of Napier – representing the Port and coastal shipping- Nick Ganivet (& alternate if appointed)
- KiwiRail (representing rail issues) - Angus Hodgson (& alternate if appointed)
- Road Transport Association NZ (representing the road transport industry) being Ian Emmerson (& alternate if appointed)
- HBRC Māori Committee (representing cultural and environmental interests) – Api Robin
- Te Whatu Ora HB representative - Dr Bridget Wilson (& alternate if appointed)
- HB Regional Active Transport Committee (name to be confirmed) representing active transport, to be confirmed (& alternate if appointed)
- Hawke’s Bay Airport - Rob\_Stratford (& alternate if appointed)

<b>Chair</b>	One Regional Council elected member, being Cr Martin Williams
<b>Deputy Chair</b>	One Regional Council elected member, being Cr Jerf van Beek
<b>Quorum</b>	Majority of voting members (4)
<b>Voting</b>	In accordance with section 105(7) of the Land Transport Management Act, at any meeting of the RTC, the Chairperson, or any other legislated person presiding at the meeting: <ul style="list-style-type: none"> <li>(a) has a deliberative vote and</li> <li>(b) in the case of an equality of votes, does <b>not</b> have a casting vote (and therefore the act or question is defeated and the status quo is preserved).</li> </ul> <p><i>Regional Council, Territorial Authority and NZ Transport Agency representative members have full speaking and voting rights on all matters. In circumstances where both the member and alternate are in attendance, only the member’s vote will be counted.</i></p>
<b>Advisory Members</b>	The role of advisory members is to:

- Provide advice to the Regional Transport Committee on matters pertaining to their advisory portfolios, when requested by the Chair
- Report on relevant activities or events pertaining to their advisory portfolios.

*Advisory members have full speaking rights on all matters, but no voting rights.*

**Meeting Frequency** Quarterly, or as required

**Staff Executive** Group Manager Policy & Regulation and Transport Manager

**Technical Advisory Group (TAG)** The Transport Committee considers advice relating to strategic transport issues from a Technical Advisory Group (TAG), generally comprising roading and infrastructural planning officers from NZTA and the Territorial Authorities; and chaired by the HBRC Transport Manager. TAG members may attend RTC meetings and may provide advice at meetings when invited to do so by the Chair, but do not vote.

## 7. NZTA Regional Relationships Director's update

Linda Stewart introduced the item with comments and queries covering:

- The Vehicle Kilometres Travelled (VKT) reduction programme is expected to improve public transport options, reduce vehicle traffic and vehicle emissions. Large cities are targeted first for this national programme
- The roading construction season for HB has been extended to the end of May to compensate for lost opportunities during the cyclone
- SH5 work is cyclone damage repairs, planned maintenance and safety improvements. The programme business case for SH5 long term resilience is still progressing – due September 2023
- Waka Kotahi is considering a draft SH5 Speed Reduction Impact Study (by Ernst & Young) which will be released in the near future
- Cyclone repairs are being carried out by an alliance of specific contractors to expedite matters and local contractors/ consultants will continue to be used by the alliance.

RTC17/23

### Resolution

That the Regional Transport Committee receives and notes the *Regional Relationships Director's update*.

**Taylor/Price  
CARRIED**

## 8. Regional Transport Programme May 2023 update

Bryce Cullen introduced the item, which was taken as read.

RTC18/23

### Resolution

That the Regional Transport Committee receives and notes the *Regional Transport Programme May 2023 Update* staff report.

**Hazlehurst/Price  
CARRIED**

**9. Regional Land Transport Plan (RLTP) investment and delivery update**

Bryce Cullen introduced the item, which was taken as read. Comments and queries covered:

- Investment Logic Map (ILM) for the RLTP was discussed at a workshop prior, which considered wording alterations and weightings for various factors including resilience and a new KPI that *there is a functioning roading network*. TAG will reassess ILM weightings aiming for resilience to have a 60% weighting
- If the Hastings MyWay trial is viewed as being a success, then the planned Napier MyWay trial may not need to happen – the Napier service could be included in the RLTP with TAG incorporating the specifics
- Government funding (\$61M) to improve bus driver recruitment/retention has not yet been taken up in HB as access to the funding requires HBRC to contribute 49% of the costs involved and there is no budget for this unforeseen cost. The upcoming RLTP funding round will include a bid for this funding, to be available from June 2024.

RTC19/23

**Resolution**

That the Regional Transport Committee receives and notes the *Regional Land Transport Plan investment and delivery update* staff report, and endorses the proposed changes to the ILM to reflect the post-cyclone environment.

**Taylor/Hazlehurst  
CARRIED**

*Mayor Kirsten Wise left the meeting at 2.05pm*

**10. Regional Road Safety update**

Bryce Cullen introduced the item, which was taken as read.

RTC20/23

**Resolution**

That the Regional Transport Committee receives and notes the *Roadsafe Hawke's Bay* staff report.

**van Beek/Price  
CARRIED**

**11. Public Transport update**

Katie Nimon introduced the item, and comments and queries covered:

- MyWay Hastings trial is currently being reviewed, acknowledging the service is dependent on having adequate staff - bus drivers and customer service staff.

RTC21/23

**Resolution**

That the Regional Transport Committee receives and notes the *Public Transport update* staff report.

**Williams/Hazlehurst  
CARRIED**

*Mayor Sandra Hazlehurst left the meeting at 2.30pm*

**12. Cyclone Gabrielle Recovery update from KiwiRail**

Daniel Headifen and Dave Gordon (online) from KiwiRail introduced their presentation.

Comments and queries included:

- A temporary Clive rail bridge will be constructed shortly, then a permanent structure will be built at the same site
- 39km of damaged line between Napier and Wairoa mainly in the Esk Valley

- While significant, the damage is not sufficient to consider rerouting the rail network so reinstatement is being planned. Insurance cover is held for a rebuild; enhancements are not being considered.
- RTC continues to advocate for full reinstatement of the Napier to Gisborne rail line.

*Councillor Kate Taylor left the meeting at 3.01pm*

*Councillor Martin Williams left the meeting at 3.06pm*

RTC22/23

**Resolution**

That the Regional Transport Committee receives and notes the *Cyclone Gabrielle recovery update from KiwiRail*.

**van Beek/Price  
CARRIED**

**13. Verbal updates by Advisory Representatives**

The chair introduced the item and updates covered:

- David Murray (AA)- thanked Waka Kotahi and other agencies for the major efforts being undertaken to get transport systems operational.
- Bridget Wilson (Te Whatu Ora) reiterated thanks to those involved in repair work, and acknowledged that roading resilience and liveable cities are also health priorities.
- Ian Emmerson (Road Transport Assn) noted the commendable efforts being made to fix both and rail networks.
- Nick Ganivet (Napier Port) acknowledged KiwiRail’s efforts to get their central NI lines open. This has enabled rail freight to be delivered to the Port by road from Hastings.

RTC23/23

**Resolution**

That the Regional Transport Committee receives the *Verbal updates by Advisory representatives*.

**van Beek/Price  
CARRIED**

Api Robin closed the meeting with a karakia.

**Closure:**

There being no further business the Chair declared the meeting closed at 3.12pm on Friday 5 May 2023.

Signed as a true and correct record.

**Date:** .....

**Chair:** .....

## 8. MINUTES OF HAWKE'S BAY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE - 28 APRIL 2023

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1672665
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance

### 8.1 Purpose of Report

The purpose of this report is to receive the unconfirmed minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 28 April 2023.

To view the full agenda relating to these minutes please refer to the Hawke's Bay District Council website: <https://www.hbrc.govt.nz/our-council/meetings>

### Officer's Recommendation

That Council:

- a) **Receive** for information the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group Joint Committee meeting held on 28 April 2023.

### 8.2 Background Summary

The Hawke's Bay Civil Defence Emergency Management Group Joint Committee met on 28 April 2023 and the unconfirmed minutes of this meeting are attached.

### 8.3 Issues

N/A

### 8.4 Significance and Engagement

N/A

### 8.5 Implications

#### Financial

N/A

#### Social & Policy

N/A

#### Risk

N/A

### 8.6 Options

The options available to Council are as follows:

- a. To receive the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group Joint Committee.

### **8.7 Development of Preferred Option**

N/A

### **8.8 Attachments**

- 1 HB Civil Defence Emergency Management Group Joint Committee Minutes - 28 April 2023 (Doc Id 1670226) [↓](#)



## Unconfirmed

### Minutes of a meeting of the HB Civil Defence Emergency Management Group Joint Committee

- Date:** Friday 28 April 2023
- Time:** 10.00am
- Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER
- Present:** H Ormsby, Chair  
Mayor A Walker, Deputy  
Mayor S Hazlehurst – HDC  
Cr N Simpson – NCC
- In Attendance:** I Macdonald – HB CDEM Group Controller  
S Tiatia – NEMA (*online*)  
P Renshaw – NEMA  
M Meads – Simplexity (*online*)  
J Rollin – Simplexity (*online*)  
P Munro – HBRC Interim Chief Executive  
D Tate – CHBDC Chief Executive  
N Bickle – HDC Chief Executive  
K Cooper – Fire and Emergency  
E Lennan – HB CDEM Senior Emergency Management Advisor  
L Hooper – HBRC Team Leader Governance  
A Doak – HBRC Governance Advisor

**1. Welcome/Karakia /Apologies**

The Chair welcomed everyone and Pieri Munro offered a karakia to open the meeting.

A quorum was not present.

**Resolution**

CDE3/23 That the apologies for absence from mayors Kirsten Wise and Craig Little be accepted.

**Ormsby/Walker  
CARRIED**

**2. Conflict of interest declarations**

There were no conflicts of interest declared.

*A quorum was not present, however the meeting proceeded while staff attempted to contact Wairoa District Council representatives so that a quorum could be achieved to enable establishment of the meeting.*

**3. Confirmation of Minutes of the Extraordinary HB Civil Defence Emergency Management Group Joint Committee meeting held on 9 March 2023****CDE4/23 Resolution**

Minutes of the Extraordinary HB Civil Defence Emergency Management Group Joint Committee meeting held on Thursday, 9 March 2023, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Hazlehurst/Walker  
CARRIED**

**4. Cyclone Gabrielle – Recovery update**

The item was taken as read but it was noted that significant updates are to come from the Matariki Governance Group. Questions and discussion covered:

- the need for community engagement for locality plans
- intelligence is transferred from HB CDEM Group to the Recovery Agency through the *transition to recovery report*
- the need for an accurate narrative around what happened in the lead up, during and immediately after the Cyclone.

**CDE5/23 Resolution**

That the Hawke's Bay Civil Defence Emergency Management Group Joint Committee receives and notes the Cyclone Gabrielle Recovery update.

**Ormsby/Walker  
CARRIED**

**5. Cyclone Gabrielle – Transitional update**

Edaan Lennan spoke to this item, and discussions traversed:

- The transfer of information about the response and transition to recovery is from HB CDEM Group to the regional recovery manager and from local EOCs to the local recovery managers – to be collated into the region-wide picture by the Recovery Agency.
- CDEM resourcing under serious pressure with Group staff well-being a significant concern. Through response the assistance provided by NEMA, Defence Force, international emergency response agencies, HBRC and other regional councils was critical to coordinating appropriate resources to meet the very complex and diverse community needs.

*The meeting lapsed at 10.30am due to a quorum not being present.*

**Resolution**

CDE6/23 That the Hawke’s Bay Civil Defence Emergency Management Group **sub-committee** meeting is established, in accordance with section 14.5 of the Hawke’s Bay CDEM Group Joint Committee Terms of Reference, to consider the business on today’s Agenda and make recommendations for final decision to the next HB CDEM Group Joint Committee meeting.

**Ormsby/Walker  
CARRIED**

**6. Cyclone Gabrielle Review – update and feedback**

The Committee agreed to remain in open session to consider the item rather than move into a Public Excluded meeting.

- No confirmation of a National Review but the HBCDEM review will inform that if it happens.
- The need to maintain critical community relationships through the review process
- Feedback provided today will be incorporated into version 2 of the Terms of Reference along with feedback from Te Kāhui Ohanga o Takitimu
- Need a narrative of what occurred during the 24 hours either side of the cyclone
- Need to treat communities with care, not re-traumatise them
- Need mana whenua representation on the joint committee. The Chair will re-invite Mr Symes.
- A new outcome to be added about understanding expectations before and after the event
- Suggest outcomes 1 and 3 are combined due to their similar nature
- Outcome 1 should consider the relationship of governance and Regional leaders.

CDE7/23 **Resolutions**

That the Hawke’s Bay Civil Defence Emergency Management Group Sub-committee:

1. Receives and considers the *Cyclone Gabrielle Review– Update and Feedback* staff report.
2. Recommends that HB CDEM Group Joint Committee confirms that the draft Terms of Reference and draft Scope for the review of the HB CDEM Group Operational Response to Cyclone Gabrielle, incorporating the amendments agreed 28 April 2023, can now be considered by Te Kāhui Ohanga o Takitimu (TKO).

**Hazlehurst/Simpson  
CARRIED**

**Resolution**

CDE8/23 That the HB CDEM Group Joint Committee excludes the public from this section of the meeting, being Agenda Item 7 *Confirmation of the Public Excluded Minutes* with the general subject of the item to be considered while the public is excluded. The reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are:

General subject of the item to be considered	Reason for passing this resolution	Grounds under section 48(1) for the passing of the resolution
Cyclone Gabrielle Review – Update and Feedback	s7(2)(a) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to protect the privacy of natural persons.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**Ormsby/Walker  
CARRIED**

**7. Confirmation of Public Excluded Minutes of the Extraordinary HB Civil Defence Emergency Management Group Joint Committee meeting held on 9 March 2023**

**CDE9/23 Resolution**

Public Excluded Minutes of the Extraordinary HB Civil Defence Emergency Management Group Joint Committee meeting held on Thursday, 9 March 2023, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Ormsby/Walker  
CARRIED**

**Resolution**

CDE10/23 That the meeting moves out of Public Excluded session.

**Ormsby/Walker  
CARRIED**

***The meeting went into public excluded session at 12.04pm and out of public excluded session at 12.06pm***

**Closure:**

There being no further business the Chair declared the meeting closed at 12.06pm on Friday, 28 April 2023

Signed as a true and correct record.

**Date:** .....

**Chair:** .....

## 9. MINUTES OF THE OMARUNUI REFUSE LANDFILL JOINT COMMITTEE - 2 DECEMBER 2022

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1672694
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance

### 1.1 Purpose of Report

The purpose of this report is to receive the unconfirmed minutes of the Omarunui Refuse Landfill Joint Committee meeting held on 2 December 2022.

To view the full agenda relating to these minutes please refer to the Hastings District Council website: <https://hastings.infocouncil.biz>.

### Officer's Recommendation

That Council:

- a) **Receive** for information the unconfirmed minutes of the Omarunui Refuse Landfill Joint Committee meeting held on 2 December 2022.

### 9.2 Background Summary

The Omarunui Refuse Landfill Joint Committee met on 2 December 2022 and the unconfirmed minutes of this meeting are attached.

### 9.3 Issues

N/A

### 9.4 Significance and Engagement

N/A

### 9.5 Implications

#### Financial

N/A

#### Social & Policy

N/A

#### Risk

N/A

## 2.6 Options

The option available to Council is as follows:

- To receive the unconfirmed minutes of the Omarunui Refuse Landfill Joint Committee.

## 9.7 Development of Preferred Option

N/A

## 9.8 Attachments

- 1 Omarunui Landfill Refuse Joint Committee minutes 2 December 2022 (Doc Id 1671026) [↓](#)



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Friday, 2 December 2022

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Administered by Hastings District Council:**

**Ōmarunui Refuse Landfill Joint Committee Meeting**

*Ngā Miniti*

# Minutes

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*Te Rā Hui:*

Meeting date:

**Friday, 2 December 2022**

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*Te Wāhi:*

Venue:

**Council Chamber  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings**

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Time start – end:

**1.00pm – 2.25pm**

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Go to  
[www.hastingsdc.govt.nz](http://www.hastingsdc.govt.nz)  
to see all documents

**HASTINGS DISTRICT COUNCIL**  
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**TE KAUNIHERA Ā-ROHE O HERETAUNGA**

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Friday, 2 December 2022

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Ōmarunui Refuse Landfill Joint Committee Meeting**

*Ngā Minitī*

# Minutes

*Te Rārangi Upoko*

## Table of Contents

Item	Page No.
1. Apologies – <i>Ngā Whakapāhatanga</i>	1
2. Conflicts of Interest - <i>He Ngākau Kōnatunatu</i>	1
3. Confirmation of Minutes - <i>Te Whakamana i Ngā Minitī</i>	2
4. Voting Systems for Certain Appointments	2
5. Election of Chair and Deputy Chair	2
6. Heads of Agreement	3
7. Three Month Activity Report	3
8. Health & Safety Update Report	4
9. Minor Items - <i>Ngā Take Iti</i>	4
10. Urgent Items - <i>Ngā Take Whakahihiri</i>	4
11. Recommendation to Exclude the Public from Item 12	4




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Friday, 2 December 2022

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

## Hastings District Council: Ōmarunui Refuse Landfill Joint Committee Meeting

### Ngā Minitī

# Minutes

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**Chair:** Councillor Ann Redstone (HDC)  
**Deputy Chair:** Councillor Chad Tareha (NCC)

*Kua Tae ā-tinana:*  
**Present:** Councillors Ana Apatu and Simon Nixon (HDC)  
 Councillor Richard McGrath (NCC)  
 Councillor Nigel Simpson (NCC Alternate) – *present as an observer*

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*Kua Tatū:*  
**In attendance:** Group Manager: Asset Management - Craig Thew (HDC)  
 Waste and Data Services Manager - Martin Jarvis (HDC)  
 Waste Planning Manager - Angela Atkins (HDC)  
 Acting Solid Waste Engineer – Chris Morgan (HDC)  
 Acting Solid Waste Operations Foreman - Ty Cooper (HDC)  
 Management Accountant - Jeff Tieman (HDC)  
 Health and Safety Manager - Jennie Kuzman (HDC)  
 Health and Safety Partner - Paul McClusky (HDC)  
 Executive Director of Infrastructure Services - Debra Stewart (NCC)  
 Democracy and Governance Advisor - Christine Hilton (HDC)

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The meeting opened with the Waste and Data Services Manager, Martin Jarvis, in the Chair. Mr Jarvis remained in the Chair until the Joint Committee had elected its Chair and Deputy Chair.

## 1. APOLOGIES – NGĀ WHAKAPĀHATANGA

Councillor Apatu/Councillor Redstone

That an apology for absence from Councillor Kellie Jessup be accepted.

CARRIED

## 2. CONFLICTS OF INTEREST - HE NGĀKAU KŌNATUNATU

There were no declarations of conflicts of interest.



### 3. CONFIRMATION OF MINUTES - *TE WHAKAMANA I NGĀ MINITI*

This was the first meeting of the 2022-2025 triennium so there were no previous minutes to be confirmed.

### 4. VOTING SYSTEMS FOR CERTAIN APPOINTMENTS

(Document 22/463) (Wording for Additional Recommendation circulated at meeting)

Wording for Additional Recommendation B) was circulated at the meeting (CG-16-20-00068) relating to the use of either System A or System B as provided for by the Local Government Act 2002, for the election of a Chairperson or Deputy Chairperson.

Councillor McGrath/Councillor Apatu

- A) That the Ōmarunui Refuse Landfill Joint Committee Meeting receive the report titled Voting Systems for Certain Appointments dated 2 December 2022.
- B) That for the election of the Chair and Deputy Chair of the Ōmarunui Refuse Landfill Joint Committee, the Committee use the system, in the report in A) above, called System A as provided for by the Local Government Act 2002.

CARRIED

### 5. ELECTION OF CHAIR AND DEPUTY CHAIR

(Document 22/464)

The Waste and Data Services Manager, Mr Jarvis, called for nominations for the role of Chair and Deputy Chair.

#### **Election of Chair:**

Councillor Redstone (HDC) was nominated as Chair by Councillor Apatu and seconded by Councillor McGrath.

As there were no other nominations, Councillor Redstone (HDC) was duly elected unopposed as Chair.

#### **Election of Deputy Chair:**

Councillor Tareha (NCC) was nominated as Deputy Chair by Councillor Apatu and seconded by Councillor McGrath.

As there were no other nominations, Councillor Tareha (NCC) was duly elected unopposed as Deputy Chair.

Councillor Apatu/Councillor McGrath

- A) That the Ōmarunui Refuse Landfill Joint Committee Meeting receive the report titled Election of Chair and Deputy Chair dated 2 December 2022.



- B) That Councillor Redstone (HDC) be appointed as Chair of the Ōmarunui Refuse Landfill Joint Committee for the next triennium 2022-2025.
- C) That Councillor Tareha (NCC) be appointed as Deputy Chair of the Ōmarunui Refuse Landfill Joint Committee for the next triennium 2022-2025.

CARRIED

Councillor Redstone, then assumed the Chair for the remainder of the meeting.

## 6. HEADS OF AGREEMENT

(Document 22/422)

Martin Jarvis, Waste and Data Services Manager, addressed the agenda report and responded to questions from the Committee. He briefly outlined how the landfill had been established and highlighted the key points in the “Heads of Agreement” attachment document.

The revised Heads of Agreement would be addressed at the Council meeting on 8/12/22. Napier City Council would also consider this document in due course.

Officers would arrange a tour of the landfill in the new year for the Committee members.

Councillor Apatu/Councillor Tareha

That the Ōmarunui Refuse Landfill Joint Committee Meeting receive the report titled Heads of Agreement dated 2 December 2022.

CARRIED

## 7. THREE MONTH ACTIVITY REPORT

(Document 22/421) (Aerial map of Ōmarunui Landfill was circulated showing areas of the site).

Martin Jarvis, Waste and Data Services Manager, and Jeff Tieman, Management Accountant, addressed the agenda report and responded to questions from the Committee.

A copy of an aerial map (SW-7-5-22-179) was circulated at the meeting, showing where Areas “A”, “B”, “C” and “D” were located on the landfill site.

Some of the main points that Mr Jarvis highlighted and spoke to in the report, included:

- Council was having to source clay to be used for liners from off-site locations.
- Area “D” was filling up quickly.
- A consent had now been received for Area “B”.
- Council was aiming to let a major contract, before Christmas 2022, for the first stage of Area “B” development.
- The Chief Executive has signed off the contract for the education building under delegated authority and work will start in the new year.
- Officers worked to keep the tip face as compact as possible. Care will also be taken regarding the type of waste material that is to be placed directly on top of any new liner, to maintain its integrity.

Councillor Tareha/Councillor Nixon

That the Ōmarunui Refuse Joint Landfill Committee receive the report titled Three Month Activity Report dated 2 December 2022.

CARRIED

## 8. HEALTH & SAFETY UPDATE REPORT

(Document 22/425)

Paul McClusky, Health & Safety Partner, addressed the agenda report and responded to questions from the Committee. He advised that testing of levels of air quality emissions (in particular hydrogen sulphide) on the site and the use of equipment such as filters was ongoing, in order to ensure staff safety. The Council also put a lot of work into educating contractors to reset air quality monitors and manage their loads more safely.

Councillor Redstone/Councillor McGrath

That the Ōmarunui Refuse Landfill Joint Committee Meeting receive the report titled Health & Safety Update Report dated 2 December 2022.

CARRIED

## 9. MINOR ITEMS - NGĀ TAKE ITI

There were no additional business items.

## 10. URGENT ITEMS - NGĀ TAKE WHAKAHIHIRI

There were no extraordinary business items.

## 11 RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEM 12

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Nixon/Councillor Apatu

**THAT the public now be excluded from the following parts of the meeting, namely;**

### 12 Review of Disposal Fees

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this Resolution is as follows:

<i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i>	<i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i>	<i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i>



<b>12</b>	<b>Review of Disposal Fees</b>	<p><b>Section 7 (2) (i)</b></p> <p>The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>To enable the Council to carry out negotiations.</p>	<p><b>Section 48(1)(a)(i)</b></p> <p>Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.</p>
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CARRIED

The meeting closed at 2.25pm

Confirmed:

Chair:

Date:

## 10. MINUTES OF THE NAPIER-HASTINGS FUTURE DEVELOPMENT STRATEGY JOINT COMMITTEE - 27 APRIL 2023

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1674672
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance

### 1.1 Purpose of Report

The purpose of this report is to receive the unconfirmed minutes of the Napier-Hastings Future Development Strategy Joint Committee meeting held on 27 April 2023.

To view the full agenda relating to these minutes please refer to the Hastings District Council website: <https://hastings.infocouncil.biz>.

### Officer's Recommendation

That Council:

- a) **Receive** for information the unconfirmed minutes of the Napier-Hastings Future Development Strategy Joint Committee meeting held on 27 April 2023.

### 10.2 Background Summary

The Napier-Hastings Future Development Strategy Joint Committee met on 27 April 2023 and the unconfirmed minutes of this meeting are attached.

### 10.3 Issues

N/A

### 10.4 Significance and Engagement

N/A

### 10.5 Implications

#### Financial

N/A

#### Social & Policy

N/A

#### Risk

N/A

## 2.6 Options

The option available to Council is as follows:

- To receive the unconfirmed minutes of the Napier-Hastings Future Development Strategy Joint Committee.

## 10.7 Development of Preferred Option

N/A

## 10.8 Attachments

- 1 27 April 2023 Minutes of Naper-Hastings Future Development Strategy Joint Committee (Doc Id 1674663) [↓](#)
- 2 Presentation to FDS Joint Committee 27 April 2023(Doc Id 1674676) [↓](#)



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Thursday, 27 April 2023

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Napier-Hastings Future Development Strategy Joint Committee Meeting**

*Ngā Miniti*

# Minutes

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*Te Rā Hui:*  
Meeting date: **Thursday, 27 April 2023**

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Venue **Council Chamber  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings**

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Time start - end **2.00pm – 4.35pm**

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 Thursday, 27 April 2023
 

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

## Hastings District Council: Napier-Hastings Future Development Strategy Joint Committee Meeting

*Ngā Minitī*

# Minutes

*Te Rārangi Upoko*

## Table of Contents

---

Item	Page No.
1. Apologies – <i>Ngā Whakapāhatanga</i>	2
2. Conflicts of Interest - <i>He Ngākau Kōnatunatu</i>	2
3. Confirmation of Minutes - <i>Te Whakamana i Ngā Minitī</i>	2
4. Voting Systems for Certain Appointments	2
5. Election of Chair and Deputy Chair	3
6. Napier-Hastings Future Development Strategy Joint Committee Terms of Reference	3
7. Future Development Strategy Introduction and Overview	4
8. Minor Items - <i>Ngā Take Iti</i>	5
9. Urgent Items - <i>Ngā Take Whakahihiri</i>	5

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Thursday, 27 April 2023

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

## Hastings District Council: Napier-Hastings Future Development Strategy Joint Committee Meeting

### *Ngā Minitī*

# Minutes

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*Kua Tae ā-tinana:*

Present:

*Koromatua*

**Chair:** To be elected

**Deputy Chair:** To be elected

**Members:**

**Hawke's Bay Regional Council**

Cr Jock Mackintosh (HBRC)

Cr Sophie Siers (HBRC)

**Napier City Council**

Mayor Kirsten Wise (NCC)

Cr Ronda Chrystal (NCC)

Cr Maxine Boag (NCC Alternate)

**Hastings District Council**

Mayor Sandra Hazlehurst (HDC)

Cr Tania Kerr (HDC)

Cr Alwyn Corban (HDC Alternate)

**Heretaunga Tamatea Settlement Trust**

Dr Darryn Russell (Heretaunga Tamatea Settlement Trust)

Second representative - to be appointed (Heretaunga Tamatea Settlement Trust)

Alternate – to be appointed (Heretaunga Tamatea Settlement Trust)

**Mana Ahuriri Trust**

Chad Tareha (Mana Ahuriri Trust)

Tania Eden (Mana Ahuriri Trust)

Evelyn Ratima (Mana Ahuriri Trust Alternate)

**Maungaharuru Tangitū Trust**

Two representatives - to be appointed (Maungaharuru Tangitū Trust)

Alternate – to be appointed (Maungaharuru Tangitū Trust)

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Chief Executive - Nigel Bickle  
 Director: Future Growth Unit – Ross McLeod  
 Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage – Dr James Graham

*Kua Tatū:*  
**In attendance:** Programme Coordinator: Strategy, Growth and Development – Catherine Burgess  
 Principal Advisor: District Development – Mark Clews  
 Environmental Policy Manager – Rowan Wallis  
 Senior Environmental Planner – Craig Scott  
 Manager, Democracy & Governance Services – Louise Stettner  
 Democracy & Governance Advisor – Caitlyn Dine

*Kei Konei:*  
**Also present:** Rachel Morgan (Director, Barkers)  
 Rachel Bailey (Napier City Council)  
 Fleur Lincoln (Napier City Council)  
 Gavin Ide (Hawke’s Bay Regional Council)  
 Ceri Edmonds (Hawke’s Bay Regional Council)  
 Parris Greening (Mana Ahuriri Trust)

Director: Future Growth Unit, Ross McLeod, assumed the Chair until the Joint Committee voted in the Chair and Deputy Chair.

Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage, Dr James Graham, opened the meeting with a karakia.

## 1. **APOLOGIES – NGĀ WHAKAPĀHATANGA**

Councillor Kerr/Councillor Siers

That the apology from Councillor Martin Williams (HBRC) be accepted.

CARRIED

## 2. **CONFLICTS OF INTEREST - HE NGĀKAU KŌNATUNATU**

There were no declarations of conflicts of interest.

## 3. **CONFIRMATION OF MINUTES - TE WHAKAMANA I NGĀ MINITI**

As this was the first meeting of the Napier-Hastings Future Development Strategy Joint Committee, there were no previous minutes to confirm.

## 4. **VOTING SYSTEMS FOR CERTAIN APPOINTMENTS**

(Document ref 23/131)

With the agreement of the Joint Committee item 4 was not addressed.

## **Recommendations - Ngā Tūtohunga**

A) That the Napier-Hastings Future Development Strategy Joint Committee receive the report

titled Voting Systems for Certain Appointments dated 27 April 2023.

- B) That for the election of the Chair and Deputy Chair of the Napier-Hastings Future Development Strategy Joint Committee, the Committee use; EITHER
- the system in this report called System A as provided for by the Local Government Act 2022.
- OR
- the system in this report called System B, as provided for by the Local Government Act 2022.

## 5. ELECTION OF CHAIR AND DEPUTY CHAIR

(Document ref 23/121)

Director: Future Growth Unit, Ross McLeod, called for nominations of the Chair.

Councillor Siers/Mayor Wise

- B) That Mayor Sandra Hazlehurst be appointed as Chair of the Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.

CARRIED

Chad Tareha/Mayor Wise

- C) That Tania Eden of Mana Ahuriri Trust be appointed as Deputy Chair of Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.

CARRIED

### Substantive Resolution

- A) That the Napier-Hastings Future Development Strategy Joint Committee receive the report titled Election of Chair and Deputy Chair dated 27 April 2023.
- B) That Mayor Sandra Hazlehurst be appointed as Chair of the Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.
- C) That Tania Eden of Mana Ahuriri Trust be appointed as Deputy Chair of Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.

Mayor Sandra Hazlehurst assumed the Chair.

## 6. NAPIER-HASTINGS FUTURE DEVELOPMENT STRATEGY JOINT COMMITTEE TERMS OF REFERENCE

(Document ref 22/122)

Director: Future Growth Unit, Ross McLeod, spoke to the report and responded to questions from the committee.

Councillor Kerr/Darryn Russell

That the Napier-Hastings Future Development Strategy Joint Committee receive the report titled Napier-Hastings Future Development Strategy Joint Committee Terms of Reference dated 27 April

2023.

CARRIED

*Councillor Corban left the meeting at 2.25pm and rejoined the meeting at 2.26pm.*

## 7. FUTURE DEVELOPMENT STRATEGY INTRODUCTION AND OVERVIEW

(Document ref 23/123)

Director: Future Growth Unit, Ross McLeod, introduced Rachel Morgan who presented a PowerPoint presentation (CG-17-27-00006) and responded to questions from the meeting.

The committee agreed to the below further outcomes:

- That there should be an opportunity for the committee to come back with suggested amendments.
- Agreed on the need for an additional meeting ahead of the first round of public engagement to consider the Issues and Options and process for engagement.

Darryn Russell/Councillor Kerr

- A) That the Napier-Hastings Future Development Strategy Joint Committee receive the report titled Future Development Strategy Introduction and Overview dated 27 April 2023.
- B) That the Committee provide feedback on the draft Future Development Strategy objectives.
- C) That the Committee:
  - i. Notes the impact of Cyclone Gabrielle on the communities of the Napier-Hastings area and their ability to engage with preparation of the Future Development Strategy.
  - ii. Approves a modified programme for the Future Development Strategy which will see the Final Strategy adopted by end October 2024, noting that sufficient work will have been completed by end June 2024 to influence Council Long-Term Plans as required under the National Policy Statement on Urban Development.
  - iii. Requests the Chief Executive of the Administering Authority to write to the appropriate Government Minister(s) advising of the impacts of Cyclone Gabrielle and the proposed programme and timeframes.

CARRIED

*The Joint Committee adjourned for an afternoon tea break at 3.34pm and resumed the meeting at 3.44pm*

*Tania Eden (Mana Ahuriri Trust) left the meeting at 4.15pm.*

*Councillor Corban left the meeting at 4.21pm and rejoined the meeting at 4.22pm.*

*Chad Tareha and Evelyn Ratima (Mana Ahuriri Trust) left the meeting at 4.28pm.*



**8. MINOR ITEMS - NGĀ TAKE ITI**

There were no additional business items.

**9. URGENT ITEMS - NGĀ TAKE WHAKAHIHIRI**

There were no extraordinary business items.

Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage, Dr James Graham, closed the meeting with a karakia.

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The meeting closed at 4.35pm

Confirmed:

Chairman:

Date:

# Napier Hastings Future Development Strategy

Joint Committee Meeting



## **Introduction and process (1 hour)**

- Recap on requirements.
- Impact of Cyclone Gabrielle.
  - Governance structure.
  - Revised programme.
- Consultation and engagement.

**- Break (20 mins) -**

## **Workshop (1.5 hours)**

- FDS objectives
- Emerging issues and opportunities and constraints
  - Evaluation framework



## Requirement of the **National Policy Statement: Urban Development 2020.**

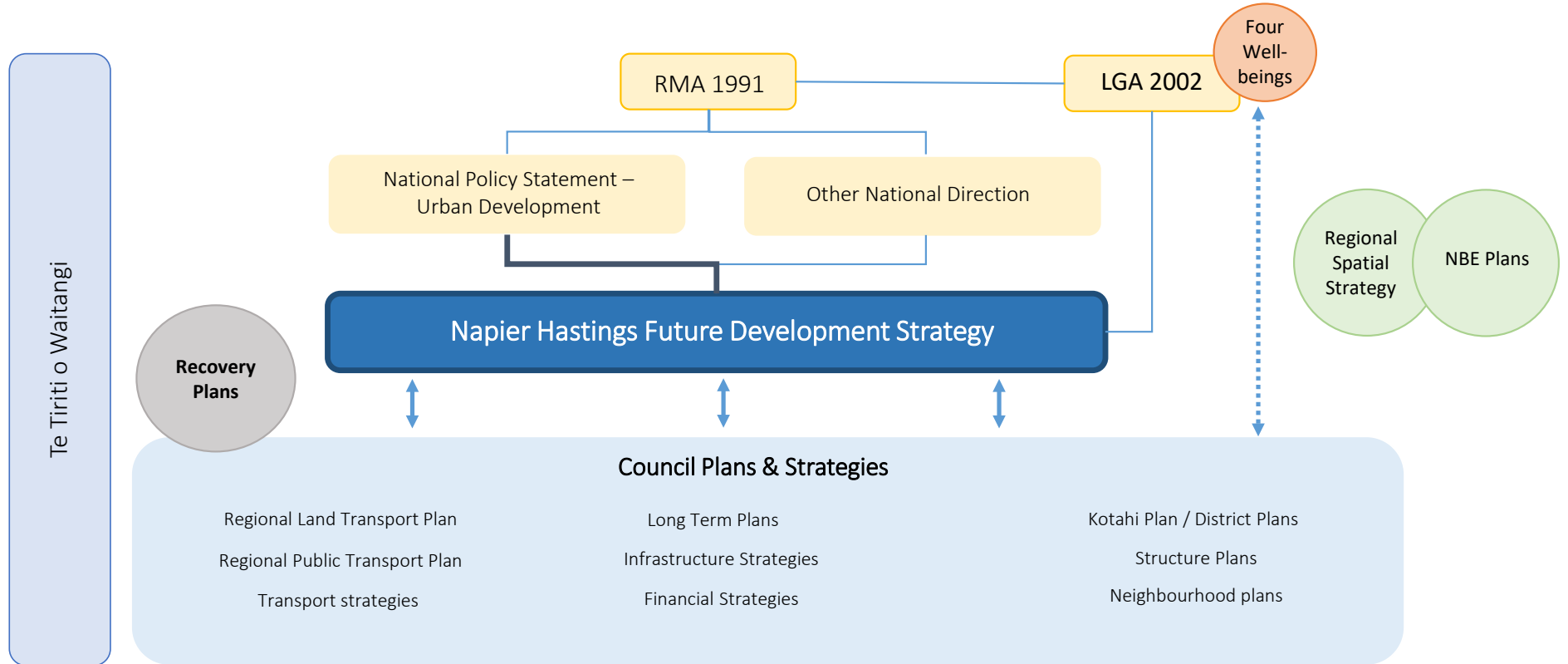
### **30-year growth plan for Napier and Hastings identifying:**

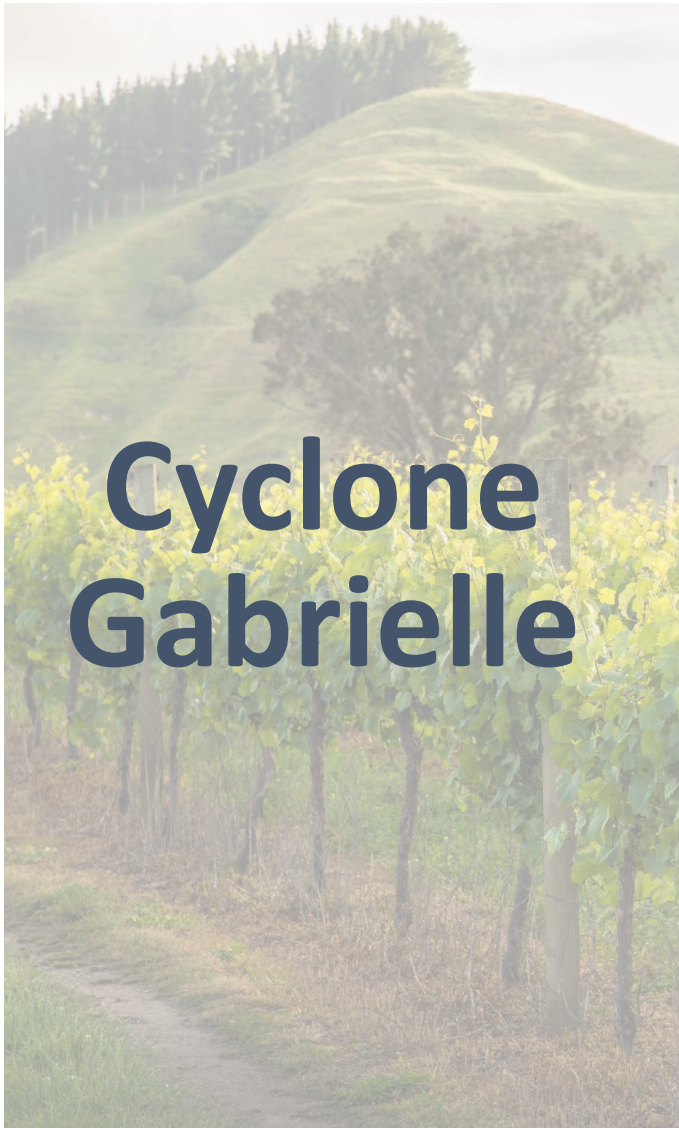
- Locations for housing, commercial and industrial growth
- Constraints on development
- Supporting infrastructure



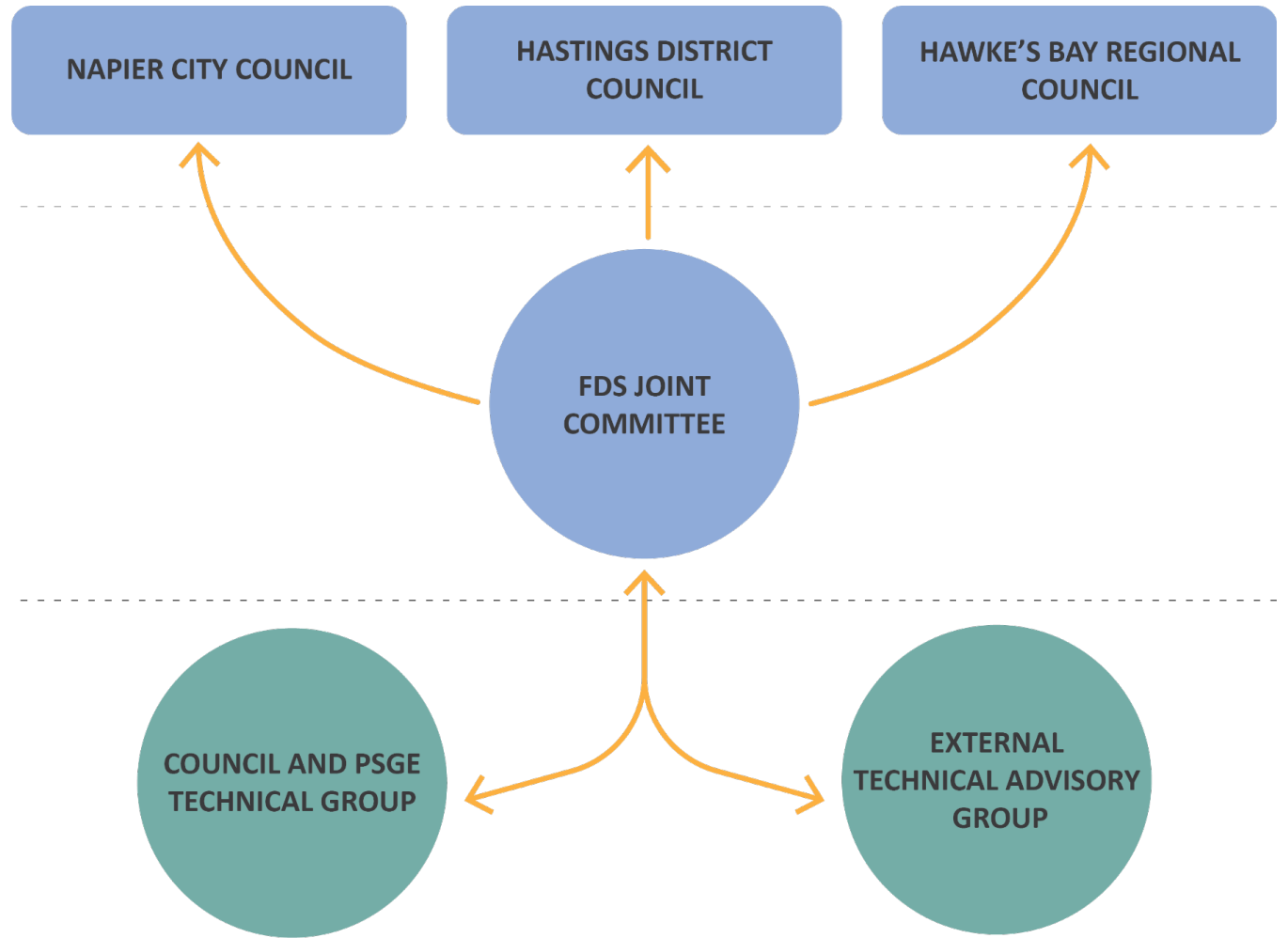
- The FDS is a **high level strategic plan** for the councils
- Focussed on providing for **urban growth**
- **Well-functioning urban environment** is key
- **Must** provide at least sufficient development capacity
- **Regular review of the FDS** means we can evolve the strategy over time
- **Iwi and hapū values** need to be a core component

# Where does it fit?

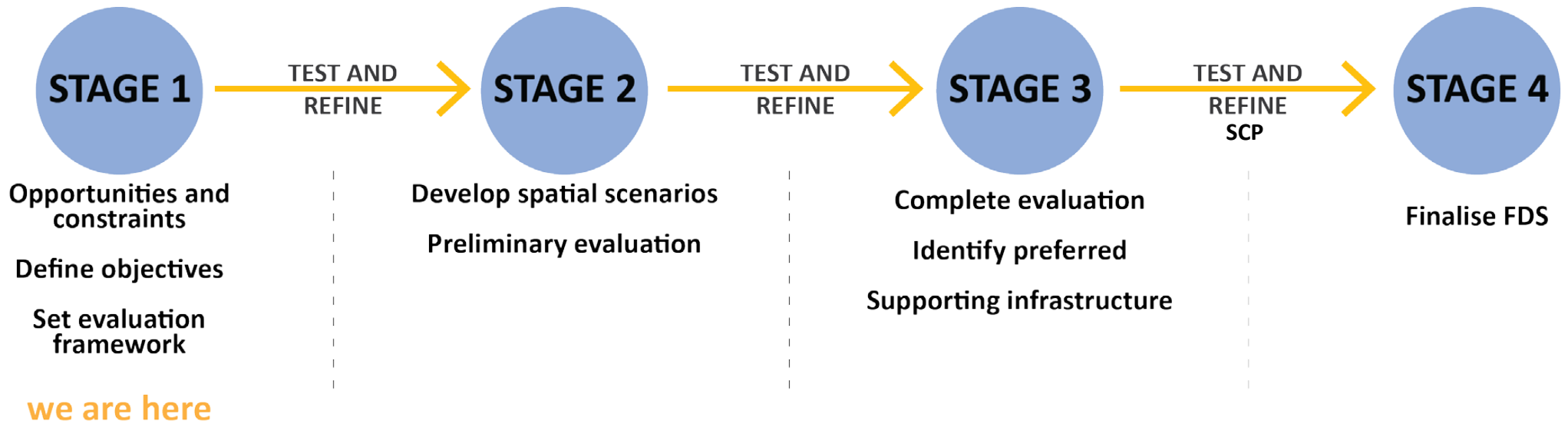




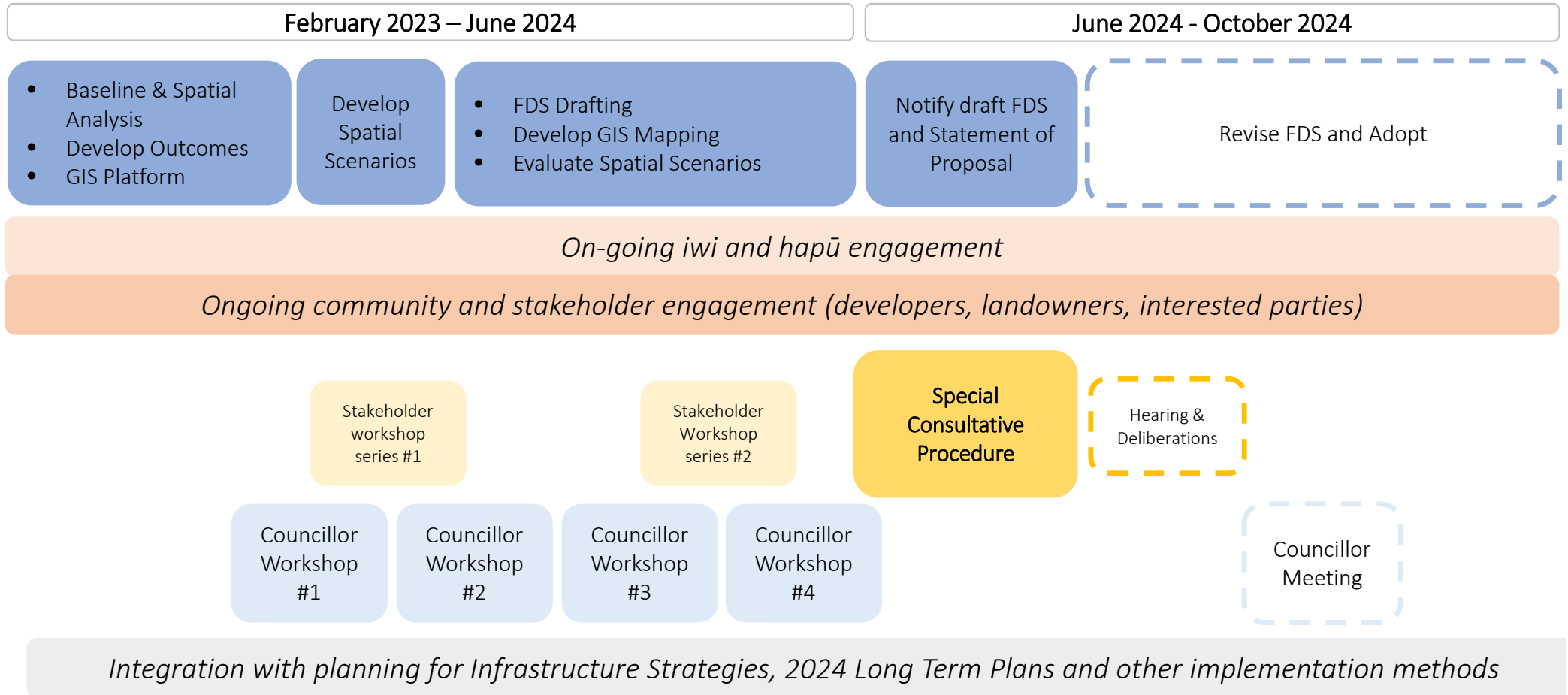
- Significant impact on communities and infrastructure.
- **Implications for the FDS:**
  - Growth context/demand.
  - Programme.
  - Approach to consultation and engagement.



# Our key steps

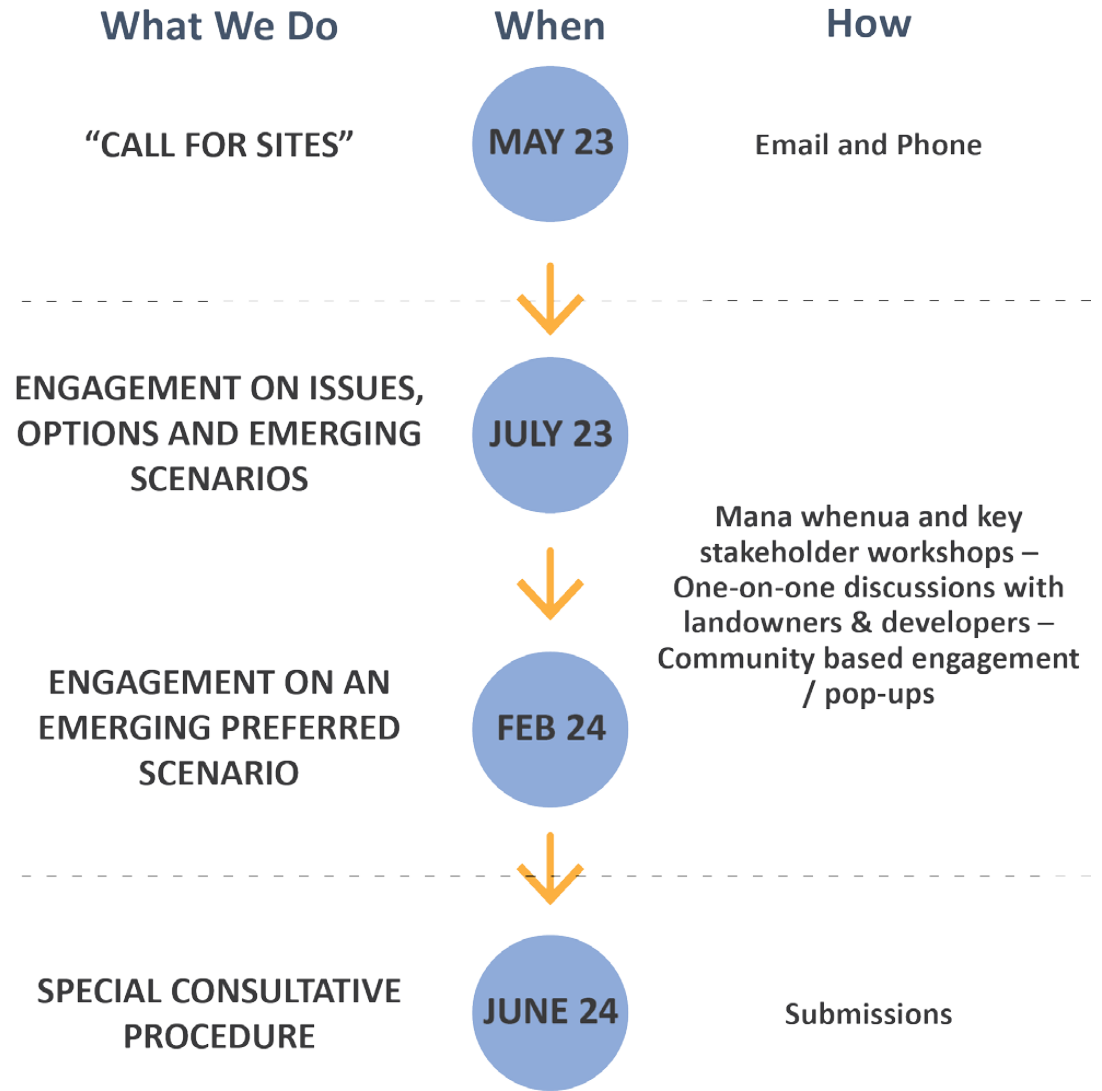


# Proposed Timeframes





- **Mana whenua:** Iwi and hapū groups.
- **Landowners and developers:** Those we already know and who want to be involved.
- **Community and sector groups:** Key groups and sectors (e.g. youth, Save our Soils, Chamber of Commerce) and those who want to be involved.
- **Technical stakeholders:** Government agencies & infrastructure providers.





- **Reconnect** with PSGEs, iwi and hapū to confirm engagement approach and timeline post-Cyclone.
- **Four key stages** for engagement:
  - Iwi and hapū values and aspirations for development and multi-criteria analysis framework.
  - Draft spatial scenarios and site selection.
  - Final check before notification.
  - Check in following submissions and hearings.

# The Study Area

## Where could we accommodate urban growth?



- Study Area aligned with 15 minute drive time from Napier and Hastings city centre.
- Broad enough to enable consideration of a variety of spatial scenarios (e.g. new satellite community).
- Does not necessarily align with where the final FDS boundaries may fall.



## Residential

- Demand for about 20,000 homes in Napier and Hastings.
- 12,800 homes in Hastings in long term.

## Commercial & Retail

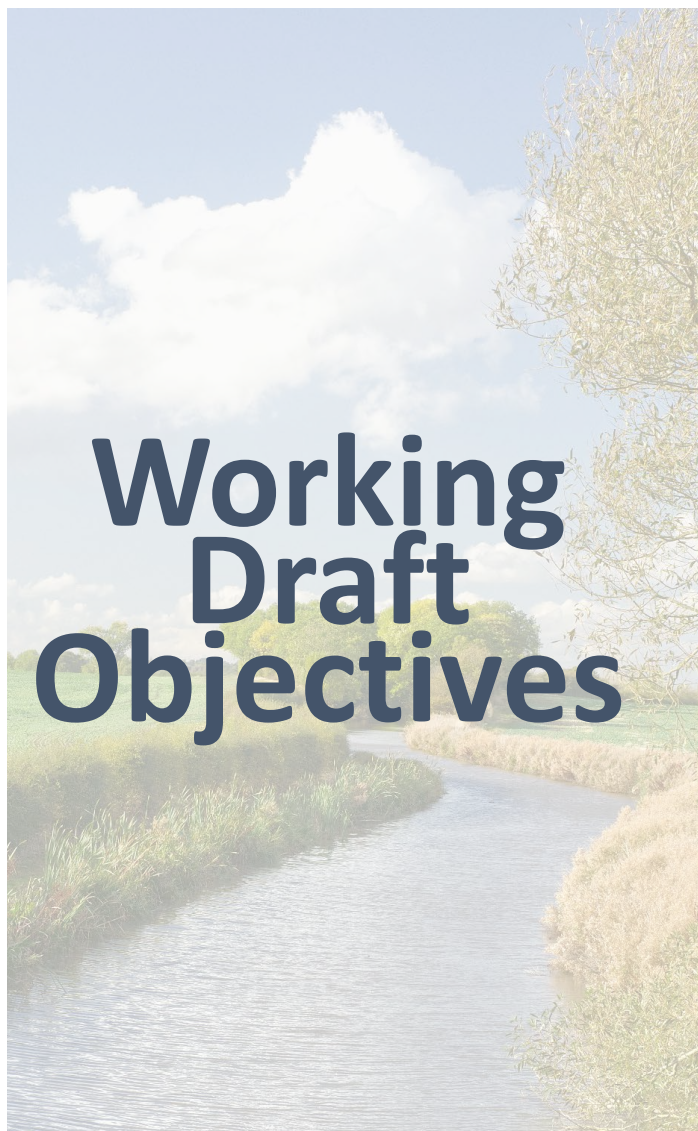
- Demand for about 21 hectares of land.
- Current zoning generally provides for this in the long term.

## Industrial

- Demand for about 170 hectares of land.
- Current zoning generally provides for this in the long term but potential localised and larger lot shortfalls.



- Sets out the purpose of the FDS.
- **What will our future look like?** How will our cities function?
- Guides decision-making – evaluation framework and implementation.
- Informed by:
  - Relevant council plans and strategies
  - National policy guidance
  - Initial Councillor and committee member feedback
- Will be refined.



## **Napier and Hastings has thriving, resilient and connected communities, within a protected and enhanced natural environment.**

We have a compact urban form, focussed around **consolidated and intensified urban centres** in Napier and Hastings.

Our communities and infrastructure are **resilient to the effects of climate change** and risks from natural hazards.

We have a **diverse range of housing choices** that meet people's needs.

We have a **strong economy**, and businesses can grow in locations that meet their functional needs.

The highly productive land of the **Heretaunga Plains** is protected for productive uses.

Our communities and business areas are **well connected and accessible**, particularly by public and active transport.

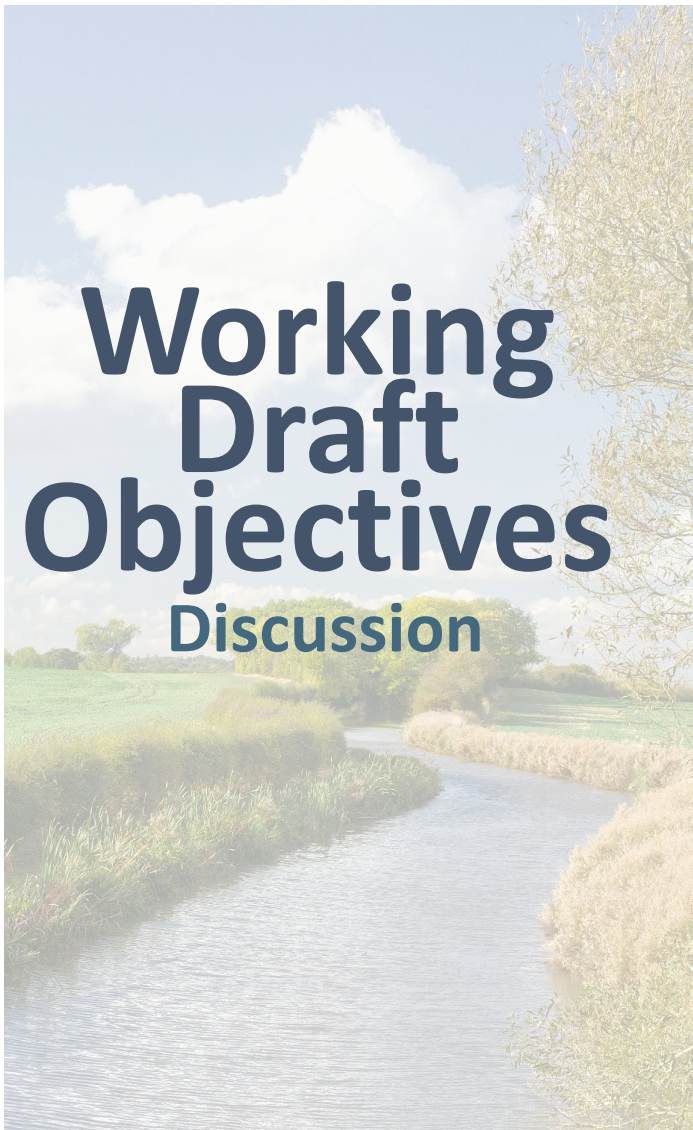
We have **sufficient land** for housing and business to meet demand.

Our **natural environment is protected and enhanced**, including our water bodies, indigenous biodiversity and outstanding landscapes.

Our **infrastructure** is planned and designed to **efficiently support development**.



- Tangata whenua objective to be developed collaboratively with iwi and hapū.
- What we've heard previously – might form the basis of future hui:
  - Consistent with **cultural and environmental values** of tangata whenua
  - Give effect to **Te Mana o Te Wai**
  - Protect **wāhi taonga and sites of significance**
  - Support iwi and hapū to pursue their **urban development aspirations**, including papakāinga development



- Do the objectives reflect what you think the future state should be?
- Can these be amended to better reflect the values of the communities you represent?
- Are there objectives that are more or less important than others?



# Opportunities & Constraints Evaluation Framework

# Opportunities and Constraints Mapping

Flood risk areas  
Geotechnical  
Sea level rise  
Inundation/ erosion

Natural Hazards

Freshwater  
SNA's  
Productive Land  
Wetlands  
Landscapes  
Coastal Character

Natural Environment

Climate  
change  
Accessibility  
Historic heritage  
Cultural heritage  
Areas sig. to Maori

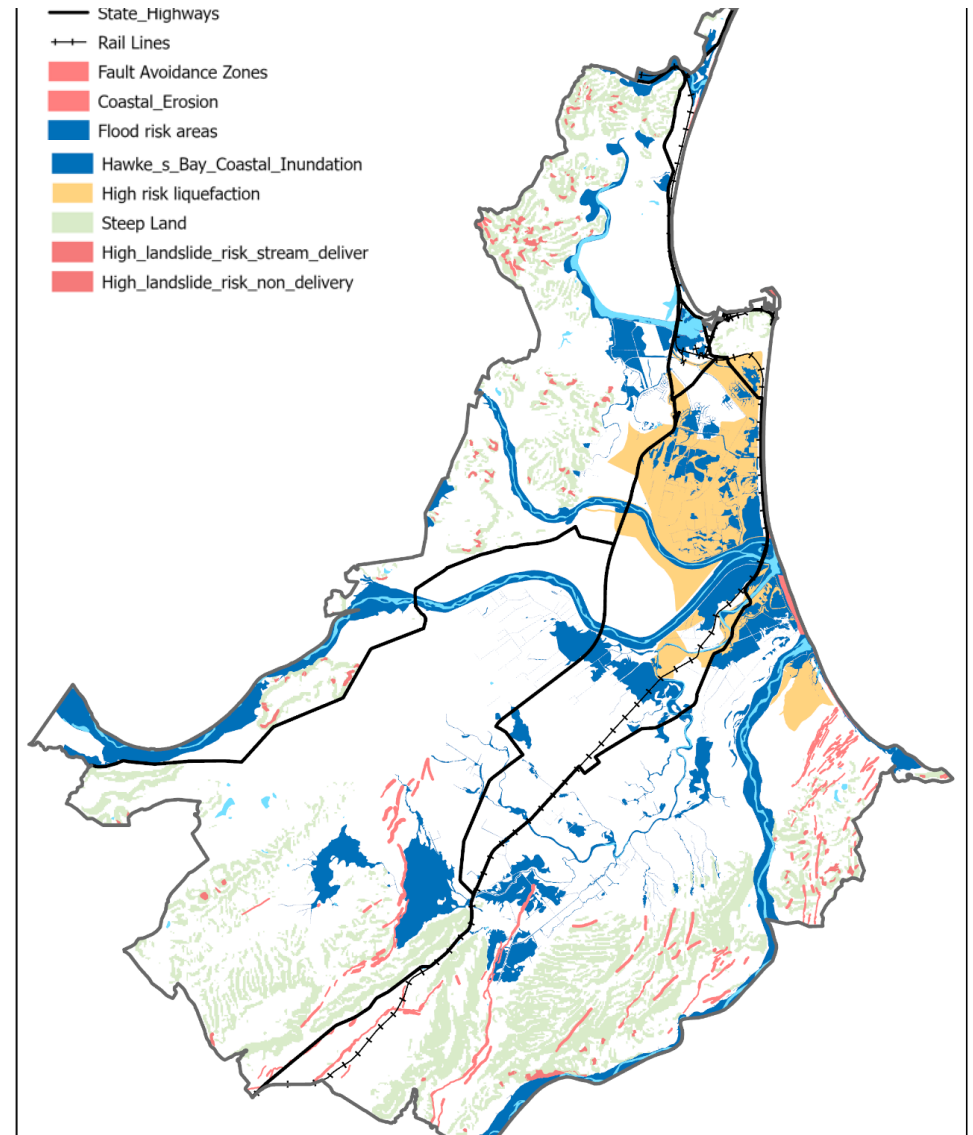
Human Environment

Three-waters  
Transport  
Social facilities  
Port/ Airport  
Electricity

Infrastructure

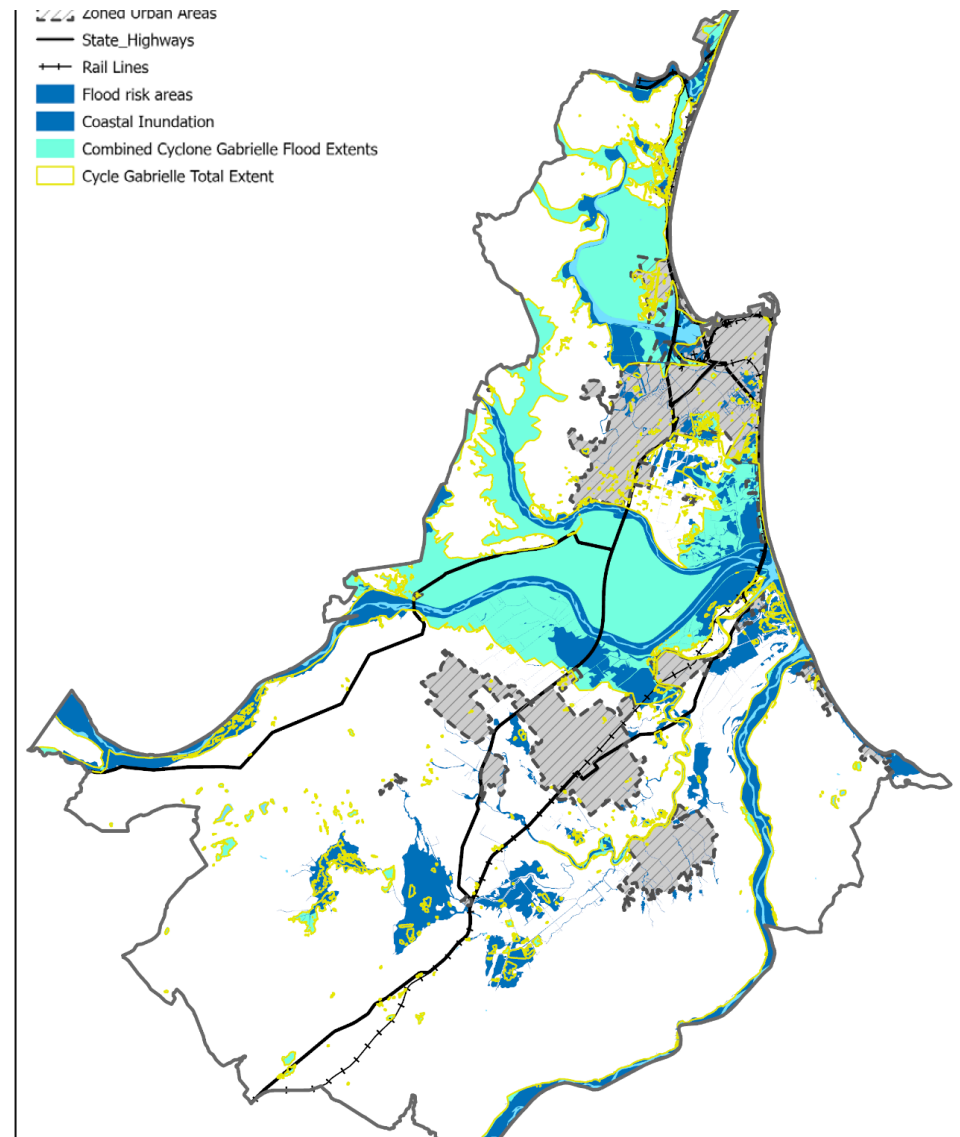
# Natural Hazards

- Based on Hazards Portal information.
- Cyclone Gabrielle extent (next slide).
- Ability to develop depends on the hazard and nature and level of risk.



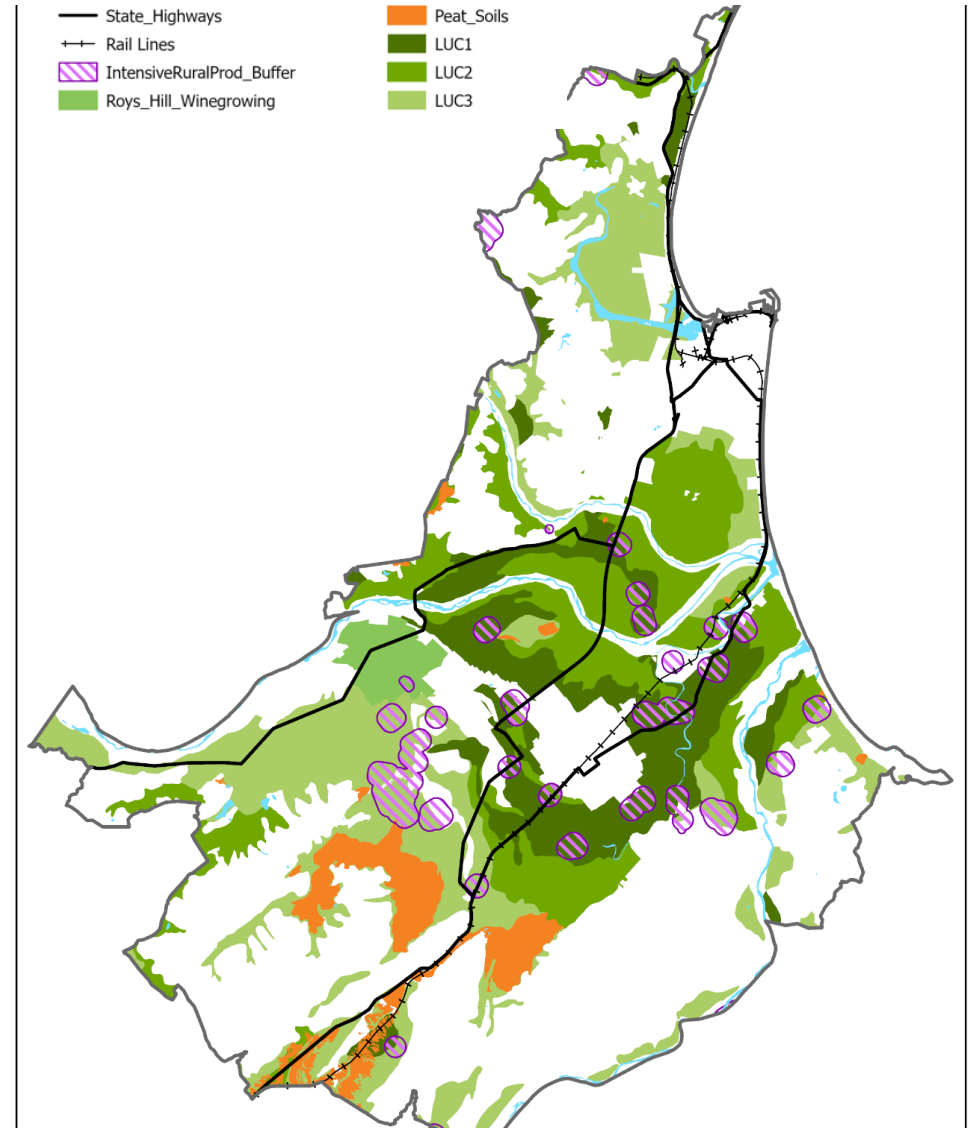
# Flood Hazards

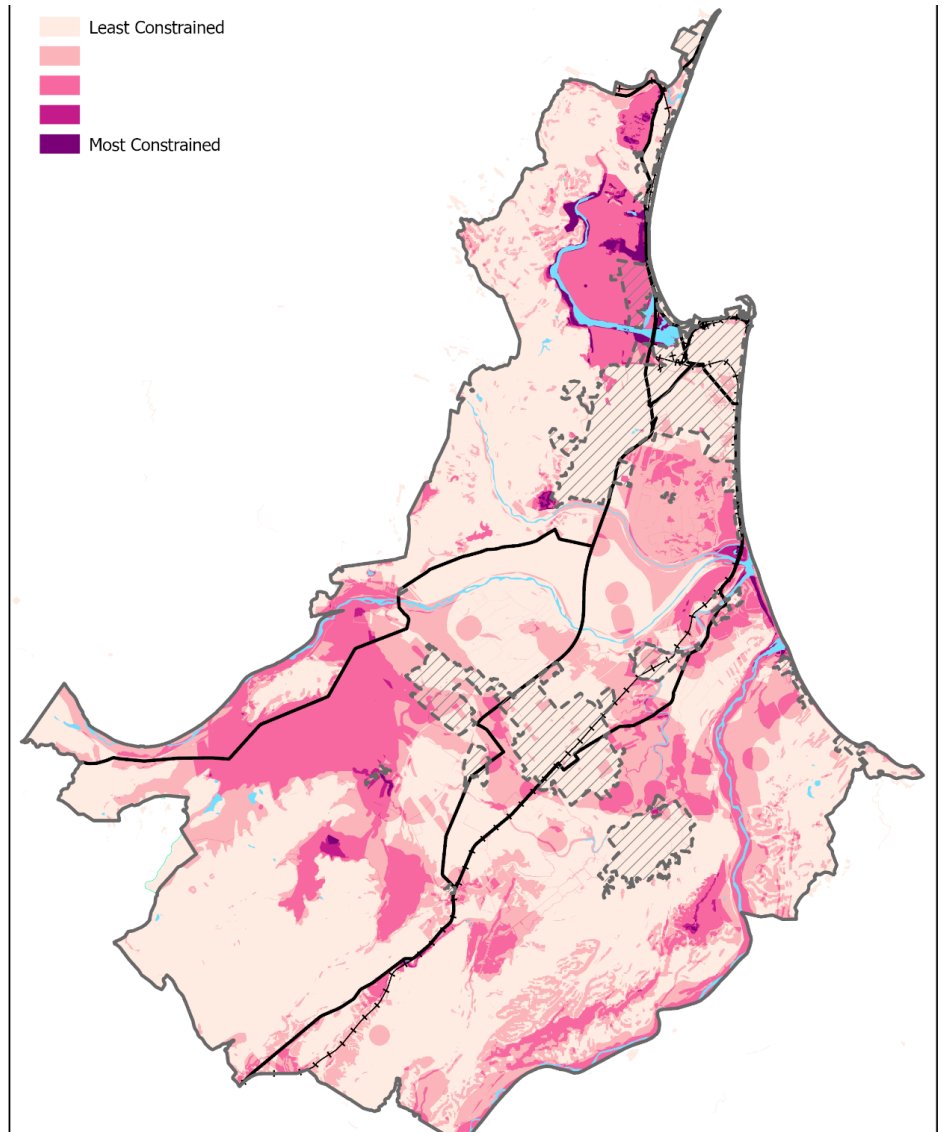
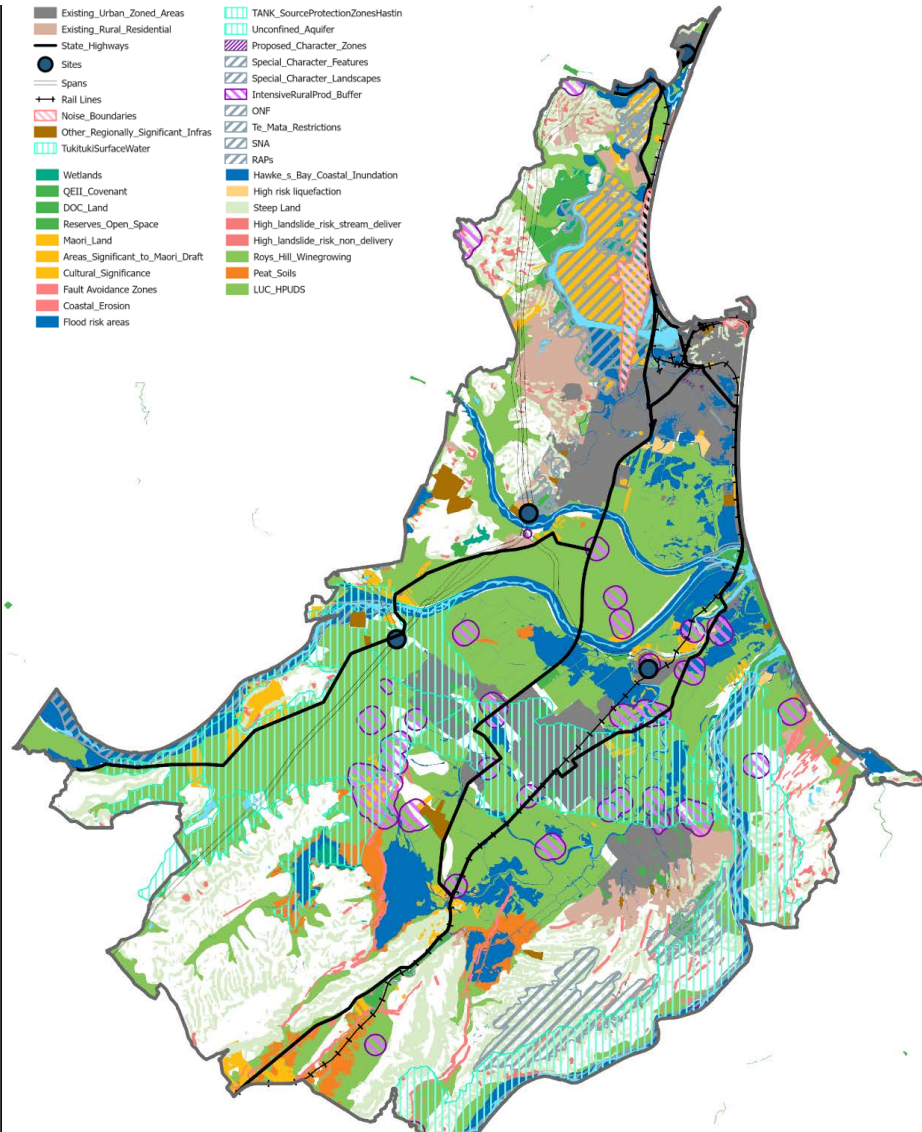
- Existing flood/ coastal inundation models compared with extent of flooding from Cyclone Gabrielle.



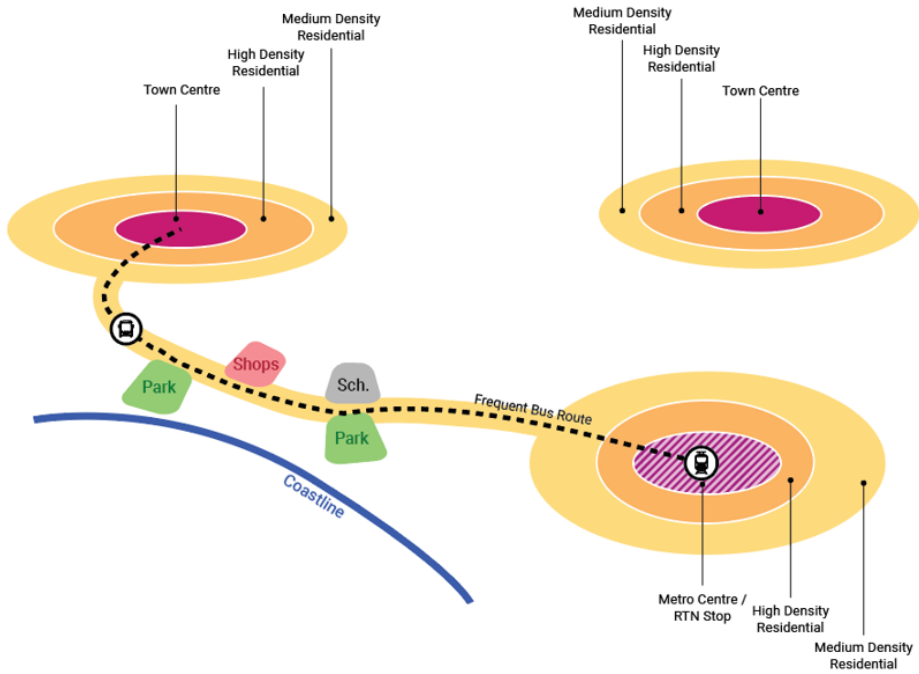
# Soils Mapping

- Shows LUC 1-3 land excluding urban areas.
- Production buffers and Roys Hill Winegrowing Area included.
- Peat Soils.

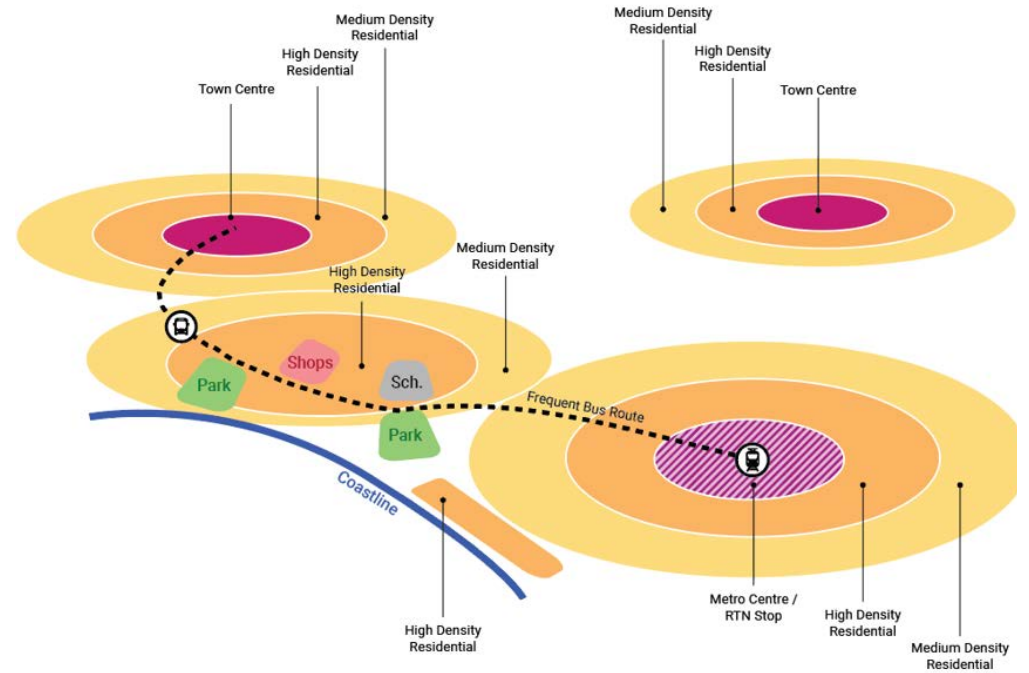




# Accessibility Mapping



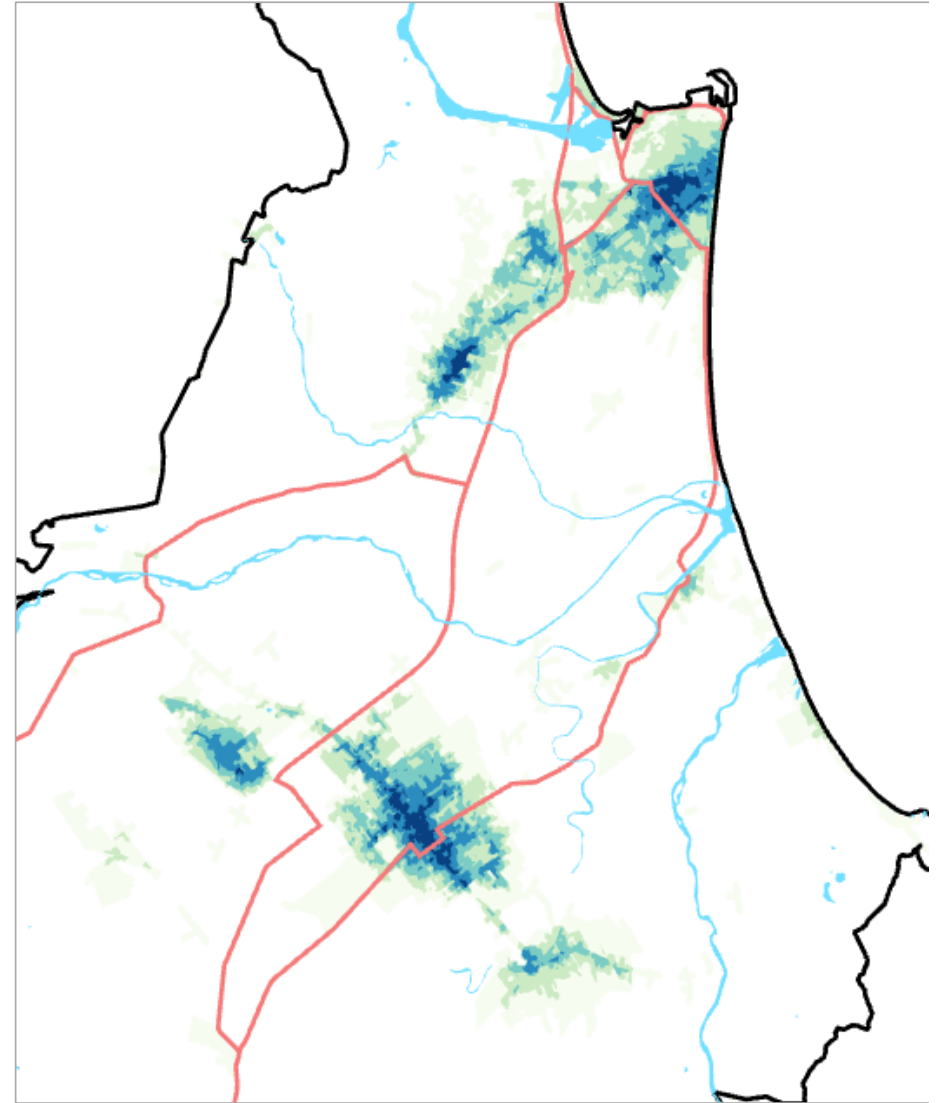
Traditional Approach to Intensification/ Growth Strategies

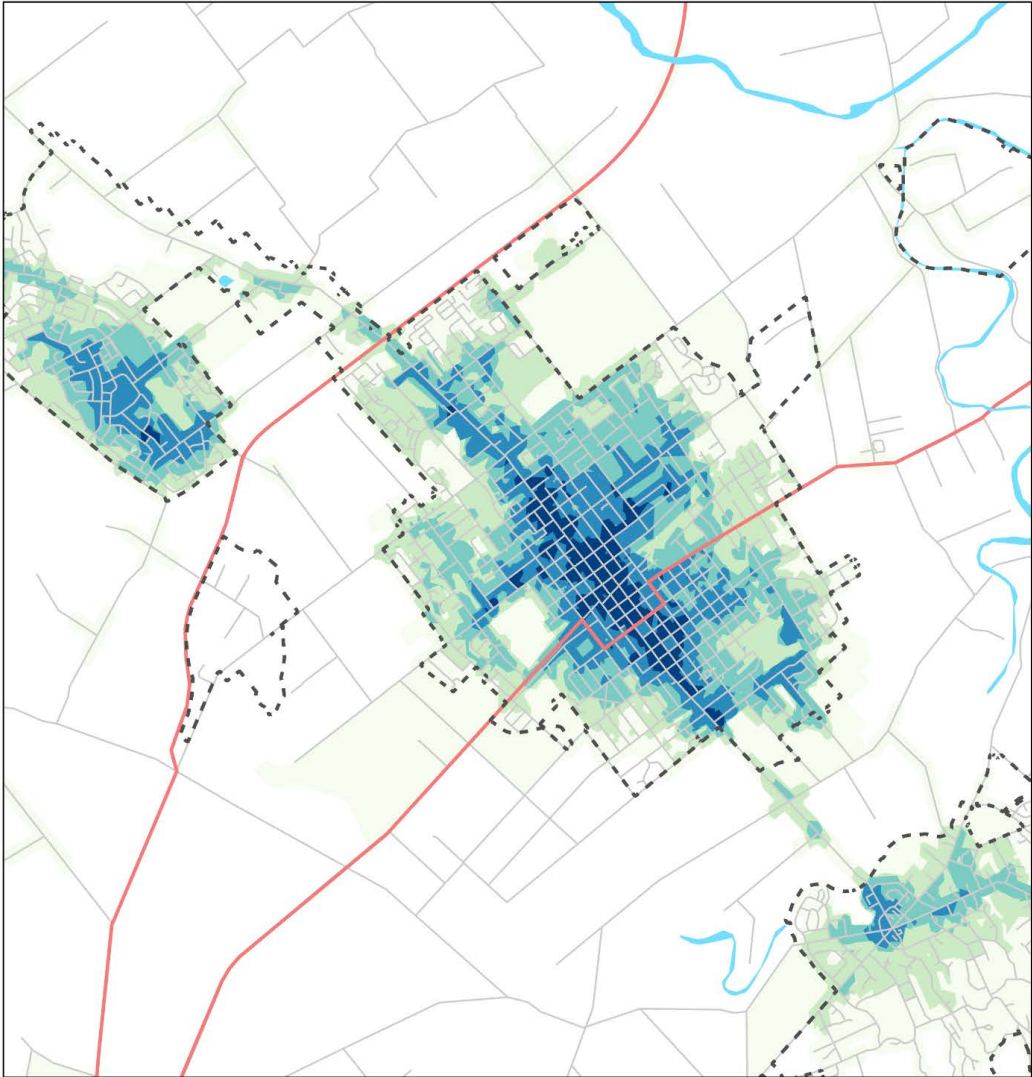
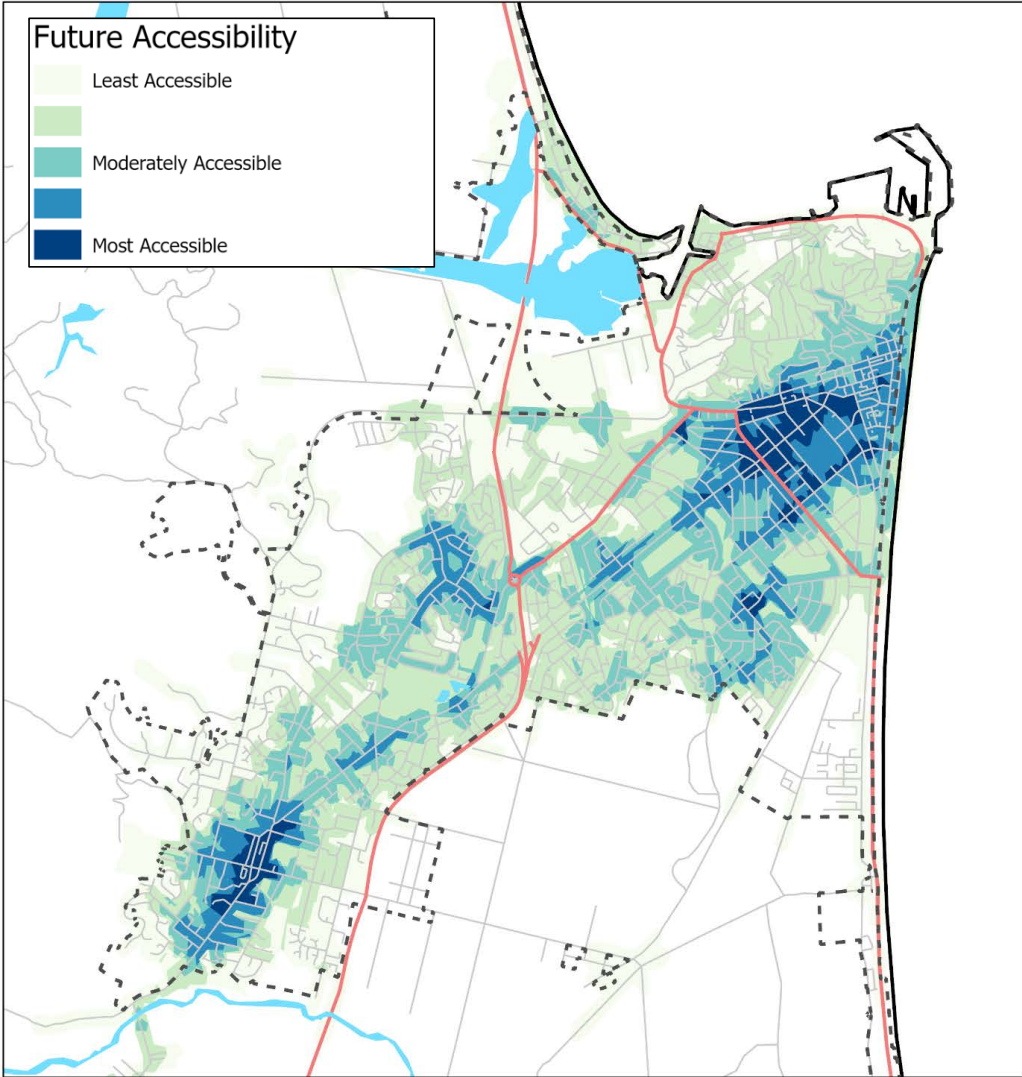


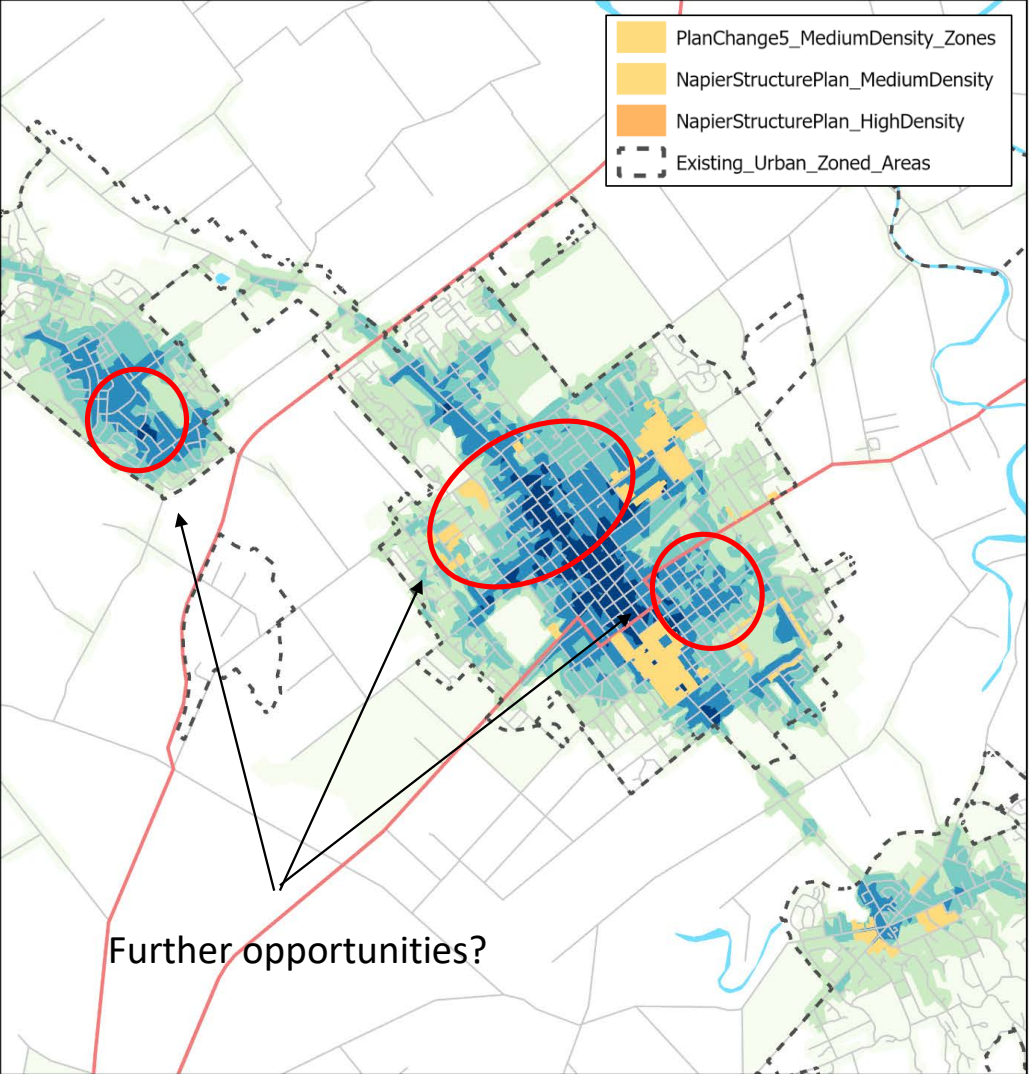
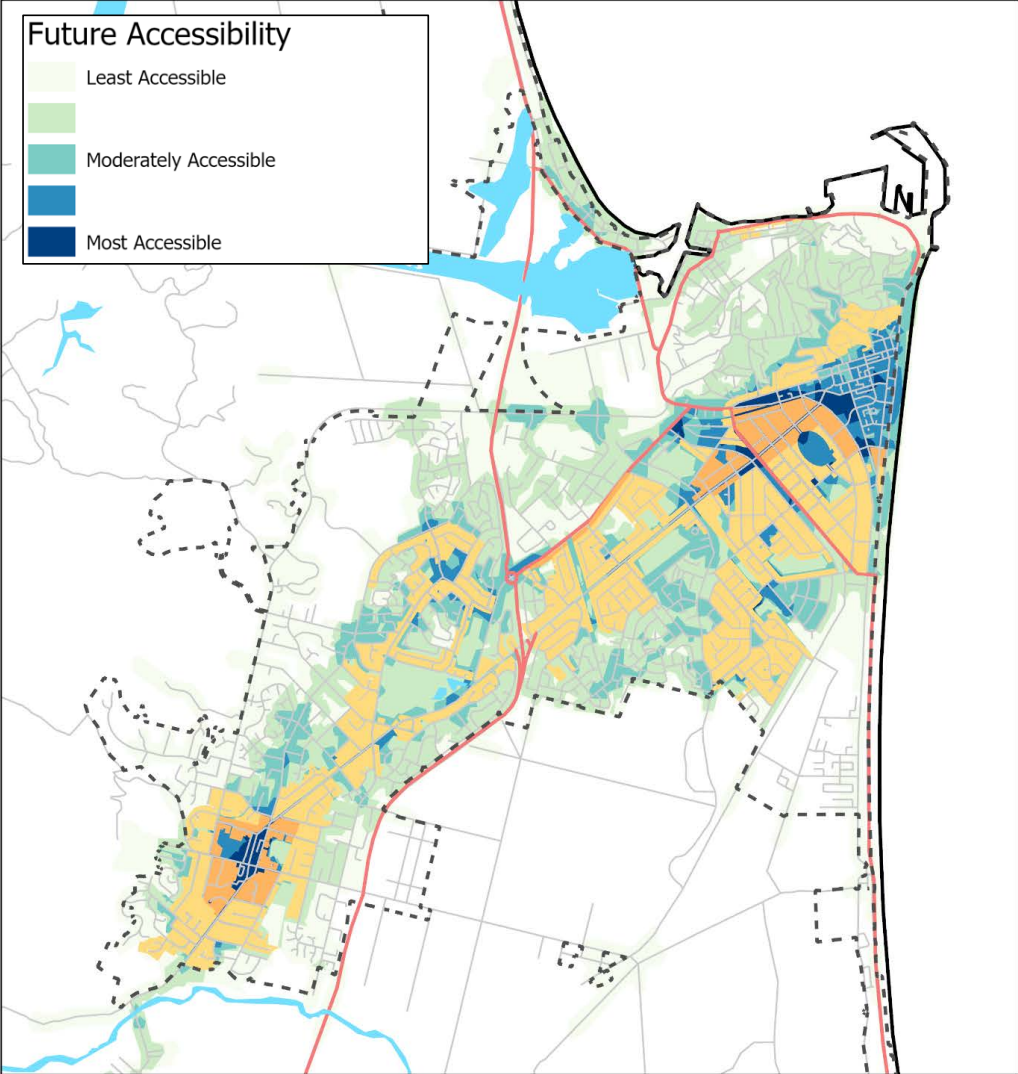
NPSUD aligned approach

# Accessibility

- Napier Spatial Picture methodology updated and applied to Hastings.
- Looks at existing and future public transport networks.

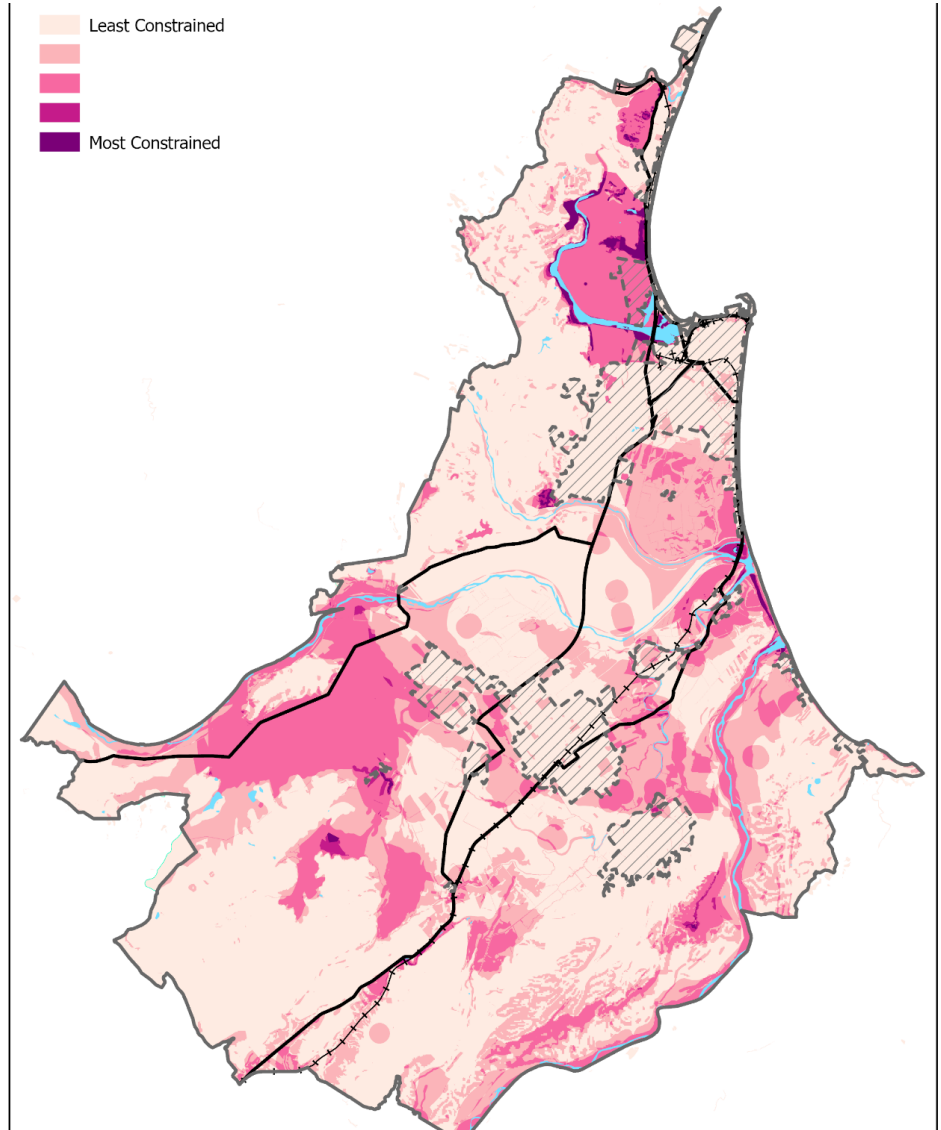


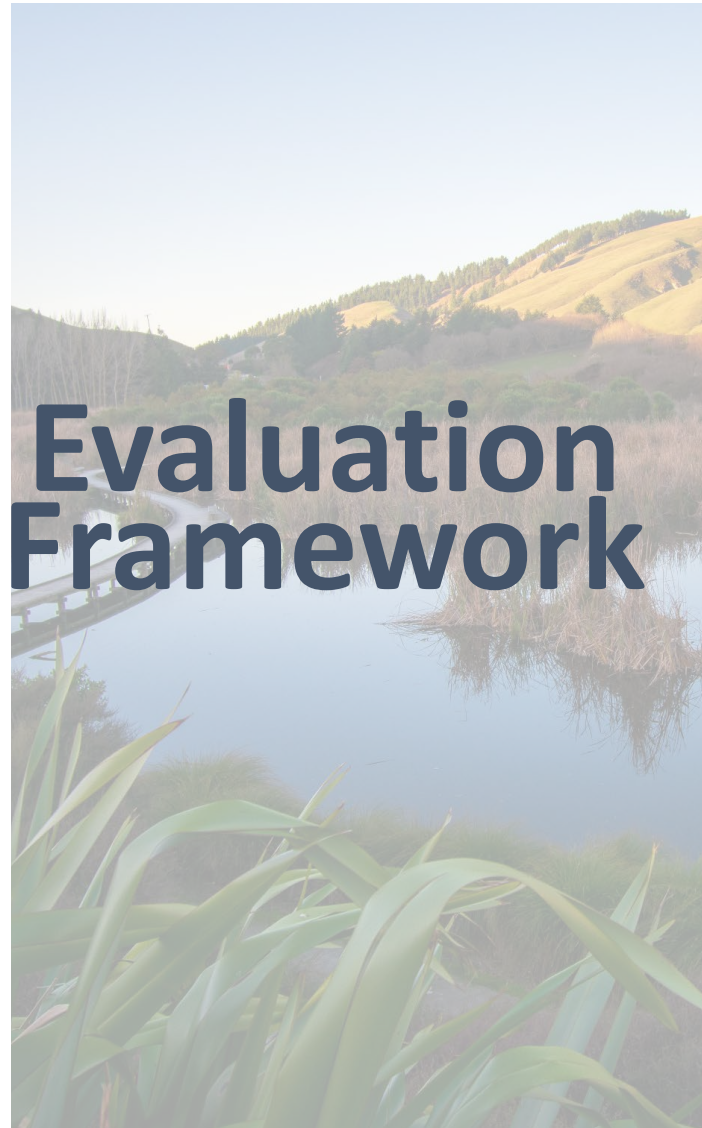




# Observations and Discussion

- Intensification as the starting point for accommodating growth?
- Greenfield likely still needed to meet demand – currently testing
  - Industrial land expansive.
  - More flexibility with residential.
- Emerging areas for investigation.





- Spatial scenarios to be evaluated using **multi-criteria analysis**.
- Areas will be scored against a range of criteria linked to the objectives.
- Robust and evidence-based approach.
- Existing and new technical evidence will inform the evaluation.

# Types of Criteria

## URBAN GROWTH & FORM



Accessibility by public and active transport to:

- Essential Services (e.g. supermarkets)
- Income, employment and education opportunities
- Social opportunities and services (e.g. library, park)

## DEVELOPMENT CAPACITY



- The degree of land fragmentation
- Scale of development proposal
- Ability to provide for a range of housing types

## INFRASTRUCTURE



The degree to which sites can be supported by existing or new infrastructure, including:

- Transport
- Three waters
- Social (e.g. schools, parks)
- Reverse Sensitivity (e.g. airport noise)

# Types of Criteria

## HIGHLY PRODUCTIVE LAND



Impact on highly productive land (Land Use Capability 1 – 3 areas).  
Must align with NPS-HPL requirements.

## NATURAL ENVIRONMENT



- Potential impacts on freshwater (e.g. wetlands, surface water bodies, groundwater)
- Impacts of significant ecological areas or indigenous biodiversity
- Impacts on identified landscape values (incl. Coastal environment)

## CLIMATE CHANGE & NATURAL HAZARDS



- Exposure to inundation and coastal erosion related hazards
- Exposure to flooding
- Presence of adverse ground conditions (e.g. liquefaction, faultlines, instability)

## IWI / HAPŪ VALUES



- Cultural Landscapes
- Sites of Cultural Significance
- Impact on life-sustaining quality of natural resources and ecosystems
- Potential for commercial development by iwi/Māori trusts
- Potential for papakāinga development



- Finalise opportunities and constraints analysis.
- Call for sites to commence.
- Review and incorporate relevant outcomes from recovery planning.
- Engage on emerging issues and scenarios.
- Developing draft spatial scenarios & preliminary assessment.
- Proposed Next meeting: November 2023

## 11. ACTION POINTS REGISTER AS AT 27 JUNE 2023

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1670351
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance

### 11.1 Purpose of Report

The Action Points Register (Register) records the actions requested of Council officials in Council and Committee meetings. This report provides an extract from the Register as at 27 June 2023, for Council to note. It does not include action points that were requested in public excluded Council or Committee meetings.

#### Officer's Recommendation

That Council:

- a. **Note** the extract from the Action Points Register as at 27 June 2023.

### 11.2 Background Summary

Officers have prepared the Action Points Register (Register) to keep track of action points raised at Council and Committee meetings in this triennium. This is the first time the Register has been provided to Council for noting.

### 11.3 Issues

The Register includes action points from all Council and Committee meetings, including public excluded sessions of those meetings. The attached extract from the Register includes all action points of this triennium, other than those that were requested in a public excluded Council or Committee meeting. Action points from public excluded meetings are provided to Council for noting in the public excluded session.

The Register does not include actions that flow from Council and Committee meetings, if those actions are part of Council's 'business as usual'. For example, if Council agrees to increase an application fee, it does not include the action that Council staff would need to implement that increase. However, if staff, for example, agree to arrange a further meeting or make additional information publicly available after a meeting, those actions would be included in the Register.

Once an action point has been completed, it will only be included in the Register for Council's consideration once. Once Council has noted that an action point has been completed, it will be removed from the Register. Action points that have not been completed will continue to be provided to Council until they have been completed.

### 11.4 Significance and Engagement

N/A

## **11.5 Implications**

### **Financial**

N/A

### **Social & Policy**

N/A

### **Risk**

N/A

## **11.6 Options**

N/A

## **11.7 Development of Preferred Option**

N/A

## **11.8 Attachments**

- 1 Action Points Register: extract for public meeting - as at 27/06/23 (Doc Id 1673412)



## Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
1.	Council	Inaugural				No action points	
2.	Council	15/11/22				No action points	
3.	Audit and Risk	09/12/22	Risk Management Report	Jess Ellerm	Caroline Thomson	1. Commence developing an activity roadmap to both embed the framework and build organisational maturity in the first quarter of 2023.	1. <b>27 June 2023:</b> In progress. Workshops being organised.
						2. Present a Health and Safety report based on obligations under section 44 of [HSAW?] at the next meeting.	2. <b>16 May 2023:</b> Completed. Health and Safety report considered at Audit and Risk meeting 31 March 2023.
4.	Audit and Risk	09/12/22	Internal Audit: Asset management	Jess Ellerm	Caroline Thomson	Officers to provide an updated report on the roadmap at the next meeting.	<b>16 May 2023:</b> Completed. Oral update provided at Audit & Risk meeting 31 March 2023.
7.	Council	15/12/22	Napier-Hastings Future Development Strategy Joint Committee	Rachel Bailey		Provide ToR to PSGEs after the HDC meeting has taken place.	<b>16 May 2023:</b> Completed.

## Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
8.	Council	15/12/22	Napier-Hastings Future Development Strategy Joint Committee	Rachel Bailey		Chief Executive to invite, in conjunction with the HBRC and the HDC, the Heretaunga Tamatea Settlement Trust, Mana Ahuriri Trust and Maungaharuru-Tangitū Trust to appoint Mana Whenua Representatives to the Napier-Hastings Future Development Strategy Joint Committee	<b>16 May 2023:</b> Completed.
14.	Council	19/01/23				No action points	
16.	Council	02/02/23	Council and Committees of Council Terms of Reference & Delegations	Jess Ellerm		Council's procurement strategy, which is currently in development, to contain a section on tendering and the governance process.	<b>27 June 2023:</b> in progress.
17.	Council	02/02/23	2022-2025 Standing Orders	Jess Ellerm	Andrew Springett	To provide the Te Reo headings on a separate line in the contents pages of the final version of the Standing Orders.	<b>16 May 2023:</b> Completed
18.	Extraordinary Council	23/02/23	2022-2025 Triennial Agreement	Jess Ellerm	Andrew Springett	Mayor and Chief Executive to execute the draft Triennial Agreement 2022-2025 on behalf of the Napier District Council.	<b>16 May 2023:</b> Completed.

## Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
19.	Extraordinary Council	23/02/23	Rates Remission in response to Significant Extraordinary Circumstances	Jess Ellerm	Caroline Thomson	Make form available to those impacted, following Council approval of the remission. The application form to be available on the Council website, at Customer Services, and at the library network.	<b>16 May 2023:</b> Completed. Application form on Council website, and available at Customer Services and libraries.
20.	People and Places	23/03/23	Safer Napier Programme Update	Thunes Cloete	Anne Bradbury	Consider the Safer Napier action plans and priorities at the next strategic meeting.	<b>27 June 2023:</b> In progress. To go to next Safer Napier meeting.
21.	Prosperous Napier	23/03/23				No action points	
22.	Audit and Risk	31/03/23	Sensitive Expenditure Policy update	Jess Ellerm	Caroline Thomson	Change the word 'entity' to 'council' in paragraph 20.1 "Sponsorship of staff and others".	<b>30 May 2023:</b> Completed.
23.	Audit and Risk	31/03/23	Audit and Risk Charter Review	Jess Ellerm	Caroline Thomson	Make additional listed changes to the Charter before providing it to Council for approval (delete para 9.3, which refers to "non-commercial functions of Council").	<b>30 May 2023:</b> Completed.
24.	Refer action point 34.						
25.	Audit and Risk	31/03/23	Audit Plan for 2022/23 Annual Report	Jess Ellerm	Andrew Springett	Amend the recommendation to delegate the Deputy Chair as well as the Chair to approve the Audit Plan to include political input.	<b>16 May 2023:</b> Completed. Meeting minutes show amended recommendation.

## Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
26.	Audit and Risk	31/03/23	Risk Management Report	Jess Ellerm	Caroline Thomson	Council's strategic risk profile and risk appetite to be reviewed through a facilitated workshop with the Executive Leadership Team and third tier managers	<b>27 June 2023:</b> In progress. Information has been collated and will be provided to the 6 July 2023 Risk Workshop.
27.	Audit and Risk	31/03/23	Asset Management Roadmap	Russell Bond	Kate Ivicheva	Hold a workshop with Council to bring back the results and to ensure the project is on track as part of the Long Term Plan.	<b>27 June 2023:</b> Completed Workshop held 11 May 2023. Update provided at Audit & Risk Committee meeting on 23 June 2023.
29.	Future Napier	06/04/23	Announcement by management	Richard Munneke		1. Develop locality plan by 28 April 2023, focussing on the next 6 months to August 2023.	1. <b>16 May 2023:</b> Completed. Available on NCC website.
						2. Develop second locality plan focusing on the medium to long term.	2. <b>27 June 2023:</b> Unable to be completed. Update to be provided at next Future Napier meeting.
						3. Arrange meetings to engage with the community to feed into the locality plan.	3. As per item 2 above.
30.	Sustainable Napier	06/04/23	Report on Napier Water Supply Status for period 1 April to 31 December 2022	Russell Bond	Anze Lencek	Officers to write to Taumata Arowai to clarify when guidance on submitting an application for a drinking water chlorine exemption will be available to councils.	<b>16 May 2023:</b> Completed. Wrote to Taumata Arowai on 21 April 2023.

### Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
31.	Sustainable Napier	06/04/23	Capital Programme Delivery	Russell Bond	Jamie Goodsir	1. Officers to report on the Puketitiri Road safety improvement project at the next Sustainable Napier Committee meeting, especially in regards to the stormwater solution.	1. <b>24 May 2023:</b> Completed. Included in paper considered at 18 May 2023 Council meeting.
						2. Officers to report back on the Veronica Sunbay project, especially in regards to public safety.	2. <b>24 May 2023:</b> Completed. Included in paper considered at 18 May 2023 Council meeting
						3. Officers to report back on any additional shade being installed as part of the Ocean Spa upgrade project	3. <b>18 May 2023:</b> Completed. Oral report provided to Sustainable Napier Committee meeting on 18 May 2023.

## Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
32.	Council	27/04/23	Approach to Funding requests through 23/24 financial year annual plan process	Jess Ellerm	Caroline Thomson	1. Include information in communications about the 2023/2024 Annual Plan process acknowledging that potential applicants, who may usually express interest for funding through the Annual Plan consultation process, are encouraged to instead contact Council through the usual channels to discuss requests for the 2023/2024 year	1. <b>30 May 2023:</b> Completed
						2. Remind frontline staff about Council's funding web page, which recommends queries are made to Council's Funding Advisor	2. <b>30 May 2023:</b> Completed.
33.	Council	27/04/23	Recovery from Cyclone Gabrielle	Richard Munneke	Anne Bradbury	Officers to contact Central Government in regard to excluding the Red Zone area to enable parts of the communities to commence rebuilding.	<b>16 May 2023:</b> Completed.

### Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
34.	Council	27/04/23	External Accountability: Audit New Zealand Management Report	Jess Ellerm	Caroline Thomson	Executive Director Corporate Services to develop a scope for the independent review of processes around severance pays to address concerns raised in the Audit New Zealand management report, and bring the scope back to Audit and Risk Committee for endorsement as soon as practical	<b>27 June 2023:</b> Completed. Scope of the review provided to the Audit and Risk Committee meeting on 23 June 2023.
35.	Council	27/04/23	Audit Plan for 2022/23 Annual Plan	Jess Ellerm	Talia Foster	Audit and Risk Committee Chair and Deputy Chair to approve the Audit Plan for the 2022/23 Annual Report on behalf of the Audit and Risk Committee, in consultation with the Chief Executive.	<b>16 May 2023:</b> Completed.
38.	Nga Manukanuka o te Iwi	28/04/23				No action points	
39.	People and Places	04/05/23	Napier Social Monitor Report 2022	Thunes Cloete	Anne Bradbury	Results from post-cyclone survey provided presented to Committee	<b>27 June 2023:</b> In progress. Survey has started, but results are a few months away.

## Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
40.	Prosperous Napier	04/05/23	Approach to 2024/34 Long Term Plan	Jess Ellerm	Caroline Thomson/ Stephanie Murphy	Programme Manager LTP to prepare a comprehensive LTP project plan (that includes deliver and timing information), and present that plan to the Committee for review	<b>27 June 2023:</b> will be considered at the 29 June 2023 workshop and then reported to a Prosperous Napier Committee meeting.
41.	Extraordinary Council	04/05/23	Fees and Charges – Ocean Spa	Thunes Cloete	Glenn Lucas	Officers to include a concession card for senior citizens and community services card holders based on the same methodology as the concession card.	<b>13 June 2023:</b> Completed.
42.	Ahuriri Regional Park Joint Committee	05/05/23				No action points	
43.	Sustainable Napier	18/05/23	3Waters Operational Update	Russell Bond	Phil Kelson	Officers to send a copy of the inflow and infiltration investigation report to elected members.	<b>1 June 2023:</b> Completed.
44.	Future Napier	18/05/23	Resource Consent Activity Report	Rachael Bailey	Christina Bunny	Invite the Emerald Hill developers to present their proposal to the Future Napier Committee	<b>30 ay 2023:</b> Completed.

### Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
45.	Extraordinary Council	18/05/23	Fees and Charges	Jess Ellerm	Caroline Thomson	Officers to investigate whether a special consultative process is required to alter the fees and charges under the Resource Management Act 1991.	<b>24 May 2023:</b> Completed. Advice received that special consultation process is required. <b>30 May 2023:</b> Changes to RMA fees will not proceed, so there is no requirement to consult.
46.	Extraordinary Council	18/05/23	Fees and Charges	Jess Ellerm	Caroline Thomson	Add senior citizen and Community Services Card holder Ocean Spa concession card rates to the Schedule of fees and charges.	<b>13 June 2023:</b> Completed.
47.	Extraordinary Council	18/05/23	Fees and Charges	Jess Ellerm	Caroline Thomson	Update the Base Maraenui fees and charges in the Schedule of fees and charges.	<b>13 June 2023:</b> Completed.
48.	Council	08/06/23	Amendment to the Dog Bylaw 2022	Rachael Bailey	Paulina Wilhelm	Officers to provide information via Facebook posts on the new dog-free areas, and to post maps of the areas	<b>27 June 2023:</b> to be completed.

### Council Action points register – 2022/2025 triennium – as at 27 June 2023

Ref. number	Meeting raised		Topic	Who is responsible?		Action points	Progress/Completed
	Name	Date		ED	Officer		
49.	Council	08/06/23	Adoption of the 2023/24 Annual Plan	Jess Ellerm	Caroline Thomson & Danica Rio	1. To include the following amendments in the final draft of the Annual Plan: <ul style="list-style-type: none"> <li>• Page 15: development of a Child and Youth Wellbeing Strategy for Ahuriri – add the word 'Napier'.</li> <li>• Page 15: include wording to indicate that Council is seeking international recognition as an Age Friendly City.</li> </ul>	<b>27 June 2023:</b> to be completed.
						2. Make the Annual Plan publicly available in accordance with section 95(7) of the Local Government Act 2002	<b>27 June 2023:</b> Completed.
51.	Prosperous Napier	15/06/23				No action points	

# REPORTS / RECOMMENDATIONS FROM COMMITTEES

## REPORTS FROM AUDIT AND RISK COMMITTEE HELD 23 JUNE 2023

### 1. HEALTH AND SAFETY REPORT - JANUARY/FEBRUARY/MARCH 2023

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<i>Type of Report:</i>	Enter Significance of Report
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1667348
<i>Reporting Officer/s &amp; Unit:</i>	Anna Nottage, Chief People Officer

#### 1.1 Purpose of Report

The purpose of this report is to provide the Audit & Risk Committee an overview of Health & Safety activity, inform on the progress of initiatives underway to improve health, safety, and wellbeing, as well as current key performance indicators covering the period January 2023 to March 2023.

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#### At the meeting

The Health, Safety and Wellbeing Lead, Mr McDonald advised that the format of the Health and Safety report had changed in comparison to what had been presented previously and now aligned to the Charter.

Mr McDonald spoke to the report providing a brief summary and overview of Health and Safety activity, progress of initiatives underway to improve health, safety, and wellbeing, as well as current key performance indicators covering the period January 2023 to March 2023.

#### In response to questions it was clarified:

- The Institute of Directors (IOD) have been engaged to provide some training for Directors and officers to understand their obligations under section 44 of the Health and Safety at Work Act 2015.
  - Commentary was given around the appropriateness of elected members attending the Institute of Directors (IOD) course. It was commented that while the Chief Executive is open to prosecution and elected members were not, there is still value in attending and elected members were encouraged to undertake the training for better understanding of the roles and responsibilities.
  - Wellbeing was becoming increasingly important and since January there has been a good commitment to Health and Safety
  - EAP is a service offered to employees and there has been an increase in utilisation. Staff are accessing when unwell. In comparison to the last five years, this year has seen a 300% increase in use, however there needs to be more proactive measures put in place.
  - More resource will need to be available for Health, Safety and Wellbeing and this is actively being addressed.
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- In relation to the internal audit finding that no exit screening was received for workers, this alluded to workers who were exposed to certain risks in the work place and would require lung/blood tests etc. On leaving the organisation they are required to do another test to exposure but it is difficult to get them to do this when they have left.
  - During the cyclone it took a while for a Health and Safety team to be set up and the risk function was omitted in the response. A review process is being undertaken and will be reported on.
  - The Mysafety software was implemented in 2018 but due to a lack of upgrades has caused problems with reporting. The existing system will be upgraded to solve this issue, it does not require replacement.

The analysis of the bow tie and the new format of the report was well received by the Committee. The Committee looked forward to seeing the results of the internal audit and proposed response as there will be a need for some action in terms of Health and Safety responsibilities.

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**COMMITTEE** Bruce Robertson / Councillor Browne

**RESOLUTION**

The Audit and Risk Committee:

- a. **Receive** the Quarter 1 (January/February/March 2023) Health and Safety Report.

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Carried

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## 2. REVIEW AND IMPROVEMENT RECOMMENDATIONS FOR ASSET MANAGEMENT MATURITY: A COMPARATIVE ANALYSIS OF 2019 AND 2021 REPORTS

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1666253
<i>Reporting Officer/s &amp; Unit:</i>	Kate Ivicheva, Manager Asset Strategy

### 2.1 Purpose of Report

This report aims to review the asset management maturity assessments from 2019 and 2021, drawing attention to the deficiencies observed in the latter.

The report also articulates a refined set of recommendations for future audits and maturity assessments, ensuring a thorough and accurate comprehension of our asset portfolio. This will underpin informed, strategic decision-making within asset management.

Crucially, the report justifies the decision not to adhere to the recommendations of the 2021 audit report, instead proposing distinct improvement actions. These recommendations, grounded in the International Infrastructure Management Manual (IIMM) and the ISO 55000 series standards, are designed to foster growth in the maturity of our asset management practices, thus paving the way towards more effective and efficient operations.

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### At the meeting

The Manager Asset Strategy, Ms Ivicheva provided a summary of the report. Ms Ivicheva concluded that Asset Management is not a one-off activity or a project with a defined start and end. It is an ongoing process requiring constant practice, evaluation, and refinement.

Good asset management requires continuous attention and improvement. It necessitates regular monitoring of asset conditions, timely maintenance, systematic data collection, accurate forecasting, and informed decision-making. Above all, it involves an organisational commitment to continuous improvement in these areas.

By treating asset management as a continuous process, Napier City Council could ensure its assets are managed effectively, its risks are mitigated, and its services are delivered efficiently to the community, creating a sustainable and prosperous society.

### In response to questions it was clarified:

- The Chief Executive confirmed that the organisation was taking this issue seriously and that these concerns had been raised as part of CouncilMark. The Executive Leadership Team were considering where additional resources and more focus should be made.
  - It was recognised that while we want to improve Council are at the core level generally with those systems, which is important going into the Long Term Plan.
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- Analysis is great and putting into an implementable improvement plan will be required and the steps forward.
  - Good reason to implement these steps. The Infrastructure Strategy places significant financial demands on the community and it needs to be the right one based on good data.

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**COMMITTEE** Bruce Robertson / Councillor Browne

**RESOLUTION**

The Audit and Risk Committee:

- a. **Receive** the report titled “Review and Improvement recommendations for Asset Management Maturity: A Comparative Analysis of 2019 and 2021 Reports” dated 23 June 2023.

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Carried

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### 3. RISK MANAGEMENT REPORT

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 1660154

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*Reporting Officer/s & Unit:* Caroline Thomson, Chief Financial Officer  
Dave Jordison, Risk and Assurance Lead

#### 3.1 Purpose of Report

To inform the Audit and Risk Committee (Committee) on the status of Council's strategic and operational risk profile and any emerging risks.

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#### At the meeting

The Chief Financial Officer, Ms Thomson advised that PwC facilitated a workshop with elected members to review Council's strategic risks following Cyclone Gabrielle. A number of strategic and managed risks were identified. Further work will be required to align the risk with strategic objectives set by Council.

A second workshop is to be held on 6 July 2023 to confirm the identified risks and present a proposal to merge some risks that sound similar and that could potentially share the same causes/triggers, consequences and controls.

The Risk and Assurance Lead, Mr Jordison advised that there was no change to the current profiles and the analysis had not yet been completed. The impact of Cyclone Gabrielle will continue to have implications for risk assessment.

#### In response to questions it was clarified:

- The bowtie mapping was a really helpful tool in regard risk and mitigation.
  - Questions highlighted for the future - how to make risk management framework live within the organisation and how does this get translated into the day-to-day work of the organisation?.
  - There was value with the significant Health and Safety risks in terms of the bowtie being done, but it was necessary to look at the quantum of where the bowtie is being undertaken.
  - The overall risk profile at this stage was that Council is probably trending slightly upwards in terms of the emerging risks with competing priorities.
  - It was a challenging time for Council and higher risk perhaps than last year pre-cyclone with the financial capacity for the organisation is possibly an emerging risk, given some of those challenges.
  - Risk is a standing item on the Executive Leadership Team (ELT) agenda and Mr Jordison presents at ELT every month. The Chief Executive advised that she was happy to discuss what was planned for the ELT.
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**COMMITTEE** Bruce Robertson / Councillor Mawson

**RESOLUTION**

The Audit and Risk Committee:

a) **Receive** the Risk Management Report.

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Carried

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#### 4. SENSITIVE EXPENDITURE - MAYOR AND CHIEF EXECUTIVE

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*Type of Report:* Procedural

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*Legal Reference:* N/A

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*Document ID:* 1660156

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*Reporting Officer/s & Unit:* Caroline Thomson, Chief Financial Officer  
Talia Foster, Accounting Manager

##### 4.1 Purpose of Report

To provide the information required for the Committee to review Sensitive Expenditure of the Mayor and Chief Executive for compliance with Council's Sensitive Expenditure Policy.

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##### At the meeting

The Accounting Manager, Ms Foster spoke to the report and confirmed that all items identified in the report for the quarter ending 31 March 2023 were compliant with Council's Sensitive Expenditure Policy.

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**COMMITTEE** Bruce Robertson / Councillor Browne

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##### RESOLUTION

The Audit and Risk Committee:

- a. **Receive** the 31 March 2023 quarterly report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.

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Carried

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## 5. INTERNAL AUDIT STATUS UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1660914
<i>Reporting Officer/s &amp; Unit:</i>	Caroline Thomson, Chief Financial Officer Talia Foster, Accounting Manager

### 5.1 Purpose of Report

The purpose of this paper is to summarise the actions taken by management of each audit undertaken over the last two years to provide assurance to the Audit & Risk Committee that these have been addressed.

#### At the meeting

The Accounting Manager, Ms Foster spoke to the report which also covered the December period. Some progress had been made on the action points as a result of the audit papers.

#### In response to questions it was clarified:

- Areas of particular concern were the policies that have not got through the system yet, and had been raised again through the external audit. Unfortunately this is due to a system failure.
- Audit New Zealand is concerned with the outstanding transactional, credit card and gifts policies and generally looking across Council's integrity framework.
- Approximately 18 months ago policies were put into alive system and records so that a notification would be sent out automatically when reviews were due. Most reviews have been completed, however some have been held up in workflows when going for approval. Currently work is being undertaken to remedy this.
- There is a complicated review process around policies and some resource has been dedicated to look how at the process could be simplified and who is responsible for reviewing and signing off each policy.
- The Committee should review integrity policies.
- A policy that has not been reviewed before its expiry date does not mean it is inappropriate.

**COMMITTEE** Councillor Mawson / Bruce Robertson

#### RESOLUTION

The Audit and Risk Committee:

- Receive** the internal audit status update report.

Carried

## 6. EXTERNAL AUDIT ACTIONS STATUS UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1660915
<i>Reporting Officer/s &amp; Unit:</i>	Caroline Thomson, Chief Financial Officer Talia Foster, Accounting Manager

### 6.1 Purpose of Report

The purpose of this paper is to summarise the actions taken by management from recommendations made via our external audit process to provide assurance to the Audit and Risk Committee that these have been addressed.

#### At the meeting

The Accounting Manager, Ms Foster advised this was the first time the report had come to the Committee and general reasonable progress had been made on the actions.

#### In response to questions it was clarified that:

- In regard to the recommendations on reporting flood events, conversations have been held with Audit New Zealand in regard to the technical reporting and Council has a lot more data this time round. In 2020, it was the first time Council had dealt with a weather event and it was overwhelmed. Experiencing a significant event provides further insight into the intention behind the measures when it is an emergency.
- In general Audit New Zealand are making very good progress in the first week on site. They will be at Council next week and currently are 70% through items with no issues found at this point.
- In regard to asset revaluation, a valuer has been engaged and will begin revaluation on assets in June/July 2023. The inner harbour land and buildings have been separated out and so have the right technical aspects. The restricted assets are not being valued

**COMMITTEE** Bruce Robertson / Councillor Browne

#### RESOLUTION

The Audit and Risk Committee:

- Receive** the external audit status update report.

Carried

## REPORTS FROM NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) HELD 30 JUNE 2023

### 1. MATARIKI 2023

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1665766
<i>Reporting Officer/s &amp; Unit:</i>	Mōrehu Te Tomo, Pou Whakarae

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#### 1.1 Purpose for the Report

To provide an overview of how Napier City Council is celebrating Matariki 2023, and the events it is investing in.

Further, to provide an opportunity for discussion and feedback as to how the Committee can be involved in planning and developing Matariki celebrations for Ahuriri in the future.

#### At the meeting

The Officer took the report as read. It was noted that it is hoped attendance at Matariki celebrations will grow every year as the community learn what it is about and why it is celebrated.

In response to questions from the Committee it was clarified:

- Napier City Council (NCC) is holding its Hautapu at the Naptional Aquarium as there is not enough room at the Ātea A Rangi to accommodate everyone in the Ahuriri/Napier community that may want to attend.
- Ngāti Kahungunu Iwi Incorporated has organised the community invitations to the Hautapu as they are leading this event. There will also be posts put on NCC's Facebook page and website.

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#### At the meeting

The Officer took the report as read. It was noted that it is hoped attendance at Matariki celebrations will grow every year as the community learn what it is about and why it is celebrated.

In response to questions from the Committee it was clarified:

- Napier City Council (NCC) is holding its Hautapu at the Naptional Aquarium as there is not enough room at the Ātea A Rangi to accommodate everyone in the Ahuriri/Napier community that may want to attend.
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- Ngāti Kahungunu Iwi Incorporated has organised the community invitations to the Hautapu as they are leading this event. There will also be posts put on NCC's Facebook page and website.

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Tiwana Aranui / Rose Hiha

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Receive the report titled 'Matariki 2023'.
- b. Notes the request for input into the Matariki 2024 celebrations.

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Carried

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## 2. NOMINATION OF APPOINTED MEMBER TO BE MEMBER OF SUSTAINABLE NAPIER AND FUTURE NAPIER COMMITTEES

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<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1665864
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance

### 2.1 Purpose of Report

This report seeks a nomination for an appointed member of the Committee to be appointed as a voting member of the Sustainable Napier and Future Napier Committees.

#### At the meeting

The Officer took the report as read. There were no nominations put forward by the Committee.

In response to questions from the Committee it was clarified:

- An appointment onto a standing committee has a significant time commitment for meeting and workshop preparation and attendance.
- The appointed members that sit on these committees are making decisions for the Ahuriri/Napier community and have full voting rights.
- For someone from a marae board, who is not an appointed member of Ngā Mānukanuka o te Iwi Committee (NMotI), to be appointed to one of NCC's standing committees the NMotI Terms of Reference would need to be amended to allow this and then approved by the Council.

The paper was left to lie on the table in order for options to be discussed.

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#### At the meeting

The Officer took the report as read. There were no nominations put forward by the Committee.

In response to questions from the Committee it was clarified:

- An appointment onto a standing committee has a significant time commitment for meeting and workshop preparation and attendance.
- The appointed members that sit on these committees are making decisions for the Ahuriri/Napier community and have full voting rights.
- For someone from a marae board, who is not an appointed member of Ngā Mānukanuka o te Iwi Committee (NMotI), to be appointed to one of NCC's standing committees the NMotI Terms of Reference would need to be amended to allow this and then approved by the Council.

The paper was left to lie on the table in order for options to be discussed.

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**Officer's Recommendation**

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Nominate [*name of member*] to be appointed to both the Future Napier Committee and the Sustainable Napier Committee,
  - b. Note the appointment will apply from the meeting cycle commencing on 10 August 2023, after the Council has considered the nomination at the Ordinary Council meeting on 20 July 2023, and
  - c. Note that the appointee should attend the Council workshops relating to the Future Napier and Sustainable Napier Committees to have the opportunity to set early direction with elected members.
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Mayor Wise / Deputy Mayor Brosnan

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The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Approve that the item of business being discussed should lie on the table and not be further discussed at this meeting.
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Carried

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### 3. 3 WATERS PROJECT BRIEF

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1668075

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*Reporting Officer/s & Unit:* Philip Kelsen, Acting Manager Water Strategy

#### 3.1 Purpose of Report

Update committee on the progress of a number of 3 Water projects.

#### At the meeting

The Officer took the report as read. Cameron Drury, Principal Planner, Strategy Planning, also attended as he is involved in several NCC 3Waters infrastructure projects.

In response to questions from the Committee it was clarified:

- The Waste Water Treatment Plant restoration is progressing well, with the Biological Trickling Filters (BTF) due to be back online earlier than expected.
- BTF are concrete tanks with silver domes on the top. The screened waste is feed over the dome and as it trickles down the bacteria grown in the tank breaks down the nutrients in the waste, further sanitising it before it is discharged out to sea.
- The Mataruahou Drinking Water Storage project is in its infancy. Currently preliminary work, such as geotechnical testing, is being carried out. The design of the site, which will involve iwi, will not commence until this initial testing and concept work is complete. As this is a very public site there is the opportunity through design to integrate it with the botanical gardens, which are over the road. The project has previously been socialised with Mana Ahuriri.
- The project team for the IAF Maraenui and Te Awa Stormwater Drainage Improvements project was established a month ago. The design consultants are PDP, and Strategy is leading the planning side of the project. The aim is to redirect stormwater on the Willowbank Road side of Maraenui through Te Awa, which will enable more efficient stormwater drainage and reduce potential flood levels. This will be achieved by creating urban streams that will drain into the Te Awa/Serpentine Pond and by installing a new pump station on Te Awa Avenue. It is a challenging area due to being very flat. The water will then be pumped under the highway and onto the Marine Parade beach berm. The outward facing parts of the outlet structure will have an artistic look to be aesthetically pleasing. The project plan needs to be completed before a project timeline can be developed.
- The Lagoon Farm project is three projects in one. It aims to address stormwater treatment and find stormwater storage solutions to reduce flood levels in the surrounding areas, to increase the ecological value of the area, and to showcase the historical and cultural significance of the land. Currently stormwater analysis has commenced to identify potential obstacles for this project that will require solutions so the broader Ahuriri Regional Park project can be achieved.

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### At the meeting

The Officer took the report as read. Cameron Drury, Principal Planner, Strategy Planning, also attended as he is involved in several NCC 3Waters infrastructure projects.

In response to questions from the Committee it was clarified:

- The Waste Water Treatment Plant restoration is progressing well, with the Biological Trickling Filters (BTF) due to be back online earlier than expected.
- BTF are concrete tanks with silver domes on the top. The screened waste is feed over the dome and as it trickles down the bacteria grown in the tank breaks down the nutrients in the waste, further sanitising it before it is discharged out to sea.
- The Mataruahou Drinking Water Storage project is in its infancy. Currently preliminary work, such as geotechnical testing, is being carried out. The design of the site, which will involve iwi, will not commence until this initial testing and concept work is complete. As this is a very public site there is the opportunity through design to integrate it with the botanical gardens, which are over the road. The project has previously been socialised with Mana Ahuriri.
- The project team for the IAF Maraenui and Te Awa Stormwater Drainage Improvements project was established a month ago. The design consultants are PDP, and Strategy is leading the planning side of the project. The aim is to redirect stormwater on the Willowbank Road side of Maraenui through Te Awa, which will enable more efficient stormwater drainage and reduce potential flood levels. This will be achieved by creating urban streams that will drain into the Te Awa/Serpentine Pond and by installing a new pump station on Te Awa Avenue. It is a challenging area due to being very flat. The water will then be pumped under the highway and onto the Marine Parade beach berm. The outward facing parts of the outlet structure will have an artistic look to be aesthetically pleasing. The project plan needs to be completed before a project timeline can be developed.
- The Lagoon Farm project is three projects in one. It aims to address stormwater treatment and find stormwater storage solutions to reduce flood levels in the surrounding areas, to increase the ecological value of the area, and to showcase the historical and cultural significance of the land. Currently stormwater analysis has commenced to identify potential obstacles for this project that will require solutions so the broader Ahuriri Regional Park project can be achieved.

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Evelyn Ratima / Councillor Price

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The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Receive the 3 Waters Project Brief report.

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Carried

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# REPORTS UNDER DELEGATED AUTHORITY

## 1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1674344
<i>Reporting Officer/s &amp; Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

### 1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 29 May – 7 July 2023

#### Officer’s Recommendation

That Council:

- a. **Receive** the Tenders Let for the period 29 May – 7 July 2023 detailed as below:
  - **Contract 2351 Munroe St and Greenmeadows WWPS Upgrades** be awarded to Drainways Contracting Limited in the sum of \$788,666.43.
  - **Contract 2333 Riverside Carpark and Pathways** be awarded to Topline Contractors Limited in the sum of **\$299,485.55**.
  - **Contract 2348 Backflow Prevention Device Testing and Repairs** be awarded to Napier Engineering and Contracting in the sum of \$109,096.22 plus a 20% contingency.
  - **Contract 2348 Backflow Prevention Device Testing and Repairs** be awarded to Devine Plumbing Limited in the sum of \$135,960.00 and RM Plumbing % Electrical in the sum of \$138,360.00.

CONTRACTS OVER \$100,000.00 LET UNDER CHIEF EXECUTIVE/DIRECTOR INFRASTRUCUTRE DISCRETION

#### **Contract 2351 Munroe St & Greenmeadows WWPS Upgrades**

Two tenders were received, one was non-conforming

It was recommended that the contract be awarded to Drainways Contracting Ltd in the sum of **\$788,666.43**.

This recommendation was approved.

#### **Contract 2333 Riverside Carpark & Pathways**

Two tenders were received

It was recommended that the contract be awarded to Topline Contractors Limited in the sum of **\$299,485.55**.

This recommendation was approved.

**Contract 2348 Backflow Prevention Device Testing and Repairs**

Two tenders were received

It was recommended that the contract be awarded to Devine Plumbing Ltd in the sum of \$135,960.00

It was recommended that the contract be awarded RM Plumbing % Electrical in the sum of \$138,360.00

**Totalling \$274,320.00**

This recommendation was approved

**1.2 Attachments**

Nil

# RECOMMENDATION TO EXCLUDE THE PUBLIC

That the public be excluded from the following parts of the proceedings of this meeting, namely:

## Agenda Items

1. Community Services Grants Subcommittee - Distribution of Funds 2023-204
2. Funding for the Refurbishment of the Memorial Square Community Rooms
3. Public Excluded Minutes of the Omarunui Refuse Landfill Joint Committee - 2 December 2022
4. Action Points Register (public excluded) as at 27 June 2023
5. Prebensen Drive Judicial Review
6. Hawke's Bay Museum Research and Archive - Funding  
*To be circulated separately*

## Reports from Audit and Risk Committee held 23 June 2023

1. Verbal Update Chief Executive
2. Long Term Plan - Update
3. Severance Pay Process Scope

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
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## Agenda Items

1. Community Services Grants Subcommittee - Distribution of Funds 2023-204	7(2)(a) Protect the privacy of natural persons, including that of a deceased person	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official
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		Information and Meetings Act 1987.
2. Funding for the Refurbishment of the Memorial Square Community Rooms	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
3. Public Excluded Minutes of the Omarunui Refuse Landfill Joint Committee - 2 December 2022	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
4. Action Points Register (public excluded) as at 27 June 2023	7(2)(a) Protect the privacy of natural persons, including that of a deceased person  7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

		Information and Meetings Act 1987.
5. Prebensen Drive Judicial Review	7(2)(g) Maintain legal professional privilege	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
6. Hawke's Bay Museum Research and Archive - Funding Circulated separately	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

### Reports from Audit and Risk Committee held 23 June 2023

1. Verbal Update Chief Executive	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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		Information and Meetings Act 1987.
2. Long Term Plan - Update	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
3. Severance Pay Process Scope	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied	48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

# ORDINARY MEETING OF COUNCIL

## Open Minutes

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Meeting Date: Thursday 8 June 2023

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Time: 9.30am – 11.00am (*Open*)  
11.08am – 11.51 (*Public Excluded*)  
11.55am – 12.26pm (*Open*)

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Venue Large Exhibition Hall  
War Memorial Centre  
Marine Parade  
Napier

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*Livestreamed via Council's Facebook page*

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

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In Attendance Chief Executive (Louise Miller)  
Deputy Chief Executive/ Executive Director Corporate Services (Jessica Ellerm) [via Zoom link]  
Executive Director City Services (Lance Titter)  
Executive Director City Strategy (Rachel Bailey)  
Executive Director Infrastructure Services (Russell Bond)  
Executive Director Community Services (Thunes Cloete)  
Manager City Development (Paulina Wilhelm)  
Accounting Manager (Talia Foster)  
Chief Financial Officer (Caroline Thomson)  
Investment and Funding Manager (Garry Hrustinsky)  
Manager Governance (Andrew Springett)  
(Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori) (Hilary Prentice)  
Senior Advisor Policy (Michele Grigg)  
Manager Sport and Recreation (Glenn Lucas)

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Acting Director Programme Delivery (Jamie Goodsir)  
Building Renewals and Projects Lead (Hugh Mullane)

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Also in attendance

**Public Forum Items:**

- Henare O’Keefe, Prison Director George Massingham and Kaiwhakamana Prison Volunteers
  - Levi Armstrong and associate Professor Rachael Forrest and support group
  - Jeremy Smith and Barbara Arnott, Art Deco Trust
  - Ian McSherry, Warren Ulusele and Caroline Dumas, Department of Internal Affairs
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Administration

Governance Advisors (Carolyn Hunt and Anna Eady)

## Karakia

The meeting opened with a karakia.

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## Apologies

**COUNCIL  
RESOLUTION**

Councillors Boag / Brosnan

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That the apology for lateness from Councillor Simpson be accepted.

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Carried

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## Conflicts of interest

Nil

*Councillor Simpson joined the meeting at 9.36am*

## Public forum

**Henare O’Keefe (Hawkes Bay Regional Prison Ambassador,) George Massingham (Prison Director) and Kaiwhakamana Prison Volunteers** displayed a video (*Doc Id 1666278*) of a retreat that was attended by Kaiwhakamana Prison Volunteers at Turangi.

The Kaiwhakamana programme is a volunteer-run cultural support network scheme that has everyday people going into prisons, spending time visiting inmates, and adding support wherever possible.

Kaiwhakamana is about empowering inmates or staff members by being a shoulder of support, a pair of listening ears and by providing support in any way possible.

A programme like this is important because it unlocks doors, extends networks and opportunities. The people signing up for the programme come with a wealth of compassion, love, and loyalty. The volunteers do things differently, as they are real people who care and want to get in and do the work at the grassroots level and want to effect positive change for

those who have been in the correctional system. They are not afraid to wear “pink” as their uniform.

The kaumātua, as part of the programme, have access to prisons nationwide and can visit during regular visiting hours and outside these hours by arrangement with prison management. No other role, besides Minister of Corrections Kelvin Davis, has the status to visit any prison in the country any day they like. There is already a lot of support within the Hawke's Bay prison, with many things happening in Māori spaces.

Anyone wishing to volunteer they can contact Henare O'Keefe on [henarenokeefe@gmail.com](mailto:henarenokeefe@gmail.com).

**Levi Armstrong and associate Professor Rachael Forrest** displayed a powerpoint presentation (*Doc Id 1666281*) providing an overview of the “The Meke Meter/POD Project” which is aimed at promoting good health and wellbeing as part of its long-term strategy to ensure people are prosperous, vibrant, innovative, healthy and at the heart of decision-making for the future.

The meke initiative was created by māori for māori and brought together through three kaupapa; Patu – provider of community specific health lifestyle intervention programmes; meke meter – an indigenous quality of life self reflection application and the Domynis – a mobile wellbeing pod for use as a gym and community hub. These all came together as one initiative into Maraenui.

The meke meter was started locally in Maraenui and they are now looking to build a Pod for Taupo. The Pod in Maraenui operates three times a day and is free to the community in an effort to eliminate barriers like travelling to a gym and the cost of joining a gym. For future funding a charitable trust has now been established to help secure further sustainability of the project.

**Emma Horgan – Collective Iwi and Environment groups advocacy presentation** – Mayor Wise advised that this Public Forum item included on the agenda would be deferred to the 20 July 2023 Council meeting to enable all the representatives to attend.

**Jeremy Smith and Barbara Arnott, Art Deco Trust** displayed a powerpoint presentation (*Doc Id 1665890*) providing an overview of the designs and progress on the Women's Rest restoration. The costings for the project are yet to be received.

It was anticipated that restoration would be completed by May 2024.

**Warren Ulusele, Ian McSherry, and Caroline Dumas Department of Internal Affairs** displayed powerpoint presentations providing an overview on the progress of the Resource Management Act reforms (*Doc Id 1666243*) and the Water Services Reform) (*Doc Id 1666255*).

The Resource Management Act reforms aim to improve environmental outcomes and general efficiency of the Resource Management Act process. New legislation is expected to be introduced prior to the general election, which will have a 7 to 10 year implementation timeframe.

In terms of the Water Services Reforms, this will have an impact on Council's planning for the next Long Term Plan, as water services would be removed from Council within the next three years. Legislation needs to be passed to reflect the changes to the programme, such as moving to ten entities rather than four. It was anticipated that a draft of that legislation would be released in the next week or two.

### Attachments

- 1 The Meke Meter presentation (Doc Id 1666281)
- 2 Art Deco Trust presentation (Doc Id 1666111)
- 3 Resource Management Reform Presentation (Doc Id 1666243)
- 4 3Waters Reform presentation (Doc Id 1666255)

*With the agreement of the meeting the Public Excluded items were taken out of order and addressed.*

## PUBLIC EXCLUDED ITEMS

### COUNCIL RESOLUTION

Councillors Boag / Mawson

That the public be excluded from the following parts of the proceedings of this meeting.

Carried

### Agenda Items

1. Hawke's Bay Airport Ltd Half Year Report to Shareholders to 31 December 2022
2. Hawke's Bay Airport Limited Draft Statement of Intent 2023/24
3. Remuneration for Kaumatua and appointed members of Nga Manukanuka o te Iwi

### Reports from Ahuriri Regional Park Joint Committee held 5 May 2023

1. Land Purchase Update

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:

### Agenda Items

1. Hawke's Bay Airport Ltd Half Year Report to	7(2)(h) Enable the local authority to carry out, without	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting
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<p>Shareholders to 31 December 2022</p>	<p>prejudice or disadvantage, commercial activities</p>	<p>would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 - (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>
<p>2. Hawke's Bay Airport Limited Draft Statement of Intent 2023/24</p>	<p>7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>	<p>48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 - (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>
<p>3. Remuneration for Kaumatua and appointed members of Nga Manukanuka o te Iwi</p>	<p>7(2)(a) Protect the privacy of natural persons, including that of a deceased person</p>	<p>48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 - (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>

**Reports from Ahuriri Regional Park Joint Committee held 5 May 2023**

<p>1. Land Purchase Update</p>	<p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including</p>	<p>48(1)a That the public conduct of the whole or the relevant part of the proceedings of the meeting</p>
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	commercial and industrial negotiations)	would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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*The meeting moved to Public Excluded session at 11.08am and reconvened in Open Session at 11.56am and continued with the Open Agenda Items*

### Announcements by the Mayor

Nil

### Announcements by the management

Nil

### Confirmation of minutes

#### **COUNCIL RESOLUTION**

Councillors Crown / Price

That the Draft Minutes of the Ordinary meeting held on 27 April 2023 be confirmed as a true and accurate record of the meeting.

Carried

#### **COUNCIL RESOLUTION**

Councillors Crown / Price

That the Draft Minutes of the Extraordinary Council meetings held on 4 May 2023 and 18 May 2023 be confirmed as a true and accurate record of the meeting.

Carried

# AGENDA ITEMS

## 1. AMENDMENT TO THE DOG BYLAW 2022

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Type of Report: Legal

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Legal Reference: Dog Control Act 1996

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Document ID: 1652729

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Reporting Officer/s & Unit: Paulina Wilhelm, Manager City Development

### 1.1 Purpose of Report

The purpose of the report is to approve an amendment to the Dog Control Bylaw 2022 (page 5, Schedule 2 – Dog Exercise Areas, point j and consequential amendment to Map 3 Westshore) using section 156(2) of the Local Government Act 2002 (LGA).

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#### At the meeting

The Manager City Development, Ms Wilhelm spoke to the report which arose from a minor error on the date of the dotterels' breeding season received from the Department of Conservation. The "Save the Dotterels" group had confirmed the breeding season as August to February. The intention of the Bylaw was to introduce a seasonal "dogs on leash" area between Westshore and Bay View to protect the nesting dotterels. Inclusion of the correct breeding season period in the Bylaw would ensure that the future survival of the dotterels was enhanced.

It was noted that there was some good signage around the estuary, which included the map of the area, however the sign displayed the wording "No Dogs". Dog owners may presume that if their dog is on a lead it is OK and do not realise whether on or off lead dogs are not allowed. Education is ongoing to make dog owners aware.

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**COUNCIL** Councillors Brosnan / Chrystal

#### RESOLUTION

That Council:

- a) **Receive** the report titled "Amendment to the Dog Bylaw 2022" dated 8 June 2023.
- b) **Approve** the amendment to Schedule 2, point (j) of the Napier City Council Dog Control Bylaw 2022 as below:
  - 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 March to July. During August to February, dogs must be exercised on leash.*
- c) **Approve** the consequential amendment to Map 3 Westshore (Doc Id 1657794) attached to the agenda report.

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Carried

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**ACTION:** *Officers to provide information via Facebook posts on new dog free areas and also post maps.*

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## 2. MAYORAL RELIEF FUND - DISTRIBUTIONS

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 1653567

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*Reporting Officer/s & Unit:* Talia Foster, Accounting Manager

### 2.1 Purpose of Report

To report back to Council on the expenditure so far from the Napier City Council Mayoral Relief Fund and provide an update on the available balance.

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#### At the meeting

The Accounting Manager, Ms Foster spoke to the report highlighting that the amount received from the Hawke's Bay Disaster Relief Trust should be \$250,000 and not \$244,000 as noted in the report. This amount was being distributed to 125 stickered properties and did not affect the available balance.

In response to questions it was noted that:

- Approximately two thirds (86 properties) have contacted Council for the \$2000 grant approved through the Mayoral Relief Fund and credited to their rates account to be refunded into a bank account.
  - Monies approved to tenants in red/yellow stickered properties had been approved however, payment was pending receipt of contact details for these tenants and proof of tenancy.
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**COUNCIL** Councillors Price / Simpson

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#### RESOLUTION

That Council:

- a. **Receive** the report regarding donations received and distributions.
  - b. **Note** the remaining balance of \$136,638 of the Napier City Council Cyclone Gabrielle Event – February 2023 Mayoral Fund.
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Carried

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### 3. ADOPTION OF THE 2023/24 ANNUAL PLAN

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<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1656420
<i>Reporting Officer/s &amp; Unit:</i>	Danica Rio, Corporate Planning Analyst Caroline Thomson, Chief Financial Officer

#### 3.1 Purpose of Report

To adopt the 2023/24 Annual Plan in accordance with section 95 of the Local Government Act 2002, noting the changes to budgets since Council last considered the development of the Annual Plan on 27 April 2023.

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#### At the meeting

The Chief Financial Officer, Ms Thomson advised that the Annual Plan was revised after Cyclone Gabrielle to recognize and show sensitivity to the economic challenges the region was facing. Council carefully considered a number of levers for reducing the original pre-cyclone proposed rates increase of 16% down to 11.7%. This required:

- loan funding \$3.3m of operational costs
- deferring the rates contribution for the housing activity and continuing to fund any deficit from loans
- factoring into the budgets a vacancy loading of 10%

The Annual Plan included a Disaster Recovery rate that would be ringfenced for recovery costs such as:

- rates remissions for cyclone-affected ratepayers
- resilience planning
- covering any gaps in insurance cover for asset repair or replacement, such as the Wastewater Treatment Plant
- increasing stormwater network capacity
- funding the Napier City Council Recovery Manager and an Emergency Management Officer to ensure coordination of recovery efforts with the Central Recovery Agency

The risks to the delivery of the Annual Plan include:

- Uncertainty in relation to the total cost of the cyclone response and recovery
- Supply chain and contractor availability impacting Council's ability to deliver on its capital programme
- Interest rates may differ to what has been estimated resulting in an increase to projected interest costs.

Ms Thomson also advised that the Annual Plan would not meet section 100 of the Local Government Act 2002 which was to provide a balanced budget was due to the impact of loan funding operational costs. All other financial prudence benchmarks had been met.

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Amendments noted to be included in the final Draft of the Annual Plan:

- Page 15 – Development of a Child and Youth Wellbeing Strategy for Ahuriri – include the addition of the word Napier
- Page 15 - Include wording to indicate that Council is seeking international recognition as an Age Friendly City.

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**COUNCIL** Mayor Wise / Councillor Brosnan

**RESOLUTION**

That Council:

- a. **Note** that the Annual Plan 2023/24 has been developed in accordance with the requirements of the Local Government Act 2002, but does not meet the requirements of section 100 (balanced budget).
- b. **Adopt** the Annual Plan 2023/24 (1662626) as attached in **Attachment 2** of the agenda report, with the following minor amendments:
  - *Page 15 – Development of a Child and Youth Wellbeing Strategy for Ahuriri – include the addition of the word “Napier”*
  - *Page 15 – included wording to indicate that Council is seeking international recognition as an Age Friendly City.*
- c. **Delegate** responsibility to the Chief Financial Officer to approve any final edits required to the Annual Plan and supporting information in order to finalise the documents for uploading online and physical distribution.
- d. **Direct** Officers to comply with section 95-(7) of the Local Government Act 2002 and make the Annual Plan publicly available.

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Carried

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#### 4. 2023/24 RATES RESOLUTION

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Type of Report:	Legal
Legal Reference:	Local Government (Rating) Act 2002
Document ID:	1658496
Reporting Officer/s & Unit:	Garry Hrustinsky, Investment and Funding Manager

##### 4.1 Purpose of Report

To set rates for 2023/24 in accordance with the Local Government (Rating) Act 2002 and with the Funding Impact Statement.

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##### At the meeting

The Investment and Funding Manager, Mr Hrustinsky advised that this was an administrative process to set rates for the 2023/24 year required under Section 23 of the Local Government (Rating) Act 2002 and follows on from the adoption of the Council's Annual Plan.

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In response to questions the following was noted:

- This was the final year for the phasing in of the differential rate and, although there were four base differentials, a greater number had to be created to account for the categories (old differentials) properties were moving from. This meant there were approximately 20 differentials to reflect all of those permutations rather than a base 4.
- In the next rating year it is anticipated that the codes would be consolidated, with information provided to ratepayers, but with no further impact on rates as a result of doing this.
- As a result of Cyclone Gabrielle there were a number of rural residents, who were not yellow or red coded but who were significantly affected. Following this resolution these residents would face the largest rate increase three years in a row.
- It was noted that the current rates remission policy in regard to Cyclone Gabrielle were only for yellow or red stickered properties.
- There was also provision for rates remissions in special circumstances, which was at Council's discretion. However, this could be challenging as well as setting a precedent for the future.
- A further opportunity for rebate could be the fund recently set up which provided for application up to \$40,000 for any farmer/grower or lifestyle property owner affected by the cyclone.
- The Napier Mayoral Fund was also available for individuals to be considered on a case by case basis.
- The Bay View individual connection rates have different start and finish dates, but were all within a few years of each other and will be concluded in the near future.

**COUNCIL** Mayor Wise / Councillor Brosnan  
**RESOLUTION**

That Council:

- a. **Resolve** that the Napier City Council set the following rates under the Local Government (Rating) Act 2002, on rating units in the city for the financial year commencing on 1 July 2023 and ending on 30 June 2024, and that all such rates shall be inclusive of Goods and Services Tax (GST).

**(A) GENERAL RATE**

A general rate set under section 13 of the Local Government (Rating) Act 2002 made on every rating unit, assessed on a differential basis on the rateable land value to apply to the Differential Groups as follows:

Differentials	Group / Code	Differential Rate	General rate - cents in the dollar on Land Value
Residential / Other former Residential	11	100%	0.40504
Residential / Other former Commercial	12	100%	0.40504
Residential / Other former Miscellaneous	13	100%	0.40504
Residential / Other former Ex City Rural	14	100%	0.40504

Residential / Other former Other Rural	15	100%	0.40504
Residential / Other former Bay View	16	100%	0.40504
Commercial & Industrial former Residential	21	260%	1.05311
Commercial & Industrial	22	260%	1.05311
Commercial & Industrial former Miscellaneous	23	260%	1.05311
Commercial & Industrial former Other Rural	25	260%	1.05311
Commercial & Industrial former Bay View	26	260%	1.05311
Rural former Miscellaneous	33	85%	0.34428
Rural former Ex City Rural	34	85%	0.34428
Rural former Other Rural	35	85%	0.34428
Rural Residential former Residential	41	90%	0.36454
Rural Residential former Miscellaneous	43	90%	0.36454
Rural Residential former Ex City Rural	44	90%	0.36454
Rural Residential former Other Rural	45	90%	0.36454
Rural Residential former Bay View	46	90%	0.36454

**(B) UNIFORM ANNUAL GENERAL CHARGE**

A Uniform Annual General Charge of \$454.00 per separately used or inhabited part of a rating unit for all rateable land set under section 15 of the Local Government (Rating) Act 2002.

**(C) WATER RATES**

**1. Fire Protection Rate**

A targeted rate for fire protection, set under section 16 of the Local Government (Rating) Act 2002 on a differential basis and on the rateable capital value on every rating unit connected to, or able to be connected, and within 100 metres of either the City Water Supply System, or the Bay View Water Supply System. This rate will apply to the Differential Groups and Categories as follows:

<b>Fire Protection Rate Differential Description (cents per dollar of Capital Value)</b>	<b>Connecte d to water Supply System</b>	<b>Not connected but within 100m of water Supply System</b>
Central Business District and Fringe Area	0.02210	0.01105
Suburban Shopping Centres, Hotels and Motels and Industrial rating units outside of the CBD	0.01105	0.00553
Other rating units connected to or able to be connected to the water supply systems	0.00553	0.00277

**2. Water Rate**

A targeted rate for Water Supply, set on a differential basis under section 16 & 17 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit connected to or able to be connected to and within 100 metres of the City water supply system. This such rate will apply as follows:

<b>Description</b>	<b>Amount</b>
Rating units connected to the City Water Supply System	\$275.00
Rating units not connected but able to be connected to and within 100m of the City Water Supply System	\$137.50

**3. Water by Meter Rate**

A targeted rate for water supply, set under section 19 of the Local Government (Rating) Act 2002, on a differential basis per cubic metre of water consumed after the first 300m<sup>3</sup> per annum, to all metered rating units as follows:

	<b>Water Meter Rate per cubic metre</b>
Extra-ordinary Supplies (\$/m <sup>3</sup> )	\$0.72039

#### 4. Stormwater Rate

This rate recovers the net cost of the stormwater activity. A targeted rate for stormwater is set on a differential basis under sections 16 & 17 of the Local Government (Rating) Act 2002 on a differential basis on the rateable capital value on every rating unit within the service area.

Rural properties are exempted.

The differential categories for Stormwater Rates are:

<b>Differentials</b>	<b>Cents per dollar of Capital Value</b>
Residential / Other	0.03537
Commercial & Industrial	0.09196
Rural Residential	0.03537

#### 5. Sewerage Rate

This rate recovers the net cost of the waste water activity. A targeted rate for sewerage treatment and disposal, is set on a differential basis under section 16 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis.

The rate is applied to each separately used or inhabited part of a rating unit connected or able to be connected and within 30 metres of the City Sewerage system. This rate will apply as follows:

<b>Differentials</b>	<b>Connected</b>	<b>Not connected but within 30m</b>
Rating units connected to or able to be connected to the Sewerage System	\$406.00	\$203.00

#### 6. Bay View Connection Rate

The Bay View Sewerage Scheme involves reticulation and pipeline connection to the City Sewerage System. Prior to 1 November 2005, property owners could elect to connect either under a lump sum payment option, or by way of a targeted rate payable over 20 years.

A targeted rate for Bay View Sewerage Connection, set under Section 16 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit

connected to the Bay View Sewerage Scheme, where the lump sum payment option was not elected.

The rate applies from 1 July following the date of connection for a period of 20 years, or until such time as a lump sum payment for the cost of connection is made.

The category of rateable land for setting the targeted rate is defined as the provision of a service to those properties that are connected to the sewerage system, but have not paid the lump sum connection fee.

The rate to apply for 2023/24 is \$941.35

**(D) REFUSE & RECYCLING**

**1. Refuse Collection and Disposal Rate**

A targeted rate for refuse collection and disposal, set under section 16 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit, for which a weekly rubbish collection service is available, with the rate being 2 or 3 times the base rate for those units where 2 or 3 collections per week respectively is available. This rate will apply as follows:

RATE		
1	2	3
COLLECTION PER WEEK	COLLECTIONS PER WEEK	COLLECTIONS PER WEEK
\$222.00	\$444.00	\$666.00

Rating units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will be charged the Refuse Collection and Disposal Rate, but will be remitted the full balance for the rating year.

**2. Kerbside Recycling Rate**

A targeted rate for Kerbside Recycling, set under section 16 of the Local Government (Rating) Act 2002, as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit for which the Kerbside recycling collection service is available. This rate will apply as follows:

Charge per separately used or inhabited part of a rating unit	\$102.00
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Rating Units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will be charged the Kerbside Recycling Rate, but will be remitted the full balance for the rating year.

**(E) VEHICLE LEVY**

**1. Inner City Vehicle Levy**

A targeted rate that provides funding for additional off street car parking in the Central Business District set under sections 16 &17 of the Local Government (Rating) Act 2002 on a differential basis on the rateable land value, to apply to rating units in the Central Business District. The rate to apply to the Differential Groups is as follows:

Description	Cents in the dollar on Land Value
Properties where council provides additional parking due to the property receiving a 100% levy.	0.05731
Properties where council provides additional parking due to the property receiving a 50% levy.	0.02866

**2. Taradale Vehicle Levy**

A targeted rate, previously known as the Taradale Off Street Parking Rate, provides funding for additional off street car parking in the Taradale Shopping and commercial area and to maintain existing off street parking areas in Taradale, set under section 16 of the Local Government (Rating) Act 2002 as a rate in the dollar on Land Value on rating units in the Taradale Commercial and Shopping Area as follows:

Description	Cents in the dollar on Land Value
Taradale Vehicle Levy	0.06445

**3) Suburban Vehicle Levy**

A targeted rate, previously known as the Suburban Off Street Parking Rate, provides funding for additional off street car parking in Suburban Shopping and commercial areas and to maintain existing off street parking areas in suburban shopping and commercial areas, set under section 16 of the Local Government (Rating) Act 2002 as a rate in the dollar on Land Value on all rating units in Suburban Shopping and Commercial Areas as follows:

Description	Cents in the dollar on Land Value
Suburban Vehicle Levy	0.06445

**(F) PROMOTION RATES**

**1. NCBI CBD Promotion Levy**

A targeted rate to fund at least 70% of the cost of the promotional activities run by the Napier City Business Inc, set under section 16 of the Local Government (Rating) Act 2002, and applied uniformly on the rateable land value of all rating units in the area defined as the Central Business District, such rate to apply to applicable properties within the Differential Groups and Differential Codes as follows:

Description	Cents in the dollar on Land Value
Properties in the CBD Promotion Rate area	0.21515

**2. Taradale Promotion Rate**

A targeted rate to fund the cost of the Taradale Marketing Association’s promotional activities, set under section 16 of the Local Government (Rating) Act 2002 and applied uniformly on the rateable land value of all rating units in the Taradale Suburban Commercial area, such rate to apply to the Differential Groups and Differential Codes as follows:

Description	Cents in the dollar on Land Value
Properties in the Taradale Promotion Rate area	0.20655

**(G) OTHER RATES AND CHARGES**

**1. Swimming Pool Safety Rate**

A targeted rate to fund the cost of pool inspections and related costs, set under section 16 of the Local Government (Rating) Act 2002, as a fixed amount on every rating unit where a swimming pool or small heated pool (within the meaning of the Building (Pools) Amendment Act 2016) is located, of \$64 per rating unit.

**2. Rangatira Revetment Rate**

Revetment construction commenced in 2023 to provide protection from ongoing coastal erosion. The Rangatira Revetment targeted rate is a fixed amount of \$333.85, set on a uniform basis under Section 16 of the Local Government (Rating) Act 2002. It is applied to each separately used or inhabited part of a rating unit on the north side of Whakarire Avenue. This rate recovers the private funding component of the cost over a period of 25 years.

**3. Disaster Recovery Rate**

This rate partially funds the cost of recovery due to the impact of Cyclone Gabrielle in February 2023. These costs would otherwise not be budgeted for, or included in the Long Term Plan. The targeted rate is a fixed amount of \$59.00, set on a uniform basis, applied to each separately used or inhabited part of a rating unit. This rate has been introduced according to

the procedure set out in sections 16 and 23(3) of the Local Government (Rating) Act 2002.

#### 4. Due Dates for Payment and Penalty Dates (For Rates other than Water by Meter Rates)

That rates other than water by meter charges are due and payable in four equal instalments. A 10% penalty will be added to any portion of rates (except for Water by Meter) assessed for the 2023/24 rating year that remains unpaid after the relevant instalment date. The respective penalty dates are shown in the following table as provided for in section 57 and 58(1)(a) of the Local Government (Rating) act 2002

<b>Instalment</b>	<b>Due date</b>	<b>Penalty Date</b>
1	16 August 2023	16 August 2023
2	15 November 2023	15 November 2023
3	21 February 2024	21 February 2024
4	15 May 2024	15 May 2024

Any portion of rates assessed in previous years (including previously applied penalties) which remains unpaid on 30 July 2023 will have a further 10% added, firstly on 31 July 2023, and if still unpaid, again on 31 January 2024.

#### 5. Water Rates

Targeted rates for metered water supply will be separately invoiced from other rates invoices. Metered water supply for commercial properties is invoiced quarterly and metered water for domestic (residential) water supply is invoiced annually. A 10% penalty will be added to any part of the water rates that remain unpaid by the due date as shown in the table below as provided for in section 57 and 58(1)(a) of the Local Government (Rating) Act 2002.

Metered Water Supply rates are due for payment as follows:

<b>Instalment</b>	<b>3 monthly invoicing Due Date</b>	<b>Penalty date</b>
1	20 July 2023	26 July 2023
2	20 October 2023	26 October 2023
3	20 January 2024	26 January 2024
4	20 April 2024	26 April 2024
<b>Period Ending</b>	<b>Annual invoicing Due Date</b>	<b>Penalty date</b>
30 June 2023	20 July 2023	26 July 2023
30 June 2024	20 July 2024	26 July 2024

A penalty of 10% will be added to any portion of water supplied by meter, assessed in the current year, which remains unpaid by the relevant instalment due date, on the respective penalty date above.

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Any portion of water rates assessed in previous years (including previously applied penalties) which are unpaid by 30 July 2023 will have a further 10% added, firstly on 31 July 2023, and if still unpaid, again on 31 January 2024. Any water payments made will be allocated to the oldest debt.

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Carried

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## 5. FEES AND CHARGES 2023/24 - AMENDMENT TO COUNCIL RESOLUTION

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<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1660811
<i>Reporting Officer/s &amp; Unit:</i>	Caroline Thomson, Chief Financial Officer Alister Edie, Strategic Finance Advisor

### 5.1 Purpose of Report

To approve the amended fees and charges for the year commencing 1 July 2023 and propose a new resolution to maintain compliance with section 36 of the Resource Management Act 1991.

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#### At the meeting

The Chief Financial Officer, Ms Thomson advised that the report sought approval from Council to adopt the fees and charges for 2023/24.

At the Council meeting on 18 May 2023 to adopt the schedule of fees and charges there was a discussion around whether a special consultative process was required to alter the Resource Management Act fees and charges under section 36 of the Resource Management Act.

Legal advice has confirmed that the Resource Management Act fees cannot be amended without undertaking a special consultative procedure. Therefore, officers are proposing a new recommendation to adopt the schedule of fees and charges for 2023/24 and to maintain compliance with section 36 of the Act. This will result in the Resource Management Act fees and charges remaining unchanged from 2022/23.

At the meeting on 18 May it was also agreed that the schedule should be updated to include the Ocean Spa concessions card rates and a correction made to the charges for the Base Maraenui.

**COUNCIL** Councillors Brosnan / Taylor  
**RESOLUTION**

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That Council:

- a. **Adopt** the Schedule of Fees and Charges (1662563) for 2023/24 as specified in the attachment to the agenda report, to take effect from 1 July 2023.
- b. **Note** the Resource Management Act 1991 fees and charges will remain unchanged from 2022/23 to maintain compliance with section 36 of the Resource Management Act 1991. Any amendments to these fees will be completed through the 2024-34 Long Term Plan consultation process.

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Carried

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## 6. TENDERS LET

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1662968
<i>Reporting Officer/s &amp; Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

### 6.1 Purpose of Report

To report the Tenders let under delegated authority for the period 17 April – 26 May 2023.

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#### At the meeting

There were no questions from the Council.

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**COUNCIL** Councillors Greig / Price  
**RESOLUTION**

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That Council:

- a. Receive the Tenders Let for the period 17 April – 26 May 2023 as follows:
  - **Contract 2309 McLean Park Changing Room Upgrade** be awarded to Atkin Construction HB Limited in the sum of \$535,486.99.
  - **Contract 2336 Pump Station Upgrades** be awarded to Napier Engineering and Contracting in the sum of \$109,096.22 plus a 20% contingency.

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Carried

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# REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

## REPORTS FROM NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) HELD 28 APRIL 2023

### 1. ELECTION OF DEPUTY CHAIR

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*Type of Report:* Procedural

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 1649783

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*Reporting Officer/s & Unit:* Andrew Springett, Manager Governance  
Anna Eady, Governance Advisor

#### 1.1 Purpose of Report

The purpose of this report is to draw the Committee's attention to the need to elect a deputy chair from the Elected Members for Ngā Mānukanuka o te Iwi Committee.

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#### At the meeting

There was no discussion at the meeting.

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**COUNCIL** Councillors Brosnan / McGrath

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#### RESOLUTION

That Council notes the recommendation of Ngā Mānukanuka o te Iwi:

- a) **Approve** Mayor Wise be appointed as Deputy Chair of Ngā Mānukanuka o te Iwi Committee for the remainder of the 2022-2025 triennium.

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Carried

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## 2. NOMINATION OF COMMITTEE MEMBERS FOR NAPIER CITY COUNCIL'S STANDING COMMITTEES AND THE AUDIT AND RISK COMMITTEE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1648507
<i>Reporting Officer/s &amp; Unit:</i>	Andrew Springett, Manager Governance Anna Eady, Governance Advisor

### 2.1 Purpose of Report

To provide Ngā Mānukanuka o te Iwi Committee the opportunity to nominate members to sit on Council's Standing Committees and Audit and Risk Committee, and participate in Council's formal decision-making. The nominations will then be considered by the Council.

#### At the meeting

It was noted that since the recommendations and nominations were made, Tipene Cottrell had advised that he would not be able to accept the nomination as the representative on the Sustainable Napier and Future Napier Committees – a replacement representative for these committees would be addressed at the next Ngā Mānukanuka o te Iwi meeting on 30 June 2023.

#### COUNCIL Councillors Brosnan / McGrath RESOLUTION

That Council:

- a. **Appoint:**
  - i. Coralee Thompson (Maungaharuru-Tangitū Trust) to both the Future Napier Committee and the Sustainable Napier Committees.
  - ii. Evelyn Ratima (Mana Ahuriri Trust) and Joe Tareha (Waiohiki Marae) to both the Prosperous Napier Committee and the People and Places Committees.
  - iii. Joe Tareha (Waiohiki Marae) to the Audit and Risk Committee.
- b. **Note** the appointments to the Standing Committees and the Audit and Risk Committee will apply from the meeting cycle commencing on 15 June 2023, after the Council has considered the nominations at the Ordinary Council meeting on 8 June 2023.
- c. **Approve** that appointees should attend relevant Council workshops to have the opportunity to set early direction with Elected Members.
- d. **Note** that Ngā Mānukanuka o te Iwi will make a further nomination for a representative on the Sustainable Napier and Future Napier Committees at the 30 June 2023 meeting.

Carried

### 3. TE REO MĀORI ME ŌNĀ TIKANGA POLICY

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 1650761

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*Reporting Officer/s & Unit:* Mōrehu Te Tomo, Pou Whakarae

#### 3.1 Purpose of Report

The purpose of this report is to inform Ngā Mānukanuka o te Iwi komiti about Te Kaunihera ō Ahuriri/Napier City Council's Te Reo me ngā Tikanga Policy and to seek endorsement of the Te Reo me ngā Tikanga Action Plan.

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#### At the meeting

There was no discussion on this item.

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**COUNCIL** Councillors Brosnan / McGrath

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#### RESOLUTION

That Council:

**Notes** the recommendations of Ngā Mānukanuka o te Iwi to:

- a) **Endorse** Te Kaunihera ō Ahuriri/Napier City Council's Te Reo me ngā Tikanga Policy. (*Doc Id 1636727*)
- b) **Endorse** the Te Kaunihera ō Ahuriri/Napier City Council's Te Reo me ngā Tikanga Action Plan. (*Doc Id 1636726*)

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Carried

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### 4. RECOVERY FROM CYCLONE GABRIELLE

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*Type of Report:* Operational and Procedural

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*Legal Reference:* N/A

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*Document ID:* 1652043

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*Reporting Officer/s & Unit:* Richard Munneke, Recovery Programme Manager  
Anne Bradbury, Manager Community Strategies

#### 4.1 Purpose of Report

The purpose of this report is to update members on the framework for recovery locally and regionally, including the regional structure, the Napier City Council's recovery approach and the draft locality plan that will form Napier's component of the Hawkes Bay Regional Recovery Plan.

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### At the meeting

There was no discussion on this item.

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**COUNCIL** Councillors Brosnan / McGrath  
**RESOLUTION**

That Council:

**Notes** the recommendations of Ngā Mānukanuka o te Iwi to:

- a) **Endorse** the recovery approach for Napier City Council.
- b) **Endorse** the Hawke's Bay Cyclone Gabrielle Recovery Ahuriri/Napier Locality Plan (*Doc Id 1653575*) for submission to the Regional Recovery Agency.

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Carried

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## REPORTS FROM AHURIRI REGIONAL PARK JOINT COMMITTEE HELD 5 MAY 2023

### 1. ENGAGEMENT OF PROJECT MANAGER

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*Type of Report:* Procedural

*Legal Reference:* N/A

*Document ID:* 1634133

*Reporting Officer/s & Unit:* Fleur Lincoln, Strategic Planning Lead

#### 1.1 Purpose of Report

The purpose of this report is to seek a recommendation from the Joint Committee on the appointment of an independent project manager for the Ahuriri Regional Park masterplan.

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### At the meeting

It was noted that officers had been through a robust process, approved by the Ahuriri Regional Park Joint Committee, to source a high quality candidate for the Project Manager role for this project.

The recommendation from officers was to appoint Strategy Planning with Cameron Drury who had put together an experienced support team to ensure a high level of skill and an appropriate level of focus can be dedicated to all aspects of the position. The team presented to the Ahuriri Regional Park Joint Committee on 5 May 2023, which was well received.

The first workshop had been held which set out clear guidance in regard to involving stakeholders, interested parties and Council. It was anticipated that Strategy Planning would present to Council in the near future.

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**COUNCIL** Councillors Brosnan / Price

**RESOLUTION**

That Council:

- a. **Endorse** the engagement of Stradegy as the lead agency that will fulfil the project manager position for the Ahuriri Regional Park masterplan.

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Carried

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*The meeting closed with a karakia at 12.26pm*

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Approved and adopted as a true and accurate record of the meeting.

Chairperson .....

Date of approval .....