

# SUSTAINABLE NAPIER COMMITTEE

## Open Minutes

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Meeting Date: Thursday 11 April 2024

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Time: 9.30am – 11.05am (*Open*)  
12.10pm – 12.35pm (*Public Excluded*)

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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:** Councillor Price  
**Members:** Deputy Mayor Brosnan, Councillors Browne, Chrystal, Crown, Greig, Mawson (Deputy Chair), McGrath, Simpson [via Zoom], Tareha and Taylor

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In Attendance Chief Executive (Louise Miller) [via Zoom]  
Acting Executive Director Infrastructure Services (Jamie Goodsir)  
Acting Executive Director Corporate Services (Caroline Thomson)  
Executive Director City Strategy (Rachael Bailey)  
Manager Communications and Marketing (Julia Stevens)  
Drinking Water Quality Lead (Anze Lencek)  
Senior Project Manager (Andrew Torrens)  
Team Leader Transportation (Robin Malley)  
Manager Property (Bryan Faulknor)  
Parks Policy Planner (Amelia Longley)  
3 Waters Programme Planner (Andrew Lebioda)

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Also in attendance: Geoff Mitford-Taylor (President) and Kim Hunter (member)  
Marineland Hot Road Club (Item 3)

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Administration Governance Advisors (Carolyn Hunt and Jemma McDade)

# SUSTAINABLE NAPIER COMMITTEE – Open Minutes

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## TABLE OF CONTENTS

<b>Order of Business</b>	<b>Page No.</b>
Karakia.....	3
Apologies .....	3
Conflicts of interest.....	3
Public forum.....	3
Announcements by the Mayor.....	3
Announcements by the Chairperson.....	3
Announcements by the management .....	3
Confirmation of minutes .....	3
<b>Agenda Items</b>	
1. Napier Drinking Water Compliance Assessment for 2023 Calendar Year .....	4
2. Pressure Sewer Systems Policy .....	5
3. Request for Road Closure for Vehicle Trials - Sandy Road, Meeanee - 4 May 2024 ..	6
4. Licence to Occupy Reserve - Ridgetop Reserve - Communication Station .....	8
<i>Councillor Mawson withdrew from the meeting at 10.42am. ....</i>	<i>9</i>
5. Change of Purpose of Reserve - Marine Parade.....	9
<i>Councillor Mawson rejoined the meeting at 10.45am.....</i>	<i>10</i>
6. Road Stopping - Part of Tareha Street, Westshore Napier .....	10
7. Licence to Occupy Reserve - Park Island Reserve - Communication Station.....	11
8. Capital Programme Delivery.....	12
<b>Minor matters.....</b>	<b>12</b>
<b>Resolution to Exclude the Public .....</b>	<b>13</b>

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## ORDER OF BUSINESS

### Karakia

The meeting opened with the Council karakia.

### Apologies

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Councillors Greig / Crown

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That the apologies for absence from Mayor Wise and Councillor Boag be accepted.

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Carried

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Ngā Mānukanuka o te Iwi representatives – Coralee Thompson and Tiwana Aranui did not attend the meeting.

### Conflicts of interest

Nil

### Public forum

Nil

### Announcements by the Mayor

Nil

### Announcements by the Chairperson

Nil

### Announcements by the management

Nil

### Confirmation of minutes

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Councillors Greig / Crown

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That the Minutes of the Sustainable Napier Committee meeting held on 22 February 2024 were taken as a true and accurate record of the meeting.

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Carried

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# AGENDA ITEMS

## 1. NAPIER DRINKING WATER COMPLIANCE ASSESSMENT FOR 2023 CALENDAR YEAR

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*Type of Report:* Operational

*Legal Reference:* N/A

*Document ID:* 1746067

*Reporting Officer/s & Unit:* Anze Lencek, Drinking Water Quality Lead

### 1.1 Purpose of Report

To inform the Council on the Napier Water Supply (NAP001) Compliance Assessment for 2023 calendar year.

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#### At the meeting

The Drinking Water Quality Leader, Mr Lencek spoke to the report providing a brief summary on the main water quality management areas in relation to Napier's water supply.

#### In response to questions the following was clarified:

- The independent water entity Taumata Arowai does not audit Napier City Council's(NCC) annual water compliance.
  - Audit New Zealand still request that reports are provided on Council's compliance, however their reporting is on a financial year, not a calendar year so is not in sync with Taumata Arowai and they are also auditing on the old drinking water standards.
  - Operational non-compliances were as a result of inadequate processes in place.
  - Actions are assigned to staff from the Improvement Plan of the Water =Safety Plan(WSP). It was noted some actions have been completed or officers were on track to complete.
  - In terms of Christchurch's application to eliminate some of requirements for the bacterial treatment at their bores, NCC lodged a similar application with Taumata Arowai, then retracted the application as were advised it was likely to be unsuccessful.
  - In terms of applying for the chlorine residual exemption in the network, Mr Lencek said in his view it would be very difficult for a large supplier in New Zealand to achieve the exemption granted by Taumata Arowai for various reasons.
  - By the end of 2028 there will be two new bore fields with two new treatment plants with UV treatment which will deal with bacterial and protozoa contaminants at the source, so water leaving the water treatment site will be fully compliant.
  - If Taumata Arowai apply pressure for the bores to be completed prior to 2028 there would be financial implications and costs could be escalated by 50%-100%.
  - In regard to WSPs, there are differences between the Ministry of Health regulatory body requirements and Taumata Arowai's requirements.
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- Taumata Arowai perceives the suppliers to be the experts in the field and have pushed responsibility onto them, whilst setting the rules that are to be followed and not approving any WSP.

*The meeting agreed to change the word “Endorse” to “Receive” in the recommendation as they did not considered themselves experts in the subject matter.*

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**COMMITTEE** Deputy May Brosnan / Councillor Browne

**RESOLUTION**

The Sustainable Napier Committee:

- a. **Receive** the report titled “Napier Drinking Water Compliance Assessment for 2023 Calendar Year” dated 11 April 2024.

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Carried

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## 2. PRESSURE SEWER SYSTEMS POLICY

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*Type of Report:* Operational and Procedural

*Legal Reference:* N/A

*Document ID:* 1741368

*Reporting Officer/s & Unit:* Andrew Torrens, Senior Project Manager

### 2.1 Purpose of Report

The purpose of this report is to have Council adopt the proposed Pressure Sewer Systems Policy.

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#### At the meeting

The Senior Project Manager, Mr Torrens provided a brief summary and background on the proposed Pressure Sewer Systems Policy.

#### In response to questions the following was clarified:

- There is a maximum number of persons per dwelling which are allowed for with multiple sized tanks. Through a design process you would select the tank size applicable to the proposed dwelling to be connected and approved through existing consent processes.
  - In the documents developed that accompany the proposed policy there is a “Homeowner’s Guidance” booklet which will be provided to people connected to pressure sewer systems. It outlines all the requirements for maintaining the system.
  - There is also a requirement through the consenting process for the property owner to show that they have entered into a maintenance contract.
  - In the current proposal there are two approved suppliers and local plumbing companies could install the systems. By managing the systems that can be installed it will manage the risk to Council’s network as there can be different pumping systems that generate different pressure head.
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- The Policy is not yet included in the Code of Practice, but would allow for more areas of development when it is.
  - The on-property storage has a design storage allowance of 24 hours with a control panel that sits outside the house with a generator plug. The system is designed with resilience in mind and it could be plugged into a generator and operate as normal.
  - The expected design life of the pump is approximately 25 years.
  - Through maintenance provisions the homeowners will sign up to a maintenance contract with the suppliers who will follow up with annual inspections.

*The meeting agreed to amend the recommendation with the option that enabled Council to resolve specific issues before the Policy was adopted.*

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**COMMITTEE** Deputy May Brosnan / Councillor Mawson

**RESOLUTION**

The Sustainable Napier Committee:

- a) **Receive** the report titled “Pressure Sewer Systems Policy” dated 11 April 2024.
- b) **Agree** in principle with the proposed Pressure Sewer Systems Policy (Doc Id 1746358) and request Council officers resolve specific issues below before it is adopted:
  - Review how maintenance agreement moves from one landowner to another
  - Clarity on the parameters of where the system must be used.

**ACTION:** Officers to provide information on when a house is sold how is the new property owner made aware of the maintenance provision for the Pressure Sewer System.

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Carried

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### 3. REQUEST FOR ROAD CLOSURE FOR VEHICLE TRIALS - SANDY ROAD, MEEANEE - 4 MAY 2024

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 1747946

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*Reporting Officer/s & Unit:* Robin Malley, Team Leader Transportation

#### 3.1 Purpose of Report

To seek Council approval for a road closure to enable Sandy Road, Meeanee to be used for vehicle speed trials, under legislative regulations.

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### At the meeting

The Team Leader Transportation, Mr Malley advised a slight amendment to the report that the time trials would be held on  $\frac{1}{8}$  mile not  $\frac{1}{4}$  as stated in the report. Mr Malley also introduced Geoff Mitford-Taylor, Club President, and Kim Hunter, committee member of the Marineland Hot Rods Inc who had assisted in providing information for the report.

### In response to questions the following was clarified:

- There are approximately 6 private property owners and 5 tenants at the Papakura Domain affected and who have been approached. Neighbours were very supportive and as part of the conditions approval was required.
- The event had been run previously, with Council approval.
- The advertised road closure was being published in the paper on 12 April 2024.
- If there were any objections received they would be dealt with through the authority delegated to the Chief Executive.

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### COMMITTEE Councillors McGrath / Mawson

#### RESOLUTION

The Sustainable Napier Committee:

- a. **Approve** the temporary closure of Sandy Road, Meeanee for the purposes of vehicle trials on 4 May 2024 between 8.00am and 1.00pm, under the *Transport (Vehicular Traffic Road Closure) Regulations 1965*, subject to conditions:
  - i. The provision of adequate insurance against potential damages to property,
  - ii. An approved Temporary Traffic Management Plan for the event.
  - iii. Written agreement of property owners with legal frontage to the section of Sandy Road to be used for trials.
  - iv. Provision of a safety plan indicating how the safety of pedestrians and spectators will be maintained during the trials.
  - v. A joint road condition inspection prior to and immediately after the event to ensure any damages are identified.
- b. **Approve** the delegation of authority to the Executive Director Infrastructure in regard to the satisfaction of conditions:
  - i. The provision of adequate insurance against potential damages to property,
  - ii. An approved Temporary Traffic Management Plan for the event.
  - iii. Written agreement of property owners with legal frontage to the section of Sandy Road to be used for trials.
  - iv. Provision of a safety plan indicating how the safety of pedestrians and spectators will be maintained during the trials.
  - v. A joint road condition inspection prior to and immediately after the event to ensure any damages are identified.

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Carried

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## 4. LICENCE TO OCCUPY RESERVE - RIDGETOP RESERVE - COMMUNICATION STATION

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<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1746746
<i>Reporting Officer/s &amp; Unit:</i>	Bryan Faulknor, Manager Property Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

### 4.1 Purpose of Report

To seek Council's approval to grant a licence pursuant to Section 48A of the Reserves Act 1977 to Communicate Limited to erect and operate a communication station on Ridgetop Reserve, Taradale.

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#### At the meeting

The Manager Property, Mr Faulknor provided a brief summary of the report.

#### In response to questions the following was clarified:

- Communicate Limited will assume ownership of the proposed radio tower situated at the high point location of 160 Church Drive, Ridgeway Reserves and is engaged by Hawke's Bay Civil Defence.
- It is not proposed that Council charge a license fee as the greater interest is outweighed.
- It is not a commercial undertaking and would be a service to the local councils and Civil Defence ensuring robust communication infrastructure for the community.
- Councils will be required to pay a license fee for network.
- The footprint is only 1m x 2m and will have a fenced cabinet and the 8.5m structure and activity are permitted under the operative District Plan and therefore a resource consent is not required.

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**COMMITTEE** Councillors Greig / Mawson

#### RESOLUTION

The Sustainable Napier Committee:

- a. **Approve**, as administering body, the granting of a licence to occupy, pursuant to Section 48A of the Reserves Act 1977, to Communicate Limited for the erecting and operation of a communication station at Ridgetop Reserve, Taradale.
  - b. **Approve**, in exercise of the Ministerial consent (under delegation from the Minister of Conservation) the granting of the above licence.
  - c. **Approve** that the term of the licence be for 10 years with one right of renewal of ten years.
  - d. **Note** that in granting any lease Council is merely acting in its capacity as lessor and owner of the land. Any such approval shall not imply the consent of Council as a regulatory authority and thus the proposed
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communication station is subject to all regulatory consents being obtained if required.

Carried

*Councillor Mawson withdrew from the meeting at 10.42am.*

## 5. CHANGE OF PURPOSE OF RESERVE - MARINE PARADE

*Type of Report:* Legal and Operational

*Legal Reference:* Reserves Act 1977

*Document ID:* 1746822

*Reporting Officer/s & Unit:* Bryan Faulknor, Manager Property

### 5.1 Purpose of Report

To obtain Council's final approval to change the purpose of part of the vested local purpose recreation reserve on Marine Parade. This is required to provide an appropriate reserve purpose to accommodate the completed restoration of the War Memorial attached to Napier War Memorial Centre on Marine Parade.

#### At the meeting

The Manager Property, Mr Faulknor spoke to the report advising that the change of purpose had been publicly notified and no objections received. Construction had been completed and title plans finalised.

#### COMMITTEE Deputy May Brosnan / Councillor Chrystal RESOLUTION

The Sustainable Napier Committee:

- a) **Approve** that in exercise of the powers conferred on it by Section 24A(1) of the Reserves Act 1977, that part of the reserve contained in Section 3 SO Plan 396199 (Record of Title 462213), as described in the Schedule below, have its purpose changed from Local Purpose (Passive Recreation) Reserve to Local Purpose (Community Buildings) Reserve.
- b) **Notes** that the reason for the change of purpose is to accommodate the restoration of the War Memorial attached to the Napier War Memorial Centre on Marine Parade.

#### SCHEDULE - Hawkes Bay Land District – Napier City

Area (ha)	Legal Description	Record of Title
0.1877	Lot 1 DP 595539	1150867

Carried

Councillor Mawson rejoined the meeting at 10.45am.

## 6. ROAD STOPPING - PART OF TAREHA STREET, WESTSHORE NAPIER

Type of Report:	Legal and Operation
Legal Reference:	Reserves Act 1977
Document ID:	1747226
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property

### 6.1 Purpose of Report

To confirm, through declaring the section of road to be stopped, the Council resolution of 10 August 2023 to initiate the road stopping process in accordance with the 10th Schedule of the Local Government Act 1974, and the subsequent sale to the land to the owner of 5 Charles Street, Westshore.

#### At the meeting

The Manager Property, Mr Faulknor spoke to the report advising that public notification has been completed with no objections received.

#### COMMITTEE Councillors Browne / Chrystal RESOLUTION

The Sustainable Napier Committee:

- a. **Approve** pursuant to Section 342(1) of the Local Government Act 1974 and in accordance with the Tenth Schedule of that Act, to declare the section of road, being part of Tareha Street and adjacent to number 5 Charles Street, Napier, as described in the Schedule hereto, be stopped; and
- b. **Approve** that the stopped road is sold to the owner of the adjoining land at 5 Charles Street as described in the Schedule hereto.

Further, the land is to be amalgamated with the purchaser's individual land and held in one record of title.

#### SCHEDULE

##### Napier City – Hawke's Bay Land District

Area (ha)	Description	Adjoining
.0060	Section 1 SO Plan 595798	Lot 23 DP6167 RT HBE3/227

Carried

## 7. LICENCE TO OCCUPY RESERVE - PARK ISLAND RESERVE - COMMUNICATION STATION

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<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reservces Act 1977
<i>Document ID:</i>	1747243
<i>Reporting Officer/s &amp; Unit:</i>	Bryan Faulknor, Manager Property Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

### 7.1 Purpose of Report

To seek Council's approval to grant a licence pursuant to Section 48A of the Reserves Act 1977 to Aotearoa Towers Group LP (ATG) to erect and operate a Telecommunication Station including a Tower on Park Island Sportsground.

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#### At the meeting

The Manager Property, Mr Faulknor spoke to the report advising that the tower has been situated immediately behind the hockey turf for 20 years, with the license due to expire on 24 June 2024.

#### In response to questions the following was clarified:

- Vodafone is a commercial operation so an annual license fee to occupy would be charged.
- The fee charge is a standard amount and consistent throughout New Zealand.

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**COMMITTEE** Councillors Tareha / Mawson

#### RESOLUTION

The Sustainable Napier Committee:

- Approve**, as administering body, the granting of a licence to occupy, pursuant to Section 48A of the Reserves Act 1977, to Aotearoa Towers Group LP (ATG) for the erecting and operation of a Telecommunication Station at Park Island Sportsground.
- Approve**, in exercise of the Ministerial consent (under delegation from the Minister of Conservation) the granting of the above licence.
- Approve** that the term of the licence be for 20 years.
- Note** that in granting any lease Council is merely acting in its capacity as lessor and owner of the land. Any such approval shall not imply the consent of Council as a regulatory authority and thus the communication station is subject to all regulatory consents being obtained if required.

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Carried

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## 8. CAPITAL PROGRAMME DELIVERY

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1745232

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*Reporting Officer/s & Unit:* Jamie Goodsir, Acting Director Programme Delivery

### 1.1 Purpose of Report

To provide Council with information on the FY23/24 Capital Programme and initiatives underway to improve Capital Programme Delivery.

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#### At the meeting

The Acting Executive Director Infrastructure Services, Mr Goodsir took the report as read. He highlighted that the Memorial Square Community Rooms project had received approval to be staged from the Napier People and Places Committee meeting on 28 March 2024.

Mr Goodsir advised that the Onslow Steps was a challenging site, with the biggest issue being access to the site. There is a neighbouring property in Brewster Street that may enable access, however there are structural issues on the driveway. It may be possible to crane equipment in to undertake the work.

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**COMMITTEE** Councillor Greig / Deputy May Brosnan

#### RESOLUTION

The Sustainable Napier Committee

- a. **Receive** the report titled "Capital Programme Delivery" dated 11 April 2024.

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Carried

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### Minor matters

There were no minor matters to discuss.

*The meeting adjourned at 10.55am and reconvened at 12.04pm*

# RESOLUTION TO EXCLUDE THE PUBLIC

Councillors Mawson / Browne

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

1. IAF - Maraenui to Te Awa, Property Acquisition
2. IAF - Maraenui to Te Awa, Preferred Option

Carried

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:

<b>General subject of each matter to be considered.</b>	<b>Reason for passing this resolution in relation to each matter.</b>	<b>Ground(s) under section 48(1) to the passing of this resolution.</b>
1. IAF - Maraenui to Te Awa, Property Acquisition	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</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.
2. IAF - Maraenui to Te Awa, Preferred Option	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

	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities  7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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 adjourned at 12.04 and reconvened in Public Excluded at 12.10pm*

*The meeting closed with a karakia at 12.35pm*

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Approved and adopted as a true and accurate record of the meeting.

Chairperson .....

Date of approval .....