



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 20 February 2025

Time: 9.30am – 2.40pm (*Open*)
2.45pm - 3.13pm (*Public Excluded*)

Venue Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook page

Present **Chair:** Acting Mayor Brosnan
Members: Councillors Boag [zoom], Browne, Chrystal, Crown, Greig, Mawson, McGrath, Price, Simpson [zoom], Tareha and Taylor

In Attendance Chief Executive (Louise Miller)
Acting Executive Director Corporate Services (Caroline Thomson)
Acting Executive Director City Services (Jessica Ellerm)
Executive Director City Strategy (Rachael Bailey)
Executive Director Infrastructure Services (Russell Bond)
Executive Director Community Services (Thunes Cloete)
Manager Communications and Marketing (Julia Stevens)
Māori Partnership Manager (Hilary Prentice)
Team Leader Resource Consents (Nick McCool)
Waste Minimisation Lead (Stefni Wilson)
Acting Manager Environmental Solutions (Sarah Bowler)
Manager Business and Tourism (Steve Gregory)
Programme Manager – Transformation (Emma Alexander)
Manager Arts, Culture and Heritage (Elizabeth Caldwell)
Commercial Director (Richard Munneke)

Senior Advisor Corporate Planning (Danica Rio)
Team Leader Compliance (Stephen Bokkerink)
Manager Regulatory Solutions (Luke Johnson)
Manager Strategy and Transformation (Stephanie Murphy)
Libraries Manager (Nicola Saunders)
General Manager – National Aquarium (Rachel Haydon)
Team Leader Governance (Anna Eady)

Also in Attendance **Public Forum:** Ross McLeod, Regional Recovery Agency
Item Two: Councillor Apatu and Waste Planning Manager
(Angela Atkins), Hastings District Council

Administration Governance Advisors (Carolyn Hunt and Jemma McDade)

ORDINARY MEETING OF COUNCIL – Open Minutes

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ORDER OF BUSINESS

Karakia

The meeting opened with the Council karakia.

Apologies

COUNCIL	Councillors Tareha / Mawson
RESOLUTION	That the apology for absence from Mayor Wise be accepted.
	Carried

Conflicts of interest

Nil

Public forum

Ross McLeod, Hawke's Bay Regional Recovery Agency displayed a PowerPoint presentation (Doc Id 1834198) providing an update on the Regional Deals Proposal that the RRA were undertaking on behalf of the regions five councils. The focus of the presentation was on the process.

He advised that a report would be presented to an Extraordinary Council meeting on 26 February 2025 which would include the content of the Proposal for consideration and decision.

The Regional Deal Proposal is a Central Government framework and part of the Coalition Government Agreement to align Local Government with the Government's economic growth goals around housing availability, infrastructure and growth, and economic growth. Councils can drive growth in these areas with Central Government support. However, it has been made clear that no new money will be made available by Central Government to fund initiatives proposed in Regional Deals at this time.

Regional deals will establish long-term agreements (30-year vision and 10-year strategic plans) between Central and Local Government to drive economic growth and deliver sustainable infrastructure.

The five priority areas identified for the Hawke's Bay proposal are:

- A Regulatory Enablement Programme
- Investing for Housing Growth
- Water for Prosperity and Growth
- Aligning Infrastructure Investment for Economic Growth and Productivity Gain
- A Regional Spatial Plan for Hawke's Bay

Mr McLeod advised that the next steps would be:

- 28 February 2025 - Proposals to be submitted to the Department of Internal Affairs (DAI) by 28 February 2025.
- May 2025 - Cabinet decisions made on the first regions to progress into a Memorandum of Understanding.
- December 2025 - The first regional deal finalised.
- October 2026 - Two additional regional deals finalised.

Attachments

1 Public Forum PowerPoint Presentation (Doc Id 1834198)

Announcements by the Deputy Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

COUNCIL Councillors Price / Greig
RESOLUTION

That the Draft Minutes of the Ordinary meeting held on Monday, 3 February 2025 be confirmed as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. MISSION HILLS ROAD NAMING

Type of Report: Procedural

Legal Reference: N/A

Document ID: 1824034

Reporting Officer/s & Unit: Nick McCool, Team Leader Resource Consents

1.1 Purpose of Report

To obtain Council approval for new street names for Stage 2A and the remainder of North Hill of the Mission Hills Residential Subdivision Development.

At the meeting

The Team Leader Resource Consents, Mr McCool spoke to the report seeking approval of proposed Mission Hills Development street names, which meet the naming process criteria and had been consulted on with iwi in relation to the history of the site.

COUNCIL RESOLUTION

Councillors Tareha / Chrystal

That Council:

- a. **Approve** the use of:
 - i. Pakeke Drive;
 - ii. Refectory Avenue;
 - iii. Karakia Way;
 - iv. Whakapono Place; and
 - v. Pataka Crescent

as the proposed street names for Stage 2A and the remainder of North Hill of the Mission Hills Residential Subdivision Development.

Carried

2. DRAFT WASTE MANAGEMENT AND MINIMISATION PLAN (WMMP) AND STATEMENT OF PROPOSAL ADOPTION FOR CONSULTATION

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1828100
<i>Reporting Officer/s & Unit:</i>	Stefni Wilson, Waste Minimisation Lead

2.1 Purpose of Report

In October and November 2024, the Napier City Council and Hastings District Council resolved to develop a replacement Waste Management and Minimisation Plan (WMMP). This report presents the draft WMMP (Doc Id 1828997) and accompanying Statement of Proposal for approval (Doc Id 1828998) for public consultation.

The Councils are required to review their Waste Management and Minimisation Plan every six years, giving regard to Te Rautaki Para | Waste Strategy and the councils' most recent waste assessment (adopted October and November 2024). This process must be completed by 15 September 2025.

The Napier City Council and Hastings District Council have delegated authority to the Joint Waste Futures Project Steering Committee to hear submissions arising from the consultation, make changes (as required) and adopt the final Joint WMMP on behalf of both Councils.

This report concludes by seeking approval from Council that the draft Joint Waste Management and Minimisation Plan and accompanying Statement of Proposal is adopted for consultation in accordance with the relevant provisions of the Waste Minimisation Act (WMA) 2008 and the Local Government Act 2002.

At the meeting

Councillor Browne, as Chair of the Joint Waste Futures Projects Steering Committee joined the presentation team comprising Councillor Apatu (HDC) and officers Ms Wilson (NCC) and Ms Atkins (HDC). Councillor Browne provided a summary background and overview of the process and work involved in developing the Draft Waste Management and Minimisation Plan (WMMP).

The Waste Minimisation Lead, Ms Wilson took the report as read, advising that the same report had been presented and adopted for by the Hastings District Council on Tuesday, 18 February 2025.

In response to questions the following was clarified:

- Officers are currently working on an engagement plan with the Communication Team. The key areas that community feedback is sought on are outlined in the Statement of Proposal.
- Support is required by both the Communications Team and Community Engagement Team to ensure the WMMP is in place by 15 September 2025.

COUNCIL Councillors Tareha / Browne
RESOLUTION

That Council:

- a. **Receive** the report titled “Draft Waste Management and Minimisation Plan (WMMP) and Statement of Proposal Adopt for Consultation” dated 20 February 2025
- b. **Endorse** the Statement of Proposal 2025-2031 (Doc Id 1828998) and draft Joint Waste Management and Minimisation Plan document (Doc Id 1828997) for consultation in accordance with Section 83 of the Local Government Act 2002.
- c. **Adopt** the Statement of Proposal 2025-2031 (Doc 1828998) and draft Joint Waste Management and Minimisation Plan (Doc Id 1828997) for consultation in accordance with Section 83 of the Local Government Act 2002.

ACTION: *Direct officers to circulate the draft Communication Plan to Council prior to publication.*

Carried

3. CONCEPT OPTIONS – REIMAGINE FACILITIES

Type of Report: Operational

Legal Reference: N/A

Document ID: 1825895

Reporting Officer/s & Unit: Steve Gregory, Manager Business & Tourism

3.1 Purpose of Report

The purpose of this report is to seek a decision from Council on the preferred concept options for each of the reimagine facilities to consult the community with through the Annual Plan 2025/26 process and to then take through to a business case.

At the meeting

The Manager Business and Tourism, Mr Gregory provided a summary of the report. It was noted that a “council preferred option” was legally required for the consultation document which would include potential new options for the National Aquarium of New Zealand, Napier iSite Visitor Centre, Par 2 Mini Golf and the Faraday Museum of Technology.

In response to questions the following was clarified:

- Closure of the National Aquarium could be added to Option 4 with a third party to allow community feedback. The consultation document will provide clarity that if an independent party were to take over the Aquarium site they would have the ability to use the building as desired or demolish it.
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- There are approximately only two or three i-sites privately owned by commercial entities, with remaining i-sites owned by Local Government or Trusts. Council would maintain control of what went onto the site, if a third party was to take over the business.
 - Figures included in the options were set by Council and any increase would require Council approval. Remodelling options for the facilities are still being worked through to align with the Annual Plan process. Details would be included in the business case process following direction from Council and community feedback.
 - The consultation document will provide understanding of the options and that the modelling is conceptual.
 - The consequence of not including the options in the Annual Plan would result in putting the project on hold for a year until the 2026 Long Term Plan process begins. A commitment had been given to the public to provide certainty.
 - Closure of any facility and the economic impact would be included in that facility's business case. The last economic impact study for all visitor experience facilities was undertaken in 2017. The combined economic activities are significant as Napier is a visitor destination.
 - Following community consultation on the preferred option and Council's decision on the Annual Plan, a business case on options will be undertaken.
 - The cost of closure for the National Aquarium to be included in the consultation document. Council could include other tourism opportunities, which are cheaper to run, for the facility without having to commit to an opportunity at this stage. The business case would create financial viability and give the community the opportunity to provide feedback and direction.
 - Ms Murphy confirmed that a Citizens Assembly is a good tool to use in the decision-making process of a particular topic. A Citizens' Assembly can be taken at various times during a projects' development. An option discussed was withdrawing the Aquarium from the Annual Plan consultation this year to allow a Citizens' Assembly to review the options and include the results of the Assembly consultation in next year's Annual Plan FY26-27 development.
 - The preferred option for the Faraday Centre is to have a charitable entity take it over. The charity would run it, with a one-off capital grant and ongoing yearly operational grants to help the museum cover its costs.

Councillor Taylor foreshadowed a motion to include closure of the National Aquarium in Option 4 to indicate to the community that there is an option for it to be closed.

The Chair agreed to consider part d) of the recommendation separately from parts (a), (b), (c) and (e) of the recommendation.

**COUNCIL
RESOLUTION**

Councillors Crown / Price

That Council:

- a) **Adopt** the following as options that will be consulted on as part of Annual Plan 2025/26 consultation in relation to **Faraday Museum of Technology**, noting Council's preferred option:

- **Option 1: Status Quo**
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- **Option 2:** No CAPEX contribution and \$500K pa OPEX grant to a charitable entity that runs Faraday
 - **Option 3:** Capex \$1m (one-off) and \$500K pa OPEX grant to a charitable entity that runs Faraday (**Council's preferred option**)
- b) **Adopt** the following as options that will be consulted on as part of Annual Plan 2025/26 consultation in relation to **Napier isite**, noting Council's preferred option:
- **Option 1:** Status Quo
 - **Option 2:** Reduced service offer - CAPEX \$1m (one-off) and then \$500K pa OPEX grant
 - **Option 3:** Third-party runs i-site functions (**Council's preferred option**)
- c) **Adopt** the following as options that will be consulted on as part of Annual Plan 2025/26 consultation in relation to **Par2 Mini Golf**, noting Council's preferred option:
- **Option 1:** Status Quo
 - **Option 2:** Explore a commercial lease (**Council's preferred option**)
- e) **Agree** that McLean Park will be an inform topic included in the Annual Plan 2025/26 consultation document and the information included in this report will be used to inform development of that piece.

Carried

**COUNCIL
RESOLUTION**

Councillors Taylor / Greig

- d) **Adopt** the following as options that will be consulted on as part of Annual Plan 2025/26 consultation in relation to the **National Aquarium of New Zealand**, noting Council's preferred option:
- **Option 1:** Status Quo
 - **Option 2:** Redevelopment retaining some of the building with a capex of circa \$35 million and an OPEX grant of circa \$2 million.
 - **Option 3:** Smaller new building facility with a CAPEX of circa \$28 million and an OPEX grant of up to \$2 million (with a target of reducing OPEX grants over time). (**Council's preferred option**)
 - **Option 4:** Exit, third party runs activity or closure.
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ACTION: *Direct officers to circulate an update on the implementation of a Citizens Assembly.*

Carried

Councillors Price and McGrath voted AGAINST the Motion

The meeting adjourned at 11.08am and reconvened at 11.22am

4. KENNEDY PARK AND OCEAN SPA COMMERCIALISATION OPTIONS ANALYSIS AND RECOMMENDATIONS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1814419
<i>Reporting Officer/s & Unit:</i>	Thunes Cloete, Executive Director Community Services Steve Gregory, Manager Business & Tourism Emma Alexander, Programme Manager - Transformation - Strategy and Transformation

4.1 Purpose of Report

This paper provides an update on:

- transforming Kennedy Park and Ocean Spa to being Council-owned commercial businesses with the objective of being financially self-sustainable; and
- the options analysis being undertaken.

The paper is seeking feedback and support for:

- exploring a commercial leasing arrangement Kennedy Park and Ocean Spa; and
- establishing a Commercial Governance forum to oversee the performance of the facilities and provide governance to the leasing process.

At the meeting

The Manager Business and Tourism, Mr Gregory provided a brief summary of the report in relation to Kennedy Park and Ocean Spa becoming council owned commercial businesses.

In response to questions the following was clarified:

- Council measures finance on earnings before income tax and with the exception of the financial year 2018/2019, just before the Covid pandemic, Kennedy Park was performing well from a net position. However, since then it has struggled financially.
 - It is proposed to establish a Project Steering Committee with skilled and experienced members and resources to provide advice on operational performance and activities. Whether there is a cost involved will depend on existing capability and adequate experience operating commercial facilities within Council. It is expected this resource will uplift performance.
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- Council will be leasing the land and looking to sell the buildings to generate income, and the purchaser can decide on development in conjunction with Council.
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**COUNCIL
RESOLUTION**

Councillors Crown / Taylor

That Council:

- a. **Approve** exploring commercial leasing arrangements for both Kennedy Park and Ocean Spa.
- b. **Note** that a key next step in the process will be the presentation of the proposed procurement strategy to Council.
- c. **Approve** that an update on commercialising Kennedy Park and Ocean Spa, including exploring commercial leasing arrangements, be included in the 2025/26 Annual Plan consultation.
- d. **Note** the concept of establishing a commercial governance forum to support Officer's continuing to uplift the commercial performance of the facilities in parallel exploring commercial leasing options. The next steps is to further develop the concept of this, identify the skills required and consideration of leveraging other developments, such as the Council Controlled Trading Organisation to manage Council investment portfolio.

Carried

5. NAPIER LIBRARY OPTIONS - ANNUAL PLAN 2025/26

Type of Report: Operational

Legal Reference: N/A

Document ID: 1828880

Reporting Officer/s & Unit: Thunes Cloete, Executive Director Community Services
Elizabeth Caldwell, Manager Arts, Culture and Heritage

5.1 Purpose of Report

This report details the Napier Library options that Council has considered as part of the Annual Plan 2025/26 development process. It asks Council to formally adopt the proposal to close Napier Library as a topic for inclusion in the Annual Plan consultation document (to come to Council in March) and adopt the options (including Council's preferred) that will be consulted on.

At the meeting

The Executive Director Community Services, Mr Cloete spoke to the report providing background information.

In response to questions the following was clarified:

- Currently, the Napier Library is scheduled to close when the new library building, Te Aka, is completed in approximately 18 months time. Closing early will allow for cost savings in the interim.
- Closing the library would benefit Napier ratepayers by around \$620,730. Other costs would be saved. Extra services will be introduced in the meantime, for example the mobile library van will visit more locations around the city. Additional hours for the mobile library will be investigated following consultation with the community.
- Other opportunities will be tested in the 18 months, such as click and collect activities, that will make it easier for users to access books who do not have time to go into the Library.
- Library books will be retained in the MTG building and not stored in boxes as they will still be in circulation with click and collect. Staff will still work in the building but public will not have access to it.
- Service delivery as a result of the temporary closure will be the mobile library with increased hours, to be confirmed, the Taradale library, click and collect, holiday programmes etc. The consultation document will expand on the activities that will be available through the temporary closure.

**COUNCIL
RESOLUTION**

Councillors Taylor / Mawson

That Council:

- a) **Adopt** the closure of Napier Library as a topic for inclusion in the Annual Plan 2025/26 consultation document
- b) **Adopt** the following as options that will be consulted on, noting Council's preferred:
 - i. Option 1 – Napier Library status quo
 - ii. Option 2 - Close Napier Library, Mobile Library operational (Monday to Friday), Taradale Library open 7 days (**Council's preferred**)
 - iii. Option 3 - Close Napier Library, Mobile Library operational (Monday to Friday), Taradale Library open 6 days (Monday to Saturday)

Carried

Councillors Boag and Greig voted AGAINST the Motion

6. AHURIRI INVESTMENT MANAGEMENT LIMITED - DEFINITION OF NCC INVESTMENT PORTFOLIO

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 1831412

Reporting Officer/s & Unit: Jessica Ellerm, Deputy Chief Executive / Acting Executive Director City Services
Richard Munneke, Commercial Director
Emma Alexander, Programme Manager - Transformation - Strategy and Transformation

6.1 Purpose of Report

The focus of this report is on the *definition of the NCC investment portfolio* being a Strategic Asset of Council and included in the 2026 Draft Annual Plan for public consultation.

At the meeting

The Commercial Director, Mr Munneke spoke to the definition in the report to grow the investment portfolio as a strategic asset for Council.

In response to questions the following was clarified:

- It is anticipated that the inflation adjusted value of the asset portfolio will be benchmarked, potentially within five years as there will be capital growth on the value of the assets. The type of assets will vary over time as assets will be divested from the portfolio base.
- CPI (Consumer Price Index) would be used as the inflation indicator in most cases for commercial investment.
- The Local Government Cost Index would be at a higher level, however this could be taken into consideration at a later date.

COUNCIL RESOLUTION

Councillors Taylor / Browne

That Council:

- a) **Approve** the draft definition of the NCC Investment Portfolio for the Strategic Group of Assets list in the Significance and Engagement Policy as set out below:

“The inflation-adjusted net value of the Napier City Council Investment Portfolio (NCC Investment Portfolio)”

The inflation-adjusted net value of the NCC Investment Portfolio is calculated as the value of the assets when they enter the portfolio increased by annual inflation, using the Consumer Price Index (CPI) each 30 June.

The details and value of specific assets will be contained within a NCC Investment Portfolio Valuation Register.

Individual assets within the NCC Investment Portfolio can be bought and sold without community engagement, unless an asset is listed separately as a Strategic Group of Assets or Strategic Asset. Separately listed individual assets would still require consultation”.

b) **Approve** the following be included in the Annual Plan 2025/26 community consultation:

- i. an update about progress on creating creating the NCC Investment Portfolio and the CCTO; and
- ii. the following options be included for consultation, noting Council's preferred option:

Option 1 Protect the inflation-proofed value of the NCC's Investment Portfolio by listing it in the Strategic Group of Assets within the Significance and Engagement Policy.

or

Option 2 Don't list the NCC Investment Portfolio value as a Strategic Group of Asset within the Significance and Engagement Policy.

Carried

Councillor McGrath voted AGAINST the Motion

7. ANNUAL PLAN 2025/26 - ADOPTION OF FURTHER SUPPORTING INFORMATION

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1828593
<i>Reporting Officer/s & Unit:</i>	Danica Rio, Senior Advisor Corporate Planning

7.1 Purpose of Report

To formally adopt further underlying information related to the Annual Plan 2025/26. In addition to the information adopted at the 12 December 2024 Council meeting (see agenda item 2. *Annual Plan 2025/26 - Adoption Of Underlying Information*), the information in this report will be used to inform the development of the Annual Plan consultation document and supporting information.

At the meeting

The Senior Advisor Corporate Planning, Ms Rio spoke to the report advising it was a summary of the information that will be included in the Annual Plan Consultation document, which will be brought back to Council on 27 March 2025 for adoption. Community consultation is scheduled from 31 March to 30 April 2025.

In response to questions the following was clarified:

- The process for the Fees and Charges part of the Annual Plan development was initially adjusted by CPI (4.1%), and reviewed by managers in line with the Revenue and Finance Policy.
- Changes to the fees and charges will have an impact on the rates increase for those activities that have a rate funded component. An example being Ocean Spa, operating as part of Council’s commercial portfolio. Any reduction in revenue for Ocean Spa potentially has an impact on its bottom line; an impact which Council agreed to loan fund in the Long Term Plan deliberations. Other facilities that have a reduction in revenue will impact on rates.
- Ms Thomson advised that together with the Chief Executive, they were working through a number of budgets across Council to identify where funds can be repurposed, and these will be in place when the Annual Plan is adopted on 30 June 2025.
- The additional funding for Hawke’s Bay Tourism is not included in the consultation document, but does make up part of the 7.9% rates increase. Approving the funding today would still require Council ratification during deliberations and adoption of the Annual Plan.
- It was noted that Hawke’s Bay Tourism were seeking clarification from Council to provide this additional funding to continue to operate in an appropriate and credible way; meeting the outcomes that have been set for them. If they do not get assurance, they will need to make decisions in regard to staffing and their future.

Suggested amendments:

- *Ocean Spa fees and charges remain at the status quo pricing.*
- *Hawke’s Bay Tourism funding, if agreed by Council in the Annual Plan, have a reporting structure on accountability of the funding.*
- *Draft financial statement formatting to include in column heading \$ value.*

The Chair agreed to consider recommendation (c) separately from recommendations (a), (b), (d) (e), (f) and (g).

**COUNCIL
RESOLUTION**

Acting Mayor Brosnan / Councillor Tareha

That Council:

- a) **Direct** officers to prepare an Annual Plan consultation document to be reported back for Council adoption on 27 March 2025.
 - b) **Adopt** the contents of this report as the underlying information that will inform the development of the Annual Plan 2025/26 consultation document, noting this information is in addition to the information adopted at the 12 December 2024 Council meeting (see agenda item 2. *Annual Plan 2025/26 - Adoption Of Underlying Information*)
 - d) **Adopt** the Annual Plan 2025/26 Draft Financial Statements (Doc Id1829853), noting that funding for a water levy has not been included in budgets.
 - e) **Adopt** the Draft Schedule of Fees & Charges 2025/26 (Doc Id 1829840) with the following amendment:
 - i) Ocean Spa fees and charges for Ocean Spa be retained at status quo pricing.
-

- f. **Adopt** the Annual Plan 2025/26 Communications and Engagement Plan (Doc Id 1829854).
- g. **Note** that as per earlier Council resolutions (at this meeting and 12 December 2024), the following matters will be included in the consultation document:
 - i. Proposed rates increase
 - ii. Proposed changes to fees & charges
 - iii. Reimagine facilities options
 - iv. Commercial facilities update
 - v. Napier Library options
 - vi. CCTO update / related changes to the Significance & Engagement Policy

Carried

**COUNCIL
RESOLUTION**

Councillors McGrath / Crown

- c) **Approve** increasing the funding for Hawkes Bay Tourism from \$300,000 to \$450,000, noting that the increase of \$150,000 will be funded by re-purposing existing budgets and that Council receive regular accountability reporting from Hawke’s Bay Tourism.

ACTION: *Direct officers to report back to Council on where savings would be made to fund the additional \$150,000 for Hawke’s Bay Tourism.*

Carried

Councillor Greig voted AGAINST the Motion

The meeting adjourned for lunch at 12.43pm and reconvened at 1.15pm

8. DRAFT LOCAL ALCOHOL POLICY AND ASSOCIATED DOCUMENTS

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Sale and Supply of Alcohol Act 2012
<i>Document ID:</i>	1829331
<i>Reporting Officer/s & Unit:</i>	Stephen Bokkerink, Team Leader Compliance

8.1 Purpose of Report

The purpose of this report is to seek a decision from Council on the adoption of the First Draft Napier City Council Local Alcohol Policy (Draft LAP) for public consultation, in accordance with the Special Consultative Procedure (SCP) as prescribed by Section 83 and Section 87 of the Local Government Act 2002 (LGA 2002) and Section 79(1) of the Sale and Supply of Alcohol Act 2012 (SSAA 2012).

The hearings are proposed to be held on 29 April 2025 and 30 April 2025.

The Statement of Proposal for the Draft LAP, together with the supporting documentation, is scheduled to be publicly notified on or around 17 March 2025, initiating the submission process under the SCP. This date is consistent with what is proposed for Hastings District Council.

Following consultation, the hearings process will take place in late-April 2025, where all submissions will be reviewed and considered, and a preferred position formed, and Final Draft LAP developed for Council approval.

At the meeting

The Team Leader Compliance, Mr Bokkerink spoke to report advising that at the time of writing the report for Council on 20 February 2025, there remained three areas where officers required further direction from Council prior to consultation - on Club maximum trading hours, Special licence maximum trading hours and Discretionary conditions.

The meeting considered the proposed changes to the Local Alcohol Policy, and following discussion addressed the following changes:

On licence maximum trading hours: Taverns / Bars Pubs/ Night-clubs

- **Agree** with alternative option as recommended by NZ Police, which also aligns with Hastings District Council, Police and Medical Officer of Health that maximum trading hours should be:
 - 8.00am to 2.00am (*previously 8.00am-3.00am*) the following morning for on-licence premises and one-way door condition from 1am (or one hour before close).

Off Licence Premises maximum trading hours

- **Agree** with proposed change of hours 9.00am to 9.00pm Monday to Sunday (*previously 7.00am to 10.00pm*) supported by NZ Police and Medical Officer of Health and consistent with Hastings District Council

Club Licence

- **Agree** retain status quo 8.00am to 1.00am the following day Monday to Sunday. Noting the District Licensing Committee (DLC) can apply discretion when a license is issued regarding its nature and activities of the Club.

Special Licence

- **Agree** to proposed time 8.00am to 2.00am the following day (*previously any day at any time*), unless the event is deemed suitable to extend beyond these hours, and the applicant can provide justification for the need for extended hours. A waiver will need to be applied for to extend these licensed hours. All applications must comply with the District Plan and any applicable Resource Consent.

-
- It was noted that for exceptions (e.g. Rugby World Cup or special event) the DLC can use their discretion to extend the opening hours. The Policy provides guidance in which the DLC can operate.
 - Fees for special licence applications are variable depending on the size of the event ranging from \$63.00 for a small event, \$207.00 for a medium event, and \$575.00 for all other large events.

Density Provision - Location of licensed premises

- **Agree** to retain the status quo for off-licence bottle store restriction for Maraenui.

The meeting adjourned at 1.45pm and reconvened at 1.57pm

Discretionary conditions, noting discretion of DLC;

- **Agree** to change the following discretionary conditions for Class One Events:
 - Change serve reduction systems in place - maximum serves of 4 per sale to 2 (previously 2 per sale to 1).
 - Retain no full bottle wine sales for onsite consumption (note discretionary).
- It was noted that discretionary conditions are for the DLC to consider, and the Police had proposed various discretionary conditions be included as a tool for licensing authorities as part of the Local Alcohol Policy.

Mr Bokkerink advised that section 117 of the Sale and Supply of Alcohol Act permits the DLC to issue any license subject to any reasonable conditions not inconsistent with the Act. The discretionary conditions are in addition to the mandatory conditions specified in the Act. This is a Statement of Proposal to consult with the community and if removed would be difficult to re-introduce in later consultation.

- Mr Bokkerink advised that consultation on the Local Alcohol Policy is planned for between 14 March 2025 to 14 April 2025 with Council hearing submissions on 29 April 2025 and 30 April 2025.

**COUNCIL
RESOLUTION**

Deputy Mayor Brosnan / Councillor Greig

That Council:

- a) **Receive** the report titled Draft Local Alcohol Policy and associated documents dated 20 February 2025.
 - b) **Approve** the following documents for public consultation:
 - i. The first draft of the Napier City Council Local Alcohol Policy 2025 with the following amendments:
 - ii. The Statement of Proposal and associated documentation prepared in accordance with the Special Consultative Procedure required by the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012.
 - c) **Note** the following amendments:
 - Density Provisions – Status quo - retain off-licence bottle store restriction for Maraenui.
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- On-licence maximum trading hours – reduction to 2.00am close, 1.00am one-way door restriction– aligns with Hastings, Police and Medical Officer of Health.
 - Club licence trading hours retain status quo 8.00am to 1.00am Monday to Sunday.
 - Special licence trading hours, reduction to 8.00am to 2.00am, but could extend with justification.
 - Discretionary conditions, noting discretion of DLC;
 - Retain - No full bottle wine sales for onsite consumption. (note discretionary).
 - Serve reduction systems in place to manage intoxication levels – maximum serves of 4 per sale reducing to 2.
 - Change serve reduction systems in place - maximum serves of 4 to 2.
 - No changes received on other Discretionary Conditions.
- d) **Note** following consultation and hearings, a preferred position paper and final Local Alcohol Policy will be brought back to Council for approval in June 2025.

Carried

9. INFORMATION - MINUTES OF JOINT COMMITTEES

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1816570
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

9.1 Purpose of Report

The purpose of this report is to receive unconfirmed minutes from Joint Committee meetings.

To view the full agendas relating to these minutes please refer to the following websites:

- Hawke’s Bay Regional Council <https://www.hbrc.govt.nz/our-council/meetings>
- Napier City Council [Infocouncil | Business Papers](#)
- Hastings District Council <https://hastings.infocouncil.biz>

At the meeting

The Team Leader Governance, Ms Eady was present for this report.

Councillor Boag left the meeting at 2.26pm

**COUNCIL
RESOLUTION**

Councillors Taylor / Price

That Council:

a) **Receive** for information the minutes of the following Joint Committee meetings held:

- 6 September 2024 Hawke’s Bay Regional Transport Committee (Doc Id 1816407)
- 25 November 2024 HB Civil Defence Emergency Management Group Joint Committee (Doc Id 1826961)
- 6 December 2024 Omarunui Refuse Landfill Joint Committee (Doc Id 1827312)
- 6 December 2024 Joint Waste Futures Steering Project Committee (Doc Id 1820221)
- 9 December 2024 Ahuriri Regional Park Joint Committee (Doc Id 1816339)
- 31 January 2025 Joint Waste Futures Steering Project Committee (Doc Id 1830975)

Carried

10. ORDER OF CANDIDATE NAMES ON VOTING DOCUMENTS.

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Electoral Regulations 2001
<i>Document ID:</i>	1822020
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

10.1 Purpose of Report

To request a decision from Council on the order of candidates’ names on voting documents for future Local Government elections, as per the Local Electoral Regulations 2001.

At the meeting

The Team Leader Governance, Ms Eady spoke to the report advising that the random order of candidates on voting documents had been used for the previous three elections for Napier.

**COUNCIL
RESOLUTION**

Councillors Chrystal / Mawson

That Council:

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- a. **Receives** and considers the *Order of Candidate Names on Voting Documents* report.
 - b. **Approves** the presentation of candidates' names on voting documents for Napier City Council elections, until such time as a new resolution is made, will be arranged in random order on voting documents.
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Carried

11. AMENDMENT TO THE 2025 MEETING SCHEDULE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1822696
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

11.1 Purpose of Report

The purpose of this report is to consider an amendment to the 2025 meeting schedule, which was adopted on 31 October 2024.

It is proposed that the meeting schedule be amended as outlined in the recommendation of this report.

At the meeting

The Team Leader Governance, Ms Eady was present for this procedural report.

COUNCIL RESOLUTION

Councillors Browne / Mawson

That Council:

- a) **Adopt** the following amendment to the 2025 meeting schedule:

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> • Prosperous Napier Committee followed by Napier People and Places Committee | <ul style="list-style-type: none"> Change of Date | <ul style="list-style-type: none"> 26 February 2025 – 1.00pm (<i>previously 27 February 2025</i>) |
| <ul style="list-style-type: none"> • Sustainable Napier Committee followed by Future Napier Committee | <ul style="list-style-type: none"> Change of Date | <ul style="list-style-type: none"> 6 March 2025 – 1.00pm (<i>Previously 27 February 2025</i>) |
| <ul style="list-style-type: none"> • Council (Hearing Local Alcohol Policy Submissions) | <ul style="list-style-type: none"> New Date | <ul style="list-style-type: none"> 29 April 2025 – 9.30am |
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- Ahuriri Regional Park Joint Committee Change of date 9 June 2025 – 9.30am
(Previously 23 May 2025)

 - Council (Hearing Solid Waste Bylaw Review Submissions) New Date 5 June 2025 – 9.30am

 - Ngā Mānukanuka o te Iwi Change of date 15 August 2025 – 11.00am
(Previously 8 August 2025)

Carried

12. STANDING ORDERS UPDATE

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002; Local Government Official Information and Meetings Act 1987; Local Authorities (Members’ Interests) Act 1968
<i>Document ID:</i>	1826325
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

12.1 Purpose of Report

To present the 2025 Local Government New Zealand Standing Orders template, with Napier City Council specific amendments and workshop guidelines added, for adoption.

At the meeting

The Team Leader Governance, Ms Eady presented the report providing a summary of the specific amendments for Napier.

COUNCIL RESOLUTION

Councillors Taylor / Crown

That Council:

- a. **Adopt** the 2025 Local Government New Zealand Standing Orders, noting the following Napier City Council specific departures from the template:
 - i. Standing Order 4.3:
A member intending to address the meeting in New Zealand Sign Language, or te reo Māori, when the normal business of the
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meeting is conducted in English, must advise the chairperson not less than five working days before the meeting to allow for translation services to be arranged.

Any written materials requiring translation should be forwarded to the chief executive at least two weeks before the meeting to allow time for translation.

ii. Standing Order 9.1:

At least five working days prior to a meeting the chief executive must prepare an agenda for the meeting, to be circulated to all members attending the meeting.

iii. Standing Order 9.8:

While the documents must be available for viewing at least five working days before a meeting, they should be made available with as much notice as possible before the meeting date.

iv. Standing Order 15.1:

A period of up to 45 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled council meeting.

Speakers can speak for up to ten minutes (excluding questions). A further five minutes is allowed for questions...

...The chairperson has discretion to...

- b) where there are more than three speakers presenting in the public forum, restrict one or more speakers allocated speaking time....

v. Standing Order 16:

Any documents to be included in the deputation must be received at least two days in advance. If translation services will be required, documents need to be received two weeks in advance of the meeting.

vi. Standing Order 16.1:

- a) Speakers can speak for up to 10 minutes (excluding questions). A further five minutes is allowed for questions...

v. Standing Order 17.2:

A petitioner who presents a petition to the council or a committee may speak for ten minutes (excluding questions) about the petition unless the meeting resolves otherwise.

vi. Standing Order 19.6:

Where a member or members have abstained or voted against a carried motion, the vote(s) or abstention(s) will be immediately recorded for the accuracy of the record

vii. Standing Order 22.1:

... Option C applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves *[by simple majority]* to adopt either of the other two options for the meeting generally, or for any specified items on the agenda.

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- b. **Note** council workshop guidelines, supporting elected members and staff to meet the Ombudsman’s recommended practice of opening workshops by default to the public, have been appended to the Standing Orders.

Carried

13. ACTION POINTS REGISTER AS AT 13 FEBRUARY 2025

Type of Report: Operational

Legal Reference: N/A

Document ID: 1828525

Reporting Officer/s & Unit: Anna Eady, Team Leader Governance

13.1 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 13 February 2025, for Council to note. It does not include action points that were requested in public excluded Council or Committee meetings.

At the meeting

The Team Leader Governance, Ms Eady was present for this report.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. **Note** the extract from the Action Points Register as at 13 February 2025.

Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

REPORTS FROM NGĀ MĀNUKANUKA O TE IWI HELD 31 JANUARY 2025

1. Update on Reimagine Facilities Review

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1805771
<i>Reporting Officer/s & Unit:</i>	Steve Gregory, Manager Business & Tourism

1.1 Purpose of Report

The purpose of this report is to update the Ngā Mānukanuka o te Iwi committee on the progress of the Reimagine Facilities Review carried out by the Community Services Directorate.

At the meeting

There was no discussion at the meeting.

COUNCIL RESOLUTION	Councillors Greig / Tareha
	That Council note the recommendation of Ngā Mānukanuka o te Iwi:
	a) Receive the report titled “Update on Reimagine Facilities Review” dated 31 January 2025.
	Carried

2. Local Water Done Well - Progress Update

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1824518
<i>Reporting Officer/s & Unit:</i>	Andrew Lebioda, Manager Water Reforms Transition

2.1 Purpose of Report

The purpose of this report is to update the Ngā Mānukanuka o te Iwi Committee on the progress of work being done around Local Water Done Well both in regard to Napier City Council and the wider region as whole.

At the meeting

There was no discussion at the meeting.

**COUNCIL
RESOLUTION**

Councillors Greig / Tareha

That Council **note** the recommendation of Ngā Mānukanuka o te Iwia)

- a) **Receive** the report titled “Local Water Done Well – Progress Update” dated 31 January 2025.

ACTION: *Source the historical documents dating back to 2018 that show the cultural principles established at the start of the water reform process and share with the Committee.*

ACTION: *Seek further information from HBRC regarding sale of water to overseas entities and share with the Committee.*

Carried

3. Appointment of Council's Kaumātua

Type of Report: Operational and Procedural

Legal Reference: N/A

Document ID: 1825538

Reporting Officer/s & Unit: Mōrehu Te Tomo, Pou Whakarae

3.1 Purpose of Report

To endorse the nomination of Napier City Council's Kaumātua and Kuia.

At the meeting

The report presented to the Ngā Mānukanuka o Te Iwi meeting on 30 January 2025 noted that as per the Council recommendation from 8 June 2023 when the Kaumātua remuneration was reviewed, the salary will remain at \$15,000.00 per annum, per representative.

**COUNCIL
RESOLUTION**

Councillor Tareha / Acting Mayor Brosnan

That Council:

- a) **Endorse** Matiu Eru and Beverley Kemp-Harmer as Kaumātua and Kuia for Napier City Council effective from 20 February 2025.

- b) **Approve** remuneration of an annual honorarium of \$15,000 for Council Kaumatua (Matiu Eru and Beverley Kemp-Harmer) effective 20 February 2025.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1824603
<i>Reporting Officer/s & 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 2 December 2024 to 7 February 2025.

At the meeting

There was no discussion at the meeting.

COUNCIL RESOLUTION

Councillor Chrystal / Acting Mayor Brosnan

That Council:

- a) **Receive** the Tenders Let for the period 2 December 2024 to 7 February 2025 as below:
 - **Contract 2782 - Purchase of Hydrovac Truck** be awarded to Waimea Group NZ Limited in the sum of \$643,447 excl. GST
 - **Contract 2781 - Wastewater Treatment Plant Milliscreen Replacement** be awarded to Farra Engineering in the sum of \$199,522 excl. GST.
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Carried

Minor matters

There were no minor matters to discuss.

RESOLUTION TO EXCLUDE THE PUBLIC

Councillors Tareha / Greig

COUNCIL RESOLUTION

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

Carried

Agenda Items

1. Ahuriri Investment Management Limited - Board Nomination Panel and Recruitment Process
2. Information - Public Excluded Minutes of Joint Committees
3. Action Points Register (Public Excluded) as at 13 February 2025

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.	Plain English reason for passing this resolution in relation to each matter
	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. Ahuriri Investment Management Limited - Board Nomination Panel	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	To protect the privacy of nominees
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<p>and Recruitment Process</p>		<p>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. Information - Public Excluded Minutes of Joint Committees</p>	<p>7(2)(f)(ii) Maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</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>To enable discussions of the proposed CDEM Group structural changes without creating unnecessary uncertainty for potentially affected staff and community members.</p> <p>To enable the Council to carry out negotiations.</p>
<p>3. Action Points Register (Public Excluded) as at 13 February 2025</p>	<p>7(2)(a) Protect the privacy of natural persons, including that of a deceased person</p> <p>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</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</p>	<p>To protect privacy, conduct negotiations and protect the source of information and protection from Improper pressure.</p>

	<p>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</p> <p>7(2)(f)(ii) Maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>	
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Public Excluded Text

Council has considered the public interest in the information above and balanced those interests with the reason(s) for withholding this information. This ensures Council has met the requirements for withholding information under section 7(2) of the Local Government and Official Information and Meetings Act 1987.

Councillor Simpson left the meeting at 2.45pm.

The meeting adjourned at 2.39pm and reconvened in Public Excluded at 2.45pm

The meeting closed with a karakia at 3.13pm

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

Chairperson

Date of approval