



ORDINARY MEETING OF COUNCIL

Open Agenda

Hearing of Submissions : Draft City Wide Reserve Management Plan Review

Meeting Date: Tuesday 15 April 2025

Time: 9.30am

Venue: Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook page

Council Members **Chair:** Mayor Wise

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

Officer Responsible Chief Executive

Administrator Governance Team

Next Council Meeting
Thursday 17 April 2025

2022-2025 TERM OF REFERENCE - COUNCIL

<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 body¹:

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 body².
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.³

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 Orders⁴.
3. Approval or amendment the Code of Conduct for Elected Members⁵.
4. Appointment and discharging of committees, subcommittees, and any other subordinate decision-making bodies⁶.
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) ⁷.
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 yearly⁸.
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.

4 Schedule 7, clause 27,

5 Schedule 7, clause 15,

6 Schedule 7, clause 30,

7 Schedule 7, clause 30,

8 Local Electoral Act 2001, section 19H.

ORDER OF BUSINESS

Karakia

Apologies

Nil

Conflicts of interest

Public forum

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, 27 March 2025 be confirmed as a true and accurate record of the meeting.27

Information items

Agenda items

1 Draft City Wide Reserve Management Plan Submission Analysis5

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

Reports under Delegated Authority

Recommendation to Exclude the Public

AGENDA ITEMS

1. DRAFT CITY WIDE RESERVE MANAGEMENT PLAN SUBMISSION ANALYSIS

Type of Report:	Legal and Operational
Legal Reference:	Reserves Act 1977
Document ID:	1844489
Reporting Officer/s & Unit:	Amelia Longley, Parks Policy Planner Russell Engelke, Acting Open Spaces Team Leader

1.1 Purpose of Report

This report provides an analysis of submissions received on the Draft City Wide Reserve Management Plan (CWRMP), and outlines recommendations to Council on proposed amendments to the draft plan.

Officer’s Recommendation

That Council:

- a) **Receive** and consider all submissions made on the Draft City Wide Reserve Management Plan.
- b) **Direct** Officers to implement required amendments to the Draft City Wide Reserve Management Plan following consideration of submissions, ahead of adoption of the plan.
- c) **Remedy 1: Part A: Headings**
Disallow, Save the Dotterels, Hawke’s Bay (Submission 19) insofar that the **Remedy 1: Part A: Headings** City Wide Reserve Management Plan does not apply to all beaches or coastal areas in Napier and that the inclusion of the reference to beaches in general as opposed to ‘reserves’ may contribute to further confusion regarding the application of the Plan.
- d) **Remedy 2: Part A: 1.4 Reserve Classifications**
Add a reference of significance in **Remedy 2: Part A: 1.4 Reserve Classifications** of Te Whanganui a Orotu and relationship with wider reserve network in Part A Section 5.0 Key Management Issues – 5.1 Biodiversity and Ecology as follows:
 - *Te Whanganui-a-Orotu|Ahuriri Estuary is a wāhi taonga in Mana Ahuriri’s Takiwā and an area of significant ecological value. Te Komiti Muriwai o Te Whanga, the permanent estuary co-governance committee for the estuary, have prepared Te Muriwai o Te Whanga, an overall coordinating plan for the Ahuriri and catchment areas.*

While the wider Te-Whanganui-a-Orotu is not vested as a Council reserve, a number of Council reserves are adjacent to or connected to the estuary through waterways and it is important that this interconnectedness and the health of the estuary is considered in the management of these reserves.

e) **Remedy 3: Part A – 3.5.2 Other Non-Statutory Documents**

Accept the submission of **Cancer Society, Hawke’s Bay** (Submitter 22) and that an addition to section 3.5.2 Other Non-Statutory Documents: Internal Policies is included to reference the Joint Smokefree and Vapefree Policy as follows:

- ***Smokefree and Vapefree Policy (2022)***
- *This policy recognises and supports smokefree and vapefree areas designated through Government legislation which include Council managed urban parks, sportsgrounds, playgrounds and reserves.*

f) **Remedy 4: Part A- 4.0 Napier’s Open Space Network**

i) **Allow** the submission of **Save the Dotterels, Hawke’s Bay** (Submitter 19) insofar as an amendment to the paragraph referencing the city’s Foreshore Reserves, to include addition of reference to the habitat these reserves provide to indigenous flora and fauna and the requirement for the preservation of these species and their habitat as follows:

- *These reserves also have a key role to play in protecting the city from storm events and inundation from the sea and provide habitat for a number of species of indigenous flora and fauna.*

ii) **Disallow** the submission of **Ahuriri Estuary Protection Society** (Submitter 24) as there are opportunities through subsequent Individual and Group Management Plan reviews to provide feedback on specific initiatives for management within different types of reserves.

g) **Remedy 5: Part A – 5.3 Climate Change/Sustainability and Resilience**

Allow the submission of the **Ahuriri Estuary Protection Society** (Submitter 24), in part, insofar as the recommendation in Remedy 2 will include reference to the significance of Te Whanganui a Orotu. No amendments to 5.3 Climate Change/Sustainability are recommended.

h) **Remedy 14: Part B – 2.0 Recreation and Access Activities**

Agree not to include in **Remedy 14: Part B – 2.0 Recreation and Access Activities** any Objectives or Policies relating to the specific provision for recreational horse riding or mountain biking, noting that this activity can be considered through the review of Individual and Group Management Plans.

i) **Remedy 15: Part B – 2.3 Accessibility**

Agree to amend policy 2.3.1 of **Remedy 15: Part B – 2.3 Accessibility** to reflect that not all development will be able to enable accessibility as follows:

- *That development and maintenance of reserves and open spaces shall be in accordance with Councils Disability Strategy, while considering the nature of the specific reserve.*
- j) **Agree** that no amendments are required to the following provisions of:
- Remedy 5: Part A – 5.3 Climate Change/Sustainability and Resilience
 - Remedy 6: Part A – 6.5 Natural Values
 - Remedy 7: Part B – 1.1 Classification and Gazetting
 - Remedy 8: Part B - 1.3 Acquisition and Divestment Guidance Section 1.3.
 - Remedy 9: Part B – 1.4 Reserve Development
 - Remedy 10: Part B – 1.5 Reserve Naming.
 - Remedy 11: Part B – 1.6 Encroachments
 - Remedy 12: Part B – 1.8 Community Partnerships
 - Remedy 13: Part B – 2.0 Recreation and Access Definition
 - Remedy 16: Part B – 2.4 Motor Vehicles and Access Parking.
 - Remedy 17: Part B – 2.5 Freedom Camping
 - Remedy 18: Part B – 2.6 Temporary Activities
 - Remedy 19: Part B – 2.9 Dog Exercise Activities
 - Remedy 20: Part B – 3.1 Buildings including Clubrooms, Changing rooms, Toilet Blocks etc, 3.2 Public Toilets and Changing Facilities and 3.4 Fencing.
 - Remedy 21: Part B – 3.3 Structures – Pergolas, Park Furniture and Water Features
 - Remedy 22: Part B – 3.5 Signage and Lighting
 - Remedy 23: Part B – 4.0 Mana Whenua Values Objectives
 - Remedy 24: Part B – 4.1 Mana Whenua Partnerships
 - Remedy 25: Part B – 5.1 Environment and Sustainability
 - Remedy 26: Part B – 5.2 Trees and Gardens.
 - Remedy 27: Part B – 5.3 Biodiversity and Ecology.
 - Remedy 28: Part B – 5.4 Pest Management (Animal and Plant)
 - Remedy 29: Appendix 1 – Prioritised List of Individual and Group Reserve Management Plans.
- k) **Note** that the final content of the City Wide Reserve Management Plan is subject to minor editorial amendments.

1.2 Background Summary

Pursuant to Section 41 of the Reserves Act 1977, Reserve Management Plans are required to be prepared for land that is vested subject to the provisions of the Act. Preparing a Reserves Management Plan is best practice for publicly owned parks and reserves even if they are not vested in accordance with the Act. Reserve Management Plans are to be kept under continuous review. Councils current *Management Plan for Recreation Reserves* was adopted in 2000.

The Draft City Wide Reserve Management Plan is a review of city wide objectives and policies. Following adoption of this plan, reviews of Individual and Group Management Plans will be undertaken to address objectives and policies for specific reserves.

Consultation on the Draft City Wide Reserve Management Plan

Section 41 of the Reserves Act specifies consultation requirements when preparing a reserve management plan review.

In accordance with the requirements of the Act, notification of intent to prepare a plan and pre-engagement was undertaken between May to July 2022.

Following pre-engagement Council officers prepared the Draft City Wide Reserve Management Plan.

The draft plan was adopted for consultation by Council on 31 October 2024.

The consultation period was open from 8 November 2024 to 28 February 2025. The consultation was promoted by public notice in the Hawke’s Bay Today on the 8 November, drop in and pop up sessions, social media posts, signage within reserves and in Councils Neighbourhood publication.

Stakeholders who had been involved in pre-engagement were informed of the consultation by email. A copy of the draft City Wide Reserve Management Plan and submission form were distributed to the Napier Libraries and the City Council Customer Services Centre. Online submissions were received via Say It Napier.

Summary of Submissions

24 submissions have been received on the Draft City Wide Reserve Management plan from the following submitters:

No.	Name	No.	Name
1	Ingrid Russell	13	Heidi Stiefel
2	Chris Comber	14	Heidi-Ann Phillips
3	Mark Hamilton	15	Glenys Offergeld
4	Linda McCavana	16	James Low
5	Helen Jacobi	17	Nicola Lark
6	Peter van der Stam	18	Janet Campbell
7	Gail Kirkham	19	Lynne Anderson, Save the Dotterels HB
8	Natalie Baker	20	Jenny Sargison
9	Roland Brandsma	21	Debbie Monahan, Biodiversity HB
10	John Reid	22	Crystal Lau, Cancer Society HB
11	Mel Bath	23	Irene Cahill
12	Jennifer Ellingham	24	Lindsay Bates, Ahuriri Estuary Protection Society

All submissions received are summarised in a table in **Attachment 1** (sorted by submitter).

Out of Scope submissions

A number of submissions received provided general feedback on Councils open space network as opposed to feedback on the Plan specifically. Where possible, where there is relevance to specific Objectives or Policies these have been included in the relevant analysis. Where feedback is generalised or does not relate to a specific Objective or Policy topic these have not been included in analysis.

A number of submitters indicated that they did have objections or feedback on specific provisions of the plan but did not provide feedback. Officers have made contact with these

submitters to clarify if there is any further feedback that can be considered. Where these submitters have indicated that they do not have any specific feedback these submissions have not been included in feedback.

A number of submissions provided feedback related to the development or operational management of a specific reserve, for example submissions related to specific trees or requests for installation of furniture. These submissions are out of scope of the City Wide Reserve Management Plan. Where appropriate these have been logged as service requests with City Services or passed on to Parks and Reserves Officers.

Officers have met with the submitter **Irene Cahill** (Submission 23) regarding proposals related to development of the Eskdale Cemetery.

Two submitters provided feedback on the potential closure of the Napier Library. These submissions are out of scope of the Reserve Management Plan and the submitters have been advised that the Annual Plan consultation will provide an opportunity to provide feedback on proposals related to the library.

Analysis of Submissions

Some submissions were made in relation to the provisions of Part A – Introduction and Background but are seeking a specific remedy which is better addressed in the relevant provision of Part B – Objectives and Policies. These submissions have been analysed as such.

No submissions within scope were received on the following provisions of the Plan. Because no submissions were received there is no requirement for further discussion and they can remain in the plan unchanged:

Provision
Part B: 1.0 Administration and Management Objectives
Part B: 2.7 Leases, Licences and Other Legal Agreements
Part B: 2.8 Liquor Licences
Part B: 3.4 Fencing
Part B: 3.6 Playgrounds
Part B: 3.7 Memorials and Donations

Submissions in Support

Submissions have been received in support of the following Objectives and Policies of the Plan, from the following submitters. Because no submissions within scope were received in opposition to these policies, there is no requirement for any further discussion and they can remain in the plan unchanged:

No.	Submitter	Provision
24	Ahuriri Estuary Protection Society	1.2 Service and Maintenance Agreements
24	Ahuriri Estuary Protection Society	1.7 Personal Safety and Vandalism
24	Ahuriri Estuary Protection Society	2.1 Primary Purpose
24	Ahuriri Estuary Protection Society	2.2 Tracks, Trails and Pathways
24	Ahuriri Estuary Protection Society	2.7 Leases, Licences and other Legal Agreements
24	Ahuriri Estuary Protection Society	2.8 Liquor Licences
24	Ahuriri Estuary Protection Society	5.0 Natural Values - Objectives

Submissions requesting minor amendments

A submission was received from Chris Comber (Submission 2) requesting clarification of the figure stating the area of open spaces managed by Napier City Council in Part A: Section 4.0 Napier’s Open Space Network “Napier City Council own and manage over 400 hectares of open space...”. This should be amended to read “Napier City Council own and manage over 700 hectares of open space...”. Officers will amend this in the final document alongside a small number of other minor administrative amendments.

Submissions requiring further analysis

Submissions have been received that require further analysis of the following sections of the Plan:

Remedy	Section	Provision
1.	Part A	Headings
2.	Part A – 1.4	Reserve Classifications
3.	Part A – 3.5.2	Other Non-Statutory Documents
4.	Part A – 4.0	Napier’s Open Space Network
5.	Part A – 5.3	Climate Change/Sustainability and Resilience
6.	Part A – 6.5	Natural Values
7.	Part B – 1.1	Classification and Gazetting
8.	Part B – 1.3	Acquisition and Divestment Guidance
9.	Part B – 1.4.2	Reserve Development
10.	Part B – 1.5	Reserve Naming
11.	Part B – 1.6	Encroachments
12.	Part B – 1.8	Community Partnerships
13.	Part B – 2.0	Recreation and Access Definition
14.	Part B – 2.0	Recreation and Access Activities
15.	Part B – 2.3	Accessibility
16.	Part B – 2.4	Motor Vehicles and Access Parking
17.	Part B – 2.5	Freedom Camping
18.	Part B – 2.6	Temporary Activities
19.	Part B – 2.9	Dog Exercise Activities
20.	Part B – 3.1, 3.2, 3.4	3.1 Buildings including clubrooms, changing rooms, toilet blocks etc., 3.2 Public Toilets and Changing facilities
21.	Part B – 3.3	Structures – Pergolas, Park Furniture and Water Features

Remedy	Section	Provision
22.	Part B – 3.5	Signage and Lighting
23.	Part B – 4.0	Mana Whenua Values Objectives
24.	Part B – 4.1	Mana Whenua Partnerships
25.	Part B – 5.1	Environment and Sustainability
26.	Part B – 5.2	Trees and Gardens
27.	Part B – 5.3	Biodiversity and Ecology
28.	Part B – 5.4	Pest Management (Animal and Plant)
29.	Appendix 1	Prioritised List of Individual and Group RMP's

Analysis

The following are the submissions that require further analysis, grouped by provision.

Remedy 1: Part A: Headings

Submissions

Save the Dotterels, Hawke’s Bay (Submission 19) considers that the CWRMP should include reference to beaches specifically, for example “Napier has more than 700 hectares of parks, beaches, reserves and sportsgrounds...”. They consider that it is difficult for groups to know which areas of Napier’s shingle beaches come under the jurisdiction of different organisations including the Department of Conservation, Hawke’s Bay Regional Council or Napier City Council.

Analysis

The objectives and policies of the Napier City Council City Wide Reserve Management Plan apply only to those areas vested as reserve to Napier City Council as the administering body as per the Reserves Act or as best practice parks and reserves owned by Napier City Council even if they are not vested in accordance with the Act. This includes a number of Foreshore Reserves but does not include all beaches in Napier, some of which are vested to the Department of Conservation or are areas under the jurisdiction of Hawke’s Bay Regional Council.

Officers recognise that the specific organisation responsible for different areas of the foreshore can be unclear for members of the public.

Recommendation

Officers recommend that the submission of Save the Dotterels be disallowed insofar that the City Wide Reserve Management Plan does not apply to all beaches or coastal areas in Napier and that the inclusion of the reference to beaches in general as opposed to ‘reserves’ may contribute to further confusion regarding the application of the Plan.

Remedy 2: Part A: 1.4 Reserve Classifications

Submissions

Ahuriri Estuary Protection Society (Submission 24) have expressed concern that Te Whanganui a Orotu | Ahuriri Estuary is not identified as a Reserve within the City Wide Reserve Management Plan. The submitter requests the opportunity to be consulted at the early stages of development of areas that immediately border the estuary.

Analysis

The wider Te Whanganui a Orotu/Ahuriri Estuary is not vested as an NCC administered Reserve and as such the specific objectives and policies of the NCC City Wide RMP do not apply to the Estuary itself.

The City Wide RMP does apply to reserve areas connected to and adjacent to the Ahuriri Estuary including Westshore Wildlife Reserve and Humber Street Reserve.

Officers acknowledge the significance of Te Whanganui a Orotu and the interconnectedness with our reserve network.

Community pre-engagement will occur during the preparation of all Individual and Group Management Plans in accordance with the requirements of Section 41 (5) of the Reserves Act and Councils Significance and Engagement Policy.

Recommendation

Officers propose addition of reference to significance of Te Whanganui a Orotu and relationship with wider reserve network in Part A Section 5.0 Key Management Issues – 5.1 Biodiversity and Ecology as follows:

Te Whanganui-a-Orotu|Ahuriri Estuary is a wāhi taonga in Mana Ahuriri's Takiwā and an area of significant ecological value. Te Komiti Muriwai o Te Whanga, the permanent estuary co-governance committee for the estuary, have prepared Te Muriwai o Te Whanga, an overall coordinating plan for the Ahuriri and catchment areas.

While the wider Te-Whanganui-a-Orotu is not vested as a Council reserve, a number of Council reserves are adjacent to or connected to the estuary through waterways and it is important that this interconnectedness and the health of the estuary is considered in the management of these reserves.

Remedy 3: Part A – 3.5.2 Other Non-Statutory DocumentsSubmissions

Cancer Society, Hawke's Bay (Submitter 22) have requested consideration of the Joint Napier City and Hastings District Councils Smokefree and Vapefree policy in the City Wide Reserve Management Plan to ensure that Smokefree and Vapefree spaces are prioritised and that the principles of the policy will be continuously incorporated not all future development and management of these open spaces.

Analysis

Council managed urban parks, sportsgrounds playgrounds and reserves (excluding beach reserves) are specifically designated as Smokefree and Vapefree under this policy. Council includes Smokefree and Vapefree logos as per the NCC Brand Guide for Signage on signage in our open spaces.

Recommendation

That the submission of **Cancer Society, Hawke's Bay** (Submitter 22) be accepted and that an addition to section 3.5.2 Other Non-Statutory Documents: Internal Policies is included to reference the Joint Smokefree and Vapefree Policy.

Remedy 4: Part A- 4.0 Napier's Open Space Network

Submissions

Save the Dotterels, Hawke's Bay (Submitter 19) have provided comment on the reference to Napier's Foreshore Reserves in that their value as a recreational asset should not be the sole focus for foreshore reserves, referencing the purpose of the Reserves Act which includes the preservation of natural ecosystems and landscapes.

Ahuriri Estuary Protection Society (Submitter 24) have provided comment to encourage Napier City Council to consider the entire open space network, including the Ahuriri Estuary, as an opportunity to enhance biodiversity of both flora and fauna and have provided examples of specific initiatives that could be implemented to achieve this.

Analysis

As well as providing recreational value and access to the coast for the community, Napier's Foreshore Reserves provide habitat for a number of indigenous flora and fauna including Banded Dotterel|Pohowera and Northern Spotted Skink|Kōkōwai. Ensuring, as far as possible, the survival of all indigenous species of flora and fauna both rare and commonplace, in their natural communities and habitats is included in the General Purpose of the Reserves Act (3(1)(b)).

The specific management of Foreshore Reserves will be addressed through the Foreshore Group Management Plan.

Opportunities for specific enhanced biodiversity initiatives can be addressed through Individual and Group management plans to give the wider community opportunity to have input. Some areas like cemeteries may not be appropriate given the level of reverence that these spaces demand and the level of service expected by the community.

Recommendation

That the submission of **Save the Dotterels, Hawke's Bay** be allowed insofar as an amendment to the paragraph referencing the city's Foreshore Reserves to include addition of reference to the habitat these reserves provide to indigenous flora and fauna and the requirement for the preservation of these species and their habitat.

That the submission of **Ahuriri Estuary Protection Society** be disallowed with the opportunity through subsequent Individual and Group Management Plan reviews to provide feedback on specific initiatives for management within different types of reserves.

Remedy 5: Part A – 5.3 Climate Change/Sustainability and Resilience

Submissions

Ahuriri Estuary Protection Society (Submitter 24) have submitted that the role of the Ahuriri Estuary as an extensive and valuable wetland is not identified in that it plays a major role in mitigating the impact of both rising sea levels and flooding.

Analysis

As discussed in Remedy 2 the wider Te Whanganui a Orotu|Ahuriri Estuary itself is not vested as an NCC reserve, however officers recognise the significance of the Estuary and it's interconnectedness with the wider reserve network.

Recommendation

That the submission of **Ahuriri Estuary Protection Society** be allowed in part, insofar as the recommendation in Remedy 2 will include reference to the significance of Te Whanganui a Orotu. No amendments to 5.3 Climate Change/Sustainability are recommended.

Remedy 6: Part A – 6.5 Natural Values

Submissions

John Reid (Submitter 10) has provided feedback that NCC need to do more around tree management, with specific reference to trees located in Centennial Park, Taradale, and comment that the risk management of trees is reactive and not proactive.

Analysis

The submitter has not suggested a specific remedy to 6.5 – Natural Values. A service request has been lodged with Councils arborist to investigate the specific concerns raised regarding trees at Centennial Park. Councils Asset Management Information and Transformation team (AMIT) are working with Councils in-house arborist to establish an electronic database of information on the city's trees and so far have captured data for over 6,600 trees across the city.

Recommendation

Officers do not recommend any amendments to Part A – 6.5 Natural Values.

Remedy 7: Part B – 1.1 Classification and Gazetting

Submissions

Chris Comber (Submitter 2) queried if reclassification of reserves requires consultation with the community.

Save the Dotterels, Hawke's Bay (Submitter 19) queried the classification of Foreshore Reserves and appropriateness of these spaces being classified as Recreation Reserves.

Ahuriri Estuary Protection Society (Submitter 24) support the provisions of 1.1 Classification and Gazetting.

Analysis

Reserves are classified based on their primary purpose at the time of vesting as per the Reserves Act.

Reserves Act Section 24 (2) *Change of classification or purpose or revocation of reserves* requires public notification of a proposed change of classification or purpose or revocation of reservation and every person claiming to be affected by the proposed change of classification or purpose or proposed revocation may give notice in writing within 1 month of the date of the first publication of the notice of the proposal. Objections shall be considered by the administering body and forwarded to the Commissioner.

If there is consideration that specific reserve classifications should be changed this is better addressed as part of the Individual and Group Management Plan review process and must follow the requirements of Section 24 of the Act.

Recommendation

Officers do not recommend any amendments to Part B – 1.1 Classification and Gazetting.

Remedy 8: Part B - 1.3 Acquisition and Divestment Guidance

Submissions

Chris Comber (Submitter 2) does not oppose the provisions of 1.3 Acquisition and Divestment Guidance as long as it is consulted on before being finalised by Council.

Ahuriri Estuary Protection Society (Submitter 24) support the provisions.

Analysis

Adoption of a new policy as proposed will require approval of Council and as a policy related to a Strategic Asset is likely to trigger Councils Significance and Engagement Policy.

The Reserve Acquisition and Divestment Policy itself will need to ensure compliance with the requirements of the Reserves Act, including the public notification of any proposed revocation of reserve status as per Section 24.

Recommendation

Officers do not recommend any amendments to the provisions of Section 1.3.

Remedy 9: Part B – 1.4 Reserve Development

Submissions

In relation to provision 1.4.2 **Ahuriri Estuary Protection Society** (Submitter 24) queried whether the proposed widening of SH2 over the Westshore Wildlife Reserve fully complies with the Reserves Act.

Analysis

Development of specific reserves is outside of the scope of the City Wide Reserve Management Plan, and as a New Zealand Transport Agency|Waka Kotahi project, NZTA will be responsible for ensuring any relevant planning requirements are addressed.

Recommendation

Officers do not recommend any amendments to this provision.

Remedy 10: Part B – 1.5 Reserve Naming

Submissions

Natalie Baker (Submitter 8) considers that emphasis should be placed on the original Te Reo name for an area or for new reserves.

Ahuriri Estuary Protection Society (Submitter 24) support the provisions.

Analysis

Provision 1.5 Reserve Naming states that new reserves will be named in accordance with the Parks and Reserves Naming Policy. New reserves, which are typically acquired through residential developments, will generally be named after the road they are located on. If the classification, size, location or function of a reserve warrant consideration of a unique name, if there is more than one reserve located on the street, or if Councillors, Iwi and emergency services do not endorse the Officers recommendation for a name then name suggestions will be requested from Councillors and Iwi.

Recommendation

Officers do not recommend any amendments to this provision.

Remedy 11: Part B – 1.6 Encroachments

Submissions

Linda McCavana (Submitter 4) encourages the protection of native flora and fauna.

Ahuriri Estuary Protection Society (Submitter 24) support the provisions.

Analysis

No specific remedy is proposed by submitters.

Recommendation

Officers do not recommend any amendments to this provision.

Remedy 12: Part B – 1.8 Community Partnerships

Submissions

Chris Comber (Submitter 2) has provided feedback that the provisions are a great sentiment but need to ensure it is consistently acted upon.

Natalie Baker (Submitter 8) suggests that Council promote volunteer opportunities for caring for a reserve eg. pest management and picking up litter.

Save the Dotterels (Submitter 19) strongly support the provisions. They reference the work their group of volunteers carry out including picking up litter following Guy Fawkes and other fires. They have provided comment on the requirement for more control over fires on Napier's beaches.

Ahuriri Estuary Protection Society (Submitter 24) strongly support the provisions.

Analysis

Council places great value on partnerships with various community groups which positively contribute to the management and enhancement of Napier's reserves.

Recommendation

Officers do not recommend any amendments to this provision.

Remedy 13: Part B – 2.0 Recreation and Access Definition

Submissions

Save the Dotterels (Submitter 19) requests specification of the term 'access' and whether this includes pedestrian, cycling, wheelchair or vehicle access. The submitter comments that there is a contradiction allowing unlimited access and wanting to preserve and restore indigenous ecosystems, biodiversity, flora and fauna, and that there are some areas that would be better to have limited access.

Analysis

The Reserves Act does not define 'access' but does include as part of the General Purpose of the Act the provision, for the preservation and management for the benefit and enjoyment of the public, areas of New Zealand possessing recreational use or potential, whether active and passive (Section 3(1)(a)(i)).

It also includes requirement to ensure as far as possible, the preservation of access for the public to and along the sea coast (Section 3(1)(c)).

For recreation reserves, of which most of the city's reserve network comprises, Section 17(2)(a) states:

the public shall have freedom of entry and access to the reserve, subject to the specific powers conferred on the administering body by sections 53 and 54, to any bylaws under this Act applying to the reserve, and to such conditions and restrictions as the administering body considers to be necessary for the protection and general well-being of the reserve and for the protection and control of the public using it:

Provision 2.4 Motor Vehicle Access and Parking Activities address motor vehicles specifically.

Council does limit access for motor vehicles in most reserves through the use of physical barriers to prevent damage to reserves and maintain safety for reserve users, and provides specific formed areas for entry and exit, and parking.

Councils Parks and Reserves Bylaw restricts vehicles and cycles except in areas designated or provided for that purpose.

Recommendation

Officers do not recommend any amendments to the provision given that the intention of the Act to provide public access is clear.

Remedy 14: Part B – 2.0 Recreation and Access Activities

Submission

Janet Campbell (Submitter 18) requests inclusion of an Objective providing for the consideration of horse riding.

Jennifer Ellingham (Submitter 12) comments that recreational horse riding needs to be included in all reserve plans providing a safe place for all levels of skills to ride and references the Kapiti Coast which has a network of trails which combine walkers and horse riding.

Mark Hamilton (Submitter 3) identifies that Napier does not have any facilities for mountain bike riders, and identifies some specific reserves including Park Island and parts of the hill including Sturms Gully and the Botanical Gardens.

Analysis

The Reserves Act does not specifically provide for recreational horse riding or mountain biking, however it does not prohibit these recreation activities and so where they are compatible with other reserve uses and align with the classification and primary purpose of a reserve they could be considered.

Napier's predominantly urban environment and well utilised reserve network limit the areas where these activities could be considered compatible with existing reserve activities.

Councils Parks and Reserves Bylaw prohibits horses on any area of reserve except on those areas set aside specially for such purpose. The only area within reserves where

horses are currently permitted is Papakura Domain, through a formal lease agreement with Riding for the Disabled.

Councils Parks and Reserves Bylaw prohibits cycles on any area of reserve except on those areas designated or provided for that purpose. There are currently no areas within Napier's reserve network that provide for mountain biking.

Identification of specific reserves compatible with specific activities is best addressed through the Individual and Group Management Plan review process as opposed to the general Objectives and Policies of the City Wide Reserve Management Plan. The draft City Wide Reserve Management Plan does not detail other recreational activities that can be considered through the Individual and Group review process and it is not considered necessary to specify horse riding or mountain biking within Objectives or Policies in order for them to be considered through the next stage of reviews.

Considering provision for these activities through the Individual and Group process will allow opportunity for the wider community to provide feedback on any proposed areas where these activities may be permitted.

Recommendation

Officers do not recommend the inclusion of any Objectives or Policies relating to the specific provision for recreational horse riding or mountain biking, noting that this activity can be considered through the review of Individual and Group Management Plans.

Remedy 15: Part B – 2.3 Accessibility

Submissions

John Reid (Submitter 10) has commented that styles for entry onto Maggie's Way and other places are not helpful for accessibility and has referred to Councils Disability Strategy.

Ahuriri Estuary Protection Society (Submitter 24) supports the provisions.

Analysis

Officers acknowledge that some tracks, trails or pathways are by the nature of the reserve in which they are located less accessible, for example sections of Maggie's Way or Sugar Loaf, Pukekura which are located on hillsides and require the use of stairs or styles.

Recommendation

That policy 2.3.1 be amended to reflect that not all development will be able to enable accessibility as follows:

That development and maintenance of reserves and open spaces shall be in accordance with Councils Disability Strategy, while considering the nature of the specific reserve.

Remedy 16: Part B – 2.4 Motor Vehicles and Access Parking

Submissions

Natalie Baker (Submitter 8) has provided feedback that there should be more support in the form of infrastructure for walkers and cyclists and less emphasis on car parking.

Roland Brandsma (Submitter 9) has provided feedback that green belts and reserves should be fenced or have bollards installed to prevent vehicles access.

Glenys Offergeld (Submitter 15) comments that indigenous wild life, flora and fauna should be considered and protected when planning Motor Vehicle Access and Parking along the Foreshore and Beach Reserves.

Save the Dotterels (Submitter 19) support provisions 2.4.1 to 2.4.5 but comment that vehicle access on Foreshore Reserves is not enforced and vehicles frequently access foreshore reserves. They comment that it would be welcome to see more barriers to prevent vehicles getting on to beaches.

Ahuriri Estuary Protection Society (Submitter 24) support the provisions.

Analysis

Council continues to maintain and install bollards across our reserve network with a priority on sites that have ongoing safety concerns or damage related to vehicle access. Parks and Reserves current work programme includes installation of a timber rail barrier between the National Aquarium of New Zealand and the Pump Track car park to secure the final section of Marine Parade Foreshore Reserve.

Councils Parks and Reserves Bylaw prohibits the use of vehicles on reserves except in areas designated or provided for that purpose.

Recommendation

Officers do not recommend any amendments to this provision.

Remedy 17: Part B – 2.5 Freedom Camping

Submissions

A number of submitters have provided feedback relating specifically to the implementation of the provision of Freedom Camping as opposed to the provision of the City Wide Reserve Management Plan which refers back to the Napier City Council Freedom Camping Bylaw, **(Chris Comber – Submitter 2, Natalie Baker – Submitter 8, Roland Brandsma – Submitter 9, Glenys Offergeld – Submitter 15)**.

Ahuriri Estuary Protection Society (Submitter 24) support the provision and provide comment that they have observed freedom camping in several areas around the Estuary and would welcome the removal of temporary camps and dens.

Analysis

Freedom Camping is regulated by Napier City Councils Freedom Camping Bylaw pursuant to Section 11 of the Freedom Camping Act 2011 as opposed to the City Wide Reserve. The Freedom Camping Bylaw was reviewed and adopted in early 2025.

Recommendation

Officers do not recommend any amendments to this provision.

Remedy 18: Part B – 2.6 Temporary Activities

Submissions

Glenys Offergeld (Submitter 15) states that indigenous wildlife, flora and fauna should be considered and protected when events take place, for example during breeding seasons.

Save the Dotterels (Submitter 19) support the provision and have given feedback related to Matariki fires that occur on the foreshore and the implication that people consider that fires are permitted on an ongoing basis.

Ahuriri Estuary Protection Society (Submitter 24) support the provision.

Analysis

Temporary events on reserves must be carried out in accordance with the Reserves Act, Council Bylaws and any relevant provisions in District and Regional Plans. No amendments to the policies of this provision have been requested.

Recommendation

Officers do not recommend any amendments to this provision.

Remedy 19: Part B – 2.9 Dog Exercise Activities

Submissions

Save the Dotterels (Submitter 19) and **Ahuriri Estuary Protection Society** (Submitter 24) support the provisions. **Save the Dotterels, Ahuriri Estuary Protection Society, John Reid** (Submitter 10), and **Peter van der Stam** (Submitter 6) have commented on public breaches of dog control bylaws and signage and **Save the Dotterels** and **Ahuriri Estuary Protection Society** have commented on a desire to see greater level of enforcement.

Analysis

Dog control is regulated by Councils Dog Control Bylaw pursuant to the Dog Control Act 1996. No amendments to the policies of this provision have been requested.

Recommendation

Officers do not recommend any amendments to provision 2.9.

Remedy 20: Part B – 3.1 Buildings including Clubrooms, Changing rooms, Toilet Blocks etc, 3.2 Public Toilets and Changing Facilities and 3.4 Fencing

Submissions

A number of submissions providing general feedback were received in relation to these provisions including positive feedback on facilities around reserves and requests for more facilities including rubbish bins and toilet blocks. **Ahuriri Estuary Protection Society** (Submitter 24) supports provisions 3.1, 3.2 and 3.4.

Analysis

The general nature of the feedback provided does not relate specifically to the provisions of these sections.

Recommendation

Officers do not recommend any amendments to the provisions of these sections of the draft City Wide Reserve Management Plan.

Remedy 21: Part B – 3.3 Structures – Pergolas, Park Furniture and Water Features

Submissions

Ahuriri Estuary Protection Society (Submitter 24) support the provisions of this section.

Cancer Society, Hawke's Bay Centre (Submitter 22) has provided feedback that while it is commendable that Councils Shade Policy has been referenced in the draft City Wide Reserve Management Plan, the policy is due for review.

The submitter has provided recommendations for improvements to the shade policy including prioritising shade provision for playgrounds in low socioeconomic areas, incorporating native trees for a mix of deciduous and evergreen shade options and investing in sun safety signage at high-use playgrounds. The submitter has also provided data compiled by the Cancer Society and University of Otago which captures shade provision at playgrounds across the city, as part of a project that includes data for the entire country by Territorial Authority.

Analysis

Councils Shade Policy is due for review and this has been noted with the Community Strategies team. Review of the policy itself is out of scope of the City Wide RMP review process. Officers have met with Crystal Lau of the **Cancer Society, Hawke's Bay Centre** to discuss the submission and data provided with it. Parks and Reserves annual budget currently includes funding for the installation of shade structures over existing playgrounds (typically enough for one per year).

Following feedback received at the Whānau Fest pop-up, this financial year shade structures have been installed at Pirimai Park, where existing shade provided by large established trees was lost during the Cyclone when trees were windblown and removed. Council continues to plant trees to provide shade across the reserves network.

Playground renewal and new playground projects incorporate shade provision.

Recommendation

Officers do not recommend any amendments to the provisions of Section 3.3.

Remedy 22: Part B – 3.5 Signage and Lighting

Submissions

Chris Comber (Submitter 2) would like to see allowance for more educational signage to assist in learning about flora and fauna, tikanga and history of the area.

Peter van der Stam (Submitter 6) has submitted that all signage should be in English so that it is understandable for citizens and tourists.

Cancer Society, Hawke's Bay Centre (Submitter 22) has suggested that Council invest in sun safety signage at key public playgrounds throughout Napier.

Ahuriri Estuary Protection Society (Submitter 24) have requested that information signs such as those illustrating endemic/endangered birds that feed in the estuary continue to be maintained.

Analysis

Parks and Reserves annual budget includes funding for signage, which includes story boards within reserves and are currently working with the Communications team on installation of a number of these.

Officers have met with Crystal Lau of **Cancer Society, Hawke's Bay Centre** regarding requests for signage and will continue to work with the **Cancer Society** to investigate ways that sun safety signage can be incorporated into existing signage guidelines for new signage within reserves.

Recommendation

Officers do not recommend and amendments to the provisions of Section 3.5.

Remedy 23: Part B – 4.0 Mana Whenua Values Objectives

Submissions

Glenys Offergeld (Submitter 15) and **Save the Dotterels** (Submitter 19) support the Objectives of Section 4.0.

Irene Cahill (Submitter 23) comments that every situation should be reviewed on its merits and situation at the time.

Analysis

No specific amendments to the Objective have been requested and two submissions have been received in support.

Recommendation

Officers do not recommend any amendments to the provision.

Remedy 24: Part B – 4.1 Mana Whenua Partnerships

Submissions

Save the Dotterels (Submitter 19), **Glenys Offergeld** (Submitter 15) and **Ahuriri Estuary Protection Society** (Submitter 24) support the provisions.

Peter van der Stam (Submitter 6) and **Irene Cahill** (Submitter 23) have provided general comments on the structure of Council and local government.

Analysis

No specific amendments to the Policies have been requested and three submissions have been received in support.

Recommendation

Officers do not recommend any amendments to the provisions.

Remedy 25: Part B – 5.1 Environment and Sustainability

Submissions

Natalie Baker (Submitter 8) suggests that more trees and shrubs should be planted, specifically those that are drought tolerant.

Heidi Stiefel (Submitter 13) would like to see predator control specified in this plan as a tool to enhance the environment for native birds and geckos to thrive.

Glenys Offergeld (Submitter 15) has provided feedback that natural values should have high priority.

Save the Dotterels (Submitter 19) support the policies 5.1.1 to 5.1.4 and comment that less mowing could be included in this section as well as a target for a percentage of green cover by a certain date.

Ahuriri Estuary Protection Society (Submitter 24) support policies 5.1.1 to 5.1.4.

Analysis

Council continues to carry out annual planting within our reserve network. The provisions of Section 5.2 Trees and Gardens identify a priority for planting of native species where suitable.

Predator control is addressed in the provisions of Section 5.4 Pest Management.

Officers have identified a number of sites for potential 'no-mow' trials and will implement these as resourcing allows. The first site is an area adjacent to the Taipo Stream within Park Island, which was identified by Hawke's Bay Regional Council and the Department of Conservation for its value as inanga spawning habitat. Officers continue to work with HBRC to implement a trial at this site. Specific sites for more permanent or large scale no-mow areas would be best addressed as part of Individual and Group Management Plans to ensure community input and alignment with reserve classifications.

The National Policy Statement for Indigenous Biodiversity (NPS-IB), a Resource Management Act (RMA) planning instrument, places requirement on Regional Councils to set a 10% indigenous vegetation cover target for urban and non-urban areas. It also requires Local Authorities to promote the increase of indigenous vegetation cover through RMA planning instruments including District Plans. Ongoing planting within Napier's reserve network will contribute to meeting these targets.

Recommendation

Officers do not recommend any amendments to the policies of Section 5.1.

Remedy 26: Part B – 5.2 Trees and Gardens

Submissions

Chris Comber (Submitter 2) requests that policy 5.2.7 be reworded to reference native species as follows: "Council will replace trees that are removed under circumstances above with a suitable native tree species wherever practical," or that the policy at least states a preference for a relevant local native species.

Roland Brandsma (Submitter 9) requests that Council plants more evergreen to minimise leaves blocking stormwater and drainage systems.

Glenys Offergeld (Submitter 15) submits that consideration should be given to supporting wildlife, indigenous flora and fauna.

Ahuriri Estuary Protection Society (Submitter 24) support the provisions.

Analysis

Section 5.2 Trees and Gardens already identifies a priority for native species where suitable when carrying out planting or revegetation via policy 5.2.1. It is not considered necessary to duplicate this priority in policy 5.2.7.

Native species are already prioritised in reserve planting programmes, while allowing for some exotic specimen trees in appropriate places.

Consideration of wildlife and indigenous flora and fauna is recognised by the policies in Section 5.3 Biodiversity and Ecology, and by the purpose of the Reserves Act.

Recommendation

Officers do not recommend any amendments to the provisions of Section 5.2.

Remedy 27: Part B – 5.3 Biodiversity and EcologySubmissions

Natalie Baker (Submitter 8) suggests getting the local community to help with pest control and more planting.

Glenys Offergeld (Submitter 15) submits that biodiversity and ecology should have high priority.

Biodiversity Hawke's Bay (Submitter 21) have provided feedback that it is great to see biodiversity and ecology being actively considered as part of Napier's reserve planning, and that to ensure that these objectives translate into meaningful action, it's essential that the reserve plans developed reflect this intent through planning and planting.

Irene Cahill (Submitter 23) submits that more effort is required in this area.

Save the Dotterels (Submitter 19) and **Ahuriri Estuary Protection Society** (Submitter 24) support the policies of Section 5.3.

Analysis

Council engages with a number of community groups on planting and pest control and welcomes engagement from other community groups for these activities.

Individual and Group management plans will provide opportunity to identify plans for reserve development including planting in collaboration with the community.

Recommendation

Officers do not recommend any amendments to the provisions of Section 5.3

Remedy 28: Part B – 5.4 Pest Management (Animal and Plant)Submissions

Peter van der Stam (Submitter 6) suggests that Council makes sure to minimise the use of poisons.

Natalie Baker (Submitter 8) suggests that the community help monitor and maintain traps.

Heidi-Ann Phillips (Submitter 14) submits that is essential for Council to implement a trapping and trap maintenance programme across the 700 hectares of parks, reserves and sportsgrounds within our city.

Glenys Offergeld (Submitter 15) submits that NCC support and advancement of pest management would be appreciated.

Save the Dotterels (Submitter 19) support the policies of 5.4 and provide comment that removal of pest plants must be done carefully as these plants may be serving similar purpose to indigenous plants for example providing shelter for invertebrates. They have referenced recent examples of pest problems and suggest that with newly proposed 'Predator Free Hawke's Bay' soon to be launched it would be welcomed for regular predator control to be included in the plans of many of Napier's reserves. They have also made comment on cats in relation to the Animal Control Bylaw.

Ahuriri Estuary Protection Society (Submitter 24) support the provisions.

Analysis

Napier City Council is bound by the rules of the Hawke's Bay Regional Council Regional Pest Management Plan.

Parks and Reserves current animal pest management programme focuses on areas with known issues including areas adjacent to the inner harbour, alongside targeted pest control as issues arise through engagement of a pest control contractor. Council welcomes collaboration and opportunities to partner with local community groups on pest management. Community groups carry out pest management in areas around the city including at Dolbel and Halliwell reserves, Mataruahou and our Foreshore Reserves.

Care is required around the use of bait stations in reserves to ensure that they do not pose a risk to dogs and children. Theft of traps and bait stations does occur within reserves. Implementation of a network-wide predator trapping programme would require a significant increase in resourcing which would need to be addressed through the Annual Plan/Long Term Plan cycle.

Recommendation

Officers do not recommend any amendments to the policies of Section 5.4.

Remedy 29: Appendix 1 – Prioritised List of Individual and Group Reserve Management Plans

Submissions

Ahuriri Estuary Protection Society (Submitter 24) have requested that Westshore Wildlife Reserve be given a greater status in the overall management of reserves and that it warrants at least a medium/high priority reserve management plan.

Save the Dotterels (Submitter 19) request that the Foreshore Reserves that include beaches have a higher priority.

Biodiversity Hawke's Bay (Submitter 21) requests that The Gap (Foreshore Group) have an Individual plan to reflect the conservation-first approach required for the management of this reserve and references the Significant Indigenous Vegetation and Habitat status of the site in the Proposed District Plan.

Analysis

The prioritised list of reserve management plans included in Appendix 1 of the draft City Wide Reserve Management Plan reflects the priority of the review of Individual and Group Management Plans only and does not reflect the priority given to the day to day management or perceived significance of individual reserves.

The Group Management Plan for Open Space (Natural and Maintained) within which Westshore Wildlife Reserve is included is currently identified as a Low/Medium priority for Management Plan review.

The specific management requirements of individual reserves can and will still be addressed through group management plans as required, as per the format of the current (2000) Management Plans for Recreation Reserves. This can include specific objectives and policies which direct a conservation-led approach for 'The Gap'.

Community pre-engagement and the opportunity to offer feedback on the details of Draft Group Management Plans will occur as per the process required by the Reserves Act.

Recommendation

No amendments to the priority of the review of Individual and Group management plans stated in **Attachment 1** is recommended.

1.3 Attachments

- 1 Summary of RMP Submissions by submitter (Doc Id 1844491) (Under separate cover 1) [⇒](#)

ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 27 March 2025

Time: 9.30am – 12.26pm (*Open*)
12.28pm - 1.00pm (*Public Excluded*)

Venue Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook page

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

In Attendance Chief Executive (Louise Miller)
Deputy Chief Executive / Acting Executive Director City Services (Jessica Ellerm)
Chief Financial Officer / Acting Executive Director Corporate Services (Caroline Thomson)
Executive Director City Strategy (Rachael Bailey)
Executive Director Infrastructure Services (Russell Bond)
Executive Director Community Services (Thunes Cloete)
Manager Communications and Marketing (Julia Stevens)
Chief People Officer (Jill Coyle) [via zoom]
Team Leader City Design and Urban Renewal (Georgina King)
Property Manager (Bryan Faulknor)
Acting Manager Environmental Solutions (Sarah Schaare)
Waste Minimisation Lead (Stefni Wilson)
Senior Advisor Corporate Planning (Danica Rio)
Health and Safety Operations Manager (Andrew Wallace)
Māori Partnership Manager/ Te Kaiwhakahaere Hononga Māori (Hilary Prentice)

Corporate Finance Manager (Garry Hrustinsky)
Team Leader Governance (Anna Eady)

Also in attendance **Public Forum:**

Robin Gwynn – Professional Historian
Piripi Smith and Te Kaha Hawaikirangi - Ātea a Rangi Educational Trust

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

Nil

Conflicts of interest

Nil

Public forum

St John's Cathedral - Robin Gwynn a professional historian spoke about St John's Cathedral. The present day building replaced an earlier cathedral that was destroyed by the 1931 Hawke's Bay earthquake. Construction of the present building was completed in 1965.

Mr Gwynn's concern related to the categorisation of the Cathedral being declared an historic building which would create challenges in upgrading or making any improvements to the building.

Mayor Wise advised that following a conversation with Mr Gwynn last week and his concerns regarding the building categorisation, she had requested Council officers to investigate and was waiting for feedback on the results. When this information was available Mr Gwynn would be notified.

It was also noted that at this point Council has not chosen a category for the Cathedral, however it had been included the Proposed District Plan. The District Plan Hearings Panel were currently in the process of hearing submissions on the Proposed District Plan and following concerns raised by the Cathedral Leaders further information had been requested. No decision on the building category had been yet been determined.

Ātea a Rangi Educational Trust - Piripi Smith and Te Kaha Hawaikirangi displayed a PowerPoint presentation (Doc Id 1841516) on the Ahuriri Waka Hub. The waka had been in the same location for over 10 years and it has been getting vandalised, flags ripped, or damaged by neighbouring vessels regularly.

Historically and culturally waka have always been important for mana whenua in Te Whanganui ā Orotu in the inner harbour. Dating back to the 1800s it was identified that it was important for Māori to have a safe place for waka, albeit it was not a voyaging waka as the Te Matau A Māui is today.

They explained that the Ātea a Rangi Educational Trust is a registered Charitable Trust based in Hawke's Bay. It was established in 2017 to build the Star Compass at Waitangi Regional Park and runs educational programmes, events and tours for the community based on traditional Māori and environmental Kaupapa. As a charitable trust any profits are returned to the Trust, with the majority of funding going towards community events or subsidising educational programmes.

Attachments

[1 Public Forum - Ahuriri Whare Hub Project presentation \(Doc Id 1841516\)](#)

Announcements by the Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

COUNCIL RESOLUTION

Councillors Boag / Chrystal

That the Draft Minutes of the Ordinary Council meeting held on 20 February 2025 be confirmed as a true and accurate record of the meeting.

Carried

COUNCIL RESOLUTION

Councillors Boag / Chrystal

That the Draft Minutes of the Extraordinary Council meeting held on 26 February 2025 be confirmed as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. WAKA HUB CONCEPT DESIGN

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1838232
<i>Reporting Officer/s & Unit:</i>	Georgina King, Team Leader City Design and Urban Renewal

1.1 Purpose of Report

The purpose of this paper is to seek approval from Council of the design concept for the proposed Waka Hub, and endorsement to proceed to Developed Design.

At the meeting

The Team Leader City Design and Urban Renewal, Ms King supported by Mr Faulknor took the report as read and displayed a PowerPoint presentation (Doc Id 1843151) on the concept design for a new waka hub to accommodate the ocean-going waka Te Matau a Māui.

In response to questions the following was clarified:

- The Hub will be situated on land immediately north of the existing Napier Sailing Club (NSC), and will comprise a new 40m long pontoon jetty supported by an educational space, and vessel maintenance space.
- The letter of intent attached to the agenda report listed funding avenues that Ātea Rangi Trust are currently investigating. A lot of funding applications rely on the final design Resource Consent in order to be eligible for funding. Moving into developing the design will assist with progressing those funding applications also.
- The project would be prioritising Council's funding and the Better-Off funding to the areas of the jetty, pontoon, the education space and the majority of the workroom storage, with the remaining features within the Hub to be undertaken over time as funding becomes available.
- The NSC have been involved in this process from the beginning and hosted three of the four wānanga with a minimum of two and sometimes four of their members (including the NSC Commodore) attending as well.
- It is proposed that there be a gate at the base where the pontoon meets the jetty for security purposes. This will limit access to the pontoon itself. Additional CCTV could be investigated at a later date, but at this stage that level of detail has not been addressed.
- Key features of the Waka Hub can be constructed with the \$5.5m funding so that it is at a level that is functional (pontoon, jetty, education space and workroom). Additional things such as landscaping, environmental enhancements and habitat creation could be added in the future.

- There will be an entrance to the Waka Hub site off Pandora Road. This will be a managed access point and could also be utilised by the NSC.
- There is a quantity surveyor on the Project Design Team who has been involved from the beginning of the project. They have been constantly Value Engineering the design and will continue to review costs and manage Value Engineering through all design phases. To date there have been savings of \$486,000 found through Value Engineering as part of the concept design phase.
- Next steps will include:
 - A Memorandum of Understanding established between Napier City Council (NCC), NSC and Ātea Rangī Trust.
 - The governance structure will be reviewed by the Enterprise Procurement Management Office (EMPO) to align all projects with a specific governance structure, and this will be done in conjunction with the development of a standardised approach as part of the project management framework.
 - Lease agreements will be drafted by Council’s Property Management Team and Ātea Rangī Trust for the Waka Hub and also NCC and NSC.

**COUNCIL
RESOLUTION**

Councillors Boag / Greig

That Council:

- a. **Approve** the concept design for the proposed Waka Hub (Doc Id 1836626).
- b. **Endorse** progressing to Developed Design utilising Better Off Funding.

Carried

Attachments

- 1 Concept Design PowerPoint presentation (Doc Id 1843151)

2. DRAFT WASTE MANAGEMENT AND MINIMISATION BYLAW 2025 AND STATEMENT OF PROPOSAL – ADOPT FOR CONSULTATION

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Waste Minimisation Act 2008
<i>Document ID:</i>	1838110
<i>Reporting Officer/s & Unit:</i>	Stefni Wilson, Waste Minimisation Lead

2.1 Purpose of Report

This report seeks Council’s adoption of the Statement of Proposal (SOP) and the Draft Waste Management and Minimisation Bylaw 2025 for public consultation and for officers to commence the special consultative procedure.

At the meeting

The Waste Minimisation Lead, Ms Wilson, supported by Mrs Schaare provided a summary and highlights of the report.

In response to questions the following was clarified:

- The draft Waste Management and Minimisation Plan (WMMP) contained actions that will go out for consultation to address diverting organic waste from the Landfill.
- The Bylaw is an implementation tool to support the WMMP. The Bylaw does not address fly tipping as Council has six other Bylaws that can address and enforce regulation.
- Key stakeholders have all been involved throughout the pre-engagement process. A high level engagement plan has been developed to engage with stakeholders through media, meetings and separate online submission forms for the WMMP and the Bylaw. Consultation will run from 7 April to 11 May 2025, with Council hearing submissions on 5 June 2025.

COUNCIL RESOLUTION

Councillors Browne / Simpson

That Council:

- a. **Adopt** the Statement of Proposal (Doc Id 1841540) and draft Waste Management and Minimisation Bylaw 2025 (Doc Id 1841539) for public consultation.

Carried

Councillor Browne withdrew from the meeting at 10.41am

3. ADOPTION OF THE ANNUAL PLAN 2025/26 CONSULTATION DOCUMENT

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1837532
<i>Reporting Officer/s & Unit:</i>	Danica Rio, Senior Advisor Corporate Planning

3.1 Purpose of Report

To present the consultation document and supporting information for consultation on Napier City Council's Annual Plan 2025/26.

At the meeting

The Senior Advisor Corporate Planning, Ms Rio took the report as read and noted that at the Audit and Risk Committee meeting held on 13 March 2025 the Committee had reviewed and endorsed the underlying information on which the 2025/26 Annual Plan had been prepared.

Ms Rio also noted that the document had undergone legal review to ensure compliance with Council's obligations as per the Local Government Act 2002.

The final designed Annual Plan consultation document would be circulated to elected members by the end of the week.

Mayor Wise on behalf of elected members expressed appreciation to everyone involved right across the organisation in terms of pulling this consultation document together and identifying the savings that elected members had requested be found, which had not been easy.

Councillor Browne rejoined the meeting at 10.43am

In response to questions the following was clarified:

- The consultation period will run for four business weeks, accounting for the Easter Weekend and ANZAC Day public holidays. It was noted that although there is no legal requirement for Annual Plan consultation to run for four weeks (since the Special Consultative Procedure does not apply to this consultation), four weeks has been allowed to enable the community additional time to provide feedback.
- The submission period would begin on 31 March 2025 through to 30 April 2025. Hearing of the submissions was scheduled for 26 May to 29 May 2025.
- Ms Rio advised that at the Three Year Plan the proposed rates increase signalled was 11.7%. In an attempt to reduce the proposed rate increase officers and the Executive Leadership Team had reviewed budgets, made changes to how services were funded and were able to reach a proposed reduced rate increase of 7.9%.
- Ms Thomson added that included in those savings targets identified were a number of operational efficiencies which senior management were currently working through for the Annual Plan.

A minor change was proposed in the Consultation Document to the "Glossary of Terms" (page 29) to explain that the purpose of making a profit is to keep rates lower for rates payers:

Council-Controlled Trading Organisation (CCTO) – An organisation controlled by a local council, which trades for the purpose of making a profit.

COUNCIL RESOLUTION

Mayor Wise / Deputy Mayor Brosnan

That Council:

- a. **Adopt** the below documents as supporting information for consultation on Napier City Council's Annual Plan 2025/26.
 - i. Annual Plan 2025/26 Draft Rating System (Doc Id 1838747)
 - ii. Napier City Council Facilities Review Parameters (Doc Id 1838748)
 - b. **Note** the below items that have already been presented to Council will also be provided as supporting information for consultation on the Annual Plan 2025/26:
 - i. Annual Plan 2025/26 Draft Financial Statements (Doc Id 1838749) to confirm amendments for readability as directed at meeting on 20 February) (Doc Id 1838749).
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- ii. Draft Schedule of Fees & Charges 2025/26 (Doc Id 1838750) to confirm amendments actioned as directed at meeting on 20 February).
 - iii. Draft Significance & Engagement Policy (adopted 20 February 2025).
 - c. **Note** that these supporting documents are subject to minor corrections and any changes arising from the consultation process.
 - d. **Note** that the underlying information used to develop the Annual Plan 2025/26 Consultation Document was reviewed and endorsed by the Audit and Risk Committee at the 13 March meeting (as per Standing Committee report).
 - e. **Adopt** the Annual Plan 2025/26 Consultation Document (Doc Id 1841570), subject to any grammatical and minor changes.

Carried

*The meeting adjourned at 10.52am and reconvened at 11.00am
Councillor Tareha joined the meeting at 11.00am*

4. CHAIRPERSON'S REPORT - NAPIER CITY COUNCIL MEMBERSHIP WITHDRAWAL FROM CLIMATE ACTION JOINT COMMITTEE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1831346
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

4.1 Purpose of Report

For Council to consider the Chairperson's recommendation for Napier City Council to withdraw from the Climate Action Joint Committee, administered by the Hawke's Bay Regional Council.

At the meeting

Mayor Wise took the report as read affirming Council's commitment to climate change action and leading in this space across the region.

The following points were noted / clarified:

- Membership of the Climate Action Joint Committee (CAJC) currently comprise all five partner Councils with Napier's representative being Deputy Mayor Brosnan, Councillor Browne (Deputy Chair) and an alternate. There are representatives from Post Treaty Settlement Governance Entity (PSGE) and HBRC Regional Planning Committee. There are approximately 20 members in total on the Committee.
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- For 2025/26 a direct contribution of \$69,400 goes towards resourcing the Committee. All councils pay a proportionate amount to the Committee. Administration costs of the Committee for Napier were \$5,000.00 per annum.
 - In February 2025 the Deputy Chair of the CAJC was advised of the intention to write this report that is presented today. The Deputy Chair, CAJC did not provide input to this report.
 - The Chair of the Hawke's Bay Regional Council (HBRC) was advised in February 2025 of the intention of NCC to withdraw its membership from the CAJC. At that time the Chair (HBRC Councillor Ormsby) advised that she did not have any concerns with NCC withdrawing from the CAJC as the body of work was drawing to a close at the end of the year and no firm future work programme was planned.
 - The primary reason for the withdrawal from the CAJC is the cost savings, and that Council's internal work programme and action plan is well developed captures what is required to move forward and prioritise.
 - It was noted that there is no legal requirement to complete a risk assessment or regional risk assessment. The Local Government Act 2002 requires that Council must assess risks when completing its Long Term Plan. The National Adaptation and pending RMA laws will increase expectations of risk assessment. The Civil Defence Management Act requires Council to assess and manage natural hazards risks, not climate risks.
 - Committee members from NCC have approached the Mayor expressing concerns about the Committee and two resignations have been tendered. It has been a difficult Committee to get commitment to.
 - The savings from the Committee have gone into the overall target set for officers. Staff have given assurance that there is budget to continue any work that is required.

Councillor Browne tabled a document (Doc Id 1843579) on the role clarity between NCC and the Climate Action Joint Committee, which had been previously circulated to elected members.

Councillor Browne proposed a motion - that Council retain membership on the CAJC and look to reappointing new members to the Committee who are committed and interested to be on the CAJC.

Clarification was sought on the motion. No seconder was received. The Chair took additional clarification questions from the floor.

- The Mayors and Chief Executives Forum meets on a monthly basis and the Civil Defence Emergency Management Group met quarterly where regional initiatives including climate action are discussed.
- In the future if Council wished to rejoin the Committee there was that opportunity.

**COUNCIL
RESOLUTION**

Deputy Mayor Brosnan / Councillor Mawson

That Council:

- a) **Note** the report titled "Chairperson's Report – Membership Withdrawal from the Climate Action Joint Committee" dated 27 March 2025.
 - b) **Approves** the withdrawal of Napier City Council from the Joint Climate Action Committee.
 - c) **Notes** the Napier City Council's Climate Action Plan programme.
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- d) **Directs** staff to continue to collaborate on regional climate action initiatives within existing delegations and budgets.
 - e) **Directs** staff to include reporting on Napier City Council's climate actions in the quarterly report.
 - f) **Report** on Climate Action to the Mayor and Chief Executive Forum on a quarterly basis.

Carried

*Councillors Boag, Brown, Greig, Simpson and Taylor voted
AGAINST the Motion*

Attachments

- 1 Clr Browne tabled document on CAJC role clarify(Doc Id 1843579)
-

Councillors Price and Simpson withdrew from the meeting at 12.03pm

5. ELECTION HOARDING POLICY REVIEW

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Local Electoral Act 2001
<i>Document ID:</i>	1821968
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

5.1 Purpose of Report

The purpose of this report is to present the reviewed Election Hoarding Policy (Doc ID 1821971) for adoption.

At the meeting

The Team Leader Governance, Ms Eady providing a brief summary of the Election Hoarding Policy Review rules and guidelines.

COUNCIL RESOLUTION

Councillors Mawson / Greig

That Council:

- a. **Adopt** the reviewed 2025 Election Hoarding Policy (Doc Id 1821971)

Carried

Councillors Price and Simpson were not present for this Motion.

6. AMENDMENT TO THE 2025 MEETING SCHEDULE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1838610
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

6.1 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 item.

COUNCIL Councillors Mawson / Chrystal
RESOLUTION

That Council:

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

Council (Local Water Done Well)	New Date	17 April 2025 9.30am
Council (Local Water Done Well Hearing of submissions)	New Date	21 July 2025 9.30am
Audit and Risk Committee	New Date	2 September 2025 1.00pm

Carried

Councillors Price and Simpson were not present for this Motion.

Councillor Price rejoined the meeting at 12.05pm

7. INFORMATION - MINUTES OF JOINT COMMITTEES

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1833078
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

7.1 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](#)

At the meeting

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

Councillor Simpson rejoined the meeting at 12.07pm

The Chair of the Ahuriri Regional Park Joint Committee advised that consultation on the draft Ahuriri Regional Park Masterplan opens on 16 April to 7 May 2025 for community feedback. An Open Day would be held at the Lagoon Farm on 3 May 2025 at 10.00am-12.00pm.

COUNCIL RESOLUTION

Councillors Taylor / Price

That Council:

- a) **Receive** for information the minutes of the following Joint Committee meetings held:
- 6 December 2024 Hawke's Bay Regional Transport Committee (Doc Id 1832935)
 - 17 February 2025 Ahuriri Regional Park Joint Committee (Doc Id 1831677)
 - 27 January 2025 HB Civil Defence Emergency Management Group Joint Committee (Doc Id 1841494)

Carried

8. LOCAL GOVERNMENT NEW ZEALAND FOUR-MONTHLY REPORT: NOVEMBER 2024 TO FEBRUARY 2025

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1838518
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

8.1 Purpose of Report

The purpose of this report is to provide for information the report “LGNZ four-monthly report for member Councils” for the period November 2024 to February 2025.

At the meeting

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

COUNCIL RESOLUTION

Councillors Boag / Tareha

That Council:

- a. **Receive** for information the report titled “LGNZ Four-Monthly Report for Member Councils” for the period November 2024 to February 2025 (Doc ID 1838519).

Carried

9. ACTION POINTS REGISTER AS AT 12 MARCH 2025

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1838113
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

9.1 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 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 provided an update on actions since the agenda was published.

Action 165 – Ahuriri Regional Park Joint Committee – Officers are collating a status report covering; Current workstreams and their progress; Avifauna and relationship with Hawke’s Bay Airport; Stormwater treatment project; Fish passage in the park Include understanding interaction with NCC’s Water Strategy Group to ensure working to the same output. This report will be presented to the Committee at workshop to be held 23 May 2025.

Action 169 - The target is for building consents to be processed and completed within 20 working days as per the legislation. The lingering effects of Cyclone Gabrielle and abnormally high levels of sick leave have impacted targets, particularly in the processing team which was missing a Team Leader between April 2023 and April 2024. Currently in the process of initiating a shared service agreement with another Council to get ahead of the processing timeframes.

Add to Action 168 - Clarification requested if the \$150,000 for Hawke’s Bay Tourism is from unspent budget or future savings.

**COUNCIL
RESOLUTION**

Councillors Chrystal / Tareha

That Council:

- a. **Note** the extract from the Action Points Register as at 12 March 2025.

ACTION: *Action 168 - Officers to clarify if the \$150,000 for Hawke’s Bay Tourism is from unspent budget or future savings.*

Carried

10. HEALTH & SAFETY DEEP DIVE

<i>Type of Report:</i>	Information
<hr/>	
<i>Legal Reference:</i>	N/A
<hr/>	
<i>Document ID:</i>	1839343
<hr/>	
<i>Reporting Officer/s & Unit:</i>	Andrew Wallace, Health and Safety Operations Manager

10.1 Purpose of Report

To inform Council of the Health Safety deep dive of strategic risk 32 report presented to the Audit & Risk Committee (ARC) on 13 March 2025.

At the meeting

The Chief Executive, Ms Miller advised that this report was included on the Council agenda at the recommendation of the Chair of the Audit and Risk Committee to enable the community to view as well. The report was to indicate to Council the positive progress that has been made.

**COUNCIL
RESOLUTION**

Councillors Greig / Simpson

That Council:

- a) **Receive** the report titled “Health and Safety Deep Dive” dated 27 March 2025.
- b) **Receive** the analysis of SR32

Risk No:	Risk Issue	Inherent RA	Revised RA	Risk Movement
SR32	Failure to maintain a safe and healthy workplace and safe systems of work (ie we do not proactively navigate H&S threats)	Extreme 160	High 28	Nil

Carried

Attachments

- 1 SR32 Deep Dive presentation (Doc Id 1842754)

REPORTS / RECOMMENDATIONS FROM THE SPECIALIST COMMITTEES

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 13 MARCH 2025

1. Annual Plan 2025/26 Underlying Information

Type of Report: Legal

Legal Reference: Local Government Act 2002

Document ID: 1829992

Reporting Officer/s & Unit: Danica Rio, Senior Advisor Corporate Planning

1.1 Purpose of Report

To provide the Committee with underlying information related to the Annual Plan 2025/26. Officers are requesting the Committee review this information and provide any feedback to Council before the final adoption of reports for community consultation.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council **note** the following Audit and Risk Committee recommendations:

- a) **Receive** the information in this report as the underlying information for the Annual Plan 2025/26:
 - i. Annual Plan 2025/26 Draft Financial Statements (Doc Id 1834946)
 - ii. Draft Schedule of Fees & Charges 2025/26 (Doc Id 1834945)
 - iii. Draft Planning Assumptions (Doc Id 1834947)
 - iv. Changes to the Capital Plan (Doc Id 1834948)
- b) **Endorse** the underlying information on which the Annual Plan 2025/26 is being prepared for adoption at the 27 March 2025 Council meeting.

Carried

2. Awatoto Wastewater Pipe Risk Report

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	1834022
<i>Reporting Officer/s & Unit:</i>	Stephen Moratti, Senior Project Manager

2.1 Purpose of Report

This report provides an overview of the current risks facing the Awatoto Wastewater Outfall Pipe and provides risk mitigation strategies to manage those risk, providing the Audit and Risk Committee with insights to guide oversight and support effective decision making

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council **note** the following Audit and Risk Committee recommendations:

- a) **Receive** the Awatoto Wastewater Outfall Risk Review Report.
- b) **Acknowledge** that the Committee have considered the risks for the planned replacement of the Awatoto Wastewater Outfall Pipe Construction in Financial Years 2028/2029 to 2029/2030.

Carried

3. Policy Update

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1834910
<i>Reporting Officer/s & Unit:</i>	JayJay Kettle, EA to Deputy Chief Executive & Executive Director Corporate Services

3.1 Purpose of Report

To update the committee on the progress made updating policies.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council **note** the following Audit and Risk Committee recommendation:

- a) **Receive** the report titled "Policy Update" dated 13 March 2025.

ACTION: *Officer to provide a table of policies with review dates to elected members as a memo for information.*

Carried

4. Audit NZ Management Report 2023/24

Type of Report: Information

Legal Reference: N/A

Document ID: 1833922

Reporting Officer/s & Unit: Talia Foster, Financial Controller

4.1 Purpose of Report

To present the Audit New Zealand Management Report for the year ended 30 June 2024 for consideration.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council **note** the following Audit and Risk Committee recommendations:

- a. **Receive** the Audit New Zealand Management Report for the year ended 30 June 2024.
- b. **Recommend** that the Chair and Deputy Chair have delegation to approve the Audit Plan for the 2024/25 Annual Report on behalf of the Audit and Risk Committee, in consultation with the Chief Executive.

Carried

5. Sensitive Expenditure - Mayor and Chief Executive

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1834241
<i>Reporting Officer/s & Unit:</i>	Talia Foster, Financial Controller Alister Edie, Business Improvement Manager

5.1 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.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council **note** the following Audit and Risk Committee recommendations:

- a) **Receive** the 31 December 2024 quarterly report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.

Carried

6. Risk Management Report

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1834236
<i>Reporting Officer/s & Unit:</i>	Dave Jordison, Risk and Assurance Lead Alister Edie, Business Improvement Manager

6.1 Purpose of Report

To provide the Committee an update on Council's strategic and operational risk profiles and on key risk management workstreams.

At the meeting

There was no discussion on this item at the meeting.

**COUNCIL
RESOLUTION**

Mayor Wise / Councillor Crown

That Council **note** the following Audit and Risk Committee recommendation:

- a. **Receive** the report titled "Risk Management Report" dated 13 March 2025.

Carried

7. Health & Safety Report

Type of Report: Information

Legal Reference: N/A

Document ID: 1834828

Reporting Officer/s & Unit: Andrew Wallace, Health and Safety Operations Manager
Jill Coyle, People Operations Manager

7.1 Purpose of Report

To inform the Audit & Risk Committee (ARC) of Health Safety strategic progress, performance and activities covering the period November 2024 to 31st January 2025. The report enables the ARC to provide assurance to Council for the capability and functioning of Council's health, safety hazard and risk management system and associated programme.

At the meeting

There was no discussion on this item at the meeting.

**COUNCIL
RESOLUTION**

Mayor Wise / Councillor Crown

That Council **note** the following Audit and Risk Committee recommendation:

- a) **Receive** the Health and Safety Report for the quarter ended 31 January 2025

Carried

8. Health & Safety Deep Dive

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1836103
<i>Reporting Officer/s & Unit:</i>	Jill Coyle, People Operations Manager Andrew Wallace, Health and Safety Operations Manager

8.1 Purpose of Report

To inform the Audit & Risk Committee (ARC) of the Health Safety deep dive of strategic risk 32.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council note the following Audit and Risk Committee recommendations:

- a) **Receive** the Health and Safety Deep Dive dated 13 March 2025.
- b) **Receive** the analysis of SR32.

Risk No:	Risk Issue	Inherent RA	Revised RA	Risk Movement
SR32	Failure to maintain a safe and healthy workplace and safe systems of work (ie we do not proactively navigate H&S threats)	Extreme 160	High 28	Nil

- c) **Approve** the report titled "Health and Safety Deep Dive" be presented to Council at its meeting 27 March 2025 for information.

Carried

REPORTS FROM NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) HELD 14 MARCH 2025

1. Amendment to Terms of Reference and Adoption of the Role Description for the Council Kaumātua

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1834416
Reporting Officer/s & Unit:	Hilary Prentice, Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori

1.1 Purpose of Report

To amend the Ngā Mānukanuka o te Iwi Terms of Reference, appoint the Committee Chair, and include the updated role of the Council Kaumātua.

At the meeting

Mayor Wise highlighted the amendments in the Term of Reference:

- The Chair would be elected by members of Ngā Mānukanuka o te Iwi.
- Council elected members on Ngā Mānukanuka o te Iwi would no longer have voting rights as this had created conflicts of interests when recommendations voted on were being addressed by Council for decision.

COUNCIL RESOLUTION

Councillors Tareha / Boag

That Council **approves** the Ngā Mānukanuka o te Iwi recommendations to:

- Adopt** the amended Ngā Mānukanuka o te Iwi Committee Terms of Reference dated 14 March 2025 (Doc Id 1837812).
- Appoint** Beverley Kemp-Harmer as Chair of the Ngā Mānukanuka o te Iwi Committee.
- Note** that the appointment will apply from the close of the Ngā Mānukanuka o te Iwi Committee held on 14 March 2025.
- Approve** the Role Description for the Council's Kaumātua dated 14 March 2025 (Doc Id 1834426)

ACTION Officers to provide confirmation that the Ngā Mānukanuka o te Iwi Committee are able to make a submission to the Local Alcohol Policy review, if they wish.

Carried

Attachments

-
- | | |
|---|---|
| 1 | Amended NMOTI Terms of Reference (Doc Id 1837812) |
| 2 | Council's Kaumātua role (Doc Id 1434426) |
-

2. Nomination of Appointed Member to be Member of Standing Committees and Specialist Committee.

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1832423
<i>Reporting Officer/s & Unit:</i>	Hilary Prentice, Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori

2.1 Purpose of Report

This report seeks a nomination for an Appointed Member of the Ngā Mānukanuka o te Iwi Committee to be appointed as a voting member of the Sustainable Napier and Future Napier Committees, a further nomination for an Appointed Member to be appointed as a voting member of the Prosperous Napier and Napier People and Places Committees, and a nomination for an Appointed Member to be appointed as a voting member on the Audit and Risk Committee.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Councillors Boag / Tareha

That Council:

- A) **Notes** the Ngā Mānukanuka o te Iwi following recommendations:
- a. **Nominate** Darren Tareha to be appointed to both the Future Napier Committee and the Sustainable Napier Committee.
 - b. **Nominate** Kirk Leonard to be appointed to both the Prosperous Napier Committee and the Napier People and Places Committee.
 - c. **Nominate** Kirk Leonard to be appointed to the Audit and Risk Committee.
 - d. **Note** that the appointments to the Future Napier, Sustainable Napier, Prosperous Napier and Napier People and Places Committees will apply from the meeting cycle commencing on 10 April 2025 after the Council has considered the nomination at the Ordinary Council meeting on 27 March 2025.
 - e. **Note** that the appointment to the Audit and Risk Committee will apply from the meeting cycle commencing on 12 June 2025 after the Council has considered the nomination at the Ordinary Council meeting on 24 April 2025.
-

- f. **Note** that the appointees should attend the Council workshops relating to the Committee on which they have been appointed to have the opportunity to set early direction with elected members.
- B) **Approves** the additional appointments of Ngā Mānukanuka o te Iwi representatives (Māori Committee) to the following Committees effective from 27 March 2025:

Committee	Name
Sustainable Napier	Darren Tareha
Future Napier	Darren Tareha
Prosperous Napier	Kirk Leonard
Napier People and Places	Kirk Leonard
Audit and Risk	Kirk Leonard

ACTION: Governance team to provide contact details of new members to Chairs of Standing Committees.

Carried

3. Waka Hub Concept Design

<i>Type of Report:</i>	Enter Significance of Report
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1833469
<i>Reporting Officer/s & Unit:</i>	Georgina King, Team Leader City Design and Urban Renewal Alix Burke, Strategic Programme Lead

3.1 Purpose of Report

The purpose of this paper is to seek endorsement from Ngā Mānukanuka o te Iwi on the design concept for the proposed Waka Hub.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Councillors Boag / Tareha

That Council **notes** The Ngā Mānukanuka o te Iwi (Māori Committee) recommendations below:

- Endorse** the concept design for the proposed Waka Hub (Wharewaka o Ahuriri)
- Endorse** progressing to Developed Design.

Carried

4. Joint Alcohol Strategy Review Report 2024

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1832931
<i>Reporting Officer/s & Unit:</i>	Rebecca Peterson, Senior Advisor Policy Joanne Cox, Strategic, Policy and Evaluation Advisor (HDC) Emma Morgan, Community Strategies Manager (HDC)

4.1 Purpose of Report

The purpose of the report is to update the Ngā Mānukanuka o te Iwi Committee on the findings from a review of the 2017-2022 Hastings District Council and Napier City Council Joint Alcohol Strategy (JAS). Noting that in December 2024 the JAS Advisory Group agreed to Council Officers proceeding with Option 2: to pause the implementation of the revised JAS whilst Council Officers explore alternative strategic approaches as per the Project Scope.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Councillors Boag / Tareha

That Council **notes** The Ngā Mānukanuka o te Iwi (Māori Committee) recommendations below:

- a. **Receive** the Draft Final Joint Alcohol Strategy 2017-2022 Review Report (Doc Id 1831947)
- b. **Note** the Joint Alcohol Strategy Advisory Group (JAS) agreed to Officers to proceed with Option 2: Pause the implementation of the revised JAS whilst Council Officers explore alternative strategic approaches as per the Project Scope.

ACTION: *LAP full research paper to be shared to the Ngā Mānukanuka o te Iwi Committee.*

ACTION: *Officers to contact Evelyn Ratima to receive contact details for Early Childhood centres and Kohanga Reo.*

Carried

5. Update on Sites of Significance to Māori (SASM) Variation to Proposed District Plan

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	1832919
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Principal Policy Planner

5.1 Purpose of Report

The purpose of this report is to provide the committee with an update on the Sites of Significance to Māori (SASM) Variation to the Proposed District Plan, prior to undertaking affected landowner pre-notification engagement.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Councillors Boag / Tareha

That Council **notes** The Ngā Mānukanuka o te Iwi (Māori Committee) recommendation below:

- a. **Receive** the report titled 'Update on Sites of Significance to Māori (SASM) Variation to Proposed District Plan dated 14 March 2025

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1838545
<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 10 February to 14 March 2025. There were no Tenders Let during this period.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL Deputy Mayor Brosnan / Councillor Browne

RESOLUTION

That Council:

- a) **Receive** the Tenders Let for the period 10 February to 14 March 2025. There were no tenders let during this period.

Carried

Minor matters

There were no minor matters to discuss.

RESOLUTION TO EXCLUDE THE PUBLIC

Councillors Mawson / Chrystal

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

Agenda Items:

1. Chief Executive Key Performance Indicators
2. Request for Remission for Special Circumstances - 33 Main Street
3. Action Points Register (Public Excluded) as at 12 March 2025

Reports from Audit and Risk Committee held 13 March 2025

1. Audit New Zealand - Verbal Update
2. Chief Executive - Verbal Update

Reports from Ngā Mānukanuka o te Iwi (Māori Committee) held 14 March 2025

1. Hawke’s Bay Museum Update

**COUNCIL
RESOLUTION**

- b) That Greg Tims, HR Consultant of Greg Tims and Associate be permitted to remain in the Public Excluded session for Item 1 – Chief Executive Key Performance Indicators for his expertise on this matter.

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:

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	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	

	withholding of the information is necessary to:	good reason for withholding would exist:	
Agenda Items			
1. Chief Executive Key Performance Indicators	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 Information and Meetings Act 1987.	Protect the privacy of the Chief Executive
2. Request for Remission for Special Circumstances - 33 Main Street	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 Information and Meetings Act 1987.	Remission applications under this provision are public excluded by policy to protect personal details.
3. Action Points Register (Public Excluded) as at 12 March 2025	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 protect privacy, conduct negotiations and protect the source of information and

	<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 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)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>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>protection from Improper pressure.</p>
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Reports from Audit and Risk Committee held 13 March 2025

<p>1. Audit New Zealand - Verbal Update</p>	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</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>Commercial activity</p>
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<p>2. Chief Executive - Verbal Update</p>	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</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>Commercial activity</p>
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Reports from Ngā Mānukanuka o te Iwi (Māori Committee) held 14 March 2025

<p>1. Hawke's Bay Museum Update</p>	<p>7(2)(g) Maintain legal professional privilege</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>Awaiting legal approval from IPONZ</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.

The meeting adjourned at 12.26pm and reconvened in Public Excluded 12.28pm

The meeting closed with a karakia at 1.00pm

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

Chairperson

Date of approval