



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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ORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date: Thursday 5 June 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 26 June 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

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 following draft Council Minutes be confirmed as a true and accurate record of the meetings held on:

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Agenda items

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

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AGENDA ITEMS

1. DRAFT WASTE MANAGEMENT AND MINIMISATION BYLAW 2025 - SUBMISSIONS REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1855565
<i>Reporting Officer/s & Unit:</i>	Stefni Wilson, Waste Minimisation Lead

1.1 Purpose of Report

This report is to inform the Napier City Council on submissions received on the draft Waste Management and Minimisation Bylaw, and to obtain decisions for incorporation into the document for final adoption on 26 June 2025.

Officer's Recommendation

That Council:

- a. **Receive** and consider all submissions made on the proposed Draft Waste Management and Minimisation Bylaw 2025.
- b. **Note** that Officers will prepare a report recommending the adoption of the Draft Waste Management and Minimisation Bylaw 2025 (Doc Id 855800) on 26 June 2025.

1.2 Background Summary

Napier City Council adopted a Solid Waste Bylaw in 2012. Under section 58 of the Waste Minimisation Act 2008 (WMA), a territorial authority must review a bylaw no later than 10 years after the bylaw was made. A review has not been undertaken within the required timeframe, therefore Napier City Council's Solid Waste Bylaw was revoked on 1 July 2024.

The purpose of the Waste Management and Minimisation Bylaw (Bylaw) is to support:

- a) The implementation of the Napier City Council and Hastings District Council's Joint Waste Management and Minimisation Plan.
- b) Achieve the purpose of the Waste Minimisation Act 2008 and the New Zealand Waste Strategy.
- c) Efficient and effective waste management and minimisation across Napier City and safe practices through the regulation of the collection, transport, recovery, and disposal of waste.

During the completion of the joint Waste Assessment and draft Waste Management and Minimisation Plan (WMMP) in 2025, the WMMP identified challenges and opportunities for waste management and minimisation alongside a number of actions to work towards the

vision that “it is normal for our communities to waste less, work in partnership, and value our resources to protect te taiao”.

The WMMP identified three key issues that can be addressed through a bylaw.

- i. Support for waste minimisation efforts.
- ii. Regulation around safe and effective services and management of waste.
- iii. Enabling adaptive action within the waste system.

Napier City Council's expired solid waste bylaw does not align with the draft 2025 WMMP and the replacement draft Bylaw was proposed to address these issues.

The proposed Bylaw adopts a light regulatory approach that allows existing waste services to be delivered safely and effectively, in a way that supports minimisation and can be delivered within existing council budgets and resources. It also gives the ability to add further regulation (through controls) to support waste minimisation in the future when this is needed to implement the WMMP, for specific waste streams or sources of waste.

A key decision in the drafting of the bylaw was whether specific waste streams or sources of waste should be regulated within the Bylaw (i.e., the licensing conditions of waste operators or collectors, specific requirements for construction waste or organic waste) or alternatively to provide for controls to be made under the Bylaw in the future in response to changing requirements.

Including requirements within the Bylaw provides certainty for the community on the expected regulatory approach; however, due to a legal obligation to act upon clauses they commit Council to monitoring and enforcement costs. Creating specific clauses could create a Bylaw that is inconsistent with future government direction², resulting in bylaw amendments and associated consultation processes and cost. Use of controls allow specific regulatory approaches to be introduced without changing the Bylaw and have less stringent Local Government Act requirements and consultation. Controls give council the opportunity to act upon issues in the future if they decide an issue needs to be supported by increased regulation and can be adopted and changed by Council resolution.

Council endorsed this light regulatory approach to the new draft Bylaw, and it was adopted, along with the Statement of Proposal, for public consultation on 27 March 2025.

1.3 Proposed Bylaw Consultation

Pre-engagement feedback was sought from stakeholders and industry as part of the development of the draft WMMP. Members of the community and sector groups were engaged through a series of events and workshops to gather their feedback on our current waste situation, and how best to manage and minimise waste in Ahuriri Napier and Heretaunga Hastings into the future.

342 members of the public, and 37 organisations from various sector groups provided feedback on a range of key themes. This feedback highlighted the importance of developing policy to support waste management and minimisation in Ahuriri Napier and Heretaunga Hastings. The consultation process followed the Special Consultative Procedure as set out in section 83 of the Local Government Act 2002. A communication and engagement plan was prepared for consultation on the draft Bylaw to:

- Seek feedback on the proposed Bylaw
- Seek feedback on the key issues identified

- Engage with the community, stakeholders and partners
- Receive quality feedback

Consultation was open from 7 April until 11 May 2025, which ran the same time as the WMMP consultation. Any member of the public could submit either online or via a paper submission form.

Copies of the draft Waste Management and Minimisation Bylaw 2025, Statement of Proposal and submission forms were distributed to the Napier libraries, the City Council Customer Services Centre, and the Sustainable HB Taradale pop-up shop. A media release was published on 3 April 2025, and the public notice of the draft Waste Management and Minimisation Bylaw was placed in the Hawke's Bay Today on 7 May 2025. The consultation was promoted at the Council Open House on 15 April 2025, via the NCC Autumn Neighbourhood and EDMs, April Chatterbox, Chat from the Chief, and social media platforms. Officers also engaged, in person, with mana whenua partners to gather feedback.

Summary of Submissions

In total, 2 submissions were received. A copy of the submissions, along with officer feedback is appended to this report. One submission was received via Say It Napier and one was received via email. None of the submitters wished to speak to their submission. Both submitters were supportive of the draft Waste Management and Minimisation Bylaw. The key themes these two submissions highlighted were:

- Support for waste minimisation
- Waste separation requirements
- Adaptive systems
- Safe and effective services

This supportive feedback gives officers confidence that the draft Bylaw will be able to be used as an implementation tool to achieve the actions as set out in the new draft WMMP.

1.4 Significance and Engagement

The Local Government Act 2002 requires Council to use a special consultative procedure to consult on bylaws. Accordingly, a high-level engagement plan was presented to Council on 27 March 2025, and formal consultation was open from 7 April to 11 May 2025.

1.5 Implications

Financial

Bylaw implementation, monitoring and enforcement can be managed within existing budgets and resources. This option would also support the effective and efficient delivery of council waste services.

There may be costs associated with the introduction of controls in the future for specific waste streams or waste sources. These can be considered as part of the decision-making process at that time, alongside the reasons for adopting those controls.

Social & Policy

A light regulatory approach aligns with the draft WMMP, and the New Zealand Waste Strategy. This option also effectively addresses impacts of managing waste on the safety of the public and staff that collect waste and supports the delivery of effective and efficient council waste services. Regulation of where waste is placed in public places will ensure that public access is maintained.

Risk

With the proposed Bylaw based on a light regulatory approach there may be less ability to drive change in waste and circular economy activities compared to a stronger regulatory approach. This is partly mitigated through other actions in the WMMP that provide support with education and behaviour change programmes and supporting infrastructure alongside a focus on building relationships and collaboration with specific sector groups to drive change. A combination of tools (the Bylaw being one of these) provides the most effective mechanism to drive change and work towards the WMMP vision and goals.

There is a risk that the use of controls in the future provides some uncertainty on the level of regulation for some waste streams and sources as these controls have not been defined. This is mitigated through defining where controls can be put in place and ensuring that adequate consultation is undertaken during the development of any proposed controls with specific affected stakeholders.

1.6 Options

The options available to Council are as follows:

- a. Receive submissions and note that officers will prepare a report recommending the adoption of the bylaw as is.
- b. Receive submissions and direct officers to make any minor amendments based on submissions prior to adoption.

1.7 Development of Preferred Option

N/A - no options determined yet. The intention is for the preferred option to be determined by the feedback received from Council

1.8 Attachments

- 1 NCC_Waste Management and Minimisation Bylaw - April 2025 (Doc Id 1855800) [↓](#)
- 2 Final Statement of Proposal for council (Doc Id 1855799) [↓](#)
- 3 Bylaw Submissions - Officer Feedback (Doc Id 1855798) [↓](#)



Draft **WASTE MANAGEMENT AND MINIMISATION** *Bylaw*

2025



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www.napier.govt.nz

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Napier City Council Draft Waste Management and Minimisation Bylaw 2025

Te Ture ā-rohe a Te Kaunihera o Ahuriri mō te Whakahaere me te Whakaiti Para 2025

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1 Scope

- 1.1 This bylaw is the Napier City Council Draft Waste Management and Minimisation Bylaw 2025/Te Ture ā-rohe a Te Kaunihera o Ahuriri mō te Whakahaere me te Whakaiti Para 2025.
- 1.2 This bylaw is made under the Waste Minimisation Act 2008.
- 1.3 This bylaw applies to Napier City.
- 1.4 The Napier City Council Solid Waste Bylaw 2012 was revoked on 1 July 2024 under section 58(3) of the WM Act applying section 160A of the LGA.
- 1.5 This bylaw comes into force on XX XXXX 2025.

Explanatory note: This bylaw should be read in conjunction with the Hastings District Council/ Napier City Council Joint Waste Management and Minimisation Plan/ Te Mahere Whakahaere me te Whakaiti Para and any relevant controls referred to in clause 3.

1.6 This bylaw does not apply to:

- a) Council when exercising its lawful compliance functions;
- b) Emergency services or civil defence personnel exercising their lawful functions in an emergency; or
- c) Any Person acting in compliance with a lawful direction of Council.

1.7 The purpose of this bylaw is to support:

- a) The implementation of the Hastings District Council/Napier City Council Joint Waste Management and Minimisation Plan;
- b) Achieve the purpose of the Waste Minimisation Act 2008 and the New Zealand Waste Strategy;
- c) Efficient and effective waste management and minimisation across Napier City and support safe practices through the regulation of the collection, transport, Recovery and disposal of Waste.

1.8 Compliance with bylaw

- a) No Person may deposit, collect, transport, sort, store, process or dispose of Waste other than in accordance with this bylaw;
- b) To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, Regulations, bylaws and any relevant consents, permits or approvals.

2 Definitions and interpretation

2.1 In this bylaw unless the context otherwise requires:

Animal Remains means partial or whole animal carcasses or body parts excluding food scraps, manufactured goods and animal excretions.

Approved Receptacle means a container, bag or other receptacle approved by Council for the disposal of Waste, including for the collection of that Waste.

Commercial/Industrial Waste means any waste that results from a commercial enterprise and includes Waste generated by the carrying on of any business, manufacture, process, trade, market, or other undertaking including scrap, salvaged materials or other similar Waste.

Construction and Demolition Waste means any Waste generated from any building work (including construction, renovation, repair or demolition); and includes but is not limited to concrete, plasterboard, insulation, nails, wood, steel, brick, paper, roofing materials, wool/textiles, cardboard, metals, plastic or glass, as well as any Waste originating from site preparation, such as dredging materials, tree stumps, asphalt and rubble.

Explanatory note: For clarity and the avoidance of doubt, waste created during the manufacture of building products is not 'Construction and Demolition Waste' in terms of this bylaw.

Council Collection Point means any Council approved places, facilities or receptacle where Approved Receptacles may be left for collection or Waste may be deposited.

Event Waste means any Waste generated from any organised temporary activity of significant scale and/or occurring over multiple days that is likely to create Waste, including (but not limited to) an open-air market, parade, protest, festival, sports, concert or celebration.

Green Waste means lawn clippings, weeds, plants, soft vegetable matter or other Organic Waste, that by nature or condition and being free of any contaminants will naturally decompose into compost. This excludes any plant or vegetation classified as a pest plant by Hawke's Bay Regional Council (HBRC), such as moth plant.

Hazardous Waste means any waste that:

- a) contains substances defined in Section 2 of the Hazardous Substances and New Organisms Act 1996, which exceed the minimum degree of hazard specified by the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000; or
- b) meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and the NZ Standard 5433: 1999 - Transport of Dangerous Goods on Land; or
- c) or is publicly notified by the Council from time to time to be hazardous and to require special handling for the purposes of collection, transportation, Recovery or disposal.

Household/Domestic Waste means any Waste originating from any household or from the cafeteria, lunchroom or canteen of any commercial enterprise. To avoid doubt this includes Recyclable Material, Green Waste or Organic Waste.

Licence means a licence, consent, permit or approval to do something under this bylaw and includes any conditions to which the licence is subject.

Medical Waste means waste generated by healthcare facilities that poses a risk of infection or is hazardous, including items like needles, syringes, blood-soaked materials, and certain pharmaceuticals.

Explanatory note: the Management of Healthcare Waste Standard (NZS 4304:2002) outlines types

of medical waste. In the context of this bylaw, hazardous and controlled healthcare waste are medical waste.

Multi-Unit Development means a multiple tenancy property comprising of 10 or more separately occupied residential units, whether in the same building or in separate buildings, and held either in common ownership or in separate ownership. This includes a unit title development, a mixed-use premises with business activities, and any development with controlled or restricted access, such as a gated community.

Occupier in relation to any land or premises, means any lessee, licensee, or other occupant of the land, and includes the Owner or the agent of the owner where there is no apparent occupier.

Organic Waste means food scraps including all parts of food discarded during food preparation ("food organics") and vegetative materials discarded from gardening activities ("garden organics"), as provided for in the Standard.

Owner as applied to any Premises means any Person for the time being entitled to receive the rent for such Premises, or who would be so entitled if it were let to a tenant at a rack rent and, where any such Person is absent from New Zealand, includes their attorney or Agent.

Person means an individual, a corporation sole, a body corporate, and an unincorporated body.

Prohibited Waste means Waste containing any:

- a) Material capable of causing any injury to any person or animal unless that material is sufficiently contained to prevent injury;
- b) Material capable of causing damage to the Approved Receptacle or likely to shatter in the course of collection unless the material is sufficiently contained to prevent damage to the Approved Receptacle or to prevent injury;
- c) Material that may endanger any person, animal or vehicle that may come in to contact with it prior to, during or following collection, transportation, Recovery, or disposal;
- d) Liquid or viscous fluid (including but not limited to used oil and paints);

- e) Radioactive wastes but excluding domestic smoke detectors;
- f) Batteries, including but not limited to lithium and lead acid batteries;
- g) Hazardous Waste;
- h) Medical waste;
- i) Asbestos;
- j) Fluorescent lights or lightbulbs containing any mercury;
- k) Gas containers;
- l) Aerosol cans;
- m) Lead paint products;
- n) Other material prohibited by Council from time to time.

Public Place means a place that is open to or is being used by the public, whether free or on payment of a charge and whether any Owner or Occupier of the place is lawfully entitled to exclude or eject any person from it.

Public Waste Bins means an Approved Receptacle in a Public Place for the disposal of Waste and includes Approved Receptacles for different types of Waste for example Recyclable Material Organic Waste material or other Waste.

Recovery has the same meaning as in section 5 of the Waste Minimisation Act 2008.

- a) means extraction of materials or energy from waste or diverted material for further use or processing; and
- b) includes making waste or diverted material into compost.

Recyclable Material means the types of Waste that are able to be recycled and that may be specified by the Council from time to time under this bylaw.

Resource Recovery Facility means a premises

- a) At which material that has been disposed of or discarded is received, collected, sorted, stored, processed or any combination of these activities for the purpose of recovering components or elements for recycling or reuse;
- b) To avoid doubt, includes a commercial composting operation, recovery operation,

materials recovery facility, transfer station and recycling depot.

Special Collection Area means a Council defined area where there may be specific controls for the collection of Waste or Recyclable Material.

Standard means the Standard Materials for Kerbside Collections Notice 2023 (Notice No.1).

Waste Collector any person who collects or transports Waste as their primary business and includes commercial and non-commercial collectors and transporters of Waste (for example, community groups and not-for-profit organisations); but does not include individuals who collect and transport Waste for personal reasons (for example, a person taking household garden Waste to a refuse transfer station).

Waste has the same meaning as in section 5 of the Waste Minimisation Act 2008.

- a) Means anything disposed of or discarded; and
- b) Includes a type of waste that is defined by its composition or source (for example, Organic Waste, electronic waste, or Construction and Demolition Waste); and
- c) To avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.

Explanatory note: For clarity, the definition for Waste in the Public Places Bylaw is different to the definition in this bylaw. Waste in this bylaw has been defined using the Waste Minimisation Act 2008 definition.

Waste Management Facility means a premises

- a) At which material that has been disposed of or discarded is received, collected, sorted, stored, processed or any combination of these activities; and
- b) To avoid doubt, includes a landfill, cleanfill, managed fill, monofill or transfer station.

Waste Operator means a Person who owns, operates or manages a Waste Management Facility and/or Resource Recovery Facility.

2.2 Any undefined words, phrases or expressions used in this bylaw have the

same meanings as in the Waste Minimisation Act 2008 (including any regulations and rules made under that Act).

2.3 Part 2 of the Legislation Act 2019 applies to the interpretation of this bylaw.

2.4 Explanatory notes are not part of the bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used to explain the intent of a clause in less formal language and/or to include additional helpful information.

3 Controls

3.1 In addition to the requirements of this bylaw, the Council may, by resolution publicly notified, make, amend or revoke controls or rules that provide for the following matters:

- a) The type, size, number, construction of and maximum allowable limits of Waste allowed in an Approved Receptacle for the collection of Waste from a Public Place, Council Collection Point or Special Collection Area;
- b) Collection times, conditions of use and any other operational matter relating to collection of an Approved Receptacle from a Public Place, Council Collection Point or a Special Collection Area;
- c) The placing of an Approved Receptacle for collection;
- d) The correct separation of Waste into an Approved Receptacle;
- e) Types of Waste that are prohibited;
- f) The effective management and minimisation of specific categories or types of Waste and diverted material, including but not limited to:
 - i. Construction and Demolition Waste;
 - ii. Organic Waste;
 - iii. Multi-Unit Development waste; and
 - iv. Event Waste;

- g) Conditions that, as applicable, can be included in any Licence for any Waste Collector or Waste Operator operating within the city, including, in addition to any of the above matters: the provision of information to the Council about the types of materials deposited, collected, transported, received, sorted, stored, processed, disposed of or any combination of these activities;
- h) The size, location, quantity and general management of Public Waste Bins allowed in Public Places.

3.2 Controls implemented by Council may:

- a) Regulate, control or prohibit any matter or thing generally, for any specified classes of case, or in a particular case;
- b) Apply to all Waste or any specified category or type of Waste;
- c) Apply to Napier City or to a specified part of it; and/or
- d) Apply at all times or at any specified time or period of time.

3.3 Any Person providing or using a waste collection service in or from a Public Place must comply with all controls made by the Council relating to that service.

4 Waste collection

4.1 Waste may not be placed in a Public Place, Council Collection Point or in a Special Collection Area for collection unless it is:

- a) Household/Domestic Waste;
- b) Organic Waste (including Green Waste);
- c) Recyclable Material;
- d) any other type of Waste determined by the Council as able to be placed for collection.

4.2 A person that disposes of or discards Waste in a Public Place, at a Council Collection Point or in a Special Collection Area for collection under clause 4.1, must:

- a) ensure that Waste is separated in accordance with clause 5 and deposited into the correct Approved Receptacle as determined by Council;
- b) take all reasonable steps to prevent any Waste from escaping any Approved Receptacle.
- c) ensure that any Approved Receptacle is not overfilled;
- d) take all reasonable steps to prevent any Approved Receptacle disrupting or obstructing pedestrian and vehicular traffic and to preserve access to the premises;
- e) ensure that Approved Receptacles are placed for collection and retrieved in accordance with any applicable control specified by the Council under clause 3.

4.3 Council may declare by resolution that any road, Public Place or other land is a Special Collection Area.

4.4 Special Collection Areas shall be defined on a map and include information on any applicable control specified by the Council under clause 3.

4.5 A person must not:

- a) Cause, permit or allow the deposit of any Prohibited Waste into an Approved Receptacle;
- b) Cause, permit or allow the deposit of any material into an Approved Receptacle that is not approved for that type of Waste;
- c) Interfere with or remove any Waste material from an Approved Receptacle, except a Waste Collector, Authorised Officer, or with the consent of the Owner of the Approved Receptacle;
- d) Cause, permit or allow the deposit of any Waste in an Approved Receptacle provided to any other person, without that person's consent;
- e) Remove an Approved Receptacle from the premises to which it has been provided or from any other premises,

without the consent of Council (noting Council reserves the right to charge to replace any Approved Receptacle that are lost, stolen or damaged);

- f) Damage any Approved Receptacle;
- g) Obstruct or hinder a Waste Collector from lawfully collecting Waste from an Approved Receptacle.

5 Separation of waste

5.1 Waste, including Recyclable Material and Organic Waste must be separated in accordance with the Waste types set out in the Standard before being placed in Approved Receptacles for collection.

5.2 Only materials stated in the Standard are accepted in an Approved Receptacle for Recyclable Material or Organic Waste, unless otherwise specified by the Council by resolution.

Explanatory note: A copy of the Standard is available here [Materials for Kerbside Collections Notice 2023 (Notice No.1)]

6 General responsibilities

6.1 The Occupier of any premises is responsible for:

- a) Any Waste generated on that premises until it has been collected;
- b) Any Waste, generated from that premises, that has been placed on public property in an Approved Receptacle for collection, that is not collected;
- c) Ensuring that there is an adequate area on the premises for the safe storage of Approved Receptacles and that they are kept in a hygienic state.

7 Waste collectors and waste operators

7.1 Any Waste Collector who collects or transports Waste from a Public Place, Council Collection Point or Special Collection Area must:

- a) Make available to the Occupier of a premises one or more Approved Receptacle/s to enable separate collection of each of the Waste types required to be separately collected from the premises;
- b) Not collect or dispose of any Waste material which has not been separated in accordance with the requirements of this bylaw;
- c) Comply with all controls made by the Council relating to that collection.

7.2 The Council may require Waste Collectors and Waste Operators to apply for a Licence from the Council:

- a) in the form and manner required by Council; and
- b) including any information required by Council.

7.3 The Council may approve or refuse any application, taking into account the purpose of this bylaw and the Hastings District Council / Napier City Council Joint Waste Management and Minimisation Plan.

7.4 If approved, the Council may impose any conditions on the Licence provided for in any control made under clause 3 of this bylaw.

8 Public Waste Bins

8.1 A person must not:

- a) place any Household / Domestic Waste, Commercial / Industrial Waste, Organic Waste, Prohibited Waste or Hazardous Waste in any Public Waste Bin; or
- b) Dispose of any Animal Remains in a Public Waste Bin; or
- c) put or attempt to put any Waste into a Public Waste Bin if the bin is already full; or
- d) remove any Waste from a Public Waste Bin unless authorised by Council to do so; or
- e) attach any advertising material

(including but not limited to stickers and posters) to, or paint or vandalise any Public Waste Bin, unless authorised by Council to do so;

- f) Damage any Public Waste Bin provided by Council.

at the discretion of Council (or licensed Waste Operator where applicable).

Explanatory note: A Person committing a breach of this bylaw and/or any controls made under the bylaw may also commit an offence under the Litter Act 1979 and may be liable to a penalty under that Act.

9 Enforcement

- 9.1** A Person who fails to comply with this bylaw and/or any controls made under the bylaw commits a breach of this bylaw and is liable to a penalty under the Waste Minimisation Act 2008.

Explanatory note: Section 60 of the Waste Minimisation Act 2008 provides that: "Every Person commits an offence who breaches a bylaw made under section 56 and is liable on conviction to a fine not exceeding \$20,000."

- 9.2** Where a Person does not comply with the requirements of this bylaw and/or any controls made under the bylaw in relation to collection service that applies to them, the Council (or a Council contracted Waste Operator where applicable) may take any/all of the following action(s) against the Person:

- a) Reject (i.e. not collect) the contents of any Approved Receptacle left out by that Person for collection from a Public Place, if the contents or placement of the receptacle is non-compliant;
- b) Issue written notices identifying the breach, requiring compliance with the bylaw and warning of the consequences of continued offending;
- c) Remove the non-compliant contents in a receptacle (or remove the entire Approved Receptacle) with the Owner/ Occupier subject to payment of the costs of removal, administrative costs and an additional penalty specified by Council. If payment is not made within the specified period, the service may be withdrawn or suspended as below;
- d) Withdraw or suspend the collection service provided to that Owner/Occupier. The suspension can be for a set period of time or indefinite, depending on the severity,

STATEMENT OF
PROPOSAL FOR THE

DRAFT WASTE MANAGEMENT AND MINIMISATION *Bylaw 2025*



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri



Contents

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1 Purpose of bylaw

The purpose of the Waste Management and Minimisation Bylaw (**Bylaw**) is to support:

- a The implementation of the Hastings District Council/Napier City Council Joint Waste Management and Minimisation Plan.
- b Achieve the purpose of the Waste Minimisation Act 2008 and the New Zealand Waste Strategy.
- c Efficient and effective waste management and minimisation across Napier City and safe practices through the regulation of the collection, transport, recovery and disposal of waste.

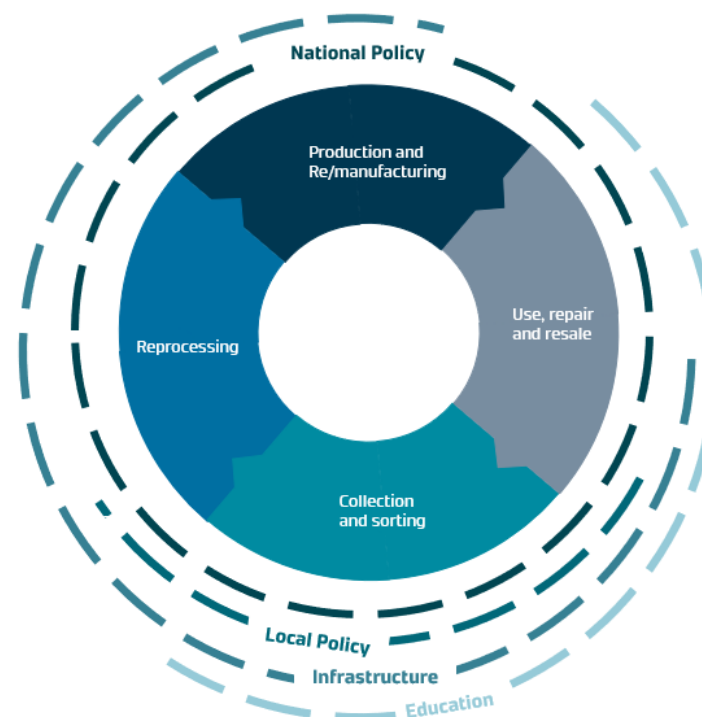
2 Current situation/ background

Napier adopted a Solid Waste Bylaw in 2012. Under section 56 of the Waste Minimisation Act 2008 (WMA), a territorial authority must review a bylaw no later than 10 years after the bylaw was made. A review has not been undertaken within the required timeframe; therefore, Napier City Council's Solid Waste Bylaw was revoked on 1 July 2024¹. A replacement Bylaw is required.

Napier City Council and Hastings District Council completed a joint Waste Assessment and Draft Waste Management and Minimisation Plan (**Draft WMMP**) in 2025. In the WMMP, there are focus areas and actions to improve waste management and minimisation. Alongside the provision of infrastructure and education, policy is a key change lever that can help drive a circular economy, (Figure 2.1). Having a bylaw is a means of introducing rules and obligations to help address waste problems identified in the Draft WMMP. The proposed Waste Management and Minimisation Bylaw will support implementation of the WMMP and is attached as **Error! Reference source not found..**

¹ This bylaw was valid for 2012-2022. As no review was undertaken within two years of last date on which the bylaw should have been reviewed, it was

Figure 2.1: Level of influence of change levers in the circular economy framework



automatically revoked on 1 July 2024, in accordance with section 58(3) of the WMA and referenced LGA section 160A.

3 Problems we are trying to address

The Draft WMMP identifies three overarching problem areas which can be addressed through the update of the Bylaw. These are discussed below.

Support for waste minimisation efforts

The amount of waste going directly to landfill in Napier City and Hastings District has been increasing since the 2011/2012 (Figure 3.1).

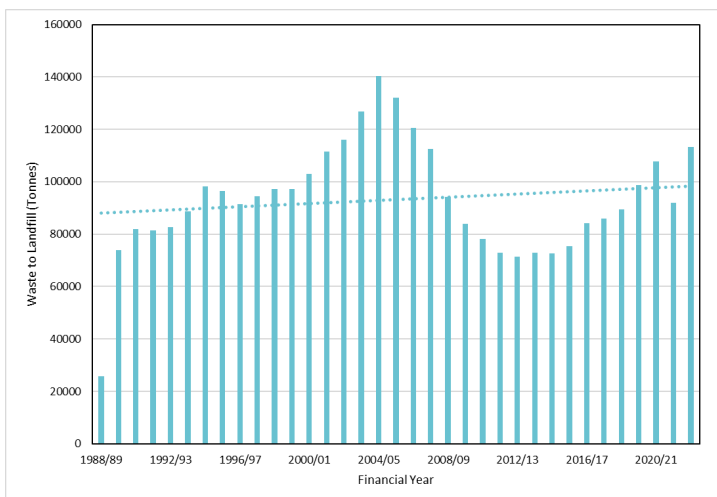


Figure 3.1: The annual tonnages of waste going to landfill in Napier/Hastings

A key aim of the Draft WMMP is to reduce the total amount of waste being sent to landfill. This is supported by the vision in the Draft WMMP “It is normal for our communities to waste less, work in partnership, and value our resources in order to protect te taiao.”

The proposed Bylaw will support a reduction in waste to landfill through providing clarity on roles and responsibilities for waste, requirements for waste separation, recovery and use of waste services in the public and private sectors. The Bylaw will define what can and cannot be placed in kerbside bins along with clarity around what can be placed in a public waste bin.

Regulation around safe and effective services and management of waste

Another problem identified in the Draft WMMP is the management of safe and effective services and a lack of clarity around who is responsible for what in the waste system. A key focus of the Bylaw is ensuring the appropriate collection, recovery and disposal of waste to ensure the health and safety of the public, as well as staff operating waste services. There is also regulation on what bins can and cannot be placed at kerbside and where there is an opportunity to promote better hygiene and, health and safety. The Bylaw defines roles and responsibilities for individuals for the use of waste services including the separation, and handling of waste, use of approved waste bins, what waste materials must be separated for recycling and any prohibited wastes.

Enabling adaptive action within the waste system

Enabling future regulation was an important part of the Draft WMMP, for specific waste streams or sources of waste. The Bylaw, as drafted, provides for controls to be implemented by resolution of council rather than including specific clauses within the Bylaw. This avoids the need to go through a full Special Consultative Procedure when changes are needed or proposed. The proposed approach balances flexibility to adapt to changing circumstances (including future government policy changes) while providing adequate certainty to the community on key requirements.

What can be included within the controls is outlined in the Bylaw including:

- Controls for waste collectors and waste operators. A key problem in managing waste is the unknown volumes coming from the private sector. A bylaw enables Council to put in a provision that will enable licensing, holding the private sector to a standard of operation and

introducing the tracking of waste and provision of waste data to Council for planning purposes.

- Controls on the collection of organic material which is a large contributor of biogenic methane and associated GHG emissions.
- Controls could help regulate the construction and demolition sector which is a large portion of landfill material as shown in Figure 3.2.

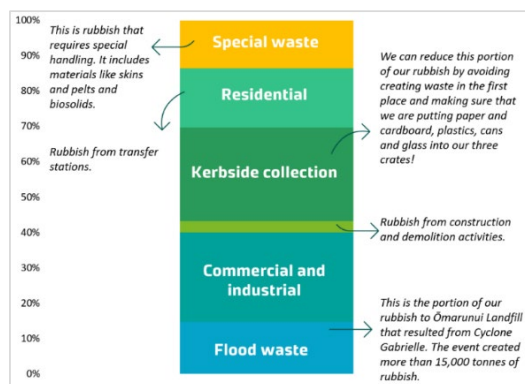


Figure 3.2: The percentage type of each material ending up at landfill

The Bylaw specifies matters over which controls or rules can be provided for including collection, specific areas in the city, specific categories of waste and conditions of licences for waste collectors and operators.

4 Proposed regulatory approach

The proposed Bylaw adopts a light regulatory approach that allows existing waste services to be delivered safely and effectively, in a way that supports minimisation and can be delivered within existing council budgets and resources. The proposed Bylaw also gives the ability to add further regulation (through controls) to support waste minimisation in the future

² Waste Minimisation Act 2008 is under review.

when this is needed to implement the WMMP, for specific waste streams or sources of waste.

A key decision in the drafting of the bylaw was whether specific waste streams or sources of waste should be regulated within the Bylaw (i.e. the licensing conditions of waste operators or collectors, specific requirements for construction waste or organic waste) or alternatively to provide for controls to be made under the Bylaw in the future in response to changing requirements.

Including requirements within the Bylaw provides certainty for the community on the expected regulatory approach; however, due to a legal obligation to act upon clauses they commit Council to monitoring and enforcement costs. Creating specific clauses could create a Bylaw that is inconsistent with future government direction², resulting in bylaw amendments and associated consultation processes and cost. Use of controls allow specific regulatory approaches to be introduced without changing the Bylaw and have less stringent Local Government Act requirements and consultation. Controls give council the opportunity to act upon issues in the future if they decide an issue needs to be supported by increased regulation and can be adopted and changed by Council resolution.

5 Stakeholder pre-engagement

As part of the development of the WMMP, stakeholders were asked what is important to them in managing and minimising waste. 342 members of the public provided feedback on a range of key themes shown in Figure 5.1. In addition to community engagement, 56 people from sector groups were engaged with to understand what was important to them (Figure 5.2). This feedback shows that the development of policy to support waste minimisation is important to the construction and demolition sector, businesses and households. These results support the review and replacement of the Bylaw in line with issues identified in the WMMP.



Figure 5.1: Key themes from community engagement in June 2024

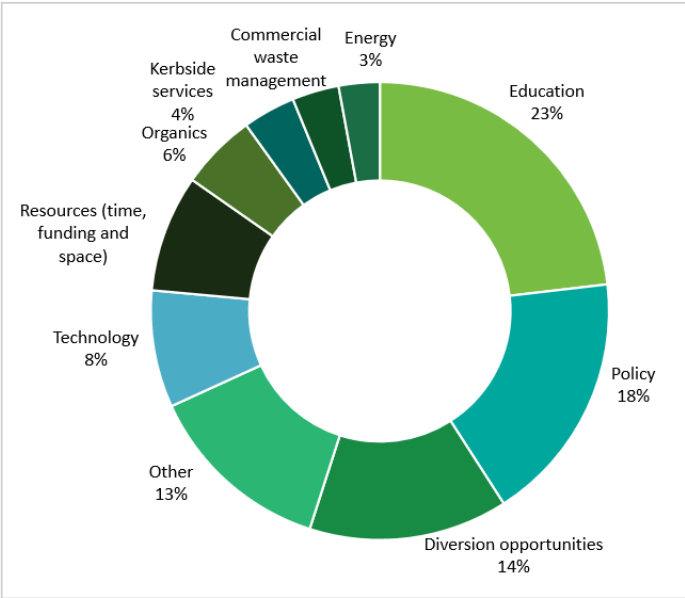


Figure 5.2: Key themes from sector engagement

6 Options

Three approaches were compared when deciding on how to approach the Bylaw, with benefits, risks and costs shown in **Table 6.1**.

- 1 Retain the existing (expired) bylaw.
- 2 A bylaw with a light regulatory approach.
- 3 A bylaw with moderate regulatory approach.

The recommended option 2 is a balanced approach between providing regulation to ensure safe and effective waste management, and clarity on responsibilities for waste, alongside the ability to adjust regulation of specific waste streams or sources through the use of controls as requirements change over time.

Table 6.1: Benefits, risks and costs of approaches to the replacement Bylaw

Options	Benefits	Risks	Costs
1) Retain the existing bylaw	<ul style="list-style-type: none"> Less work considering limited council resources. 	<ul style="list-style-type: none"> Bylaw has been revoked so there no regulation in place. Not fit for purpose. Will not align with WMMP and therefore will not help achieve what is set out in the WMMP. 	<ul style="list-style-type: none"> No cost to keep remaining bylaw.

Options	Benefits	Risks	Costs
2) Light regulatory approach	<ul style="list-style-type: none"> Provides flexibility for future controls to support WMMP implementation when needed and budgets allow. More regulation than retaining the existing Bylaw, driving some change in waste management and minimisation. 	<ul style="list-style-type: none"> Less ability to drive change in waste and circular economy activities than Option 3. Uncertainty on level of regulation as controls have not been defined. 	<ul style="list-style-type: none"> Implementation can be delivered within existing budgets. Introduction of future controls may require additional resource.
3) Moderate regulatory approach	<ul style="list-style-type: none"> Provides clarity for the community on what is regulated. Potential to drive more change in waste minimisation and circular economy compared to Option 2. 	<ul style="list-style-type: none"> May be controversial for the community as Bylaw may specify stricter measures i.e. licencing for the commercial sector. Less flexibility to respond to future changes (i.e. changes require bylaw amendments and consultation). 	<ul style="list-style-type: none"> Would require additional resources to implement, monitor and enforce Bylaw. Costs to review and consult on Bylaw if amendments are required within next 10 years.

7 Have your say

We want to know what you think of our approach to the Bylaw and how it will contribute to a more circular economy in Napier City.

- What do you think of our regulatory approach?
- Will the proposed Bylaw help us to achieve our WMMP? Should we be doing more or less as a community?

How can you learn more

The Napier City Council Waste Management and Minimisation Bylaw 2025 / Te Ture ā-rohe a Te Kaunihera o Ahuriri mō te Whakahaere me te Whakaiti Para 2025 can be found at [Draft Waste Management and Minimisation Bylaw | Consultations](#)

How you can have your say

To have your say, you can:

- Complete our online feedback form, or
- Scan and email your completed form to wasteteam@napier.govt.nz, or
- Hand your completed form in at your local library or council office, and/or
- Attend a face-to-face event.

Submissions close on 11th May 2025.

What happens next

We will review your submissions and create a feedback summary.

This feedback will be considered in the update of the Napier City Council Waste Management and Minimisation Bylaw 2025 / Te Ture ā-rohe a Te Kaunihera o Ahuriri mō te Whakahaere me te Whakaiti Para 2025 and considered by Napier City Councillors.



Draft Waste Management and Minimisation Bylaw 2025 – Submissions and Officer Feedback

1. Te Taiwhenua o Te Whanganui A Orotu

Albe Baker

Combined Submission for Waste Management and Minimisation Plan and Napier City Council Bylaw

1.This Submission is on behalf of Te Taiwhenua o Te Whanganui a Orotu
In response to the draft Napier City Council Waste Management and Minimisation Bylaw 2025 and the joint Waste Management and Minimisation Plan 2025-2031 WMMP

We support both documents and acknowledge the progress being made.
Our Submission seeks to enhance these frameworks through a Maori worldview,
Installing Maturanga Maori, Tuku Ihoa and the values of kaitiakitanga across our rohe.
Our focus is on enabling marae to become leaders in waste minimisation and
environmental restoration, recognising their role as cultural and spiritual heart of hapu.

2.General Support and Alignment

We are heartened to see the WMMP's emphasis on:

- Working in partnership with mana whenua
- Acknowledging Maturanga Maori
- Prioritising community Based solutions

These aspirations align strongly with our kaupapa to

- Build kaitiaki bases at each marae
- Deliver wanangain collaboration with Para Kore
- Implement mobile Waste trailers and zero waste infrastructure to support events and Tangihana

3.Cultural and Environmental Intergration

Our relationship with Papatuanuku, the Awa,Moana, and Hau is central to our identity
We believe Waste is not simply a logistical problem-it is a Wairua issue, and our response
must reflect tikanga Maori, This includes,
Tuku Ihoa: returning organic materials to the earth
Mauri: preserving the lifeforce of our lands and waterways
Whakapapa: understanding the relationship of all living things

4.Key Recommendations	Officer Feedback
<p>B.For the Napier City Waste Bylaw We support the regulatory approach especially</p> <ul style="list-style-type: none"> -Waste separation requirements -Adaptive systems -Safe and effective services <p>Further Suggestions</p> <ul style="list-style-type: none"> •Recognise marae as priority community sites requiring tailored support 	<p>We are pleased that you are in support of our draft Waste Management and Minimisation Bylaw 2025, and it is great to see our views align, especially with the three key items you have listed.</p> <p>We acknowledge and thank you for your further suggestions. Throughout the development of the draft WMMP, we have focused on strengthening</p>

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<ul style="list-style-type: none"> • Include tikanga-based waste practices in guidelines 	<p>relationships with mana whenua and recognise the importance of marae as priority community sites, not only requiring tailored support, but also as current and future leaders in waste minimisation and environmental restoration. The role of marae as cultural, spiritual and knowledge centres at the heart of hapū is also recognised. The WMMP also reflects, through our strategic framework, the aspiration to include tikanga-based waste practices and guidelines.</p> <p>Working in true partnership with mana whenua, we believe that we will achieve our goals, as set out in the WMMP, and use this Bylaw as an implementation tool, to make this transformation happen.</p>
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5. Final Comments

Our waste minimisation kaupapa is grounded in Mātauranga Māori and upholds our duty to protect Papatuanuku.

We are not just managing waste -we are restoring balance: We seek to work in true partnership with councils, and believe marae can lead this transformation through tikanga, innovation, and whakapapa.

2. Individual Feedback

Details	Submission
Mike Johansson	<p>What do you think of our updated Waste Management and Minimisation Bylaw's regulatory approach?</p> <p>It's a good start</p> <p>Do you agree with our approach?</p> <p>Yes</p>
02040832224	<p>If yes, why?</p> <p>Napier needs to do all it can to reduce the quantity of material going to the landfill.</p> <p>Which of these three problems matter most to you? (select all that apply)</p> <p>Support for waste minimisation efforts.</p>
mikej516@gmail.com	<p>Is there anything we've missed that should be in the Bylaw? Let us know!</p> <p>More effort put into broadening items that can be recycled and community composting</p>
8 Seapoint Road, Bluff Hill	<p>Officer's Feedback:</p> <p>Thank you for your submission. We are pleased that your feedback aligns with what we are proposing, which to use this Bylaw as an implementation tool to drive waste minimisation. We value your suggestion and believe we have captured this in our new draft Waste Management and Minimisation Plan (WMMP), where we will continue explore solutions for hard to recycle waste streams and look into options to divert organics from landfill and instead feed our soil through composting solutions.</p>

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2. AMENDMENT TO THE 2025 MEETING SCHEDULE

Type of Report:	Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1854610
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

2.1 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.

Officer's Recommendation

That Council:

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

- Council (Hearing of submissions: Lease Options for Kennedy Park & Ocean Spa) New Meeting 9.30am 26 August 2025

2.2 Background Summary

The Local Government Act 2002, Schedule 7, Clause 19 states:

- ...
- (4) *A local authority must hold meetings at the times and places that it appoints.*
- (5) ...
- (6) *If a local authority adopts a schedule of meetings -*
- a) the schedule-*
 - i) may cover any future period that the local authority considers appropriate, and*
 - ii) may be amended; and*
 - b) notification of the schedule or of any amendment to that schedule constitutes a notification of every meeting to the schedule or amendment.*

Council must hold the ordinary meetings as scheduled but may amend the meetings schedule to enable business to be managed in an effective way.

Although staff attempt to meet Council's needs in planning the schedule, it is inevitable that Council will need to amend the schedule from time to time. If approved, the proposed amendment will be notified to elected members via the Councillor diary.

While the schedule serves to give elected members notice of the upcoming meetings, there is still a requirement under the Local Government Official Information and Meetings

Act 1987 for the public to be advised on a regular basis of the meetings scheduled for the next month.

The schedule includes council meetings and the meetings of all committees, not only so that members can plan ahead, but also to ensure that meeting days are in fact available. If a scheduled meeting is not required, officers will advise members of the cancellation as early as possible.

2.3 Issues

No issues have been identified with this report.

2.4 Significance and Engagement

The amendment to the meeting schedule does not trigger the Significance and Engagement Policy or any other consultative requirements.

2.5 Implications

Financial

N/A

Social & Policy

There are no social or policy implications in relation to this report.

Risk

Changes to the meeting schedule can result in difficulty finding a suitable venue and increased costs.

2.6 Options

The options available to Council are as follows:

- a. To amend the 2025 meeting schedule as proposed.
- b. Not to amend the 2025 meeting schedule as proposed.

2.7 Development of Preferred Option

It is recommended that the amendment to the 2025 meeting schedule be adopted as proposed.

2.8 Attachments

- 1 2025 Council/Committee meeting schedule (Doc Id 1854692) [↓](#)

GOVE-1302670700-53

2025 Meetings Schedule - Napier City Council (Adopted by Council Resolution 31 October 2024) - Amended by Council Resolution 24 April 2025)

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
SAT		1	1								1		SAT
SUN		2				1					2		SUN
MON		3 Council (Freedom camping hrg)	3 DP Hearing			2 King's Birthday			1 DP Hearing		3	1	MON
TUE		4	4 DP Hearing	1		3	1		2 DP Hearing - Audit & Risk		4 Inaugural Council	2 Citizenship	TUE
WED	1 New Year	5	5	2		4	2		3 DP Hearing	1	5	3	WED
THU	2 NY Holiday	6 Waitangi Day	6 Sustainable Napier followed by Future	3 Zone 3 Meeting	1 Combined Sector Meeting	5 Council	3 Standing Cttes x 4		4 Workshop	2	6	4	THU
FRI	3	7	7	4 Zone 3 Meeting	2	6	4 Ngā Mānukanuka o te Iwi	1	5	3	7	5	FRI
SAT	4	8	8	5	3	7	5	2	6	4	8	6	SAT
SUN	5	9	9	6	4	8	6	3	7	5	9	7	SUN
MON	6	10	10	7	5	9 Ahuriri Regional Park Joint Committee	7	4	8	6	10	8	MON
TUE	7	11 Workshop	11	8	6	10	8	5	9 Civic Awards	7	11	9	TUE
WED	8	12	12	9	7	11	9	6 Workshop - Forming Agreement (PX)	10	8	12	10	WED
THU	9	13 Workshop	13 Audit & Risk / Workshop	10 Standing Cttes x 4	8 Workshop	12 Audit & Risk	10 Workshop	7 Audit & Risk	11	9	13 Combined Sector Meeting	11	THU
FRI	10	14	14 Ngā Mānukanuka o te Iwi	11	9 Hearings Committee	13	11	8 Regional Collaboration Day	12	10	14	12	FRI
SAT	11	15	15	12	10	14	12	9	13	11 Election Day	15	13	SAT
SUN	12	16	16	13	11	15	13	10	14	12	16	14	SUN
MON	13	17 Ahuriri Regional Park Joint Committee	17	14	12 DP Hearing	16 DP Hearing / Community Services Grants	14	11	15	13	17	15	MON
TUE	14	18 Workshop	18	15 Council RMP Hrg	13 DP Hearing / Citizenship	17 DP Hearing	15	12	16	14	18	16	TUE
WED	15	19	19	16	14 DP Hearing	18 DP Hearing	16 LGNZ AGM	13	17	15	19 Council	17	WED
THU	16	20 Council / Workshop	20 Workshop - CDEM Training (EMs)	17 Council (LWDW)	15 Standing Committes x 4	19 DP Hearing	17 LGNZ AGM	14 Workshop	18	16	20 Zone 3	18 Council	THU
FRI	17	21	21	18 Good Friday	16	20 Matariki Day	18	15 Ngā Mānukanuka o te Iwi	19	17 Notification of Election Results	21 Zone 3	19	FRI
SAT	18	22	22	19	17	21	19	16	20	18	22	20	SAT
SUN	19	23	23	20	18	22	20	17	21	19	23	21	SUN
MON	20	24	24	21 Easter Monday	19	23	21 Council (LWDW Hearing)	18	22	20	24	22	MON
TUE	21	25 Citizenship	25 Workshop	22	20	24	22	19 Citizenship	23	21	25	23	TUE
WED	22	26 Extraordinary Council / Prosperous followed by P&P	26	23	21	25	23	20	24	22	26	24	WED
THU	23	27 LGNZ Combined Sector	27 Council	24 Council	22 3 Year Partnership Fund Committee	26 Council (Adopt A/P, RMP, Solid Waste) / Workshop	24 End of Triennium Workshop (PX)	21 Standing Cttes x 4	25 Council (Adopt Annual Report)	23	27	25 Xmas Day	THU
FRI	24	28	28	25 ANZAC DAY	23	27	25	22	26 Creative NZ - PX	24 HB Anniversary	28 Regional Collobaration Day	26 Boxing Day	FRI
SAT	25		29	26	24	28	26	23	27	25	29	27	SAT
SUN	26		30	27	25	29	27	24	28	26	30	28	SUN
MON	27		31 Creative NZ - PX	28	26 Council A/P	30	28	25	29	27 Labour Day		29	MON
TUE	28			29 Council (LAP)	27 Council A/P		29 DP Hearing	26 Council (Hrg Kennedy Park/Ocean Spa Lease Tender)	30	28		30	TUE
WED	29			30	28 Council A/P		30 DP Hearing	27		29		31	WED
THU	30 Workshop				29		31 Council	28 Council		30			THU
FRI	31 Ngā Mānukanuka o te Iwi				30			29		31			FRI
SAT					31			30					SAT
SUN								31					SUN
	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	

	Public Holidays					School Holidays
	Council	9.30am (Thurs)				Finish 27 January 2025
Standing Cttes	Prosperous Napier followed by People & Places Sustainable Napier followed by Future Napier Committee	9.30am &	1.00pm (Thurs)			12-27 April 2025
	Audit and Risk Committee	9.30am (Thurs)				28 June - 13 July 2025
	Ngā Mānukanuka o te Iwi (Māori Committee)	11.00am (Fri)				20 Sept - 5 October 2025
	Election period					19 December 2025
	Weekend					

3. 2025 LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING REMITS

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1857043
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

3.1 Purpose of Report

For elected members to consider the remits going forward to the Local Government New Zealand Annual General Meeting, and to discuss how Napier City Council should vote on them.

Officer's Recommendation

That Council:

- a) **Receive** the report titled 2025 Local Government New Zealand Annual General Meeting Remits.
- b) **Approve** the following list of remits to be supported by Napier City Council at the Annual General Meeting:
 - i) *[List to be populated at the meeting]*

3.2 Background Summary

Local Government New Zealand's (LGNZ) Annual General Meeting (AGM) will be held on 16 July 2025. The agenda for the AGM includes consideration of five proposed remits. The remits being presented to the AGM have been approved by the Remit Screening Committee. The Committee's decision is informed by the National Council's remit screening policy, and LGNZ's four key criteria:

1. The remit is relevant to local government as a whole. Not just a single Zone, Sector, or council;
2. The remit relates to significant matters, including constitutional and substantive policy, rather than matters that can be dealt with administratively;
3. The remit concerns matters that cannot be addressed through channels other than the AGM;
4. The remit does not deal with issues that are already actioned by LGNZ. This covers work programmes underway as part of LGNZ's strategy.

The proposed remits for the 2025 AGM are as follows:

1. Security system Payments
2. Improving Joint Management Agreements
3. Alcohol Licensing Fees
4. Aligning Public and School Bus Services
5. Review of local government arrangements to achieve better balance

3.3 Issues

Details of the remits to be considered at the LGNZ AGM can be found in the attachment to this report. All local authorities present at the AGM will be able to vote whether to support the remits.

As highlighted at the 2024 LGNZ AGM, each remit requires resourcing to deliver, and there is no limit to the number of remits that can be considered and passed. This means remits can create resourcing challenges, including conflict with agreed policy priorities.

3.4 Significance and Engagement

This report does not trigger the Significance and Engagement Policy.

3.5 Implications

Financial

Nil

Social & Policy

Nil

Risk

Nil

3.6 Options

The options available to Council are as follows:

- a. Receive the report titled 2025 Local Government New Zealand Annual General Meeting Remits. Approve a list of remits to be supported at the LGNZ AGM.
- b. Not receive the report titled 2025 Local Government New Zealand Annual General Meeting Remits and leave the council delegate to decide which remits to support at the meeting.

3.7 Development of Preferred Option

The NCC Presiding Delegate will vote on behalf of NCC at the AGM.

3.8 Attachments

- 1 2025 LGNZ AGM Remits (Doc id 1857041) [↓](#)



2025 Remits



// 01 Security System Payments

Proposed by:	Far North District Council and Central Otago District Council
Supported by:	Zone 6 and Zone 1
Remit:	<i>That LGNZ advocates for security system payments to be included as an allowance under the Local Government Members Determination, in line with those afforded to Members of Parliament.</i>

Why is this remit important?

The importance of safety for elected members has become more apparent in recent times. With an increase in animosity towards “government figures,” both online and in person, the time has come to address this. Recent examples of elected members being threatened, harassed and abused, including incidents occurring at or near their home address, highlights the need for changes to the Local Government Act to be updated. The ability for security system payments to be made as an allowance would go some way towards encouraging actual and perceived safety for existing elected members, as well as ensuring future candidates can feel safer while representing their communities.

Background and Context

Democracy worldwide is currently considered a “tinderbox” according to multiple news sites. In 2024, 37 candidates for election were murdered in Mexico. While this may seem extreme – our own Electoral Commission in NZ has a page dedicated to “security advice” for potential candidates. The rise of fringe groups, anonymity of online forums, general mistrust of government figures and polarising coverage of worldwide democratic outcomes has been creating a platform for those with singular or disaffected viewpoints. While we recognise that some of the sentiment is online, there have been instances of this spilling over into daily life for our elected members. Much of “being safe” is about “feeling safe.”

The Members of Parliament Determination 2023 (Section 48) allows for up to \$4500 to install a security system at a member’s primary place of residence, along with up to \$1000 per year to monitor this.

LGNZ’s own research carried out last year identified three quarters of elected members had suffered abuse or harassment at public meetings, a third at the supermarket or school pick up, and that half of EM’s felt it was worse than a year ago. Supporting new anti-stalking and harassment Legislation is a good start, but this is something that could immediately help our elected members to feel safer at home.

Some councils are already supporting elected members in personal safety. Central Otago District has paid for a member to install a camera at their home address where they live with young kids following an obnoxious campaign including items being left in their letterbox. There will be multiple other examples where councils are promoting personal safety, wellbeing initiatives and also installing or providing additional security measures at homes and council offices.

Far North and Central Otago Districts are just two examples of our huge, remote areas. Overnight Central Otago, all 9,968 square kilometres of it, is covered by two on-call Police officers, based 30km



apart. Feeling safe plays a big role in actual safety. Expectations of safety will be different for an older female to a young dad with kids, a large family or a person living alone, and they are also different between rural and urban areas.

This election, we want to ensure worry about how safe someone is in their own home is not a barrier to putting their hand up to fulfil a wonderful role for our communities.

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

Ties into the research on safety that LGNZ carried out last year, and also the support of the Crimes Legislation (Stalking and Harassment) Amendment Bill.

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

Connect with Minister Mark Patterson (Minister for Rural Communities) for support

Investigate the possibility for a partnership with a national retailer/supplier of home security systems and/or trail cams

Timeframe - depends how quickly things could progress before the election?



// 02 Improving Joint Management Agreements

Proposed by: Northland Regional Council

Supported by: LGNZ Zone 1

Remit: *That LGNZ advocate to Government for: a) legislative change to make the Joint Management Agreement (JMA) mechanism more accessible for councils to use with iwi/hapū, b) for the provision of technical, legal and financial support to facilitate the use of JMAs for joint council and iwi/hapū environmental governance, and c) for a mechanism such as JMAs to be included in the Government's new resource management legislation.*

Why is this remit important?

JMAs are a valuable tool for councils and iwi / hapū to work together on environmental governance. Many councils support stronger partnerships with tangata whenua, but the statutory and practical barriers to formalising JMAs have severely limited their uptake by councils and iwi/hapū. There is thus a need to address the limitations of the current mechanism under the RMA, to make it more accessible to councils and tangata whenua, as well as to ensure a mechanism such as JMAs is included in the Government's new resource management legislation.

Recommended improvements include a) simplification or modification of the JMA statutory requirements and criteria; b) provision of a customisable JMA template and detailed guidance on when JMAs might be appropriate and how to establish them; c) explanation of the legal implications for the parties, and the Health & Safety obligations; d) making JMAs mandatory in appropriate circumstances in addition to Treaty settlements; and e) provision of funding to support iwi/hapū capacity to develop and implement JMAs.

Background and Context

JMAs under the Resource Management Act 1991 (RMA) provide for agreement between a local authority and an iwi authority and/or groups representing hapū to jointly perform or exercise any local authority functions, powers or duties under the RMA relating to a natural or physical resource.

Since inclusion as a mechanism under sections 36B-E of the RMA in 2005, only two JMAs have been established, apart from their mandatory use in some Treaty settlements.

For a JMA to be developed, the local authority must be satisfied that the agreement is an "efficient" method of exercising the function, power or duty. However, if a JMA were to require more funds and resources to support administrative costs and extra person-hours than what council would itself expend, the "efficiency" criterion might not be satisfied. Thus, "efficiency" could compel an iwi/hapū to contribute its own resources to the collaborative management process if it wished to conclude a JMA. A lack of financial resources is repeatedly identified by iwi/hapū as being the most significant barrier to their full participation under the RMA.

Another requirement of s36B is that the local authority must be satisfied that the other party to the JMA has the "technical or special capability or expertise to perform or exercise the function, power,



or duty jointly with the local authority". Many (especially unsettled) iwi/hapū are under-resourced, often having to rely on voluntary contributions of resources and expertise; thus funding and technical support may be needed to facilitate iwi/hapū participation in JMAs.

Another deterrent to JMA uptake is that the agreement can be cancelled by either party at any time. If conflict arises, the local authority will always have the "upper hand" because the function(s) shared under the JMA will revert exclusively to local authority control. More stringent cancellation requirements could be introduced that give JMA parties greater assurance of continuation.

Only those JMAs created as part of Treaty Settlements are currently mandatory for local authorities. A similar mandatory requirement under the RMA for councils to enter into JMAs in appropriate circumstances would facilitate uptake.

Currently there is very little information available on the legal implications of JMAs, and on the process and considerations for developing and implementing such an agreement. There is also no template provided for such agreements. Technical guidance from central government would further facilitate uptake.

In summary, very low uptake of JMAs reflects the high barriers to their uptake by councils and iwi/hapū. They remain a potentially useful tool if sufficient guidance, resourcing and technical support is provided, and if criteria for developing them are made more enabling.

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

This remit aligns with LGNZ's strategy, in particular the long-term goal that Te Tiriti partnerships between local government and Māori are authentic, strong and respected. We are not aware of any existing or planned work to advocate for improved legislative mechanisms and implementation support for Joint Management Agreements.

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

We can provide some technical expertise to support analysis of specific options to improve how JMAs function and some advocacy support.



// 03 Alcohol Licensing Fees

Proposed by:	Far North District Council
Supported by:	LGNZ Zone 1
Remit:	<i>That LGNZ advocates for the government to update the Sale and Supply of Alcohol (Fees) Regulations 18 December 2013 to account for inflation and include a mechanism for automatic annual inflation adjustments.</i>

Why is this remit important?

If a local council does not have a bylaw that sets alcohol licensing fees and charges it must default to the schedule of fees in the Sale and Supply of Alcohol (Fees) Regulations 2013. These default fees were set 12 years ago and, with the impact of inflation over this period, no longer enable local councils to reasonably recover the costs to administer the alcohol licensing system. This has led to increasing ratepayer subsidisation of these costs. Currently the only way that councils can increase these fees and charges is to make an Alcohol Fees Bylaw under an Order in Council associated with the Sale and Supply of Alcohol Act 2012. This is an inefficient and expensive way for councils to raise their alcohol licensing fees and charges, when this issue could be simply resolved by the government updating the schedule of fees in the Regulations.

Background and Context

Objectives relating to the setting of alcohol licensing fees were listed in the review of the Supply of Alcohol (Fees) Regulations 2013 conducted by the Ministry of Justice in 2017. These objectives include: - recovering the total reasonable costs incurred by local councils and ARLA in administering the alcohol licensing system - ensuring that those who create the greatest need for regulatory effort bear the commensurate costs.

Alcohol licensing fees and charges are intended to cover the reasonable costs of administering the alcohol licensing system via a 'user pays' approach. The fees and charges set in the Sale and Supply of Alcohol (Fees) Regulations 2013 are now 12 years out of date and have not been updated since 2013, despite two reviews of these fees conducted in 2018 and 2022 as required by section 404 of the Sale and Supply of Alcohol Act. With inflation since 2013, costs to manage alcohol licenses cannot be recovered through the fees prescribed in these Regulations. This means that every time Council processes an alcohol licence it costs more than the fee paid by the licensee and the difference must be covered by general rates.

To increase these fees and charges in their districts, local councils can make Alcohol Fees Bylaws under the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013. However, making a bylaw is a relatively costly and inefficient way to address this issue as it involves: - time and effort to research and draft the bylaw - costs for public consultation - the need to regularly review the fees and charges set in the bylaw. A better solution would be for the government to update the fees and charges listed in the 2013 Regulations to reflect current costs. The schedule of fees in the revised Regulations should also allow for an annual CPI increase and allow cost recovery for hearings objections to District Licensing Committee decisions.



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

This remit sits within the Funding and Financing advocacy area within LGNZ's Advocacy Work Programme. Specifically, this relates to: - Advocating for changes to local government funding and financing - Building and working with a coalition of the willing to support LGNZ's advocacy for changes to local government funding and financing. Fees and charges are also specifically mentioned in LGNZ's funding and finance toolbox. We understand that the regulation of alcohol fees is not currently part of this Work Programme.

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

We can provide detailed evidence of the current income received by FNDC from licensing fees based on applying the outdated fee schedule in the 2013 Regulations, compared with the costs to administer the alcohol licensing system. In summary, in the 2023/24 financial year FNDC received \$410,000 in income from licence application fees compared with costs of \$581,000. This means there was a shortfall of \$171,000 which has to be recovered from general rates. In 2023/24 licence application fees covered 71% of costs for the Council. By contrast, the 2017 Review of the 2013 Regulations reported that cost recovery across all local councils was 108%.



// 04 Aligning public and school bus services

Proposed by: Nelson City Council

Supported by: LGNZ Regional Sector

Remit: *That LGNZ advocate for the reform of the Ministry of Education funded school bus services to provide an improved service for families and to better integrate the services with council provided public transport services, including the option of Public Transport Authorities (e.g. regional and unitary councils) managing such services (with appropriate government funding), noting that:*

- a. councils better know their local communities; and*
- b. the potential to reduce congestion from better bus services for schools; and*
- c. the efficiency gains realised from integrating these two publicly funded bus services*
- d. the outdated and inflexible rules of the current centralised school bus system*

Why is this remit important?

The quality and efficiency of school and public bus services is compromised by school and public bus services being funded through two different arms of Government. Some services are funded through the New Zealand Transport Agency and councils, and others are through the Ministry of Education School Bus Transport Service. This remit proposes to align those functions by transferring the funding and management to Regional Public Transport authorities which are better placed to understand and respond to local transport needs. By improving our bus services for students, we can also reduce congestion which is noticeably less during the school holidays in towns and cities around New Zealand.

Background and Context

There are essentially two drivers for this reform. The first is that it makes no sense to have two different arms of Government separately planning and contracting publicly funded bus services. The second is that decisions about bus services are best made locally.

The co-ordination and contracting of public bus services, whether for getting students to school or for other passengers, is a complex job. Decisions about the routes, frequency, bus size and convenient bus stops are difficult, requiring the juggling the objectives of making the service as convenient as possible, maximising usage, managing costs and ensuring safety. These decisions are inherently local.

The centralised school bus transport system is a huge source of frustration to communities and councils all over New Zealand. It is governed centrally by archaic, rigid rules that date back nearly 100 years, and are unchanged to this day.



The Ministry of Education officials do the best they can within the current policy, but the system is fundamentally outdated and broken. It makes no sense for education officials to be running transport services, and it is impossible to run a community focused, flexible school transport system over thousands of schools and communities from Wellington.

One of the big opportunities of this reform is to reduce congestion by improving our bus service for students. The potential is highlighted in towns and cities all over New Zealand during school holidays when there is much less congestion. An improved bus service with timetables and routes tailored to students' needs would be a wise investment for the overall transport network.

Regional councils, unitary authorities and Auckland Transport are all public transport authorities with delegated responsibility for the development, planning and delivery of public transport services in New Zealand.

The current system has perverse incentives in that if a public transport authority uses rates to improve public transport service to an area, the Ministry of Education withdraws its service. The current system discourages councils to provide public transport services on routes and times that work for students.

Nelson/Tasman are exploring trialling the integration of the management of public and school transport services. We believe there is the opportunity to provide a more responsive service to families of school aged children, to expand our public transport network and to get efficiency gains from contracting for both types of services. If successful, the trial may result in wider reforms.

This is a significant proposal currently involving more than \$125 million of annual public expenditure on school bus services that would need to be transferred to public transport authorities. It would be a complex reform that requires careful attention to detail and consultation with parents, schools, bus service providers and councils. The prize is a better bus services in places like Nelson, less congestion on our roads and more efficient use of public money.

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

Transport is a critical issue facing all councils and we need to be proactively looking for way to better deliver services. This remit goes to the heart of LGNZ's vision of localism in that it proposes to localise the delivery of school bus services. This remit also compliments LGNZ's strategic relationship with Government in that it proposes reforms that improve efficiency, and is not just asking for more funding in fiscally constrained times. It also supports LGNZ's sustainability goals by providing opportunities for expansion of public transport services.

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

Nelson City Council is keen to help advance the case for this reform. We have already engaged with the Ministry of Education, the Minister of Education and the Minister of Transport who are interested in the reforms and keen to trial this alternative approach for the delivery of school bus services. We also commit to sharing our experiences should Nelson Tasman proceed to trialling this reform.



// 05 Review of local government arrangements to achieve better balance

Proposed by: Tauranga City Council

Supported by: LGNZ Metro Sector

Remit: *That LGNZ works with the Government and Councils to review current local government arrangements, including the functions and structure of local government, to achieve a better balance between the need to efficiently and effectively deliver services and infrastructure, while enabling democratic local decision-making and action by, and on behalf of communities.*

Why is this remit important?

Efficient and effective local democracy and associated decision making is paramount.

Background and Context

A number of local government reviews undertaken previously, have concluded that the current structure and arrangement of the local government sector, is not conducive to ensuring that infrastructure and services delivered to communities, are always done so in a cost effective and efficient manner.

Current sector arrangements are a legacy, and do not always reflect how our communities have expanded, nor how modern services are delivered.

Central government is underway with key policy and legislations changes that both directly and indirectly significantly impact the local government sector. This will require an agile and well planned response by the sector.

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

This is an important issue for local government as the sector responds to the current central government policy and legislation changes and reforms underway. Seeks advocacy for a work programme between central government, local government and LGNZ, to undertake this review, and ensuring local communities are well considered.

This remit sits within the principles of the Local Government Act 2002 in that it would give local government a tool to provide services more efficiently. While this is not currently part of LGNZ's work programme, engaging with central government will be essential to making progress in this area.

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

Metro sector councils will provide support and resource to participate and work on the programme established.

4. INFORMATION - MINUTES OF JOINT COMMITTEES

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1845612
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

4.1 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:

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

Officer's Recommendation

That Council:

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

- 18 November 2024 Climate Action Joint Committee (Doc Id 1852141)
- 21 February 2025 Hawke's Bay Regional Transport Committee (Doc Id 1853550)
- 26 February 2025 Hawke's Bay Crematorium Committee (Doc Id 1845585)

4.2 Background Summary

The Joint Committees met as follows:

- 18 November 2024 Climate Action Joint Committee (Doc Id 1852141)
- 21 February 2025 Hawke's Bay Regional Transport Committee (Doc Id 1853550)
- 26 February 2025 Hawke's Bay Crematorium Committee (Doc Id 1845585)

4.3 Issues

N/A

4.4 Significance and Engagement

N/A

4.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

4.6 Options

The options available to Council are as follows:

- a) To receive the unconfirmed minutes of the Joint Committees.
- b) Not to receive the unconfirmed minutes of the Joint Committees and request amendments from the relevant administering council.

4.7 Development of Preferred Option

N/A

4.8 Attachments

- 1 Climate Action Joint Committee minutes - 18 November 2024 (Doc Id 1852141) [↓](#)
- 2 Hawke's Bay Regional Transport Joint Committee minutes - 21 February 2025 (Doc Id 1853550) [↓](#)
- 3 Hawke's Bay Crematorium Joint Committee minutes - 26 February 2025 (Doc Id 1845585) [↓](#)



Unconfirmed

Minutes of a meeting of the Climate Action Joint Committee

Date: 18 November 2024

Time: 1.00pm

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: Cr X Harding (HBRC) – Chair
Cr H Browne (NCC) – Deputy Chair
Cr T Aitken (CHBDC) (*online*)
P Kelly – HBRC Māori Committee representative
R Maaka – HBRC Māori Committee representative
Cr H Montaperto-Hendry (HDC)
R Paul – Maungaharuru-Tangitū Trust (*online from 2.10pm*)
Cr D Roadley (HBRC)
Mayor A Walker (*online*)
Cr T Kerr (HDC)

In Attendance: K Brunton – HBRC Group Manager Policy & Regulation (*online*)
A Gibson – HBRC Climate Change Lead Strategic Advisor
D Cull – HBRC Manager Strategy & Governance
N Nicholson – HBRC Acting Manager Policy & Planning
T Munro – HBRC Te Pou Whakarae
M Duncan – NCC, Carbon Emissions Advisor
J Park – HBRC Management Accountant
T Logan – Urban Intelligence, Technical Director
P Blackett – Urban Intelligence, Principal Researcher
A Floyd – Urban Intelligence, Senior Adaptation Advisor
L Read – Reputation Matters
R Hollyman – HBRC Governance Advisor

1. Welcome/Karakia /Apologies

The Chair welcomed everyone to the meeting and Roger Maaka opened with a karakia.

Resolution

CAJCC20/24 That the apologies for lateness from Councillor Di Roadley and for absence from Councillor Annette Brosnan and Mayor Sandra Hazlehurst be accepted.

**Browne/Kelly
CARRIED**

2. Conflict of interest declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Climate Action Joint Committee meeting held on 26 August 2024

CAJCC21/24

Resolution

Minutes of the Climate Action Joint Committee meeting held on Monday, 26 August 2024, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record as amended to reflect Robbie Paul's attendance and clarify that interests were declared, not conflicts of interest.

**Harding/Kerr
CARRIED**

4. Regional Climate Change Risk Assessment

Amberley Gibson introduced the item, which updates the committee on the regional climate risk assessment project, and the team from Urban Intelligence (UI) – Dr Tom Logan, Dr Alison Floyd and Dr Paula Blackett (*online*). The team was joined by Liz Read from Reputation Matters who presented the communications approach for the public release of the risk assessment report. Discussions covered:

Councillor Di Roadley arrived at 1.07pm

- As directed by the Joint Committee, TAG has prioritised the first Regional Climate Change Risk Assessment (phase one).
- Risks are being assessed at a regional and district level, across different value and wellbeing domains (Natural Environment, Built Environment, Human, Economic, Governance and Risk to Māori) from hazards to different elements, e.g. infrastructure, amenities, culturally significant sites, ecological areas and more.
- UI is using its spatial software, Resilience Explorer (RE), to undertake the assessment, and has been gathering and analysing a significant amount of data and information, provided largely by the five councils. RE, which is being used by councils around New Zealand, can be used by adaptation advisors, asset managers, land use planners and other decision makers.
- The output from the data analysis and assessments will be a technical report, which will be released to the public in March 2025.
- UI noted the key themes identified to date.
- Next steps are to finalise the report.
- HBRC has a current RE license that runs until April 2025 and the TAG is exploring options for continued use including joint licensing/access arrangements.
- HBRC's Acting Manager Policy & Planning, advised that HBRC is currently rewriting the Regional Policy Statement (RPS) which is able to direct district council plans. The RPS will be reviewing the hazards risk chapter and adding a climate change chapter. The HB independent flood review made recommendations for determining unacceptable risk for the RPS and there is a National Policy Statement being developed which will provide a framework for RPSs.

- The importance of supporting communications when releasing climate risk information was noted, and that there is a wide audience for the report including mana whenua, communities, public service providers, business and industries, and critical lifeline services.
- People need to know the report is out and have consistent messaging about its importance, explaining the purpose and snapshots at a regional level.
- All elected members and members of the Joint Committee will be briefed ahead of the report's public release.
- The technical report will not include actions or recommendations, so will be provided for information purposes.

Robbie Paul joined online at 2.10pm

- It's important not to over complicate the release.
- Some risks will be better dealt with locally, and some regionally.

CAJCC22/24

Resolutions

That the Climate Action Joint Committee:

1. Receives and considers the *Regional Climate Change Risk Assessment* staff report.
2. Supports the communications approach for the release of the Regional Climate Change Risk Assessment report.

Kerr/Browne
CARRIED

5. Update on Climate Action work programme

Amberley Gibson introduced the item, which was taken as read. Discussions covered:

- The need for joint action was noted, due to the fast-changing climate.
- An updated work programme will be provided to the March 2025 joint committee meeting.
- A request was made, to hear from the forestry association in relation to workstream 2, e.g. a presentation/update on what Land for Life looks like.
- Workstream 3 has been delayed as a result of prioritising workstream 1, and workstream 4 is underway as planned.
- HBRC is participating in a Kinesis Project to develop a nationally consistent local data platform.

CAJCC23/24

Resolutions

That the Climate Action Joint Committee receives and notes the *Update on the climate action work programme* staff report.

Roadley/Walker
CARRIED

6. Update on national climate change work programmes

Amberley Gibson spoke to the item in Gavin Ide's absence.

- Central government announcements are anticipated before March 2025 on the release of the second emissions reductions plan, the setting of the nationally determined contribution (NDC2), the response to the Finance and Expenditure Select Committee enquiry into adaptation, and the response to the Climate Change Commission's monitoring report on adaptation progress.
- The Auditor General commented that there is a challenge felt around the country regarding translating climate change from a strategic priority to one in practice.
- Mayor Walker suggested that Xan Harding, as Chair of the Joint Committee, writes to each of the councils engaged in this work.

CAJCC24/24

Resolution

That the Climate Action Joint Committee receives and notes the *Update on national climate change work programmes* staff report.

Harding/Browne
CARRIED

7. Napier City Council Emissions Reduction Plan

Michelle Duncan, NCC Sustainability Manager, delivered a presentation and discussions included:

- The strategic priority is to deliver a financially sustainable council and deliver on previous commitments to the LGL Climate Change Declaration and Climate Position Statement.
- Emission sources generally correspond to cost – fuel from fleet, gas in boilers, waste to landfill, business travel and other.
- The work sits within NCC's strategy and transformation team.
- NCC has 1% emissions of the region which is still significant (more than the HB airport and port).
- NCC reviewed other councils that have had more progress, to see what can be done better. Some opportunities include working collaboratively with other councils on sharing fleet services – LiftanGo, as well as projects such as Ahuriri Regional Park.
- The plan was made publicly available with a press release, but is more internally focused at this stage.
- There was a request for CAJC to review progress of council emissions reduction planning on a quarterly basis.
- NCC has signed an agreement with Meridian to lease some of NCC carparks, with Meridian providing electric vehicle charging infrastructure for public and tourists at no costs aside from admin to NCC.

CAJCC25/24

Resolution

That the Climate Action Joint Committee receives and notes the *Napier City Council Emissions Reduction Plan* staff report.

Browne/Kerr
CARRIED

Dr Roger Maaka offered a closing karakia.

Closure:

There being no further business the Chair declared the meeting closed at 3.21pm and on 18 November 2024.

Signed as a true and correct record.

Date:

Chair:



Unconfirmed

Minutes of a meeting of the Regional Transport Committee

Date:	21 February 2025
Time:	10.00am
Venue:	Council Chamber Hawke's Bay Regional Council 159 Dalton Street NAPIER
Present:	Cr M Williams, Chair Mayor C Little (WDC) Cr M Buddo (HDC) Cr K Price (NCC) L Stewart (NZTA) Cr K Taylor (CHBDC)
Advisory members in Attendance:	I Emmerson (Road Transport Association) A Hallett (NZ Police) D Headifen (KiwiRail) D Murray (AA) A Robin (HBRC Māori Committee) N Flack (HB Airport) Dr M Radford (Te Whatu Ora)
In Attendance:	R Turnbull – HBRC Transport Manager R Hollyman – Governance Advisor
TAG	B Cullen – HBRC Transport Strategy & Policy Analyst S McKinley – CHBDC (<i>online</i>) G Noble – NZTA (<i>online</i>) R Stewart – NZTA (<i>online</i>) C Mahoney - TREC

1. Welcome/Karakia /Apologies

The Chair welcomed everyone to the meeting and Api Robin opened with a karakia.

RTC1/25 Resolution

That the apologies for absence from Mayor Alex Walker and councillors Tania Kerr and Jerf van Beek be accepted.

**Price/Buddo
CARRIED**

2. Conflict of interest declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Regional Transport Committee held on 6 December 2024**RTC2/25 Resolution**

Minutes of the Regional Transport Committee held on Friday, 6 December 2024, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Buddo/Taylor
CARRIED**

4. Public Forum

There were speakers in the public forum.

Angela Hallett arrived at 10.13am

5. Regional Public Transport Plan review

Russell Turnbull and Bryce Cullen spoke to the item and discussions covered:

- It is critical that the plan review has accurate information as the completed document will be the basis for public consultation.
- The My-Way service pilot in Napier not planned because the Hastings trial showed the cost per passenger is significantly higher than a fixed bus route service. The My-Way service is still going well in Timaru.
- The RTC Chair has written to the Minister of Education regarding recent changes to the school bus routes in HB. A vague response has been received and it was suggested that RTC now writes to the Minister of Regulation about the outdated rules used for how school bus services are funded.

RTC3/25 Resolutions

That the Regional Transport Committee:

1. Receives and considers the *Regional Public Transport Plan review* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Committee can exercise its discretion and make the relevant decisions without conferring directly with the community.
3. Endorses the draft Regional Public Transport Plan 2025-2035 for inclusion in the HBRC Annual Plan 2025-2026 public consultation, subject to the RTC Chair working alongside staff to approve the final version inclusive of changes discussed at this meeting.

**Little/Buddo
CARRIED**

6. Information on accepting cash fares

Russell Turnbull introduced the item, which was taken as read. Discussions included:

- The introduction of the National Ticketing System provides an opportunity to consider the acceptance of cash bus fares and consultation will be included in the upcoming RPTP consultation.
- While cash provides accessibility benefits for some users, eliminating cash can improve security, reduce boarding times, and lower operational costs. On balance, removing cash fares off buses will have more positive impacts than negative.
- Auckland Transport has been cash-free since Covid.

RTC4/25

Resolution

That the Regional Transport Committee receives and considers the *Information on accepting cash payments on buses* staff report.

**Price/Buddo
CARRIED**

7. Increase in public transport fares

Russell Turnbull spoke to the item, which was taken as read. Discussions included:

- Every year bus fares are reviewed and there will be a 5% increase from 4 May 2025, to generate another ~\$35,000, with a further 5% expected next year.
- Experience elsewhere has shown a 30% decrease in patronage for every one dollar increase in fares however those impacts have not been experienced in HB.

RTC5/25

Resolution

That the Regional Transport Committee receives and considers the *Increase in Public Transport Fares* staff report.

**Williams/Little
CARRIED**

8. Regional Transport Programme February 2025 update

Bryce Cullen introduced the item and discussions included:

- Current policies around multimodal integration for active transport have been retained and will be progressed later in the year, including the potential to have integrated transport hubs around bus stops.
- Communities along SH5 are currently holding hui on the submission process for the public consultation on reversing the 80km/h speed limit on SH5 to 100km/h. Emergency services including Police and FENZ will be making submissions against the reversion to 100km/h.

The meeting adjourned at 11.20am due to internet failure and reconvened at 11.50am, with Nick Flack having left during this period.

- RTC agreed that the RTC Chair will liaise with Tania Kerr on whether to lodge a submission in support of the 'local voice' on SH5 speed.

RTC6/25

Resolutions

That the Regional Transport Committee:

1. Receives and notes the *Regional Transport Programme February 2025 update* staff report.
2. Notes that the RTC Chair will liaise with Councillor Tania Kerr on whether to lodge a submission in support of the 'local voice' on the SH5 speed limit consultation.

**Williams/Little
CARRIED**

9. RoadSafe Hawke's Bay update

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

- Leading up to the Christmas period the team supported the Police with impairment prevention and restraint checkpoints.
- Currently working with police on 'fatigue' checkpoint at Nuhaka, supported by a local coffee business.
- High School Road Safety education days are being delivered on a smaller scale due to funding constraints, with 2 pencilled in for mid-late May 2025.
- Positive feedback on the car seat education demonstrations was shared with the meeting.

RTC7/25 Resolution

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

**Taylor/Buddo
CARRIED**

10. Public Transport February 2025 update

Russell Turnbull introduced the item, which was taken as read. Discussions included:

- For bus driver safety purposes CCTV will be installed in buses by April 2025.
- The National ticketing system implementation has been delayed until early 2026.
- Real-time systems are now active on mobile devices, showing actual wait times for passengers. Physical real time signs are being investigated for 16 locations.

Daniel Headifen arrived at 12.11pm

- Rural communities remain very concerned about significant negative impacts of the cancellation of school bus services and a further letter, to be written by the RTC Chair and Councillor Tania Kerr, will be sent to the Minister of Regulation seeking an urgent review of the archaic criteria used as the basis for what school bus services are provided.

RTC8/25 Resolution

That the Regional Transport Committee:

1. Receives and notes the *Public Transport February 2025 update* staff report
2. Delegates councillors Martin Williams and Tania Kerr to write to the Minister of Regulation on behalf of the Regional Transport Committee, requesting an urgent review of the criteria for the provision of school bus services in light of the significant negative impacts of rural school bus service cuts.

**Little/Buddo
CARRIED**

11. Waka Kotahi/NZTA Central Region Regional Relationships Director's update

Linda Stewart spoke to the item. Discussions included:

- The Christchurch **Motu Move** pilot of the National ticketing system is going well.
- The Napier Commercial Vehicle Safety Centre on the corner of Prebensen Drive and SH2 is expected to be completed 2027.
- The government's auto-reversal of speed limits will be completed by July 2025.
- The first set of works on the Hawke's Bay Expressway are ahead of schedule and work near the Tūtaekurī bridge is expected to be completed by April 2025.

Linda Stewart introduced a strategic update on the National Safety Camera programme assisted by Graham Noble and Richard Stewart. A presentation covered:

- Fixed and mobile safety cameras have been transitioned from Police to NZTA
- Safety camera network to be expanded with another 51 cameras across the motu, with priority for average speed, point-to-point safety cameras.
- The 6 high level principles of NZTA's approach are 1 whole of system, 2 partnership with NZ Police, 3 deterrence before detection, 4 fair and transparent, 5 reducing inequity and 6 intelligence led decision-making.
- Initial strategic modelling for safety camera locations includes local expert insights, patterns in crash data, collective risk, personal risk, crash types, evidence of high risk behaviour and how the road is used.

RTC9/25 **Resolution**

That the Regional Transport Committee receives and notes the *Public Transport February 2025 update* staff report.

**Williams/Taylor
CARRIED**

12. Transport Rebuild East Coast (TREC) update

Chris Mahoney spoke to the item, assisted by Daniel Headifen. Discussions included:

- Recovery work is 70% (of 96 projects) done and expected to be complete by mid-2025, except Devil's Corner.
- TREC map is live for the public to see all the projects.
- Three of the 23 rail sites between Palmerston North and Napier completed and 3 more to be completed by mid-year.
- Work on the rail bridge over the Tūtaekurī River continues, with a decision expected soon on installing permanent spans.

RTC10/25 **Resolution**

That the Regional Transport Committee receives and notes the *Transport Rebuild East Coast (TREC) update*.

**Williams/Buddo
CARRIED**

13. Verbal Advisory Representative reports

- Nick Flack is the new CE and representative for the HB Airport.
- Police priorities are open road speed and breath screening. Oral Fluid drug testing is being rolled out and will include public education.
- Ian Emmerson advised there's been a 10-15% reduction in truck fleet numbers due to economic conditions.

RTC11/25 **Resolution**

That the Regional Transport Committee receives and notes the *Verbal Advisory Representative reports*.

**Williams/Little
CARRIED**

14. Follow-ups from previous Regional Transport Committee meetings

The item was taken as read.

RTC12/25 **Resolution**

That the Regional Transport Committee receives and notes the *follow-up items from previous Regional Transport Committee meetings*.

**Williams/Buddo
CARRIED**

Api Robin offered a closing karakia.

Closure:

There being no further business the Chair declared the meeting closed at 1.23pm on Friday, 21 February 2025.

Signed as a true and correct record.

Date:

Chair:



Wednesday, 26 February 2025

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Administered by Hastings District Council: HB Crematorium Committee Meeting

Ngā Minitī

Minutes

Te Rā Hui:

Meeting date:

Wednesday, 26 February 2025

Te Wāhi:

Venue:

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

Time start – end:

9:00 AM – 9.48am

Go to
www.hastingsdc.govt.nz
to see all documents

HASTINGS DISTRICT COUNCIL
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156
Phone 06 871 5000 | www.hastingsdc.govt.nz
TE KAUNIHERA Ā-ROHE O HERETAUNGA

Wednesday, 26 February 2025



Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: HB Crematorium Committee Meeting

Ngā Minitī
Minutes

Te Rārangi Upoko
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Wednesday, 26 February 2025

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: HB Crematorium Committee Meeting

Ngā Minitī

Minutes

Chair: Councillor Malcom Dixon (HDC)
Deputy Chair: Councillor Nigel Simpson (NCC)

Kua Tae ā-tinana: *Ngā KaiKaunihera*
Present: **Members:**
 Councillor Simon Nixon (HDC)
 Councillor Juliet Greig (NCC)

Kua Tatū:
In attendance:
 Group Manager: Asset Management – Craig Thew
 Cemetery Manager – Isak Bester
 Assistant Manager Crematorium – Sonia Sussmilch
 Management Accountant - Joel Perrott
 Strategic Policy & Evaluation Advisor - Joanne Cox
 Manager 'Business Projects' Planning and Delivery - Dean Ferguson
 Democracy & Governance Advisor - Christine Hilton

1. APOLOGIES – NGĀ WHAKAPĀHATANGA

Councillor Nixon/Councillor Simpson

That an Apology for Absence from Councillor Gerard Minehan (CHBDC) be accepted.

CARRIED

2. CONFLICTS OF INTEREST - HE NGĀKAU KŌNATUNATU

There were no declarations of conflicts of interest.

3. CONFIRMATION OF MINUTES - TE WHAKAMANA I NGĀ MINITI

Councillor Greig/Councillor Dixon

That the minutes of the HB Crematorium Committee meeting held Wednesday 16 October 2024 be confirmed as an accurate record.

CARRIED



4. MINOR ITEMS - NGĀ TAKE ITI

There were no additional business items.

5. URGENT ITEMS - NGĀ TAKE WHAKAHIHIRI

There were no extraordinary business items.

6 RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEM 7

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Simpson/Councillor Nixon

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

7 Report to HB Crematorium Committee

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

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED		REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION
7	Report to HB Crematorium Committee	<p>Section 7 (2) (h)</p> <p>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>A discussion to gain direction from the HB Crematorium Committee.</p>	<p>Section 48(1)(a)(i)</p> <p>Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.</p>

CARRIED

The meeting closed at 9.48am

Confirmed:

Chair:

Date:

RECOMMENDATION TO EXCLUDE THE PUBLIC

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

Agenda Items

1. Information - Public Excluded Minutes of Joint Committees
2. Ahuriri Investment Management Limited - Appointment of Chair

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
Agenda Items			
1. Information - Public Excluded Minutes of Joint Committees	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.	A discussion to gain direction from the HB Crematorium Joint Committee.
2. Ahuriri Investment Management Limited - Appointment of Chair	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	Protect privacy of the candidate

		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.	
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.			

ORDINARY MEETING OF COUNCIL

Open Minutes

Draft City Wide Reserve Management Plan Review

Meeting Date: Tuesday 15 April 2025

Time: 9.30am – 10.52am

Venue Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook page

Present	Chair: Mayor Wise
	Members: Councillors Chrystal, Crown, Greig, Mawson, McGrath, Price, Simpson and Taylor

In Attendance	Acting Team Leader Open Spaces (Russell Engelke) Consultant, Sage Planning (Debra Stewart) Parks Asset Planner (Mike Alebardi)
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Also in Attendance	Submitters speaking: Jennifer Ellingham and Janet Campbell (HB Horse Trails), Lynne Anderson (Dotterels Society), Debbie Monahan (Biodiversity Hawke's Bay), Crystal Lau (Cancer Society) and Angie Denby and Sue McDonald (Ahuriri Estuary Protection Society)
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Administration	Governance Advisors (Carolyn Hunt and Jemma McDade)
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ORDINARY MEETING OF COUNCIL – Open Minutes

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ORDER OF BUSINESS

Karakia

The meeting opened with a karakia.

Apologies

COUNCIL RESOLUTION	Councillors Crown / Taylor
	That the apologies for absence from Deputy Mayor Brosnan, Councillors Boag and Browne be accepted.
	Carried

Councillor Tareha was not present at the meeting.

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

COUNCIL RESOLUTION	Councillors Mawson / Greig
	That the Draft Minutes of the Ordinary Council meeting held on 27 March 2025 be confirmed as a true and accurate record of the meeting with the inclusion of the words “ <i>effective from 30 June 2025</i> ” for the Napier City Council membership withdrawal from the Climate Action Joint Committee.
	Carried

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.

PRESENTATION OF ORAL SUBMISSIONS

The following submitters spoke to their submissions in relation to the Draft City Wide Reserve Management Plan review.

Jennifer Ellingham #12 and **Janet Campbell #18** spoke to their submissions and also displayed a PowerPoint presentation (Doc Id 1846652). Both were members of the Hawke's Bay Horse Trails Advocacy Group and requested that recreational horse riding be included in all Reserve Management Plans, providing a safe place for horse riders of all skill levels to ride. Consideration be given to trails that combine horse riding/cyclists and walkers.

The submitters requested the addition of an objective for recreational horse riding in open spaces and reserves throughout the city, as has been undertaken for Dog Exercise activities. This request was based on the limited availability of safe areas for horse riding and roads becoming increasingly unsafe. Noting areas that maybe suitable included from the Aquarium back to Awatoto, Westshore Foreshore, Taradale Hills and ideally the trail needed to be a few kilometres long.

It was noted that as opposed to making a change to the general Objectives and Policies of the City Wide Reserve Management Plan, identification of specific reserves compatible with specific activities is best addressed through the Individual and Group Management Plan review process.

The submitters advised they would be happy to be included in discussions during review of the Group and Individual Management Plans and to assist in identifying areas for shared access.

Lynne Anderson #19 on behalf of Dotterels Society displayed a PowerPoint presentation (Doc Id 1845717) requesting:

- The word “beaches” be included in headings for further clarification.
- Classification of Foreshore Reserves and whether it was appropriate to classify as Scientific Reserves.
- More control for fires on Napier beaches be imposed.
- Additional barriers be installed at beaches to prevent vehicle access.

Debbie Monahan, Biodiversity Hawke’s Bay #21 spoke to her submission providing feedback that it is great to see biodiversity and ecology being actively considered as part of Napier’s reserve planning. Ms Monahan highlighted:

- Objectives translate into meaningful action and that it is essential that the reserve plans developed reflect this intent through planning and planting.
- The Gap (Foreshore Group) should have an Individual Reserve Management plan (rather than be part of a Group Management 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.
- Requested an addition to 5.3.5 of the Plan (general biodiversity and ecology objectives) to include a statement of clear guidelines in relation to the species and plantings as part of those objectives be considered.

Councillor Mawson left the meeting at 10.03am

Crystal Lau, Cancer Society #22 displayed a PowerPoint presentation (Doc Id 1845919) in support of her submission noting the following:

- Acknowledged the non-statutory documents included in the Plan, especially the Joint Alcohol Strategy Matrix and the Shade Policy.
- The Shade Policy is due for review and an opportunity to ensure shade gets the attention it deserves.
- Prioritise shade structures for playgrounds in low socio economic areas.
- Incorporate native tree planting for shade with a mix of deciduous and evergreen shade options.
- Not all communities have the same access to shade and there is a need to close the gap.

Councillor Mawson rejoined the meeting at 10.05am

- Invest in sun safety signage at high use playgrounds eg Taradale Park, Maraenui Park and Marine Parade Park as reminders for use of sun screen and which reinforces the slip slop slap message.
- Signage could also include the UV index and simple sun safety tips.
- Consider including the Smokefree and Vapefree Policy in the Plan to help ensure Napier’s public spaces, as they grow and change stay focussed on being smokefree and vapefree.

It was noted that Council has a work programme to increase the number of shade structures across playgrounds, which currently is approximately one per year.

Angie Denby (Secretary) and Sue McDonald Chair, Ahuriri Estuary Protection Society #24 highlighted the following points:

- Concern that the Ahuriri Estuary/Te Whanganui a Orotu is not mentioned as a reserve in the document. A request was made that they be consulted on any development of

areas that immediately border the Estuary noting that they had specific concerns about the installation of the limestone path on Humber Street.

- Humber Street Reserve warrants a high priority for the preparation of a Reserve Management Plan.
- Include the Estuary as an opportunity to enhance biodiversity of both flora and fauna.
- Concern that the role of the Ahuriri Estuary as an extensive and valuable wetland is not identified in climate change/sustainability.
- Questioned whether the proposed widening of SH2 over the Westshore Wildlife Reserve fully complied with the Reserves Act.
- Support the Freedom Camping provision however, would welcome the removal of temporary camps and dens around the Estuary.
- Continue maintenance and consistency of information signs in relation to birds that feed in the Estuary.
- The Society had previously offered to contribute some funding towards signage at the Estuary.

Presentation of Officer's Report

The Acting Team Leader Open Spaces, Mr Engelke introduced Ms Stewart, Consultant Planner who has been involved with part of the analysis of submissions. The author of the report Amelia Longley, who had been a major part in the submission analysis was now on maternity leave.

Ms Stewart took the report as read highlighting that a number of submissions were out-of-scope and have been re-directed where appropriate to other Council processes or would be addressed when the individual management plans were considered.

Ms Stewart then addressed each recommendation:

Remedy 1: Part A: Headings

The meeting agreed that it was a terminology issue creating confusion and considered the benefits of including the word beaches outweighed excluding the word in the Plan. Include the word "beaches" as appropriate throughout the document and in conjunction with the words coastal and foreshore. Include an Appendix which clearly identifies which of the beaches are managed by Napier City Council and subject to the provisions of the Reserves Management Plan.

Remedy 2: Part A: 1.4 Reserve Classifications

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.

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

The meeting supported the officer's recommendation.

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.

The meeting supported this recommendation. The issues raised in relation to the Shade Policy will be addressed during that review.

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.
- 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. This enables those interested to get specific and be actively involved.

It was noted that currently there was no review underway of the Individual and Group Management Plans work programme, which is funding dependant and a large piece of work. Officers have been working on Maraenui Park and Taradale Park, for sometime now to get the plans finalised.

Submitters raised a couple of issues in regard to priority and separating out specific reserves eg The Gap and Humber Street. Elected members requested an update on the current work programme for the review of individual and group management plans be provided to elected members.

The meeting supported the officer's recommendation with the inclusion of an additional point:

An update on the current work programme for the review of Individual and Group Management Plans could be provided to elected members.

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.

The meeting supported the officer's recommendation.

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.

During the discussion with the submitters they agreed that the Individual and Group Management Plans was a good place to deal with this issue. It was noted that legally horse riding was permitted on the road, however as the submitters advised this was problematic from a safety perspective, they are not permitted through Council's Parks and Reserves Bylaw unless it is agreed that it is an appropriate location.

The meeting supported the officer's recommendation.

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.

The meeting supported the officer's recommendation.

Remedy 22: Part B – 3.5 Signage and Lighting

Ms Stewart advised that Council has undertaken changes to Te Reo Māori names that are recognised through the New Zealand Geographic Board signs. Council has a Signage Policy and it does address dual naming as signs are upgraded from a Reserves perspective.

Discuss with the Ahuriri Estuary Protection Society's offer to fund signage and investigate consistency of dog signs.

The above points to be included as Actions in Remedy 22.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

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**
Allow, Save the Dotterels, Hawke's Bay (Submission 19) insofar that the **Remedy 1: Part A: Headings** Officers include in the redraft of the Draft City Wide Reserve Management Plan the incorporation of beaches where it exists alongside coastal and foreshore reserves and that an Appendix is drafted which clearly identifies boundaries and responsibilities for management of areas which fall within the definitions of coastal, foreshore and beaches.
- 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.
- iii. **Provide** elected members an update on the work programme for the review of individual and group management plans.

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

ACTION: i) *Officers to engage with the Ahuriri Estuary Protection Society in regard to their offer to*

contribute funding towards the maintenance of signage.

ii) Officers to investigate the different signs regarding dogs to ensure consistency in the Humber Street and Estuary area.

- 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.

Carried

Attachments

- 1 Jennifer Ellingham and Janet Campbell (Doc Id 1846652)
 - 2 Lynne Anderson (Doc Id 1845717)
 - 3 Crystal Lau, Cancer Society (Doc Id 1845919)
-

Minor matters

There were no minor matters to discuss.

The meeting closed with a karakia at 10.52am

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

Chairperson

Date of approval

ORDINARY MEETING OF COUNCIL

Open Minutes

Local Water Done Well

Meeting Date:	Thursday 17 April 2025
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Time:	9.30am – 10.52am
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Venue	Large Exhibition Hall War Memorial Centre Marine Parade Napier
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Livestreamed via Council's Facebook page

Present	Chair: Mayor Wise Members: Deputy Mayor Brosnan, Councillors Browne, Chrystal, Crown, Greig, Mawson, McGrath, Price, Simpson, Tareha and Taylor
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In Attendance	Chief Executive (Louise Miller) Chief Financial Officer / Acting Executive Director Corporate Services (Caroline Thomson) Executive Director Infrastructure Services (Russell Bond) Manager Water Reforms Transition (Andrew Lebioda) Communications Manager (Jess Soutar-Barron) Financial Analyst (Dirk Steyn)
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Administration	Governance Advisors (Carolyn Hunt and Jemma McDade)
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ORDINARY MEETING OF COUNCIL – Open Minutes

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ORDER OF BUSINESS

Karakia

The meeting opened with the Council karakia.

Apologies

COUNCIL RESOLUTION	Councillors Price / Mawson
	That the apology for absence from Councillor Boag and apology for lateness from Councillor Simpson be accepted.
	Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

There were no minutes to confirm.



AGENDA ITEMS

1. LOCAL WATER DONE WELL - CONSULTATION OPTIONS

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1845529
Reporting Officer/s & Unit:	Andrew Lebioda, Manager Water Reforms Transition

1.1 Purpose of Report

The purpose of this report is to seek Council's approval of the water service delivery model options to be included in formal consultation required under the Local Government (Water Services Preliminary Arrangements) Act 2024. The options being proposed for consultation are;

- 1) Internal Business Unit.
- 2) Single-council Water Organisation (WO).
- 3) Regional, Hawke's Bay WO.

With the Regional, Hawke's Bay WO being the preferred option.

Approval of the officer's recommendation will enable development of the consultation document and material, proposed for adoption at the 29 April Council meeting with consultation to run from 12 May through to 15 June.

At the meeting

The Manager Water Reforms Transition, Mr Lebioda provided a comprehensive summary of the report and water service delivery options to be included in the formal consultation.

Tabled at the meeting was updated Financial Modelling (Doc Id 1847355).

Councillor Simpson joined the meeting at 9.40am

In response to questions the following was clarified:

- The first step in a credit rating process, which takes 3-4 months, would be to tender for a credit rating agency through a procurement process. Once a credit rating agency is appointed, they will go through Council's accounts and financials. This process has not yet commenced but is imminent. On reaching \$100m worth of debt it becomes feasible to go through this process, with the advantageous interests that are attained, versus the cost to be reviewed by a credit rating agency every few years.

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- As detailed analysis has been completed on three delivery models 1) In-House/Council Delivered Service, 2) NCC WO, 3) Joint Hawke's Bay WO - it is recommended that all three delivery models are included in consultation materials.
 - The Local Voice would be heard through the shareholding and Statement of Expectation. Within the Local Government Act, shareholders do not have the same level of influence over a Council Controlled Organisation (CCO) as they do under the Local Government (Water Services) Bill.
 - At this stage all the financial modelling that has been undertaken has been based on all four member councils (Wairoa District Council, Central Hawke's Bay District Council, Hastings District Council, and Napier City Council). Mr Lebioda's recommendation was consulting on the Regional option however, if there was not agreement further financial modelling would be required to see what the impacts would be.
 - Work will need to be undertaken at the implementation phase to determine the level of shareholding of each council and consider current debt positions, levels of revenue, asset valuation, and project capital investment.
 - No Council should have more than 50% to maintain the balance sheet separation. Prioritising Council's strategic values and principles that are important to Napier residents would be through the Statement of Expectation, and being prescriptive around what is expected for the community and the Board agreeing to the prescriptive nature of prioritisation.
 - In terms of capital efficiencies, financial modelling has a 1% capital efficiency starting in year 3 and growing by 1% to 5% in financial year 34, and for operational efficiencies 2% commencing in year 3 and growing to 12% in year 34. These were conservative numbers erring on the side of caution.
 - Stranded costs were modelled through the previous Morrison Lowe work and has been highlighted as a risk and would have to be a dedicated workstream through the implementation phase.
 - If a Council decides to maintain in-house delivery of water services through a new business unit, their existing water debt will remain on the Council's balance sheet, despite the ringfencing provisions in the Local Waters Done Well (LWDW) legislation. This will mean considerably less debt headroom for Councils against their Local Government Funding Agency(LGFA) limits from both an LGFA and rating agency perspectives.
 - Napier has an in-house service delivery team at the depot rather than a contractor delivery team, and in the new entity the decision on operationalisation of its delivery would sit with governance, the shareholders Statement of Expectation and at Board level. The Board would make a recommendation to the governors on what the operating model could look like. There is strong support of the internal business model with operational cost savings for delivery compared to using a contractor. As internal delivery is Napier's current model it can be a strong advocate of that model in a regional Water Organisation and highlight the cost benefits and institutional knowledge that comes with it.
 - Napier and counterparts have been very clear from the beginning what is important to their Council, strengths and centre of excellence with non-negotiables.
 - Central Government has dictated the timeline and in order to meet the September deadline for Council's Water Services Delivery Plan, community consultation must happen now, despite the uncertainty with legislation.
 - Napier will work towards an implementation date of 1 July 2028 and agree on key things required to meet this date. Approximate establishment costs for a regional entity would be
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\$8m, which is built into the financial modelling e.g. new premises, use of existing buildings etc. At this stage there has been no indication from Central Government of funding being available and this would need to be budgeted into the regional model.

- Regionally a lot of work has been co-ordinated by the Regional Recovery Agency with regular meetings of officers and briefings with Mayors and Chief Executives.
- Decisions on the preferred option for consultation were being held as follows:
 - Central Hawke's Bay District Council meeting 24 April 2025
 - Wairoa District Council and Hastings District Council meeting 29 April 2025.
- For the Internal Business Unit resilience one of the key limiting factors would be the debt capacity. In another significant weather event that requires a lot of capital investment, Council would not have access to funding under the Council delivered service.
- Rates will increase significantly under any model, however under the Regional Model will increase less than they will under any other model.
- Mr Lebioda summarised the change in recommendation from a Single Water Based Organisation to a Regional Hawke's Bay WO is due to changes and announcements by the LGFA in regard to how different debt covenants would be treated at a Regional WO level versus at a CCO level, which shifted some of the financial modelling in favour of the Regional WO.

Standing Order 21.6 *Mayor Wise advised that she would suspend Standing Order 21.6 to enable all elected members to speak on this item.*

The following elected members spoke in support of the preferred Regional WO: Deputy Mayor Brosnan, Councillors, Browne, Chrystal, Crown, Greig, Mawson, Price, Simpson, Tareha and Taylor.

Councillor McGrath spoke against the Motion for the preferred option for consultation of Regional, Hawke's Bay Multi-owned Water Organisation (HBWO), with the reason being related to the history of regional collaboration to date.

COUNCIL RESOLUTION

Mayor Wise / Deputy Mayor Brosnan

That Council:

- a) **Note** the Local Government (Water Services Preliminary Arrangements) Act 2024 requires Councils to produce a Water Services Delivery Plan by 3 September 2025
- b) **Note** that Council is required by Government to:
 - i. Consider and consult with community on at least two options for future delivery of water services.
 - ii. Demonstrate compliance with financial sustainability tests by 30 June 2028.
 - iii. Ring-fence revenue for three waters activities so these operations are separate from other Council activities from 30 June 2028.
- c) **Approve** that Council consult on

-
- i. Option 1 – Internal Business Unit (also referred to as In-House and Council Delivered Services), the current delivery model with needed changes to meet legislation; and
 - ii. Option 2 – a Single-council Water Organisation (WO), also known as Napier Water Services Council Controlled Organisation (NCCWSCCO); and
 - iii. Option 3 – a Regional, Hawke’s Bay Multi-owned Water Organisation (HBWO). This would include Central Hawke’s Bay District Council (CHBDC), Hastings District Council (HDC), Napier City Council (NCC) and Wairoa District Council (WDC).
- d) **Agrees** to identify that Option 3 – a Regional, Hawke’s Bay WO as the preferred option for public consultation, pending approval of the other member councils of CHBDC, HDC, and WDC.
- e) **Endorse** that officers will prepare a Consultation Document and present to Council on 29 April 2025 for approval.
- f) **Note** that officers will summarise the outcomes of consultation considering community feedback, submissions, and hearings and provide a final advice via a report to Council on 31 July 2025 to confirm the delivery model to be identified in the Water Service Delivery Plan.

Carried

Councillor McGrath voted AGAINST this Motion

Attachments

- 1 Tabled at the meeting updated Financial Modelling (Doc Id 1847355)
-

Minor matters

There were no minor matters to discuss.

The meeting closed with a karakia at 10.52am

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

Chairperson

Date of approval

ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 24 April 2025

Time: 9.30am – 11.32am (*Open*)
11.45am – 2.03pm (*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, Chrystal,
Crown, Mawson, McGrath, Price, Simpson, Tareha and Taylor

In Attendance Acting Chief Executive (Jessica Ellerm)
Chief Financial Officer / Acting Executive Director Corporate Services
(Caroline Thomson) [via zoom]
Executive Director Infrastructure Services (Russell Bond)
Executive Director Community Services (Thunes Cloete)
Manager Communications and Marketing (Julia Stevens)
Manager Asset Strategy (Kate Ivicheva)
3 Waters Technical Development Engineer (Anoop Mathew)
Team Leader Community Strategies (Margot Wilson)
Commercial Director (Richard Munneke)
Manager Strategy and Transformation (Stephanie Murphy)
Strategic Programmes Manager (Darran Gilles)
Senior Project Manager (Stephen Moratti)
Water Strategy Planning Manager (Syed Andrabi)
Manager Regulatory Solutions (Luke Johnson)
Māori Partnership Manager (Hilary Prentice)

Also in Attendance Public Forum: Irene Cahill

Hawke's Bay Regional Council: Manager Transport (Russell Turnbull)
and Senior Advisor, Transport Strategy & Policy (Bryce Cullen)

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 karaka.

Apologies

COUNCIL RESOLUTION

Councillors Tareha / Boag

That the apologies for absence from Councillors Browne and Greig be accepted.

Carried

Conflicts of interest

Nil

Public forum

Eskdale Cemetery - Irene Cahill a member of the Esk River Care Group updated the meeting on the state of the Eskdale Cemetery. The cemetery had recently been surveyed by Council due to several pine trees being in danger of falling on to power lines, graves and several surface flooding events. Since then Council staff had identified approximately five trees that would require removal.

Ms Cahill provided a summary of the vision, support (from adjacent neighbours Eskdale School, Bay View Community Trust) and plans that the Group had for the cemetery. At this stage no objections had been raised from the families of the residents that reside in the cemetery or the RSA.

The goals of the Esk River Care Group were to:

- Promote biodiversity in the area by clearing invasive weed species and replace with native plants.
- Enhance ecology by forming a better wetland landscape
- Build flood resilience
- Better protection of the cemetery by building a small earth dam south of the cemetery and clearing and widening the drain.

The Esk River Care Group had undertaken a significant planting project on Crown land between Eskdale Park and Waipunga Bridge over a three year period pre-Cyclone Gabrielle. This became an annual project for the whole of Eskdale School and with the support of the Hawke's Bay Regional Council, Pan Pac, an anonymous donor saw the community plant 15,000 native trees.

The Bay View Community Trust have advised if the Eskdale cemetery project was to progress then they are holding some funds that could go towards the project. As a group they would apply for alternative funds to assist in the project based on an approved plan. It was anticipated, due to funding constraints, and the need to allow several years to remove the invasive species that the project could take up to 5 years. An opinion received from the Hawke's Bay Regional Council Catchment Lead, Annabelle Beattie deemed where the arum lilies are positioned could be classified as a wetland area.

Ms Cahill outlined what was needed from Council:

- Permission
- Explore some financial and practical help in providing a track that would provide access for Council staff / volunteers to undertake planting and weed eradication.
- Council staff to help with initial spraying work and cutting down of poplars.
- Add a stormwater function that would become a native wetland.
- Ms Cahill then displayed a PowerPoint presentation (Doc Id 1847483) showing photos of the Eskdale Cemetery and its overgrown nature.

Mayor Wise thanked Ms Cahill for the vision and work undertaken to date. Also noting that Council had a funding reserve specifically for cemeteries and will investigate how this could be utilised for the project.

Attachments

- 1 Eskdale Cemetery photos (Doc Id 1847483)

Announcements by the Mayor

ANZAC Day Services – The following services would be held on ANZAC Day:

- 6.00am-6.45am - Dawn Service, Soundshell
- 6am-6.30am - Dawn Service, Lone Pine Cemetery, Taradale
- 9.00am-10.30am - Civic Commemorative ANZAC Service, Taradale Town Clock
- 11.00am-12 noon - Civic Service, Napier War Memorial Conference Centre forecourt

Rededication of Swimming Club Plaque – Will be held following the Dawn Service at the Soundshell honouring the 148 Napier Swimming Club members who served in WWI.

The plaque was originally sited at the entrance to the Napier Municipal Baths in 1920. Ocean Spa, built on the site of the Baths, is next to the Napier War Memorial Centre, and the Napier War Memorial, rededicated in 2023.

Representatives of current Napier swimming clubs, and the Returned Services Association, have been invited to attend the rededication ceremony.

Napier Civic Awards – Council is seeking nominations for the Napier Civic Awards which takes place each year to recognise people who have donated considerable time and energy to voluntary services within Napier communities. Nominations close on Monday, 5 May 2025,

Happy Birthday – Mayor Wise, on behalf of Council wished Councillor Chad Tareha a Happy Birthday and lovely day with his whanau.

Announcements by the management

Nil

Confirmation of minutes – There were no minutes to confirm.

Minor Matter

- Eskdale Cemetery

AGENDA ITEMS

1. OVERVIEW OF THE HAWKE'S BAY DRAFT REGIONAL PUBLIC TRANSPORT PLAN 2025-2035

Type of Report: Information

Legal Reference: N/A

Document ID: 1846290

Reporting Officer/s & Unit: Kate Ivicheva, Manager Asset Strategy

Bryce Cullen, Senior Advisor, Transport Strategy & Policy, HBRC

1.1 Purpose of Report

The purpose of this report is to provide Council with an overview of the Hawke's Bay Draft Regional Public Transport Plan 2025 – 2035, including the evolving vision on the proposed network configuration and the direction of future service improvements, subject to funding and consultation outcomes. The report is for information purposes only.

At the meeting

The Manager Asset Strategy, Ms Ivicheva introduced Hawke's Bay Regional Council: Manager Transport, Russell Turnbull and Senior Advisor, Transport Strategy & Policy, Bryce Cullen who would present an overview of the HBRC draft Regional Public Transport Plan 2025-2025.

Mr Cullen displayed a PowerPoint presentation (Doc Id 1847991) providing a summary of planned changes to the network that could be implemented from January 2026.

In response to questions the following was clarified:

- Additional bus routes would be included in the network to Mitre 10 Regional Sports Park, Hawke's Bay Airport and Whakatu.
- Bus routes to the hospital would be via the Mitre 10 Sports Park creating a more direct route and enabling a higher level of service, particularly for Napier residents.
- MyWay was introduced as a way to get around Hastings that combined the benefits of public transport with the convenience and flexibility of travelling by car, taxi or Uber. The Napier MyWay trial had been on hold for 12-18 months due to some pre-existing funding challenges. The MyWay service is very expensive to run and there were some technological difficulties ie people did not have smart phones. In the future it could be a supplement to the Total Mobility Scheme or a drop off to the nearest bus stop as opposed to the actual destination. It would be open to funding, should some become available. With the implementation of the new network MyWay would be replaced.
- Procurement for any new buses from June, as mandated by Government must have zero tail pipe emissions. This would be an opportunity to update to a modern fleet and right sized for future aspirations.

- The free bus for superannuitants between 9.00am and 3.00pm would continue and is funded by Central Government with HBRC submitting claim forms for those having travelled.
- HBRC are firm on the position that they are not in the business of school buses. However, there are children using the bus on existing timetables and with the increase in demand are able to provide extra capacity for those runs.
- The route servicing the airport will include every second route through to Bay View and the bus timetable will align to school times in Napier.

COUNCIL RESOLUTION

Councillors Mawson / Price

That Council:

- Receive** the report titled "Overview of the Hawke's Bay Regional Public Transport Plan 2025 - 2035" dated 10 April 2025, for information.
- Note** that the formal consultation period for the draft Regional Public Transport Plan runs from 31 March to 2 May as part of the Hawke's Bay Regional Council Annual Plan consultation.
- Note** that the engagement around the final design of routes through communities and with key user groups will continue until August 2025.
- Note** that the HBRC Transport staff will continue to work with NCC staff to build a long-term infrastructure pipeline to support public transport services.

Carried

Attachments

- 1 HBRC Better Bus Connection (Doc Id 1847991)

2. UNISON EASEMENT - 104 LATHAM ST RESERVE

Type of Report: Legal and Operational

Legal Reference: Reserves Act 1977

Document ID: 1844647

Reporting Officer/s & Unit: Anoop Mathew, 3 Waters Technical Development Engineer

2.1 Purpose of Report

To seek Council's approval to the granting of an easement in favour of Unison Networks Limited for electrical relocation in the 104B Latham Street Reserve as part of Flume Replacement Project.

At the meeting

The 3 Waters Technical Development Engineer, Mr Mathew took the read as report advising that this easement would not damage or alter the Latham Street Reserve.

COUNCIL RESOLUTION

Councillors Simpson / Mawson

That Council:

- a. **Approve**, as administering body, the granting of an easement, pursuant to Section 48 of The Reserves Act 1977, in favour of Unison Networks Limited for electrical installations and work in the 104B, Latham Street Reserve.
- b. **Approve**, in exercise of the Ministerial consent (under delegation from the Minister of Conservation) the granting of the above easement.

Carried

3. ANIMAL CONTROL FEES AND CHARGES 2025/2026

Type of Report: Operational

Legal Reference: Dog Control Act 1996

Document ID: 1845598

Reporting Officer/s & Unit: Luke Johnson, Manager Regulatory Solutions

3.1 Purpose of Report

To consider the amended Animal Control fees and charges for the year commencing 1 July 2025, as a separate process to the current Annual Plan public consultation for fees and charges.

At the meeting

The Manager Regulatory Solutions, Mr Johnson spoke to the report advising that the Dog Control Act 1996 required dog registration fees to be publicly advertised a month before the new registration year. Consultation is not required for the fees and charges.

COUNCIL RESOLUTION

Councillors Simpson / McGrath

That Council:

- a. **Approve** the minor amendments to Animal Control Fees and Charges for 2025/26 as set out in the table of the attached agenda report, titled Draft Animal Control Fees and Charges 2025/26.
- a. **Note** the changes, if approved, are effective from 1 July 2025

Carried

4. APPOINTMENTS - 3 YEAR PARTNERSHIP FUND COMMITTEE

Type of Report: Procedural

<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1845190
<i>Reporting Officer/s & Unit:</i>	Margot Wilson, Team Leader Community Strategies

4.1 Purpose of Report

The purpose of this report is to approve appointment of elected members to the 3 Year Partnership Fund Committee and Terms of Reference.

At the meeting

The Team Leader Community Strategies, Ms Wilson advised that Council undertook a comprehensive review last year of how Council funded community organisations. As a result the 3 Year Partnership Committee was established which would assess funding applications and make recommendations to Council.

Appointments to the Committee are made by the Mayor including the appointment of Councillor Crown as Chair of the 3 Year Partnership Committee.

COUNCIL RESOLUTION

Councillors Mawson / Boag

That Council:

- a) **Receive** the report titled “Appointments – 3 Year Partnership Fund Committee” dated 24 April 2025.
- b) **Approve** the appointment of Councillors Crown, Price, Simpson and Chrystal to the 3 Year Partnership Fund Committee effective 24 April 2025.
- c) **Approve** Terms of Reference for the 3 Year Partnership Fund Committee.

Carried

5. PROPOSED DISTRICT PLAN VARIATION - PARKLANDS

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1837869
<i>Reporting Officer/s & Unit:</i>	Richard Munneke, Commercial Director

5.1 Purpose of Report

To seek Council endorsement to proceed with preparation of a District Plan Change (to the Operative District Plan) and Variation (to the Proposed District Plan) to rezone land at Parklands Residential Estate. The key objective of the Plan Change and Variation is to optimise residential yield and financial return to Council while providing for resilient development.

At the meeting

The Commercial Director, Mr Munneke provided a brief summary of the report which was to enable more residential development in the Parklands area.

In response to questions the following was clarified:

- Approximate cost of the plan change would be \$100,000 and be fully costed and charged for like a private plan change.
- Applicant is Council initially, pending the formation of the CCTO as this could potentially delay the approval of the plan change. This provides a mechanism to have certainty to proceed to the next stage to undertake investigation. Once the CCTO is formed it will become the applicant.
- Council would undertake the pre-work and preparation for lodging a private plan change and the private plan change would be lodged by the CCTO. Costings would be from the Parklands budget, which would be transferred over to the CCTO.
- In regard to retail/commercial space for Parklands some investigatory discussion has been made with Four Square and similar operators.
- Undergrounding powerlines is very expensive and there is cost benefit at this stage not to underground. A proposal could be a café in Park Island near the powerlines and engage part of the sports field area, which may not be attractive residentially but would be commercially.

Following the discussion a new substantive motion was proposed which added additional clarity.

COUNCIL RESOLUTION

Deputy Mayor Brosnan / Councillor Simpson

That Council:

- Endorse** Council Staff to prepare all information to support a private plan change and variation to the remaining stages of parklands
- Note** the funding for the private plan change, and preparation work to be covered in full by the ringfenced parklands development budgets.
- Delegate** to the Council CCTO, Ahuriri Investment Management, once formed, to apply for the private plan change

Carried

6. CCTO TRANCHE 1 ASSETS - LEASEHOLD LAND

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1845224
<i>Reporting Officer/s & Unit:</i>	Richard Munneke, Commercial Director

6.1 Purpose of Report

Council is exploring new ways of investing to diversify risk and improve liquidity and potential returns. As part of this process, Council will establish Ahuriri Investments Management Limited (AIM) – a Council Controlled Trading Organisation (CCTO) in early 2025.

AIM will be responsible for managing the NCC Investment Portfolio with a view to providing a resilient and growing income stream whilst also growing the combined asset value under management over the long term. The purpose of this report is to enable the impending AIM Board to realise the full combined commercial potential of the investment portfolio it is managing on Councils behalf focusing on the leasehold portfolio in particular.

To enable the AIM board to extract maximum return on the commercial leasehold portfolio they will need to be able to exercise their commercial expertise freely without being constrained by existing non-commercial policy frameworks or further consideration from Council and its Committees. This report provides the framework for such an operating environment with particular reference to the commercial leasehold portfolio.

At the meeting

The Commercial Director, Mr Munneke spoke to the report following Council's direction to diversify the risk and improve the liquidity of Council's assets with Parklands and leasehold land making up the bulk of the assets.

In response to questions the following was clarified:

- Previously reasons defining a piece of land as strategic was if in the future Council could potentially use the land to build a Council facility and that analysis originally undertaken was on the basis that the entire leasehold land portfolio was untouchable and could not be sold with reasons of public accessways, potential stormwater use.
- During analysis it has been found that there are no informal public accessways identified through those properties. They are all formalised through bike lanes, Council paths etc. The correct mechanism would be through the District Plan rather than trying to include on a piece of land that Council owns and find the most suitable place.
- There has been no communication at this stage with the current lessees of upcoming changes and the contract does not imply that any consultation is required.
- The CCTO is Council's agent and ownership still remains with Council.
- Ms Ellerm clarified that Council's assets would remain on Council's balance sheet but is a decision making delegation to the CCTO. However, it would be appropriate, once the CCTO is formed and in place that a notification is sent to the leasehold owners.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council:

- a) **Approve** Ahuriri Investments Management (AIM) to manage the commercial leasehold portfolio in its entirety as part of NCC investment portfolio including full delegation on the commercial future of the portfolio and its component parts.
- b) **Approve** the amended Investment Property Portfolio Policy (Doc Id 1845711) reflecting the role and responsibility implied to Ahuriri Investments Management (AIM) under the Statement of Expectations.
- c) **Instruct** Ahuriri Investments Management (AIM) through Council's Statement of Expectation to establish a commercial process for divestment of leasehold land to lessees.

ACTION: *Officers manage communications to leaseholders including:*

- *Notification of the Chair appointed to the Ahuriri Investment Management*
- *Point of contact for communication*
- *Timeframes around the future process*
- *Potential purchase timeline feasibility, where possible.*

Carried

7. ACTION POINTS REGISTER AS OF 10 APRIL 2025

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1844668
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

7.1 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 Manager Strategy and Transformation Mrs Murphy provided an update on actions since the agenda was published.

Action 173 – Dolbel Reserve:

- a) Work on the toilet block at Dolbel Reserve has not yet commenced and will not begin until the next financial year.
- b) Dolbel Reserve volunteers are undertaking weed control and planting in the area to allow for additional seating in the future.

Action 174 – Upgrades to the Municipal Theatre:

- a) Upgrades to the toilets off the Port of Napier Foyer were completed and ready for use on 14 February 2025.
- b) The toilets have been completed and the painting of the ticket office completed.

Action 175 – Three Waters Capital Programme Delivery - Reported to the Sustainable Napier Committee meeting on 10 April – there are no 2020 projects listed on hold or not started.

Action 176 – Three Waters Capital Programme Delivery Reported to Sustainable Napier meeting 10 April - EPMO is currently working on the proposed Governance structure for the Matāruahou Reservoir

Action 177 - Three Waters Capital Programme Delivery - Report presented and endorsement at Sustainable Napier meeting 10 April on procurement strategy for next stages for the Matāruahou Reservoir.

Action 171 – Holt Planetarium - Officers to confirm if Lyn Trafford has been included on the Holt Planetarium Project Group. A report is scheduled to be presented to the Napier People and Places Committee at the 21 August 2025 meeting.

**COUNCIL
RESOLUTION**

Councillors Chrystal / Boag

That Council:

- a. **Note** the extract from the Action Points Register as of 10 April 2025.

Carried

8. AMENDMENT TO THE 2025 MEETING SCHEDULE

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 1844734

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

8.1 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 Manager Strategy and Transformation Mrs Murphy provided an update with the addition of the following:

- Hearings Committee to be held on 9 May 2025 at 9.30am; and
 - Community Services Grants Committee previously scheduled for 30 June 2025 now to be held on 16 June 2025 at 9.00am.
-

COUNCIL Councillors Mawson / Taylor
RESOLUTION

That Council:

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

- | | | |
|-------------------------------------|-------------|--|
| • Hearings Committee | New Date | 9 May 2025 – 9.30am |
| • 3 Year Partnership Fund Committee | New Date | 22 May 2025 – 9.30am |
| • Community Services Grant | Change date | 16 June 2026 – 9.00am
<i>previously 30 June 2025</i> |
| • Ngā Mānaukanuka o te Iwi | Change Date | 4 July 2025 – 10.00am
<i>Previously 13 June 2025)</i> |

ACTION: *Officers to confirm that recommendations required from Ngā Mānukanuka o te Iwi are not impacted by the change of date and if necessary an additional date be chosen.*

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1846285
Reporting Officer/s & Unit:	Debbie Beamish, Executive Assistant to the Chief Executive

1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 17 March 2025 to 11 April 2025.

At the meeting

There was no discussion on this item at the meeting.

COUNCIL RESOLUTION

Deputy Mayor Brosnan / Councillor Price

That Council:

- a) **Receive** the Tenders Let for the period 17 March 2025 to 11 April 2025 as below:
 - **Contract 2810 Wastewater Flowmeter Installation** be awarded to Fulton Hogan Limited in the sum of \$600,000 excl. GST.
 - **Contract 2859 Wastewater Network Flowmeters** be awarded to EMC Industrial Group in the sum of \$140,660 excl. GST.

Carried

Minor matters

Eskdale Cemetery - Following the address of Irene Cahill in Public Forum it was agreed that further investigation be undertaken.

COUNCIL RESOLUTION

Councillors Price / Chrystal

That Council:

- a) **Note** the Eskdale Cemetery Public Forum from Irene Cahill; and
- b) **Direct** officers to prepare a Council paper to consider opportunities for access permission, appropriate funding opportunities, and in kind support for spraying and arborist work.

Carried

RESOLUTION TO EXCLUDE THE PUBLIC

COUNCIL RESOLUTION

Councillors Tareha / Mawson

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

Agenda Items:

1. Civic Precinct Main Contractor Tender Recommendation Report
 2. Remuneration for Chair of Ngā Mānukanuka o te Iwi Committee
 3. Elected Member Recruitment for Ahuriri Investment Management Director Roles
 4. Action Points Register (Public Excluded) as of 10 April 2025
 5. Land Purchase - 44 Briasco Street, Awatoto
- b) That the following persons be permitted to remain in the Public Excluded session for Item 1 – Civic Precinct Main Contractor Tender Recommendation Report for their expertise on this matter.

Name	Organisation
• Mijo Wilson [zoom]	The Building Intelligence Group
• Stuart Lyons	The Building Intelligence Group
• Shayne Walker	Independent Mana Whenua Consultant
• Jon Rennie	Athfield Architects
• Richard Van Looy	WT Partnership
• Greg Wise [zoom]	Chapman Tripp
• Michael Gilbertson	The Building Intelligence Group
• David Lambie	TwentyTwo Independent Property Advisors
• Scott Hamilton [zoom]	Rautaki Consultants
• Byron Roff	The Building Intelligence Group

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 withholding of the information is necessary to:	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:	

Agenda Items

1. Civic Precinct Main Contractor Tender Recommendation Report	<p>7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<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:</p> <p>(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>	We will be discussing commercially sensitive information
2. Remuneration for Chair of Ngā Mānukanuka o te Iwi Committee	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	To protect the privacy of individuals

		withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.	
3. Elected Member Recruitment for Ahuriri Investment Management Director Roles	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.	To protect the privacy of nominees
4. Action Points Register (Public Excluded) as of 10 April 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 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	To protect privacy.

		Information and Meetings Act 1987.	
5. Land Purchase - 44 Briasco Street, Awatoto	7(2)(j) Prevent the disclosure or use of official information for improper gain or improper advantage	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.	To enable Council Officers to negotiate the purchase without undue advantage to the vendors or third parties.

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 11.32am and reconvened in
Public Excluded session at 11.45am*

The meeting closed with a karakia at 2.03pm

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

Chairperson

Date of approval