



ORDINARY MEETING OF COUNCIL

Open Attachments (Under separate cover 1)

Meeting Date: Thursday 26 June 2025

Time: 9.30am (Adopt Annual Plan)

Venue: Chapman Room
Level 1 Chapman Pavilion
McLean Park
Latham Street
Napier

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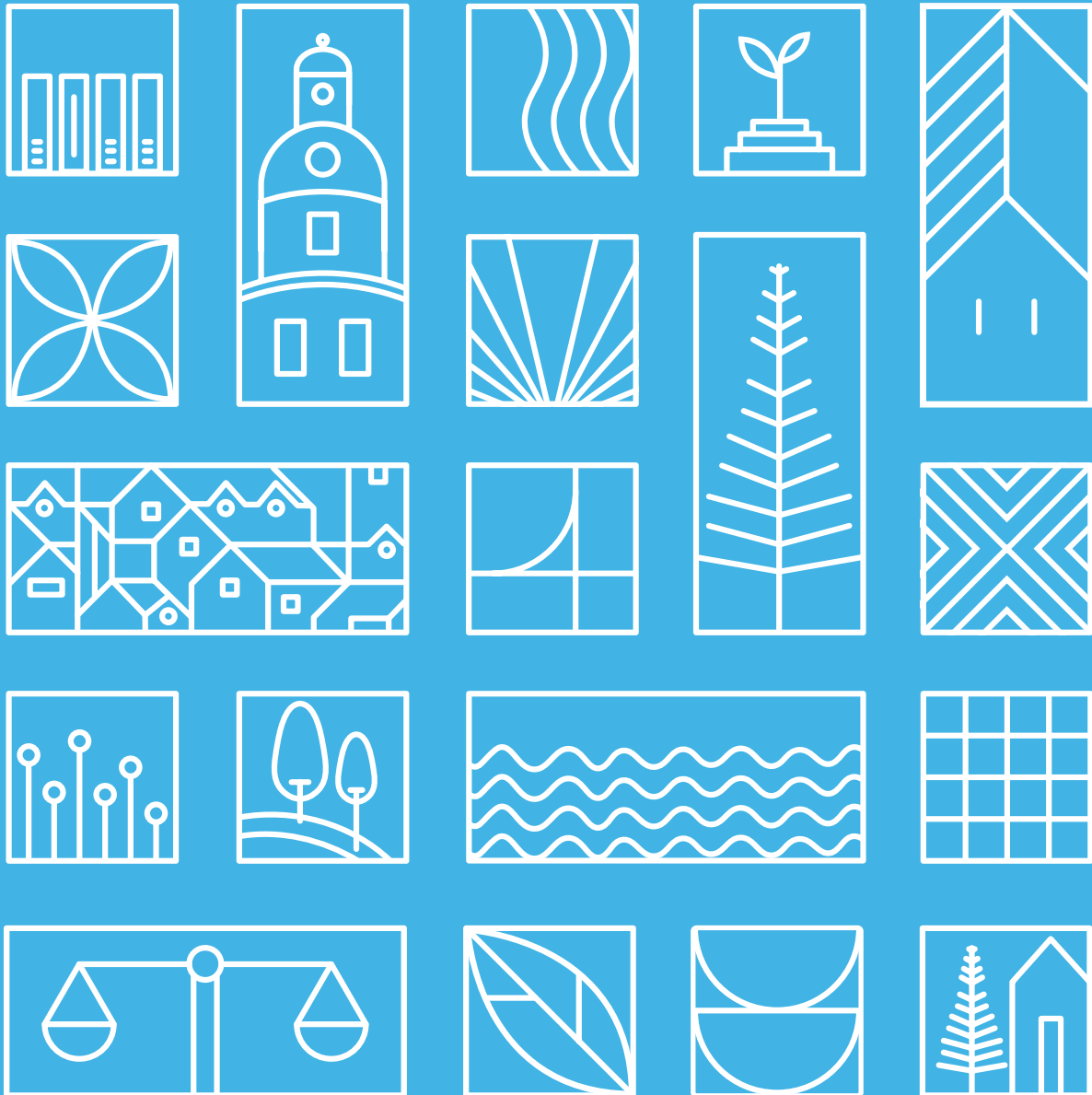
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Te Kaunihera o Ahuriri
Napier City Council

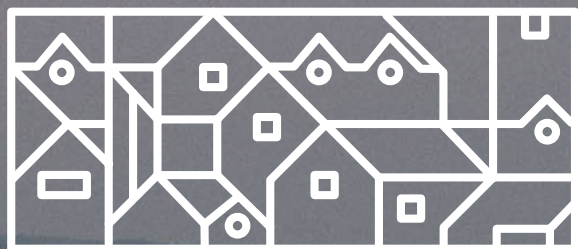
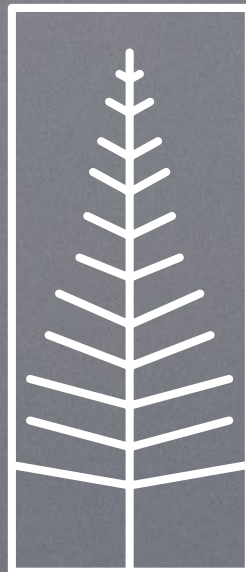
Annual Plan 2025-2026

Adopted 26 June 2025



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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NAPIER
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Te Kaunihera o Ahuriri

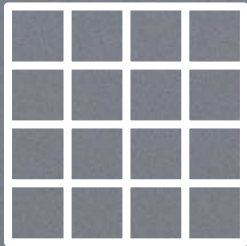
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Prepared in accordance with the requirements
of the Local Government Act 2002.



Toitū te whenua o Ahuriri, toitū te tangata.

A prosperous Ahuriri,
a prosperous people.



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From the Mayor's Office

Kia ora from Kirsten Wise

Te Kahika O Te Kaunihera O Ahuriri
Napier Mayor



I am pleased to present Napier City Council's 2025/26 Annual Plan. This is a road map for the year ahead and a testament to council/community partnership. It is the result of bold proposals designed to deliver on the aspirations of Napier, and interrogated by residents, interest groups and industry through a robust engagement process. The propositions we put to our community through consultation received more feedback than any other Plan in the last decade. Over a thousand people gave us their views and we listened. What we are now presenting is a plan that is focused on ensuring Napier's strong future.

Through our endeavour to keep rates increases low, we have thought hard about our role as a financially sustainable council. We have considered where we can leverage the assets Napier owns to ensure they are making sound financial sense. We have looked at where facilities can be fine tuned to deliver commercially, and where visitor experience

activities are better handled by a third party. We have posed challenging choices and listened with an open mind to the voices of our community. In many cases those views have dictated the direction we've settled on.

The Annual Plan consultation has given us an opportunity to hear directly from our community about what is important to them, what they feel is the essential role of council, and how their wellbeing – financial, social, cultural and environmental – can be improved, effected and enhanced by council decision making.

Through our submissions and deliberations process we have settled on a rates increase of 8.9%. This is higher than we were aiming for, but far less than the 11.7% increase indicated in the Three-Year Plan.

Keeping the library open in Napier has been an excellent example of the relationship between council and community. We heard the need to make financial cuts, we proposed ways that could happen, and community made

very clear what was important to them. Having a library in the city was seen as essential and we have honoured that.

Next steps for facilities like the isite and the Faraday Museum of Technology have also been mapped out in this Annual Plan. For activities such as the National Aquarium of New Zealand, we'll do more work to give residents clarity on what we're proposing and help with decision making. We'll act on that promptly, to give the community certainty.

An annual plan is a response to community aspirations, and this 2025/26 Plan aims to strike a balance between delivering what our community sees as essential and ensuring those levels of service can be met with appropriate resourcing.

Kirsten Wise
Mayor of Napier

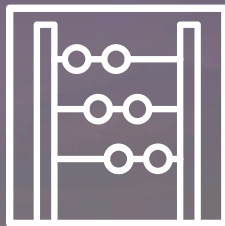
Our Vision

Enabling places and spaces
where everybody wants to be.

Ko rua tē pāia ko Te Whanga.

Our Strategic Priorities (Community Outcomes)

In 2023, Napier City Council adopted five strategic priorities to guide its decision-making over the coming years. These Strategic Priorities are also the Community Outcomes that underpin the contents of our Three-Year Plan. They are all equally important and they all helped us decide which projects, activities and budgets to prioritise in our Three-Year Plan 2024-27.



Financially
sustainable Council
He kainga ka awatea

Council has an operating model and financial strategy that is affordable for ratepayers and enables us to achieve our objectives



A resilient city – the
ability to thrive and
withstand impacts,
knocks and shocks
Te toka tū moana

Council makes good future planning and investment decisions to prepare for a changing climate future and enables our community to build self-reliance. Our people, economy and infrastructure are resilient.



Spaces and
places for all
Te toka tū moana

Napier has spaces and places that everyone has access to and wants to use. We have a focus on accessibility, affordability, safety, and city vibrancy.



Nurturing authentic
relationships with
our community
and partners
Te takutai moana

Council fosters meaningful relationships, demonstrating our commitment to listen to our community's needs, concerns, and aspirations. Developing strong partnerships with mana whenua and tangata whenua ensures we uphold our obligations under Te Tiriti o Waitangi.

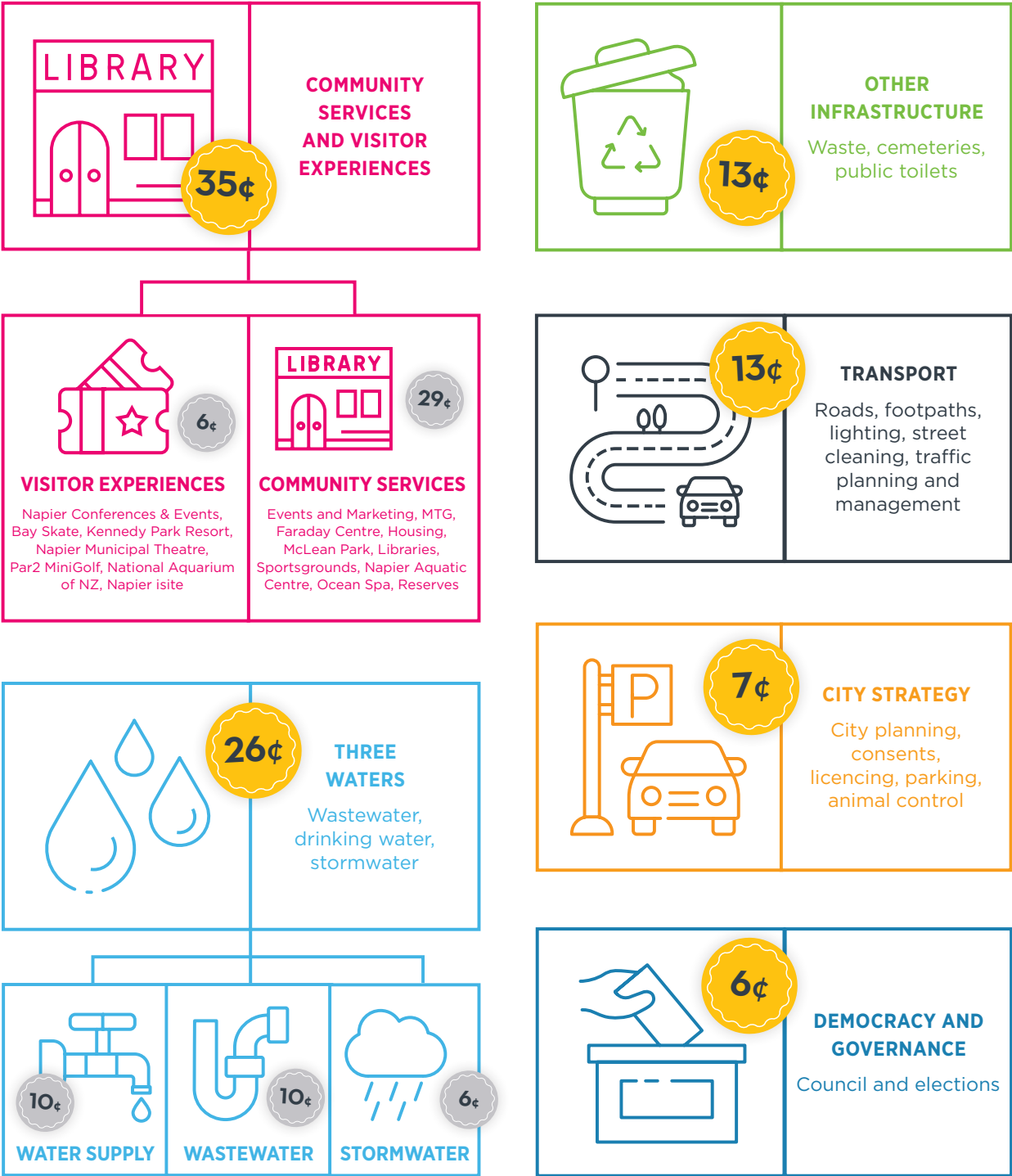


A great visitor
destination
Te ūnga waka

Napier is a destination aspiring to provide 'world class' facilities and attract visitors to our city. We make it easy for people to invest in our city and create experiences that attract widespread participation.

Where your rates dollar goes

How every \$1 of rates will be spent for 2025/26



Key changes from the Three-Year Plan

Due to the disruption caused by Cyclone Gabrielle, the Government changed the legislated requirement for NCC to produce a Long Term Plan with a ten-year horizon. The Government instead enabled NCC to produce an unaudited, Three-Year Plan for 2024-2027 (TYP). This change acknowledged the effects Cyclone Gabrielle had on our resources and ability to deliver previously planned projects. Despite preparing a TYP, information on budgets and plans beyond 30 June 2027 were provided to show the community what is in the pipeline over the long term. Our TYP set out what we expected to deliver, how much it would cost and how it would be funded. This Annual Plan is the second year of that plan. The TYP projected 25/26 would have a total operating expenditure of \$204,532 million and capital expenditure of \$142,316 million. In developing this Annual Plan, Council has made some changes to that forecast and 2025/26 is now projected to have a total operating expenditure of \$197,768 million and capital expenditure of \$153,046 million. Given the uncertainty of the last few years, changes to the 2025/26 budgets and work programme were expected.



The main changes between this Annual Plan and what was outlined in the corresponding year of the TYP are set out as follows.

Rates decrease

The last rates increase was hard for many households. Council heard this feedback and used it to guide the development of this Annual Plan. All councils are facing cost pressures and NCC is no exception. Our aim when developing this plan was to keep rates rises manageable, while still ensuring there is enough money to do the basics well.

Last year's TYP indicated an average rates increase for 2025/26 of 11.7%. As we started reviewing our forecasts as part of developing this plan, some costs, such as electricity and gas, had increased beyond inflation and the amounts forecast in the TYP. This meant we were looking at an average rates increase of 15.22%. To reduce this cost for our community, we looked to see where we could reduce our services or budget. We found several ways to do this and asked for the community's views on a number of proposals as part of community consultation. Labour cost efficiencies, changes to how we fund the Napier Assist Āwhina Tāngata service and reducing the 2025/26 Resilience Rate to fund only scheduled resilience projects meant we could lower the 2025/26 rates increase to 8.9%. These initiatives helped to bring down the rates increase without compromising core services.

Inclusion of water and regulation levies

This Annual Plan includes funding to cover water and regulation levies which were not included in the corresponding year of the TYP.

In late 2024, the Water Services Authority - Taumata Arowai (the Authority) consulted on behalf of the Minister of Local Government on proposed levies payable by councils or council-controlled organisations (CCOs) to help fund water services regulation. In late May 2025, Cabinet confirmed that levies will be introduced to help fund the work of the Authority regulating drinking water suppliers for safety and quality, as well as overseeing the environmental performance of drinking water, stormwater and wastewater networks. From 1 July 2025, the Authority will primarily be funded through levies charged to territorial authorities or their chosen service delivery organisations. More information can be found on the website for the Water Services Authority - Taumata Arowai: <https://www.taumataarowai.govt.nz/for-water-suppliers/levies-fees-and-charges>.

Late last year central government also proposed a levy for economic regulation and consumer protection for local government water service providers, to be implemented by the Commerce Commission. This required a Bill to be passed to provide the Commission the functions and powers to regulate local government water service providers under part 4 of the Commerce Act. Since the Bill is expected to be passed later in the year, the estimated cost to Council for this levy has also been included this Annual Plan. More information about this levy as well as Local Water Done Well can be found on the Ministry of Business, Innovation and Employment website: <https://www.mbie.govt.nz/business-and-employment/business/competition-regulation-and-policy/economic-regulation-policy-for-water-services>.

Rephrasing of the Capital Plan

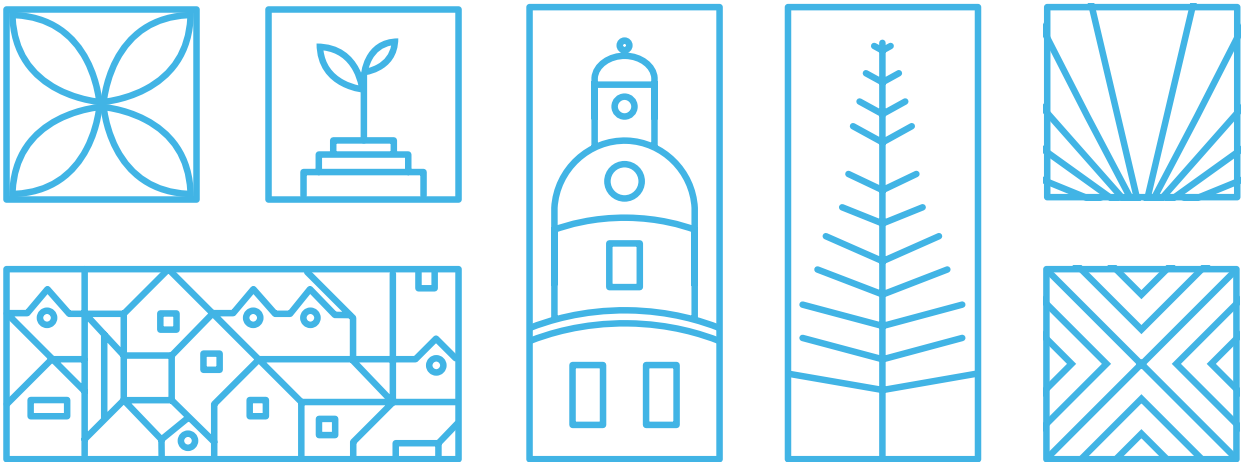
While Council has not deviated from what was set out in the TYP, the capital plan for year 2 of the TYP was rephased as part of the Annual Plan 2025/26 development process. The resulting revised capital plan included in this Annual Plan 2025/26 remains in alignment with the direction and goals Council set in the TYP 2024-27.

It's important to note that capital budget has not been removed, nor have projects been cut. Rather, funds have been rephased to later years. Projects have been rephased for several reasons such as, to meet anticipated compliance requirements associated with new proposed legislation, address high-risk renewals/upgrades and expiring consents, to better align with project timelines, and to meet contractual obligations. The corresponding year of the TYP had projected a capital plan of \$142,316 million and the capital plan included in this Annual Plan is \$153,046 million.

Key changes by the numbers

from the 2025/26 year of the TYP

RATES REVENUE	-2% ↓	to to \$111.9m, down from \$114.4m, or an increase to existing ratepayers of 8.9%, down from 11.4% forecast in the TYP	The reduction in the rates increase compared to the TYP is driven by decreased finance costs and operational efficiencies.
SUBSIDIES AND GRANTS	-50% ↓	to \$15.2m down from \$30.4m	Realignment of timing of Redclyffe Bridge Capital project which is 71% subsidised with the Hastings District Council timeframe along with other reductions in NZTA subsidies.
OTHER REVENUE	-2% ↓	to \$64.9m, down from \$63.5m	Revenue from Residential Development Sales has reduced due to changes in expected timing of section sales. This is partially offset by an increase in some areas of fees and charges.
OTHER OPERATING EXPENSES	-3% ↓	to \$82.8m, down from \$85.2m	Reduced costs due to lower cost of goods sold in Residential Development Sales and operating efficiency targets offset by increases in energy costs, insurance and water services authority charges



Key changes in capital expenditure

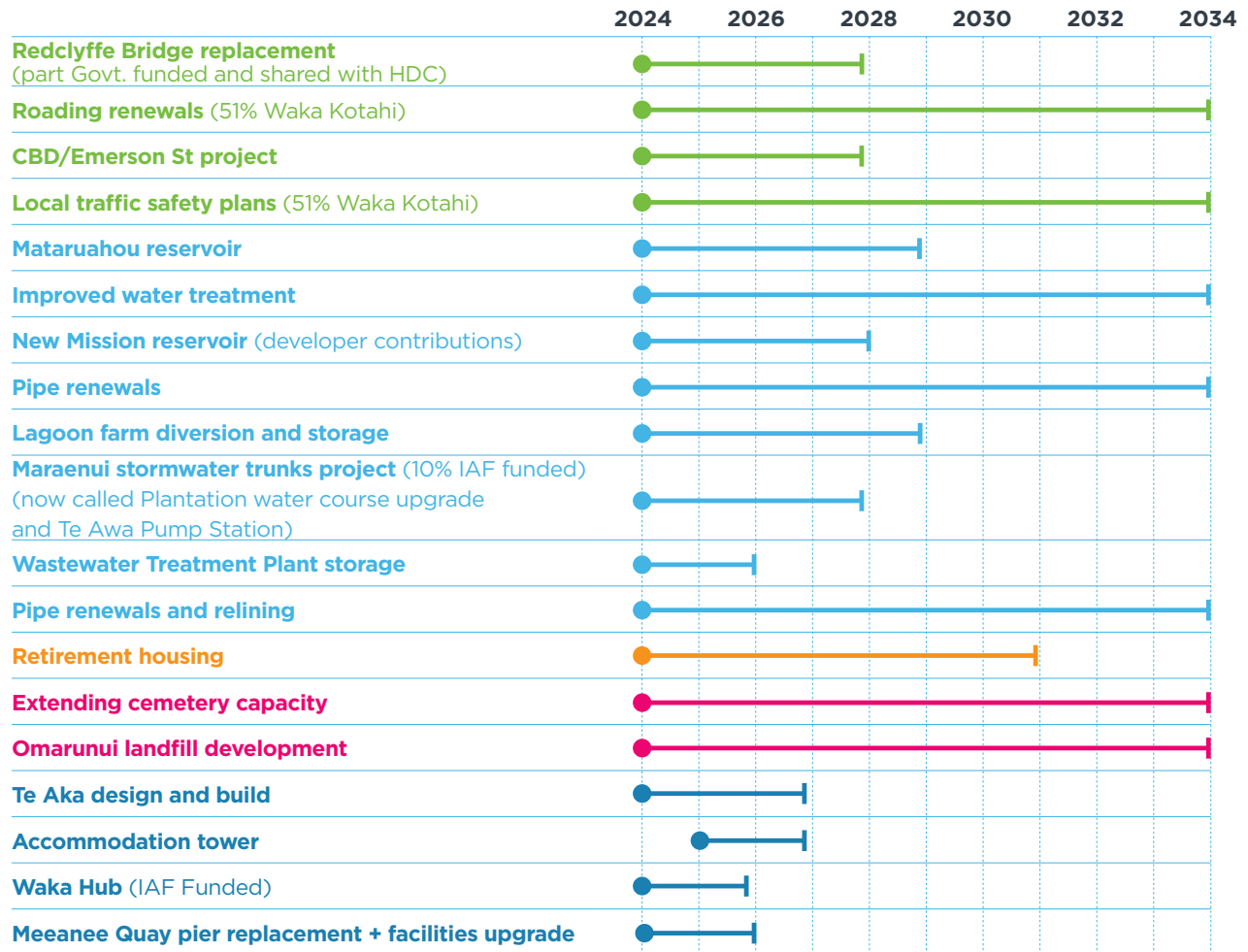
from the 2025/26 year of the TYP

Activity Group	AP 2025/26 \$000	TYP 2025/26 \$000	Variance	Factors contributing to changes in 2025/26 capital plan budgets
GOVERNANCE AND REPRESENTATION	86	-	*Movement of cost centres so variance not calculated	It was decided that the CE and Council cost centres should sit under this activity group (rather than the Support Units group). The change in capital budget for Governance and Representation reflects the movement of these two cost centres to this group.
CITY STRATEGY	1,487	735	+102%	Funding brought forward from later years in the TYP to 2025/26 to enable the earlier completion of the new impounding facility. This will help ensure continued compliance with the Animal Welfare Act and the health and safety needs of staff.
WATER SUPPLY	9,549	9,184	+4%	To ensure drinking water compliance by 2028, funds from later years in the TYP have been brought forward to 2025/26 for the Awatoto water supply treatment plant & borefields which will supply water to the proposed Mataruahou reservoirs. Funds have also been brought forward to align with development requirements for the Mission Reservoir project. To avoid capacity issues, projects that have been assessed as deliverable in later years of the TYP (such as multiple growth projects) have been pushed out but are still included in budgets.
WASTEWATER	8,349	10,181	-18%	Funds from later years in the TYP were brought forward to 2025/26 to prioritise the alleviation of wastewater overflows and to better align with the Emerson Street project timeline. To avoid capacity issues, projects that have been assessed as deliverable in later years of the TYP have been pushed out but are still included in budgets.
STORMWATER	9,746	5,897	+65%	Funds allocated from future years in the TYP have been reallocated to the 2025/26 period to prioritise flood alleviation projects. To manage capacity effectively, initiatives originally planned for later years (such as Riverbend Road Growth and Tennyson St Outfall improvements) have been rescheduled but remain included within budgetary considerations. Taradale Rd culvert project was brought forward and Whitmore Park budget phased to 26/27.
TRANSPORTATION	26,585	32,363	+18%	Funds from later years in the TYP brought forward to 2025/26 to enable the earlier renewal of roading assets such as carriageways, footpaths, traffic services, drainage, bridges, and other structures, as well as to better align with the CBD/Emerson Street project timeline. Funding was pushed out to allow realignment of timing for the Redclyffe Bridge project.
OTHER INFRASTRUCTURE	4,929	4,860	+1%	Funding for public toilet renewals has been carried forward from 2024/25 to 2025/26 to align with the Public Toilet Strategy. This has been partially offset by the pushing out of funds for the Wharerangi building refurbishment work. It is now expected that this project will not start for the next three years, and funding requirements will be reviewed once a plan has been scoped.
COMMUNITY AND VISITOR EXPERIENCES	21,950	22,821	-4%	While further work is being undertaken as part of the business and tourism facilities review, capital work related to some facilities has been put on hold pending the outcome of the review. The Taradale Town Hall Internal Refurbishment project has also been placed on hold for the 2025/26 year pending the outcome of the Halls review that is expected to start in 2026/27.
PROPERTY ASSETS	66,059	51,883	+27%	Funding has been brought forward from later years in the TYP to 2025/26 to enable emergency works on the discharge wharf. Rephasing of Te Aka budgets to align funding with the project timeline has resulted in the carry forward of funds from 2023/24 and 2024/25 to 2025/26.
SUPPORT UNITS	4,306	4,392	*Movement of cost centres so variance not calculated	As mentioned above, it was decided that the CE and Council cost centres should sit under the Governance and Representation group, rather than this group. The reduction in capital budget for Support Units reflects the movement of these two cost centres out of this group.
TOTAL CAPITAL EXPENDITURE	153,046	142,316		

Major projects & strategic programmes

in progress over 2025/26

As part of our Three-Year Plan 2024-27, Council was required to describe the major capital projects that were planned for implementation over the course of the plan. The below graph includes major projects that were identified in the Three-Year Plan which will be in progress during the Annual Plan 2025/26.



In addition to the above capital projects, Council is committed to further progressing the below strategic programmes as part of the Annual Plan 2025/26:

- Reimagining of business and tourism facilities
- Commercialisation of business and tourism facilities
- Investment Portfolio CCTO
- Housing divestment
- Share services opportunities
- Local Water Done Well
- Emergency management
- Carbon reporting

- Transportation
- Three Waters
- Community Services & Visitor Experiences
- Other Infrastructure
- City Strategy

Annual Plan Disclosure Statement

for year ending 30 June 2026

What is the purpose of this statement?

The purpose of this statement is to disclose the council's planned financial performance in relation to various benchmarks to enable the assessment of whether the council is prudently managing its revenues, expenses, assets, liabilities, and general financial dealings.

The council is required to include this statement in its annual plans in accordance with the Local Government (Financial Reporting and Prudence) Regulations 2014 (the regulations). Refer to the regulations for more information, including definitions of some of the terms used in this statement.

	Policy Limit	AP 2025/26	Met
Rates Affordability Benchmarks			
Rates Revenue (\$000)	\$113,867 maximum	\$111,145	Yes
Percentage Rates Increase	11.9% (LGCI plus 8.3 % plus 0.3% rating base growth)	9.2% (including 0.3% growth)	Yes
Debt Affordability Benchmarks			
Liquidity to External Debt	110% minimum	112.7%	Yes
Net External Debt as a percentage of Total Revenue	175% maximum	70.9%	Yes
Net Interest to Total Income	10% maximum	2.4 %	Yes
Balanced Budget Benchmark			
Operating Revenue to Operating Expenses	100% minimum	96.3%	No
Essential Services Benchmark			
Capital Expenditure to Depreciation	100% minimum	170%	Yes
Debt Servicing Benchmark			
Borrowing costs to Operating Revenue	10% maximum	2.6%	Yes

Notes to disclosure statement

1. Rates Affordability Benchmarks

(1) For this benchmark,—

- (a) the Council's planned rates income for the year is compared with the quantified limit on rates contained in the financial strategy included in the Council's long-term plan; and
- (b) the Council's planned rates increases for the year are compared with the quantified limit on rates increases for the year contained in the financial strategy included in the council's long-term plan.

(2) The Council meets the rates affordability benchmark if—

- (a) its planned rates income for the year equals or is less than each quantified limit on rates; and
- (b) its planned rates increases for the year equal or are less than each quantified limit on rates increases.

The calculation for this benchmark excludes water by meter, rates remissions and rates penalties as these are not included in the rates collection calculation.

2. Debt Affordability Benchmarks

- (1) For this benchmark, the council's planned borrowing is compared with quantified limits on borrowing contained in the financial strategy included in the council's long-term plan.
- (2) The Council meets the debt affordability benchmark if its planned borrowing is within each quantified limit on borrowing.

3. Balanced Budget Benchmark

- (1) For this benchmark, the council's planned revenue (excluding development contributions, vested assets, financial contributions, gains on derivative financial instruments, and revaluations of property, plant, or equipment) is presented as a proportion of its planned operating expenses (excluding losses on derivative financial instruments and revaluations of property, plant, or equipment).
- (2) The Council meets the balanced budget benchmark if its revenue equals or is greater than its operating expenses.

Council does not plan to meet the balanced budget benchmark for 2025/26. Council has resolved that this is financially prudent as setting rate levels to achieve a balanced budget would put too much

financial pressure on ratepayers. The unbalanced budgets is related to:

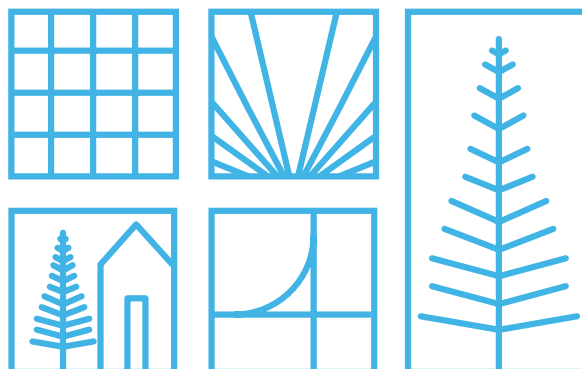
- loan-funding the deficits of Ocean Spa, Kennedy Park Resort, and Napier Conferences and Events as they transition to being financially self-sufficient, and
- the decision to not fully fund depreciation, but instead allocate a fixed amount of revenue each year for renewals. When reserve funds are insufficient to cover renewals, projects loan-funded and repaid through future rates.

4. Essential Services Benchmark

- (1) For this benchmark, the council's planned capital expenditure on network services is presented as a proportion of expected depreciation on network services.
- (2) The Council meets the essential services benchmark if its planned capital expenditure on network services equals or is greater than expected depreciation on network services.

5. Debt Servicing Benchmark

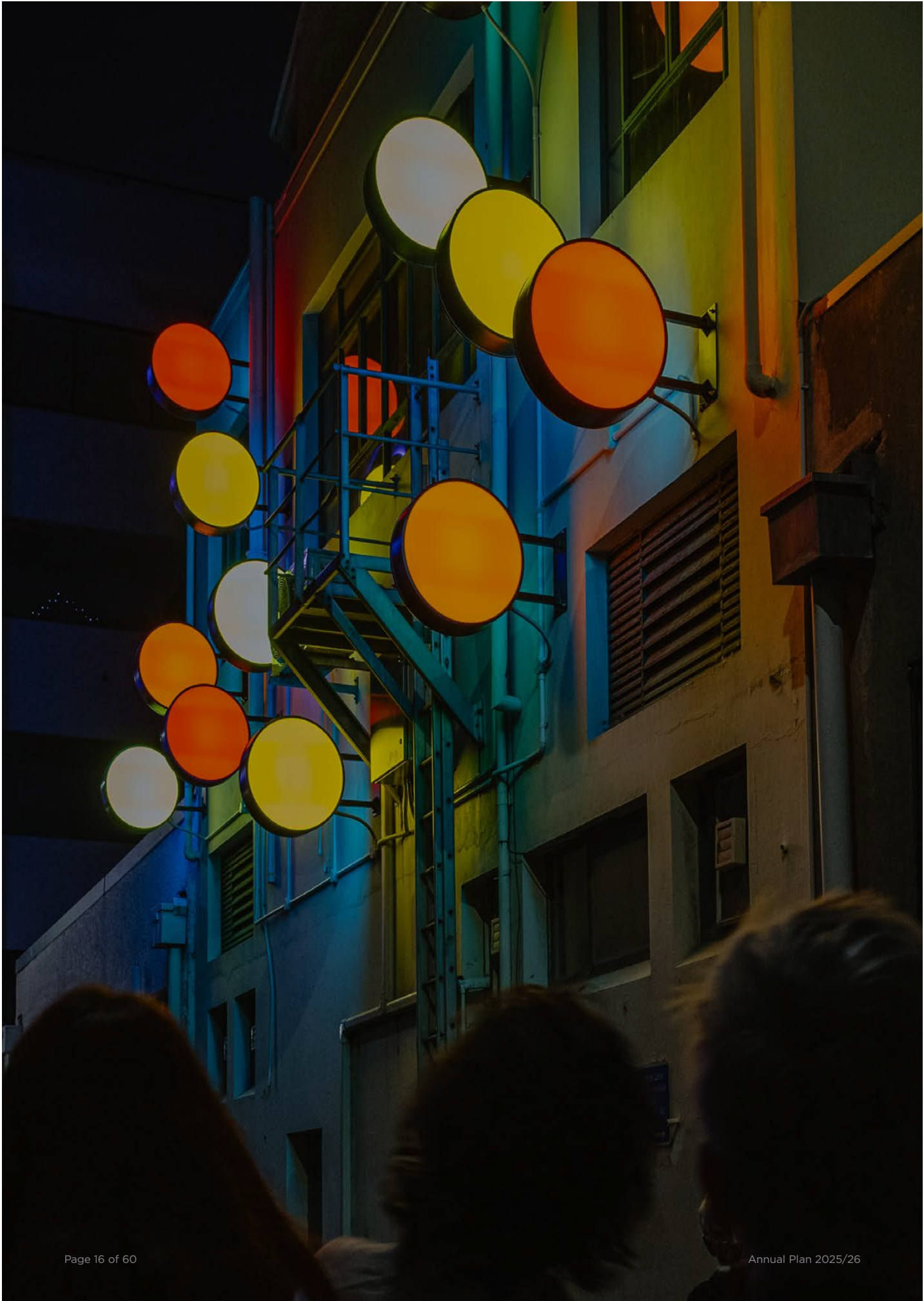
- (1) For this benchmark, the council's planned borrowing costs are presented as a proportion of planned revenue (excluding development contributions, financial contributions, vested assets, gains on derivative financial instruments, and revaluations of property, plant, or equipment).
- (2) Because Statistics New Zealand projects that the council's population will grow as fast as the national population growth rate, it meets the debt servicing benchmark if its planned borrowing costs equal or are less than 10% of its planned revenue.



Planning Assumptions: Annual Plan 2025/26

Title	Assumption	Level of uncertainty	Risk & impact
Growth in the rating base	Growth in the rating base (number of properties from which council collects rates) is driven by growth in the number of households and industrial and commercial expansion. Based on historic data and the growth assumptions in the Three-Year Plan 2024-27, an allowance of 0.3% per annum has been included for additional rates revenue because of growth in the rating base. This represents a conservative estimate relative to the potential income from the projected increase in households.	Moderate	The growth in the ratepayer base is higher or lower than projected. If growth is higher than forecasted, the average rates increase per property will be reduced by an equivalent amount as there is a greater number of ratepayers across which rates will be collected. If growth is lower than forecasted, the average rates increase for the ratepayer will be higher.
Interest rates on loans	The interest rate for debt is assumed to be 5.3% for 2025/26.	High	Prevailing interest rates may differ significantly from those estimated. A 0.1% increase in interest rates on debt would increase annual interest expenses by \$10k for 2025/26. A 1% increase in interest rates on debt would increase annual interest expenses by \$1.03m for 2025/26.
Capital programme deliverability	Programmes and projects are assumed to be delivered within budget and on time.	Moderate	The capital programme may not be delivered in full, on time and/or within budget. The programme may only be partially completed, triggering carry forwards into 2026/27 and putting pressure on future year's budgets. This would result in delays in delivering projects and realising benefits to the community. The programme may be delivered in full, but at more expense than was allocated in budgets. Council risks breaching financial prudence benchmarks and debt limits. Doing so may prompt scrutiny from the Office of the Auditor General or the Minister of Local Government. A 20% probability assumption has been applied to the capital programme to help account for external factors beyond Council's control that have the potential to impact the work that has been planned.
Contractor availability	That Council will be able to find skilled contractors to undertake the work programmed in this plan. Currently, there is very little surplus capacity in the contracting market due to the increased level of capital works proposed by many local authorities which is leading to increased demand for contractors.	Moderate	There may not be sufficient contractor capacity to deliver the capital programme on time, or contract prices may increase significantly so that works cannot be delivered within the budget available.

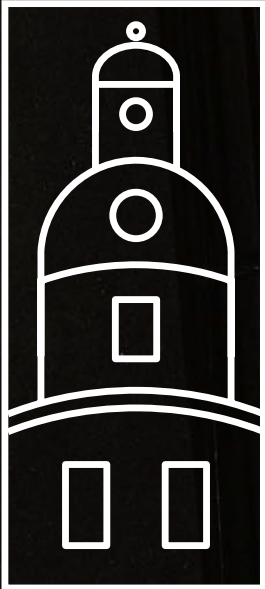
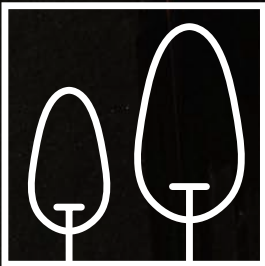
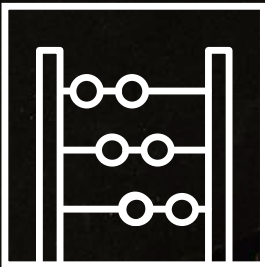
Title	Assumption	Level of uncertainty	Risk & impact
Levels of service	This plan assumes there are no unexpected significant changes to the level of core or essential services delivered over 2025/26 that have not already been included in this plan.	Low	<p>An unanticipated change in levels of service delivered may be:</p> <ul style="list-style-type: none"> Necessitated by a key asset failure or external disaster Triggered by a change in primary legislation, or Demanded by the community. <p>Increased levels of service inevitably require more resourcing, and significant changes to significant levels of service may trigger the requirement for an LTP amendment.</p>
Waka Kotahi funding	It is assumed that the level of subsidies received through Waka Kotahi is 51% for most of the maintenance works, and new construction and renewal works.	Low	A change in subsidy level could affect the validity of the available funding estimates for subsidised work and potentially, the level of service delivered.
Local Water Done Well	It is assumed we will continue to own and operate the infrastructure related to three waters service delivery for 2025/26.	Low	There is a risk that the need for implementation of a new delivery model for water services becomes such a priority for Council and/or neighbouring councils that significant Council decisions, and potentially a transition process will begin sooner than expected.
Legislation	It is assumed that central government will work with councils to ensure that any legislative changes are managed appropriately and to ensure benefits from its commitment to partnership with the local government sector are realised. For this plan, the assumption is that any legislative reform or amendments will not require Council to assume responsibilities that require additional resources and costs.	Moderate	Government policy shifts may significantly affect services delivered by Council, resulting in unforeseen costs, or changes to levels of service.
Labour Efficiency	A \$2.0m reduction of rates funded labour costs has been included in the budget as a savings target.	Moderate	The savings are lower than projected. If savings are lower than forecasted, the cost to the ratepayer will be higher and will need to be loan funded to be recouped in later years.
Staff Vacancy	\$6.0m reduction of rates funded staff costs has been included in the budget to account for vacant positions and the time taken to fill vacancies.	Moderate	The vacancies are lower than projected. If vacancies are lower than forecasted, the cost to the ratepayer will be higher and will need to be loan funded to be recouped in later years.
Operating efficiency	\$4.2m reduction in rates funded other operating costs.	Moderate	The savings are lower than projected. If savings are lower than forecasted, the cost to the ratepayer will be higher and will need to be loan funded to be recouped in later years.
Commercial viability	The commercial facilities, (Kennedy Park, Ocean Spa, Napier Conference and Events, and Par2 Minigolf) are assumed to reach breakeven by 2026/27. To achieve this, 41% of the total operating costs of these commercial facilities needs to be recovered through higher revenue and lower operating expenditure.	Moderate	The savings are lower than projected. If savings are lower than forecasted, the cost to users will have to be loan funded to be recouped in later years. If this continues without repayment there is a further risk that ratepayers will bear the burden of this loan.



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Prospective Statement of Comprehensive Revenue and Expenses

Forecast for the year ending 30 June 2026

	AP 2025/26 \$000	TYP 2025/26 \$000	TYP/AP 2024/25 \$000
Revenue			
Rates revenue	111,890	114,381	102,478
Finance revenue	626	879	166
Development and financial contributions	7,903	7,903	7,665
Subsidies and grants	15,181	30,407	11,084
Other revenue	63,519	64,906	67,661
Other gains/(losses)	5,407	4,727	5,968
Total revenue	204,526	223,203	195,022
Expenditure			
Employee Benefit Expense	62,488	62,236	60,554
Depreciation and Amortisation	46,956	49,234	44,951
Finance Costs	5,565	7,836	3,425
Other Operating Expenses	82,759	85,226	91,668
Total expenditure	197,768	204,532	200,598
Operating surplus/(deficit) before tax	6,758	18,671	(5,576)
Share of associate surplus/(deficit)	692	566	728
Surplus/(deficit) before tax	7,450	19,237	(4,848)
Income tax expense	-	-	-
Surplus/(deficit) after tax	7,450	19,237	(4,848)
Other comprehensive revenue			
Valuation gains/(losses) taken to equity	45,319	108,223	42,026
Fair value gains/(losses) through comprehensive revenue on investments	-	-	-
Total comprehensive revenue and expenses	52,769	127,460	37,178

Prospective Statement of Financial Position

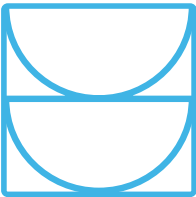
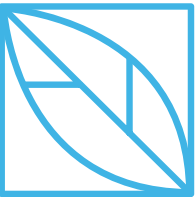
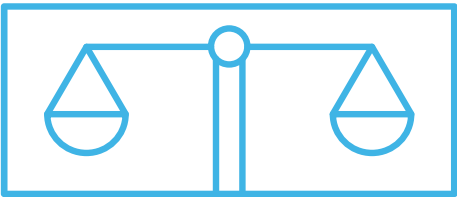
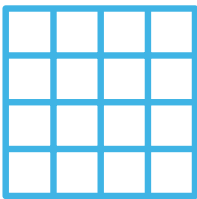
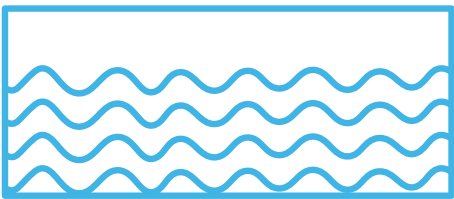
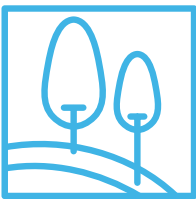
Forecast for year ending 30 June 2026

	AP 2025/26 \$000	TYP 2025/26 \$000	TYP/AP 2024/25 \$000
Assets			
Current assets			
Cash and cash equivalents	15,457	6,169	6,073
Debtors and other receivables	20,200	28,815	25,386
Inventories	6,720	5,513	5,246
Biological assets	168	306	297
Total current assets	42,545	40,803	37,002
Non-current assets			
Property, plant and equipment	2,469,869	2,523,261	2,324,400
Intangible assets	1,771	1,368	1,463
Inventories	23,052	21,027	16,313
Investment property	97,144	112,967	108,727
Investment in associates	13,994	14,285	14,030
Forestry	93	-	-
Other financial assets	10,344	14,273	7,563
Total non-current assets	2,616,267	2,687,181	2,472,496
Total assets	2,658,812	2,727,984	2,509,498
Liabilities			
Current liabilities			
Trade payables and other accruals	26,630	26,671	26,017
Employee benefit liabilities	6,949	7,809	7,528
Total current liabilities	33,579	34,480	33,545
Non-current liabilities			
Employee benefit liabilities	551	653	689
Borrowings	145,000	175,639	85,565
Provisions	2,543	1,791	1,738
Total non-current liabilities	148,094	178,083	87,992
Total liabilities	181,673	212,563	121,537
Total net assets	2,477,139	2,515,421	2,387,961
Net assets / equity			
Accumulated revenue & expenses	848,953	828,734	809,644
Other reserves	1,628,186	1,686,687	1,578,317
Total net assets / equity	2,477,139	2,515,421	2,387,961

Prospective Statement of Changes In Net Assets / Equity

Forecast for the year ending 30 June 2026

	AP 2025/26 \$000	TYP 2025/26 \$000	TYP/AP 2024/25 \$000
Total net equity balance at 1 July	2,424,370	2,387,961	2,350,783
Total comprehensive revenue for the period	52,769	127,460	37,178
Total net equity balance at 30 June	2,477,139	2,515,421	2,387,961
Total comprehensive revenue and expenses attributable to:			
Napier City Council	52,769	127,460	37,178
Total comprehensive revenue and expenses	52,769	127,460	37,178



Prospective Statement of Cash Flows

Forecast for the year ending 30 June 2026

	AP 2025/26 \$000	TYP 2025/26 \$000	TYP/AP 2024/25 \$000
Cash flows from operating activities			
Receipts from rates revenue	111,064	114,244	102,228
Interest received	626	879	166
Dividends received	-	-	-
Receipts from other revenue	80,298	98,816	79,465
Goods and services tax (net)	(1,000)	(107)	(99)
Payments to suppliers and employees	(147,712)	(150,475)	(147,697)
Interest paid	(5,565)	(7,836)	(3,425)
Net cash from operating activities	37,711	55,521	30,638
Cash flows from investing activities			
Proceeds from sale of property, plant and equipment	5,157	3,655	4,940
Proceeds from withdrawal of investments	-	-	-
Purchase of property, plant and equipment	(121,532)	(142,062)	(86,400)
Purchase of intangible assets	(629)	(629)	(610)
Acquisition of investments	(4,767)	(6,463)	(4,151)
Net cash from investing activities	(121,771)	(145,499)	(86,221)
Cash flows from financing activities			
Proceeds from borrowings	80,000	90,074	56,965
Net cash from financing activities	80,000	90,074	56,965
Net (decrease)/increase in cash, cash equivalents and bank overdrafts	(4,060)	96	1,382
Cash, cash equivalents and bank overdrafts at 1 July	19,517	6,073	4,691
Cash, cash equivalents and bank overdrafts at 30 June	15,457	6,169	6,073

Notes to Prospective Financial Statements

Forecast for the year ending June 2026

	AP 2025/26 \$000	TYP 2025/26 \$000
1. Income from targeted rates for metered water supply	814	814
2. Depreciation and Amortisation Expense by Group of Activity		
Governance and Representation	26	-
City Strategy	543	576
Community and Visitor Experiences	11,868	13,120
Other Infrastructure	1,483	1,532
Property Assets	2,691	2,959
Stormwater	4,692	5,574
Support Units	3,579	3,363
Transportation	9,059	8,682
Wastewater	7,505	8,302
Water Supply	5,510	5,126
Total directly attributable depreciation and amortisation by group of activity	46,956	49,234



Statement of Accounting Policies

Reporting Entity

Napier City Council (the Council) is a New Zealand territorial local authority. It is governed by the Local Government Act 2002 (LGA) and is domiciled and operates in New Zealand. The relevant legislation governing the Council's operations includes the LGA and the Local Government (Rating) Act 2002.

The reporting entity consists of the Council only. The Council has investments in the following entities which are Council Controlled Organisations (CCO):

- Hawke's Bay Airport Limited (26% share of voting rights) equity accounted.
- The Ōmarunui Refuse Landfill is a jointly controlled asset. The Council includes only its 36.32% share of all revenue, expenditure, assets and liabilities of the landfill facility
- Ahuriri Investment Management Limited (100% owned)

The Council provides local infrastructure, local public services and amenities, and performs regulatory functions for the community for social benefit rather than making a financial return. Accordingly, the Council has designated itself as a Public Benefit Entity (PBE) for financial reporting purposes.

Basis of Preparation

Statement of Compliance

These prospective financial statements have been prepared in accordance with the requirements of the Act Part 6, Section 95, and Part 2 of Schedule 10, which include the requirement to comply with generally accepted accounting practice in New Zealand (NZ GAAP). The accounting policies set out below have been applied consistently to all periods in these prospective financial statements.

Functional and Presentation Currency

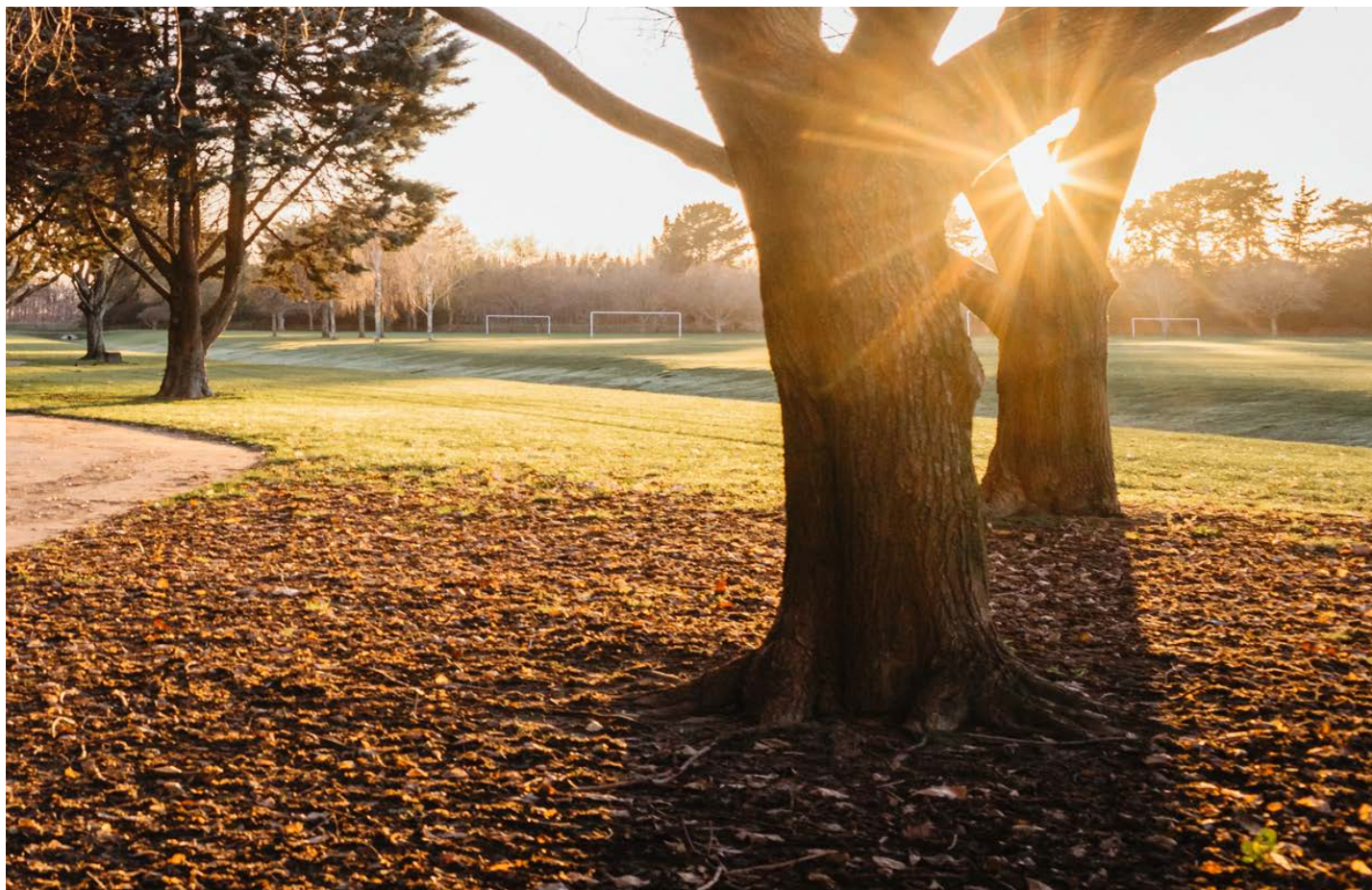
The financial statements are presented in New Zealand dollars and all values are rounded to the nearest thousand dollars (\$000).

Goods and Services Tax (GST)

The Statement of Comprehensive Revenue and Expenses has been prepared so that all components are stated exclusive of GST. All items in the Statement of Financial Position are stated net of GST, with the exception of receivables and payables, which include GST invoiced.

Where GST is not recoverable as input tax, it is recognised as part of the related asset or expense.

The net amount of GST recoverable from, or payable to, the Inland Revenue Department (IRD) is included as part of receivables or payables in the Statement of Financial Position.



The net GST paid to, or received from, the IRD, including the GST relating to investing and financing activities, is classified as an operating cash flow in the Statement of Cash Flows.

Commitments and contingencies are disclosed exclusive of GST.

Changes in Accounting Standards

All standards, interpretations and amendments approved but not yet effective in the current year are either not applicable to Council or are not expected to have a material impact on the financial statements of Council and, therefore, have not been disclosed.

Other changes in accounting policies

There have been no other changes in accounting policies.

Prospective Financial Information

These are prospective financial statements and have been prepared in accordance with the requirements of the Local Government Act 2002 and may not be appropriate for other purposes. The main purpose of the prospective financial statements in the Annual Plan is to provide users with information about Council's plans for the next twelve months and the rates that will be required to fund these plans.

As a forecast, the Annual Plan has been prepared on the basis of assumptions as to future events the

Council reasonably expects to occur associated with the actions the Council reasonably expects to take as at the date the information was prepared. The Significant Planning Assumptions are included in the Annual Plan and outline assessed potential risks that may impact future results. Actual results achieved for the Annual Plan period covered are likely to vary from the information presented and the variation may be material.

The Annual Plan is based on the forecast for the year ended 30 June 2026. The prospective financial statements have been prepared by using the best information available at the time for Annual Plan.

In accordance with the Local Government Act 2002 Part 6, Section 95, the Council adopted and authorised for issue the Consultation Document on 27 March 2025. As the authorising body, the Council is responsible for the Annual Plan presented, along with the underlying assumptions, and all other required disclosures. The prospective financial statements contained in this Annual Plan are in full compliance with PBE Financial Reporting Standards 42 Prospective Financial Statements (PBE FRS 42).

Council reserves the right to change the statements should circumstances change.

Principles of Consolidation

The prospective financial statements comprise of the Council and its equity accounted investments.

Investments

Investment in Associates

The Council's associate investment is accounted for in the financial statements using the equity method. An associate is an entity over which the Council has significant influence and that is neither a subsidiary nor an interest in a joint venture. The investment in an associate is initially recognised at cost and the carrying amount in the financial statements is increased or decreased to recognise the Council's share of the surplus or deficit of the associate after the date of acquisition. Distributions received from an associate reduce the carrying amount of the investment.

If the share of deficits of an associate equals or exceeds its interest in the associate, the Council discontinues recognising its share of further deficits. After the Council's interest is reduced to zero, additional deficits are provided for, and a liability is recognised only to the extent that the Council has incurred legal or constructive obligations or made payments on behalf of the associate. If the associate subsequently reports surpluses, the Council will resume recognising its share of those surpluses only after its share of the surpluses equals the share of deficits not recognised.

Where the Council transacts with an associate, surplus or deficits are eliminated to the extent of the Council's interest in the associate.

Dilution gains or losses arising from investments in associates are recognised in the surplus or deficit.

Subsidiaries

Subsidiaries are all entities over which the Council has control. The Council controls an entity if all three of the following elements are present: power over the entity, exposure to variable returns from the entity, and the ability of the Council to use its power to affect those variable returns. Control is reassessed whenever facts and circumstances indicate that there may be a change in any of these elements of control.

The Council will have subsidiaries during the period presented in the financial statements.

Joint Arrangements

The Council is a party to a joint arrangement when there is a contractual arrangement that confers joint control over the relevant activities of the arrangement to the Council and at least one other party. Joint control is assessed under the same principles as control over subsidiaries.

Joint Operation

The Council has an interest in a joint arrangement that is a jointly controlled asset. The Council recognises its share of the asset, classified as plant and equipment. In addition, the Council recognises its share of liabilities, expenses, and income from the use and output of the jointly controlled asset.

Foreign Currency Translation

Transactions and Balances

Foreign currency transactions are translated into the functional currency using the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in surplus or deficit of the Statement of Comprehensive Revenue and Expenses.

Revenue Recognition

Revenue is measured at the fair value of consideration received or receivable. The specific accounting policies for significant revenue items are explained below:

Non-exchange Revenue

Rates Revenue

The following policies for rates have been applied:

- General rates, targeted rates (excluding water-by-meter), and uniform annual general charges are recognised as revenue at the start of the financial year to which the rates resolution relates, and they are recognised at the amount due. The Council considers that the effect of payment of rates by instalments is not sufficient to require discounting of rates receivables and subsequent recognition of interest revenue;
- Rates arising from late payment penalties are recognised as revenue when rates become overdue;
- Revenue from water-by-meter rates is recognised on an accrual basis based on usage. Unbilled usage, as a result of unread meters at year end, is accrued on an average usage basis, and
- Rate remissions are recognised as a reduction of rates revenue when the Council has received an application that satisfies its rates remission policy.

Subsidies and Grants

Subsidies and grants received are recognised as revenue when the Council obtains control of the transferred asset (cash, goods, other assets or services) and the transfer is free from conditions that require the Council refund or return the asset if the conditions relating to the asset are not fulfilled. When grants and subsidies include a condition, a liability is recognised until the Council has satisfied the conditions when revenue is recognised. The Council receives the majority of grants and subsidies revenue from Waka Kotahi New Zealand Transport Agency (Waka Kotahi), which subsidises part of the Council's costs in maintaining the local road infrastructure. The right to receive the funding from Waka Kotahi arises once the work is performed, therefore revenue is



recognised when receivable as there are no further conditions attached to the funding.

Donated, Subsidised or Vested Assets

Donated, subsidised or vested assets are recognised when the right to receive them is established. Revenue is recognised at this time unless there are conditions attached to the asset which require the asset to be returned if conditions are not met. A liability is recognised until the conditions are met. Where a physical asset is acquired for nil or nominal consideration, the fair value of the asset received is recognised as revenue.

The fair value of vested or donated assets is usually determined by reference to the cost of constructing the asset. For assets received from property developments, the fair value is based on construction price information provided by the property developer.

Parking and Traffic Infringement

Revenue is recognised when the ticket is issued as there are no conditions attached.

Exchange Revenue

Licences and Permits

Revenue derived from licences and permits are recognised on receipt of appropriate application.

Residential Developments

Sales of sections in residential developments are recognised when contracts for sale are unconditional as control is deemed to have been transferred.

Development and Financial Contributions

Development and financial contributions are recognised as revenue when the Council provides, or is able to provide, the service for which the contribution was charged. Otherwise, development and financial contributions are recognised as liabilities until such time as the Council provides, or is able to provide, the service.

Sales of Goods (Retail)

Sales of goods are recognised when a product is sold to the customer. Retail sales are usually in cash or by credit card. The recorded revenue is the gross amount of sale, including credit card fees payable for the transaction. Such fees are included in distribution costs.

Sales of Services

Sales of services are recognised in the accounting period in which the services are rendered by reference to completion of the specific transaction assessed, on the basis of the actual service provided as a proportion of the total services to be provided.

Rental Revenue

Rental revenue is recognised on a straight line basis over the term of the lease.

Interest Revenue

Interest revenue is recognised on a time proportion basis using the effective interest method. When a receivable is impaired, the Council reduces the carrying amount to its recoverable amount, being the estimated future cash flow discounted at the original effective interest rate of the instrument and continues unwinding the discount as interest revenue. Interest revenue on impaired loans is recognised using the rate of interest used to discount the future cash flows for the purpose of measuring the impairment loss.

Dividend Revenue

Dividend revenue is recognised when the right to receive payment is established.

Building and Resource Consent Revenue

Fees and charges for building and resource consent services are recognised on a percentage completion basis with reference to the recoverable costs incurred at balance date.

Income Tax

In general, local authorities are only subject to tax from income derived through council-controlled organisations and as a port operator.

The income tax expense or revenue for the period is the tax payable on the current period's taxable income based on the national income tax rate for each jurisdiction, adjusted by changes in deferred tax assets and liabilities attributable to temporary differences between the tax bases of assets and liabilities and their carrying amounts in the financial statements, and to unused tax losses.

Deferred tax assets and liabilities are recognised for temporary differences at the tax rates expected to apply when the assets are recovered or liabilities are settled, based on those tax rates which are enacted or substantively enacted for each jurisdiction. The relevant tax rates are applied to the cumulative amounts of deductible and taxable temporary differences to measure the deferred tax asset or liability. An exception is made for certain temporary differences arising from the initial recognition of an asset or a liability. No deferred tax asset or liability is recognised in relation to these temporary differences if they arose in a transaction, other than a business combination, that at the time of the transaction did not affect either accounting surplus or deficit, or taxable surplus or deficit.

Deferred tax assets are recognised for deductible temporary differences and unused tax losses only if it is probable that future taxable amounts will be available to utilise those temporary differences and losses.

Deferred tax liabilities and assets are not recognised for temporary differences between the carrying amount and tax bases of investments in controlled entities where the controlling entity is able to control the timing of the reversal of the temporary differences

and it is probable that the differences will not reverse in the foreseeable future.

Current and deferred tax balances attributable to amounts recognised directly in equity are also recognised in other comprehensive revenue and expense or directly in equity.

Leases

The Council is the Lessee

Leases of property, plant, and equipment where the Council has substantially all the risks and rewards of ownership are classified as finance leases.

Finance leases are capitalised at the lease's inception at the lower of the fair value of the leased property and the present value of the minimum lease payments. The corresponding rental obligations, net of finance charges, are included in other long-term payables. Each lease payment is allocated between the liability and finance charges so as to achieve a constant rate on the finance balance outstanding. The interest element of the finance cost is charged to the surplus or deficit in the Statement of Comprehensive Revenue and Expenses over the lease period so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period. The property, plant, and equipment acquired under finance leases are depreciated over the shorter of the asset's useful life and the lease term.

Leases in which a significant portion of the risks and rewards of ownership are retained by the lessor are classified as operating leases. Payments made under operating leases (net of any incentives received from the lessor) are charged to the Statement of Comprehensive Revenue and Expenses on a straight line basis over the period of the lease.

The Council is the Lessor

Assets leased to third parties under operating leases are included in property, plant, and equipment in the Statement of Financial Position. They are depreciated over their expected useful lives on a basis consistent with similar owned property, plant, and equipment. Rental revenue (net of any incentives given to lessees) is recognised on a straight line basis over the lease term.

Balance Sheet

Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with financial institutions, other short-term, highly-liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value, and bank overdrafts.

Bank overdrafts are shown within borrowings under current liabilities in the Statement of Financial Position.

Trade Receivables

Trade receivables are recognised initially at fair value and subsequently measured at amortised cost, less impairment for doubtful debts.

Trade receivables are due for settlement no more than 150 days from the date of recognition for land development and resale debtors and no more than 30 days for other debtors.

Collectability of trade receivables is reviewed on an ongoing basis. Debts which are known to be uncollectible are written off. A provision for impairment of receivables is established when there is objective evidence that the Council will not be able to collect all amounts due according to the original terms. The amount of the provision is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. The amount of the provision is recognised in the Statement of Comprehensive Revenue and Expenses.

When the receivable is uncollectible, it is written off against the provision account. Overdue receivables that have been renegotiated are reclassified as current (that is, not past due).

Inventories

Inventories are held for distribution or for use in the provision of goods and services. The measurement of inventories depends on whether the inventories are held for commercial or non-commercial (distribution at no charge or for a nominal charge) distribution or use. Inventories are measured as follows:

- Commercial: measured at the lower of cost and net realisable value, and
- Non-commercial: measured at cost, adjusted for any loss of service potential.

Cost is allocated using the first in, first out (FIFO) method, which assumes the items of inventory that were purchased first are distributed or used first.

Inventories acquired through non-exchange transactions are measured at fair value at the date of acquisition.

Any write-down from cost to net realisable value or for the loss of service potential is recognised in surplus or deficit in the Statement of Comprehensive Revenue and Expenses in the period of the write-down.

Land held for development and future resale

When land held for development and future resale is transferred from investment property or property, plant, and equipment to inventory, the fair value of the land at the date of the transfer is its deemed cost.

Costs directly attributable to the developed land are capitalised to inventory, with the exception of

infrastructural asset costs which are capitalised to property, plant, and equipment.

Non-current Assets Held For Sale

Non-current assets are classified as held for sale and stated at the lower of their carrying amount and fair value less costs to sell if their carrying amount will be recovered principally through a sale transaction rather than through continuing use.

An impairment loss is recognised for any initial or subsequent write-down of the asset to fair value less costs to sell in the Council's operating expenses. A gain is recognised for any subsequent increases in fair value less costs to sell of an asset, but not in excess of any cumulative impairment loss previously recognised. A gain or loss not previously recognised by the date of the sale of the non-current asset is recognised at the date of derecognition.

Non-current assets (including those that are part of a disposal group) are not depreciated or amortised while they are classified as held for sale. Interest and other expenses attributable to the liabilities of a disposal group classified as held for sale continue to be recognised.

Non-current assets classified as held for sale and the assets of a disposal group classified as held for sale are presented separately from the other assets in the Statement of Financial Position. The liabilities of a disposal group classified as held for sale are presented separately from other liabilities in the Statement of Financial Position.

Other Financial Assets Excluding Derivatives

Other financial assets are initially recognised at fair value. Transaction costs are included in the value of the financial asset at initial recognition unless the it has been designated at FVTSD, in which case it is recognised in surplus or deficit.

They are then classified based on its cash flow characteristics and the Council's management model for managing them. Then subsequently measured under the following categories:

Amortised Cost

A financial asset is classified and subsequently measured at amortised cost if it gives rise to cash flows that are 'solely payments of principal and interest (SPPI)' on the principal outstanding and is held within a management model whose objective is to collect the contractual cash flows of the asset.

Financial assets classified at amortised cost are subsequently measured at amortised cost using the effective interest method, less any expected credit losses (ECL). Where applicable, interest accrued is added to the investment balance. Instruments in this category include cash and cash equivalents, receivables, term deposits and the financial instrument portion of jointly controlled assets.

Fair value through other comprehensive revenue and expense (FVTOCRE)

A financial asset is classified and subsequently measured at FVTOCRE if it gives rise to cash flows that are SPPI and held within a management model whose objective is achieved by both collecting contractual cash flows and selling financial assets.

Debt instruments in this category are subsequently measured at fair value with fair value gains and losses recognised in other comprehensive revenue and expense, except ECL and foreign exchange gains and losses are recognised in surplus or deficit. When sold, the cumulative gain or loss previously recognised in other comprehensive revenue and expense is reclassified to surplus and deficit. The Council does not currently have debt instrument's in this category.

Equity instruments in this category designated as FVTOCRE are subsequently measured at fair value with fair value gains and losses recognised in other comprehensive revenue and expense. There is no assessment for impairment when fair value falls below the cost of the investment. When sold, the cumulative gain or loss previously recognised in other comprehensive revenue and expense is transferred to accumulated funds within equity. The Council designate into this category all equity investments that are not held for trading as they are strategic investments that are intended to be held for the medium to long-term. Equity instruments in this category are unlisted shares.

Fair value through surplus and deficit (FVTSD)

Financial assets that do not meet the criteria to be measured at amortised cost or FVTOCRE are subsequently measured at FVTSD. However, the Council may elect at initial recognition to designate an equity investment not held for trading as subsequently measured at FVTOCRE.

Financial assets in this category are subsequently measured at fair value with fair value gains and losses recognised in surplus or deficit.

Interest revenue and dividends recognised from these financial assets are separately presented within revenue.

Debt instruments in this category are the Council's borrower note's in the Local Government Funding Agency (LGFA).

Expected credit loss allowance (ECL)

The Council recognise an allowance for ECLs for all debt instruments not classified as FVTSD. ECLs are the probability-weighted estimate of credit losses, measured at the present value of cash shortfalls, which is the difference between the cash flows due to the Council in accordance with the contract and the cash flows it expects to receive. ECLs are discounted at the effective interest rate of the financial asset.

ECLs are recognised in two stages. ECLs are provided for credit losses that result from default events that are possible within the next 12 months (a 12-month ECL). However, if there has been a significant increase in credit risk since initial recognition, the



loss allowance is based on losses possible for the remaining life of the financial asset (Lifetime ECL).

When determining whether the credit risk of a financial asset has increased significantly since initial recognition, the Council considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on the Council's historical experience and informed credit assessment and including forward-looking information.

The Council consider a financial asset to be in default when the financial asset is more than 90 days past due. The Council may determine a default occurs prior to this if internal or external information indicates the entity is unlikely to pay its credit obligations in full.

Council measure ECLs on loan commitments at the date the commitment becomes irrevocable. If the ECL measured exceeds the gross carrying amount of the financial asset, the ECL is recognised as a provision.

Property, Plant, and Equipment

- Property, plant, and equipment consist of:
- Operational assets: these include land, buildings, library books, plant and equipment, and motor vehicles;
 - Restricted assets: restricted assets are mainly parks and reserves owned by the Council that provide a benefit or service to the community and cannot be disposed of because of legal or other restrictions, and
 - Infrastructure assets: infrastructure assets are the fixed utility system owned by the Council and group. Each asset class includes all items that are required for the network to function. For example, sewer reticulation includes reticulation piping and sewer pump stations.

Additions

Items of property, plant, and equipment are initially recognised at cost, which includes purchase price plus directly attributable costs of bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management.

The cost of an item of property, plant, and equipment is recognised as an asset only when it is probable that future economic benefits or service potential associated with the item will flow to the Council and the cost of the item can be measured reliably.

Where a physical asset is acquired for nil or nominal consideration, it is recognised at its fair value at the date the asset was received with the fair value recognised as revenue. Work in progress is recognised at cost less impairment and is not depreciated.

Disposals

Gains and losses on disposals are determined by comparing the proceeds with the carrying amount of the asset. Gains and losses on disposals are reported net in the surplus or deficit. When revalued assets are sold, the amounts included in revaluation reserves

in respect of those assets are transferred to the accumulated comprehensive revenue and expense within equity.

Revaluations

Assets which are revalued are shown at fair value (which is based on periodic valuations by external independent valuers that are performed with sufficient regularity to ensure that the carrying value does not differ materially from fair value) less subsequent depreciation (except land which is not depreciated). The carrying values of revalued assets are assessed annually to ensure that they do not differ materially from the assets' fair values. If there is a material difference, then the off-cycle asset classes are revalued. Any accumulated depreciation at the date of revaluation is eliminated against the gross carrying amount of the asset and the net amount is restated to the revalued amount of the asset. Roading infrastructure assets and library collections are valued at depreciated replacement cost and revalued annually. Other infrastructural assets (except land under roads), Land and Buildings, and Council Restricted Reserves are revalued on a three-yearly valuation cycle.

Increases in the carrying amounts arising on a revalued class of assets are credited to a revaluation reserve in public equity. To the extent that the increase reverses a decrease previously recognised for the same class of assets in the surplus or deficit, the increase is first recognised in the surplus or deficit. Where the revaluation movement would result in a debit balance in the asset revaluation reserve, this balance is not recognised in other comprehensive revenue and expense but is recognised in the surplus or deficit.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the Statement of Comprehensive Revenue and Expenses during the financial period in which they are incurred.

Depreciation

Depreciation of property, plant, and equipment other than land is calculated on a straight line basis at rates that will write off the cost or valuation, less estimated residual value, over their expected useful economic lives. The following rates have been applied:

	Depreciation
Buildings & Structural Improvements	2 to 10%
Fixed Plant & Equipment	5 to 20%
Mobile Plant & Equipment	5 to 50%
Motor Vehicles	10 to 33.33%
Furniture & Fittings	4 to 20%
Office Equipment	8 to 66.67%
Library Book Stock	7 to 25%

Depreciation of infrastructural and restricted assets is calculated on a straight line basis at rates that will write off their cost or valuation over their expected useful economic lives.

The expected lives, in years, of major classes of infrastructural and restricted assets are as follows:

	Years
Transportation	
Base Course	60-130
Surfacings	20-25
Concrete Pavers	80
Footpaths & Pathways/Walkways	15-80
Drainage	25-100
Bridges & Structures	20-100
Road Lighting	4-50
Traffic Services & Safety	10-25
Water	
Reticulation	56-200
Reservoirs	100
Pump Stations	15-80
Stormwater	
Reticulation	80-100
Pump Stations	15-80
Wastewater	
Reticulation	80-100
Pump Stations	15-80
Milliscreen	10-80
Outfall	60
Others	
Grandstands, Community & Sports Halls	50
Sportsgrounds, Parks & Reserves Improvements	10-50
Buildings on Reserves	10-50
Pools	10-50
Inner Harbour	20-50

The assets' residual values and useful lives are reviewed and adjusted, if appropriate, at each Statement of Financial Position date.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Investment Property

Investment property is held for long-term rental yields and capital appreciation and is not occupied by the Council or held to meet service delivery objectives.

Properties leased to third parties under operating leases will generally be classified as investment property unless:

- the property is held to meet service delivery objectives rather than to earn rentals or for capital appreciation;
- the occupants provide services that are integral to the operation of the owner's business and/or these services could not be provided efficiently and effectively by the lessee in another location;
- the property is being held for future delivery of services, and
- the lessor uses services of the owner and those services are integral to the reasons for their occupancy of the property.

Investment property is carried at fair value representing open market value determined annually by external valuers. Changes in fair values are recognised in the surplus or deficit of the Statement of Comprehensive Revenue and Expenses.

Intangible Assets

Trademarks and Licences

Trademarks and licences have a finite useful life and are initially recognised at cost and subsequently carried at cost less accumulated amortisation and impairment losses. Amortisation is calculated using the straight line method to allocate the cost of trademarks and licences over their estimated useful lives which vary from three to five years.

Computer Software

Acquired computer software and software licences are capitalised on the basis of the costs incurred to acquire and bring to use the specific software. These costs are amortised over their estimated useful lives of three to five years.

Costs associated with developing or maintaining computer software are recognised as an expense as incurred. Costs that are directly associated with the production of identifiable and unique software products controlled by the Council, and that will generate economic benefits exceeding costs beyond one year, are recognised as intangible assets. Direct costs include the software development, employee costs, and an appropriate portion of relevant overheads. Computer software development costs recognised as assets are amortised over their estimated useful lives, not exceeding three years.

Impairment of Non-Financial Assets

Assets that have an indefinite useful life and capital work in progress are not subject to amortisation and are tested annually for impairment. All other non-financial assets are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. Indicators of impairment will depend on whether the asset is deemed to be cash generating or non-cash generating. All cash-generating assets are assets held with the primary objective of generating a commercial return, all other assets are non-cash generating.

An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. For non-cash-generating assets where the Council would, if deprived of the asset, replace its remaining future economic benefits, value in use is determined as the depreciated replacement cost of the asset. For cash-generating assets, value in use is determined using a present value of future cash flows valuation methodology.

For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows (cash-generating units) for assets that are cash generating. Once this assessment is made, this is adjusted through the revaluation reserve for revalued assets (where there is a positive reserve), or in the surplus or deficit in the Statement of Comprehensive Revenue and Expenses where revaluation does not occur or there is no positive revaluation reserve.

Trade and Other Payables

These amounts are initially recorded at their fair value and subsequently recognised at amortised cost. They represent liabilities for goods and services provided to the Council prior to the end of financial year which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

Borrowings

Borrowings on normal commercial terms are initially recognised at the amount borrowed plus transaction costs. Interest due on the borrowings is subsequently accrued and added to the borrowings balance.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the Statement of Financial Position date.

Borrowing Costs

In line with PBE IPSAS 5 Borrowing Costs, all borrowing costs are recognised as an expense in the period in which they are incurred.

Provisions

Provisions are recognised when the Council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to

any one item included in the same class of obligations may be small.

Provisions are measured at the present value of the expenditures expected to be required to settle the obligation using a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the obligation. An increase in the provision due to the passage of time is recognised as an interest expense.

Financial Guarantee

A financial guarantee contract is a contract that requires the Council to make specified payments to reimburse the holder of the contract for a loss it incurs because a specified debtor fails to make payment when due. Financial guarantee contracts are initially recognised at fair value. If a financial guarantee contract was issued in a stand-alone, arm's length transaction to an unrelated party, its fair value at inception is equal to the consideration received. When no consideration is received, the fair value of the liability is initially measured using a valuation technique, such as considering the credit enhancement arising from the guarantee or the probability that the Council will be required to reimburse a holder for a loss incurred discounted to present value. If the fair value of a guarantee cannot be reliably determined, a liability is only recognised when it is probable there will be an outflow under the guarantee.

Financial guarantees are subsequently measured at the higher of:

- the amount determined in accordance with the ECL model described in the financial asset accounting policy on pages 33 and 34, and
- The amount initially recognised less, when appropriate, cumulative amortisation as revenue.

Grant Expenditure

Non-discretionary grants are those grants that are awarded if the grant application meets the specified criteria and are recognised as expenditure when an application that meets the specified criteria for the grant has been received. Any funds that are not spent for the approved purpose are returned to the Council by 30 June of the same financial year.

Discretionary grants are those grants where the Council has no obligation to award on receipt of the grant application and are recognised as expenditure when a successful applicant has been notified of the Council's decision.

Employee Benefits

Salaries and wages

Salaries and wages are recognised as an expense as employees provide services.

Wages and Salaries, Annual Leave and Sick Leave

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulating sick leave expected to be settled within 12 months of

the reporting date are recognised in current employee benefit liabilities in respect of employees' services up to the reporting date and are measured at the amounts expected to be paid when the liabilities are settled. Liabilities for non-accumulating sick leave are recognised when the leave is taken and measured at the rates paid or payable.

Long Service Leave and Gratuities

The liability for long service leave and gratuities is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

Retirement Benefit Obligations

Current and former employees of the Council are entitled to benefits on retirement, disability, or death from the Council's multi-employer benefit scheme. The scheme manager, National Provident Fund, has advised Council there is no consistent and reliable basis for allocating the obligation scheme assets and cost of the multi-employer defined benefit scheme to individual participating employers. As a result, the scheme is accounted for as a defined contribution plan and contributions are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset if a cash refund or a reduction in the future payments is available.

Defined Contribution Schemes

Obligations for contributions to KiwiSaver are accounted for as defined contribution superannuation schemes and are recognised as an expense in the surplus or deficit when incurred.

Bonus Plans

The Council recognises a liability and an expense for bonuses where contractually obliged or where there is a past practice that has created a constructive obligation.

Biological Assets

Livestock

Livestock are measured at their fair value less estimated point-of-sale costs. The fair value of livestock is determined based on market prices of livestock of similar age, breed, and genetic merit. Changes in fair value are recognised in surplus or deficit in the Statement of Comprehensive Revenue and Expense.

Net Assets / Equity

Net Assets/Equity is the community's interest in the Council and is measured as the difference between total assets and total liabilities.

Restricted and Council-Created Reserves

Restricted reserves are a component of equity generally representing a particular use to which various parts of equity have been assigned. Reserves may be legally restricted or created by the Council.

Restricted reserves are those subject to specific requirements accepted as binding by the Council and which may not be revised by the Council without reference to the Courts or a third party. Transfers from these reserves may be made only for certain specified purposes or when certain specified conditions are met.

Also included in restricted reserves are reserves restricted by Council decision. The Council may alter them without reference to any third party or the Courts. Transfers to and from these reserves are at the discretion of the Council.

Budget Figures

The Annual Plan and Three Year Plan comparatives in the prospective financial statements are those approved by the Council and adopted as a part of the Council's 2024-27 Three Year Plan or as revised and approved by Council prior to the commencement of the year in the Annual Plan. The budget figures have been prepared in accordance with NZ GAAP, using accounting policies that are consistent with those adopted by the Council for the preparation of the financial statements.

Cost Allocation

Direct costs are those costs directly attributable to a significant activity. Indirect costs are those costs which cannot be identified in an economically feasible manner with a significant activity.

Direct costs are charged directly to significant activities. Indirect costs are charged to significant activities using appropriate cost drivers such as actual usage, staff numbers, and floor area.

Critical Accounting Estimates and Assumptions

In preparing these prospective financial statements, the Council has made estimates and assumptions concerning the future. These estimates and assumptions may differ from the subsequent actual results. Estimates and assumptions are continually evaluated and are based on historical experience and other factors, including expectations or future events that are believed to be reasonable under the circumstances. The estimates and assumptions that have a significant risk of causing a material adjustment

to the carrying amounts of assets and liabilities within the next financial year are discussed as follows:

Landfill Aftercare Provision

The Omarunui Landfill is owned jointly by the Hastings District Council (63.68%) and Napier City Council (36.32%). The landfill is operated by the Hastings District Council on behalf of a joint committee (comprising elected representatives from the two councils). The joint Landfill Committee gained a resource consent in 1985 to operate the Omarunui Landfill. The councils have responsibility under the resource consent to provide ongoing maintenance and monitoring of the landfill after the site is closed. There are closure and post-closure responsibilities such as the following:

Closure responsibilities:

- Final cover application and vegetation;
- Incremental drainage control features;
- Completing facilities for leachate collection and monitoring, and
- Completing facilities for monitoring and recovery of gas

Post-closure responsibilities:

- Treatment and monitoring of leachate;
- Groundwater and surface monitoring;
- Gas monitoring and recovery;
- Implementation of remedial measures such as needed for cover and control systems, and
- Ongoing site maintenance for drainage systems, final cover, and vegetation.

The management of the landfill will influence the timing of recognition of some liabilities, for example, the current landfill will operate in four stages. A liability relating to stages three and four will only be created when the stage is commissioned and when refuse begins to accumulate in these stages.

Capacity of the Site:

The landfill is divided into four valleys as below:	Total Capacity (million)	Useful Life of Valley
Valley A - opened in December 1998, closed 2006	2.6 m³	closed
Valley D - opened in December 2006 and currently in operation	2.1 m³	late 2025
Valleys B & C - not yet in operation		

The cash outflows for landfill post-closure are expected to occur in 2025 for Valley D and began in 2007 for Valley A. The long-term nature of the liability means that there are inherent uncertainties in estimating costs that will be incurred. The provision has been estimated taking into account existing technology and is discounted using a discount rate of 2.3%.

The following major assumptions have been made in the calculation of the provision:

- Aftercare will be required for 30 years after the closure of each stage;
- The annual cost of aftercare for Valley A and D is \$27,500
- The provision reported is for the Napier City Council's share only (36.32%).

Infrastructural Assets

There are a number of assumptions and estimates used when performing depreciated replacement cost valuations over infrastructural assets. These include:

- The physical deterioration and condition of an asset, for example, the Council could be carrying an asset at an amount that does not reflect its actual condition. This is particularly so for those assets which are underground such as stormwater, wastewater, and water supply pipes. This risk is minimised by Council performing a combination of physical inspections and condition modelling assessments of underground assets;
- Estimating any obsolescence or surplus capacity of an asset, and
- Estimating the remaining useful lives over which the asset will be depreciated. These estimates can be impacted by the local conditions, for example, weather patterns and traffic growth.

If useful lives do not reflect the actual consumption of the benefits of the asset, then the Council could be over or under in estimating the annual depreciation charge recognised as an expense in the Statement of Comprehensive Revenue and Expenses. To minimise this risk, the Council's infrastructural asset useful lives have been determined with reference to the NZ Infrastructural Asset Valuation and Depreciation Guidelines published by the National Asset Management Steering Group and have been adjusted for local conditions based on past experience. Asset inspections and deterioration and condition modelling are also carried out regularly as part of the Council asset management planning activities, which gives the Council further assurance over its useful life estimates.

Experienced independent valuers perform the Council's infrastructural asset revaluations except for most above and below groundwater, wastewater and stormwater assets where the independent valuer peer reviews Council's valuations. In some cases, e.g., pumps are independently valued by independent valuers.

Critical Judgements in applying Napier City Council's Accounting Policies

Classification of Property

The Council owns a number of leasehold land and rental properties. The receipt of market-based rentals from these properties is incidental to the holding of these properties. In the case of residential leasehold properties, there are legal restrictions applying to how Council can manage these properties, and, in the case of rental properties, these are held as part of the Council's social housing policy or to secure the ability to undertake long-term city development projects. As some of these properties are held for service delivery objectives, they have been accounted for as property, plant, and equipment.



Reserve Funds

Name of Reserve	Purpose of Reserve	Activity to which reserve relates	Opening 1 July 2025 \$000	Deposits \$000	Expenditure \$000	Closing Balance 30 June 2026 \$000
COUNCIL CREATED RESERVES						
Capital Reserve	Derived from rating surpluses. The reserve is available to provide funding for capital projects or debt repayment.	All Activities	2,405	346	(929)	1,822
Commercial Reserves	Funds established to ring fence profits/losses of business and tourism facilities grouped as commercial so they can be self funding.	Kennedy Park Resort, Napier Conferences & Events, Ocean Spa, Par2 Minigolf	(3,079)	13,505	(16,153)	(5,727)
Cycleway / Walkway Fund	Derived from donations and contributions for the construction and improvements of Cycleways/Walkways	Roading	437	20	-	457
Robson Collection Fund	This fund was set up by the Napier Pilot City Trust in memory of John Robson. Revenue is derived from community donations for the Robson Collection on restorative justice.	Libraries	11	-	-	11
Development Contributions	Collected from development contributions from developers on the subdivision of land and various land use activities. Used to fund capital works and services.	Roading, Stormwater, Water, Wastewater, Reserves, Sportsgrounds, Libraries	809	117	-	926
Financial Contributions	Collected from financial contributions from developers on the subdivision of land and various land use activities. Used to fund capital works and services. Note: Council is itself a developer (Parklands) and contributions are transferred as internal charges.	Roading, Stormwater, Water, Wastewater, Reserves, Sportsgrounds, Libraries	24,101	8,953	(6,938)	26,116
Infrastructural Asset Renewal and Upgrade Funds	Collected from the annual rate funded allocation as per the Capital Plan. Used for capital expenditure on infrastructural asset renewals and associated upgrades.	Water Supply, Stormwater, Wastewater, Solid Waste, Sportsgrounds, Reserves, Public Toilets, Cemeteries, Napier Aquatic Centre	15,902	29,099	(29,289)	15,712

Reserve Funds *Continued*

Name of Reserve	Purpose of Reserve	Activity to which reserve relates	Opening 1 July 2025 \$000	Deposits \$000	Expenditure \$000	Closing Balance 30 June 2026 \$000
Plant & Equipment Renewals	This fund is derived from the depreciation and interest on capital portions of plant hire charges and profit on plant sold. The fund is used for the purchase of new and replacement plant and vehicles.	All Activities	(586)	5,728	(4,950)	192
Marine Parade Disability Hoist	Derived from fundraising carried out by Mr N Bains for the purchase a disability hoist for the Marine Parade Pool.	Marine Parade Pools	3	-	-	3
Mayor's Discretionary Fund	Interest on the fund is used for charitable purposes to assist the needy, including contributions to purposes such as the Christmas Cheer Appeal.	Community Planning	2	-	-	2
Pensioner Housing Upgrade Reserve	Established from a contribution from rates equivalent to the annual depreciation on pensioner flats and houses owned by Council. The reserve is available to provide capital upgrade of these facilities.	Retirement & Rental Housing	353	16	-	369
Parking Contributions Account	Funds derived for the provision of parking facilities.	Parking	2,501	276	(255)	2,522
Parking Account	Funds are derived from the surplus revenue from the Parking Business Unit and are used to provide for parking facilities generally.	Parking	5,122	3,678	(4,153)	4,647
Parking Equipment Reserve Account	To provide funds for replacement of parking equipment on a regular basis.	Parking	1,394	188	(1)	1,581
Parklands Residential Development Fund	Derived from proceeds of section sales of the Parklands Residential Development project less development expenditure.	Parklands Residential Development, Property Holdings, Sportsgrounds, Reserves, Napier Skate Park	(9,969)	3,499	(10,608)	(17,078)
Roading Property Reserve	Derived from the sale or lease of surplus roading property. The proceeds are available for Roothing property purchases and improvements.	Roothing	199	9	1	209
Property Reserve	Derived from the sale of miscellaneous property. The proceeds are available for the acquisition of other miscellaneous land and buildings. Its purpose in particular is for unscheduled property purchases related to district scheme designations and for private developments which occur from time to time.	Property Holdings	5,057	233	(1)	5,289

Reserve Funds *Continued*

Name of Reserve	Purpose of Reserve	Activity to which reserve relates	Opening 1 July 2025 \$000	Deposits \$000	Expenditure \$000	Closing Balance 30 June 2026 \$000
McLean Park Property Reserve Account	Derived from rental income from the McVay Street and Vigor Brown Street houses less current loan servicing costs. As per Council resolution dated 15 May 2002, the fund may be used to fund future McLean Park property purchases or loan servicing costs on future purchases.	Sportsgrounds	640	328	(77)	891
Hawke's Bay Harbour Board Endowment Land Sale Account	Derived from proceeds from freeholding HB Harbour Board Endowment Land. The Hawke's Bay Endowment Land Empowering Act 2002 provides an unrestricted use of proceeds from leasehold land freeholded after 30 March 2002.	Property Holdings, Parklands Residential Development, Marine Parade Pools, Reserves	20,346	1,217	(9,070)	12,493
Investment Property Portfolio Sale Account	Derived from proceeds from freeholding HB Harbour Board Endowment Land.	Property Holdings	5,576	256	-	5,832
Solid Waste Disposal Income Account	Amount is derived from returns from the Joint Regional Landfill Committee for the operation of the Omarunui Regional Landfill and is used to fund capital development of the landfill and the net operating costs including loan servicing, of the Transfer Station.	Solid Waste	(484)	9,178	(10,307)	(1,613)
Reserve Subdivision of Land	Derived from contributions on the subdivision of land towards the development of reserves and subject to Council approval as part of the annual budget process.	Reserves	35	2	-	37
Resilience Rate	Funds from rate to build resilience to be used for activities related to emergency preparedness.	Emergency Preparedness	(10)	450	(376)	64
Subdivision and Urban Growth Fund	To service all borrowing in relation to Council's share of subdivision and urban growth projects, and to meet any servicing costs on financing the developer's share of projects where expenditure requirements precede the receipt of financial contributions. A part of the surplus is also used to reduce the general rate requirement.	All Activities	2,294	284	(1,094)	1,484
Total Council Created Reserves			73,059	77,382	(94,200)	56,241

Reserve Funds *Continued*

Name of Reserve	Purpose of Reserve	Activity to which reserve relates	Opening 1 July 2025 \$000	Deposits \$000	Expenditure \$000	Closing Balance 30 June 2026 \$000
RESTRICTED RESERVES						
Endowment Land Account	Derived from the sale of BCP Faraday Street land and the transfer of the Criterion Account capital sum previously advanced to the Land Development Account. This account is now used for the sale and purchase of other endowment land.	Property Holdings	2,367	109	-	2,476
Hawke's Bay Harbour Board Endowment Land Income Account	Derived from proceeds from the sale of former Harbour Board leasehold properties up to 30 March 2002. To be used to fund maintenance and capital improvements of the Inner Harbour and any other future capital expenditure related to Napier Harbour as defined by the Act.	Inner Harbour, Reserves, Lagoon Farm, Property Holdings	394	1,899	(1,783)	510
Total Restricted Reserves			2,761	2,008	(1,783)	2,986
BEQUESTS AND TRUST FUNDS						
Colenso Bequest	Bequest is invested and the income derived used to: i) Provide a fund for the assistance of poor families. (Capital \$2500) ii) Provide assistance for prisoners released from Napier jail. (Capital \$500) iii) Provide a fund for the assistance of distressed seamen and strangers. (Capital \$1000) iv) Provide prizes for senior scholars at Napier Boys, Napier Girls & Colenso High Schools. (Capital \$1000)	Community Planning	35	2	(3)	34
Estate Henry Hodge	For charitable purposes, with a wish that it be used for the erection of flats for the needy.	Retirement & Rental Housing	220	10	-	230
Eskdale Cemetery Trust	This Trust fund, comprising a number of bequests totalling \$1,400, was taken over from the former Hawke's Bay County Council, and is available for the maintenance and upkeep of the Eskdale Cemetery.	Cemeteries	33	2	-	35
Hawke's Bay Municipal Theatre	Funds held on behalf of Hawke's Bay Arts and Municipal Theatre Trust.	Napier Municipal Theatre	7	-	-	7

Reserve Funds *Continued*

Name of Reserve	Purpose of Reserve	Activity to which reserve relates	Opening 1 July 2025 \$000	Deposits \$000	Expenditure \$000	Closing Balance 30 June 2026 \$000
John Close Bequest	Bequest is invested and income used in two ways: i) Cemetery Trust - for upkeep and maintenance of the Close burial plot, with surplus income to provide ham and ale at Christmas to the poor, old and needy. ii) Coal Trust - provided wood and coal to the needy. A scheme for arrangement for the disposition of income in terms of the Charitable Trusts Act 1957 was to have been initiated in 1993.	Community Planning	59	3	(1)	61
Morecroft Bequest	To provide a Municipal gymnasium or gymnasium equipment, either as a separate building or as part of any memorial or centennial hall which Napier City Council may decide to erect.	Sportsgrounds	19	1	-	20
Napier Christmas Cheer	For community fundraising through the HB Today for the preparation of Christmas parcels to be distributed to disadvantaged individuals and families within the Napier District.	Community Planning	10	14	(14)	10
Total Bequests Trust Funds			383	32	(18)	397

Borrowing Programme

Forecast for the year ending 30 June 2026

	AP 2025/26 \$000	TYP 2025/26 \$000	TYP/AP 2024/25 \$000
Opening Gross Public Debt	152,634	164,542	114,989
Plus New Loans (Rates Funded)	102,078	88,688	53,406
Less Repayments (Net)	(5,779)	(5,871)	(3,853)
Movement in Debt	96,299	82,817	49,553
Gross Public Debt	248,933	247,359	164,542
Internally funded	(103,933)	(71,720)	(78,977)
Net Public Debt	145,000	175,639	85,565

Capital Expenditure by Activity Group

	AP 2025/26 \$000	TYP 2025/26 \$000
Governance and Representation	86	-
City Strategy	1,487	735
Community and Visitor Experiences	21,950	22,821
Other Infrastructure	4,929	4,860
Property Assets	66,059	51,883
Stormwater	9,746	5,897
Transportation	26,585	32,363
Wastewater	8,349	10,181
Water Supply	9,549	9,184
Support Units	4,306	4,392
Total	153,046	142,316

Funding Sources

Forecast for the year ending 30 June 2026

	AP 2025/26 \$000	TYP 2025/26 \$000
Rates Funded Loans	99,658	88,306
Waka Kotahi Subsidy	10,098	18,145
Other Reserve Funds	43,290	35,865
Total Capital Programme	153,046	142,316

Funding Impact Statement (Whole of Council)

Financial Overview: Summary of Revenue and Financing Mechanisms

	AP 2025/26 \$000	TYP 2025/26 \$000	TYP/AP 2024/25 \$000
Sources of operating funding			
General rates, uniform annual general charges, rates penalties	73,162	77,550	68,717
Targeted rates	38,728	36,831	33,761
Subsidies and grants for operating purposes	4,383	4,242	5,360
Fees and charges	38,148	37,190	34,893
Interest and dividends from investments	626	879	166
Local authorities fuel tax, fines, infringement fees, and other receipts	24,163	26,360	31,520
Total operating funding (A)	179,210	183,052	174,417
Applications of operating funding			
Payments to staff and suppliers	145,247	147,462	152,222
Finance costs	5,565	7,836	3,425
Other operating funding applications	-	-	-
Total applications of operating funding (B)	150,812	155,298	155,647
Surplus/(deficit) of operating funding (A - B)	28,398	27,754	18,770
Sources of capital funding			
Subsidies and grants for capital expenditure	10,797	26,165	5,724
Development and financial contributions	7,903	7,903	7,665
Increase/(decrease) in debt	80,000	90,074	56,965
Gross proceeds from sale of assets	-	-	-
Lump sum contributions	-	-	-
Other dedicated capital funding	-	-	-
Total sources of capital funding (C)	98,700	124,142	70,354
Application of capital funding			
Capital expenditure			
- to meet additional demand	10,109	5,119	9,560
- to improve the level of service	63,139	52,772	26,370
- to replace existing assets	78,592	83,070	50,088
Increase (decrease) in reserves	(24,742)	10,935	3,106
Increase (decrease) of investments	-	-	-
Total application of capital funding (D)	127,098	151,896	89,124
Surplus/(deficit) of capital funding (C - D)	(28,398)	(27,754)	(18,770)
Funding balance ((A-B) + (C-D))	-	-	-

The Funding Impact Statement (FIS) is provided in accordance with Schedule 10 of the Local Government Act. The FIS is intended to make the sources and applications of Council funds more transparent manner than might be the case if only the usual GAAP financial statements were provided.

The FIS includes only transactions involving monetary funding and therefore excludes vested assets, revaluations and depreciation. It is therefore, by necessity, exempt from the GAAP requirements as it follows the prescribed format required under the Act.

The FIS links the Council's Revenue and Financing Policy, the annual setting of rates, fees, development contributions and annual borrowing requirements. The FIS sets out the revenue and financing mechanisms that will be used, along with an indicative level of rates, together with examples of the impact of rating proposals for 2025/26 over a range of different categories of property and a range of different values.

Funding Impact Statement - Rating System

The following describes in full the rating system to apply from 1 July 2025:

General Rate

General rates are used to fund both operating and capital expenditure. They fund the remaining costs of Council operations after all other sources of funding have been applied.

General rates are assessed through a combination of a Uniform Annual General Charge (UAGC) and a rate in the dollar based on land value.

The amount of the UAGC is set to ensure that the total (excluding water and wastewater rates) uniform (or fixed) rates will be between 20% to 25% of total rates that are to be collected.

The general rate is set differentially using matters as prescribed in Schedule 2 of the Local Government (Rating) Act 2002 (LGRA) and as listed in the Funding Impact Statement. The LGRA Schedule 2 allows councils to set a general rate based on each of these matters.

General rate differentials

Rating units assessed for the general rate are categorised into one of four differential categories:

- Residential/Other;
- Commercial & Industrial;
- Rural; and
- Rural Residential.

Residential/Other

Any property that is not defined as Commercial & Industrial, Rural Residential, or Rural.

Commercial & Industrial

Any property that is in a commercial or industrial zone under the District Plan or used for any business activities, except properties categorised as rural or consented for residential use, will be rated as commercial and industrial properties.

Commercial and industrial activities include but are not restricted solely to:

- Professional offices, surgeries etc;
- All retail, wholesale merchandising activities;
- All forms of manufacturing and processing;
- Bars, restaurants, cafes and other service activities;
- Storage facilities; and
- Hotels, motels, B & Bs, and other short-term accommodation providers.

Rural Residential

Any rating unit that would otherwise be classified as Residential but is not connected or able to be connected to either the city water system or the city sewerage system.

Rural

Any rating unit with an area of 5 hectares or more that is used predominantly for land-based agricultural or farming activities.

Differentials

A review of the Revenue & Financing Policy was conducted with adoption occurring in February 2021. New differentials were introduced. Based on the review, the following are the differentials to be applied based on the land value of properties in each differential category.

Differential Category	Group / Code	Differential
Residential / Other	1	100%
Commercial & Industrial	2	260%
Rural	3	85%
Rural Residential	4	90%

The purpose of the differentials applied to the general rate is to ensure that the amount payable by groups of ratepayers reflects Council's assessment of the relative benefit received and share of costs those groups of ratepayers should bear based on the principles outlined in the Revenue and Financing Policy.

Notes on allocation of properties into differential categories

Rating units which have no apparent land use (or are vacant properties) will be placed in the category which best suits the zoning of the property under the district plan, except where the size or characteristic of the property suggest an alternative use.

To avoid doubt where a rating unit has more than one use, the relevant predominant use will be used to determine the category. The predominant use relates to the main productive activity rather than just to the land area. Where there is uncertainty, the land will be categorised into the highest rated category.

Subject to the right of objection as set out in Section 29 of the Local Government (Rating) Act 2002, it shall be at the sole discretion of the Council to determine the use or predominant use of all separately rateable properties in the district.

Uniform Annual General Charge

Council's Uniform Annual General Charge (UAGC) is set at a level that enables all rates that are set on a uniform basis as a fixed amount, excluding those related to water supply and sewage disposal, to recover between 20% and 25% of total rates. For 2025-26 Council has determined that the UAGC will be set at a level to recover 22% of total rates from fixed amounts.

The charge is applied to each separately used or inhabited part of a rating unit.

Targeted Rates

Targeted rates are charged to fund both operating and capital expenditure. They are charged where Council considers it desirable to separate out the funding of an activity. They are charged to rating units including those units that are separately inhabited which have access to or are deemed to benefit from the service provided. Targeted rates are a funding mechanism that may be charged for activities deemed to have either a high public or a high private good to identified properties, an area of the city or the city as a whole.

Some targeted rates are applied differentially using either land or capital values, however, most targeted rates are applied on a uniform basis (same amount or rate in the dollar).

Council will not be accepting lump sum contributions for any targeted rates.

Water

Fire Protection Rate

This rate recovers a portion of the net costs of the water supply systems before the deduction of Water targeted rates.

The Fire Protection targeted rate is based on the capital value of properties connected to the Napier City Council water supply systems.

This rate is differentially applied, in recognition that the carrying capacity of water required in the reticulation system to protect commercial and industrial properties is greater than that required for residential properties.

Differential Categories	Connected (%)
Central Business District and Fringe Commercial & Industrial	400%
Other Commercial & Industrial	200%
Residential / Other	100%

Water Rate

These rates recover the balance of the total net cost of the water supply systems after allowing for revenue collected from the Fire Protection targeted rate and Water-by-Meter charges.

The targeted rates are differentially applied and are a fixed amount set on a uniform basis, applied to each separately used or inhabited part of a rating unit connected to Council's water supply system.

Stormwater Rate

The primary beneficiary of stormwater assets are those properties that have a hard surface. There is a strong relationship between capital value and the hard surface area of a property.

This rate recovers the cost of stormwater activity. The Stormwater rate is based on the capital value of Residential, Rural Residential, and Commercial & Industrial properties within the recognised serviced area as per the Stormwater Coverage map (i.e. non-rural property as defined under the District Plan).

Rural properties are exempted.

The differential categories for stormwater rates are:

Differential Category	Differential
Residential / Other	100%
Commercial & Industrial	260%
Rural Residential	100%

Sewerage Rate

This rate recovers the net cost of the wastewater activity.

The Sewerage targeted rate is applied differentially as a fixed amount and is set on a uniform basis. It is applied to each separately used or inhabited part of a rating unit connected to the sewerage system.

Bay View Sewerage Connection Rate

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

The Bay View Sewerage Connection targeted rate is a fixed amount set on a uniform basis. It is applied to each separately used or inhabited part of a rating unit connected to the Bay View Sewerage Scheme where the lump sum payment option was not elected.

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

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

Refuse & Recycling

Refuse Collection and Disposal Rate

This rate recovers the cost of the kerbside refuse collection service including an allocation of the cost of Council support services.

The Refuse Collection and Disposal targeted rate of a fixed amount is set on a uniform basis. It is applied to each separately used or inhabited part of a rating unit for which a rubbish collection service is available and is multiplied by the number of times each week the service is provided.

Kerbside Recycling Rate

This rate recovers the net cost of the kerbside recycling collection service including an allocation of the cost of Council support services.

The Kerbside Recycling targeted rate of a fixed amount is set on a uniform basis. It is applied to each separately used or inhabited part of a rating unit for which the kerbside recycling collection service is available.

Vehicle Levy

Inner City Vehicle Levy

This levy is used to support additional off-street car parking in the Central Business District. Those commercial rating units in the mapped areas identified as the Inner City Vehicle Levy 100% Levy Area and 50% Area are charged the Inner City Vehicle Levy based on land value. This rate is set on a differential basis as follows:

Differential Category	Differential
Properties where Council provides additional parking due to the property receiving a 100% levy	100%
Properties where Council provides additional parking due to the property receiving a 50% levy.	50%

- Refer Council maps:
- Inner City Vehicle Levy – 100%
 - Inner City Vehicle Levy – 50%

Taradale Vehicle Levy

This levy is used to support additional off-street car parking in the Taradale Suburban Commercial area.

Those commercial rating units in the Taradale Suburban Commercial area only are charged the Taradale Vehicle Levy based on land value and set on a uniform basis.

Suburban Vehicle Levy

This levy is used to support additional off-street car parking at each of these areas served by Council-supplied, off-street car parking and to maintain the existing off-street car parking areas.

Those commercial rating units in suburban shopping centres and those commercial properties located in residential areas which are served by Council-supplied, off-street car parking are charged the Suburban Vehicle Levy based on land value and set on a uniform basis.

Promotion Rates

CBD Promotion Rate

This rate recovers at least 70% of the cost of the promotional activities run by Napier City Business Inc. The remainder is met from general rates to reflect the wider community benefit of promoting the CBD to realise its full economic potential.

Each commercial and industrial rating unit situated within the area as defined on Council map ‘CBD Promotion Rate Area’ is charged the CBD Promotion targeted rate based on land value and set on a uniform basis.

Taradale Promotion Rate

This rate recovers the full cost of the Taradale Marketing Association’s promotional activities. All rating units in the Taradale Suburban Commercial area are charged the Taradale Promotion targeted rate based on land value and set on a uniform basis.

Other Rates and Charges

Swimming Pool Safety Rate

This rate recovers the cost of pool inspections and related costs to ensure owners meet the legal requirements of the Building Act 2004 and Building (Pools) Amendment Act 2016. A targeted rate of a fixed amount set on a uniform basis applied to each rating unit where a residential pool or small heated pool (within the meaning of the Building (Pools) Amendment Act 2016) is licensed by Council and subject to a 3-yearly pool inspection.

Rangatira Revetment Rate

Revetment construction commenced in 2023 to provide protection from ongoing coastal erosion. The Ragatira Revetment targeted rate is a fixed amount set on a uniform basis. It is applied to each separately used or inhabited part of a rating unit on the north side of Whakarire Avenue. This rate recovers the private funding component of the cost over a period of 25 years.

Resilience Rate

This rate partially funds activities related to emergency preparedness including, but not limited to, infrastructure projects, civil defence planning, emergency equipment, and other disaster-related planning. These costs would otherwise not be budgeted for, or included, in the Long Term Plan. The targeted rate is a fixed amount set on a uniform basis, applied to each separately used or inhabited part of a rating unit. This rate has been introduced according to the procedure set out in Section 23 of the Local Government (Rating) Act 2002.

Water-By-Meter Charges

This rate applies to all with a water meter and is charged based on a scale of charges as shown on the schedule of indicative rates each year.

Where any rating unit is defined as being an extraordinary user as per Council Water Bylaw, Council officers may require that a water meter is installed, and excess usage is charged based on the Water-by-Meter charge.

The rate charged on actual water use above 300 m³ per SUIP per annum applies to select metered properties.

Targeted Rates Note:

For the purposes of Schedule 10, clause 15(4)(e) or clause 20(4)(e) of the Local Government Act 2002, lump sum contributions will not be invited in respect of targeted rates unless this is provided within the description of a particular targeted rate.

Separately Used or Inhabited Parts of a Rating Unit Definition

Definition

For the purposes of the Uniform Annual General Charge and all uniform (or fixed value) targeted rates, a separately used or inhabited part of a rating unit is defined as: *Any part of a rating unit that is, or is able to be, separately used or inhabited by the owner or by any other person or body having the right to use or inhabit that part by virtue of a tenancy, lease, licence or other agreement.*

This definition includes separately used parts, whether or not actually occupied at any particular time, which are provided by the owner for rental (or other forms of occupation) on an occasional or long-term basis by someone other than the owner.

Examples of separately used or inhabited parts of a rating unit include:

- For residential rating units, each consented supplementary unit is considered a separately used or inhabited part. Each situation is assessed on its merits;
- Residential properties where a separate area that is available to be used as an area independent to the rest of the dwelling is used for the purpose of operating a business, such as a professional practice, dedicated shop/display area, or trade workshop. The business area is considered a separately used or inhabited part;
- For commercial or industrial properties, two or more different businesses operating from or making separate use of the different parts of the rating unit. Each separate business is considered a separately used or inhabited part. A degree of common area would not necessarily negate the separate parts, and
- These examples are not inclusive of all situations.

Other Rating Matters

Due Dates for Payment of Rates

Instalment Rating

Rates for 2025/26 are set and assessed effective from Instalment 1 and are due and payable in four equal instalments as follows:

- First Instalment due 20 August 2025;
- Second Instalment due 19 November 2025;
- Third Instalment due 18 February 2026, and
- Fourth Instalment due 20 May 2026.

Water-by-Meter Charges

- Targeted rates for metered water supply are separately invoiced either quarterly in September, December, March, and June for non-domestic supplies or annually in June.
- The payment due date is the 20th of the month after the month of invoice.

Penalties

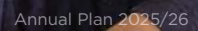
In accordance with sections 57 and 58 of the Local Government (Rating) Act 2002, a penalty of 10 per cent is added to each instalment or part thereof which is unpaid after the due date for payment. Previous years' rates which remain unpaid will have a further 10% added on 31 July and 31 January.

Fees and Charges

Council applies a range of fees and charges to fully or partially recover the costs of various activities.

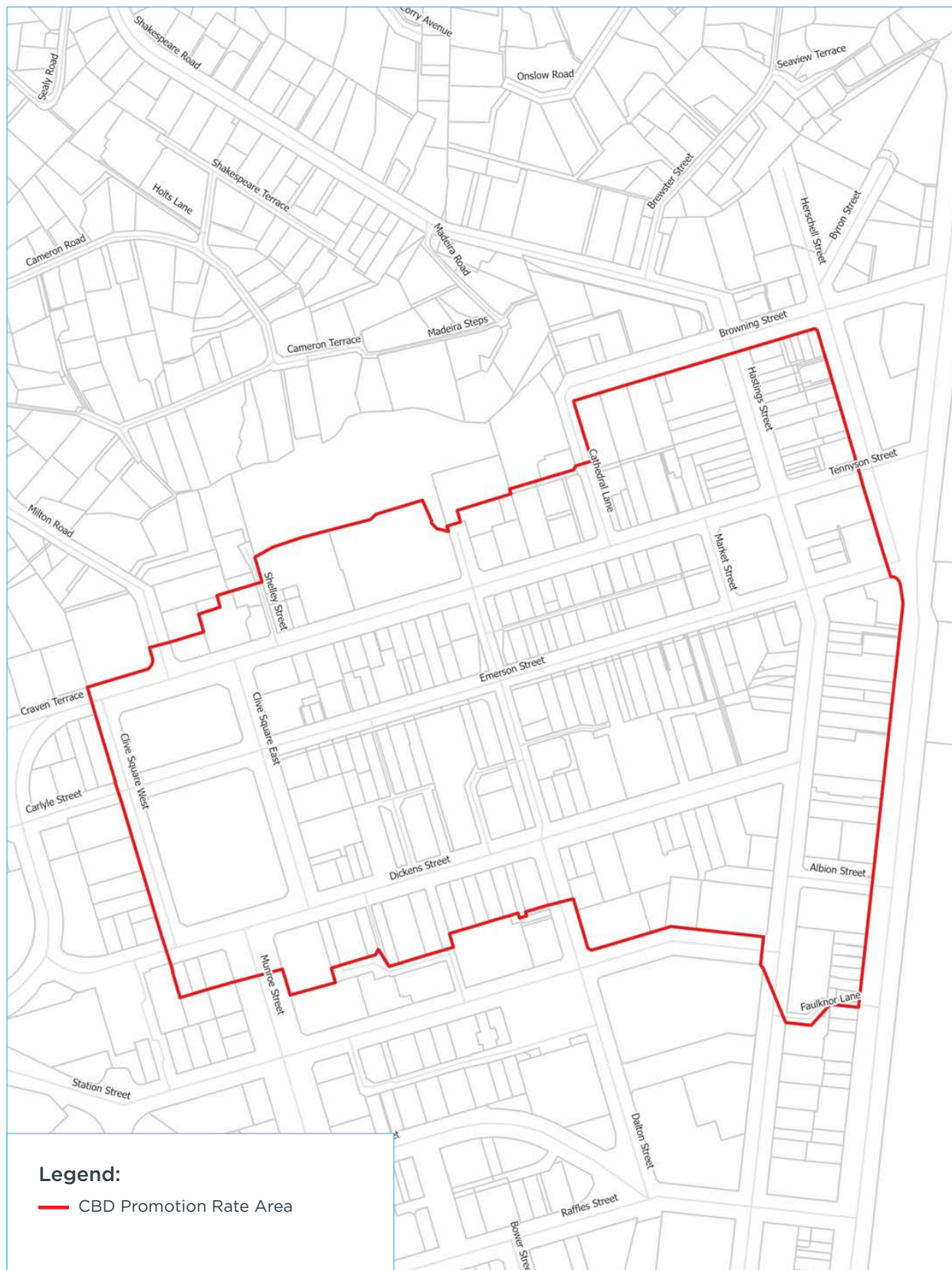
The level of fees and charges are reviewed annually, and a schedule of Council Fees and Charges is prepared as a separate document.

The schedule is available upon request from the Council office.



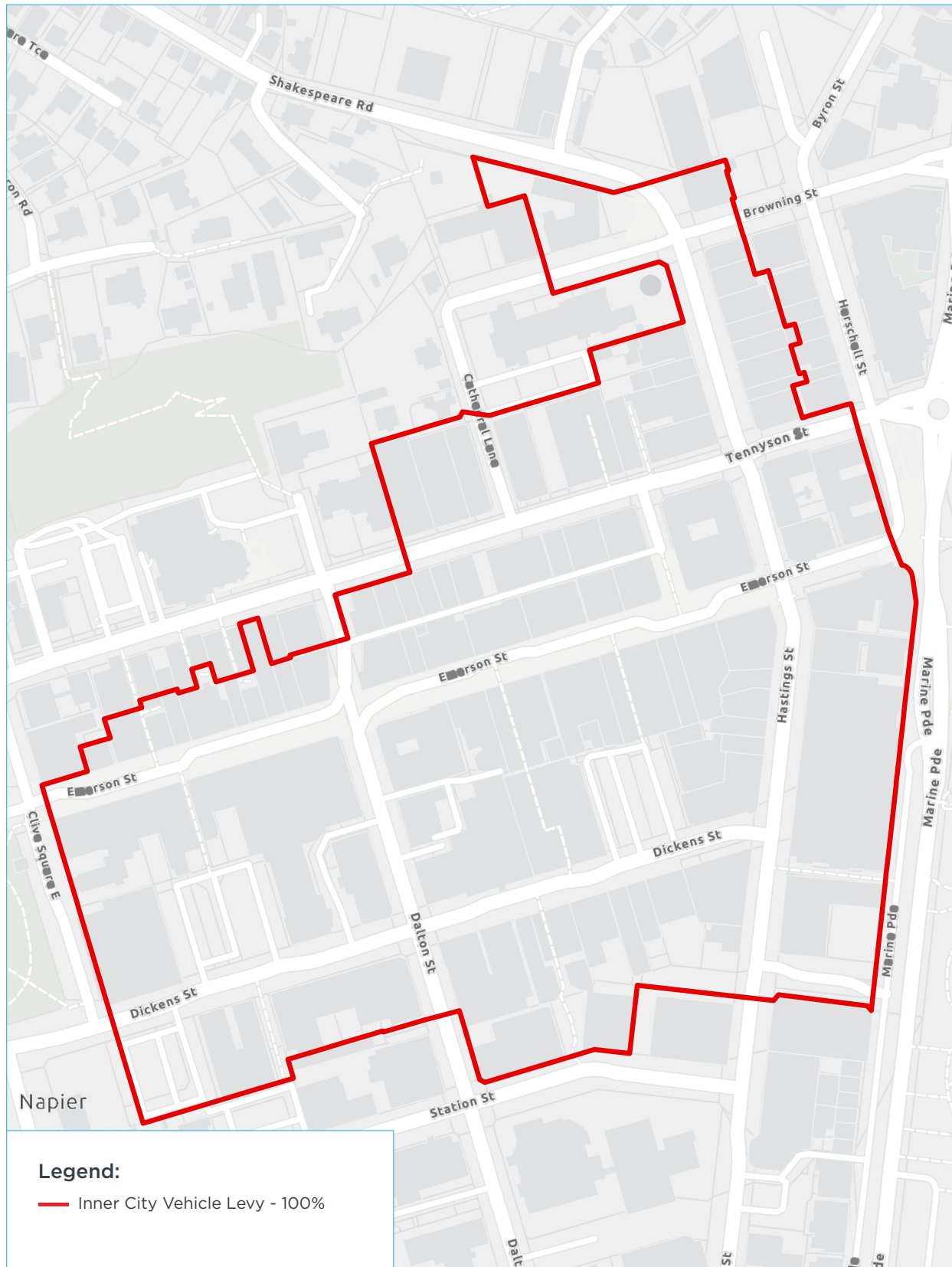
Council Maps

CBD PROMOTION RATE AREA



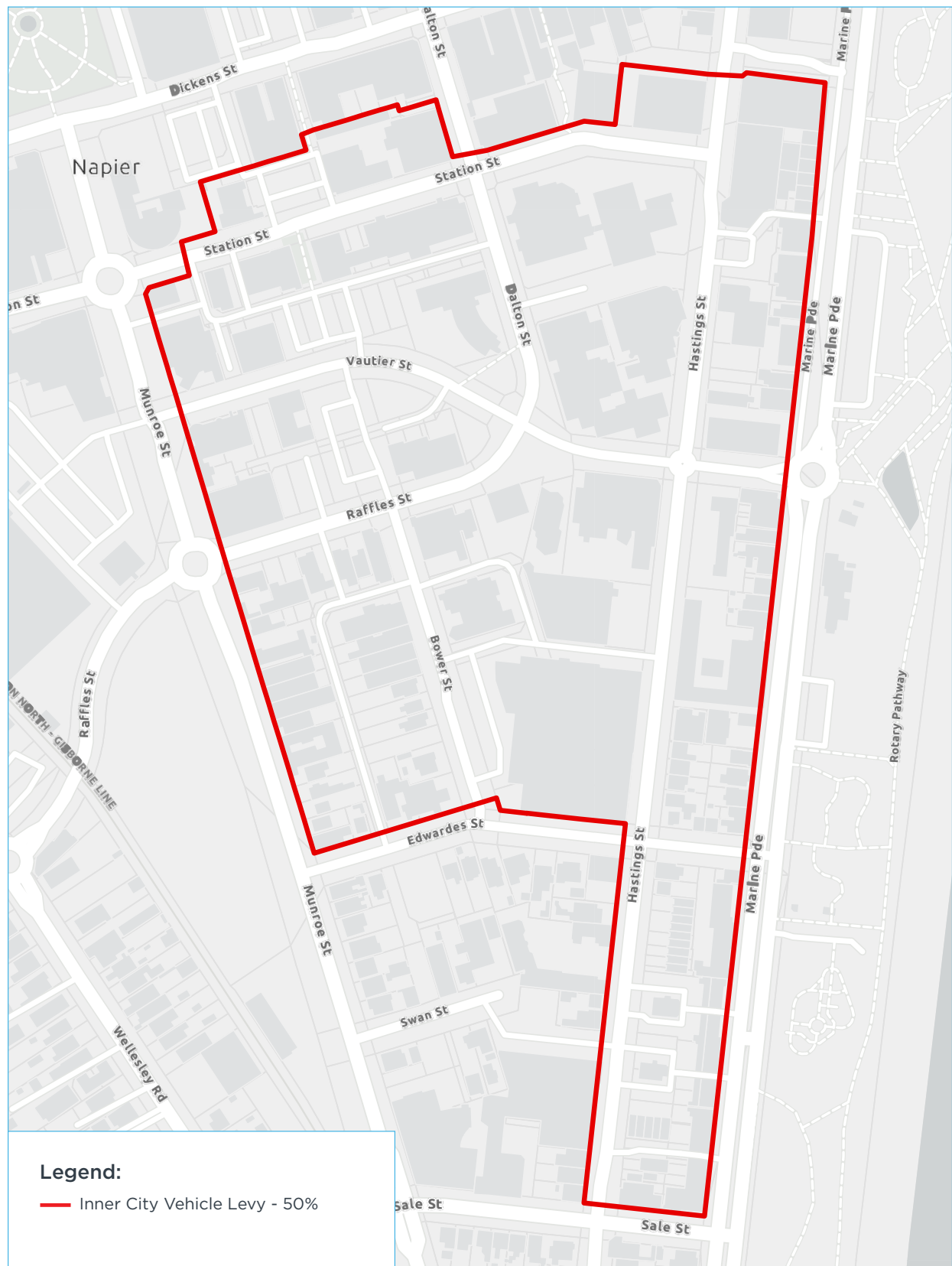
Council Maps Contined

INNER CITY VEHICLE LEVY 100% Levy Area Levy Area



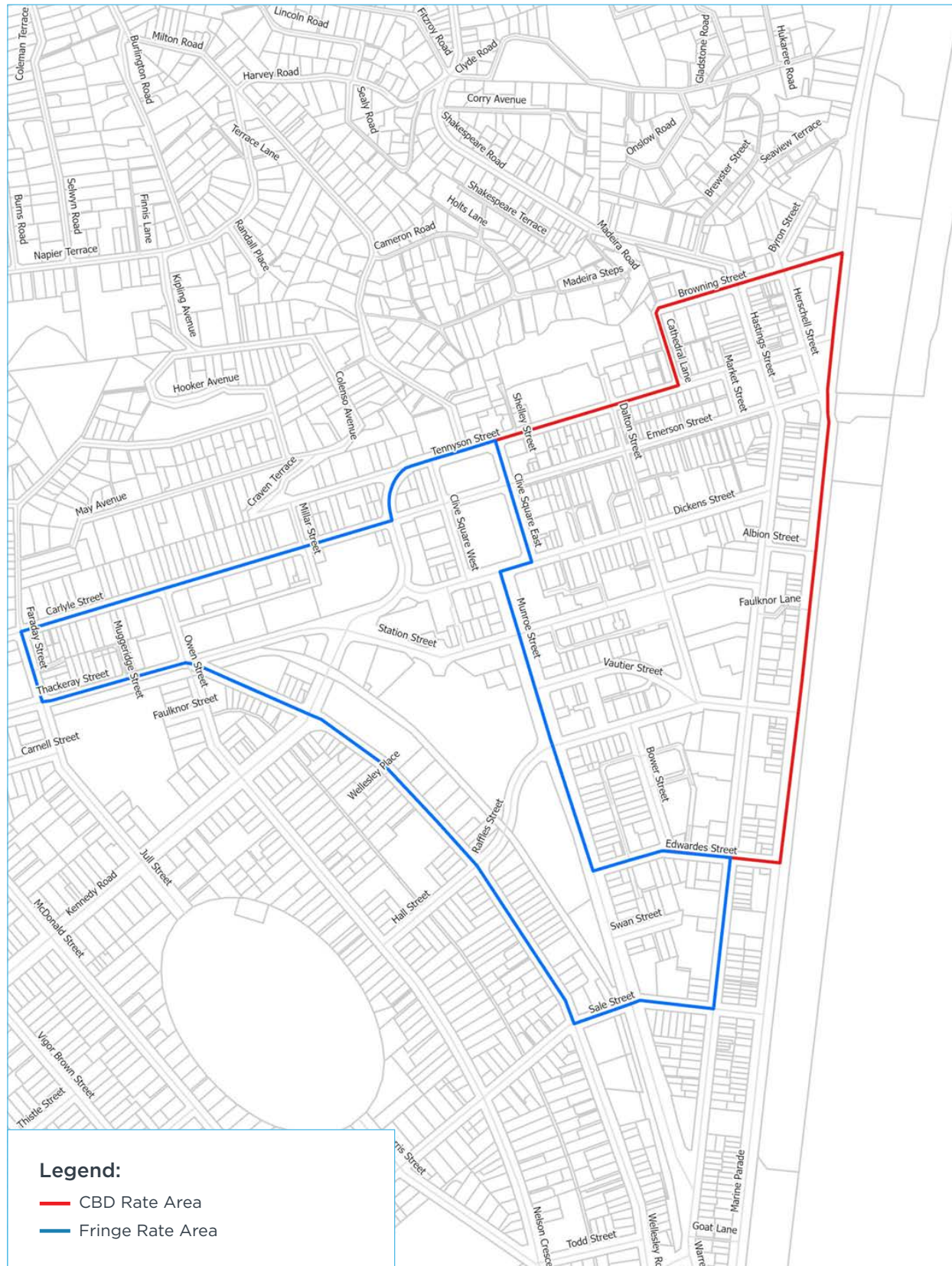
Council Maps Contined

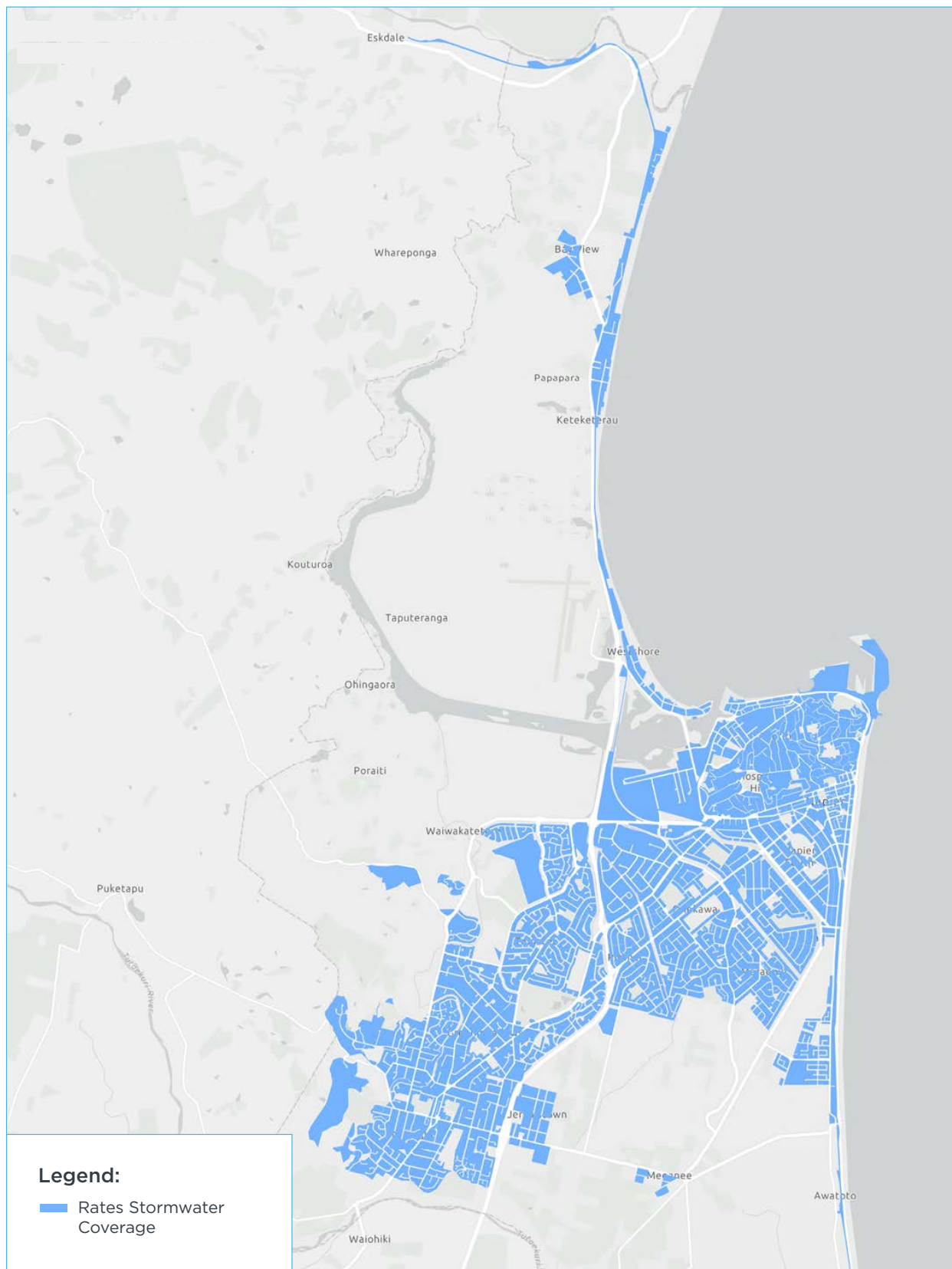
INNER CITY VEHICLE LEVY 50% Levy Area Levy Area



Council Maps Contined

CBD FIRE PROTECTION AREA
CBD and CBD Fringe Rate Area



Council Maps Contined**STORMWATER COVERAGE**



Examples of Rates for 2025/26

Examples of the impact of rating for 2025/26 are shown in the following table:

Differential Category	Land Value	Capital Value	Rates 2024-25	Rates 2025-26	Change \$	Weekly Change \$	Change %
Residential							
Average Value & Land Value	380,000	785,000	3,513	3,816	302	5.81	8.6%
Average Value - above average LV movement	450,000	785,000	3,891	4,221	329	6.34	8.5%
Low Value residential	220,000	495,000	2,718	2,979	261	5.02	9.6%
Parklands Residential	460,000	1,040,000	3,947	4,272	325	6.25	8.2%
Te Awa Residential	345,000	860,000	3,385	3,681	295	5.68	8.7%
Bay View Residential	370,000	570,000	3,399	3,695	297	5.70	8.7%
Ex Rural Residential (City fringe)	870,000	1,390,000	5,856	6,280	425	8.17	7.3%
Commercial / Industrial							
Other Commercial Average	1,126,000	2,155,000	16,870	17,922	1,052	20.22	6.2%
CBD Average	771,000	1,463,000	14,006	14,968	963	18.51	6.9%
Industrial Average	936,000	1,774,000	13,612	14,423	811	15.60	6.0%
Bay View Average Commercial	473,500	855,500	7,286	7,759	473	9.10	6.5%
Rural Average Commercial	457,200	1,610,600	7,170	7,523	353	6.79	4.9%
Rural							
Average Rural	1,832,800	2,320,400	7,721	8,154	433	8.33	5.6%
Rural Residential							
Bay View Average	375,400	782,700	2,892	3,133	241	4.64	8.3%
Rural Residential in Stormwater area	457,500	875,900	2,956	3,128	172	3.30	5.8%
Rural Residential outside Stormwater area	457,500	875,900	2,709	2,878	169	3.24	6.2%

The three -yearly revaluation for the city for rating purposes was undertaken in 2023 and those new valuations apply as the basis for setting the rates for 2025-26

The rating examples should be read having regard for the following:

Council's total rates revenue for 2025/26, excluding rate penalties and water-by-meter charges, will increase by 8.9%

As property values directly affect the level of general and targeted rates charged on either land or capital value, changes in property value, above and below the average movements across the city will mean that the rate increase properties will be greater or less than the proposed overall increase for individual properties.

Rating Base Information

As at 30 June 2023	All Rating Units	Rateable Units
Number of Rating Units	27,017	26,500
Capital value of Rating Units \$	25,285,140,950	24,105,746,750
Land value of Rating Units \$	12,174,337,700	11,678,101,500

Indicative Rates 2025/26

DESCRIPTION	CATEGORY	FACTOR	2025-26 Proposed Rate	2025-26 Proposed Revenue	
GENERAL RATES			(Incl GST)	(Incl GST)	
General Rate (cents per \$ Land Value)	All rateable property	Land Value	Differential		
Differential 1 Residential/Other			100.00	0.0046031	39,299
Differential 2 Commercial and Industrial			260.00	0.0119681	21,800
Differential 3 Rural			85.00	0.0039126	1,415
Differential 4 Rural Residential			90.00	0.0041428	4,017
Total - General Rates on Land Value				66,531	
Uniform Annual General Charge (UAGC)	All rateable property	Fixed amount per SUIP*	578.70	17,110	
Total General Rates				83,641	
TARGETED RATES					
Stormwater Targeted Rate	Mapped service area	Capital Value			
			Differential		
Residential			100.00	0.0002853	5,013
Commercial			260.00	0.0007417	2,748
Rural Residential			100.00	0.0002853	185
				7,946	
Fire Protection Rate	Service available / Connected	Capital Value	Connected		
CBD Commercial & CBD Fringe			cents per \$	0.0242	194
Other Commercial & Industrial	Suburban, shopping centres, hotels, motels & industrial outside CBD		cents per \$	0.0121	405
Residential & Other			cents per \$	0.0061	1,157
				1,756	
Water Supply	Service available / Connected	Fixed amount per SUIP*			
Water Rate (connected)			371.60	10,569	
Refuse Collection & Disposal Rate	Service available	Fixed amount per SUIP*			
1 collection per week			260.90		
2 collection per week			521.80	7,115	
3+ collection per week			782.70		
Kerbside Recycling Rate	Service available	Fixed amount per SUIP*	125.60	3,233	
Sewerage	Service available / Connected	Fixed amount per SUIP*			
Sewerage Rate (connected)			440.80	12,278	
Bay View Sewerage Connection Rate	Service available	Fixed amount per SUIP*	941.35	2	
Rangatira Revetment Rate	Property in catchment area	Fixed amount per SUIP*	348.61	4	

Indicative Rates 2025/26 *Continued*

DESCRIPTION GENERAL RATES	CATEGORY	FACTOR	2025-26 Proposed Rate (Incl GST)	2025-26 Proposed Revenue (Incl GST)
Inner City Vehicle Levy	Commercial in catchment area	Land value		
100% Vehicle Levy area		cents per \$	0.06011	112
50% Vehicle Levy area		cents per \$	0.03005	32
Taradale Vehicle Levy	Commercial in catchment area	Land value	cents per \$	0.06022
Suburban Vehicle Levy	Commercial in catchment area	Land value	cents per \$	0.06022
NBCI CBD Promotion Levy	Commercial in catchment area	Land value	0.20268	342
Taradale Promotion Rate	Commercial in catchment area	Land value	0.16305	95
Swimming Pool Safety Rate	Service provision	Fixed amount per rating unit	83.00	139
Resilience Rate	All rateable property	Fixed amount per SUIP*	17.50	516
				127,816
Plus Allowance for Rate Penalties				270
Less General Rate for NCC Properties				-1,180
TOTAL RATES (Excluding water by Meter)				126,906
Water By Meter Charges	Connected / Supply	Fixed amount per cubic metre		
Extra-Ordinary Supply			0.77214	936
TOTAL RATES (Including water by Meter)				127,842

* SUIP = Separately used or inhabited part



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Submissions analysis – post hearing

Background

The report titled Draft Local Alcohol Policy Submission Analysis (dated 29 April 2025) presented an initial overview of submission numbers, key themes from written feedback, and preliminary Officer recommendations to support post-hearing deliberations. This updated report provides further analysis, including points raised during the hearing.

Out of 147 submissions, 45 were incomplete), leaving 102 valid submissions. Since not all questions were mandatory, the number of responses varies by question.

Common themes

The common themes identified in submissions included:

- Personal choice for when people purchase alcohol
- Travelling to source alcohol
- Location based and proximity restrictions
- Protection of hospitality businesses and employment
- Impact on tourism, vibrancy and nightlife in Napier
- Enable convenience and flexibility
- Consistency with other off-licence maximum trading hours
- Restriction of service after certain times
- Evidence of harm at 7am to 9am and between 2am and 3am
- Transport availability
- New / change discretionary conditions.

Maximum trading hours policy – on-licences (Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer)

Summary of proposal

We proposed a reduction in maximum trading hours of 8.00 am to 2.00 am for on-licenses that are Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer. The proposed reduction in hours acknowledged the evidence supporting the proposition that the longer alcohol licenced premises are open, the more alcohol related harm that can be attributed to them. This also considered the impact of potential displacement effects of early closures, where drinking may shift to unsupervised locations.

Consultation responses

A total of 83 submissions were made to this question.

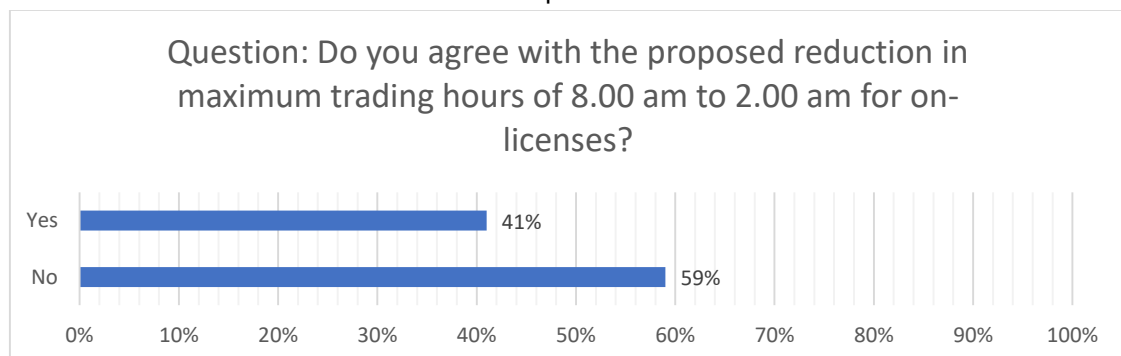


Figure 1: Response to question on proposed reduction in hours for on-licenses (Taverns, etc)

Maximum trading hours policy – off-licences (Grocery stores and Supermarkets)

Summary of proposal

We proposed a reduction in maximum trading hours of 9.00 am to 9.00 pm for on-licenses that are Grocery stores and Supermarkets. The proposed reduction in hours acknowledged the evidence supporting the proposition that the longer alcohol licenced premises are open, the more alcohol related harm that can be attributed to them. Further, supermarkets and grocery stores, sell over 80% of all alcohol in New Zealand. These outlets are easily accessible and often operate with long trading hours, which increases the potential for alcohol-related harm, as alcohol is consumed in unregulated environments where supervision is minimal.

Consultation responses

A total of 85 submissions were made to this question.

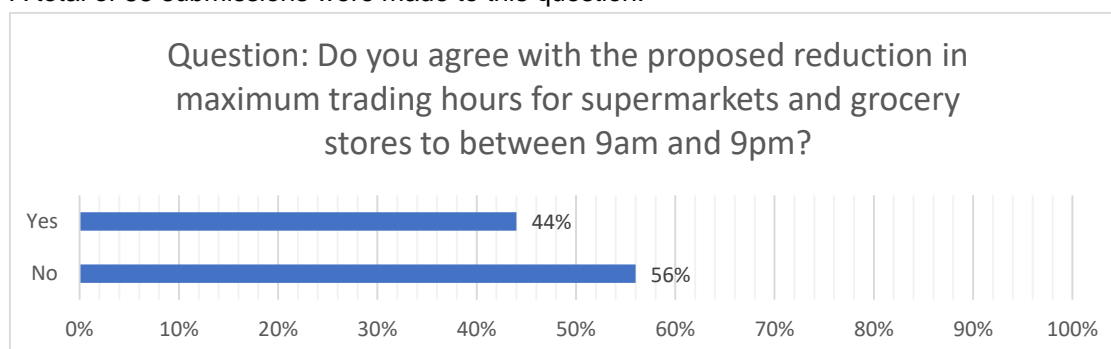


Figure 2: Response to question on a proposed reduction in hours for off-licences (supermarkets and grocery stores).

Location and density policy provisions

Summary of proposal

We proposed a retaining the existing LAP (2019) provision “*From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within: Maraenui – the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 3.*” The proposed location restrictions acknowledged strong rationale for retaining these provisions, including high levels of alcohol related harm and socioeconomic deprivation in these and neighbouring communities. Specifically, research found that the more places to buy alcohol in an area, the more hazardous drinking is likely to occur, therefore leading to more alcohol-related harm (including violence, assaults, drink driving and child maltreatment). High concentration of alcohol outlets is also associated with heavy drinking amongst young people.

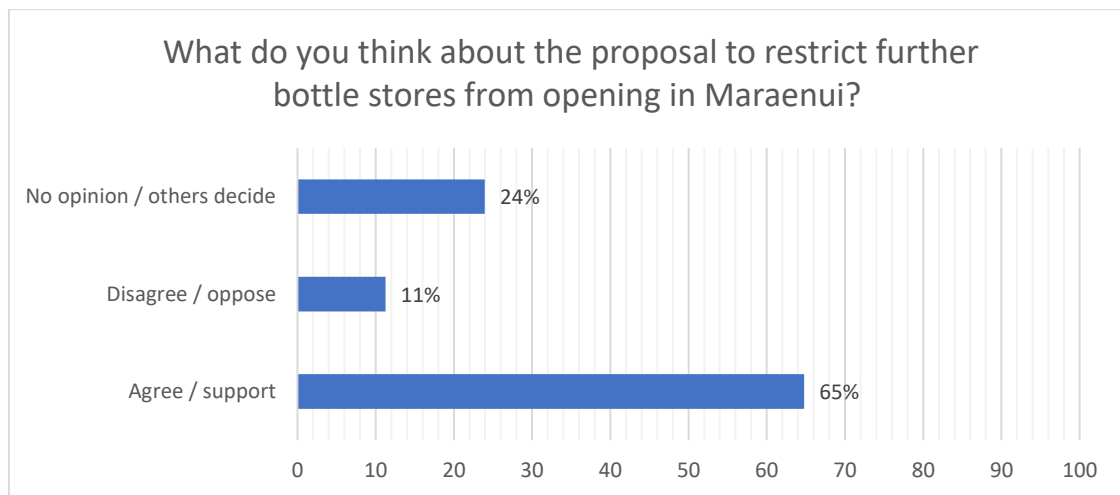
Two other options were considered:

- Option 2: No further off licences are to be issued for any premises being a bottle store on land located within: All suburban areas.

- Option 3: No further off licences are to be issued for any premises being a bottle store on land located within specified suburban areas: Marewa, Greenmeadows, Maraenui, Onekawa and Nelson Park.

Consultation responses

A total of 71 submissions were made to the question - *What do you think about the proposal to restrict further bottle stores from opening in Maraenui?* Responses were then interpreted and grouped into three categories either generally indicative of, Agree / support, Disagree / oppose, or No opinion / others decide.



Three other questions were asked regarding other types of location-based provisions that were proposed including:

1. *“Do you think there are any places or settings where we should restrict alcohol outlets from being opened (eg, near schools, marae, health clinics)?”*

In summary, a total of 78 submissions were made to the question. Approximately

- 59% of submitters responded YES
- 41% of submitters responded NO.

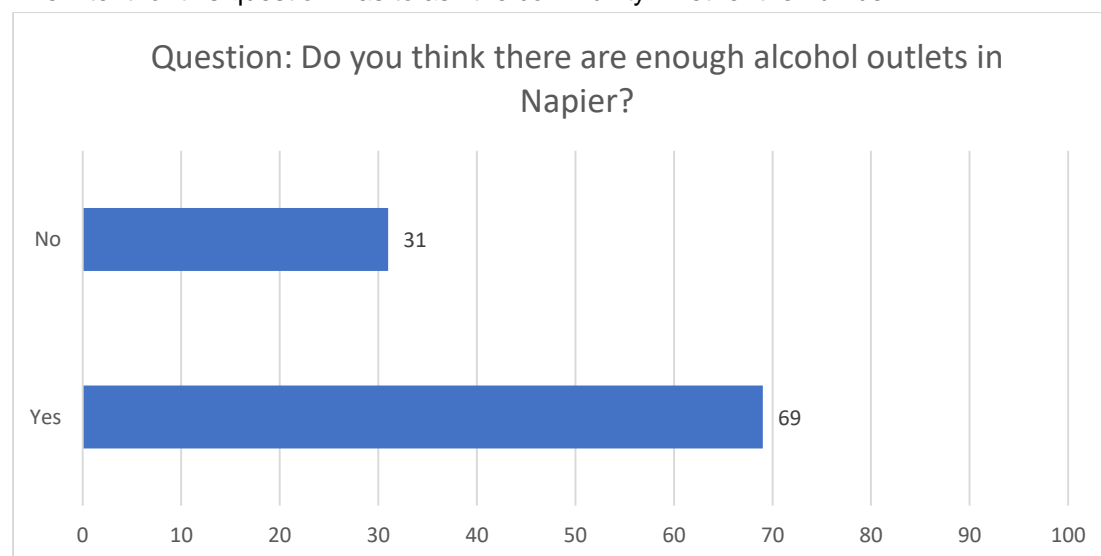
Submitters provided comments that the places or setting we should restrict alcohol outlets includes away from:

- Schools (20 submissions)
- Marae (10 submissions)
- Playgrounds and parks (8 submissions)
- Health centers (7 submissions)
- Lower socio-economic areas (3 submissions)
- Suburban commercial areas (2 submissions).

There was single submission that suggest a range of other locations for this restriction including Kindergartens / early childhood centers, Swimming complexes, Public spaces, Residential areas, Shopping centres, Places of worship, not near alcohol ban areas, protecting broad areas rather than targeting specific properties or clusters of properties, priority overlay around the town centre.

2. *“Do you think there are enough alcohol outlets in Napier?”*

The intent for this question was to ask the community whether the number



3. *“Are there any areas in Napier where in your view there are currently too many or too few places which sell alcohol?”*

A range of comments were submitted in response to this question including:

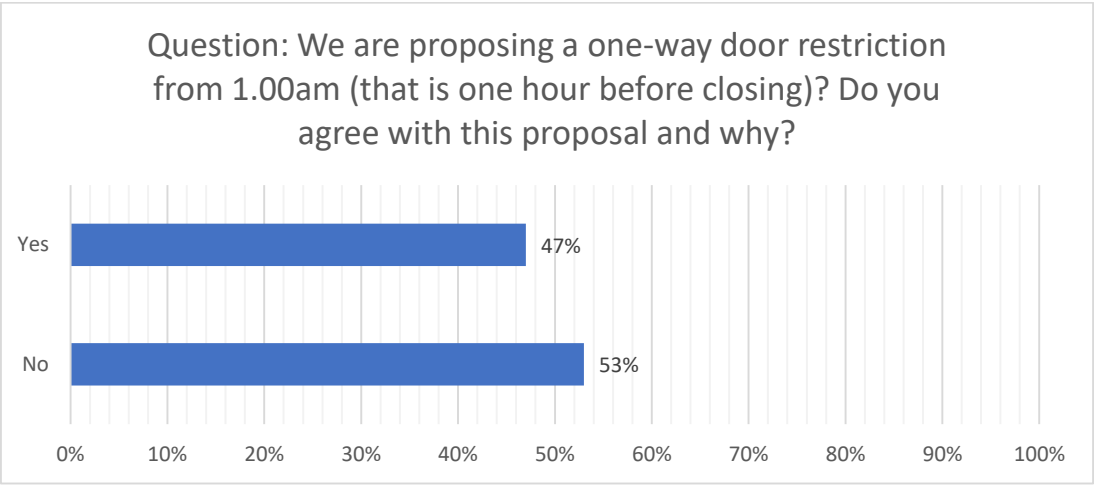
- Ahuriri, Carlyle Street, Marewa, and Onekawa are frequently mentioned as having too many alcohol outlets, with some calling it “insane” or “unsustainable.” There is concern that these areas have no restrictions despite similar deprivation levels.
- Some believe suburbs should have fewer or no outlets, especially if not tied to restaurants or eateries. There are calls for restrictions or a “sinking lid” policy to reduce the number of licenses over time. Whereas others feel the current balance is about right, especially in the city centre.
- Others argue that supply and demand should dictate the number of outlets.
- A few comments note a lack of boutique or specialty alcohol stores, particularly for craft beer in the inner city. With some submissions that there are too few outlets in the city centre, especially given its role as an entertainment hub.
- Taradale / Greenmeadows is seen as a growing area with potential for more retail.
- Maraenui is highlighted as an area where alcohol outlets could cause community harm. Some submitters suggest targeted restrictions in high-risk areas rather than blanket rules.
- A few responses are neutral or non-committal (e.g., “No,” “Na,” “Nope”).

One way door restriction

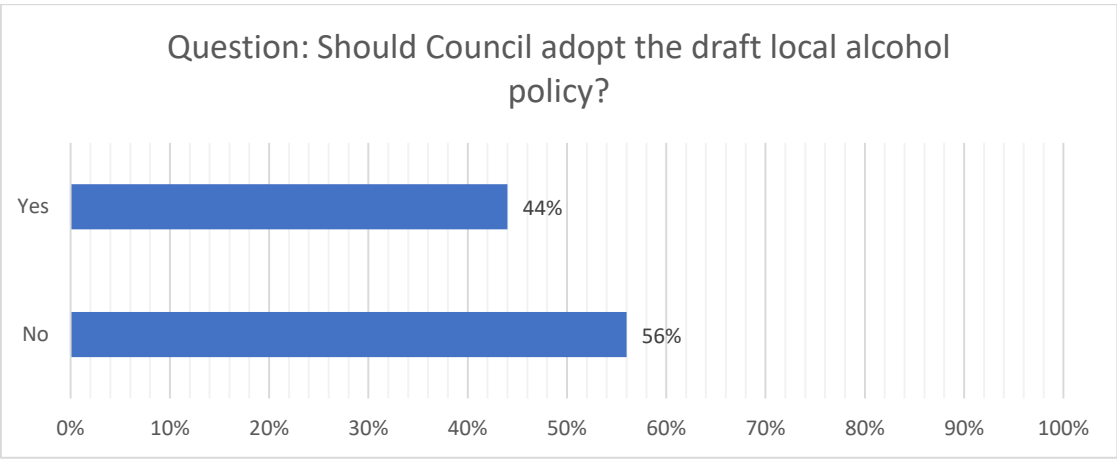
Summary of proposal

We proposed a one-way door restriction apply to on-licence Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer which becomes mandatory at 1.00 am.

In the existing LAP, we have a one-way door restriction for taverns/bars/pubs/night-clubs applying from 2.00am. A one-way door restriction is a condition whereby a patron is allowed to leave a premises after a certain time but not enter or re-enter after a certain time.



Should Council adopt the draft LAP?



Reasons given by submitters included:

Yes (adopt the draft LAP)	No (do not adopt the draft LAP)
<ul style="list-style-type: none"> • “Be good to be proactive about the alcohol problem, show other towns how it can be done.” • “To help reduce the harm caused by antisocial behavior.” • “To keep the community safer.” • “We agree apart from the clause regarding Maraenui being singled out.” • “Yes adopt. However, with additional discretionary conditions that will make our community spaces and events a better place to be.” • “By supporting this policy, the Council can play a key role in reducing alcohol-related harm and promoting wellbeing across Napier.” • “Because this is what the community wants to keep people safe and healthy.” • “I think Napier should have its own policy. Not a compromise with Hastings.” • “All good.” • “I agree with these proposals within this draft.” • “It improves the environments where people are socialising and addresses some known social harms.” • “It will reduce harm, and help ensure safer communities.” • “There is good evidence to support the proposed changes, so yes council should adopt it.” • “It's an improvement from the previous and it seems to me like it will focussed on prevention of harm towards the community and less about economic gain which is great.” • “Yes, but consider some changes.” • “As long as there is no favouritism between businesses.” 	<ul style="list-style-type: none"> • “Hospitality is struggling don't make it harder.” • “It needs more work, I not think this is a fair policy for Hospo people in the trade.” • “It's not very well thought out.” • “Its pointless” • “It's ridiculous. Stay in your lane. Fix the pipes.” • “Not needed” • “You are not targeting the problem. These good businesses are not the problem. Council needs to protect businesses.” • “Must stop selling in supermarkets and shopping centres move it too industrial areas.” • “Nanny state.” • “Will cost me my night job as well as 27 other staff and this is the difference between bread/butter line for paying rent and bills.” • “I strongly disagree with most of the draft Policy.” • “It should be up to the owners and I feel like it won't affect or change much having these discretionary policies applied.” • “Should be amended so that restaurant, cafes and bars don't bear the lack of responsibility of patrons. Also, preserve the city's night life.” • “I think this needs more work and consideration when it comes to the hospitality industry and what impacts the suggested changes are likely to make.” • “I would need to be guided by comments from the police, retailers and nightclub/bar owners before firming up on a decision.”

Yes (adopt the draft LAP)	No (do not adopt the draft LAP)
<ul style="list-style-type: none"> • “Consistency across all licence holders.” • “This draft of the LAP is taking good measures towards reducing alcohol harm in the community.” • "We would encourage the Council to go further and incorporate into the final adopted LAP these suggested changes: <ul style="list-style-type: none"> • a Napier-wide restriction on the issuing of new off-licences, rather than just Maraenui as proposed • a further reduction in off-licence trading hours to 9am–8pm for all off-licence types • the introduction of additional discretionary conditions on licences..." 	<ul style="list-style-type: none"> • “I am happy with some of the policy but not all as per my comments..” • “Because I disagree with the key changes to it.” • “It needs more work and to work with Hospitality groups and associations.” • “They just shouldn’t” • “I don’t like it nor agree.” • “Needs to be reviewed and discussed with hospitality businesses and associations, some of it not feasible. Hospitality businesses have been struggling for the last few years with Covid, staff shortage increase on goods taxes and so on.” • “Bull crap.” • “No I don’t agree.” • “I disagree with most of the draft policy.” • “It will affect the profitability of our business and also staff wages and numbers of staff we can employ. I will clarify further in my submission.” • “No as per my submission, costs to the local economy.” • “No change anything, needs hospitality input.”

General comments - Do you have any other additional comments you would like to make about the draft Local Alcohol Policy?

- Agree with alcohol ban areas but not nanny state stuff.
- Align with Hastings.
- As a venue and under the proposed discretionary conditions, would I be expected to change to disposable cups after a certain time when hosting a wedding? Dropping to 2 serves from 4 on special licences will create more reasoning for people to pre-load or try to sneak drinks in. I feel the same about not being able to sell full bottles of wine.
- As young people, there are limited events that are specifically targeted to us. The council often hosts events that are either targeted to younger children, or adults. An example of this was last year in November when the Whanau Fun Fest and the Collins St Festival were held on the same day, with one being targeted towards children and the other an R18 event, due to there being alcohol served. Another

example of this was when 16-17 year old Laneway music festival ticket holders were not allowed to attend due to the special licence discretionary terms. This is a difficult situation because, from an alcohol harm reduction perspective, it makes sense to not allow teenagers to events that serve alcohol. However, because of this, there are often no events for young people. When issuing special licenses, young people need to be considered, whether that be having alcohol-free areas at events or separate wristband colours. Young people tend to drink RTDs because of the range of flavours that taste like fizzy drinks. Reducing the number of RTDs for sale at events, would make it less attractive for young people to purchase alcohol.

- Can't wait to vote you all out in October. Bye bye.
- Consistency with Hastings.
- Don't make it harder on hospitality business, the right bars do the right things, poor management will result in issues and deal with the issues as they arise and impose restrictions on those venues who not promote safe drinking.
- Good initiative.
- Having spent 3 years listening to drunk patrons screaming, dropping bottles, fighting and screaming as bars close in Ahuriri at the weekends, I am delighted to read a more sensible approach and would like to see this enacted.
- I also consider that it is imperative that applicants and licensees are asked to comment on licence conditions prior to the application being sent to the DLC for consideration. This will ensure that there is proper and robust discussions with the necessary for any discretionary condition to be included on the licence.
- I don't know why this is being pushed through government considering alcohol restrictions are currently already strict. Napier has little to no alcohol/drinking culture and continuing this policy could seriously hurt local businesses that are currently already struggling. Aswell as damage appeal to tourism in our region not to mention young adults will be pushed to move to greener and more free places.
- I run small to large events which require special licensing. For special licensing, it's very vague as to what changes may be made to the 'type of alcohol served'.
- I think it is for venues to take their responsibilities to manage sale of alcohol sensibly, train their staff and take adequate action to prevent drunkenness. It would be good to see the real source of alcohol problems, is it bars, restaurant, supermarket, bottle shops. The whole industry should not be blamed for some businesses incompetence and should not have to wear the burden and affecting their venue. It should be a case-by-case assessment and the local license committee to inflict heavy fine to closing a venue.
- I think the event and target audience should determine levels of alcohol available. Sports events and certain concerts eg The Mission/Church road events attract a responsible middle age group of people who can do without the inconvenience of repeatedly going back to the bar to buy more drinks.
- I would like to present my submission to the councillors verbally on the 29th with pictures showing the operation.
- In Napier we already have a great system in place that all pubs rely on which is the last bar open is 2am to 3am at Paddys, this works well for team policing and it is well stocked with suitable security that as a woman I felt so safe and secure with, they will get me transport when needed and walk me to the car when needed. I have to say

this is a superb answer to get all the drinkers in one spot rather than close all the bars at 2am and have patrons spread around greater Napier.

- It could be slightly more stringent.
- It's a good idea to have a local alcohol policy.
- It's ridiculous. Stay in your lane. Fix the pipes. Anyway, I'm voting you all out in October.
- Napier is trying to encourage hospitality businesses and these changes affect what is currently in place. Businesses already manage drunk patrons well and there is only a small percentage of people that cause problems. Customers want the choice to stay out to 3am so why not let them. People like to purchase alcohol with their groceries at supermarkets reducing the time they can do this by one hour is a waste of time. What evidence is there that this will change peoples drinking behaviour. I agree that the proposal to restrict further bottle stores from opening in Maraenui and restrict them opening near schools, marae, health clinics.
- Our Food and Wine Country positioning and our Great Wine Capital status are vital to the promotion of the region. Any significant dilution or restriction of the food and wine/beverage-related experience could"
- Our region is promoted as Hawke's Bay. Visitors may not have an understanding that Napier Council is different to that of Hastings District within our small region, especially if regulations are different between the two.
- Overregulating the nighttime economy will result in a reduction of venues and problem patrons move to the suburbs. I suspect that the consequences of these regulations will not be those that are intended.
- Please work to align policy decisions across Hawke's Bay Councils
- Please work to protect Hawke's Bay's brand positioning
- Thank you for the opportunity to have our say in this important matter. Please refer to earlier comments.
- The council having the say in my job is unfair as I don't believe we are a problem for people drinking from 2-3am. When I look at the police stats for Ahuriri most of the issues seem to be between from 11pm-12am. The 3am stats for incidents are the same as the stats for 4pm in the afternoon. Are we going to then close back to 4pm if you're looking at the stats?
- The draft Local Alcohol Policy is a strong foundation for addressing alcohol-related harm in our communities, especially in areas like Maraenui where the impacts are deeply felt. I encourage the Council to continue engaging with whānau, community leaders, and health providers to ensure the policy reflects lived experiences. It's also important that the policy is backed by strong enforcement and ongoing evaluation to measure its effectiveness over time. Supporting education and kaupapa Māori approaches alongside these regulations will help create long-term, positive change.
- The new policy is unlikely to affect me as an individual, but we need to be guided by those who will be affected.
- The yes/no option in Final Questions is totally ambiguous.
- There were some valid points by both On & Off Licence holders at the meeting held recently by the Council, these need to be discussed with all interested parties and taken into consideration before the Laps is adopted.

- Ticket sales were up for Te Awanga Wine Festival this year but the overall spend per person was down 25%. We attributed this to the cost of living.
- To the extent that the definition of 'Grocery Store' in the DLAP is inconsistent with the definition of 'Grocery Store' in section 33 of the Act, we suggest the definition in the DLAP is amended to reflect the definition in the Act.
- Umm I think working and walking along side the hospo industry would get fair better outcomes.
- We also consider that it is imperative that applicants and licensees are asked to comment on licence conditions prior to the application being sent to the DLC for consideration. This will ensure that there is proper and robust discussions with the necessary for any discretionary condition to be included on the licence.
- We had security at the event, and First aid assistance. Neither were needed to intervene with intoxication and people were really well behaved so I'm interested to know, from our experience of being at these events, why these changes are being made? "
- We live in a producer region where alcohol - whether it's wine, beer or gin, is a major drawcard to our local economy. We need to be enabled to provide well run events that attract people, while being safe. Events have never had a harder time. On the same date that I held Te Awanga Wine Festival, we had two other major events cancel - headlining or run by the best in the business. Please consider the real costs of staff, and people's ability to pay for ticketed events when making changes to the Alcohol Policy.
- We need to make it harder for people to drink at home. You should have to go out of your way to get to a shop that sells alcohol. Being able to get beer wine and cider at the local dairy is disgusting.
- We note with concern that the draft LAP for Napier does not include specific provisions regarding remote alcohol sales and deliveries, despite this now accounting for one-third (21 of 62) of all off-licences in Napier. These remote sellers operate online and are currently allowed to open and close at 'anytime,' creating a significant gap in harm prevention."
- We recommend that the discretionary conditions proposed in the Local Alcohol Policy be made mandatory for all off-licences.
- We recommend that the Local Alcohol Policy include a prohibition on the use of Buy Now, Pay Later (BNPL) payment methods for alcohol purchases, including both in-store and online sales.
- We run a cocktail bar for weddings and events so we'd hope that we can still serve cocktails under a special license which is what our business relies on. I also feel that a security personnel ratio is not necessarily needed in all scenarios - especially if a full event plan is required. It should depend on the nature of the event. A guest listed event for example is very different to a pop-up event.

Summary of verbal submissions to Council

Shaye Bird #P1

spoke to his submission noting that he runs the Bottle O liquor store in Onekawa. He acknowledged that one of the benefits of people consuming alcohol in a controlled 'on

premise' environment, is that staff can look out for customers. Potential issues could arise if there is nowhere for people to go once the venue closes. The new policy contains more restrictions for these controlled on-licence premises than the off-licence venues. The proposed change in opening hours will only shift the problems, not resolve them. He supports consistent opening hours between supermarkets and other stores.

Shane Philips #118

(Regional Manager, Hospitality NZ) spoke to his submission online. He noted that a well run on-licence venue can help to address alcohol harm. He has seen a commitment from venues to reduce alcohol harm through an increased uptake in Host Responsibility Training in Hawkes Bay. Changing the closing hours will result in consumption moving to other premises or 'post-loading' out of a controlled on-licence environment. He recommends maintaining consistency with Hastings District Council (HDC). Questions were answered clarifying:

- HDC are consulting on a 1am closing time, though there is a desire to align Napier with Hastings to prevent an influx of people from Hastings. A cover charge would not act as a deterrent, though people may choose to start and remain in the city that has later trading hours.
- Common closing hours in smaller cities are between 2 and 3 am, though the larger Councils close at 4am.
- Police data is not directly collected for on-licence venues and may be related to youth who have accessed alcohol through other means.
- The proposed discretionary conditions could have the result of moving people out of controlled areas and imposing conditions not necessary for that particular event causing unnecessary cost.
- A well-run business can provide a safe drinking environment.

Jorja Miles #131 (Chair, Napier Youth Council) spoke to their submission noting that alcohol is readily accessible in Napier and there are numerous outlets. Youth Council supports the limitation of outlets in areas for young people, for example near schools and playgrounds. Youth Council supports the reduction in closing and licencing hours, as causing inconvenience may promote changes in behaviour around alcohol purchasing and consumption. Youth Council supports restricting advertising directed at young people, especially for the appealing RTDs. There is a gap for events aimed specifically at young people that are safe and fun. Council could consider having a separate area for young people at events and limiting the sale of RTDs.

Questions were answered clarifying:

- Youth Council has upcoming events as part of youth week and organises events within its capability and scope.
- An event that could be used as an exemplar for youth provision is the New Year Soundshell concert, although alcohol was advertised on the screens between the acts.
- A provision in the LAP restricting alcohol at child focused events would be welcomed to promote positive alcohol-free role modelling through all circles of society.

Christopher and Kerry Sullivan #130 and #132 (Thirsty Whale) spoke to their submissions noting 43 years of experience as a publican and as a business owner directly affected by the proposed LAP. They have a good relationship with police and take measures within their premises such as ID scanning, CCTV and intoxication checks. Out of an approximate 600 individuals visiting the venue on a typical Saturday night there are one or two incidences of excessive consumption. Drugs are a major issue. Napier is a tourist town and needs a late venue. Well run on-licence premises provide a safe controlled environment where issues can be dealt with quickly by staff, and young people can be monitored for the effects of alcohol consumption.

Questions were answered clarifying:

- There has been a huge change in behaviour since the introduction of the gang patch law.
- Thirsty Whale data shows that 15-20% of their visitors are from out of town. 30-40% are regulars who the staff know. The ID scanning technology picks up fake IDs and records those who have been banned.
- Staff are paid well to work late, a cover charge is imposed to pay for this.
- A well-controlled on-licence venue provides a safe environment for the young to enjoy themselves. The Thirsty Whale's biggest customer group is 18 year old girls. These are a mixture of locals and students returning from out of town during the holidays. An earlier closing time may move the alcohol consumption to another less secure venue.
- Thirsty Whale staff clean up the litter that is left on the street after closing time as the venue operates a restaurant during the day and has the enjoyment and safety of their daytime patrons to consider.

Iain Thain #135 and #P13 (Foodstuffs NZ) spoke to their submission noting that grocery stores differ from other stores due to specific restrictions under the Sale and Supply of Alcohol Act 2012 (the Act) regarding alcohol sales and displays. Staff in Foodstuffs stores are well trained in the sale of alcohol and have no incentive to make 'risky' sales. Foodstuffs do not support the proposed reduction in maximum trading hours as they have seen no evidence that the sale of alcohol between 7am and 9am and 9pm and 10pm poses any increased risk. The Act requires a reasonable system of control which aims to minimise alcohol related harm from excessive consumption. Auckland Council proposed reduction in trading hours was found to be unreasonable and customer preference must be considered. Maximum trading hours can be applied to each applicant in a tailored fashion as appropriate. Discretionary conditions must be reasonable and give guidance to the District Licencing Committee (DLC). Better guidance should be included in the LAP to support local licencees. Foodstuffs considers the limitation for sale of single units of beer less than 500ml not to be reasonable. Stores are responsible and decline risky sales.

Questions were answered clarifying:

- The Act sets out the ABC of alcohol intoxication. Foodstuffs staff are trained to recognise these signs. Stores take a conservative view to serving alcohol.
- Supermarkets have responsibilities towards customers. Alcohol has to be restricted to a single area of the store. This area is approved by the DLC and must limit the exposure of alcohol to the customers in the store.

- Stores provide a range of hours to suit customer needs, there are times when the store will be quiet.

Jennifer Lamm and Andrew Brownrigg #P8 (Alcohol Healthwatch) spoke to their submission online commending the LAP review and noting that alcohol is the drug causing the highest level of harm in New Zealand, and disproportionately affecting more vulnerable groups. Measures in the Napier City Council (NCC) LAP should be consistent with HDC. They supported the restriction of further stores in Maraenui and recommended that it be extended to other areas. Restricting the availability of alcohol reduces the burden on Police and the Emergency Department ED. Limits should be placed on advertising especially near education and health facilities and at family focussed events. Questions were answered clarifying:

- The 'one way door' policy reduces the burden on Police and the ED by keeping people in one place. This reduces the 'flashpoints' between people.

Dr Matt Radford #P22 (Health NZ) spoke to his submission noting that alcohol is addictive, causes harm across the whole community and should therefore be subject to restrictions. Napier has a high number of off-licences for a small city, more than four times the number of pharmacies. Density of stores is shown to affect purchases. He supports the proposed reduction in trading hours as reduced hours reduces harm. Supermarkets should be aligned to bottle stores, the hours in Central Hawke's Bay (CHB) are from 9am and in Wairoa from 10am. Discretionary conditions give flexibility and allow licences to be tailored. A key focus should be that non-drinkers have a safe alcohol free space. NCC and HDC should align.

Questions were answered clarifying:

- The harm from hazardous drinking is the same regardless of where the alcohol is purchased. Other locations have a 'sinking lid' policy.
- Reducing hours will reduce the harm, there are no statistics to show whether those presenting to ED have been harmed at a licenced venue or at a private event/party.

Georgie Robertson #P22 (Winery Concert Holdings Ltd) was joined by Peter Holly (CEO Mission Estate) to speak to their submission. The most recent Mission Estate concert host 50,000 people, 35,000 of whom are from outside Napier, bringing investment and employment to the region and supporting numerous local groups and charities. ID and intoxication checks are completed. Guidelines are given for the special licences. Excluding all glass bottles would increase the plastic waste. Serve reductions are already happening in discussions with the Police. Most events stop selling alcohol before the end of the event.

- Closing at 2am will not stop people drinking, instead people will be unsupervised. Supervised environments are safer.
- Health and Safety legislation provides a vast regulatory framework for large events to comply with to ensure the safety of attendees.
- Plastic bottles would not be economically viable.

Georgie Robertson #P21 (Hospitality Licensing Ltd) spoke to her submission noting that some of the proposed discretionary conditions may result in unintended consequences. Discretionary conditions must be based on real risk, must be reasonable, specific and each

licence considered on its merits. They should not become mandatory by default and should be discussed with the applicants before they are imposed.

Questions were answered clarifying:

- Guidance could be included in the LAP for the application of specific discretionary conditions. The conditions should be well defined and enforceable.
- Breaches of liquor licences can be genuine or blatant and a educative approach can be taken in some circumstances.

Paul Radich #P18 (Woolworths NZ) spoke to his submission online outlining concerns with the process for applying discretionary conditions, noting the general approach is that they are seen as a list of conditions that must be imposed. The legal test for discretionary conditions is that they must deal with a specific harm in a particular location to reduce alcohol harm. It should be made clear in the LAP that these conditions are discretionary.

Questions were answered clarifying:

An evidential approach is needed to change trading hours.

- The reasonableness test for shortening the trading hours in the LAP is evidence of alcohol related harm. It is more complicated regarding those who do not want to be exposed to alcohol.
- Online shopping, click and collect and home delivery options are available with an option to limit the visibility of alcohol products and advertising for those dealing with alcohol addictions.

Nathan Cowie #P20 (Communities Against Alcohol) spoke to his submission online noting that he represents a number of stakeholders who support the options proposed in the review. The changes in trading and licencing hours are supported. Council should balance retailers and community needs looking at the actual harm. The discretionary conditions are supported with the suggestion that the LAP provides further advice to the DLC enabling them to work with applicants to balance of protections. Wording should be more specific as there has been an emergence of high strength beers in 500ml cans, a price guide can be a helpful limiting tool. There is a causal link between advertising and youth drinking. Health warnings are not in the proposal currently, they could be considered as a discretionary condition.

Local Alcohol Policy - Reasons

Reasons for the key components of the Local Alcohol Policy are outlined below. These reasons reflect the considerations of Napier City Council following review of all submissions, the reporting officer's analysis, pre-consultation research, and the statutory obligations under section 78(2) of the Sale and Supply of Alcohol Act 2012 (the Act).

Section 78(2) states:

- (2) When producing a draft policy, a territorial authority must have regard to—*
- (a) the objectives and policies of its district plan; and*
 - (b) the number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises; and*
 - (c) any areas in which bylaws prohibiting alcohol in public places are in force; and*
 - (d) the demography of the district's residents; and*
 - (e) the demography of people who visit the district as tourists or holidaymakers; and*
 - (f) the overall health indicators of the district's residents; and*
 - (g) the nature and severity of the alcohol-related problems arising in the district.*

Council considered a draft LAP with policies provided for in Section 77 of the Act. Section 77 states:

- (1) A local alcohol policy may include policies on any or all of the following matters relating to licensing (and no others):*
- (a) location of licensed premises by reference to broad areas:*
 - (b) location of licensed premises by reference to proximity to premises of a particular kind or kinds:*
 - (c) location of licensed premises by reference to proximity to facilities of a particular kind or kinds:*
 - (d) whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district:*
 - (e) maximum trading hours:*
 - (f) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions:*
 - (g) one-way door restrictions.*

(2) Paragraphs (a) to (d) of subsection (1) do not apply to special licences, or premises for which a special licence is held or has been applied for.

(3) A local alcohol policy must not include policies on any matter not relating to licensing.

Policies	Clause	Reasons
Maximum Trading Hours	On-licence hours Taverns/bars/pubs/night-clubs – breweries / cideries / distilleries /	The opening hours are within with the default opening hours set out in the Act (default hours are 8am to

Policies	Clause	Reasons
– On-licence (s77(1)(e))	<p>Endorsed Caterer: 8.00am to 3.00am the following day Monday to Sunday.</p> <p>One way door restriction: Mandatory at 2.00am.</p> <p>Cafes/restaurants/wineries/winery: restaurants 8.00am to 2.00am the following day Monday to Sunday.</p> <p>Entertainment Venues: Licensing hours are to be consistent with the nature and activities of the premise and in general shall range from: 8.00am to 2.00am the following day Monday to Sunday.</p>	<p>4am on the next day, ref to section 43).</p> <p>The closing hours are consistent with the previous Hastings and Napier Joint Local Alcohol Policy (2019) being 8am to 3am.</p> <p>Council considered feedback from submitters and accepted to retain the provisions in the existing LAP (2019).</p> <p>The Council considered the number of licensees that are open until 3am and the range of controls in place to mitigate issues arising from patrons at their licenced premises.</p> <p>Council received information provided by Police and the Medical Officer of Health and the reporting officer regarding evidence that consistently shows that reducing alcohol availability reduces alcohol-related harm.</p>
Maximum Trading Hours – Off-licence (s77(1)(e))	<p>Off-licence hours</p> <p>Grocery stores and Supermarkets: 7.00am to 10.00pm Monday to Sunday</p> <p>All other off licenses: 9.00am to 10.00pm Monday to Sunday</p>	<p>The opening hours are within the default opening hours set out in the Act (default hours are 7am to 11pm on any day, ref to section 43).</p> <p>Council considered feedback from submitters and accepted to retain the provisions in the existing LAP (2019) regarding Maximum Trading Hours.</p>
Maximum Trading Hours - Club Licence (s77(1)(e))	<p>All Club Licence types. Licensing hours are to be consistent with the nature and activities of the club and in general shall range from:</p> <p>8.00am to 1.00am the following day Monday to Sunday</p>	<p>This maximum trading hours for Club licences between 8am and 1am on the following day is within default maximum trading times set out in the Act (being between 8am to 4am on the next day, ref section 43).</p> <p>Whilst not specific to Club Licence hours, in deliberations, Council decided to retain the provisions in the existing LAP regarding Maximum Trading Hours.</p>

Policies	Clause	Reasons
Maximum Trading Hours – Special Licence (s77(1)(e))	<p>Special Licences may be issued for the on-site or off-site consumption of alcohol for a special event or series of events. The Sale and Supply of Alcohol Act 2012 allows special licences to be issued for up to 12 months. Unlike other kinds of licences, special licences are not subject to the Act's default maximum trading hours so can apply up to 24 hours a day. Special licenses are to allow the sale and supply of alcohol at events and are not intended to be a substitute for an “on”, “off” or “club” licence.</p> <p>Applications for special licences should be filed 20 working days prior to the intended event. This time period allows sufficient time for reporting by the Police, Medical Officer of Health and Licensing Inspector. Applications submitted with less than 20 working days available to the District Licensing Committee may not be processed in time for the event and are submitted at the applicant's risk.</p> <p>All applications must comply with the provisions of the District Plan. Conditions may be imposed on any special licence to mitigate the potential for noise or other environmental effects. Where an objection to an application is received the application will be referred for a formal hearing to the District Licensing Committee for a decision.</p>	<p>Council accepted to retain the provisions in the existing LAP regarding Maximum Trading Hours.</p> <p>Historically, the existing LAP identified that there are no maximum trading hours for special specified in the policy due to the uncertainty of types of events and when these may occur. Maximum trading hours for special licences are not prescribed in the Act.</p> <p>Council consulted on specifying maximum trading hours of 8.00am to 2.00am the following day, unless the event is deemed suitable to extend beyond these hours, and the applicant can provide justification for the need for the extended hours.</p> <p>The Clause relating to applications for special licences should be filed 20 working days prior to the intended event is consistent with section 137 of the Act. This is as provided in legislation and the existing LAP (2019).</p>
Location of licensed premises 9s77(1)(d))	<p>From the date this LAP comes into force, no additional off-licences may be issued beyond the current number for any premises being a bottle store on land located within</p> <ul style="list-style-type: none"> Maraenui – the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 1. Marewa – the Reserve, Suburban Commercial and 	<p>Council consulted on retaining the existing LAP provision for no further off-licences are to be issued for any premises being a bottle store on land located within: Maraenui. Two other options were considered in the issues and options report,</p> <p>1. No further off licences are to be issued for any premises being a bottle store on land located within: All suburban areas, and</p>

Policies	Clause	Reasons
	<p>Residential Zone in Marewa identified in Map 2.</p> <ul style="list-style-type: none"> Onekawa – the Reserve, Suburban Commercial and Residential Zone in Onekawa identified in Map 3. 	<p>2. No further off licences are to be issued for any premises being a bottle store on land located within specified suburban areas: Marewa, Greenmeadows, Maraenui, Onekawa and Nelson Park.</p> <p>Council accepted to Change draft LAP (v0.2) location provisions to: “From the date this LAP comes into force, no additional off-licences may be issued beyond the current number for any premises being a bottle store on land located within: Maraenui, Marewa and Onekawa – the Reserve, Suburban Commercial and Residential Zone.”</p> <p>Council considered there was sufficient local evidence to justify the implementation of location restrictions.</p> <p>A number of submitters were in support of location restrictions and pre-consultation information from the Medical Officer of Health suggested further restrictions.</p> <p>Recommendations from the Medical Officer of Health were to retain, and consider strengthening, the provisions to restrict further off-licences being granted in communities with high level of alcohol related harm. This could be achieved through limiting the number of licences available or placing restrictions on new licences being issued within communities where there is evidence of high levels of alcohol related harm.</p> <p>Evidence provided included suburbs of Marewa, Greenmeadows, Maraenui, Onekawa and Nelson Park.</p> <p>Council considered this evidence and that from submitters before</p>

Policies	Clause	Reasons
		<p>determining to extend the location restriction applicable to additional Off-Licences – bottle store type to include Marewa and Onekawa.</p> <p>The reporting officers research report identified that high deprivation across Napier City including suburbs of including Marewa, Maraenui, and Onekawa puts our region at a higher risk of harms relating to alcohol.</p> <p>Council wanted to be clear that this restriction did not apply to existing businesses that are sold and purchased with intention to run as a bottle store. There would be no increase to the status quo in terms of numbers of bottle stores in specified areas.</p>
Discretionary conditions	<p>The following are conditions are for guidance and are not mandatory unless applied to alcohol licences by the District Licensing Committee based on their discretion.</p> <p>On-Licences and Club Licences</p> <ol style="list-style-type: none"> 1. CCTV cameras (location and number and keep recording for a minimum of 28 days). 2. Provision of effective exterior lighting. 3. No serving in glass containers at specified times. 4. Number of door-staff and provision of additional security staff after specified times. 5. Management of patrons queuing to enter the licensed premises. 6. Limit on the number of drinks per customer at specified times. 	<p>New discretionary conditions were proposed as recommended by Police, inspectors, and aligned with Hastings District Council following the Council workshop on 30 January 2025.</p> <p>Discretionary conditions in blue indicates new discretionary conditions added following review of the existing LAP (2019).</p> <p>Discretionary conditions in black are as per the existing LAP (2019).</p> <p>Council accepted changes following the hearing to:</p> <p>Change draft LAP proposal to include, to section 3-Discretionary Conditions, a Note that clarifies ‘substantial food items’ as listed under: On-Licences and Club Licences, Club Licences, and Special Licences as “<i>Three substantial food options must be available. These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types</i></p>

Policies	Clause	Reasons
	<p>7. No shots or types of drinks to be served after specified times.</p> <p>8. Limit on drink sizes after specified times.</p> <p>9. Three substantial food options must be available. These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer.</p> <p>10. Conditions relating to management: such as certificated staff required if the maximum occupancy exceeds a prescribed number or if recommended by Police or the Inspector, requirement for multiple managers etc.</p> <p>11. One way door restrictions.</p> <p>12. Provision of transport for patrons.</p> <p>13. Restriction on the use of outdoor areas after a specified time.</p> <p>14. Maintain and provide upon request a duty manager roster.</p> <p>15. Mandatory reporting of violent incidents to NZ Police.</p> <p>Club Licences</p> <p>16. Conditions relating to management: such as certificated staff required at all clubs unless the bar is staffed voluntarily and membership is below a prescribed number.</p> <p>17. Three substantial food options must be available.</p>	<p><i>of food should be available in portions suitable for a single customer."</i></p> <p>Remove 14, 15, 23, 24, 25, 26, 27, 32 and 34 discretionary conditions from the draft LAP.</p> <p>For reference the conditions removed from the consultation draft (v0.2) are:</p> <p>On-Licences and club licences</p> <p>14. Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have ARH issues. This impact assessment should detail how the applicant will mitigate any issues with amenity and good order and may result in conditions imposed on the licence to ensure the minimisation of alcohol related harm on the surrounding community.</p> <p>15. Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents.</p> <p>23. Limit on alcohol related exterior signage or advertising to 30% of the building or glass exterior.</p> <p>24. No single sale of Ready to Drink (RTD) or mainstream beer under 500ml.</p> <p>Off-licences</p> <p>25. Utilise the principles of Crime Prevention through Environmental Design. (CPTED).</p> <p>26. Require impact assessments by an applicant if a premises is in a</p>

Policies	Clause	Reasons
	<p>These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer.</p> <p>Off-Licences</p> <p>18. Display of safe drinking messages/material.</p> <p>19. CCTV cameras (location and number and holding or recordings for at least 28 days).</p> <p>20. Provision of effective exterior lighting.</p> <p>21. Maintain and provide upon request a duty manager roster.</p> <p>22. Low-alcohol drinks and non-alcoholic drinks to be available for sale.</p> <p>Special Licences</p> <p>23. Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in.</p> <p>24. One way door restrictions.</p> <p>25. Three substantial food options must be available. These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer.</p>	<p>particularly low socio-economic area or an area known to have issues.</p> <p>27. Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents</p> <p>Special licences</p> <p>32. Requirement of a separate line or service area for non-alcoholic beverages where the special licence is likely to have patrons that are under the legal drinking age.</p> <p>34. For class one events:</p> <ul style="list-style-type: none"> • Security Staff, porta loos and rubbish bins provided in the surrounding areas to assist with issues with amenity and good order. • No full bottle wine sales for onsite consumption. • Serve reduction systems in place to manage intoxication levels – maximum serves of 4 per sale reducing to 2. • Prescribed ratio of security staff to patrons. • High visibility clothing to be worn by security staff and be visible to others. • Means of egress for emergency services. • Submission of Applications at least 25 working days prior to the event to allow for processing and potential stakeholder meetings. • A sufficiently detailed Alcohol Management Plan as per Section 143 of the SSAA 2012.

Policies	Clause	Reasons
		<p>Council was aware that by their nature, discretionary conditions may or may not be applied by the DLC and that the intention of providing this policy element is to draw attention to the types of conditions that a DLC.</p> <p>Further note: section 117 of the Act, provides that the licensing authority or licensing committee concerned may issue any licence subject to any reasonable conditions not inconsistent with this Act.</p>
Discretionary conditions	<p>3. Discretionary conditions</p> <p>Reasonableness - <i>whether the proposed condition is a proportionate (fair and balanced) response to an identified risk, or if it achieves an identified benefit. When making this assessment the District Licensing Committee must consider the specific risks or benefits the condition addresses, and weigh it against the overall context of the particular application before it.</i></p>	<p>Submitters questioned the legal robustness of the guidance provided to the DLC regarding the principle of Reasonableness. This was as stated in the existing LAP (2019), which states “Reasonableness – whether it is within the capabilities of the applicant or licensee to satisfy this condition.”</p> <p>This a post hearing suggestion to amend clause to ensure legal robustness of discretionary condition principles.</p>
Definitions	Grocery store has the meaning given by section 33(1) of the Sale and Supply of Alcohol Act 2012.	Change to draft LAP proposal Definitions, change to: Grocery store has the meaning given by section 33(1) of the Sale and Supply of Alcohol Act 2012 to align with legislation.
Objectives of the LAP	<p>Add industry to last dot point:</p> <ul style="list-style-type: none"> Work collaboratively with community, <i>industry</i>, and agencies on initiatives to reduce alcohol related harm. 	Council sought to recognise that industry want to be part of initiatives to reduce alcohol related harm in Napier.

PUBLIC POLICY



Local Alcohol Policy			
Approved By	Napier City Council		
Department	City Strategy		
Original Approval Date	August 26 June 2025	Review Approval Date	
Next Review Deadline	August 26 June 2031	Control Document ID	
Relevant Legislation	Sale and Supply of Alcohol Act 2012		
NCC Docs Referenced		Published Document ID	

For information all administrative aspects of reviewing policy, please refer to Policy Review Procedure, document ID 667482

Purpose

The purpose of this Local Alcohol Policy is to provide guidance to the District Licensing Committee and Alcohol Regulatory and Licensing Authority when making decisions on alcohol licence applications in Napier City, and to provide a guide for those applying for an alcohol licence in the City.

Policy

Introduction

The Sale and Supply of Alcohol Act 2012 (the Act) was enacted on 18 December 2012. The Act allows Territorial Authorities to develop a Local Alcohol Policy (LAP). This policy applies to any licensing application made to a District Licensing Committee within Napier City.

The LAP has been developed in consultation with NZ Police, Medical Officers of Health and licensing inspectors as well as the community about the sale and supply of alcohol. Once the LAP is in place, the Council's District Licensing Committee and the Alcohol Regulatory and Licensing Authority will have to consider the policy when they make decisions on licence applications.

The Local Alcohol Policy:

- May restrict or extend the default maximum trading hours set out in the Act.
- May impose conditions on types of licences such as one-way door conditions whereby a patron is allowed to leave a premises after a certain time but not enter or re-enter after a certain time.
- May specify restrictions on the location of licensed premises in particular areas or near facilities of particular kinds.
- May specify whether further licences (or licences of a particular kind or kinds) should be issued for premises in a particular area.
- May recommend discretionary conditions.

LAP Outcomes

This Local Alcohol Policy will guide decisions on alcohol licence applications by the District Licensing Committee in the aim of:

- Creating a safe and healthy community while minimising alcohol related harm
- Fostering safe and responsible drinking environments
- Reflecting community views on the sale and supply of alcohol within the district.

Objectives of the LAP

The objectives of the Sale and Supply of Alcohol Act (2012) are that:

- The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
- The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Beyond the objectives stated in the Act, the objectives of Napier City Local Alcohol Policy are:

- To support the purpose and intent of the Sale and Supply of Alcohol Act 2012.
- To identify what types of harm caused by the excessive or inappropriate consumption of alcohol the community is concerned about and address those harms to the extent appropriate.
- To provide a framework for the District Licensing Committee and Alcohol Regulatory and Licensing Authority to guide their decisions on alcohol licence applications.
- To promote transparency and provide clarity for the public and applicants about whether an application will meet the provisions of the LAP.
- To demonstrate leadership to achieve a safe drinking culture.
- Work collaboratively with community, [industry](#), and agencies on initiatives to reduce alcohol related harm.

Policy provisions of the LAP

1. Hours

The following maximum trading hours apply to all licensed premises within the Napier City.

On-licence Hours

On-licence Type	Maximum Trading Hours
Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer.	8.00am to 23 .00am the following day Monday to Sunday. One way door restriction: Mandatory at 42 .00 am.

Cafes / restaurants/ wineries / winery restaurants / Hotels (accommodation).	8.00am to 2.00am the following day Monday to Sunday.
Entertainment Venues and 'otherwise not specified' (as per definition under the Sale and Supply of Alcohol (fees) Regulations 2013.	Licensing hours are to be consistent with the nature and activities of the premises and in general shall range from: 8.00am to 2.00am the following day Monday to Sunday.

Note: The owner / operator of an on-licensed premises will be constrained by the hours defined by any resource consent or District Plan requirements. The above-stated hours do not imply any right to operate outside any requirements set under the Resource Management Act 1991.

Off-licence Hours

Off-licence Type	Maximum Trading Hours
Grocery stores and Supermarkets.	9.00am to 10.00pm Monday to Sunday.
All other off licenses.	9.00am to 10.00 pm Monday to Sunday.

Club Licence Hours

Club Licence Type	Maximum Trading Hours
All Club Licence types.	Licensing hours are to be consistent with the nature and activities of the club and in general shall range from: 8.00am to 1.00am the following day Monday to Sunday.

Special Licences

Special Licences may be issued for the on-site or off-site consumption of alcohol for a special event or series of events. The Sale and Supply of Alcohol Act 2012 allows special licences to be issued for up to 12 months. [Unlike other kinds of licences, special licences are not subject to the Act's](#)

default maximum trading hours so can apply up to 24 hours a day. Special licenses are to allow the sale and supply of alcohol at events and are not intended to be a substitute for an “on”, “off” or “club” licence.

Applications for special licences should be filed 25-20 working days prior to the intended event. This time period allows sufficient time for reporting by the Police, Medical Officer of Health and Licensing Inspector. Applications submitted with less than 25-20 working days available to the District Licensing Committee may not be processed in time for the event and are submitted at the applicant's risk.

All applications must comply with the provisions of the District Plan. Conditions may be imposed on any special licence to mitigate the potential for noise or other environmental effects. Where an objection to an application is received the application will be referred for a formal hearing to the District Licensing Committee for a decision.

2. Location of licensed premises

From the date this LAP comes into force, no additional further off-licences may be are to be issued beyond the current number for any premises being a bottle store on land located within:

- Maraenui – the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 1.
- Marewa – the Reserve, Suburban Commercial and Residential Zone in Marewa identified in Map 2.
- Onekawa – the Reserve, Suburban Commercial and Residential Zone in Onekawa identified in Map 3.

Note: In all areas not listed above the District Licensing Committee may grant an on, off or club licence for any premises located in any zone where the sale and supply of alcohol is a permitted activity under the relevant District Plan. Applications will not be considered in other areas unless resource consent has been granted.

3. Discretionary Conditions

Section 117 of the Act permits a District Licensing Committee to issue any licence subject to any reasonable conditions not inconsistent with the Act.

Discretionary conditions are in addition to the mandatory conditions specified within the Act. This provision allows the District Licensing Committee a wide-ranging discretion as to conditions that may be applied to a licence.

To provide guidance to the District Licensing Committee and some certainty to applicants, the following conditions are a list of those which may be imposed by the District Licensing Committee where they are considered appropriate. In using its discretion to apply conditions, the District Licensing Committee will be guided by the following:

- **Connection** – whether there is a connection between the problem to be addressed and the proposed activity.
- **Impact** – whether in the opinion of the District Licensing Committee the proposed condition will contribute to making the drinking environment safer and minimise harm.
- **Reasonableness** —whether it is within the capabilities of the applicant or licensee to satisfy this condition— whether the proposed condition is a proportionate (fair and

balanced) response to an identified risk, or if it achieves an identified benefit. When making this assessment the District Licensing Committee must consider the specific risks or benefits the condition addresses, and weigh it against the overall context of the particular application before it.

Note: While the District Licensing Committee has the discretion to add any condition(s) that it deems to be appropriate, it is anticipated that an applicant would have the opportunity to submit comments to the District Licensing Committee prior to the imposition of any condition that may have a financial or management impact on their business.

The following are conditions are for guidance and are not mandatory. They may be applied to alcohol licences by the District Licensing Committee based on their discretion.

On-Licences and Club Licences

1. CCTV cameras (location and number and keep recording for a minimum of 28 days).
2. Provision of effective exterior lighting.
3. No serving in glass containers at specified times.
4. Number of door-staff and provision of additional security staff after specified times.
5. Management of patrons queuing to enter the licensed premises.
6. Limit on the number of drinks per customer at specified times.
7. No shots or types of drinks to be served after specified times.
8. Limit on drink sizes after specified times.
9. Three substantial food options must be provided-available. These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer.
10. Conditions relating to management: such as certificated staff required if the maximum occupancy exceeds a prescribed number or if recommended by Police or the Inspector, requirement for multiple managers etc.
11. One way door restrictions.
12. Provision of transport for patrons.
13. Restriction on the use of outdoor areas after a specified time.
- ~~14. Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have ARH issues. This impact assessment should detail how the applicant will mitigate any issues with amenity and good order and may result in conditions imposed on the licence to ensure the minimisation of alcohol related harm on the surrounding community.~~
- ~~15. Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents.~~

~~46.14.~~ Maintain and provide upon request a duty manager roster.

~~47.15.~~ Mandatory reporting of violent incidents to NZ Police.

Club Licences

~~48.16.~~ Conditions relating to management: such as certificated staff required at all clubs unless the bar is staffed voluntarily and membership is below a prescribed number.

~~49.17.~~ Three substantial food options must be provided available. These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer.

Off-Licences

~~20.18.~~ Display of safe drinking messages/material.

~~21.19.~~ CCTV cameras (location and number and holding or recordings for at least 28 days).

~~22.20.~~ Provision of effective exterior lighting.

~~23. Limit on alcohol related exterior signage or advertising to 30% of the building or glass exterior.~~

~~24. No single sale of Ready to Drink (RTD) or mainstream beer under 500ml.~~

~~25. Utilise the principles of Crime Prevention through Environmental Design. (CPTED).~~

~~26. Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have issues.~~

~~27. Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents.~~

~~28.21.~~ Maintain and provide upon request a duty manager roster.

~~29.22.~~ Low-alcohol drinks and non-alcoholic drinks to be available for sale.

Special Licences

~~30.23.~~ Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in.

~~31.24.~~ One way door restrictions.

~~32. Requirement of a separate line or service area for non-alcoholic beverages where the special licence is likely to have patrons that are under the legal drinking age.~~

~~33.25.~~ Three substantial food options must be provided available. These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer.

~~4. For class one events.~~

- Security Staff, porta loos and rubbish bins provided in the surrounding areas to assist with issues with amenity and good order.
- No full bottle wine sales for onsite consumption.
- Serve reduction systems in place to manage intoxication levels – maximum serves of 4 per sale reducing to 2.
- Prescribed ratio of security staff to patrons.
- High visibility clothing to be worn by security staff and be visible to others.
- Means of egress for emergency services.
- Submission of Applications at least 25 working days prior to the event to allow for processing and potential stakeholder meetings.
- A sufficiently detailed Alcohol Management Plan as per Section 143 of the SSAA 2012.

13.4. One way door restriction:

Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer a one-way door restriction is:

- Mandatory at 12.00 am.

Definitions

Alcohol: means a substance—

(a) that—

(i) is or contains a fermented, distilled, or spirituous alcohol; and

(ii) at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or

(b) that—

(i) is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and

(ii) is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or

(c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people (refer section 5(1) of the Act).

Alcohol related harm:

(a) means the harm caused by the excessive or inappropriate consumption of alcohol; and

(b) includes -

(i) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and

(ii) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in subparagraph (i) (refer section 5(1) of the Act).

Bottle store: means retail premises where at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 31(1) of the Act).

Bar: in relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol (refer section 5(1) of the Act).

Brewery: A premises or a facility or establishment where beer is produced, brewed, and often packaged for sale.

Café: has the same meaning as restaurant in terms of the licence.

Cidery: A premises or facility or establishment where cider is produced. Cider is an alcoholic beverage made from the fermentation of apple juice (or sometimes other fruits) which manufactures cider on site.

Club- means a body that -

(a) Is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or

(b) a body corporate whose object is not (or none of whose objects is) gain; or

- (c) Holds a permanent club charter (refer section 5(1) of the Act).

Class One Club: As per the definition in the Sale and Supply of Alcohol (fees) Regulations 2013 - a club licence that has at least 1000 members of the purchase age and in the opinion of the TA, operates any part of the premises in the nature of a tavern at any time.

Class Two and Three Clubs: As per the definition in the Sale and Supply of Alcohol (fees) Regulations 2013 - that is not a class one or a club that has fewer than 250 members of the purchase age and operates a bar for no more than 40 hours each week.

Club Licences: where the licensee (e.g. a club) can sell and supply alcohol for consumption on the club premises by authorised customers (see section 21 of the Act).

Distillery: a premises or a facility where alcoholic beverages, such as whiskey, vodka, rum, gin, and other spirits, are produced through the process of distillation.

Endorsed Caterer: means a catering business with an on-licence endorsed under s38 of the Sale and Supply of Alcohol Act 2012.

Entertainment Venue: means premises used or intended to be used in the course of business principally for providing any performance or activity such as but not limited to theatre, cinema, bowling, pool/snooker/billiard hall, brothel, function centre, wedding venue, live entertainment venue, strip club.

Grocery Store: ~~means a shop that has the characteristics normally associated with shops of the kind commonly thought of as grocery shops such as but not limited to annual sales revenue, product range, and comprises premises where a range of food products and other household items are sold; but the principal business carried on is or will be the sale of food products (refer has the meaning given by section 33(1) of the Act. Act). In most cases grocery stores will be less than 1,000 m² in size.~~

Hotel: means premises used or intended to be used in the course of business principally for providing to the public -

- (a) Lodging; and
- (b) Alcohol, meals, and refreshments for consumption on the premises (refer section 5(1) of the Act).

Night-club: has the same meaning as tavern in terms of the licence.

On-licence: where the licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there (see section 14 of the Act).

Off-licence: where the licensee sells alcohol from a premises for consumption somewhere else (see section 17 of the Act).

Pub: has the same meaning as tavern in terms of the licence.

Restaurant: means premises that -

- (a) Are not a conveyance; and
- (b) Are used or intended to be used in the course of business principally for supplying meals to the public for eating on the premises (refer section 5(1) of the Act).

Special licences: can be either on-site or off-site special licences. With an on-site special, the licensee can sell or supply alcohol, for consumption there, to people attending an event described in it. With an off-site special, the licensee can sell the licensee's alcohol, for consumption somewhere else, to people attending an event described in it (see section 22 of the Act).

Supermarket: means premises commonly thought of as a supermarket with a floor area of at least 1000m², including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items.

Tavern:

- (a) means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but
- (b) does not include an airport bar (refer section 5(1)). (ie, an airport bar is not treated as a tavern for alcohol licensing purposes).

Winery: means an activity carried out on the same site as a vineyard involving wine making and cellar door sales (the retail sale of the wine produced on the site), and any related entertainment facilities including the serving of food and beverages.

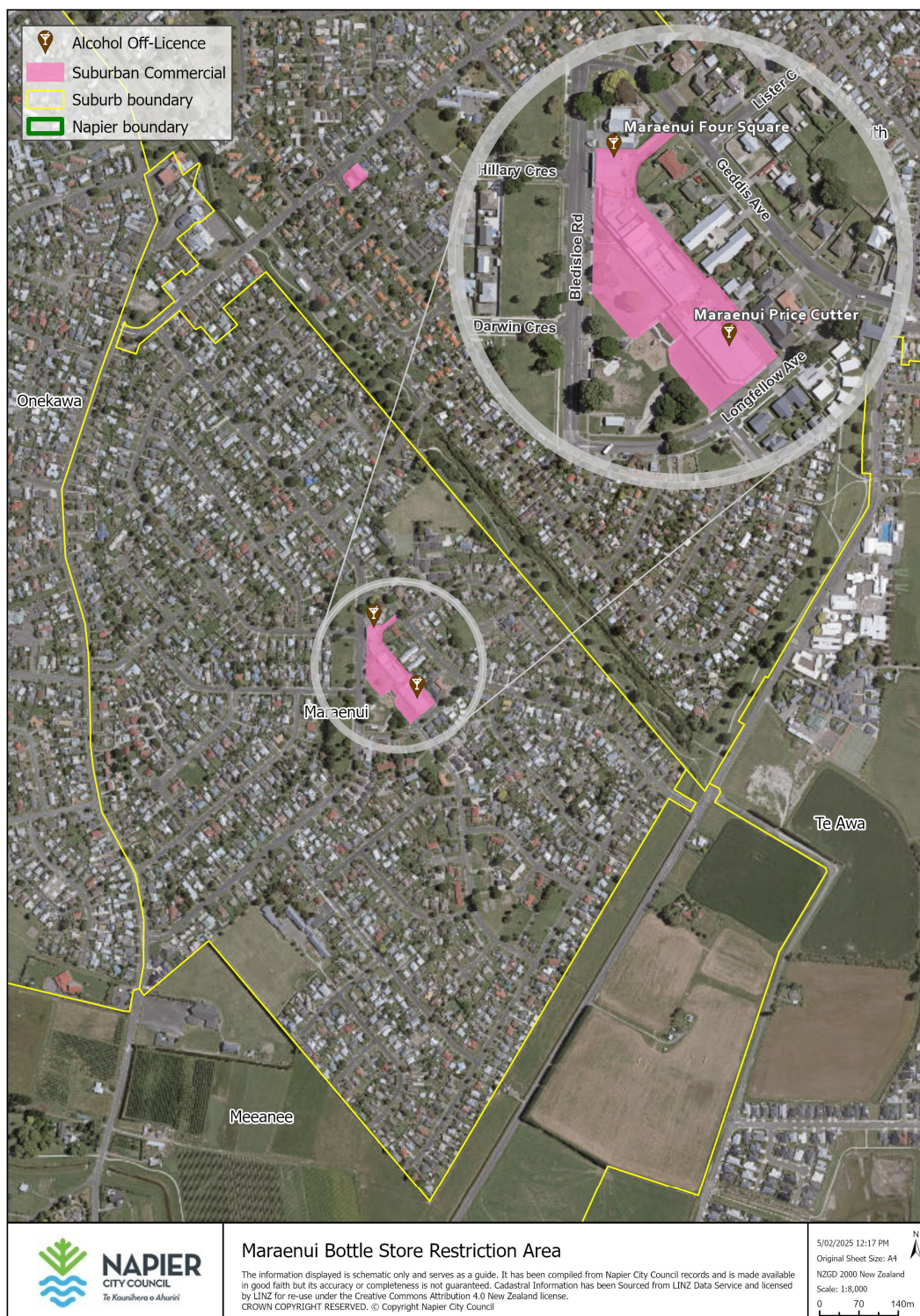
Policy Review

The review timeframe of this policy will be no longer than every six years.

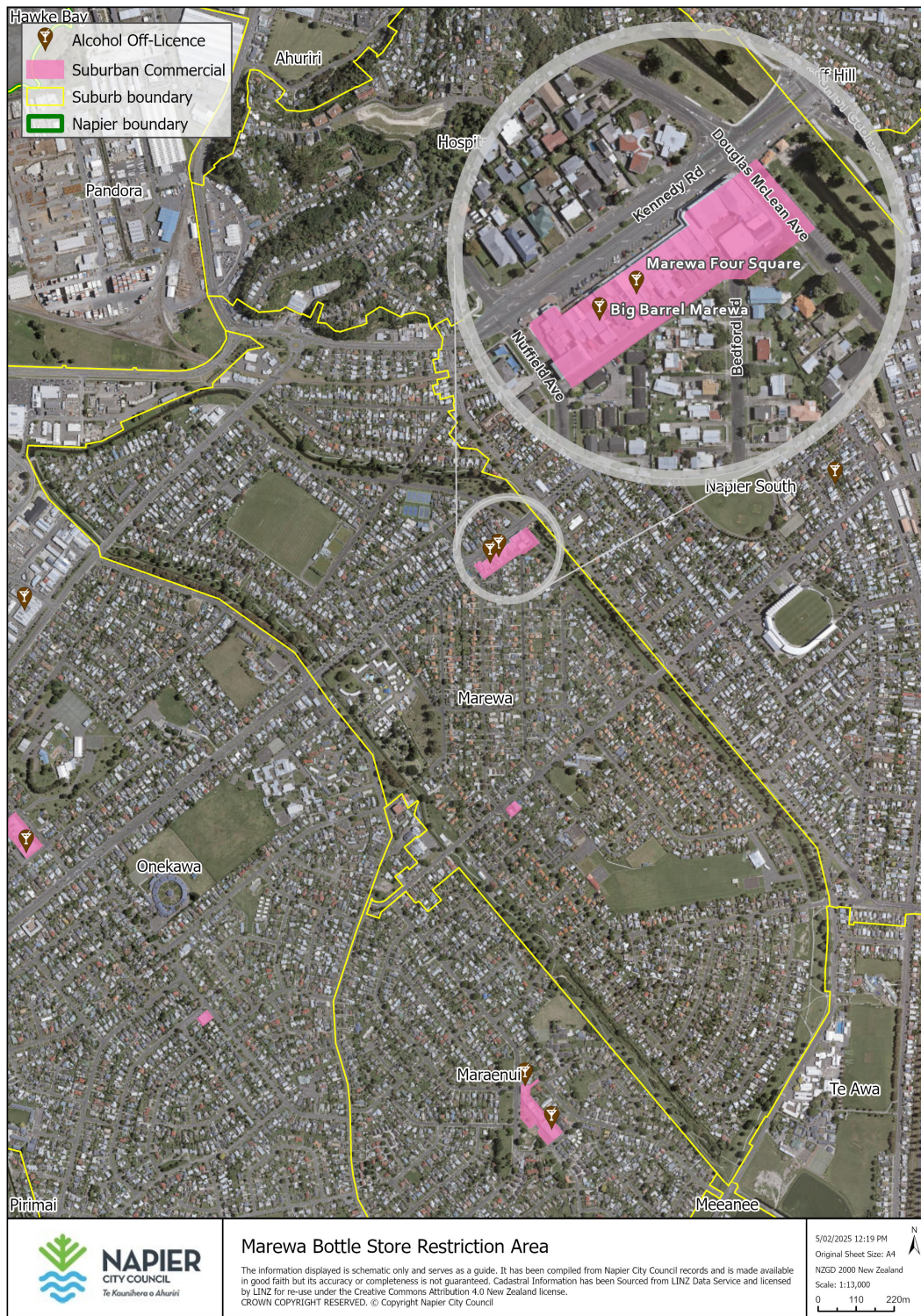
Document History

Version	Reviewer	Change Detail	Date
0.1	Team Leader Compliance	First draft for Council Consideration consideration	31 January 2025
0.2	Council	First draft for consultation	20 February 2025
0.3	Council	Draft LAP with amendments made at Ordinary Meeting of Council on 29 April 2025	26 June 2025

Map 1: Bottle store restriction area map Maraenui



Map 2: Bottle store restriction area map Marewa



Map 3: Bottle store restriction area map Onekawa



CITY WIDE RESERVE MANAGEMENT PLAN

2025



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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FOREWORD

Here in Napier we pride ourselves on making, maintaining and supporting places and spaces where everyone wants to spend time. We have a wonderful network of open spaces that includes parks, gardens, sports fields, and foreshore beach reserves.

Parks are an important part of our urban fabric and our sense of place. They contribute to community identity, provide recreation opportunities and help improve health and wellbeing. Open spaces, and the amenities around them, give us places to meet friends, relax, play or exercise. They also have a vital role in social and economic wellbeing, making Napier a desirable destination and a home our locals can be proud of.

There are many things that help shape the future of a reserve. Their history and their original reason for being are important to consider when planning for their future. Cultural links and considerations, as well as input from reserve users and the local community, are also very important to bring into the conversation.

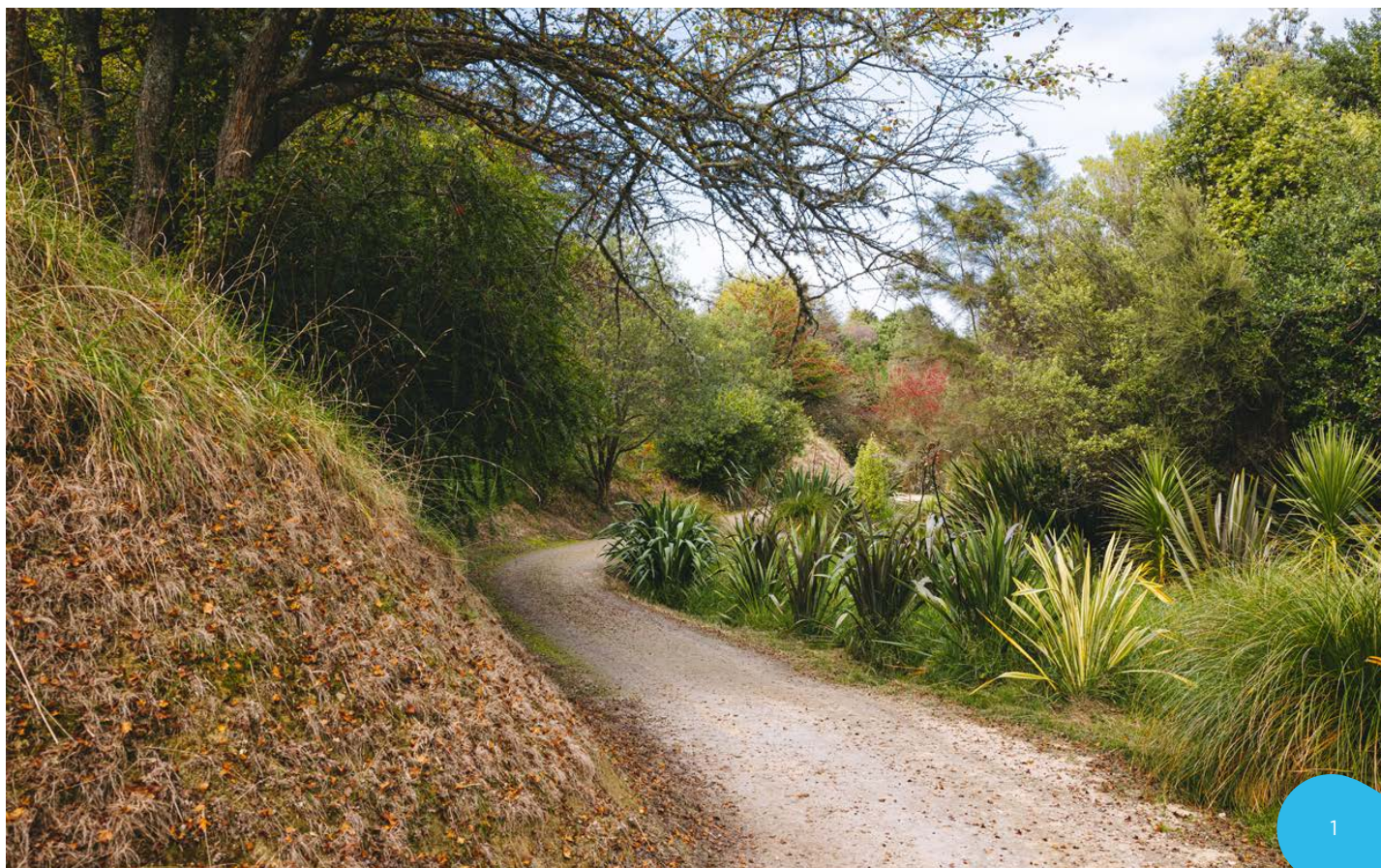
To make sure open spaces meet the diverse needs of the community, we prepare Reserve Management Plans (RMPs). As a first step in updating RMPs for all our parks and reserves, Council has adopted this Draft Citywide RMP and is now looking forward to receiving your feedback on it. From there, we will progress with updating RMPs across our city. We encourage you to have your say and share your thoughts on the future of open spaces in Napier.



Louise Miller
CHIEF EXECUTIVE



Kirsten Wise
MAYOR



PART A INTRODUCTION AND BACKGROUND



1.0 WHY PREPARE A RESERVES MANAGEMENT PLAN

There are two primary reasons why it is important to prepare Reserves Management Plans -

1. The Reserves Act 1977 requires Reserves Management Plans to be prepared for land that is vested subject to the provisions of the Act.
2. Preparing a Reserves Management Plan is best practice for publicly owned parks and reserves even if they are not vested in accordance with the Act.

1.1 THE PURPOSE OF THE RESERVES ACT 1977

The general purpose of the Reserves Act is set out in Section 3 (a) - (c) as follows -

(a) providing, for the preservation and management for the benefit and enjoyment of the public, areas of New Zealand possessing-

(i) recreational use or potential, whether active or passive; or

(ii) wildlife; or

(iii) indigenous flora or fauna; or

(iv) environmental and landscape amenity or interest; or

(v) natural, scenic, historic, cultural, archaeological, biological, geological, scientific, educational, community, or other special features or value:

(b) ensuring, as far as possible, the survival of all indigenous species of flora and fauna, both rare and commonplace, in their natural communities and habitats, and the preservation of representative samples of all classes of natural ecosystems and landscape which in the aggregate originally gave New Zealand its own recognisable character:

(c) ensuring, as far as possible, the preservation of access for the public to and along the sea coast, its bays and inlets and offshore islands, lakeshores, and riverbanks, and fostering and promoting the preservation of the natural character of the coastal environment and of the margins of lakes and rivers and the protection of them from unnecessary subdivision and development.

1.2 SECTION 41 RESERVES ACT 1977

A Reserve Management Plan is a document prepared in accordance with Section 41 Reserves Act, 1977 (the 'Reserves Act' or 'the Act') which requires the administering body, in this case Napier City Council, to prepare a Reserve Management Plan for any reserve under its control, management or administration to ensure that the land management is consistent with Section 41(3) which is set out below.

Section 41(3) of the Reserves Act 1977 states: "The management plan shall provide for and ensure the use, enjoyment, maintenance, protection and preservation, as the case may require, and, to the extent that the administering body's resources permit, the development, as appropriate, of the reserve for the purpose for which it is classified, and shall incorporate and ensure compliance with the principles set out in section 17, section 18, section 19, section 20, section 21, section 22, or section 23, as the case may be, for a reserve of that classification." Section 41(4) of the Reserves Act 1977 states: "The administering body of any reserve shall keep its management plan under continuous review, so that, subject to subsection (3), the plan is adapted to changing circumstances or in accordance with increased knowledge"

Management Plans ensure that reserves are managed in a way that protects and enhances the natural, recreation, historic and cultural values associated with the reserves, at the same time providing for public access and other activities.

Reserve Management Plans can be regularly reviewed to respond to changing circumstances or increased knowledge about a reserve, with an anticipated life span of approximately 10 years

1.3 RESERVE MANAGEMENT PLAN PREPARATION PROCESS

Preparation of Reserve Management Plans is set out in Section 41 of the Reserves Act 1977 and is summarised below.

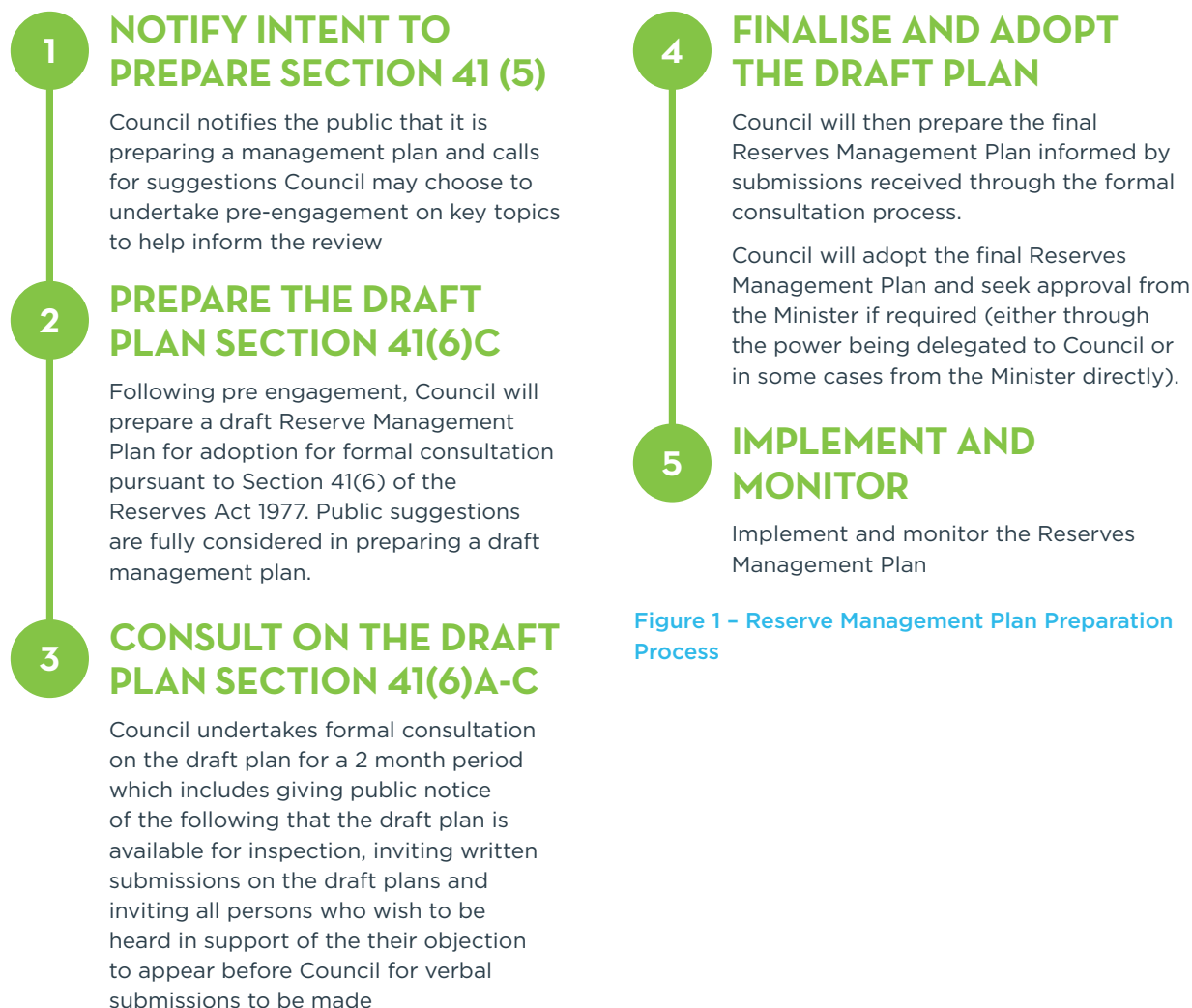


Figure 1 – Reserve Management Plan Preparation Process



1.4 RESERVES CLASSIFICATIONS - S16 - 23, RESERVES ACT (1977)

Section 16 of the Reserves Act 1977 requires reserves to be classified according to their primary use. The two classifications that apply most often to reserves under Local Government control are Recreation and Local Purpose.

The preparation of a Reserve Management Plan must consider the purpose for which the land is classified. A summary of the Reserve Classifications is set out below. The detail in relation to how land is held and the impact of this will be set out in the individual and grouped management plans.

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

1. Recreation Reserve (Section 17 (1))

Reserves classified as recreation reserves, for the purpose of providing areas for the recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside.

2. Historic Reserve (Section 18 (1))

Reserves classified as historic reserves, for the purpose of protecting and preserving in perpetuity such places, objects, and natural features, and such things thereon or therein contained as are of historic, archaeological, cultural, educational, and other special interest.

3. Scenic Reserve (Section 19 (1))

Reserves classified as scenic reserves—

(a) for the purpose of protecting and preserving in perpetuity for their intrinsic worth and for the benefit, enjoyment, and use of the public, suitable areas possessing such qualities of scenic interest, beauty, or natural features or landscape that their protection and preservation are desirable in the public interest:

(b) for the purpose of providing, in appropriate circumstances, suitable areas which by development and the introduction of flora, whether indigenous or exotic, will become of such scenic interest or beauty that their development, protection, and preservation are desirable in the public interest.

4. Nature Reserve (Section 20(1))

Reserves classified as nature reserves, for the purpose of protecting and preserving in perpetuity indigenous flora or fauna or natural features that are of such rarity, scientific interest or importance, or so unique that their protection and preservation are in the public interest.

5. Scientific Reserve (Section 21(1))

Reserves classified as scientific reserves, for the purpose of protecting and preserving in perpetuity for scientific study, research, education, and the benefit of the country, ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest.

6. Government Purpose Reserve (Section 22(1))

Reserves classified as government purpose reserves for the purpose of providing and retaining areas for such government purpose or purposes as are specified in any classification of the reserve.

7. Local Purpose Reserve (Section 23(1))

Reserves classified as local purpose reserves for the purpose of providing and retaining areas for such local purpose or purposes as are specified in any classification of the reserve.

2.0 CITY WIDE RESERVE MANAGEMENT PLAN PURPOSE AND FUNCTION

This City Wide Reserve Management Plan (CWRMP) provides a framework for the ongoing management of Napier's parks and reserves.

It comprises two parts:

Part A - Introduction and Background

Part A sets out why reserves management plans are required, the purpose of the City Wide Reserves Management Plan and how it relates to the other statutory and non-statutory documents. It also provides detail on what types and how many of parks and reserves make up Napier's open space network. Key management issues are identified which provide direction for Part B - Objectives and Policies.

Part B - Objectives and Policies

Part B of the document sets out the objectives and policies that are relevant to all reserves. Objectives and Policies are grouped under 6 main headings related to the purpose of the Reserves Act (refer Section 2.1). The objectives and policies have been developed based on the known management issues and the strategic management objectives set out in the Open Space Strategy. There is a degree of overlap.

The CWRMP applies to all Council owned and managed parks and reserves. Not all parks and reserves are subject to/vested/gazetted in accordance with the Reserves Act 1977 but for simplicity all open space that has a function aligned with the Reserves Act (i.e., recreation, protection of indigenous fauna and flora) will be managed in accordance with the CWRMP and the appropriate individual or grouped management plans.

Cemeteries which are owned and managed by Napier City Council are not classified as reserves and are not subject to the provisions of the Reserves Act. However, their management should be guided by the objectives and policies set out in the CWRMP on the basis that they form an important part of the city's open space network. Specific matters related to the cemeteries will be guided by Burials and Cremations Act 1964 and the Cemeteries Bylaw.

The intention is to complete a series of individual and grouped reserve management plans to sit alongside the CWRMP.

Until such a time as Napier's reserves have



Figure 2 - Operative and Proposed Reserve Management Plan Relationship Diagram

an updated and current adopted reserve management plan, consideration will be given to the operative Napier City Council Reserves Management Plan (2000) (2000 RMP). The existing policies in the operative plan should also be considered when preparing draft (individual or grouped) reserves management plans for public consultation. Figure 2 (above) demonstrates the relationship between the operative and proposed Reserve Management Plans. When the City Wide Reserve Management Plan is adopted the policies will replace in full Section 5.0 of the 2000 RMP and in part Sections 6, 8, 10, 12 and 14. When grouped or individual management plans are prepared the objectives and policies in these will replace Sections 7, 9, 11, 13, and 15 of the 2000 RMP. There will be periods when all RMPs need to be referred to.

A list has been prepared which prioritises the preparation of individual and grouped management plans. This is included in **Appendix A**.

2.1 OPERATIVE NAPIER CITY COUNCIL RESERVES MANAGEMENT PLAN (2000)

Councils operative Reserve Management Plan (2000) includes General Objectives and Policies applicable to all reserves, in much the same way as this CWRMP intends to do. It also includes overall management plans for specific types of reserves including - sportsgrounds, public gardens, neighbourhood reserves, foreshore beach reserves, greenbelts, and other open spaces. Alongside these sit a series of individual reserve management plans all contained within the one document.

2.2 INDIVIDUAL AND GROUPED RESERVE MANAGEMENT PLANS

The Citywide Reserve Management Plan will be supported by and should be used in conjunction with either an **individual** Reserve Management Plan or a **Grouped** Reserve Management Plan.

Individual plans will be prepared where there is sufficient complexity on one site/park/reserve to warrant a bespoke set of objectives and policies.

Grouped plans will be prepared where there are a group of parks/reserves with similar characteristics/ and/or in a similar locality/ geographic area with similar issues and where a collective approach to policies and objectives is appropriate.

Each Grouped or Individual Reserve Management Plan will contain a brief history of the reserve/ group of reserves, the current issues that are being faced and objectives and policies to support the ongoing management of the site. They will also clarify the relevant NZRA operational categories, existing leases and licences, and specify the purpose for which the land is classified and /or gazetted pursuant to the Reserves Act 1977.



Figure 4 – Document Relationship diagram

2.3 PRIORITISED LIST OF RESERVE MANAGEMENT PLANS

A list which prioritises which Reserve Management Plans should be prepared first is included in **Appendix A** and has been endorsed by Council 19 August 2021. This list can be reviewed at any time, but if this is necessary it would be appropriate for this to be further reviewed and endorsed by Council.

Priorities for Reserve Management Plan preparation was established based on the following considerations –

- Size scale and significance of the park.
- Current projects (physical works) being planned or underway.
- Master planning work underway or completed.
- Where known issues are impacting the management of the reserves and there is insufficient guidance in existing documentation to resolve outside of a Management Plan review.

2.4 LEASES AND LICENCES - EXISTING AND PROPOSED

It is important to note that the Reserves Act often requires public notification followed by consideration of submissions and the Minister of Conservation's consent to leases or licences on reserves. This requirement can sometimes be avoided if the proposed use is "contemplated" by a reserves management plan on the basis that the public have already had opportunity to consider the use. As noted above detail on leases and licences (existing and proposed) will be set out in the individual and grouped management plans.

New management plans must acknowledge and reflect existing leases and licences to occupy and be clear about how new leases and licences to occupy will be treated i.e., they will be publicly notified unless directly acknowledged/ contemplated in the reviewed management plan either because they were identified by officers or requested for consideration via the public notification process.

3.0 STRATEGIC FIT

Whilst the Reserves Act is the primary legislation which specifies how reserves will be managed, the management of parks and open spaces is also guided by a wide range of other statutory and non-statutory documents. Reserves Management Plans must work with and be cognisant of the other legislative and non-statutory framework which the Council works within. Specifically, Te Tiriti o Waitangi|The Treaty of Waitangi, the Resource Management Act 1991 and the Local Government Act 2002.

The summaries below outline the key legislative influences and in terms of this document should changes to legislation, Bylaws and/or other key documents occur then the latest version will apply.

3.1 TE TIRITI O WAITANGI

Te Tiriti o Waitangi | Treaty of Waitangi is the founding document between Māori and the Crown. The Council has delegated responsibilities from the Crown to ensure that local authorities observe the principles of Te Tiriti O Waitangi which are:

- Tino Rangatiratanga (Partnership)
- Ngā Tikanga katoa rite tahi (Participation)
- Kāwanatanga – Taonga (Protection)

Under Section 4 of the Conservation Act 1987, whenever the Council is exercising powers delegated to it by the Minister of Conservation it is required to interpret and administer the Reserves Act to give effect to the principles of the Te Tiriti o Waitangi|Treaty of Waitangi. The Local Government Act 2002 also requires Council to engage with Iwi in decision-making process relating to a wide variety of issues including the management of reserves.

There are many opportunities for sustainable partnerships with Iwi to ensure that the values of Mana Whenua are honoured and respected as Kaitiaki of the whenua (Guardians of the land). Mana Whenua values are Tikanga, Kawa and Wairua – the spiritual and physical connection to the land.

The Ahuriri Regional Park has already been identified as an opportunity where this is appropriate with governance structures already in place, also represented by local PSGE's and Councils.

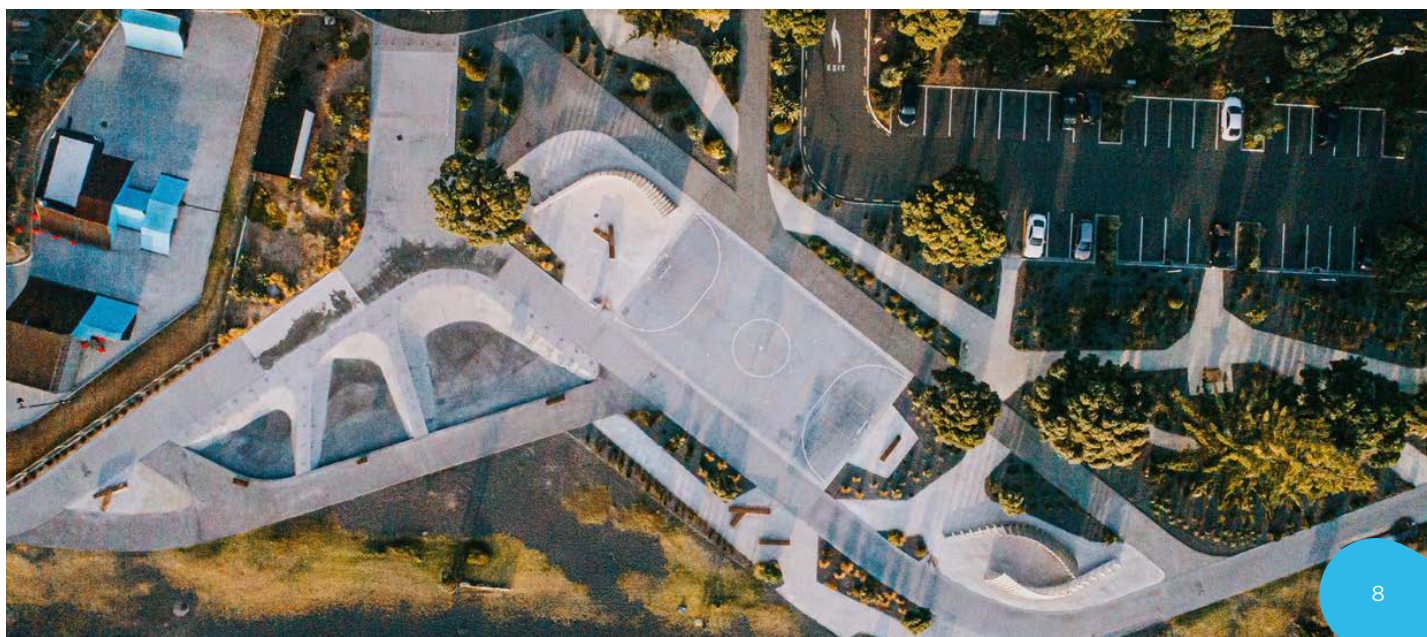
3.2 RESOURCE MANAGEMENT ACT 1991

Management of reserves must comply with the Resource Management Act 1991 and specifically the Operative and Draft District Plans and National Policy Statements.

3.2.1 OPERATIVE AND PROPOSED DISTRICT PLANS

Napier City Council has recently notified its Proposed District Plan. The zone introductions (except the Stadium Zone and the Boat Harbour Special Purpose Zone) refer to the Reserves Act 1977 and the need to specifically consider the Reserve Management Plans when assessing Resource Consent applications (see below). It is noted that there are some inconsistencies in the terminology and the intention is to remedy these as the plan progresses through to being operative.

The 5 zones in the Proposed District Plan which are specifically related to parks and open spaces are as follows –



1. NOSZ - Natural Open Space Zone

The purpose of the Natural Open Space Zone is to retain and enhance the natural environment and to ensure that activities, buildings, and other structures are compatible with the natural characteristics of the zone.

Introduction Reserves Act 1977/Reserve Management Plan Reference

Organised activities and uses on publicly owned land must obtain permission (such as a lease or a licence) from the Council as administering authority, and are assessed as required by the Reserves Act 1977 and any relevant reserves management plan. This is in addition to the requirements under the District Plan and RMA. In assessing resource consent applications required under the District Plan, the Council will have regard to the relevant reserve management plan for the area .

2. OSZ - Open Space Zone

The purpose of the Open Space Zone is to provide a range of passive and active recreational activities, along with ancillary facilities and structures necessary to support them.

Introduction Reserves Act 1977/Reserve Management Plan Reference

Organised activities and uses on publicly owned land must obtain permission (such as a lease or a licence) from the Council as administering authority. This is in addition to the requirements under the District Plan and the Building Act 2004. All activities on land vested or gazetted as reserve must have regard to the relevant reserve management plan and legislation (Reserves Act 1977).

3. SARZ - Sport and Active Recreation Zone

The purpose of the Sport and Active Recreation Zone is to provide for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.

Introduction Reserves Act 1977/Reserve Management Plan Reference

Organised activities and uses on publicly owned land must obtain permission (such as a lease or a licence) from the Council as administering authority. This is in addition to the requirements under the District Plan and Resource Management Act. All activities will have regard to the relevant reserve management plan and legislation (Reserves Act 1977).

4. BHSZ - Boat Harbour Special Purpose Zone

The purpose of the Boat Harbour Zone is to provide for a range of commercial and recreational fishing along with water-based recreation and related activities.

NOTE: There is no reference to the Reserves Act 1977 or Reserve Management Plans in the Boat Harbour Special Purpose Zone

5. STADZ - Stadium Zone

The purpose of the Stadium Zone is to provide for the operation and development of large-scale multi- use sport, recreation, and community facilities, buildings, and structures with capacity to host local, regional, national, and international events providing entertainment to residents and visitors. In Napier City the Stadium Zone applies to McLean Park.

NOTE: There is no reference to the Reserves Act 1977 or Reserve Management Plans in the Stadium Zone. McLean Park is subject to the provisions of the Sir Donald McLean Memorial Park Act 1911 .

NOTE : There are a number of other sections and references in the Proposed District Plan that need to be considered including Heritage, Outstanding Natural Features, Significant Natural Areas, Sites of Significance to Māori and Statutory Acknowledgment Areas. The Proposed District Plan requires a full review to ensure that the RMPs and the Proposed Plan are aligned.

3.2.2 NATIONAL POLICY STATEMENTS

In addition to the District Plan (Operative and Proposed) there are several national policy statements which should also be considered. Specifically, the National Policy Statement for Indigenous Biodiversity (2023) (NPSIB) which has been prepared in response to biodiversity decline, should be considered. The NPSIB provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally. In addition there are a number of other National Policy Statements which are of relevance including :-

- National Policy Statement for Highly Productive Land 2022
- National Policy Statement for Urban Development 2020
- National Policy Statement for Freshwater Management 2020
- New Zealand Coastal Policy Statement 2010

3.3 LOCAL GOVERNMENT ACT 2002

The Local Government Act 2002 states that the purpose of local government is to enable democratic local decision-making and action by, and on behalf of, communities and to promote the social, economic, environmental, and cultural well-being of communities.

3.3.1 LONG TERM PLAN

Long-term plans describe the council's activities and the community outcomes it aims to achieve which include:

- Providing integrated decision-making and coordination of the resources, as set out in Section 93 (6)(c) of the Local Government Act.
- Providing a long-term focus. Show accountability to the community.

Council's Vision and Strategic Priorities are developed through the Long Term Plan process and guide decision making. The Long Term Plan is the mechanism which is used to fund priorities established in the Reserves Management Plans.

3.4 OTHER LEGISLATION

There is a significant amount of other legislation which can influence reserve management. This includes:

- Pouhere Taonga Act Heritage New Zealand 2014
- Conservation Act 1987
- Freedom Camping Act 2011
- Fencing Act 1978
- Public Bodies Leases Act 1969

There are also a number of Bylaws (established under the Local Government Act 2002) which must be considered in the management of reserves and should be read in conjunction with the operative Reserve Management Plans. These include:

- Dog Control Bylaw 2022
- Animal Control Bylaw 2021
- Freedom Camping Bylaw 2017
- Parks and Reserves Bylaw 2021
- Cemeteries Bylaw 2021

3.5 NON-STATUTORY DOCUMENTS

3.5.1 NAPIER OPEN SPACE STRATEGY (2023 - 2033)

Napier's Parks and Reserves team have prepared an Open Space Strategy (2023 - 2033). Whilst this is not a mandatory document it is an important strategy and information document that can be used to guide the reserve management planning process.

The purpose of the strategy is set out as follows -

- Provide an overarching strategic direction for the future planning of open spaces in Napier City.
- Provide a solid foundation to guide and prioritise the impending development of the City's Reserve Management Plans, Capital Works Programmes and Levels of Service.

The Open Space Strategy includes seven high level outcomes which are set out below. In the strategy under each there are a series of objectives, actions and initiatives and relevant workstreams/projects or strategies.

These are referred to in the CWRMP and appropriate links back to the overarching strategy made where appropriate.



Figure 5 - Open Space Strategy 2023 High Level Outcomes

3.5.2 OTHER NON-STATUTORY DOCUMENTS

Council has a number of other non-statutory documents which guide activities on parks, reserves, and open spaces. These should be read in conjunction with the reserve management plans.



Figure 6 – Operational documents that should be read in conjunction with the Reserve Management Plans

Strategies

Disability Strategy (2019 – 2023) This strategy focuses on Napier City Councils activities and services and looks to ensure that people with disabilities are able to enjoy the same access, value, respect, and inclusivity as others in the Napier community.

Public Toilet Strategy (2023) The purpose of this strategy is to understand the city's toilet provision and services, and provides future recommendations to meet the needs and demands of residents and visitors to Napier.

Play Strategy (2023) The purpose of this strategy is to understand the provision of playgrounds and play opportunities across the city, and provides recommendations to meet the needs and demands of residents and visitors.

Waste Management Strategy and Waste Management and Minimisation Plan (2018 – 2024).

This plan aims to reduce the amount of waste going to landfill and get people thinking about waste minimisation.

Internal Policies

Graffiti Removal Policy (2019) The purpose of this policy is to detail Napier City Council's strategy to combat graffiti and to outline how the Council deals with graffiti in public places.

Shade Policy (2016) The purpose of the shade policy is to reduce the impacts of sun exposure and Napier City Councils' outcomes to provide infrastructure and services to support good health and wellbeing; and safe and accessible recreational facilities.

Joint Alcohol Strategy – Decision Matrix, Napier City Council (June 2018) This decision matrix is intended as a guide to reflect the intent of the Napier and Hastings Councils' Joint Alcohol Strategy 2017. The Sale and Supply of Alcohol Act 2012 must be considered separately for any licence application.

Parks and Reserves Naming Policy (2019 – to be reviewed 2024) The purpose of this policy is to reflect the city's unique history, identity, culture and environment and provides a consistent and transparent approach by applying best practice naming to provide certainty of location for accurate and efficient administration and communication.

Napier City Council Brand Guide Signage (2020) The purpose of this brand guide is to help bring clarity and consistency to the provision of Napier City Council branded information and signage within the public realm and to ensure alignment with visual and structural standards.

Te Reo Māori me ōna Tikanga Policy (2023) The purpose of this policy is to direct and guide the actions of Napier City Council in relation to the integration, protection, use and recognition of Te Reo Māori in Council business.

Parks and Reserves Memorials and Donations Policy (2024) The purpose of this policy is to provide guidance Council officers in assessing receipt of donations and requests for memorials in our reserves and open spaces, to ensure that such requests will be beneficial to a specific reserve. In addition to the existing strategies and documents this CWRMP has identified the need for the preparation of an additional strategy.

Parks and Reserves Commercial Activities Policy The purpose of this policy is to provide a consistent and transparent approach to issuing leases, licences or permits for commercial activities in accordance with the requirements of the Reserves Act 1977 sections 53(1)(D)&(E) and 54(1)(D).

Acquisition and Divestment Policy (new) This will guide the acquisition and divestment of Council owned open space. It will include detail on how Council will prioritise the removal of encroachments on reserves. The intention is to have developed this within 12 months of adopting the CWRMP.

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.

4.0 NAPIER'S OPEN SPACE NETWORK

Napier City Council own and manage over 400 hectares of open space including sports parks, gardens, waterways, estuaries, beaches and civic spaces. (Refer Appendix 1 for full list of individual parks per category.)

There are **9 public gardens (13 hectares)** which are enjoyed year round by residents and visitors. These gardens are afforded a high level of maintenance and contribute much to city amenity.

There are **17 sports grounds (220 hectares)** hosting a mix of summer and winter codes. The sportsgrounds cater for local and regional needs. McLean Park is the city's premier sportsground providing for regional, national and international events, as well as local events. McLean Park and Nelson Park also provide for regional as well as local events

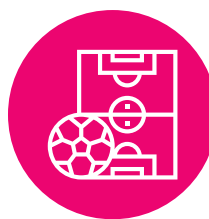
All other sportsgrounds serve a local community need.

Napier is located on the coast and the City manages **11 foreshore beach reserves (118 hectares)**. The foreshore beach reserves are a significant recreational asset providing for walking and cycling, and other beachside activities. These reserves also have a key role to play in protecting the city from storm events and inundation from the sea.

There are **36 neighbourhood reserves (23 hectares)**. Neighbourhood reserves are important recreational resources for local communities containing playgrounds, informal open space and visual amenity. These areas also often provide wildlife corridors and connectivity.

There are **57 greenbelt and open space reserves (322 hectares)**. The majority of these reserves comprise 'greenbelt' that originated either as drainage reserve, plantation reserve or buffer strips. These tend to be long narrow parcels of land

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.



Sportsgrounds (220 hectares)

2 Premier Sportsgrounds
15 General Sportsgrounds



Cemeteries (35 hectares)

Eskdale
Wharerangi
Napier
Taradale
Western Hills
Park Island



Parks and Reserves (487 hectares)

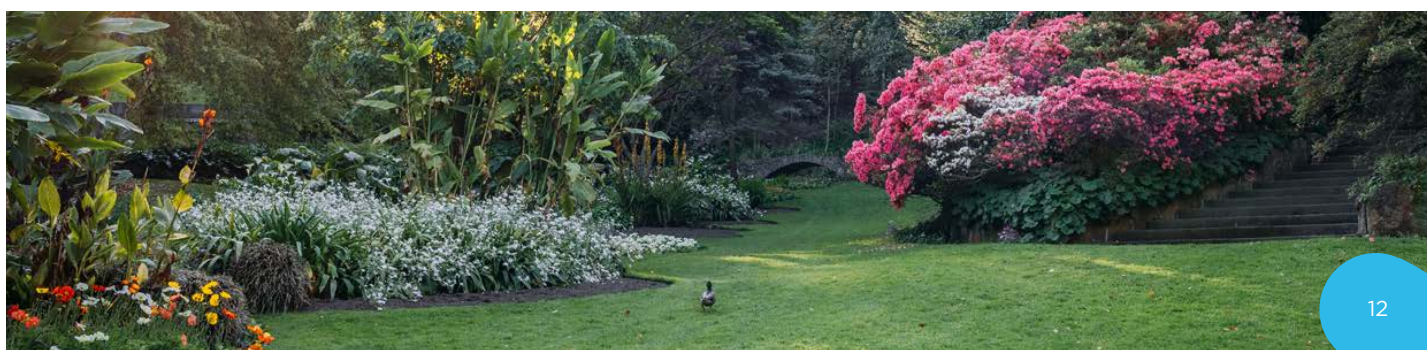
36 Neighbourhood Reserves
57 Greenbelt and Open Space Reserves
11 Foreshore Beach Reserves
9 Public Gardens



Tracks and Walkways

Within Napier's Parks and Reserves alone we have over 530 paths with a total combined length of 122.173 kilometres.

Figure 7 – Open Space Strategy 2023 – 2033,
What have we got?



5.0 KEY MANAGEMENT ISSUES

Public open spaces provide considerable opportunity for recreation and to provide enhanced environmental outcomes. Community needs and expectations are changing with more pressure on time and different priorities for the activities that people take part in.

Big issues like climate change are beginning to drive decision making and parks and open spaces have a critical role to play.

There are significant opportunities for partnerships and shared decision making as communities look to protect their past and enhance their future.

The following key issues have been identified and they form the basis of the overarching policies and objectives in the CWRMP and will also be reflected in the individual and grouped management plans.

5.1 BIODIVERSITY AND ECOLOGY

Our indigenous biodiversity is unique and an important part of our national and regional identity. All Councils have had to protect areas with significant native biodiversity since the Resource Management Act was introduced in 1991. The recently adopted National Policy Statement Indigenous Biodiversity provides consistent guidance about what this means in practice including the criteria for identifying and managing these significant areas. Whilst Regional Council must set a target of 10% for indigenous biodiversity in urban and non-urban areas, local authorities must promote an increase in their area through objectives, policies and methods.

City greenspaces play an important part in improving biodiversity and ecology in the urban system and the importance of protecting and enhancing these values going forward cannot be underestimated.

Communities value ecology and biodiversity and there is an expectation that where appropriate public open spaces will be managed to protect and enhance these values.

Napier's parks and reserves have a significant role to play in facilitating the implementation of National Policy Statement for Indigenous Biodiversity (2023) and the District Plan requirements with respect to Significant Natural 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.

5.2 CHANGING RECREATION TRENDS

People have become increasingly time poor and as a result their recreation needs are changing. Open spaces have a significant role to play in keeping communities active and ensuring they stay connected. The management of public open spaces must be adaptable/flexible and have the ability to meet these changing needs.

Open spaces have an important role to play in providing for community connectivity with opportunity for local gatherings and connection to the wider urban environment with a focus on walking and cycling and wildlife corridors.

It is always challenging to meet changing and competing uses in public areas. This management plan will establish the framework, and the detail on what uses are best suited to which locations and how these will be managed is to be detailed in the individual and grouped management plans.

5.3 CLIMATE CHANGE/ SUSTAINABILITY AND RESILIENCE

Parks have a critical role to play in providing urban greening, reducing pollution, as well protecting people and infrastructure from changing weather patterns.

Open spaces need to be managed in a sustainable way ensuring a continued positive impact on the environment. Innovative and forward thinking is required to minimise energy use, conserve water and reduce chemical use.

Resilience is also an important issue for Napier given its climate and coastal location.

The role of open spaces in ensuring that Napier's communities are well placed to deal with environmental challenges that are facing the community is an important management issue.

In terms of determining which grouped reserve management plan should be prepared first it is recommended that recreation and ecological linkages and foreshore beach reserves should be given high priority given their important role they play in city resilience.

5.4 COMMUNITY PARTNERSHIPS

Community partnerships and shared decision making is an important part of managing public open space.

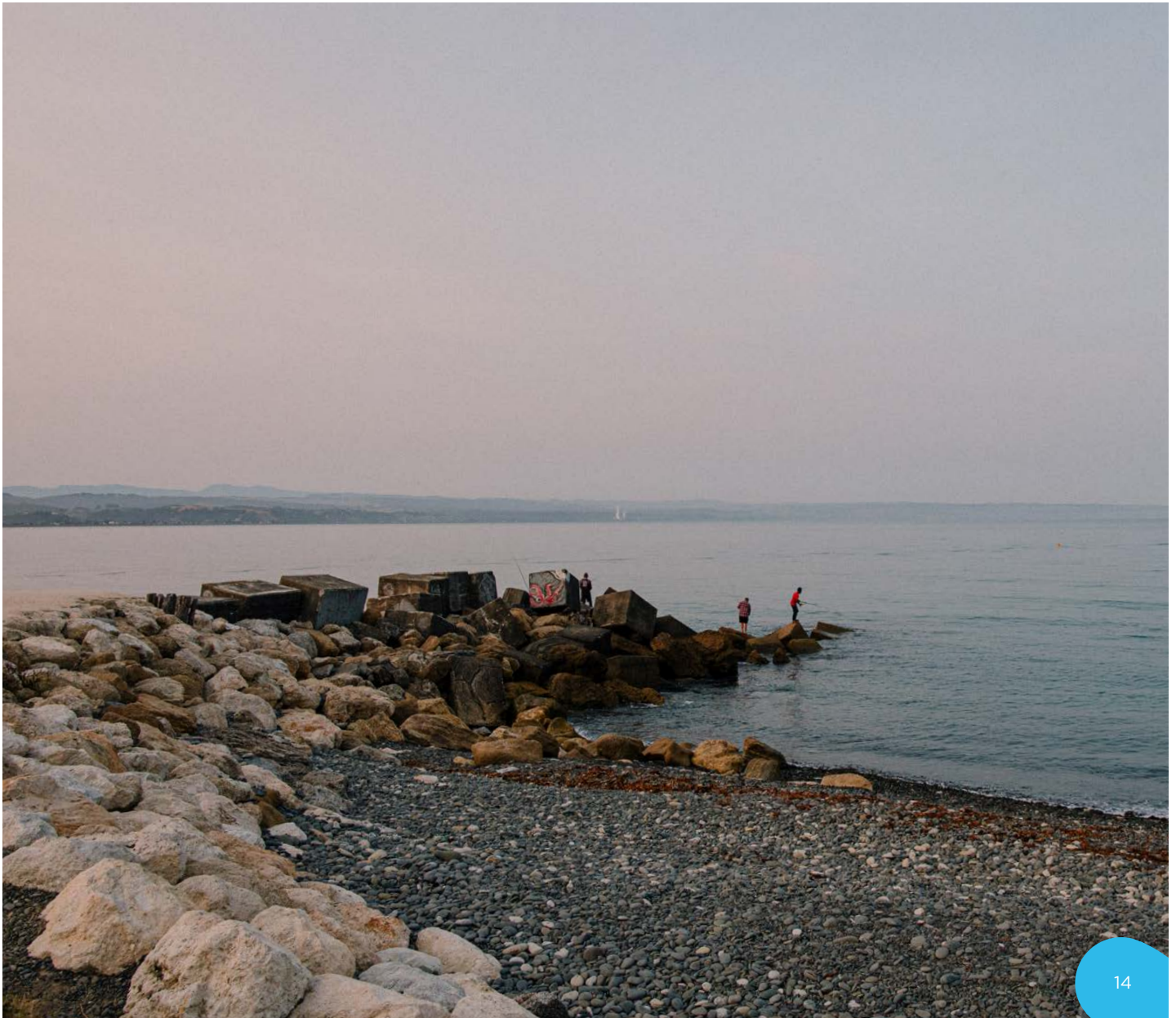
The primary purpose of the Reserves Act is to ensure that open space is managed for the benefit and enjoyment of the public.

Meaningful community collaboration and partnerships have the ability to enhance the benefits that are provided by the open space. Actively seeking and establishing partnerships with the community has many benefits. Often these are established in an adhoc manner based on a single issue however a more strategic approach to these is considered to be very beneficial.

5.5 THREE WATERS AND OTHER SHARED USE

Many of Napier's parks and reserves share a role with utility providers. They provide opportunity for recreation and contribute to city amenity, and also contribute to the management of Napier's stormwater and to a lesser extent waste and drinking water networks. Often other utilities are located on reserves. There has been much discussion about 3 waters and the impact of the proposed changes on parks networks across the country.

It will be important for the CWRMP and individual and grouped management plans to provide clarity when there is a shared use and importantly identify how the recreation, amenity, ecological and other environmental benefits will be retained and managed going forward.



6.0 OBJECTIVE AND POLICY TOPIC AREAS

Six objective and policy topic areas have been established based on the purpose of the Reserves Act 1977 and the activities that take place on parks and reserves. The CWRMP includes policies under each of these areas that apply to parks and reserves across the city.

The same objective and policy topic areas will be included in the individual and grouped reserve management plans but in these plans, policies will be developed based on the issues that are specific to the reserve or group of reserves.

6.1 ADMINISTRATION AND MANAGEMENT

Administration and Management covers classifications and gazetting specifically, when this is appropriate and what it means for Napier's open space network.

It also describes the Levels of Service (based on NZRA categories) and provides commentary on the establishment of maintenance agreements and key performance indicators to ensure that the land is being managed in a way which is consistent with the classification and purpose of the Reserves Act.

Administration and management also provides guidance on the links between the District Plan and the Reserves Act and acquisition and disposal with reference to the proposed Acquisition and Disposal Policy

Strong, vibrant and healthy community partnerships are desirable and, in some cases, mandatory.

Partnerships with iwi, broader community and community groups and volunteers can include maintenance agreements, shared project establishment and delivery and collective funding opportunities.

The CWRMP should set out how these are to be achieved with individual and grouped reserve management plans will incorporate the detail.

6.2 RECREATION AND ACCESS

Recreation and Access provides guidance on how activities shall be treated in conjunction with the land classifications. Activities that take place on parks and reserves should either reflect the purpose for which the land is set aside as per its classification or be otherwise expressly allowed for under the Reserves Act 1977.

If it is not clear whether an activity can take place on a particular reserve then the Reserve Management Plan is the appropriate tool to help provide more certainty. Consideration should be given to the wide range of activities that take place on parks and reserves including organised sports, passive recreation, access, and parking. Temporary events and commercial activities i.e., circuses and gypsy fairs, advertising events, boat shows, activities that are guided by bylaws including freedom camping and dog walking. Other activities that support city living including easements and occupations for utilities.

6.3 BUILDINGS, FURNITURE AND PLAYGROUNDS

Facilities and furniture includes pergolas, park furniture, water features, fencing, signage, lighting and playgrounds.

Appropriate facilities and furniture can significantly enhance and improve the recreation experience associated with parks and reserves and can improve the utilisation of a public open space. If not considered carefully it can also have a detrimental impact.

Infrastructure that supports recreational use such as buildings including clubrooms, changing rooms, toilet blocks etc is considered in the CWRMP specifically guidance on how new structures should be considered/assessed. Specific issues are dealt with in the individual and grouped management plans.

6.4 MANA WHENUA O AHURIRI

Mana Whenua Values:

- Kaitiakitanga – Guardianship of the whenua (land)
- Kawa – Customary Protocols – principles and regulations to guide practices of tikanga.
- Tikanga – Customary Practices – Doing things the right way, upholding Kawa principles.
- Wairua – The spiritual and physical connection to the land.

Many parks and reserves have social/heritage and cultural values. Many of these are managed via other legislation however reserve management plans must reflect these values and requirements in respect to managing these values. Parks and reserves are often enhanced via art, memorials and commemorative features which are a neighbourhood or the city's cultural expression.

Consideration of how existing Mana Whenua values are to be maintained and enhanced and how new values are to be incorporated should be guided by the CWRMP and detailed in the individual and grouped reserve management plans.

The Council acknowledges the representation of Whānau, Hapū, and Marae and engages with Iwi authorities, Hapū authorities, and corporate entities with any express mandate when they advocate for and represent the interests of Whānau, Hapū, and Marae in all matters to do with land use, including the management of our Open Spaces.

Five mana whenua authorities in Ahuriri Napier represent mana whenua interests:

1. Te Taiwhenua o Te Whanganui-ā-Orotū;
2. Ngāti Pārau Hapū Trust;
3. Maungaharuru-Tangitū Trust;
4. Mana Ahuriri Trust; and
5. Heretaunga Tamatea Settlement Trust.

The following marae hold associations with the Napier District

Marae	Affiliated Hapū	Location
Tangoio Marae	Ngāti Tū (Marangatūhetaua) Ngāi Tauira Ngāti Kurumōkihi Ngāi Te Ruruku	1 Tangoio Settlement Road, SH 2, Tangoio
Wharerangi Marae	Ngāi Tāwhao Ngāti Hinepare Ngāti Māhū	651 Puketitiri Road, Puketapu
Petane Marae	Ngāti Matepū (Ngāti Hineterangi) Ngāi Te Ruruku Ngāti Whakaari	59 Taits Road, Bay View
Timi Kara Marae	Ngāti Hinepare Ngāti Māhū	10 Mōteo Marae Road, Mōteo
Mōteo Marae	Ngāti Hinepare Ngāti Māhū	48 Mōteo Marae Road, Mōteo
Waiohiki Marae	Ngāti Pārau (Ngāti Hikawera) Ngāti Hinewera Ngāi Tahu Ahi	44 Waiohiki Road, Waiohiki
Kohupātiki Marae	Ngāti Hāwea Ngāti Toaharapaki Ngāti Hori Ngāti Hinemoa	73 Kohupātiki Road, Clive

Claims to the Waitangi Tribunal have been settled by three mandated groups in the area of interest of Napier City Council:

1. Mana Ahuriri Trust: Ahuriri Hapū Claims Settlement Act 2021 No 54, Public Act – New Zealand Legislation
2. Maungaharuru-Tangitū Trust: Maungaharuru-Tangitū Hapū Claims Settlement Act 2014 No 12 (as at 12 April 2022), Public Act Contents – New Zealand Legislation, and
3. Heretaunga Tamatea Settlement Trust: Heretaunga Tamatea Claims Settlement Act 2018 No 14 (as at 12 April 2022), Public Act – New Zealand Legislation.

Heretaunga Tamatea Settlement Trust has an agreement with Ahuriri entities that it will defer any interest it has within the Napier District boundaries to Ahuriri hapū.

6.5 NATURAL VALUES

Parks and reserves have significant natural values which contribute to neighbourhood and city amenity. Management of the aspects that make up the natural values of these places is important to ensure that they do not diminish over time and continue to meet the changing needs of the community.

Tree management is a critical issue – planting new, preserving and retaining where possible and managing safety risks as the city's tree stock ages. Managing neighbours expectations in relation to trees is also important and clear guidance is required. All other vegetation and its associated amenity, and ecological (fauna and flora) values also requires clear guidance and management.

Overarching policies are included in the CWRMP with the specifics dealt with in the individual and grouped management plans.

PART B

CITY WIDE RESERVE MANAGEMENT PLAN OBJECTIVES AND POLICIES



1.0 ADMINISTRATION AND MANAGEMENT

Objectives

- I. Reserves are classified and gazetted, developed and managed according to their primary purpose.
- II. Public open spaces are protected in perpetuity in accordance with their Reserves Act classification.
- III. Council will ensure that the right provision and type of reserve is provided which is fit for purpose to meet demonstrated community need.
- IV. Council fosters meaningful relationships, demonstrating our commitment to listen to our community's needs, concerns and aspirations. Developing strong partnerships with mana whenua and tangata whenua ensures Council upholds its obligations under Te Tiriti o Waitangi.

Policies

1.1. CLASSIFICATION AND GAZETTING

- 1.1.1. Where new reserves are to be vested in Council as part of a subdivision or plan change, the developer and Council shall agree on the type of reserve to be provided, the design of the reserve, and the works to be completed before handing over to Council and gazetting of reserve.
- 1.1.2. Reserves are vested on subdivision and are classified appropriately in accordance with the Reserves Act.
- 1.1.3. Existing reserves and open spaces are classified or reclassified where appropriate in accordance with the Reserves Act where appropriate to reflect their primary purpose and detail in the individual or group reserve management plan.

1.2. SERVICE AND MAINTENANCE AGREEMENTS

- 1.2.1. Agreed levels of service and maintenance are delivered either by Council or via service and maintenance agreements with service providers .
- 1.2.2. Levels of service will be determined in accordance with the primary purpose of the reserve and NZRA guidelines.

1.3. ACQUISITION AND DIVESTMENT GUIDANCE

- 1.3.1. In addition to any legislative requirements, Council will make decisions on the acquisition and disposal of reserves based on a Reserve Acquisition and Divestment Policy.
- 1.3.2. Council will prepare a Reserve Acquisition and Divestment Policy within 12 months of the City Wide Reserves Management Plan being adopted **(New)**. The Reserve Acquisition and Divestment Policy will identify what Council will give consideration to when making decisions on acquisition and divestment. It will include known proposed acquisitions and divestments such as those included in the Essential Services Report (2000). This will also include how encroachments will be addressed.



1.4. RESERVE DEVELOPMENT

1.4.1. New reserves will be developed to be of a useful size and shape suitable for the Reserves Act classification and the primary purpose, as per the New Zealand Recreation Association Parks Categories Framework¹

1.4.2. Council will evaluate any proposal for development of any part of any reserve with consideration given to whether that new development:

- a. is in keeping with the primary purpose of the Reserves Act classification or is otherwise provided for under the Reserves Act 1977;
- b. respects and protects key landscape features, existing recreation facilities, built heritage, important archaeological features and wāhi tapu / wāhi tipuna;
- c. promotes connectivity between open spaces including pedestrian, cycling and biodiversity linkages;
- d. improves accessibility;
- e. promotes good urban design principles and **Te Aranga Design Principles**²;
- f. if related to any trade, business or occupation, is either necessary for the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve and/or
- g. is in accordance with individual or group management plans; and will have regard to
- h. The scale of the proposed facilities in terms of the existing reserve use, foreseeable future use, or the foreseeable demand for the particular activity; and
- i. Effects on reserve users.

1.4.3. To ensure that any new buildings on reserves are designed to consider environmental sustainability, resilience, water conservation and energy reduction where appropriate in terms of their function, design construction and long-term maintenance.

1.4.4. To ensure that design, and placement of new buildings or development on reserves takes into account and gives consideration to Crime Prevention through Environmental Design principles (CPTED)³.

1.4.5. Note that the effects of any proposed development on reserves on neighbours will be considered as part of any planning applications.

1.4.6. To consult with Heritage New Zealand Pouhere Taonga when any proposed development potentially affects a recorded archaeological site.

1.5. RESERVE NAMING

1.5.1. All reserves vested in or administered by the Napier City Council shall have an appropriate formal name and new reserves will be named in accordance with the Parks and Reserves Naming Policy.

1.5.2. Council will actively work with communities to appropriately name reserves, at Councils discretion.

1.6. ENCROACHMENTS

1.6.1. Notification and removal of an encroachment on Council owned or administrated land will be undertaken in accordance with the Acquisition and Divestment Policy.

1.6.2. New encroachments from private development into open spaces and reserves cannot be supported by Council. Detail will be provided in the Acquisition and Divestment Policy **(new)**

1.7. PERSONAL SAFETY AND VANDALISM

1.7.1. Parks are developed and managed in accordance with Crime Prevention Through Environmental Design principles and Council's relevant policies to ensure they are welcoming and safe spaces. These include (but are not limited to):

- CPTED – MFE National guidelines environment.govt.nz/publications/national-guidelines-for-crime-prevention-through-environmental-design-in-new-zealand
- Napier City Graffiti Removal Policy

1.8. COMMUNITY PARTNERSHIPS

1.8.1. Actively involve volunteer groups in the maintenance and development of reserves and open spaces.

1.8.2. Support and value volunteer programmes through provision of coordinated budgeted resources to assist and enable volunteers.

1.8.3. Collaborate with partners to identify volunteer initiatives on strategic projects.

¹ New Zealand Recreation Association Parks Categories Framework

² Refer to Auckland Design Manual

³ www.justice.govt.nz/assets/cpted-part-1.pdf

2.0 RECREATION AND ACCESS

Objectives

V. Provide reserves and open spaces for the use and enjoyment of our community.

VI. Provide opportunities for equitable access to open spaces and reserves.

VII. Optimise the use of open spaces and reserves by promoting shared use of spaces (including built facilities) where there is alignment with the reserve classification and/or other provisions of the Reserves Act 1977 and the Individual Reserve Management Plan.

VIII. To allow and encourage temporary activities and events on open spaces and reserves that are compatible with the reserve classification and/or other provisions of the Reserves Act 1977 and the Individual or Group Reserve Management Plan.

Policies

2.1. PRIMARY PURPOSE

2.1.1. Ensure that reserves are managed and developed in accordance with their primary purpose i.e. active recreation – sportsgrounds, neighbourhood reserves, greenbelts, foreshore beach reserves, public gardens, tracks and walkways

2.2. TRACKS TRAILS AND PATHWAYS

2.2.1. Tracks, Trails and Pathways will be developed to enhance connectivity, recreation and accessibility.

2.3. ACCESSIBILITY

2.3.1. 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.

2.4. MOTOR VEHICLE ACCESS AND PARKING ACTIVITIES

2.4.1. Only authorised motor vehicles or emergency services appliances may have access to reserves unless provided for in the specific policies of individual or group reserve management plans.

2.4.2. Motorbikes are not permitted on reserves.

2.4.3. Damage caused by unauthorised use of motor vehicles will be repaired by the Council, with the costs being recovered from the offender through appropriate legal processes.

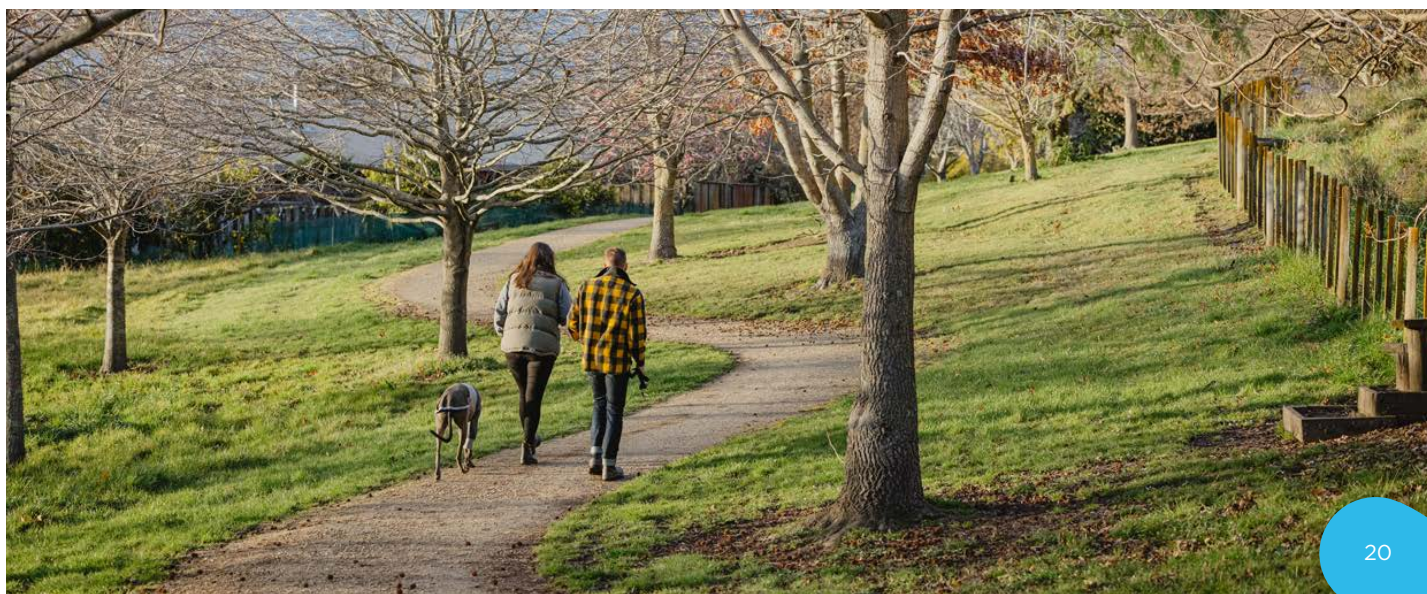
2.4.4. Abandoned vehicles will be removed by Council, and the costs recovered from either;

- a. the offender; or
- b. the vehicle owner; or if unknown
- c. the disposal of the vehicle.

2.4.5. Where gates close at a specific time, appropriate signage indicating this time will be installed and any person requiring to be released after this time will incur a fee.

2.5. FREEDOM CAMPING AND SUPPORTING INFRASTRUCTURE

2.5.1. The Council will provide for freedom camping and motorhomes on reserves in accordance with the Napier City Council Freedom Camping Bylaw.



2.6. TEMPORARY ACTIVITIES

2.6.1. All temporary activities on open spaces and reserves shall be authorised by Council and carried out in accordance with the relevant individual or group management plan and in accordance with the Reserves Act.

Advice note: Provisions of the District Plan and other legislation shall be considered outside of the approval given under this Management Plan.

Advice note: Where provisions of the District Plan and the Reserves Act with respect to temporary activities conflict the Reserves Act and relevant management plans take precedence.

2.7. LEASES, LICENCES, AND OTHER LEGAL AGREEMENTS

2.7.1. Without imposing any obligation on Council to do so, exclusive use and associated development may be allowed at the discretion of Council where:

- a. Council determines that the activity is in accordance with the Reserves Act 1977; the requirements of this City Wide Reserve Management Plan; the provisions of the relevant individual or group reserve management plan for the park or reserve in question; and any other relevant Council documents; and
- b. any required consents (including the consent of the Minister of Conservation) are obtained; and
- c. all necessary resolutions have been passed; and
- d. an appropriate legal agreement between Council and the long-term exclusive user is in place .

2.7.2. Where a building, other structure or other occupation is no longer required, termination of the legal agreement shall be in accordance with the process set out in the agreement or as agreed with Council.

2.7.3. Applications for lease, licences and other legal agreements will need to be made in writing to Council with sufficient detail to enable Council process and consider the application.

2.7.4. Council will consider compensation for lease, licence and other legal agreement at the time of assessing and authorising the application.

2.7.5. Network Utility Operators (as that term is defined in the Resource Management Act 1991) seeking an easement over a reserve for a new installation shall provide Council with detail of the utility including an as-built plan of all infrastructure and designation information. Council will consider any easement requests in accordance with the provisions of the Reserves Act 1977.

2.7.6. Network Utility Operators shall notify Council of the intention to carry out any works within reserves or open spaces within an adequate timeframe, except for emergency works as provided for by the RMA. Where these works impact the reserves, including any assets, trees and gardens, heritage values and wāhi tapu etc, authorisation will be required from Council who may (following any consultation Council considers appropriate) attach reasonable conditions with any such authority.

Advice note: Network Utilities are managed by the provisions of the Resource Management Act and the District Plan and are often located on reserves. Authorization may be required under other legislation eg. RMA, Heritage Act.

2.8. LIQUOR LICENCES

2.8.1. Applications for liquor licence on reserves shall be assessed in accordance with the Joint Alcohol Strategy Matrix.

Advice note: Activities on reserves and open spaces involving alcohol will also be subject to councils alcohol licencing requirements. Policies relating to temporary events or commercial activities etc. above will also apply.

2.8.2. The use of clubrooms for social purposes including the sale of liquor shall be ancillary to the principal purpose of the reserve i.e. outdoor recreation.

2.9. DOG EXERCISE ACTIVITIES

2.9.1. Provide for dogs and their owners in reserves and open spaces in accordance with the relevant Council Bylaws and Policies, and individual or group RMP's.

2.9.2. Provide clear, legible and appropriately located signposting relating to expected dog behaviour for dogs within our reserves.

3.0 BUILDINGS, FURNITURE AND PLAYGROUNDS

Objectives

IX. All buildings and structures on open spaces and reserves are fit for purpose and support the use of the reserve and it's identified purpose and reserve classification.

X. Facilities and furniture shall be designed to avoid visual clutter and enhance the amenity of the open space and reserve.

XI. Council encourages private memorials to be located within cemeteries.

Policies

3.1. BUILDINGS INCLUDING CLUBROOMS, CHANGING ROOMS, TOILET BLOCKS ETC.

3.1.1. Incorporate sustainability concepts and environmental saving measures into new buildings and renewals where possible and practicable. For example including water and energy conservation options.

3.1.2. Ensure that any new structure is safe and healthy, accessible, complies with appropriate legislation and is cost effective.

3.1.3. Ensure buildings and structures are of a design and scale suited to their environment and appropriately located to facilitate public recreational use and enjoyment of the open spaces or reserves while not limiting future use of the reserve.

3.1.4. Users are encouraged to develop shared facilities and supporting reserve infrastructure.

3.1.5. All requests for new buildings or structures on reserves, must be supported by a demonstrated need including consideration of:

- a. the need for the building or structure to be located on reserve land and its proposed use in relation to the purpose of the reserve;
- b. the siting, materials, colour and design of the building or structure in relation to appropriateness to the site;
- c. the proposed location of the building or structure and its impact on the area useable for outdoor recreation;
- d. the conservation of open space, views and any the ability to retain native vegetation and significant trees;

- e. the impact on the passive surveillance of the reserve and avoidance of entrapment areas;
- f. the effects of providing access to and parking for the proposed building or structure;
- g. the potential visual or physical effects of the building or structure.

3.1.6. Natural hazards and coastal hazards shall be factored into all renewals and new capital works undertaken within Open Spaces and Reserves.

3.2. PUBLIC TOILETS AND CHANGING FACILITIES

3.2.1. Allow public toilets to be constructed on reserves where:

- a. it aligns with the Public Toilet Strategy and the Individual or Group RMP

3.2.2. Proposals for new change facilities will be encouraged where:

- a. they are provided for and identified in an Individual or Group RMP; and
- b. they are part of an existing facility.

3.3. STRUCTURES – PERGOLAS, PARK FURNITURE, WATER FEATURES

3.3.1. Provide sufficient and appropriate seats, picnic tables, rubbish bins, signs and other furniture of a design that is consistent with the Individual or Group Reserve Management Plan and facilitates public use and enjoyment of the reserve.

3.3.2. Provide new and replacement reserve furniture only where there is an identified need to facilitate public use and enjoyment of the reserve.

Advice Note: Refer also to Memorials and Donations section below.

3.3.3. Additional rubbish bins on reserves will be actively discouraged, in line with Councils desire to reduce waste across the city.

Advice Note: Also refer Councils Waste Management Strategy and Council's Waste Management and Minimisation Plan, the Litter Act and Council bylaws.

3.3.4. Where a reserve is used for an event or tournament, user groups or event organisers are responsible for the collection and disposal of waste associated with the event.

3.3.5. Council encourage zero and waste free events in Open Spaces and Reserves.

3.3.6. Recycling facilities in Open Spaces and Reserves will be considered on a case-by-case basis and in accordance with Council's Waste Minimisation Team and their strategic direction.

3.3.7. Wherever possible, shade will be installed where there is a clearly demonstrated need in line with Council's Shade Policy. This may be in the form of a built structure or planting of trees.

3.4. FENCING

3.4.1. Erect fences or barriers on the boundaries of Open Spaces and Reserves where Council decides it is necessary to protect reserve values and ensure that the reserve can be used safely.

3.4.2. Encourage fencing designed in accordance with recognised CPTED principles that maximise the opportunity for passive surveillance of people within the reserve.

3.4.3. Subject to any relevant fencing covenants, boundary fencing shall be in accordance with the Fencing Act⁴.

3.5. SIGNAGE AND LIGHTING

3.5.1. Signs on reserves will be actively discouraged, unless needed for:

- a. park naming
- b. wayfinding information.
- c. the encouragement of accessibility or other Council initiatives.

3.5.2. Applications for sponsorship signage will be considered on an individual basis taking into account the following criteria:

- a. no advertising of alcohol / gaming
- b. sponsorship term
- c. size and location of the sign
- d. consistency with reserve purpose and function
- e. relationship to the activity

Advice Note: Signage is also controlled by the District Plan and Council branding and Council's Signage Policy.

3.5.3. Ensure use and placement of Te Reo Māori signage is guided by NCC Signage Guidelines and NCC Te Reo Māori Policy. Engagement with mana whenua and processes for selecting Māori placenames will involve the NCC Māori Partnerships Team, Te Waka Rangapū.

3.5.4. Temporary signage will be considered by Council on a case-by-case basis giving consideration to:

- a. nature and duration of activity
- b. size and location of the sign
- c. consistency with reserve purpose and function

3.5.5. Council will consider applications for lighting on sports grounds on a case-by-case basis as follows:

- a. the cost of installation, maintenance and decommissioning will be borne by the club;
- b. hours of operation of lights shall be limited to those approved by the Council; Officers and any conditions of a relevant resource consent;
- c. low energy and sustainable lighting options are encouraged

3.5.6. Lighting should be provided where it is necessary to facilitate the safe and convenient public use of reserves and open spaces.

3.6. PLAYGROUNDS

3.6.1. Council actively encourages and supports the development of playgrounds across the city where:

- a. there is an identified need;
- b. it is consistent with Council's Play Strategy and Individual or Group RMPs ; and
- c. it is a suitable site and location with regard to sun, shelter from wind, access and surveillance etc;
- d. there is opportunity to provide diversity of play equipment that is challenging, interesting and appeals to and encourages participation by a wide range of the community of all age groups and abilities;
- e. there is opportunity to partner with local communities for funding/design

Advice Note: Refer to Napier City Council Play Strategy and Napier Disability Strategy.

3.7. MEMORIALS AND DONATIONS

3.7.1. Memorial furniture will only be considered where it is consistent with the policies set out in Section 3.3 above (pergolas, park furniture, water features) and in accordance with the Parks and Reserves Donations and Memorials Policy and Individual or Group Reserve Management Plan.

3.7.2. Memorial trees and associated plaques will only be considered where it is consistent with the policies set out in Section 5.2 below (trees and gardens) and in accordance with the Parks and Reserves Donations and Memorials Policy and Individual or Group Reserve Management Plan.

⁴ Fencing Act 1978

4.0 MANA WHENUA VALUES

Objectives

XII. Council relationships are strengthened through facilitation of effective participation of mana whenua in the development of Individual and Group Reserve Management Plans.

Policies

4.1. MANA WHENUA PARTNERSHIPS

4.1.1. Development of new and existing reserves and open spaces will reflect cultural significance of the site to Mana Whenua.

4.1.2. Ensure that mana whenua participation is sought and their information and advice taken into account in the preparation of Individual or Grouped Reserve Management Plans, and regard is had for information provided for interpretation and use of reserves.

4.1.3. Ensure Individual and Group Reserve Management Plans provide for the acknowledgment of and regard for Iwi or Hapū Management Plans that may be developed and lodged by mana whenua within the life of this plan.

4.1.4. In partnership with Mana Whenua, narratives of Ahuriri history will be celebrated in Open Spaces and Reserves.

5.0 NATURAL VALUES

Objectives

XIII. Ensure sustainable environmental practices in the provision, management and development of reserves and open spaces.

XIV. Acknowledge and realise the important role that reserves and open spaces play in providing habitat and achieving positive indigenous biodiversity outcomes.

Policies

5.1. ENVIRONMENT AND SUSTAINABILITY

5.1.1. To develop reserves and open spaces in ways that:

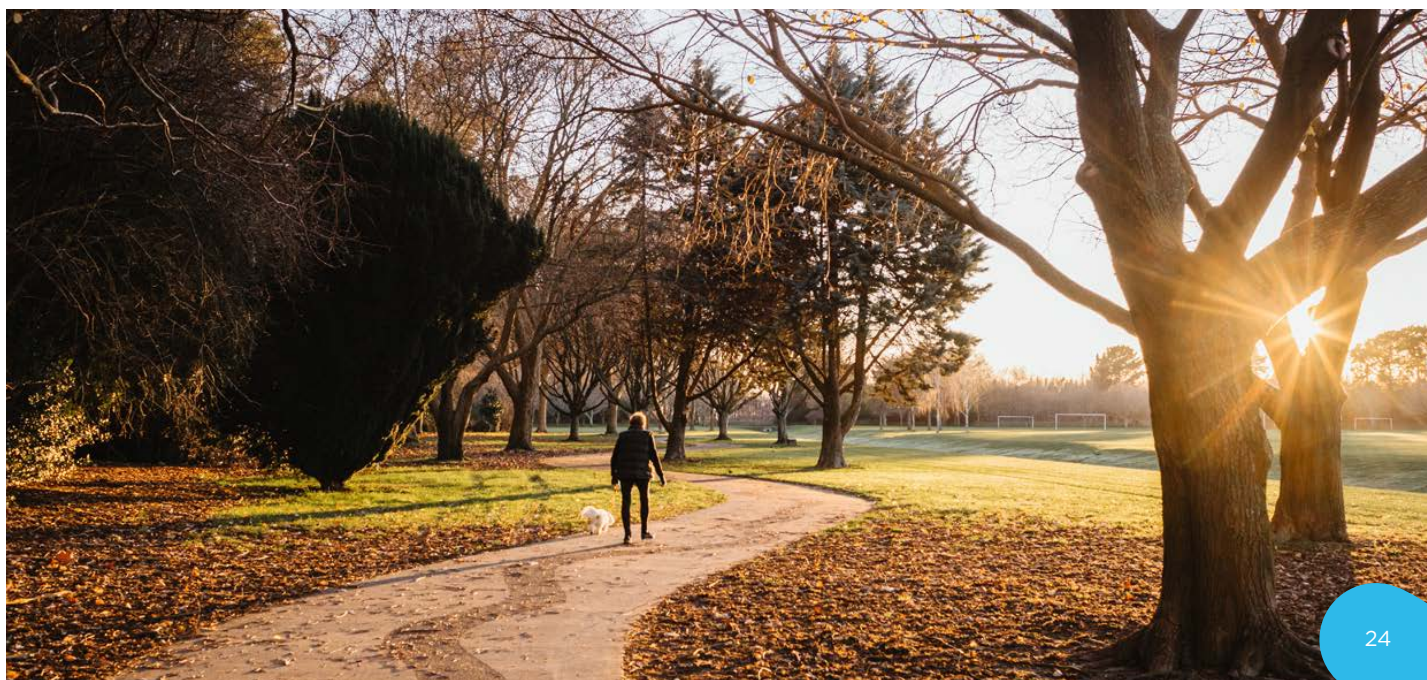
- a.** actively support and champion our city's natural environment and biodiversity; and
- b.** measure, manage and minimise environmental footprints.

5.1.2. Encourage riparian planting for open waterways and identify opportunities in Individual and Group RMP's.

5.1.3. Where possible, promote the retention, restoration and enhancement of indigenous riparian vegetation along the margins of waterways that run through reserves.

5.1.4. Encourage, develop and implement best practice for stormwater management such as green infrastructure solutions for new carparks and facilities where practicable.

Advice Note: Refer to Napier City Council Parks and Reserves Sustainability Strategy



5.2. TREES AND GARDENS

5.2.1. Council will actively encourage tree planting and revegetation in accordance with the Individual or Group RMP, with a priority for native species where suitable.

5.2.2. Trees on reserves will only be thinned or removed for reasons of safety and good management as set out below:

- a.** the tree is dead dying or diseased;
- b.** the tree has become a danger to public safety;
- c.** the tree interferes with essential public utilities or important public construction work;
- d.** the tree is obstructing the water flow in any drainage system, watercourse, stream or river;
- e.** the tree has outgrown its location or site, and is causing or is likely to cause serious damage to buildings or property, public or privately owned;
- f.** the tree is suppressing or inhibiting growth of more desirable specimen trees or other vegetation of greater interest to the public;
- g.** the tree is a poor specimen or unsuited to the site due to soil type or other factors and needs to be removed in order that the area be replanted with trees that will make better specimens.
- h.** the tree has been planted on Council owned land by a third party without the authorisation of Council and is causing or is likely to cause nuisance as outlined in a – g above.

5.2.3. Before making any decision about formal (written) tree complaints, Council will prepare a tree report that provides information about the health and effect of removing or pruning the tree.

5.2.4. Council may seek a report (landscape or a report by a suitably qualified arborist) that provides comment on the value to public amenity of the tree/s in question.

5.2.5. All applications for tree removal or remedial work must be in writing so that Council has a permanent record of the application.

5.2.6. The removal of trees where obstruction of view from private property occurs will not be considered.

5.2.7. Council will replace trees that are removed under the circumstances above with a suitable tree species wherever practical.

Advice Note: Provisions in the District Plan will be followed in decision-making about trees, heritage and notable trees.

5.3. BIODIVERSITY AND ECOLOGY

5.3.1. Individual and Group RMP's promote the protection, enhancement and growth of indigenous biodiversity.

5.3.2. To ensure the protection, preservation and appropriate development of all wildlife and wildlife habitats within the reserves system.

5.3.3. To encourage kaitiakitanga stewardship of ecological cultural values, respecting Te Ao Māori and its contribution to biodiversity.

5.3.4. Recognise the use of wildlife habitats, within the reserves system, as conservation and education resources.

5.3.5. Recognise the opportunity for biodiversity corridors throughout and connecting to our open space and reserve network.

5.4. PEST MANAGEMENT (ANIMAL AND PLANT)

5.4.1. To manage and control plant and animal pests in accordance with the Hawke's Bay Regional Pest Management Plan 2019-2039 on all Council open spaces and reserves.

5.4.2. To control or eradicate any other animal pests or plant species where reserve values are threatened and as prioritised.

PART C

APPENDIX



APPENDIX 1 - PRIORITISED LIST OF INDIVIDUAL AND GROUP RMPS

Individual Reserve Management Plans		
Reserve Management Plan		Reserves Included
High Priority		
Taradale Park		Taradale Park
Maraenui Park		Maraenui Park
Group Reserve Management Plans		
Reserve Management Plan	Subgroup	Reserves Included
High Priority		
Taradale Hills Group	Taradale Hills	Sugar Loaf Reserve
		Lance Leikis Reserve
		Halliwells Walkway Reserve
		Ōtātara Hillside Reserve
		Ridgetop Reserve
		Missionview Walkway Reserve
		Tironui Reserve
		Neverman Reserve
		Dolbel Reserve
		Trigg Crescent Reserve
Recreation and Ecological Linkages		Te Awa Park
		Church Road Reserve
		Nash Street Reserve
		Latham Street Reserve
		Greenmeadows East Drain Reserve
		Onekawa North Plantation Reserve
		Onekawa South Plantation Reserve
		Prebensen Drive Drainage Reserve
		Parklands 1 Reserve
		Orotū Drive Drain Reserve
		Riverbend Road Reserve
		Taipō Stream Reserve
		Taradale Reservoir Reserve
		Titoki Crescent Drainage Reserve
		Westminster Avenue Drain Reserve
		Willow Drive Reserve
		Oaklands Reserve and Citrus Grove Reserve
		Ford Road Drainage Reserve
		Morgan Avenue Drainage Reserve
		Veronica Avenue Drainage Reserve
		Waitangi Road Drainage Reserve
		Waterworth Avenue Drainage Reserve
		Cross Country Drain
		Purimū Drain
		Te Awa Walkway Reserve
		County Drain
		Neverman Reserve

Recreation and Ecological Linkages		Halliwell Drain
		Saltwater Creek
		Alexander Park
Medium / High Priority		
Foreshore Reserves (including beaches)	Marine Parade	Marine Parade Foreshore Reserves including Sunken Gardens
		Beach Domain (South of Georges Drive to Awatoto)
	Westshore	Te Taha Westshore Beach
		The Gap
		Meeanee Quay
	Ahuriri	Te Karaka (Perfume Point)
		Spriggs Park
		Ahuriri Park
		Humber Street Reserve
		Napier Sailing Club
		Hawke's Bay Sport Fishing Club Reserve
	Bayview	Gill Road Reserve
		Le Quesne Road Reserve
		Beacons Recreation Reserve
Public Gardens	Botanical Gardens	Botanical Gardens
	Tūhinapō/Centennial Gardens	Tūhinapō/Centennial Gardens
	Taradale Public Gardens	Centennial Park (Taradale)
		Taradale Clock Tower Reserve
	Clive/Memorial Square	Clive Square
		Memorial Square
	Kennedy Park Rose Gardens	Kennedy Park Rose Gardens
Medium Priority		
Sportsground Group	Local Sportsgrounds	Whitmore Park
		Marewa Park
		Hawke's Bay Lawn Tennis and Squash Reserve
		Onekawa Park
		Papakura Domain
		Petane War Memorial
		Meeanee Golf Course Reserve
	Taradale Local Sportsgrounds	Tareha Park
		Bledisloe Park
		Tamatea Park
		Guppy Road Sports Village (Tareha East)
	McLean* and Nelson Park	Sir Donald McLean Park*
	*Subject to the McLean Park Act and future activity planning	Nelson Park
	Park Island	Park Island

Low / Medium Priority		
Neighbourhood Reserves	Anderson Park	Anderson Park
	Ahuriri Ward	Ahuriri Park
		Barry Street Reserve
		Chaucer Road Reserve
		Custom House Reserve
		Gleeson Park Reserve
		King George Hall Reserve
		Neal and Close Lookout
	Nelson Park Ward	Alexander Avenue Reserve
		Allen Berry Avenue Reserve
		Fitzgerald Place Reserve
		Maraenui Shopping Centre Reserve
		Oldham Avenue Reserve
		Roberts Terrace Reserve
		Thackery Street Reserve
	Onekawa – Tamatea Ward	Donegal Crescent Reserve
		Essex Street Reserve
		Glamorgan Avenue Reserve
		Lesser Park Reserve
		Norfolk Street Reserve
		Pirimai Park
		York Avenue Reserve
	Taradale Ward	Ascot Park Reserve
		Aspiring Drive Reserve
		Duckworth Crescent Reserve
		Forward Street Reserve
		Harris Street Reserve
		Hetley Crescent Reserve
		Knightsbridge Place
		McKeefry Avenue Reserve
		Ngarimu Crescent Reserve
		Otatara Heights Reserve
		Taradale Road Reserve
		Te Awa Estate Reserve
		Upham Crescent North Reserve
		Upham Crescent South Reserve
		Wai Orotu Park

Open Space (Natural and Maintained)	Westshore Wildlife Reserve	Westshore Wildlife Reserve
	Meeanee Domain	Meeanee Domain
	Napier City Open Space	Mataruahou (Bluff Hill)
		Karetoki Whare (Sturms Gully)
		Hospital Terrace Reserve
		Hyderabad Road Reserve
		France Road Reserve
		Harold Holt Avenue Reserve
		Ormond Road Reserve
		Shakespeare Road Reserve
		Tiffen Park
	Taradale Open Space	Redclyfe Recreation Reserve
		Riverside Park



APPENDIX 2 – MAPS OF ALL RESERVES

Public Gardens Location Map

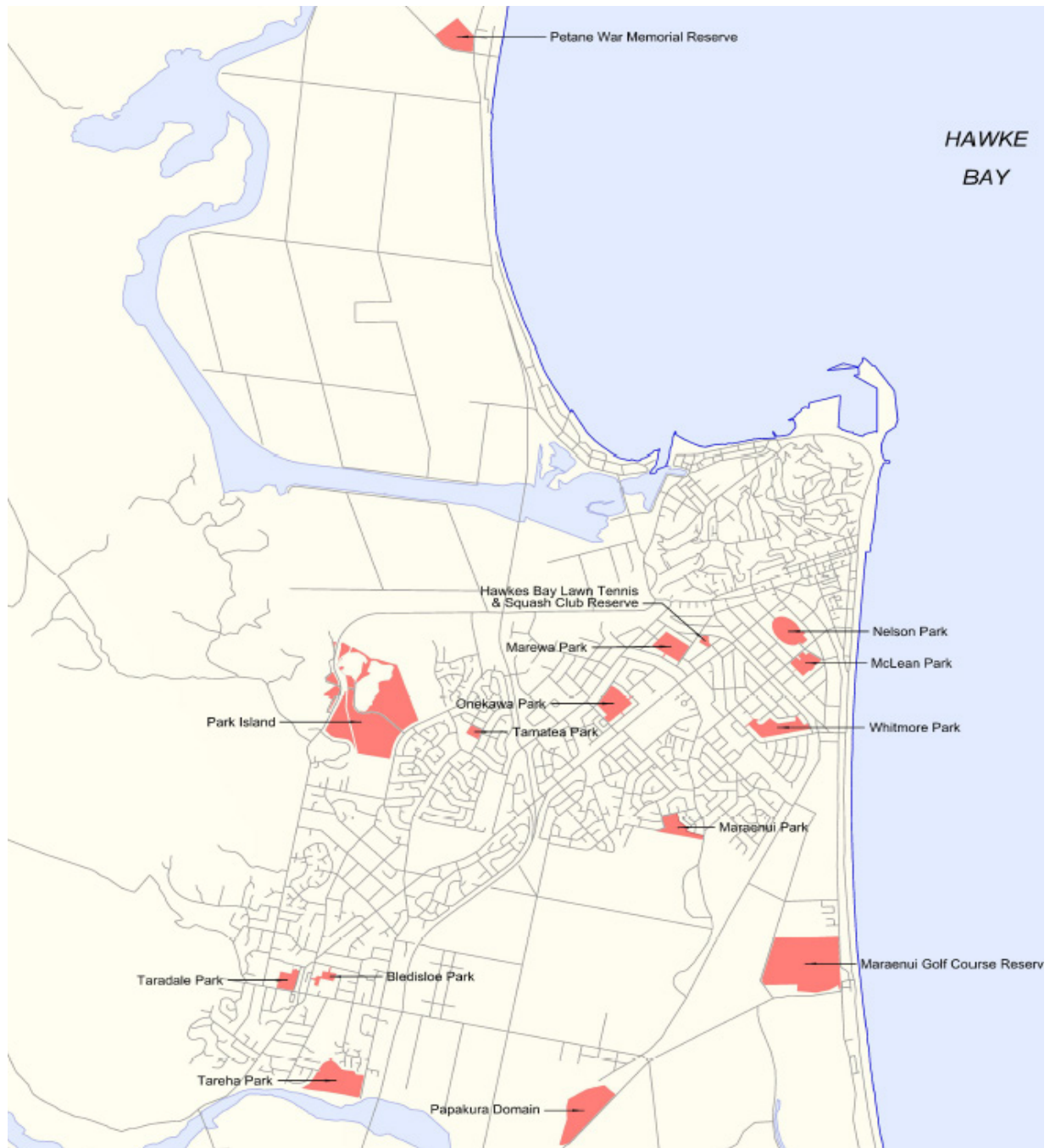


Foreshore Beach Reserves Location Map



Minor amendments have been made through the document to ensure that, where appropriate, the word 'beaches' has been added for clarity. This map details areas that are managed by Napier City Council

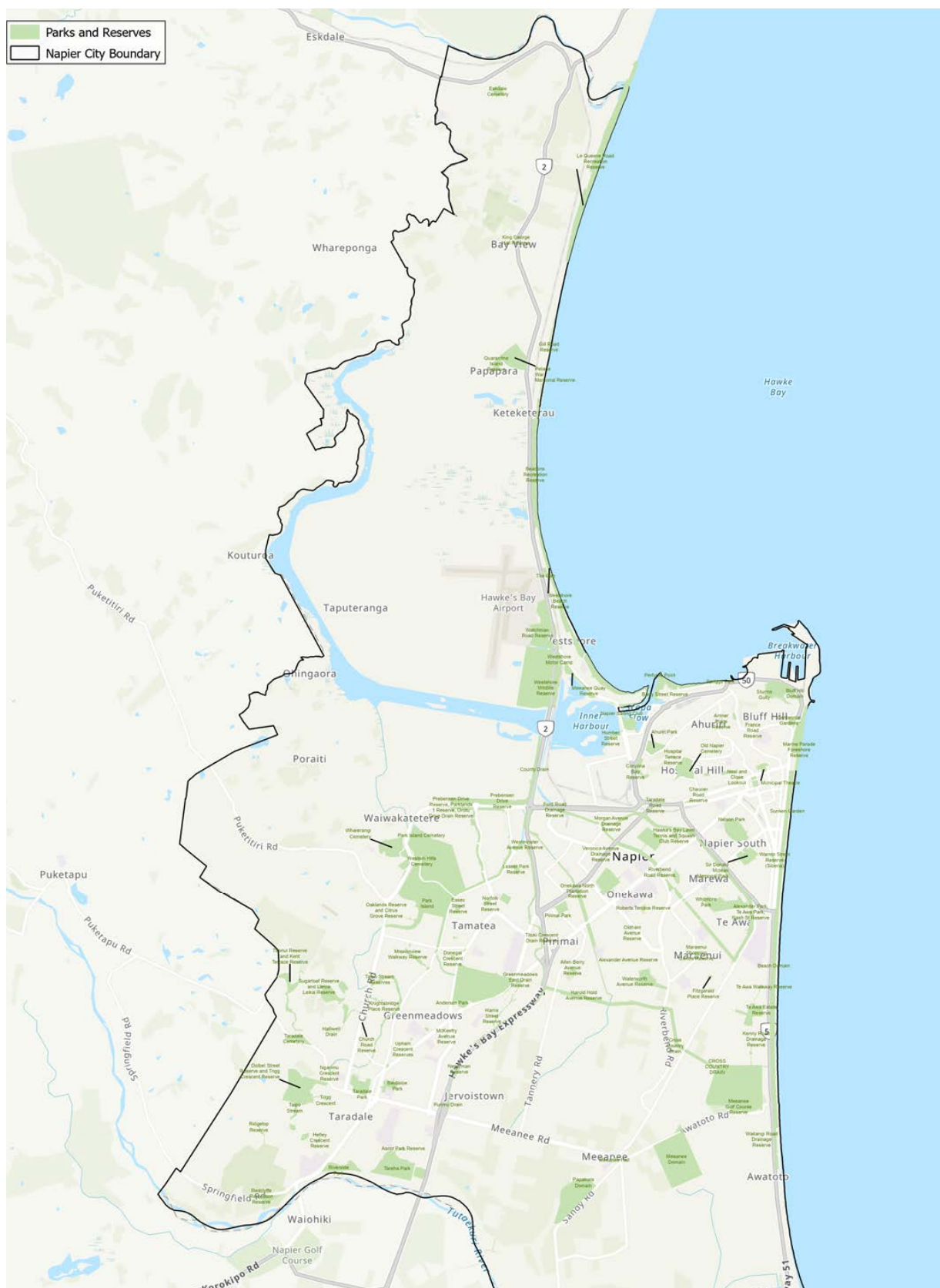
Sportsgrounds Location Map



Neighbourhood Reserves Location Map



Greenbelt, Public Open Spaces and Cemeteries Location Map



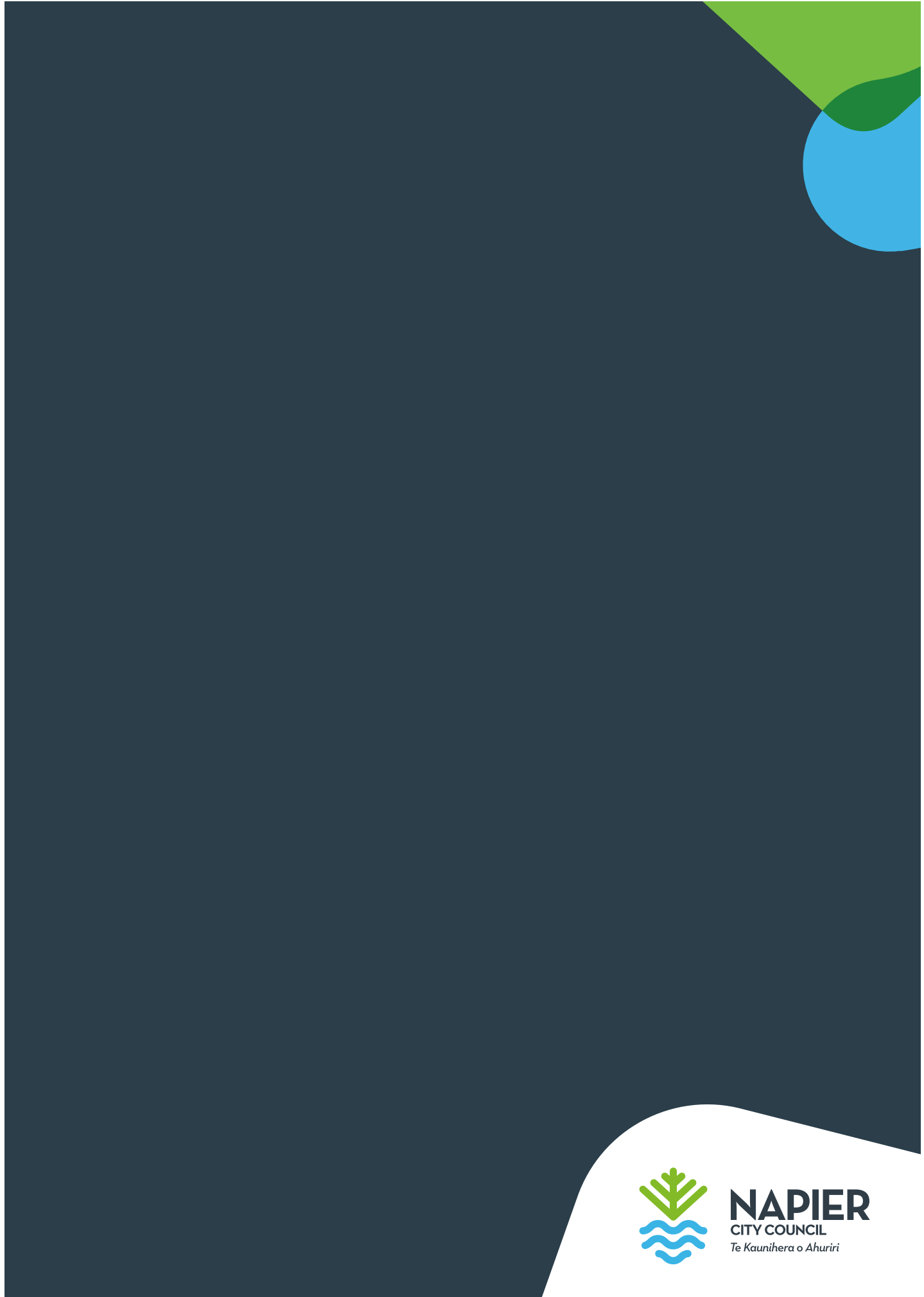
APPENDIX 3 - GLOSSARY OF TERMS

	Definition
BUILDING	means a temporary or permanent movable or immovable physical construction that is: <ul style="list-style-type: none"> a. partially or fully roofed, and b. is fixed or located on or in land, but c. excludes any motorised vehicle or other mode of transport that could be moved under its own power.
BYLAW/S	means an ordinance affecting the public, or some portion of the public, imposed under the provisions of Section 106 Reserves Act 1977 or a bylaw adopted by Napier City Council pursuant to sections 145 – 148 of the Local Government Act 2002.
RECORD OF TITLE	means a record of title under the Land Transfer Act 2017. See also Section 116 Reserves Act.
COMMERCIAL ACTIVITY (excluding temporary event)	means the exclusive use of reserve land or buildings on reserves by an individual, group or organisation for the display, offering, provision or sale of goods, services or entertainment for profit, for a period of more than 6 consecutive days, and as provided for in the Reserves Act 1977 pursuant to sections 54(1)(d).
COUNCIL	means the Napier City Council or a duly authorised officer of the Council. In relation to delegated and statutory powers under the Reserves Act it refers to the full Council of the local authority which is the administering body for the reserve; otherwise use to denote the Council as a corporate organisation
DELEGATED AUTHORITY / POWERS	means the authority and powers granted to the Minister of Conservation under the Reserves Act 1977 that has subsequently been delegated to Council, as local authority and administering body for a reserve, under an instrument of delegation made in accordance with section 10 of the Act.
DISPOSAL OF LAND	in relation to a reserve means the outcome of the process in Sections 24 and 25, which results in the reservation being revoked and the land becoming available for disposal.
DISTRICT PLAN	means the Napier City Council Operative District Plan, unless there is a specific reference to the Draft District Plan. The purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Resource Management Act 1991.
EASEMENT	Means a legal right issued to a citizen or organisation to use part of the reserve for a specific purpose. Must be agreed to by Council, and in accordance with section 48 of the Reserves Act 1977.
EXCLUSIVE USE	means where an activity takes up an area of Reserve Land that then makes that specific area of land unavailable for other uses.
LEASE	Means any lease granting an interest in land that — <ul style="list-style-type: none"> (A) gives exclusive possession of the land; and (B) makes provision for any activity on the land that the lessee is permitted to carry out subject to the terms of the lease (including those prescribed by the Reserves Act 1977).

APPENDIX 3 - GLOSSARY OF TERMS

	Definition
LICENCE	Means any licence granting an interest in land that — (i) is non-exclusive ; and (ii) makes provision for any activity on the land that the licensee is permitted to carry out: subject to the terms of the lease (including those prescribed by the Reserves Act 1977).
MANA WHENUA	Customary authority and title exercised by an iwi or hapū over land and other taonga within the tribal rohe.
OPEN SPACE AND RESERVES	means any open space, park, garden, playground or any other grounds, and includes facilities, set apart for public recreation or enjoyment which is under the management or control of the Council.
SPORTS CODE	Means any sporting club or organisation using Council facilities
STRUCTURE	Means any building, equipment, device or other facility made by people and which is fixed to land; and includes any raft.
TANGATA WHENUA	In relation to a particular area, means the iwi, or hapū that holds mana whenua over that area.
TEMPORARY EVENTS	means any exclusive event of less than 6 consecutive days in accordance with the relevant provisions of the Reserves Act 1977 and the City of Napier District Plan.





Napier City Council Trade Waste Bylaw Review 2025

Summary

The Napier City Council Integrated Trade Waste and Wastewater Bylaw 2022 (Trade Waste Bylaw) review has highlighted a few opportunities to improve the process and interactions with trade waste dischargers. These include wording on reconsiderations; a need for a clearer process for interactions with dischargers and staff reporting lines. The legal review highlighted the risk of intertwining the Trade Waste Bylaw with the Administration Manual (Manual) and the need to clarify their respective roles.

A review of eleven larger council trade waste bylaws informed the process as did interviews with three nominated dischargers and key staff members. Five recommendations are made to help address the issues identified.

Brief

Richard Bax Consulting has been asked by staff at Napier City Council (NCC) to review the trade waste area of the Integrated Trade Waste and Wastewater Bylaw 2022, including a legal review; review other councils' Trade Waste bylaws; meet with key industry representatives; suggest an education plan and make recommendations on a possible discharger reconsideration process.

Background

Richard Bax the director of Richard Bax Consulting has worked for and consulted to local authorities, mainly in the Waikato for over 45 years. He was lead for Trade Waste at Hamilton City Council for several years and was able to engage with industry resulting in a significant increase in compliance, the number of consents issued, and improved trade waste income.

He also developed and introduced a trade waste bylaw for Waikato District Council and more recently reviewed and updated the Trade Waste Bylaw for Stratford District Council.

Helen Atkins was till recently a partner in Atkins, Holm Majurey and is now a director of Atkins Law. She has considerable experience in providing legal advice to government and local governments throughout New Zealand. She is a commissioner for planning hearings and was recently Chair of Water NZ for 2 years.

Process

To gain an understanding of views of dischargers, interviews were carried out via Teams, phone and in person with two business representatives suggested by NCC staff and a third was added as suggested by one of the businesses.

A Teams meeting was also held with the NCC acting Manager of Environmental Solutions and the two Environmental Compliance Officers who look after trade waste.

These interviews gave an insight to the positive and areas of improvement in the Trade Waste space. The results are provided in the following section.

The trade waste bylaws for eleven of the larger New Zealand councils were reviewed as a desktop exercise, and a summary of the findings can be found in the next section. Links to the eleven Trade Waste Bylaws (plus NCC's) are in Appendix 2.

It was suggested by one of the dischargers that the Trade Waste officer for Hastings be contacted, as the trade waste process seemed to be working well there. This was arranged and a telephone discussion held.

Helen Atkins undertook a legal review (see Appendix 1) of the NCC trade waste bylaw and associated Administration Manual. The Model general bylaws - Trade Waste, NZS 9201.23:2004 was also reviewed to see if and how the NCC trade waste bylaw followed it. The results are in the next section.

This review focused on the trade waste area of the bylaw and not the wastewater areas.

Discussions and Findings

The three dischargers spoken with were open and provided insight to the concerns and areas for improvement. They clearly have some frustration and out of that there is opportunity to address things. The small number of dischargers who have raised concerns suggests that generally the bylaw is working.

The key issues identified were;

1. A desire for clear and consistent messaging
2. A need to understand the structure of the NCC trade waste space – who do staff report to and who 'is calling the shots'
3. A clear process mapped out i.e. what is next for them, what will any additional charges be and when will they apply
4. Understanding that these businesses need certainty and timeframes to obtain resources to address any areas of concern
5. What's happening with BPO consultants and their 'Blackbox'?
6. They were not sure the impact is understood at all levels at NCC if these businesses failed or moved on
7. Some trade wastes can balance each other out e.g. pH

The Hastings DC TW officer advised that the Hastings District Council (HDC) wastewater network and treatment is different to Napier and comparisons are not possible. HDC only has one wastewater network, whereas NCC has a separate trade waste network and its own treatment system. This separate network collects most of the trade waste flows.

The review of other Trade Waste bylaws highlighted some different approaches, although unsurprising not a great deal since the model bylaw is used by most councils as the start point. There are three other councils, Auckland/Watercare, Whangarei and Palmerston North that also have administration manuals in conjunction with the Trade Waste bylaw, as does NCC. This is explored further in the next area.

A key finding was that six of the other councils have an appeal process in the bylaw and four don't have anything. Of the six, five have the same process – request to the CEO within 20 working days for a review. The CEO appoints a person not previously involved in the decision to review it. This is a sound and practical approach. Note that the councils have not been asked if it works for them or their dischargers. The discharger also has the option in the Local Government Act to instigate a judicial review to the High Court. Issues about the bylaw may also be considered by the District Court in the context of a prosecution.

The current Napier Trade Waste Bylaw directs any 'unhappy' dischargers to the Complaints Policy, but on reading this, it seems designed for concerns with staff (or councillors) behaviour rather than an issue with trade waste consent conditions or charges.

Legal

The legal review was generally positive but did raise a concern with the Administration Manual and its interface with the Trade Waste bylaw. It is understood from reviewing the report on the reason for the Bylaw and the Manual, that the Manual could be updated more easily through council resolutions. The expectation is that the Manual would be to provide guidance on the use of the bylaw for dischargers and staff. Unfortunately, this has not been the case. It has led to confusion, overlaps and results in some legal risk to NCC if a prosecution is undertaken that relies on any changes to the Administration Manual.

This overlap risk occurs if any changes are made to the Manual that would normally form part of the Bylaw through a council resolution without using the special consultative process. An example would be to make a change to the trade waste characteristics or the maximum levels.

The legal review recommends that the special consultative process be followed if changes are made to any item that might be an offence under the Bylaw. To address this, the Administration Manual should be reviewed and amended. This could also be an opportunity to make it more of a supporting document to the Trade Waste bylaw rather than overlapping as it does now.

Education

The feedback from dischargers was that they were not clear what the next steps in the permitting process were.

As a result, it is suggested that a process map be drawn up and shared early in the discussions with dischargers along with indicative timelines. See Appendix 3 for some ideas that could be developed. There needs to be a simple process for permitted activities and a more detailed and specific one for conditional dischargers. See Hamilton City Council and Watercare websites for further examples.

<https://hamilton.govt.nz/property-rates-and-building/water-services/trade-waste-applications/>

<https://www.watercare.co.nz/business/help-and-support/trade-waste>

Future

The Local Government (Water Services) Bill #3 includes a requirement for a Trade Waste Plan to be prepared within two years. The requirements, as currently drafted in the Bill, are similar to the Water Plan that council is already required to produce. The proposed Trade Waste Plan would need to be consulted on, and this consultation could include any changes to the Trade Waste Bylaw as well.

The review of the Trade Waste Bylaw and discussion with dischargers highlighted the current staff structure and what the reporting lines were.

The Environmental Compliance officers report to the Manager Environmental Solutions who in turn reports to the Executive Director Infrastructure Services. This director is responsible for the wastewater network and the WWTP, among other activities, and so management and understanding of the trade waste discharges is critical. It would be advantageous to share this with the larger dischargers as the report writer was also not clear when checking the NCC website.

Trade Waste Bylaw review results

City or District	Bylaw date	Flow Charge	Characteristic Charge	Appeal option to	Comment
Napier	2022	Yes	No but there is provision in the Adminstration Manual for BOD, COD, SS, TKN and Fat Oil & Grease.	<i>If any Person is dissatisfied in relation to any decision by the Council made under this Bylaw, any Person may lodge a complaint with the Council in accordance with the Council's Complaints Policy.</i>	<i>The TW Charging Model is designed to be a true user pays mechanism....</i> The Complaints Policy seems more directed at staff behaviours, rather than an issue with (this) bylaw outcomes.
Hamilton	2016 but 2023 update	Yes	Yes	City Waters Manager only	Full cost recovery
Watercare	2013 but 2019 update	Yes but in ranges	No but limits in place	Nothing in the bylaw	Agreement has an option for external help to resolve issues
Wellington	2016	Yes but in ranges	Part only – BOD and SS	With council approval, appoint an independent arbitrator	
Christchurch	2015	Yes	BOD, SS and some metals	Within 20 working days to CEO whose decision is final	Conditional consent is 2 years but could be up to 10 if clean production is in place
Tauranga	2019	Yes	Part-only COD & SS	Nothing in the bylaw	Has flow and characteristic limits

Dunedin	2020	Yes	BOD and SS only	Nothing in the bylaw	Flow charge is only \$0.15/m ³ BOD and SS are very cheap?
Hastings	2021	Yes	No	Nothing in the bylaw	Also charge a capital contribution in 2 catchments
Invercargill	2017	Yes	BOD & SS only	Within 20 working days to CEO whose decision is final	
New Plymouth	2008 & readopted in 2013	Yes	BOD, SS and some metals	Within 20 working days to CEO whose decision is final	
Palmerston North	2022	Yes	BOD, SS and DRP	Within 20 working days to CEO whose decision is final	
Whangarei	2023	Yes	SS; TKN & COD only	Within 20 working days to CEO whose decision is final	

Recommendations

The following recommendations are made;

1. The Trade Waste bylaw and Administration Manual are reviewed and amended so that any potential areas where council may take legal action are contained within the bylaw only, and that the Administration Manual is not mentioned in it other than as an advisory note, e.g. see *Administration Manual for the timelines for the consenting process*.
2. The Administration Manual should only contain matters on how to administer the Bylaw including the processing of applications.
3. The Trade Waste Bylaw is amended by adding an appeal process (see Appendix 4 for the latest Water Services Bill related to Trade Waste). The following wording or similar could be as used;

A request to reconsider the trade waste conditions or a permit has been declined, can be made to the CEO within 20 working days. The CEO's decision will be final.

4. A communications plan be developed to help guide and educate dischargers on the process and their obligations (see Appendix 3 for some ideas)
5. Share the staff reporting lines to ensure they are clear and known to trade waste dischargers.
6. NCC should continue charging for volume but could start charging for characteristics for operational treatment that improves TW wastewater quality and for keeping the network operational (e.g. TW related blockages, pipe damage etc). Any capital charges need to be for increasing the volumetric capacity, provide additional quality benefits in the treatment process, not double up on Financial Contributions

Appendices

Appendix 1 Legal review (See separate file)



1 April 2025

By email: [REDACTED]

Dear Richard

Q346789LEGAL REVIEW OF THE NAPIER CITY COUNCIL - INTEGRATED TRADE WASTE AND WASTEWATER BYLAW 2022

INTRODUCTION

1. As per the Brief for Napier City Council (**Council**) on the Integrated Trade Waste and Wastewater Bylaw 2022 (**Bylaw**) dating from July 2024, the legal component of the review undertaken by me is to include a review of the Bylaw against the NZS9201.23:2004 Model General Bylaws - Trade Waste (**Model Bylaw**).
2. This review specifically considers the trade waste component of the Bylaw but where there are issues that also pertain to wastewater these will be addressed as well.
3. In addition to the Bylaw, I also have considered the following matters:
 - (a) Napier City Council – Integrated Trade Waste and Wastewater Bylaw 2022 Administration Manual my review Council (version 1.0) (**Administration Manual or Manual**); and
 - (b) Consultation Notes prepared by Richard Bax entitled - Napier City Council Trade Waste Bylaw Review dating from late 2024 to early 2025 (**Consultation Notes**);
 - (c) The Trade Waste Bylaw - Gap Analysis Report (**Gap Analysis**) which was done a short time before the Bylaw was made into law;
 - (d) The draft advice dated 20 May 2024 from Simpson Grierson in relation [REDACTED] (**Draft Advice**).
4. This legal review is broken into the following sections:



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- The legal framework for the Bylaw;
- An overview of the Bylaw;
- Reference to the Model Bylaw;
- An overview of the Administration Manual;
- Reference to the Gap Analysis;
- Commentary on the Consultation Notes;
- Commentary on the Draft Advice; and
- Recommendations and conclusions.

LEGAL FRAMEWORK FOR THE BYLAW

5. As stated in clause A.6.1 the Bylaw is made under section 146 of the Local Government Act 2002 (**LGA02**). Section 146 sets out the specific by-law making powers for a territorial authority and includes a list of wastes including trade wastes. This clause sits within "Part A. Requirements Common to All Wastewater Services" and Wastewater Services has the same meaning as defined by s124 of the LGA02 and includes Domestic Wastewater and Trade Waste Services. Section 124 defines wastewater services as meaning sewerage, treatment and disposal of sewage, and stormwater drainage. Domestic Wastewater and Trade Waste (note not Trade Waste Services) is defined in the Bylaw.
6. The LGA02 includes specific requirements for trade waste bylaws including:
 - (a) The matters contained in section 148 (relating to public notice and provision of the draft to the Minister of Health);
 - (b) Section 153 – that a trade waste bylaw binds the Crown;
 - (c) Section 181 – the power to construct works on private land that are consider necessary for trade waste disposal;
 - (d) Section 195 - that the discharge of trade wastes into sewerage drain in compliance with the bylaw is not breach of the LGA02, the RMA 1991 or regulations, or the Building Act 2004 or regulations;
 - (e) Section 196 – specific provision in relation to trade wastes;
 - (f) Section 242 – penalties for breaches of a trade waste bylaw.



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7. For the purpose of this review, the matters contained within section 148 were complied with by the Council.

OVERVIEW OF THE TRADE WASTE COMPONENT OF THE BYLAW

8. The specific objectives for the trade waste component of the Bylaw are contained in Part B. Amongst other matters, Part B.2 provides for the establishment of four categories of Trade Waste (Prohibited, Controlled, Conditional and Prohibited). These categories are each defined in the Bylaw by reference to Schedules A and B of the Administration Manual, which is discussed in the next section.
9. The Administration Manual is also referred to in the following clauses of the Bylaw:
- (a) B.2.1f (evaluation against specified criteria in Schedule A of the Manual and parts of the Bylaw);
 - (b) B.2.1i (sampling and monitoring to ensure compliance with the Bylaw and Schedules A and B of the Manual);
 - (c) B.2.1n (charges as set out in Schedule C of the Manual);
 - (d) B.4.3 (registration and Trade Waste Consent application processes detailed in Clause B.4 of the Manual);
 - (e) B.5.2 (additional requirements for Controlled or Conditional Trade Waste discharges as set out in Sections B.6 and B.7 of the Bylaw and Part B of the Manual);
 - (f) B.6.4 (information requirements in respect of an application for a Trade Waste Consent as set out in Clause B.4 of the Manual);
 - (g) B.6.5 (the procedure for assessing applications is detailed in Clauses B.1, B.3 and B.4 of the Manual);
 - (h) B.6.7 (conditions as referred to in Clause B.4.5 of the Manual);
 - (i) B.6.8 (the review process as set out in Clause B.4.7 of the Manual);
 - (j) B.6.10 (duration of Trade Waste Consent as outlined in Clause B.4 of the Manual);
 - (k) B.6.12, B.6.13 and B.16.15 (the process for making amendments to Schedule A of the Manual);
 - (l) B.6.14 (the effect of changes to the Bylaw or the Manual to an Approval Notice);
 - (m) B.7.3 (operation and servicing of commercially supplied equipment to be (amongst other matters) in accordance with Schedule A of the Manual);



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- (n) B.7.4b (discharges via grease traps and oil interceptors to comply with discharge limits set out in Schedule A of the Manual) and c (all systems installed and operated as per Section b.7 of the Manual);
 - (o) B.7.9 (the Manual lists a number of relevant documents in Section A.2 of the Manual);
 - (p) B.8.1 (metering to be done in accordance with the Manual);
 - (q) B.8.4 (estimating unmetered discharges in accordance with the Manual);
 - (r) B.9.1 (breaches to be notified, including breaches of the Manual);
 - (s) B.10.1 (offences can include offences under the Manual);
10. It is noted that the Administration Manual is also referred to in the context of the Wastewater component of the Bylaw (see C.2.2, C.3.3, C.4.1, C.4.2, C.4.3, and C.8.1).

OVERVIEW OF MODEL BYLAW

11. The Model Bylaw dates from 2004 and was specifically created by Standards New Zealand to assist in the bylaw reviews that had to happen by the end of June 2008. The Model was created to provide a general model so that territorial authorities could make specific modifications to meet their individual requirements. It was noted that smaller territorial authorities should be able to use the Model with minimal modification and without undertaking substantial investigations.
12. In general terms the Bylaw does follow the Model Bylaw but a number of matters are in the Administration Manual rather than in the Bylaw. This is covered below.

OVERVIEW OF THE ADMINISTRATION MANUAL

13. The Administration Manual is referred to in Clause A.2 of the Bylaw:
- A.2.1 This Bylaw is supported by an Administration Manual which provides technical, administrative or operational material complementary to the Bylaw. The Administration Manual is made under the Bylaw and will guide the implementation and operation of the Bylaw and simplify its administration.
 - A.2.2 The Administration Manual will be updated from time to time, as necessary, to ensure that it is up to date and reflects current practice. All matters that the Administration Manual defines, regulates, controls or prohibits related to this Bylaw, are matters that this Bylaw leaves to be addressed by resolution of Council under section 151(2) of the Local Government Act 2002.
14. The Administration Manual therefore contains important matters that are not specifically included or defined in the Bylaw. It is, therefore, necessary for users of the Bylaw to ensure that they comply with the Manual.



HELEN ATKINS

15. With reference to section 148 and the provision of the draft Bylaw to the Minister of Health I note that both the Bylaw and the Manual were provided to the Minister, and no adverse comment was made about the Manual by the Minister.
16. The Manual does not just contain administrative and operational material, it also contains technical information such as, what the various categories of trade waste are, and technical requirements for certain trade waste discharges.
17. While it is assumed that the Manual has not been amended since it was developed in 2022¹ it appears from the Consultation Notes that the Manual has been amended from time to time. This is discussed further below.

TRADE WASTE BYLAW REVIEW - GAP ANALYSIS REPORT

18. The Gap Analysis was undertaken just prior to the Bylaw coming into effect. In terms of the Manual the Analysis states:

Administrative Manual

It is proposed that the Bylaw will be accompanied by an Administration Manual. The purpose of the Administration Manual is to provide material complementary to the integrated Trade Waste and Wastewater Bylaw by bringing together those aspects which are of a more administrative nature and which may need regular review and updating. For example, a schedule referenced in the bylaw outlining methods for the control of contaminants that is likely to need updating regularly or public guidance documents. In taking this approach, it will simplify the administration of the bylaw, allow for administrative and technical processes to be kept up to date, and assist in interpretation of the bylaw.

Management of the Administration Manual would be conducted under delegated authority of the Bylaw, and will govern the implementation and operation of the bylaw. The Administration Manual will be a public document and available on the council's website alongside the bylaw.

In addition to making the bylaw simpler and more streamlined, the inclusion of an Administration Manual is intended to make amendments simpler and more responsive to change. Amendments to the Administration Manual can be made by council resolution, with appropriate community engagement, and would not require the use of the Special Consultative Procedure, making decision-making more cost-effective and timely.

19. The reason for the Manual is very clearly articulated in the Gap Analysis. The main issue that arises is the fact that amendments to the Manual do not need to follow the same process as amendments to the Bylaw do. This is discussed further below.

¹ Note the Document Control table only notes the 31st August 2022 as the date amended





COMMENTARY OF DRAFT ADVICE

20. The purpose of this section of this review is to comment on whether this review is affected by the Draft Advice. The short answer to this is – no it is not affected.
21. The Draft Advice was in relation to the process [REDACTED]. The Draft Advice was provided in the context of their being no delegation beyond the Chief Executive to review the conditions of [REDACTED].
22. While the Draft Advice did mention the Administration Manual and the Bylaw, it did not specifically comment on the relationship between these documents. There is, therefore, no overlap or inconsistency between the Draft Advice and this review.
23. It is noted that the Draft Advice sets out the process that Council must follow should it wish to amend the Bylaw. This is noted below as being the special consultative process under the LGA02 and it is not a process that can be delegated by the Council to any other entity – such as a committee or a person – it is a process only the full Council can undertake.

COMMENTARY ON CONSULTATION NOTES

24. You have undertaken some specific consultation about the Bylaw and the key matter relevant to this legal review is that elements of the Schedule 2 outcomes in a discharger's consent have apparently changed without notice.

RECOMMENDATION AND CONCLUSIONS

25. The main issue with this Bylaw is the relationship between it and the Administration Manual. There are two points to make here:
- (a) First, there is likely to be confusion between the Bylaw and the Manual amongst users;
 - (b) Secondly, there are elements of the Manual that can be altered in a different way that the Bylaw can be altered. While this is noted as a positive in the Gap Analysis it is also a negative when the Manual contains matters that must be specifically complied with where failure to do so is an offence.
26. As noted in the Gap Analysis, when amending the Bylaw, the Council must follow the special consultative procedure in the LGA02.² However, when the Council amends the Administrative Manual, this is stated (in the Manual and in the Bylaw) as by simply passing a Council resolution.

² See s156 LGA02



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27. My recommendation is that any of the matters in the Manual that describe contaminants or processes that are subject to offences under the Bylaw (see the matters listed above) should be part of the Bylaw itself and should only be changed by following the special consultative process.
28. It is not necessarily an issue that these compliance matters are included in the Manual because the Bylaw is clear that the Manual and the Bylaw should be read together. The issue is about the changes to the Manual not following the same process as changes to the Bylaw.
29. I appreciate that the Council has not taken much (or any) enforcement action under the Bylaw (and this was an issue noted in the Gap Analysis) but should it choose to take action and this depends on something in the Manual which has been changed then the Council will face considerable difficulties proving this in Court. [REDACTED]

Yours sincerely

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Appendix 2 Councils Bylaw Links

City or District	Bylaw link
Napier	https://www.napier.govt.nz/assets/Document-Library/Bylaws/NCC-Trade-Waste-and-Wastewater-Bylaw-2022.pdf https://www.napier.govt.nz/assets/Infrastructure-Forms/NCC-Trade-Waste-and-Wastewater-Admin-Manual-2022.pdf
Hamilton	https://storage.googleapis.com/hccproduction-web-assets/public/Uploads/Documents/Bylaws/Hamilton-Trade-Waste-and-Wastewater-Bylaw-2016-Amended-2023.pdf
Watercare	https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/bylaws/docstradewastebylaw/tradewastebylaw.pdf https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/bylaws/docstradewastebylaw/tradewastecontrol.pdf
Wellington	https://wellington.govt.nz/-/media/your-council/plans-policies-and-bylaws/bylaws/files/trade-waste-bylaw-2016.pdf
Christchurch	https://ccc.govt.nz/assets/Documents/The-Council/Plans-Strategies-Policies-Bylaws/Bylaws/Trade-Waste-Bylaw-2015.pdf
Tauranga	https://www.tauranga.govt.nz/Portals/0/data/council/bylaws/files/tradewaste.pdf
Dunedin	https://www.dunedin.govt.nz/_data/assets/pdf_file/0010/803467/Trade-Waste-Bylaw.pdf
Hastings	https://www.hastingsdc.govt.nz/assets/Document-Library/Bylaws/Bylaw-Chapter-7-Water-Services.pdf
Invercargill	https://icc.govt.nz/wp-content/uploads/2024/11/Trade-Waste-Bylaw-2017.pdf
New Plymouth	https://www.npdc.govt.nz/media/4rlheksn/bylaw-2008-part-11-trade-waste-amended-2013.pdf
Palmerston North	https://www.pncc.govt.nz/files/assets/public/v/1/documents/council/bylaws/trade-waste-bylaw-2022.pdf https://www.pncc.govt.nz/files/assets/public/v/1/documents/council/bylaws/trade-waste-bylaw-2022-administration-manual.pdf
Whangarei	https://www.wdc.govt.nz/files/assets/public/v/2/documents/council/bylaws/trade-waste-bylaw.pdf https://www.wdc.govt.nz/files/assets/public/v/1/documents/council/bylaws/trade-waste-control.pdf

Appendix 3 Indicative Process Map for Trade Waste Applications

Receive Application (respond within 10 working days)

Assess application (likely discharge category; permitted, controlled, conditional and prohibited)

Meet with Applicant (within 10 working days)

Explain the purpose of the Trade Waste bylaw and how it works at NCC and the hierarchy

Explain options if the applicant is not satisfied with the potential outcome (options in the bylaw, and LGA)

Discuss likely category and implication (at the meeting above)

Discuss likely conditions (at the meeting above)

Discuss potential charges and timelines (in a follow up meeting in a further 15 working days)

Explain where the applicant can get support and assistance from

Appendix 4 Local Government (Water Services) Bill #3

See Part 3 - Subpart 6 Trade Waste

<https://www.legislation.govt.nz/bill/government/2024/0108/latest/LMS1004629.html>

- A Trade Waste Plan is required within 2 years (similar to a Water Plan) of the Act coming in to force
- It must be consulted on
- It may propose a TW bylaw, and if so you don't need to consult again if its covered in the TW Plan
- It sets out what to do if a TW permit is declined, i.e. apply to CEO who appoints a person (other than the original person) to review the decision. The applicant can then appeal to the District Court and then to the High Court if they are not satisfied.



Integrated **TRADEWASTE & WASTEWATER** *Bylaw 2022*

Administration Manual



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri
napier.govt.nz

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Napier City Council Integrated Trade Waste and Wastewater Bylaw Administration Manual 2022

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1.0	Caitlin Egan	Alix Burke	Cameron Burton	31 August 2022

Introduction

Purpose

The purpose of this Administration Manual is to provide material complementary to the Integrated Trade Waste and Wastewater Bylaw 2022 (the Bylaw). This Administration Manual brings together those matters which may otherwise be included in the Bylaw, but which are of a technical or administrative nature, or operational matters that are more likely to be amended before the Bylaw is reviewed. These aspects also include guidelines, which are intended for that purpose – to provide guidance only, with respect to matters covered within the Bylaw.

It is intended to simplify the administration of the Bylaw, allow for administrative and technical processes to be kept up to date, and assist in the interpretation, implementation and operation of the Bylaw.

The Administration Manual is a public document and will be made available on the Council's website alongside the Bylaw. Hard copies of both can be provided on request and will be available to review at the Council's offices and libraries.

The Administration Manual will be updated from time to time, as necessary, to ensure that it is kept up to date and reflects current practice. Amendments to this document will be authorised either by an Order of Council or the Council's Chief Executive or Officer's delegated authority.

Part A: Requirements Common to all Water Services

A.1 Format of this Administration Manual

There are three Parts and a number of Schedules to this Administration Manual. These follow the format of the Bylaw:

- **Part A Requirements Common to All Water Services**
- **Part B Trade Waste**
- **Part C Wastewater Drainage**

A.2 Applicable Acts, Regulations, Codes and Standards, and Council Codes of Practice, Policies and Plans

The Bylaw is made under the Local Government Act 2002. The following is a non-exhaustive list of other legislation, Regulations, Codes of Practices and Standards, and Council documents that may also be applicable to the matters addressed by the Bylaw.

- a) Statutory Acts and Regulations:
 - i. Resource Management Act 1991, and relevant National Policy Statements and National Environmental Standards
 - ii. Health Act 1956
 - iii. Building Act 2004
 - iv. Building Regulations 1992 Schedule 1 (New Zealand Building Code)
 - v. Fire and Emergency Act 2017
 - vi. Health (Drinking Water) Amendment Act 2007
 - vii. Hazardous Substances and New Organisms Act 1996
 - viii. Health and Safety at Work Act 2015
 - ix. Health and Safety in Employment Regulations 1995
 - x. Health and Safety at Work (General Risk and Workplace Management) Regulations 2016
 - xi. Health and Safety at Work (Mining Operations and Quarrying Operations) Regulations 2016
- b) Relevant Codes and Standards
 - i. Management and Handling of Used Oil HSNOCOP63 (November 2013)

- ii. Environmental Guidelines for Discharges from Petroleum Industry Sites in New Zealand, in New Zealand Ministry for the Environment (December 1998)
 - iii. SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice
 - iv. NZWWA Water Meter Code of Practice 2003
 - v. Liquid and Hazardous Waste Code of Practice 2012
- c) Napier City Council Plans, Codes of Practice, procedures, and guidelines:
- i. Napier City Code of Practice for Subdivision and Land Development
 - ii. Napier City Council District Plan

A.3 Definitions

In this Administration Manual unless the context otherwise requires:

Acceptable Discharge means Wastewater or Trade Waste with Characteristics that comply with the requirements of Permitted Trade Waste as defined in Part B of the Bylaw.

Administration Manual means this Administration Manual.

Approval means approved in writing by the Council, either by resolution of the Council or by an officer of the Council authorised for that purpose or other Person authorised to give such approval on behalf of Council.

Approval Notice means an Approval authorising a Person to Discharge Permitted Trade Waste to the Public Wastewater System.

Authorised Officer means an officer or an agent appointed by the Council and given powers to perform duties and functions under the Bylaw, and includes an enforcement officer warranted and appointed under sections 171 and 177 of the Local Government Act 2002.

BOD5 means the five-day carbonaceous biochemical oxygen demand which is a measure of the strength of Wastewater.

Building means any Building within the meaning of sections 8 and 9 of the Building Act 2004. A Building also includes any mobile or temporary structures with

permanent or temporary connections to the Wastewater Services.

Bylaw means the Integrated Trade Waste and Wastewater Bylaw 2022.

Characteristic means any of the physical, biological or chemical characteristics of Trade Waste or Wastewater.

Chemical Oxygen Demand means total Chemical Oxygen Demand as determined by established standard methods of testing,

Cleaner Production is further explained in Clause B.10 below, and means the implementation of operations, methods and processes appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes. This is required to minimise and manage Discharges to the Public Wastewater System by:

- a) using energy and resources efficiently, avoiding or reducing the amount of waste produced;
- b) producing environmentally sound products and services; and
- c) the application of relevant innovative solutions.

Condensing or Cooling Water means any water used in any Trade or industry or commercial process or operation in such a manner that it does not take up matter into solution or suspension.

Conditional Trade Waste means Tankered Waste, Trade Waste Discharged from Mobile Facility and Vendor Operations, and any Trade Waste that, after Pre-treatment, complies with all of the physical and chemical Characteristics in Schedule A of the Administration Manual unless otherwise specified in a Trade Waste Consent, and may have a Discharge volume of more than 5 m³/day and/or a flow of more than 2 L/s.

Contaminant has the same meaning as defined in section 2 of the Resource Management Act 1991.

Contingency management procedures means those procedures developed and used to avoid, remedy, or mitigate the actual and/or potential adverse effects on the environment and Council infrastructure from an unexpected or unscheduled event resulting in Discharge, or potential

Discharge of Contaminants of concern onto land or into the Public Stormwater Network and Wastewater System or into receiving water bodies such as wetlands, streams, estuaries and the ocean.

Consent holder means an Operator who has obtained a Trade Waste Consent to Discharge from specified Premises to the Public Wastewater System, and includes any Person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.

Contaminant has the same meaning as defined in section 2 of the Resource Management Act 1991.

Controlled Trade Waste means Trade Waste that, after Pre-treatment, complies with all of the physical and chemical Characteristics in Schedule A of the Administration Manual, and has a Discharge volume of less than 5 m³/day and a flow of less than 2 L/s.

Council means Napier City Council and includes any Person or Committee acting under authority duly delegated by the Napier City Council.

Customer means a Person occupying domestic Premises connected to Public Wastewater System and includes, where appropriate, employees and agents. If the Building or land is not occupied, or is subject to a residential tenancy, means the Owner.

Discharge has the same meaning as defined in section 2 of the Resource Management Act 1991.

Disconnection means the physical cutting and/or sealing of any of the Council's water services, utilities, drains or sewers against use by any Person for the purposes of disconnecting of Premises from the Public Wastewater System.

Domestic Wastewater means water or other liquid from domestic Premises, including waste matter in solution or suspension, Discharged from Premises used solely for residential purposes, and including water or other liquid drained from domestic swimming and spa pools.

Environmental Management Plan means a plan for a Premises to support the effectiveness of the Public Wastewater System by making provision for matters including, but not limited to, cleaner production, waste minimisation, Pre-treatment, managing, monitoring and recording Trade Waste Discharges, contingency management procedures, pollution prevention and site Stormwater management.

Food Premises means premises from which a food business (as defined in section 10 of the Food Act 2014) operates.

Hazardous Substance has the same meaning as that term is defined in section 2 of the Hazardous Substances and New Organisms Act 1996.

Household Equivalent means any Wastewater generated by a Premises that would otherwise be generated from a domestic Premises (e.g. toilets, sinks, staff kitchen and facilities) and which is not a direct consequence of commercial or industrial operations.

Mass limit means the total mass of any characteristic that may be Discharged to the Council's Wastewater system over any stated period from any single point of Discharge or collectively from several Points of Discharge.

Maximum Concentration means the instantaneous peak concentration that may be Discharged at any instant time.

Meter means a Council owned meter which measures and records the flow and/or volume of Wastewater.

Mobile Facility and Vendor Operations includes a vehicle, trailer, or caravan that may be used for food preparation and sale and a range of mobile activities such as commercial cleaning where liquid wastes are containerised and transported to Points of Discharge in the Public Wastewater System.

Code of Practice for Subdivision and Land Development means Council's current Code of Practice for Subdivision and Land Development which details the engineering

standards required for land development which is reviewed and amended from time to time.

Nuisance has the same meaning as section 29 of the Health Act 1956, and includes a Person, thing, or circumstance causing distress or annoyance or unreasonable interference.

Operator means the Person occupying Trade Premises connected to Public Wastewater System and includes, where appropriate, employees and agents.

Owner means any Person who owns any Building or land connected to the Public Wastewater System.

Permitted Trade Waste means Trade Waste that meets the physical and chemical Characteristics as defined in Schedule A of the Administration Manual without Pre-treatment and has a Discharge volume of less than 5 m³/day and a flow of less than 2 L/s.

Person includes the Crown, a corporation sole and also a body of Persons whether corporate or otherwise.

Point of Discharge is the boundary between the Public Wastewater System and a Private Drain, as further defined in Clause C.2 and Schedule D of this Administration Manual or in a Trade Waste Consent.

Premises means either:

- a) A property or allotment which is held under a separate record of title or for which a separate record of title may be issued and in respect to which a building consent has been or may be issued; or
- b) A Building or part of a Building that has been defined as an individual unit by a cross lease unit title or company lease and for which a record of title is available; or
- c) Land held in public ownership (e.g. reserve) for a particular purpose; or
- d) Individual units in Buildings which are separately leased or separately occupied.

Pre-treatment means any processing of

Wastewater or Stormwater designed to reduce or vary any Characteristics before Discharge to the Public Wastewater System.

Private Drain means that section of drain between a Premises and a Point of Discharge through which Wastewater is conveyed from the Premises.

Prohibited Trade Waste means Trade Waste that has, or is likely to have, any of the physical and chemical characteristics as set out in Schedule B of this Administration Manual.

Public Stormwater Network means any component of the Stormwater network vested in, or under the control of, the Council, whether or not any part of the network passes through private land.

Public Wastewater System means the system for collection, treatment and disposal of Wastewater and Trade Waste, including all sewers, pumping stations, and storage tanks, the wastewater treatment plant, outfalls, and other related structures operated by the Council and used for the reception, treatment and disposal of Wastewater and Trade Waste. The Public Wastewater System does not extend beyond the Point of Discharge.

Record of Title means a certificate registering the freehold ownership of land available to any owner(s) under the Land Transfer Act 1952.

Separated Trade Waste Network means the sewer network used exclusively for Trade Waste that contains no human sewage.

Stormwater means surface water run-off resulting from rainfall.

Stormwater Drain means any passage, channel or pipe on, over or under the ground by which Stormwater is conveyed.

Tanker Waste means any water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal into the Public Wastewater System or the Separated Trade Waste Network, but excludes Domestic Wastewater Discharged directly from house buses, camper vans, caravans, buses and

similar vehicles and Discharges from Mobile Facility and Vendor Operations.

Te Whanganui a Orotū means the Ahuriri Estuary.

Trade Premises means:

- a) any Premises used or intended to be used for any industrial or commercial purposes; or
- b) any Premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- c) any other Premises from which a Contaminant is Discharged in connection with any industrial or commercial process; or
- d) any other Premises discharging waste material other than Domestic Wastewater, and includes any land or Premises wholly or mainly used for agricultural or horticultural purposes.

Trade Waste means any Wastewater that is not Domestic Wastewater, and is generated by commercial or industrial activities, and does not include Wastewater generated by churches, marae, or Household Equivalent Discharges.

Trade Waste Charging Model means the methodology developed by the Council that is designed to be a true user pays mechanism for Operators Discharging to the Public Wastewater System, as further described in Schedule C of this Administration Manual.

Trade Waste Consent means a consent given by the Council in writing authorising an Operator to Discharge Trade Waste to the Public Wastewater System.

Unit Title or State Title means a Record of Title or computer unit title register issued for a stratum estate in freehold or a stratum estate in leasehold (as the case may be) in respect of a unit or units in accordance with the Unit Titles Act 2010.

Waahi tapu means places sacred to Māori in the traditional, spiritual, religious, ritual or mythological sense and are outlined in

the District Plan.

Wastewater means any water with matter in solution or suspension, Domestic Wastewater, or liquid Trade Waste that Discharges to the Public Wastewater System, and includes Tankered Waste.

Water Main means a pipe or conduit that conveys Potable Water.

Working day has the same meaning as in section 5 of the Local Government Act 2002, and excludes Matariki.

Part B: Trade Waste

These provisions supplement those in Part A “Requirements Common to all Water Services” (of this Administration Manual and the Bylaw) and Part B “Trade Waste” of the Bylaw.

B.1 Administrative Procedures

B.1.1 Procedures for applying to Discharge Trade Waste to Public Wastewater System

- 1.1.1 Every Operator who Discharges, or is likely to Discharge, Trade Waste or Tankered Waste or Mobile Facilities and Vendor’s Operational wastes is required to register using the prescribed Trade Waste Registration Forms (available via the Council’s website) for a Trade Waste Approval Notice or Consent.
- 1.1.2 Council will use the information in the Registration Form and any further relevant information to classify the Trade Waste. The Operator will be informed of the classification and may be required to submit an Environmental Management Plan and/or more information to complete the application.
- 1.1.3 The Council may require an Operator to make a new application for an Approval Notice or Trade Waste Consent where there is a change in the use of Premises and/or the nature of the associated Trade Waste Discharge.
- 1.1.4 All Trade Waste Approval Notice and Consent applications will be processed by the Council within 20 Working Days of the application satisfying all relevant information requirements. This timeframe may be extended if a request for further information is made, in accordance with Section B.1.3 of the Administration Manual.
- 1.1.5 The Council will consider all applications and may either:
 - a) Decline the application in writing and set out the reasons for that decision; or
 - b) Approve the application and inform the applicant of the type of Discharge Approved, and any obligations and conditions that must be complied with as part of the Approval Notice or Trade Waste Consent.

B.1.2 Registration and administration fees

- 1.2.1 There is no charge to register a Trade Waste Discharge.
- 1.2.2 If a Trade Waste Consent is required, an administration fee will be charged for each application in accordance with the Fees and Charges on the Council website.
- 1.2.3 Additional costs such as those associated with sampling or testing, or additional input required by the Council to inform a decision regarding any application, will be recovered in accordance with the Fees and Charges on the Council website.
- 1.2.4 Upon the Council’s final decision regarding any application under the Bylaw, payment must be made to Council by the applicant within the time period specified by the Council.
- 1.2.5 Upon confirmation of the invoice being paid, an Approval Notice or Trade Waste Consent will be issued.
- 1.2.6 If payment is not made within the time specified in the invoice, the application may be declined.
- B.1.3 Supporting Information and Site Inspections
 - 1.3.1 All registrations must comply with the information requirements listed in Section B.4.2 and be made using the appropriate registration form.
 - 1.3.2 Where insufficient information has been provided in the application the Council reserves the right to request further information. The processing of an application will be placed on hold until the requested information has been provided to the satisfaction of the Council. Applicants must provide any further information within the specified timeframe, and, if an extension of this timeframe is required, must request this in writing. Approval of any extension is at the discretion of the Council.
 - 1.3.3 All applications will be assessed against the consideration criteria outlined in Section B.4.3.

- 1.3.4 The Council may require access to Premises for the purpose of conducting a site inspection and sampling to further inform their decision regarding any application to Discharge Trade Waste. In the event that such access is requested, it must be provided in such a way that the Council may safely access the Premises and can conduct their inspection without any hindrance.

B.1.4 Issuing of final Approval Notices or Discharge Consents

- 1.4.1 Approval Notices and Trade Waste Consents will be issued in the name of the Operator and in relation to specific Premises and process.

B.1.5 Conditions of Consent

- 1.5.1 Approval Notices and Trade Waste Consents will be issued with general conditions (as described in Section B.4.5).

- 1.5.2 Approval Notices and Trade Waste Consents may be issued with additional conditions designed to manage the risks associated with a specific Discharge.

B.1.6 Period of Approval Notice or Trade Waste Consent and Reviews

- 1.6.1 Approval Notices and Trade Waste Consents are subject to review at the discretion of the Council, as described in Clause B.6.8 of the Bylaw.
- 1.6.2 Trade Waste Consents will be issued for a maximum term of up to five years, after which time they will lapse.
- 1.6.3 If the Discharge continues beyond the Approved term, the Operator is required to apply for a new Approval Notice or Trade Waste Consent no later than eight (8) weeks before the expiry of the existing Trade Waste Consent.

B.2 Fees and Charges

B.2.1 Prescribed Charges

- 2.1.1 Fees and Charges are as set out on the Napier City Council website.
- 2.1.2 The methodology used to calculate the Trade Waste Charges is in Schedule C.
- 2.1.3 These Fees and Charges may include the following:
- a) administration and inspection fees;
 - b) sampling and testing fees; and

- c) unit charges based on a 'User pays' approach, using a 'cost to treat' calculation using the Trade Waste Charging Model for Trade Waste Consents.

B.3 Approval Notices

B.3.1 Consideration Criteria for Approval Notice Applications

- 3.1.1 The Council is not required to issue a Trade Waste Approval Notice until it receives any charge or fee fixed by it in relation to the application.

- 3.1.2 In considering any application for a Trade Waste Approval Notice the Council will consider the following matters (as relevant):

- a) the quality, volume, and rate of Discharge;
- b) the impact of the Discharge on the health and safety of Council staff, its agents and the public;
- c) the limits and/or maximum values for Characteristics of Trade Waste as specified in Schedule A of this Administration Manual;
- d) the extent to which the Trade Waste may react with other Trade Waste or Wastewater to produce an undesirable effect, e.g. settlement of solids, production of odours, accelerated corrosion and deterioration of the Public Wastewater System;
- e) the degree to which the Discharge is capable of being treated in the Council's Wastewater treatment plant;
- f) the flows and velocities in the Public Wastewater System, and the materials of construction of all components of the Public Wastewater System;
- g) the capacity of the Public Wastewater System;
- h) the timing and balancing of Trade Waste flows into the Public Wastewater System.
- i) any statutory requirements including any Hawke's Bay Regional Council resource consents relating to the

- Discharge of Wastewater to receiving waters, and any Discharge to air;
- j) the effect of the Discharge on the ultimate receiving environment;
 - k) the possibility of unscheduled, unexpected or accidental Trade Waste related events and the degree of risk these could cause to humans, the Public Wastewater System, the Public Stormwater Network or the receiving environment;
 - l) consideration of other existing or future Discharges from other Premises.
 - m) requirements to control and isolate Stormwater;
 - n) Discharge locations of Trade Waste;
 - o) Cleaner Production techniques;
 - p) any existing Environmental Management Plan;
 - q) any relevant requirements in the Napier City Council Code of Practice for Subdivision and Land Development.
- B.3.2 Site Inspections**
- 3.2.1 Site inspections may be required as part of the Approval Notice application process.
- 3.2.2 Reasonable notice will be given to the Operator prior to a site inspection.
- 3.2.3 Site inspections may be subject to Fees and Charges as listed on the Napier City Council website.
- 3.2.4 Site inspections may include:
- a) Visual inspection of any part of the site and operations;
 - b) Sampling of the trade waste;
 - c) Visual inspection of any pre-treatment devices;
 - d) Requirement for pre-treatment devices to be demonstrated in use;
 - e) The provision of a drainage plan;
 - f) Assessment of Stormwater management on site;
 - g) Any part of the site relating to the criteria in B.3.1.
- B.3.3 Duration of Approval Notices**
- 3.3.1 A Permitted Trade Waste Discharge authorised by an Approval Notice is able to be Discharged indefinitely unless:

- a) the quantity and nature of the Discharge changes or is likely to change significantly to such an extent that it becomes a Conditional, Controlled, or Prohibited Discharge; or
 - b) the Council changes the Trade Waste management procedures or the Characteristics of the Trade Waste by any amendment to, or replacement of, the Bylaw or Administration Manual such that the Discharge becomes a Conditional, Controlled, or Prohibited Discharge; or
 - c) cancellation of the Approval Notice is necessary, in the Council's opinion, to meet the requirement(s) of any new or amended resource consent granted to the Council or any other legal requirements imposed on the Council;
- in which case the Council may require the Approval Notice holder to apply for an appropriate Trade Waste Consent or cease the Discharge of Trade Waste from the Premises.
- 3.3.2 The Council will give at least 20 Working Days' written notice prior to any proposed relevant amendments to Schedule A of the Administration Manual.
- 3.3.3 In the event that an Approval Notice is terminated in accordance with Clause 3.3.1 above the Approval Notice holder must apply for a Trade Waste Consent within 20 Working Days of the Approval Notice being terminated, or cease Discharging the Trade Waste. If the Trade Waste Consent is not granted, then the Discharge must cease.

B.4 Trade Waste Consents

- B.4.1 Application for a Trade Waste Consent**
- 4.1.1 All Operators discharging Trade Waste into the Public Wastewater Network which are classified as Controlled or Conditional must obtain a Trade Waste Consent.
- 4.1.2 If the Council classifies the Trade Waste as Controlled or Conditional, the Operator will be informed in writing and an Environmental Management Plan will be requested as well as any more information and/or sampling required to complete the Consent application.

4.1.3 The Council will acknowledge all complete applications for a Trade Waste Consent in writing within five (5) Working Days of receipt.

4.1.4 Once complete, the application will be assessed against the criteria listed in B.4.3.

B.4.2 Information Requirements for Trade Waste Consent Applications

4.2.1 For the assessment of any Trade Waste Consent application, the Council may:

- a) Require the applicant to submit any additional information which it considers necessary for the purpose of considering the application;
- b) Require the applicant to submit an Environmental Management Plan to the satisfaction of the Council as set out in Clause B.8 of this Administration Manual; and
- c) Have the Discharge from the Operator's Premises sampled, tested or monitored at the Operator's cost.

4.2.2 The applicant must ensure that the application and every other document conveying required information is properly executed and contains information that is correct and accurate.

B.4.3 Consideration Criteria for Consent Applications

4.3.1 The Council is not required to issue a Trade Waste Consent until it receives any charge or fee fixed by it in relation to the application.

4.3.2 In considering any application for a Trade Waste Consent the Council will consider the following matters (as relevant):

- d) the quality, volume, and rate of Discharge;
- e) the impact of the Discharge on the health and safety of Council staff, its agents and the public;
- f) the limits and/or maximum values for Characteristics of Trade Waste as specified in Schedule A of this Administration Manual;
- g) the extent to which the Trade Waste may react with other Trade Waste or Wastewater to produce an undesirable effect, e.g. settlement of solids, production

of odours, accelerated corrosion and deterioration of the Public Wastewater System;

- h) the degree to which the Discharge is capable of being treated in the Council's Wastewater treatment plant;
- i) the flows and velocities in the Public Wastewater System, and the materials of construction of all components of the Public Wastewater System;
- j) the capacity of the Public Wastewater System;
- k) the timing and balancing of Trade Waste flows into the Public Wastewater System.
- l) any statutory requirements including any Hawke's Bay Regional Council resource consents relating to the Discharge of Wastewater to receiving waters, and any Discharge to air;
- m) the effect of the Discharge on the ultimate receiving environment;
- n) the possibility of unscheduled, unexpected or accidental Trade Waste related events and the degree of risk these could cause to humans, the Public Wastewater System, the Public Stormwater Network or the receiving environment;
- o) consideration of other existing or future Discharges from other Premises.
- p) the amenability of the Trade Waste to Pre-treatment;
- q) requirements to control and isolate Stormwater;
- r) Cleaner Production techniques;
- s) any Environmental Management Plan;
- t) Tankered and Mobile Facilities or Vendor's Operation waste being Discharged at an approved location/s;
- u) any relevant requirements in the Napier City Council Code of Practice for Subdivision and Land Development.

B.4.4 Decision on Application

4.4.1 The Council must determine an application for an Approval Notice or Trade Waste Consent and issue its decision to either:

- a) Grant an Approval Notice or Trade Waste Consent;
- b) Decline the application where the Trade Waste is Prohibited Trade Waste; or
- c) Otherwise decline the application and provide reasons for refusal, which may include, but are not limited to:
 - i. the applicant has failed to provide adequate information to support the application;
 - ii. the Characteristics of the Trade Waste Discharge fail to meet the maximum allowable values as determined in accordance with the Trade Waste Charging Model or Schedule A of this Administration Manual;
 - iii. the applicant has supplied data that is inconsistent with measured values obtained by the Council;
 - iv. there is likely to be Stormwater egress from the Trade Premises into the Public Wastewater System; or
 - v. the applicant has a demonstrated history of poor performance in relation to matters regulated by the Bylaw.

B.4.5 Conditions of Trade Waste Consents

4.5.1 A Trade Waste Consent may be granted subject to such conditions that the Council deems appropriate, including but not limited to, conditions relating to the following matters, which must be complied with at the Operator's expense:

- a) the mass, volume, pH, temperature and concentration limits for any constituent or Characteristic as set out in clause B.4.6 of this Administration Manual;
- b) the rate of Discharge of any constituent or Characteristic;
- c) the part of the Public Wastewater System to which the Discharge will be made;
- d) the separation of Trade Waste from Domestic Wastewater up to the Point

of Discharge;

- e) the maximum daily volume of the Discharge and the maximum rate of Discharge, and the duration of maximum rate of Discharge;
- f) the maximum limit or permissible range of any specified Characteristics of the Discharge, including concentrations and/or mass limits;
- g) the period or periods of the day during which the Discharge, or a particular concentration, or volume of Discharge may be made;
- h) the degree of acidity, or alkalinity of the Discharge at the time of Discharge measured as titratable alkalinity, titratable acidity and as pH.
- i) the temperature of the Trade Waste at the time of Discharge, with potential additional limitations on trade waste which contains sulphur compounds;
- j) the provision of Pre-treatment works to control Characteristics to the consented levels (examples listed in Clause B.9 of this Administration Manual);
- k) the provision of Pre-treatment works to prevent Trade Waste containing Culturally Offensive Characteristics from entering the Public Wastewater System;
- l) consideration of point source separation of contaminants/waste streams on site to allow potential reuse and recycling of material;
- m) the provision and maintenance of inspection chambers, manholes or other apparatus or devices to provide safe and reasonable access to drains for sampling and inspection;
- n) the provision and maintenance of a sampling and analysis programme, and flow measurement requirements;
- o) a prescribed sampling and monitoring programme to be carried out by the Operator. Clause B.8.2 of this Administration Manual sets out Council's provisions for sampling and monitoring.

- p) the method or methods to be used for measuring flow rates and/or volume and taking samples of the Discharge for use in determining compliance with the Trade Waste Consent and for determining the amount of any Trade Waste charges applicable to that Discharge;
- q) the provision and maintenance of such meters or devices as may be required to measure the volume or flow rate of any Trade Waste being Discharged from the Premises, and for the calibration of such meters;
- r) the provision and maintenance of such services (including electricity, water or compressed air), which may be required to operate meters and similar devices, including safe sampling points of access;
- s) at times specified, the provision in a Council-approved format of all flow and/or volume records and results of analyses;
- t) risk assessment of damage to the receiving environment due to an accidental Discharge of a chemical or other Contaminant;
- u) the provision and implementation of an Environmental Management Plan which may be audited by the Council on an annual basis or following any incident involving Trade Waste;
- v) Cleaner Production as set out in an Environmental Management Plan. Clause B.10 of this Administration Manual provides guidance on Cleaner Production;
- w) remote monitoring and/or control of Discharges;
- x) third party treatment, carriage, Discharge or disposal of by-products of Pre-treatment of Trade Waste (including Sewage Sludge and biosolids disposal and reuse);
- y) the amount, if any, of Cooling or Condensing Water or Stormwater which cannot practically be separated from Trade Wastes, that may be included in the Discharge;

- z) the cessation of a Consent to Discharge putrescible wastes to the Public Wastewater System when the Council has provided or arranged an alternative commercial collection and disposal system; and

aa) The Point of Discharge.

B.4.6 Mass Limits

4.6.1 Limits on the mass, volume, concentration, pH or temperature may be imposed on the Trade Waste Discharger for any constituent.

4.6.2 Any Characteristic permitted by mass limit will also have its maximum concentration limited to the value in Schedule A of the Administration Manual.

4.6.3 When setting mass, volume and concentration limit restrictions for a particular constituent in a Trade Waste Consent the Council will consider:

- a) conditions in the Public Wastewater System near the Point of Discharge and elsewhere in the Public Wastewater System;
- b) the operational requirements of, and risk to, the Public Wastewater System and risks to occupational health and safety, public health, and the ultimate receiving environment;
- c) the extent to which the available industrial capacity for the constituent was met during the Council's preceding financial year, and the expected levels of the constituent for the forthcoming financial year;
- d) whether or not the applicant uses Cleaner Production within a period satisfactory to the Council;
- e) whether or not there is any net benefit to be gained by the increase of one Characteristic concurrently with the decrease of another to justify any increased application for Public Wastewater System capacity;
- f) any requirements of the Council to meet resource consent conditions or regional plan rules;
- g) Any requirements of the Council to reduce the pollutant Discharge of the Public Wastewater System;
- h) how great a proportion the mass flow

- of a Characteristic of the Discharge will be of the total mass flow of that Characteristic in the Public Wastewater System;
- i) the total mass of the Characteristic allowable in the Public Wastewater System, and the proportion (if any) to be reserved for future allocations;
 - j) if there is an interaction with other constituents which increases or decreases the effect of their Characteristic on the Public Wastewater System including reticulation, treatment process, or receiving water (or land); and
 - k) The capacity for flow and contaminant loadings Discharged on a daily and monthly basis allocated by the Trade Waste Charging Model.
- B.4.7 Review of Trade Waste Consent**
- 4.7.1** The Council may, at any time during the term of a Trade Waste Consent, by written notice to the Consent Holder review the Trade Waste Consent.
- 4.7.2** The reasons for a review may include:
- a) The level of compliance, including any accidents, spills or process mishaps;
 - b) Matters pertaining to the Council's resource consent(s) for the Public Wastewater System;
 - c) Matters pertaining to the Council's environmental policies and outcomes;
 - d) New control and treatment technologies and processes;
 - e) Matters pertaining to the Council's legal obligations; or
 - f) Any other matter that the Council considers to be relevant.
- 4.7.3** After conducting a review and considering the matters in this Administration Manual, the Council may vary any condition of a Trade Waste Consent:
- a) following a review of the performance of Pre-treatment devices or processes;
 - b) to meet the conditions of any new or existing resource consent imposed on the Discharge from the Public Wastewater System;
 - c) to comply with any other legal requirements that must be met by the Council;
 - d) to increase control over the Trade Waste Discharge; or
 - e) for any other reason that the Council considers to be relevant.
- 4.7.4** The Council will provide written notice of the proposed variation to the Consent Holder and specify the time by which the Consent Holder must comply with the varied conditions.
- 4.7.5** The Consent Holder may respond to the written notice of the proposed variation within 20 Working Days of receiving the notice. The Council must consider any written response from the Consent Holder against the provisions of this Bylaw.
- 4.7.6** A Consent Holder may, by written application to the Council, seek to vary any condition of a Trade Waste Consent at any time during the term of the Trade Waste Consent.
- B.4.8 Duration of Trade Waste Consent**
- 4.8.1** Trade Waste Consents remain in force until they expire at the end of the term prescribed in the Trade Waste Consent, generally being a term of no more than two (2) years. However, a Trade Waste Consent may be granted for a term not exceeding five (5) years where a Consent Holder, at the time of the application, satisfies the Council that:
- a) The nature of the activity at the Trade Premises, or the process design and/or management of the Premises are such that the Operator has a demonstrated ability to meet the conditions of the Trade Waste Consent during its term;
 - b) Cleaner Production techniques are successfully being utilised, or a responsible investment in Cleaner Production equipment or techniques is being made;
 - c) Significant investment in Pre-treatment facilities has been

- made, such that a longer period of certainty for the amortisation of this investment is considered reasonable; or
- d) The Operator has a demonstrated history of compliance with its Trade Waste Consent, and any other relevant approvals (including resource consents) for its operation.
- B.4.9 Renewal of Trade Waste Consent**
- 4.9.1** A Consent Holder may apply to renew a Trade Waste Consent by submitting the Trade Waste Consent Renewal Form available on the Napier City Council website.
- 4.9.2** An application to renew a Trade Waste Consent must be lodged with the Council no later than eight (8) weeks before the expiry of the existing Trade Waste Consent.
- 4.9.3** Where an application to renew a Trade Waste Consent has been received, the Consent Holder may continue to Discharge Trade Waste in accordance with the conditions of the existing Trade Waste Consent until:
- a) The Council issues a renewed Trade Waste Consent; or
 - b) The Council declines to issue a renewed Trade Waste Consent.
- 4.9.4** The renewal of a Trade Waste Consent will not be unreasonably withheld.
- 4.9.5** Where an application to renew a Trade Waste Consent has not been received the Council may require the Consent Holder to cease discharging Trade Waste at the expiry of their existing Trade Waste Consent until any new Trade Waste Consent is issued.
- B.4.10 Suspension or Cancellation of Trade Waste Consent**
- 4.10.1** The Council may suspend or cancel any Trade Waste Consent at any time following not less than 20 Working Days' Notice, to the Consent Holder where:
- a) in the opinion of an Authorised Officer, the Consent Holder has:
 - i. failed to comply with any condition of the Trade Waste Consent;
 - ii. failed to maintain effective control over the Trade Waste Discharge from the Premises;
 - iii. failed to provide or update an Environmental Management Plan as required;
 - iv. failed to adhere to an Environmental Management Plan;
 - v. failed to pay any fees or charges under the Bylaw;
 - vi. Discharged or allowed the Discharge of any Prohibited Trade Waste; or
 - vii. failed to comply with the Bylaw in any other respect;
- b) following a review of the technical issues considered when setting conditions of consent;
- c) due to new information becoming available;
- d) to meet the requirement of any new or existing resource consent imposed on the Discharge from the Public Wastewater System;
- e) to meet any other legal requirements imposed on the Council; or
- f) if any other circumstances arise which, in the opinion of the Council, render it necessary in the public interest to cancel the Trade Waste Consent.
- 4.10.2** If any process changes require more than 20 Working Days, reasonable time may be given for the Operator to make the necessary changes or cease the Discharge.
- 4.10.3** The Council may suspend or cancel any Trade Waste Consent to Discharge at any time where in the opinion of an Authorised Officer:
- a) any breach of a resource consent imposed on the Discharge from the Public Wastewater Network has arisen from (whether wholly or partly) the Trade Waste Discharge from a particular Premises; and/or
 - b) any act or omission of the Consent Holder is, or is likely to:
 - i. Adversely affect the safety of the Public Wastewater System;
 - ii. Damage any part of the Public Wastewater System;

- iii. Adversely affect the health or safety of any Person;
- iv. Adversely affect the environment;
- c) the Consent Holder has Discharged or allowed the Discharge of any Prohibited Trade Waste;
- d) to meet any other legal requirements imposed on the Council; or
- e) if any other circumstances arise that render it necessary in the public interest to immediately cancel the Trade Waste Consent.

B.4.11 Transfer and Termination of Consent

- 4.11.1 Refer to Clauses B.6.24 to B.6.30 of the Bylaw.

B.5 Tankered Waste

B.5.1 Testing and Discharge of Tankered Waste

- 5.1.1 Tankered Waste may be randomly tested, from time to time and at the Council's discretion, to determine the Characteristics. The cost of any random tests must be borne by the Consent Holder.

- 5.1.2 From 1 July 2023 all Tankered Waste Operators must be code-compliant with the Liquid and Hazardous Wastes Code of Practice and hold a Trade Waste Consent in order to:

- a) pick up;
- b) transport; and/or
- c) dispose of;

Trade Waste within the District

- 5.1.3 Tankered Waste Trade Waste Application Forms are available on the Council website.

- 5.1.4 When giving the Council notice of a planned load of Tankered Waste in accordance with Clause B.7.12.e. of the Bylaw, the following information should be supplied where possible:

- a) a description of the type of waste;
- b) the name of Discharger and location, and Discharger Trade Waste Consent number (if known);
- c) the source, date and time of planned collection;
- d) the volume of waste to be collected; and
- e) the identification number and vehicle

registration number.

B.6 Mobile Facilities and Vendor's Operations

B.6.1 Trade Waste Consents for Mobile Facilities and Vendor's Operations

- 6.1.1 Mobile Facilities and Vendor's Operations run by the same Operator as a Trade Premises only require one application, with the different operations of the business clearly indicated and detailed in the application. If both operations are classed as Permitted, one Approval Notice will be issued. If both operations are classed as Controlled or Conditional, one Trade Waste Consent will be issued. Any changes to operations must be submitted to Council with an updated Environmental Management Plan.

- 6.1.2 Mobile Facilities and Vendor's Operations that run independently must submit a completed Trade Waste Registration Form and will be assessed as appropriate.

- 6.1.3 Approved Discharge locations will be stipulated in the Trade Waste Consent. Trade Waste must not be Discharged into the Public Wastewater Network anywhere else unless Approved.

B.7 Discharges with High Fat, Oil and Grease

B.7.1 Passive Grease Traps

- 7.1.1 Where Trade Waste includes, or is likely to include, fats, grease or oils in excess of 100 grams per 1000 litres each day, or is from a Food Premises where any fats, grease or oils could be present in the Trade Waste Discharge, grease traps must be installed.

- 7.1.2 Operators must use and maintain the grease traps to a standard that complies with the Discharge limits for fats, oil and grease as set out in Schedule A of this Administration Manual.

- 7.1.3 Grease traps must be sized:

- a) to have a functional capacity of no less than 500 litres and a minimum of 2 hours retention at peak water flow;
- b) according to the greatest volume produced by the Premises;
- c) appropriately when shared between multiple Operators. Grease traps, such as those operated by a body corporate or food court, must be

- sized appropriate to the total inputs. This must be no less than a functional capacity of 500 litres and a minimum of 2 hours retention at peak water flow for each connected Premises.
- d) a Consent Holder whose Premises has existing grease traps with a functional capacity of less than 500 litres and a minimum of 2 hours retention at peak water flow must apply for and be granted a Trade Waste Consent with conditions unless they can demonstrate compliance with the physical and chemical Characteristics in Schedule A to the Council's satisfaction.
- 7.1.4 Mechanical grease traps may be Approved for use in place of an underground, passive grease trap.
- 7.1.5 Grease traps must be serviced and maintained as per the relevant manufacturer's instructions:
- at least once every six months or more frequently as specified in consent conditions;
 - at a frequency to ensure compliance with Schedule A of the Administration Manual;
 - at a frequency that the fat/oil grease layer does not exceed 20% of the depth or volume of the trap;
 - at a frequency which may be determined through a visual inspection and/or sample testing from the device outlet by Council;
 - scheduled for a time that minimises the risk to public health and safety and prevents a public Nuisance; and
 - by an approved liquid waste operator who is in possession of a Trade Waste Consent and is certified and registered with WasteTRACK.
- 7.1.6 Satisfactory records of grease trap servicing and cleaning must be retained and submitted to the Council for inspection annually.
- 7.1.7 After three (3) tests with Fat, Oil and Grease levels which do not meet criteria in Schedule A, the Premises may be instructed to upgrade their system by

Council through a review of the Trade Waste Consent.

B.7.2 Oil and Grit Interceptors

- 7.2.1 Where Trade Waste includes hydrocarbons, automobile oil and silts, the Trade Premises will require an, oil and water, and/or oil and grit interceptor.
- 7.2.2 All oil/grit interceptors must be maintained in an operable condition in accordance with the following criteria:
- all interceptors must be serviced at a frequency to ensure compliance with Schedule A of this Administration Manual;
 - to comply with Trade Waste Discharge parameters, servicing schedules must maintain operational efficiency of the trap. Scheduled servicing should be undertaken at a time that minimises the risk to health and safety and avoids Nuisance;
 - all servicing must be conducted by a WasteTRACK certified liquid waste operator who is in possession of a Trade Waste Consent should the Discharge be to a Council facility;
 - the Operator must retain satisfactory records of servicing of oil/grit interceptors and submit these to the Council for inspection annually; and
 - oil and grit interceptors for wash-down bays must be roofed or installed with a first flush system.
- 7.2.3 In addition to the requirements of Clause B.7.4 of the Bylaw all oil/grit separators must be regularly serviced and maintained to ensure the sediment layer in any trap does not exceed 20% of the depth of the volume of the trap.
- 7.2.4 Oil water separators must be inspected weekly and as soon as practical after any spillage occurs on the Premises. These devices should be serviced if there is any significant oily material (more than 3mm) or sediment (more than 150mm) in the device.
- B.7.3 Commercial and Other Food Premises
- 7.3.1 Refuse or garbage grinders and macerators must not be used to dispose of solid waste from Food Premises to the Public

Wastewater System unless Approved.

- 7.3.2 The Council may require a permanent sink screen to be fitted to any sink (except hand washing basins) in a Food Premises to minimise the risk of food waste entering the grease interceptor or the Public Wastewater System.

B.8 Environmental Management Plans

B.8.1 Contents of Environmental Management Plans

- 8.1.1 The Council may require an Environmental Management Plan to be provided by the Operator. This must include but not be limited to:
- a) a description of the operations and raw materials producing each Trade Waste stream;
 - b) hours per day, days per week and seasonality of processing and Discharges;
 - c) a description of Pre-treatment devices, their operation and maintenance;
 - d) expected Characteristics of the Trade Waste Discharge;
 - e) methods and procedures for monitoring of Trade Waste;
 - f) monitoring and control of Trade Waste flow;
 - g) methods to ensure compliance with the conditions of the Trade Waste Consent;
 - h) a description of maintenance procedures in place and any further proposed in respect to the operation producing the Trade Waste;
 - i) full drainage plans of the Premises;
 - j) domestic wastewater and how it will be separated from Trade Waste streams;
 - k) a list of Hazardous Substances stored on the Premises with steps outlined to prevent their entry into the Public Wastewater System and the Public Stormwater Network;
 - l) site water sources and uses;
 - m) site Stormwater receiving environments;
 - n) identify and manage risks to the

Public Wastewater System, the Public Stormwater Network and/or the environment;

- o) processes, procedures, housekeeping and staff/contractor training;
- p) Cleaner Production initiatives and planned system upgrades;
- q) contingency management procedures.

- 8.1.2 Environmental Management Plans must follow the guide provided on the Council's website and contain all information required to satisfy the application requirements.

- 8.1.3 The Council must approve all Environmental Management Plans and may audit them.

- 8.1.4 A separate Trade Waste Management Plan may be submitted if an Environmental Management Plan already exists for the site if approval is obtained from Council.

B.8.2 Sampling and Monitoring of Trade Waste

- 8.2.1 The Council may require sampling, testing and monitoring to be undertaken to determine if a Discharge:
- a) complies with the provisions of the Bylaw;
 - b) is to be classified as Permitted, Controlled, Conditional, or Prohibited; or
 - c) to calculate monthly trade waste charges using the Trade Waste Charging Model.
- 8.2.2 The taking, preservation, transportation, and analysis of the sample must be undertaken by an Authorised Officer, or the Operator, in accordance with accepted industry standard methods, or as otherwise Approved.
- 8.2.3 Sampling point configuration and other requirements are as provided in Council's Land Development and Subdivision Code of Practice and the Building Regulations 1992 Schedule 1 (New Zealand Building Code).
- 8.2.4 The Operator is responsible for all reasonable costs.

B.9 Trade Waste Pre-treatment

B.9.1 Pre-treatment Requirements and Guidelines

- 9.1.1 A number of these other categories will include for conditional Consent Discharges where that Discharge is greater than 5,000 L/day and/or exceeds the permitted Discharge criteria in Schedule A of this Administration Manual.

Table 1 - Trade Waste Discharges – Risks to the Public Wastewater System and Pre-treatment Requirements and Guidelines		
Type of business activity	Risk to the waste water network	Pre-treatment required
Food premises	<ul style="list-style-type: none"> FOG can clog the sewer network Risk to the Wastewater treatment plant-toxic waste and waste with a high nutrient load is more difficult to treat and requires additional aeration Emerging contaminants in cleaning chemicals pose a risk to the receiving environment and biosolids 	<ul style="list-style-type: none"> Grease trap Sink screens
Dentists	<ul style="list-style-type: none"> Amalgam from fillings contaminate the biosolids and should be recycled 	<ul style="list-style-type: none"> Amalgam trap
Hairdressers	<ul style="list-style-type: none"> Hair can tangle around pumps in the pump station and assist in causing sewer blockages that can lead to sewer overflows 	<ul style="list-style-type: none"> Sink screens
Medical Facilities	<ul style="list-style-type: none"> Risk to the Wastewater treatment plant – toxic waste is more difficult to treat and requires additional aeration Emerging contaminants in cleaning chemicals pose a risk to the receiving environment and biosolids 	<ul style="list-style-type: none"> Sink screens and plaster arrestors
Car/truck washes	<ul style="list-style-type: none"> Hydrocarbons/grit High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Emerging contaminants in cleaning chemicals pose a risk to the receiving environment and contaminate the biosolids Solvents and used oil pose a risk to the Public Wastewater System if not stored correctly and requires to be collected for recycling purposes 	<ul style="list-style-type: none"> Oil/grit Interceptor
Automotive mechanical	<ul style="list-style-type: none"> Hydrocarbons, oil and other solvents Solvents and used oil pose a risk to the Public Wastewater System if not stored correctly and requires to be collected for recycling purposes 	<ul style="list-style-type: none"> Oil / water interceptors

Laundries	<ul style="list-style-type: none"> High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Emerging contaminants, i.e. surfactants in washing powder and microfibres from fabrics pose a risk to the receiving environment and contaminate the biosolids 	<ul style="list-style-type: none"> Lint screens
Septic tank waste	<ul style="list-style-type: none"> Toxic waste can have a detrimental impact on the microbes that break down the waste in the wastewater treatment plant. 	<ul style="list-style-type: none"> Management of septic tanks
Funeral Homes	<ul style="list-style-type: none"> Wastewater from embalming process can be tapu and must be disposed of in alignment with cultural values of local Iwi 	<ul style="list-style-type: none"> Rakahore channel Education Cleaner Production Initiatives
Laboratories	<ul style="list-style-type: none"> Risk to the wastewater treatment plant – toxic waste is more difficult to treat and requires additional aeration Emerging contaminants in chemicals pose a risk to the receiving environment and biosolids 	<ul style="list-style-type: none"> Disposal of toxic substances by other means (not into the Public Wastewater System) Proper management of mixing of substances when disposing
Hotels	<ul style="list-style-type: none"> High instances of inappropriate substances being flushed into toilets. High loading on system which must be accounted for. High loading from swimming pools, restaurants and on-site laundry services must be managed according to the Bylaw and this Admin manual 	<ul style="list-style-type: none"> Management of guests and wastewater system Flow control for Discharges from swimming pool backwashes Grease traps (for restaurants) Lint screens (for laundries)
Swimming pools	<ul style="list-style-type: none"> High water users can cause capacity issues in the Public Wastewater System, particularly during wet weather Diatomaceous Earth 	<ul style="list-style-type: none"> Flow control for Discharges from swimming pool backwashes Settling tank

B.10 Cleaner Production**B.10.1 Cleaner Production Guidelines**

10.1.1 Cleaner Production should, at a minimum, address the following:

- a) an overall approach to pollution prevention;
- b) the effective use of water;
- c) opportunities for reducing the contamination potential of Wastewater and Trade Waste constituents that enter the Public Wastewater System (for example, by using alternative chemicals that are less toxic, point source separation and reuse/recycling of Trade Waste streams);
- d) the effectiveness of material use and processes (by employing methodologies to minimise waste and the unnecessary consumption of materials, including water conservation);
- e) the provision of Pre-treatment works to prevent Trade Waste containing Culturally Offensive Characteristics from entering the Public Wastewater System;
- f) continuing efforts to educate site staff around the importance of water to Māori and adoption of te mana me te mauri o te wai concepts;
- g) consideration of, and where appropriate, adoption of, innovative solutions; and
- h) the practice of good housekeeping (to prevent spoilage and contamination due to poor handling or storage).

Part C: Wastewater

These provisions supplement those in Part A “Requirements Common to all Water Services” (of this Administration Manual and the Bylaw) and Part C “Wastewater” of the Bylaw.

C.1 Discharge of Wastewater to the Public Wastewater System**C.1.1 Acceptable and Prohibited Characteristics**

1.1.1 Wastewater Discharged to the Public Wastewater System must not exceed the contaminant limits in Schedule A of this Administration Manual.

1.1.2 Wastewater with the prohibited Characteristics in Schedule B of this Administration Manual must not be Discharged to the Public Wastewater System.

C.1.2 Domestic Swimming Pools and Spa Pool Water

1.2.1 Filter backwash water from a domestic swimming pool or spa pool draining facility must be Discharged to the Public Wastewater System.

1.2.2 Water from a swimming pool and spa pool, other than filter backwash water, may only be Discharged to the Public Wastewater System once the residual chlorine level is less than 0.5 ppm and only in quantities associated with a standard backwash of filters.

1.2.3 If the reason for Discharge is due to a chemical imbalance, i.e. a pH < 6 or > 9, then the Council must be consulted before the Discharge occurs.

1.2.4 All Discharges other than backwash must be made after 8pm and before 7am. Discharges outside of the stipulated time requires Council approval. Council reserves the right to limit the rate and timing of the Discharge.

1.2.5 Discharges are not allowed less than two days after a rain event.

C.1.3 Campervan / Motorhome Wastewater

1.3.1 All campervan/motor home and similar Domestic Wastewater must be properly disposed of at a designated Dump Station facility.

C.1.4 Impervious yard run off

1.4.1 For large impervious areas, the provisions

in the Council's Land Development and Subdivision Code of Practice will apply and specific provision will be made for a permanent barrier which will prevent water from outside the confines of the facility from entering the Public Wastewater System.

- 1.4.2 Where it is impractical to cover a large impervious area, consideration will be given to a system which detains run-off from the first flush for ultimate disposal to the Public Wastewater System, with subsequent run-off disposal as uncontaminated Stormwater into the Public Stormwater Network.

C.1.5 Cleaner Production

- 1.5.1 The principles and practices of Cleaner Production as may be appropriate to a Domestic Wastewater Discharge apply where appropriate.

C.2 Point of Discharge

C.2.1 Single Ownership

- 2.1.1 For single dwelling units the Point of Discharge is located 0.5 meters outside of the boundary as shown in Schedule D of this Administration Manual or as close as possible where fences, walls or other permanent structures make it difficult to locate it at the required position. The Approval of other positions must be by the Council and recorded on the drainage plan

- 2.1.2 Where a Private Drain Discharges into a public sewer on that same Premises, the Point of Discharge is the upstream end of the pipe fitting which forms the junction with the public sewer, as shown in Schedule D of this Administration Manual.

C.2.2 Multiple Ownership

- 2.2.1 The Point of Discharge for the different forms of multiple ownership of Premises and/or land is as follows:
- a) For company share/block scheme (body corporate) – as for single ownership;
 - b) For leasehold/tenancy in common scheme (cross lease), Strata Title, and Unit Title (body corporate). Where practicable each owner must have an individual drain with the Point of Discharge determined by agreement with the Council. If not practicable

there must be a common private drain which must be incorporated as an additional provision in the lease agreement. In specific cases other arrangements will be acceptable subject to individual Approval.

- 2.2.2 Each Owner's Point of Discharge must be approved by the Council and recorded on the drainage plan. Other arrangements will be considered only where there are advantages to the Council.

C.2.3 Common Private Drains

- 2.3.1 Common Private Drains are not preferred, but may be approved in exceptional circumstances on application.

Schedule A: Permitted Discharge Characteristics

The nature and levels of the Characteristics of any Trade Waste and Wastewater Discharged to the Council's Public Wastewater Network System must comply at all times with the following requirements, except where the nature and levels of such Characteristics are varied by Council Approval as part of a Consent to Discharge a Trade Waste.

Table 2 – Physical Characteristics	
Bylaw Requirements	Commentary from NZ Standard 9201: 2004 Part 23 Model General Bylaws – Trade Waste
Flow	
The 24-hour flow volume must be less than 5,000 L (5 m ³). The maximum instantaneous flow rate must be less than 2.0L/s.	Flows larger than the Guideline values should be Conditional Trade Waste Consent. Conditional Consents will be dependent on the Contaminant concentration/mass load.
Temperature	
The temperature must not exceed 40 °C.	Higher temperatures: <ul style="list-style-type: none"> • Cause increased damage to Sewer structures; • Increase the potential for anaerobic conditions to form in the Wastewater; • Promote the release of gases such as H₂S and NH₃ (can adversely affect the safety of operations and maintenance personnel); and • Reflect poor energy efficiency. It should be noted that this temperature has been reduced from 50°C to come into line with the ARMCANZ/ANZECC Guidelines for Sewerage systems. A lower maximum temperature may be required for large volume Discharges.
Solids	
Non-faecal gross solids must have a maximum dimension that must not exceed 15 mm. The suspended solids content of any Trade Waste must have a Maximum concentration that must not exceed 2000 g/m ³ . For significant industry this may be reduced to 600 g/m ³ . The settleable solids content of any Trade Waste must not exceed 50mL/L. The total dissolved solids concentration in any Trade Waste must be subject to the approval of NCC, having regard to the volume of the waste to be Discharged, and the suitability of the Public Wastewater System and the wastewater treatment plant to accept such waste. At no time must the sediment layer in any trap exceed 20% of the depth or volume of the trap. Fibrous, woven, or sheet film or any other materials which may adversely interfere with the free flow of Wastewater in the Public Wastewater System or wastewater treatment plant must not be present.	Gross solids can cause Sewer blockages. In case of Conditional Consents, fine screening may be appropriate. High suspended solids contents can cause Sewer blockages and overload the treatment processes. Where potential for such problems is confirmed, a lower limit appropriate to the risk may be set. A lower limit may be set between 600 g/m ³ and 2000 g/m ³ . The ANZECC Guidelines recommend a limit of 600 g/m ³ . High total dissolved solids reduce effluent disposal options and may contribute to soil salinity. Where potential for such problems exists, a limit of 10,000 g/m ³ may be used as a guideline.

Oil and Grease	
There must be no free or floating layer. Fat, oil or grease must not exceed 100 g/m ³ . At no time must the fat, oil or grease layer exceed 20% of the depth or volume of the trap	Oil and grease can cause Sewer blockages, may adversely affect the treatment process, and may impair the aesthetics of the receiving water. Where the Wastewater treatment plant Discharges to a sensitive receiving water, lower values should be considered. If the Council only has screening and/or primary treatment prior to Discharge, it is recommended that oil and grease be reduced to 100 g/m ³ . If quick break detergents are being used, it should be ensured that proper separation systems are being used by the Consent Holder. If not, oil will reappear in drainage systems as a free layer.
Solvents and other liquids	
There must be no free layer (whether floating or settled) of solvents or organic liquids.	Some organic liquids are denser than water and will settle in Sewers and traps.
Emulsions of paint, latex, adhesive, rubber, plastic	
Where such emulsions are not treatable these may be Discharged into the Public Wastewater System subject to the total suspended solids not exceeding 1000 g/m ³ or the concentration agreed with the Council. The Council may determine that the need exists for Pre-treatment of such emulsions if they consider that Trade Waste containing emulsions unreasonably interferes with the operation of the wastewater treatment plant, e.g. reduces % UVT (ultra violet transmission). Such emulsions of both treatable and non-treatable types, must be Discharged to the Public Wastewater System only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the Public Wastewater System.	'Treatable' in relation to emulsion Wastewater, means the Total Organic Carbon content of the waste decreases by 90% or more when the Wastewater is subjected to a simulated Wastewater treatment process that matches the Council treatment system. Emulsions vary considerably in their properties and local treatment works may need additional restrictions depending on the experience of the specific treatment plant and the quantity of emulsion to be treated. Emulsion may colour the Council wastewater treatment plant influent such that % UVT is unacceptably reduced. Emulsions will coagulate when unstable and can sometimes cause Sewer blockage. Emulsions are stable when dilute or in the correct pH range.
Radioactivity	
Radioactivity levels must not exceed, the Office of Radiation Safety Code of Practice CSPI for the use of Unsealed Radioactive Material.	Refer Office of Radiation Safety Code of Practice (as referenced) for the use of unsealed radioactive materials NRL C1
Colour	
No waste must have colour or a colouring substance that causes the Discharge to be coloured to the extent that it impairs wastewater treatment processes or compromises the Council's ability to comply with its legal requirements.	Colour may cause aesthetic impairment of receiving waters, and adverse effects on ultra-violet disinfection. Where potential for such problems exists, a level of colour that is rendered not noticeable after 100 dilutions may be used as a Guideline. Where UV disinfection is used special conditions may apply.

Table 3 - Chemical Characteristics	
Bylaw Requirements	Commentary from NZ Standard 9201: 2004 Part 23 Model General Bylaws – Trade Waste
pH value	
The pH must be between 6.0 and 10.0 at all times.	<p>Extremes in pH:</p> <ul style="list-style-type: none"> • Can adversely affect biological treatment processes; • Can adversely affect the safety of operations and/or maintenance personnel; • Cause corrosion of Sewer structures; and • Increase the potential for the release of toxic gases such as H₂S and HCN. <p>Relaxation of these limits to 5.5 and 11.0 is acceptable for low pressure Premises which Discharge into a large flow. Significant industries may need to be restricted to limits between 6.0 and 9.0.</p>
Organic Strength	
Where there is no Council treatment system for organic removal the BOD ₅ must not exceed 1000 g/m ³ . For significant industry this may be reduced to 600 g/m ³ .	<p>The loading on a treatment plant is affected by Biochemical Oxygen Demand BOD₅ rather than Chemical Oxygen Demand (COD). For any particular waste type there is a fixed ratio between COD and BOD₅. For Domestic Wastewater it is about 2.5:1 (COD: BOD₅), but can range from 1:1 to 100:1 for Trade Waste. Therefore BOD₅ is important for the treatment process and charging, but because of the time taken for testing, it is often preferable to use COD for monitoring.</p> <p>However, the use of COD testing must be balanced by the possible environmental effects of undertaking such tests due to the production of chromium and mercury wastes. Where a consistent relationship between BOD₅ and COD can be established the Discharge may be monitored using the COD test.</p> <p>If the treatment plant BOD₅ capacity is not limited, and sulphides are unlikely to cause problems, there may be no need to limit BOD₅. High COD may increase the potential for the generation of sulphides in the Wastewater.</p> <p>A BOD₅ limit which is too stringent may require</p>
Maximum concentrations	
The Maximum concentrations permissible for the chemical characteristics of an Acceptable Discharge are set out in the following tables: Table 4 Table 5 Table 6	Where appropriate, maximum daily limits (kg/day) for Mass limit Permitted Discharges may also be given.

(Mass limits may be imposed, refer to Clause B.4.6 of this Administration Manual)

Table 4 - General Chemical Characteristics			
Characteristic	Maximum concentration (g/m ³)	Mass Limits (kg/day)	Reason for limit
MBAS (Methylene blue active substances)	500	1.5	MBAS is a measure of anionic surfactants. High MBAS can: <ul style="list-style-type: none"> Adversely affect the efficiency of activated Wastewater sludge plants; and Impair the aesthetics of receiving waters. For Wastewater treatment plants that suffer from the effects of surfactants the Maximum Concentration could be reduced significantly, e.g. Sydney Water utilize a level of 100 g/m ³ .
Ammonia (measured as N)			High ammonia: <ul style="list-style-type: none"> May adversely affect the safety of operations and maintenance personnel; and May significantly contribute to the nutrient load to the receiving environment.
Free ammonia (measured as ammoniacal nitrogen)	50	0.25	
Ammonium salts	200	1.0	
Kjeldahl nitrogen	150	1.0	High Kjeldahl nitrogen may significantly contribute to the nutrient load of the receiving environment. A value of 50 g/m ³ should be used as a guideline for sensitive receiving waters.
Total phosphorus (as P)	50	0.75	High phosphorus nitrogen may significantly contribute to the nutrient load of the receiving environment. A value of 10 g/m ³ should be used as a guideline for sensitive receiving waters.
Sulphate (measured as SO ₄)	500 - 1500 (with good mixing)	2.5	Sulphate: <ul style="list-style-type: none"> May adversely affect the Public Wastewater System; and May increase the potential for the generation of sulphides in the Wastewater if the Public Wastewater System is prone to becoming anaerobic.
Sulphite (measured as SO ₂)	15	0.075	Sulphite has potential to release SO ₂ gas and thus adversely affect the safety of operations and maintenance personnel. It is a strong reducing agent and removes dissolved oxygen thereby increasing the potential for anaerobic conditions to form in the Wastewater.
Sulphide—as H ₂ S on acidification	5	0.025	Sulphides in Wastewater may: <ul style="list-style-type: none"> Cause corrosion of the Public Wastewater System, particularly the top non-wetted part of a Sewer; Generate odours in Sewers which could cause public nuisance; and Release the toxic H₂S gas that could adversely affect the safety of operations and maintenance personnel. Under some of the conditions above sulphide should be <2.0 g/m ³ .

Chlorine (measured as Cl ₂) Free chlorine Hypochlorite	3 30	0.015 0.15	Chlorine: <ul style="list-style-type: none"> Can adversely affect the safety of operations and maintenance personnel; and Can cause corrosion of the Public Wastewater System. ARMCANZ/ANZECC Guidelines for sewerage systems utilise a figure of 10 g/m ³ .
Dissolved aluminium	100	1.5	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate on a scale that may cause a Sewer blockage.
Dissolved iron	100	1.5	Iron salts may precipitate and cause a Sewer blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Boron (as B)	25	0.125	Boron is not removed by conventional treatment. High concentration in Wastewater may restrict irrigation applications. Final Wastewater use and limits should be taken into account.
Bromine (as Br ₂)	5	0.025	High concentrations of bromine may adversely affect the safety of operations and maintenance personnel.
Fluoride (as F)	30	0.15	Fluoride is not removed by conventional Wastewater treatment, however Pre-treatment can easily and economically reduce concentrations to below 20 g/m ³ .
Cyanide — weak acid dissociable (as CN)	5	0.005	Cyanide may produce toxic atmosphere in the Sewer and adversely affect the safety of operations and maintenance personnel.

Table 5 – Heavy Metals

Metal	Maximum concentration (g/m ³)	Mass Limits (kg/day)	Metal	Maximum concentration (g/m ³)	Mass Limits (kg/day)
Antimony	10.0	0.025	Manganese	10.0	0.025
Arsenic	5.0	0.025	Mercury	0.05	0.0001
Barium	10.0	0.025	Molybdenum	10.0	0.025
Beryllium	0.005	0.0001	Nickel	10.0	0.050
Cadmium	0.5	0.001	Selenium	10.0	0.025
Chromium	5.0	0.050	Silver	2.0	0.010
Cobalt	10.0	0.025	Thallium	10.0	0.025
Copper	10.0	0.050	Tin	10.0	0.025
Lead	10.0	0.025	Zinc	10.0	0.050

Note:

Heavy metals have the potential to:

- Impair the treatment process;
- Impact on the receiving environment; and
- Limit their use of Wastewater sludge and effluent.

Where any of these factors are critical it is important that local acceptance limits should be developed.

The concentration of chromium includes all valent forms of the element. Chromium (VI) is considered to be more toxic than chromium (III), and for a Discharge where chromium (III) makes up a large proportion of the characteristic, higher concentration limits may be acceptable. Specialist advice should be sought.

Metals will be tested as total, not dissolved. If sludge is used as a biosolid then metal concentration/mass are important such that the biosolids Guidelines are met.

Table 6 – Organic compounds and pesticides

Compound	Maximum concentration (g/m ³)	Mass Limits (kg/day)	Reason for limit
Formaldehyde (as HCHO)	50	0.25	Formaldehyde in the Sewer atmosphere can adversely affect the safety of operations and maintenance personnel.
Phenolic compounds (as phenols) excluding chlorinated phenols	50	0.25	Phenols may adversely affect biological treatment processes. They may not be completely removed by conventional treatment and subsequently impact on the environment.
Chlorinated phenols	0.02	0.001	Chlorinated phenols can adversely affect biological treatment process and impair the quality of the receiving environment.
Petroleum hydrocarbons	30	0.15	Petroleum hydrocarbons may adversely affect the safety of operations and maintenance personnel.
Halogenated aliphatic compounds	1	0.001	Because of their stability and chemical properties these compounds may: <ul style="list-style-type: none"> • Adversely affect the treatment process; • Impair the quality of the receiving environment; and • Adversely affect the safety of operations and maintenance personnel.
Monocyclic aromatic hydrocarbons	5	0.025	These compounds (also known as benzene series) are relatively insoluble in water, and are normally not a problem in Trade Waste. They may be carcinogenic and may adversely affect the safety of operations maintenance personnel.
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs) Including specifically: dibenzo [a,h] anthracene benzo [a] pyrene benzo [b] fluoranthene benzo [k] fluoranthene chrysene indeno [a,2,3-cd] pyrene	0.05	0.001	Many of these substances have been demonstrated to have an adverse effect on the health of animals. Some are also persistent and are not degraded by conventional treatment processes.

Halogenated aromatic hydrocarbons (HAHs)	0.002	0.0001	Because of their stability, persistence and ability to bioaccumulate in animal tissue these compounds have been severely restricted by health and environmental Regulators.
Polychlorinated biphenyls (PCBs) Polybrominated biphenyls (PBBs) Including specifically the following congeners using the IUPAC nomenclature: PCB-28 PCB-52 PCB-77 PCB-81 PCB-101PCB-105 PCB-114 PCB-118 PCB-123 PCB-126 PCB-138 PCB-153 PCB-156 PCB-157 PCB-167 PCB-169 PCB-180 PCB-189	0.002	0.0001	Because of their stability, persistence and ability to bioaccumulate in animal tissue these compounds have been severely restricted by health and environmental Regulators.
Pesticides (general) (includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any pesticides not registered for use in New Zealand)	0.002 each 0.2 in total	0.0001	Pesticides: <ul style="list-style-type: none"> • May adversely affect the treatment processes; • May impair the quality of the receiving environment; and • May adversely affect the safety of operations and maintenance personnel.
Organophosphate pesticides excludes pesticides not registered for use in New Zealand. These compounds must be accepted up to the given maximum concentration only when specifically Approved.	0.1	0.0001	

Inhibitor Chemicals

No waste being diluted at a ratio of 100 to 1 of Wastewater may inhibit the performance of the Wastewater treatment process, such that the Council is significantly at risk, or prevented from achieving its environmental statutory requirements.

After dilution with de-chlorinated water, at a ratio of 15 to 1 of Wastewater, a Discharge which has an acute result when subjected to the Whole Effluent Toxicity Testing, will be deemed to have inhibitory chemicals. Whole Effluent Toxicity Testing will be undertaken using organisms selected by Council.

Schedule B: Prohibited Discharge Characteristics

SB.1 Prohibited Effects

Any Discharge has prohibited Characteristics if it has any solid, liquid or gaseous matters, or any combination or mixture of such matters, which by themselves or in combination with any other matters, will immediately or in the course of time:

- a) interfere with the free flow of Wastewater in the Public Wastewater System;
- b) damage any part of the Public Wastewater System;
- c) in any way, directly or indirectly, cause the quality of the treated Wastewater or residual biosolids and other solids from any Wastewater treatment plant in the catchment to which the waste was Discharged to breach the conditions of a consent issued under the Resource Management Act 1991, or water right, permit or other governing legislation;
- d) prejudice the occupational health and safety risks faced by Wastewater workers;
- e) after treatment be toxic to fish, animals or plant life in the receiving waters;
- f) cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a Nuisance; or
- g) have a colour or colouring substance that causes the Discharge from any Wastewater treatment plant to receiving waters to be coloured.

SB.2 Prohibited Characteristics

The Discharge has a prohibited Characteristic if it has any amount of:

- a) harmful solids, including dry solid wastes and materials that combine with water to form a cemented mass;
- b) liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule A of this

Bylaw), calcium carbide, and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with Wastewater;

- c) asbestos;
- d) the following organo-metal compounds;
 - i. Tin (as tributyl tin and other organotin compounds);
 - ii. Any organochlorine pesticides;
 - iii. Genetic wastes, as follows: All wastes that contain or are likely to contain material from a genetically modified organism that is not in accordance with an approval under the HSNO. The material concerned may be from Premises where the genetic modification of any organism is conducted or where a genetically modified organism is processed;
 - iv. Any health care waste prohibited for Discharge to the Public Wastewater System by NZS 4304 or any pathological or histological wastes; or
 - v. radioactivity levels in excess of the National Radiation Laboratory Guidelines;
- e) cytotoxic waste, liquid antibiotics or any pharmaceutical waste;
- f) perfluorooctane sulfonate (PFOS), Perfluorooctanoic acid (PFOA), Perfluorooctanoic sulfonic acid (PFHxS)

Advice Note - Substance Mass limit yet to be determined

- g) flushable wipes
- h) Construction Debris

Prohibited Tanker Waste Streams:

- a) Grease waste
- b) Oil Interceptor Waste

Schedule C: Fees and Charges - Methodology

Trade waste charging mechanism - methodology

The Trade Waste Charging Model is designed to be a true user pays mechanism for industrial and commercial Dischargers to the Public Wastewater System (including the Wastewater treatment plant). The following parameters can be used to allocate charges:

- Average daily flow (m³/d)
- Peak instantaneous flow (l/s)
- Five day Biochemical Oxygen Demand (BOD5) (mg/l)
- Chemical Oxygen Demand (COD) (mg/l)
- Suspended Solids (SS) (mg/l)
- Total Kjeldahl Nitrogen (TKN) (mg/l)
- Fat Oil & Grease (FOG) (mg/l)

Trade waste consent holders fall into two categories for charging: Major Dischargers and Minor Dischargers. The charging category will be stipulated in the Trade Waste Consent and will be assigned on a case-by-case basis.

The following factors will influence the charging category:

- Category of Trade Waste Consent (Controlled or Conditional)
- Type of industry
- Loading of contaminants
- Flow and daily volume (average and peak)
- Available load allocation at the Wastewater Treatment Plant
- Cleaner production initiatives on site
- The 'cost to treat' of the Trade Waste
- Pre-treatment devices installed on site and their operation

Major Dischargers – Monthly Billing

The charges are based on the share of each parameter contributed by each major Discharger. Capital repayments and depreciation costs are assessed separately from operating costs. Operating cost charges are based on the actual monthly Discharge of each Operator. The capital charges are based on the reserved peak requested for each parameter by each Operator

on a yearly basis.

The Public Wastewater System and Wastewater Treatment Plant are split into cost centres on the basis of how capital and operating costs are dependent on the measured parameters of the Wastewater. For example, the capital cost of screening is determined predominantly by the peak flow rate it must accept, with a small dependency on the amount of suspended solids loaded to it. The operating costs of screening are determined by the average daily flow and the amount of Suspended Solids in the trade waste. Other parameters such as BOD5, TKN etc. are not part of the charge assessment for that cost centre as they do not affect operation of the screens.

Capital and depreciation repayments and operating costs are split across the cost centres either directly or as a proportion of general costs such as security and automation & control. Proportions of relevant parameters were allocated to each cost centre by a panel of expert Council Officers using a 5-scale rating system.

The amount a Discharger pays towards a single cost centre is based on their share of each relevant parameter compared to the total of that parameter for that cost centre. The resulting charges for each are then added to give the total capital or operating cost parameter for the relevant Operator. Operators are not charged for parts of the council Wastewater assets that they do not use.

Minor Dischargers – Quarterly/Annual Billing

Minor Dischargers will be charged a flat fee based on the costs of the commercial sector calculated by the model and apportioned based on flow.

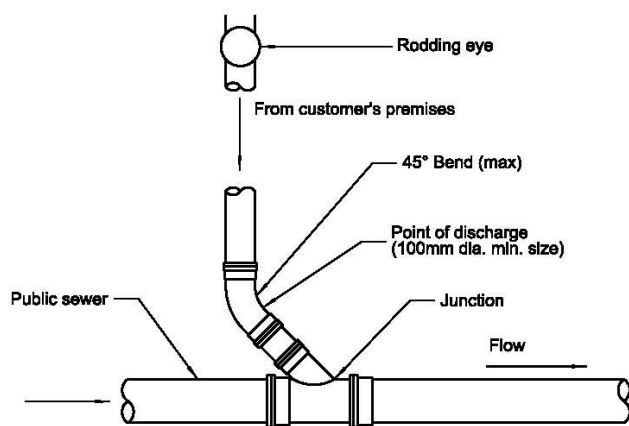
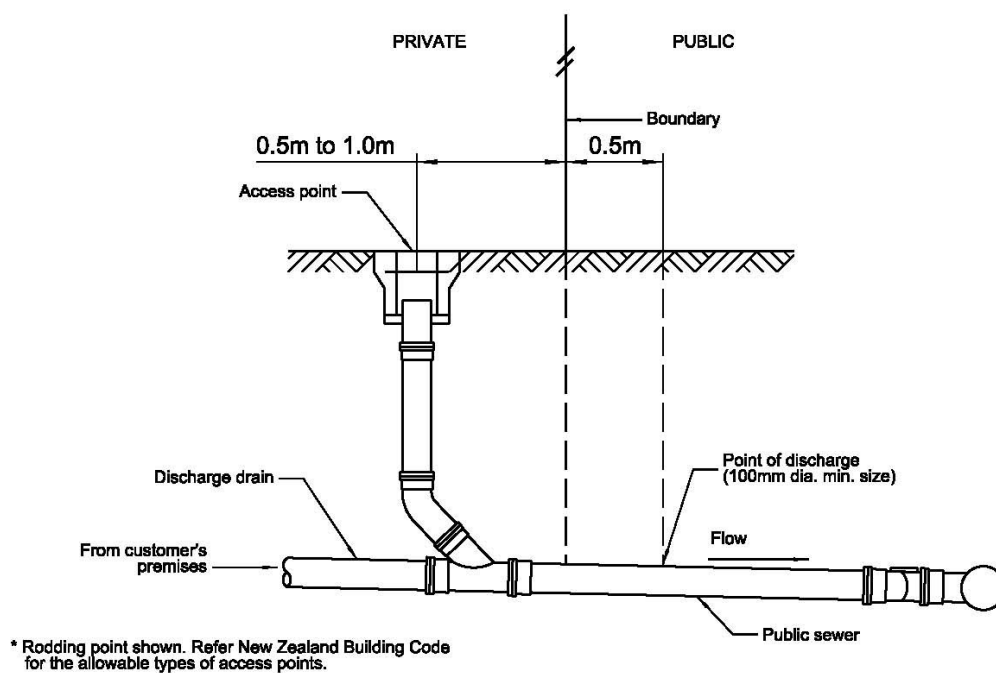
A small-scale Discharger on a fixed value may only pay quarterly or annually according to their preference.

Administrative Charges

Fees and charges are reviewed and set annually by Council as part of its Annual Plan process and can be found at www.napier.govt.nz/our-council/fees-and-costs/current/ under 'Wastewater'.

Schedule D: Point of Discharge

LAYOUT AT POINT OF DISCHARGE



PLAN VIEW

DOMESTIC DISCHARGE TO PUBLIC SEWER ON PRIVATE LAND

Figure 2.1

Figure 1 - Layout at Point of Discharge

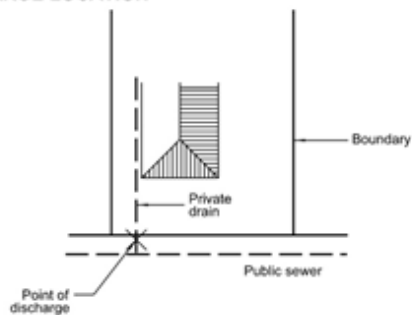
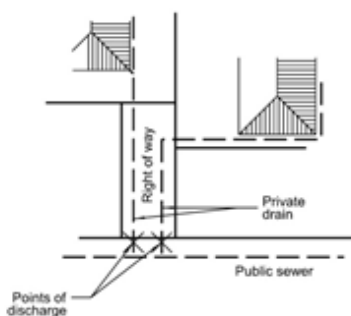
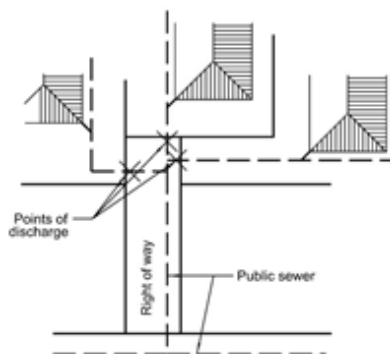
POINT OF DISCHARGE LOCATION**WITH STREET FRONTAGE****REAR LOTS ON RIGHT OF WAY (up to 2 customers)****REAR LOTS ON RIGHT OF WAY (up to 3 customers)**

Figure 2 – Point of Discharge Location

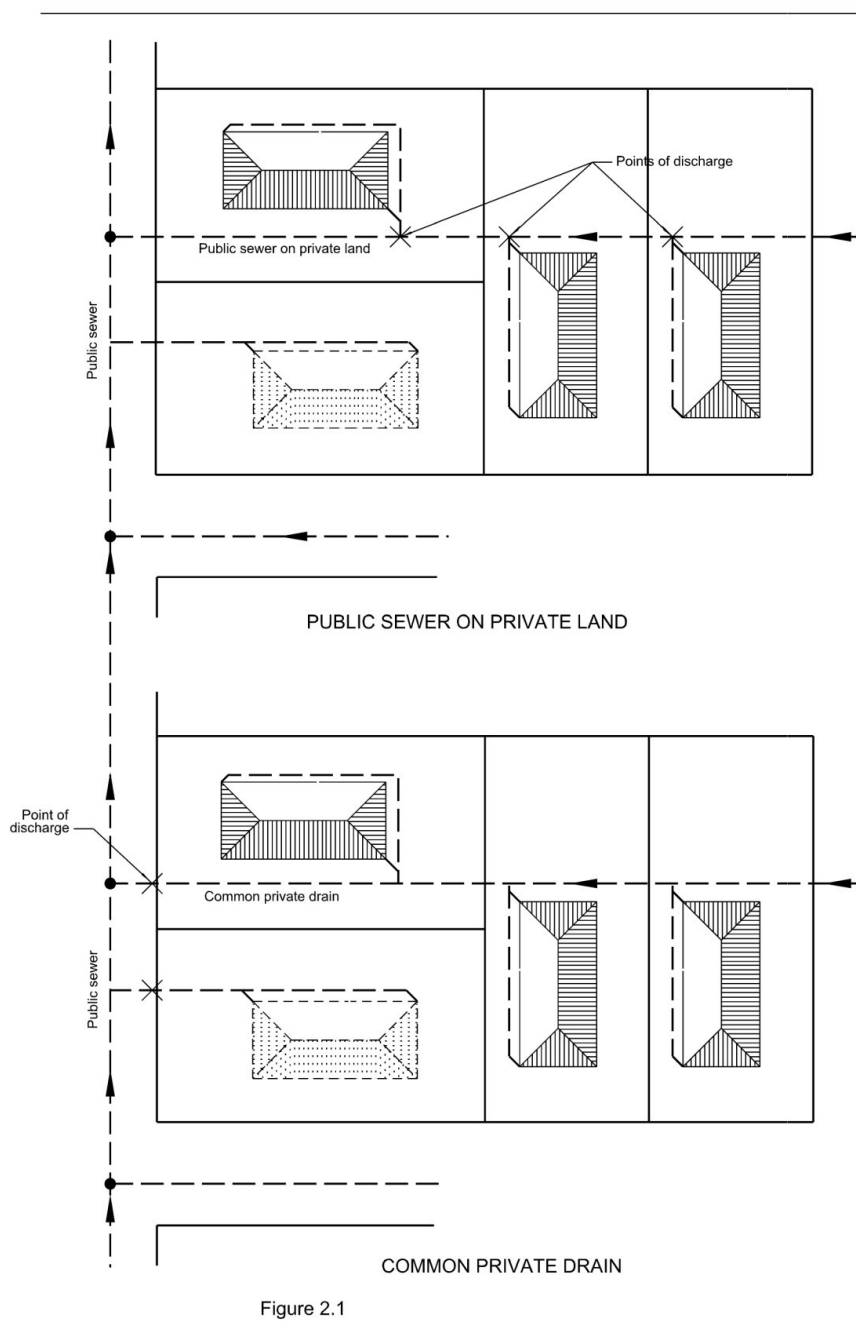


Figure 3 – Public Sewer on Private Land
and Common Private Drain



Quarterly Performance REPORT

QUARTER THREE FY 2024-25



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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See the Appendix Quarterly Report for performance measures and financial and capital reporting at the activity level at napier.govt.nz/quarterly-report





Quarterly Performance Summary

The following is a snapshot of achievements from the past quarter, including projects, consultations, and other operational activities.

Proposed Changes to LAP

We consulted on proposed changes to our Local Alcohol Policy (LAP.) The LAP includes alcohol trading hours, bottle store location rules and safety requirements for licensed premises. What's being proposed are extra controls, which have been developed with input from Police, health experts and alcohol licensing inspectors.

Our First Open House

Napier City Council ran its first Open House. It was a chance for staff and elected representatives to talk directly to the public about upcoming projects, proposals, or initiatives. 'Open House' was a council expo to showcase our work, especially in areas where we want input or awareness from the community.

Local Election Candidate Info Evening

An information evening was held for prospective candidates for the upcoming local elections, with a good turnout from the community.

National Aquarium Team Achievement

The work of our National Aquarium team was recognised across two areas, with accreditations for quality standards in animal welfare and sustainable tourism. The Zoo and Aquarium Association Australasia has reaffirmed NANZ's accreditation for another three years. The accreditation process requires compelling evidence on the operations, policies, and experiences of the animals, that clearly demonstrates animal welfare standards. Qualmark New Zealand awarded the NANZ team with a Gold Sustainable Tourism Award. The Award was assessed under a new framework from the Global Sustainable Tourism Council.

2025/26 Annual Plan Consultation

The 2025/26 Annual Plan consultation opened and ran for four weeks. We consulted on the future of several council business and tourism facilities, the interim closure of Napier Library, certain fees and charges and our Significance & Engagement Policy.



Strategic Programmes

Largely derived from the Three-Year Plan FY24-27.

Reimagining of Business and Tourism Facilities

PROJECT SCOPE: Review how facilities are operated in the future - including location or services and activities. This includes McLean Park; National Aquarium; and i-Site.

- Q3 UPDATE:**
- Preferred options for all five reimagine facilities presented to Council on 20 February 2025 to be included in Annual Plan consultation.
 - Annual Plan community consultation on all concept options - 31 March to 30 April 2025.

STRATEGIC PRIORITY: Financial sustainability / Places and Spaces for All / Greater visitor destination.

PROJECT STATUS: 

Commercialisation of Business and Tourism Facilities

PROJECT SCOPE: Council agreed to loan-fund the deficits of the three facilities (Kennedy Park; Ocean Spa; Napier Conference & Events) as they transition to becoming financially self-sustainable.

- Q3 UPDATE:**
- Performance continues to be challenging, and this continues to be communicated.
 - Deloitte engaged to develop driver driven forecasting tool and operating performance dashboards. This work will support developing deeper knowledge of actions required to shift performance.
 - Leasing project stream inflight for Kennedy Park Resort & Ocean Spa.

STRATEGIC PRIORITY: Financial sustainability

PROJECT STATUS: 

Investment Portfolio CCTO

PROJECT SCOPE: Council agreed to proceed with establishing a NCC Investment Portfolio managed commercially by a CCTO.

- Q3 UPDATE:**
- Establishing the Board is progressing: Board skills matrix developed; remuneration approved; Chair appointment in final stages and targeting a recommendation for 5 June; advertising is inflight for the two Independent Directors; the two Elected Member directors will be recruited ASAP after the triennial election.
 - Drafting the Management Services Agreement and Constitution is underway along with review of key Council policies to ensure CCTO to achieve commercial objectives.
 - Focus underway on ensuring financial and reporting requirements understood and internal changes required identified ahead of 1 July 2025.

STRATEGIC PRIORITY: Financial sustainability

PROJECT STATUS: 



Housing Divestment

PROJECT SCOPE: Council agreed to shift its focus to delivering retirement housing only and to fund this by selling its three social housing villages (Wellesley, Nelson Park and Carlyle); and to investigate mixed and/or independent delivery models.

- Q3 UPDATE:**
- RFP for several professional services undertaken in Q3 and appointments made end-April.
 - Q4 focus preparation for market engagement via EOI.
 - Abbeyfield Hawke's Bay – confirmation in February 2025 Council endorsed project and officers continuing to work with both Abbeyfield Hawke's Bay (development) and Abbeyfield Properties (commercial terms).

STRATEGIC PRIORITY: Financial sustainability

PROJECT STATUS:

Housing divestment	
Abbeyfield	

Shared Services Opportunities

PROJECT SCOPE: Council directed CE to proactively seek out shared services opportunities.

Q3 UPDATE:

Collaboration with HBRC continues. NCC fleet review complete with recommendations pending approval. Risk & Assurance portfolios analysis complete with recommendations being reviewed. High level discovery underway for Procurement.

STRATEGIC PRIORITY: Financial sustainability

PROJECT STATUS:



Civic Precinct

PROJECT SCOPE: Delivery of new library and community facility and Council chambers and redevelopment of the old library tower into officer accommodation.

Q3 UPDATE:

Enabling commenced on-site with the partial demolition of the ex-library tower near completion. The main contractor has been appointed and will begin construction on site on the 19th of June. Design completed on library and base build of the office building. The project remains within budget on time.

STRATEGIC PRIORITY: Places and spaces for all

PROJECT STATUS:



Local Water Done Well

PROJECT SCOPE: Implement Local Water Done Well reforms.

Q3 UPDATE:

Indicative financial modelling that evaluate the three delivery options available to council has been completed. Outcome illustrates that, financially, a regional water entity is beneficial. Officers to workshop options assessment with Council in early Q4 with community consultation to commence shortly after. Preferred option to be determined based on workshop and subsequent council resolution.

Substantive decision to be made early Q1 2025-26.

STRATEGIC PRIORITY: Financial sustainability / Resilient City

PROJECT STATUS:



Emergency Management

PROJECT SCOPE: Focus for Council is to be prepared for future emergency events including improving our lifeline infrastructure resilience and advocate for resilience in other lifeline infrastructure.

Q3 UPDATE:

- Training focus has been on function leads in Q3.
- Work continuing to establish community hubs.
- Further investigations of Taradale Library for EOC in Q4.

STRATEGIC PRIORITY: Resilient City

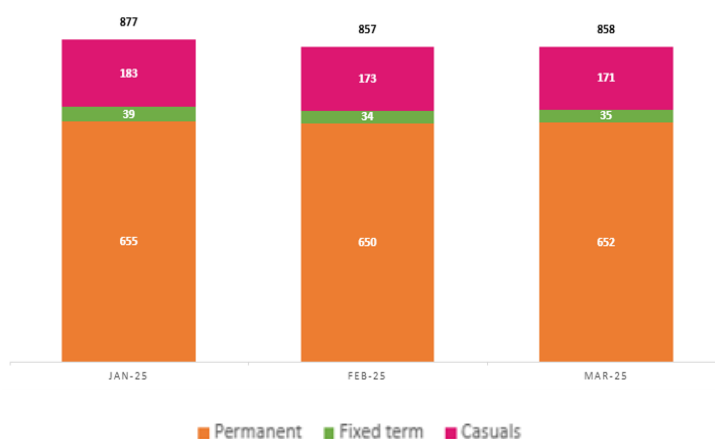
PROJECT STATUS:



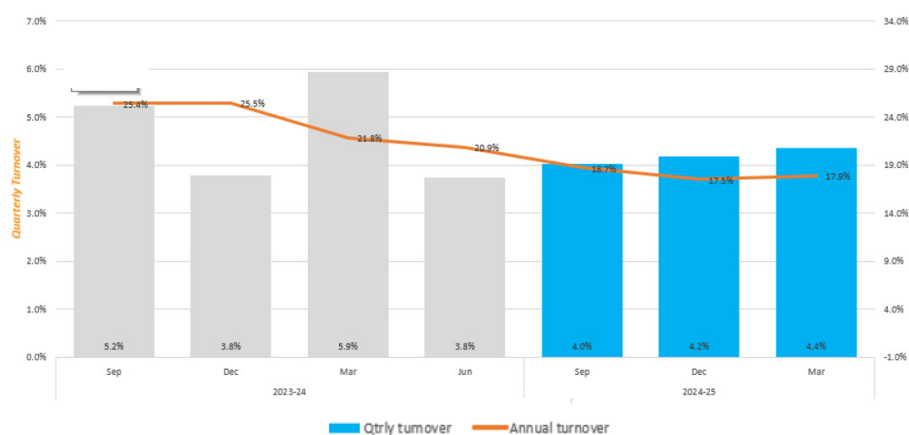
People and Capability

We have removed fixed term employees from our turnover calculation which provide a more accurate reflection of staff movement at NCC. We have experienced a decrease in new starters due to a recruitment hold, limiting the number of roles for which we are actively recruiting. We have steady exit numbers which is expected in this quarter based on previous years, with many leaving us attributing this to personal reasons, relocation and several have moved on to take up career advancement opportunities.

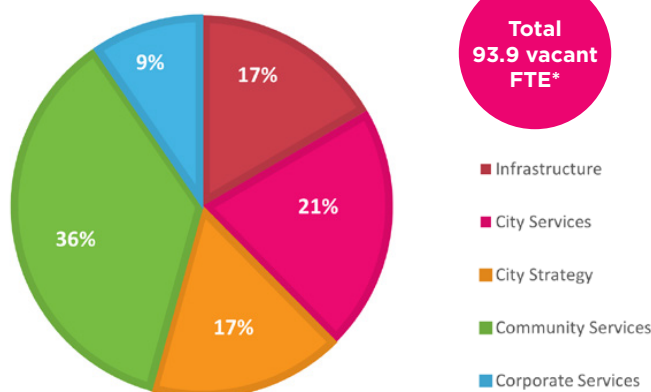
EMPLOYEE NUMBERS Q3 FY 2024-25



EMPLOYEE TURNOVER (PERMANENT STAFF ONLY)



VACANT FTE AS AT 31 MARCH 2025

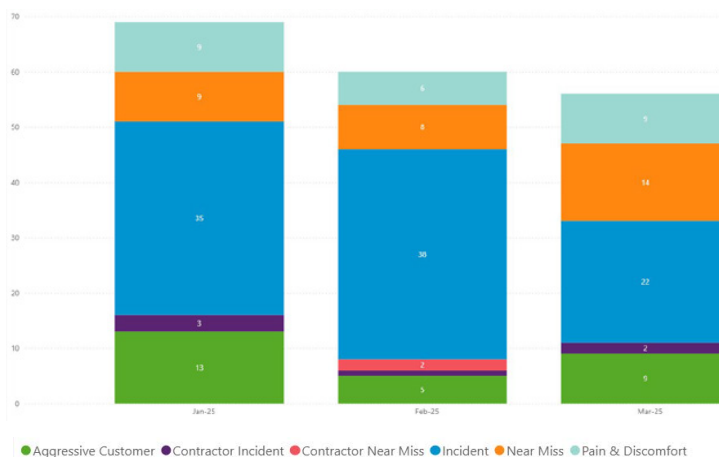


Health and Safety

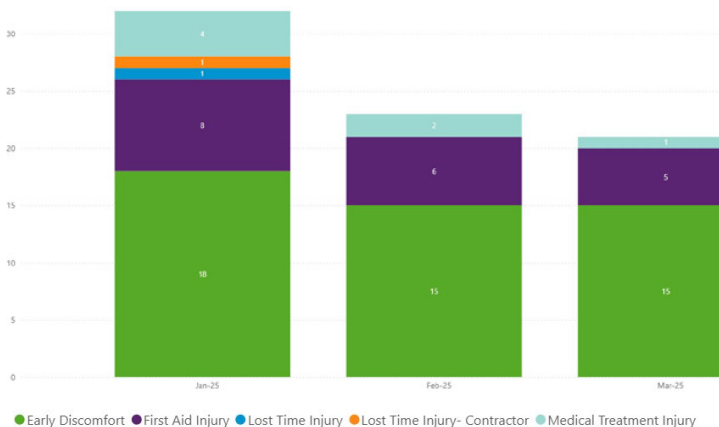
There has been an increase in the number of health and safety events reported over the quarter. This rise is primarily due to improved reporting of early pain and discomfort symptoms, along with more detailed data capture relating to aggressive customer behavior during public interactions. These improvements indicate better recognition and documentation of incidents across the workforce.

Training data has decreased during the quarter, reflecting a natural decline in refresher training activity that aligns with the typical two year cycle. Additionally, there has been a lower intake of new employees into the business over the period, further contributing to the reduction in training volumes.

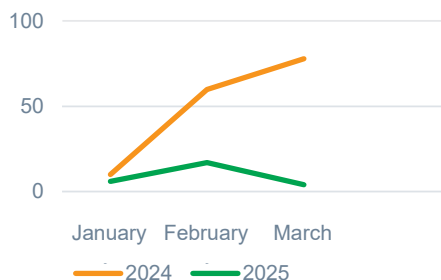
EVENTS & INJURIES Q3 FY 2024-25



INJURIES BY TYPE Q3 FY 2024-25



HEALTH AND SAFETY COMPLIANCE TRAINING ATTENDANCE



Key Performance Measures

This quarter 81% of key performance indicators (57 of 70) measured on a monthly or quarterly basis were achieved or are in process and on target to be achieved by year end.



Capital Plan Delivery

* Variance Key
Favourable / Underspent
Unfavourable / Overspent

Figures are shown in thousands (\$,000)

Capital	Year to Date Mar 2025				Year End		
	Actual	Revised Budget	Variance*	% Variance	Revised Budget	Annual Plan	Variance*
Governance and Representation	2	-	(2)		66	83	17
Transportation	7,661	9,865	2,204	22%	17,570	13,657	(3,913)
Stormwater	3,558	3,681	123	3%	7,976	5,083	(2,893)
Wastewater	9,352	5,895	(3,458)	(59)%	10,446	9,654	(792)
Water Supply	3,984	5,025	1,041	21%	7,206	8,686	1,480
Other Infrastructure	139	582	443	76%	5,091	4,740	(351)
City Strategy	530	770	240	31%	1,347	918	(429)
Community and Visitor Experiences	15,302	17,841	2,539	14%	28,138	26,607	(1,531)
Property Assets	6,694	12,351	5,658	46%	18,268	26,092	7,824
Support Units	2,416	2,615	199	8%	4,180	4,897	717
Total Capital Expenditure	49,639	58,625	8,986	15%	100,289	100,418	129
Asset Sales	(141)	-	141		-	-	-

Total capital expenditure is \$4.7m below the revised budget to March. The revised budget includes budget carry-forwards from 2023-24 and updated timing/re-phasing of expenditures across years/months.

- Community and Visitor Experiences is \$2.5m below budget due to delays in projects at MTG and Ocean Spa, and Ahuriri Estuary in the Reserves activity.
- Transportation is \$2.2m below budget due to reductions in the programme against the planned works related to the National Land Transport Programme, and retaining walls budgets not yet being utilised.
- Partially offsetting the underspends is Wastewater which is \$3.5m over budget. The wastewater treatment plant upgrades are progressing ahead of schedule, and the restoration of the facility from Cyclone Gabrielle was unbudgeted but funded by insurance proceeds.



Financial Performance Snapshot

* Variance Key
Favourable / Underspent
Unfavourable / Overspent

Figures are shown in thousands (\$,000)

All Council	Year to Date Mar 2025				Year End		
	Actual	Revised Budget	Variance	* % Variance	Revised Budget	Annual Plan	Variance*
Revenue							
Rates Revenue	75,755	76,859	(1,103)	(1)%	102,478	102,478	-
Finance Revenue	643	69	574	>100%	166	166	0
Financial and Development Contributions	2,924	1,657	1,267	76%	7,665	7,665	-
Subsidies and Grants	9,093	9,259	(166)	(2)%	12,008	11,084	924
Other Revenue	38,498	38,945	(447)	(1)%	60,367	67,661	(7,294)
Other gains/losses	-	-	-		5,968	5,968	-
	126,914	126,789	125		188,651	195,022	(6,370)
Expenditure							
Employee Benefit Expense	46,940	44,787	(2,153)	(5)%	60,050	60,950	900
Finance Costs	1,523	2,569	1,046	41%	3,425	3,425	-
Other Operating Expenses	57,115	60,258	3,143	5%	88,697	91,300	2,603
Share of associate surplus/deficit	(258)	-	258		(728)	(728)	-
Offsetting Expenditure	(21)	(21)	(0)	(0)%	(27)	(27)	0
	137,052	141,307	4,255		196,368	199,870	3,502
Net Operating Surplus / (Deficit)	(10,139)	(14,518)	4,379	2%	(7,717)	(4,849)	2,868

The year-to-date net operating shortfall of \$10.1m is \$4.4m favourable to the budgeted deficit of \$14.5m. This favourable variance is attributable to a combination of factors as outlined below:

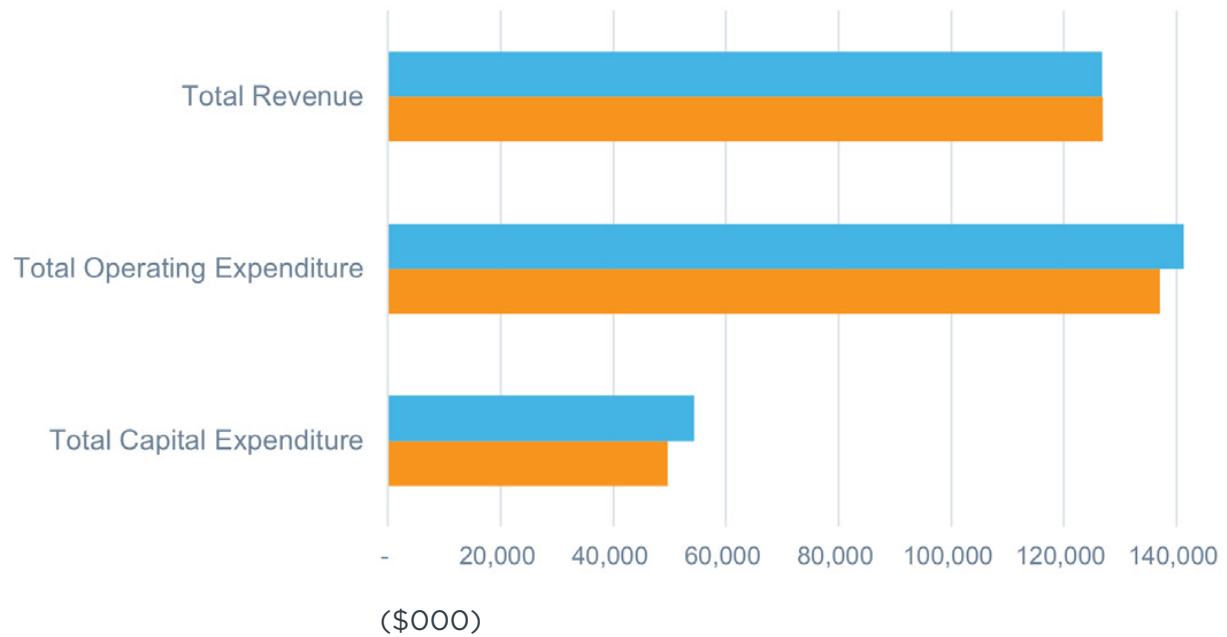
Revenue

- Other Revenue is \$447k lower than the amended budget. It should be noted that the amended budget has been adjusted for the change in strategy for Parklands Residential Development sales, and is therefore \$7.3m lower than the Annual Plan. This reflects the variance that we are forecasting for Parklands at year-end compared to the Annual Plan. Conversely, the reduced revenue in Parklands is counterbalanced by lower costs of sales, ensuring no adverse impact on Council's overall financial performance.
- Napier Conference & Events has \$614k less revenue than budgeted, and Ocean Spa has \$787k less revenue than budgeted as both have not yet achieved additional revenue to reach commercial viability.

Expenditure

- Other Operating Expenses are \$3.2m lower than the amended budgeted due to timing of property compensation buyouts related to Cyclone Gabrielle and timing of Parklands Residential Development cost of sales.
- Depreciation and Amortisation are \$1.9m lower than budgeted due to the reduced level of asset capitalisation from the previous year, and capital for the current year is yet to be processed.
- This is partially offset by Employee Benefit Expenses which are \$2.2m higher than budgeted. This variance has decreased since the second quarter, with a variance of \$2.5m. Elected Members directed labour efficiencies to be found during three year plan deliberations - this has been challenging to balance resourcing and maintain vacancies with a highly ambitious capital programme, however \$5m of the \$8m in operating efficiencies is forecast to be achieved for the year.

Performance v Budget



Activity Group Financial Summary

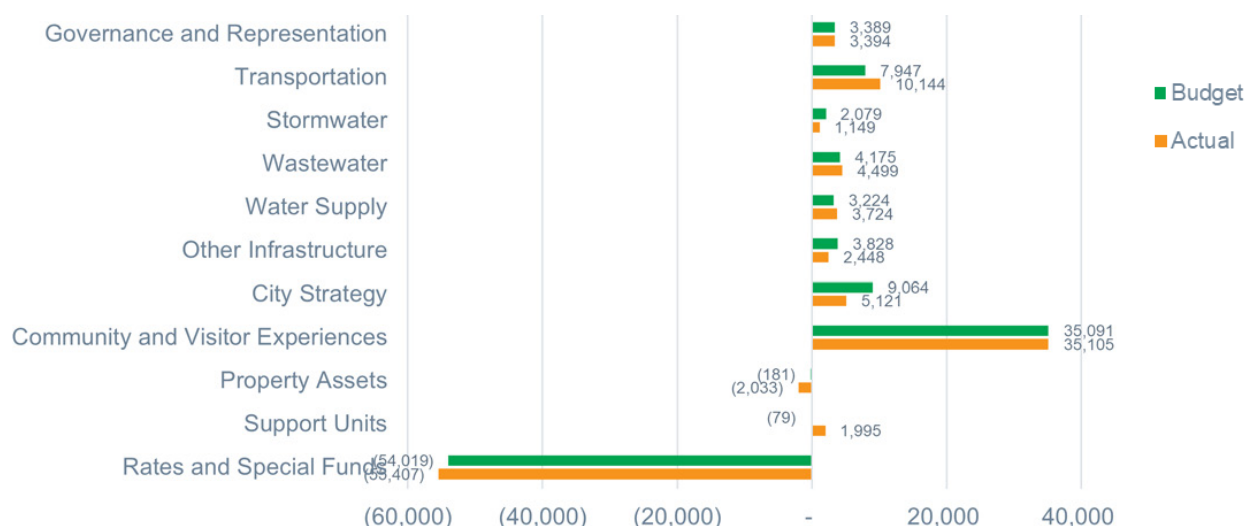
* Variance Key
Favourable / Underspent
Unfavourable / Overspent

Figures are shown in thousands (\$,000)

Net Operating Expenditure	Year to Date Mar 2025				Year End		
	Actual	Revised Budget	Variance	% Variance	Revised Budget	Annual Plan	Variance*
Governance and Representation	3,394	3,389	(6)	(0)%	5,340	5,619	279
Transportation	10,144	7,947	(2,197)	(28)%	9,554	10,388	834
Stormwater	1,149	2,079	930	45%	1,179	1,258	79
Wastewater	4,499	4,175	(323)	(8)%	3,255	2,711	(544)
Water Supply	3,724	3,224	(500)	(16)%	2,357	1,722	(635)
Other Infrastructure	2,448	3,828	1,380	36%	3,075	3,066	(9)
City Strategy	5,121	9,064	3,943	44%	13,107	11,010	(2,097)
Community and Visitor Experiences	35,105	35,091	(14)	(0)%	45,689	42,940	(2,749)
Property Assets	(2,033)	(181)	1,852	>100%	(5,088)	(4,214)	874
Rates and Special Funds	(55,407)	(54,019)	1,388	3%	(72,945)	(71,557)	1,388
Support Units	1,995	(79)	(2,074)	<(100)%	2,193	1,905	(288)
Net Operating Expenditure	10,139	14,518	4,379	30%	7,717	4,849	(2,868)

- Transportation is \$2.2m unfavourable to budget due to lower subsidies revenue than budgeted, and an increased requirement for preparatory repairs associated with enhanced resurfacing programme and unbudgeted emergency works.
- Support Units is \$2.1m unfavourable to budget due to the labour efficiencies which were budgeted but have been challenging to balance with a highly ambitious capital programme.
- City Strategy is \$3.9m favourable to budget due to timing of expenditure for property compensation for Cyclone Gabrielle.

Summary Net Operating Expenditure of Activity Groups



Treasury Management Summary

Investments Report

INVESTMENT TYPES HELD AT QUARTER-END: 31 MARCH 2025

Amount

Call Deposits			\$0
Term Deposits			
Bank	S&P Credit Rating	Average 12-Month Int Rate	
Westpac	AA-	n/a	\$0
ANZ	AA-	4.18%	\$2,000,000
ASB	AA-	3.95%	\$2,000,000
BNZ	AA-	n/a	\$0
Kiwibank	-	n/a	\$0
			\$4,000,000
Total Investments as at 31 March 2025			\$4,000,000

RANGE OF INTEREST RATES NEGOTIATED DURING THE QUARTER

Rate

Date

Call Deposits (lowest) *	n/a	All
Call Deposits (highest) *	n/a	All
Term Deposits (lowest)	3.85%	2/21/2025
Term Deposits (highest)	4.25%	1/31/2025

WEIGHTED AVERAGE INTEREST RATE FOR ALL CURRENTLY HELD INVESTMENTS

Amount

Average Rate

Call Deposits	\$0	0.00%
Term Deposits	\$4,000,000	4.07%
	\$4,000,000	

Weighted Average Interest Rate as at 31 March 2025	4.07%
Benchmark Average Interest Rate as at 31 March 2025	4.30%

(Benchmark = average 6-month 'BKBM' mid-rate of today and 6 months ago)

MATURITY PROFILE OF INVESTMENTS

Term	%age	Lower Limit	Upper Limit	Within Limits
0 - 6 months	100.0%	30%	80%	No •
6 - 12 months	0.0%	20%	70%	No •
1 - 3 years	0.0%	0%	50%	Yes •
3 - 5 years	0.0%	0%	20%	Yes •

EXTERNAL LOANS REPORT

\$000

External loans as at 30 June 2024	\$20,000
New loans raised year to date	\$35,000
Total external loans as at 31 March 2025	\$55,000
Balance of loans forecast to be raised in current year	\$30,565
Total external loans forecast 30 June 2025 (Annual Plan)	\$85,565

Risk and Assurance

No.	Risk Description	Inherent	Residual	Forecast	Trend
1	SR15 - Infrastructure - Plan for, develop and maintain sound infrastructure Risk Owner: Russell Bond Risk Owner Comments: Executive Director Infrastructure signed off escalation with revised risk level of Medium. on 12 monthly review. Next review 28 May 2025.	Extreme	Medium	Low	↔
2	SR21 - Not enabling our communities to become resilient Risk Owner: Thunes Cloete Risk Owner Comments: Within Appetite on 12 monthly review	Extreme	Low	Low	↔
3	SR22 - People & Capability Risk Owner: Louise Miller Risk Owner Comments: Chief Executive signed off for escalation Quarterly review Next Due 29 Aug 2025. Targeted treatment actions due for completion by 28 Feb 2026 at which time it is anticipated that a significant reduction in the revised risk will happen as a result.	Extreme	High	Low	↓
4	SR23 - Sustainable Financial Strategy Risk Owner: Jessica Ellerm Risk Owner Comments: Within Appetite on 12 monthly review	Extreme	Medium	Medium	↔
5	SR25 - Te Tiriti O Waitangi commitments and obligations Risk Owner: Louise Miller Risk Owner Comments: Within Appetite on 12 monthly review	Extreme	Medium	Medium	↔
6	SR26 - Impact of external change and reform Risk Owner: Rachael Bailey Risk Owner Comments: Within Appetite on 12 monthly review	Extreme	Medium	Medium	↔
7	SR32 - Failure to proactively manage health and safety risks or maintain safe work systems Risk Owner: Louise Miller Risk Owner Comments: Requires Escalation to C/E on Quarterly review. Still requires treatment actions to be detailed showing plan for improving control effectiveness to reduce revised risk level to be within appetite, prior to submitting escalation. To be within Appetite for H & S Risk this will require the effectiveness of controls to be Fully effective, which may not be achievable Deep Dive of this risk to be presented at March Audit and Risk Committee meeting.	Extreme	Medium	Low	↔
8	SR33 - Effectiveness of Emergency Management Risk Owner: Thunes Cloete Risk Owner Comments: Chief Executive signed off accepting proposed treatment actions and their completion dates. Requires Quarterly review Next due 12 May 2025. Significant progress has been made with improving critical control effectiveness and the remaining treatment actions will be concluded by 5 Sept 2025, and are anticipated to reduce the revised risk level to be within appetite Consequence level reduced to Major as a result of Mitigating control improvement. Resulting in Risk level reducing to Medium.	Extreme	Medium	Low	↓
9	SR35 - Climate Change Risk Owner: Rachael Bailey Risk Owner Comments: Within Appetite on 12 monthly review	Extreme	Medium	Medium	↓
10	SR36 - Delivery of Programmes and Change Risk Owner: Rachael Bailey Risk Owner Comments: A review was conducted by the EPMO Team on 20 May. Some controls have shown improvement, while others have not and are not expected to until the next quarterly review. By then, the impact of the business redesign should be better understood, and several controls are expected to improve as a result of treatment actions scheduled for completion by 19 November 2025.	Extreme	High	Low	↓
11	SR41 - Security, Integrity and Privacy of Data and Information Risk Owner: Jessica Ellerm Risk Owner Comments: Within Appetite on 12 monthly review	High	Low	Low	↑

See the Appendix Quarterly Report for performance measures and financial and capital reporting at the activity level at napier.govt.nz/quarterly-report

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