



NAPIER CITY COUNCIL

Civic Building
231 Hastings Street, Napier
Phone: (06) 835 7579
www.napier.govt.nz

Ordinary Meeting of Council

OPEN MINUTES

Meeting Date: Wednesday 10 August 2016
Time: 3.00pm – 4.20pm
Venue: Main Committee Room
3rd floor Civic Building
231 Hastings Street
Napier

Present: The Mayor (In the Chair), Councillors Boag, Brosnan, Hamilton, Herbert, Jeffery, McGrath, Price, Pyke, Taylor, White and Wise

In Attendance: Chief Executive, Director Infrastructure, Director Corporate Services, Director City Services, Manager Communications and Marketing, Tourism Services Manager, Community Planning Advisor, Communications Coordinator, Community Planning Manager, Senior Resource Consents Planner and Committee Administrator

CONFLICTS OF INTEREST

Councillor Herbert declared a conflict of interest and abstained from any voting or discussions on the report on Liquor Licences, in the reports Under Delegated Authority section of the agenda.

ANNOUNCEMENTS BY THE MAYOR

The Mayor acknowledged the hard work done by the staff in the Services Department during the storm event over the last weekend.

The Mayor also took the opportunity to thank and farewell Tourism Services Manager Mr Neil Fergus for his 15 years of service to Council.

ANNOUNCEMENTS BY THE MANAGEMENT

The Chief Executive also added his thanks to staff for the sterling work done over the weekend. Council will be working closely with Unison and had offered generators to help relieve some of the pressures being experienced by Unison in outlying districts.

CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

Councillors Price / Taylor

That the minutes of the Ordinary Council meeting held on 29 June 2016 be confirmed as a true and accurate record of the meeting.

CARRIED

COUNCIL RESOLUTION

Councillors Wise / White

That the minutes of the Extraordinary Council meeting held on 13 July 2016 be confirmed as a true and accurate record of the meeting.

CARRIED

LOCAL GOVERNMENT ACT 2002

COUNCIL RESOLUTION

Councillors Wise / White

The Council resolves, in terms of Section 82 (3) of the Local Government Act 2002, that the principles set out in that section have been observed in such manner that the Napier City Council consider, in its discretion, is appropriate to make decisions on the recommendations set out in this agenda (including the Public Excluded section).

CARRIED

NEW REPORTS

1. WATCHMAN ROAD PROJECT PARTNERSHIP

Type of Report: *Operational*
Legal Reference: *Local Government Act 2002*
Document ID: *300845*
Reporting Officer/s & Unit: *Jon Kingsford, Director Infrastructure*

1.1 Purpose of Report

To obtain Council approval in relation to funding, land purchase and procurement of physical works in association with the Watchman Road Project that is being delivered in partnership with NZTA and Hawke's Bay Airport Limited.

At the Meeting

Councillor Boag moved that another part be added to the recommendation, to ensure that environmental protection of the Ahuriri Estuary was an integral part of the project.

COUNCIL RESOLUTION

Councillors Jeffery / Herbert

- a. That Council approve project funding to the value of \$2m (excl GST) on the basis that NZTA subsidy is obtained for the local road portion of the project.
- b. That Council agree to NZTA purchasing all parcels of land owned by the Department of Conservation and administered by Napier City Council, for the purposes of delivering the project.
- c. That Council approve the sale of a minor portion of leasehold land currently leased to the Westshore Motor Camp, for the delivering of the project in accordance with the Public Works Act.
- d. That Council accept that physical works for the project will be procured by NZTA through their procurement processes on a competitive tender basis.
- e. That Council's support of this project is subject to environmental issues raised in the resource consenting process being adequately addressed.

CARRIED

2. DRAFT SHADE POLICY

Type of Report: Procedural
Legal Reference: N/A
Document ID: 301433
Reporting Officer/s & Unit: Jessica Wilson, Community Planning Advisor

2.1 Purpose of Report

To seek approval to release the Draft Shade Policy for public feedback.

COUNCIL RESOLUTION

Councillors Pyke / Taylor

That approval be given to the release of the Draft Shade Policy for public feedback.

CARRIED

3. REGIONAL ECONOMIC DEVELOPMENT STRATEGY

Type of Report: Procedural
Legal Reference: N/A
Document ID: 302395
Reporting Officer/s & Unit: James Rowe, Economic Development Manager

3.1 Purpose of Report

To adopt Matariki - Hawke's Bay Regional Economic Development Strategy (REDS).

COUNCIL RESOLUTION

Councillors Boag / Brosnan

That the Regional Economic Development Strategy be adopted.

CARRIED

REPORT / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MAORI CONSULTATIVE COMMITTEE MEETING - 3 AUGUST 2016

NEW ITEMS FOR MAORI CONSULTATIVE COMMITTEE

1. OROTU DRIVE RECREATION RESERVE REVOCATION

Type of Report: Legal
Legal Reference: N/A
Document ID: 296220
Reporting Officer/s & Unit: Jon Kingsford, Director Infrastructure

1.1 Purpose of Report

Council wishes to consult with Iwi, in respect of the proposed revocation of a local purpose recreation reserve, currently located adjacent to Orotu Drive, opposite the Kapiti Drive roundabout, within the Parklands Residential Estate.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

T Aranui / G Reti

That the proposal to revoke the existing recreational reserve be supported, and that Iwi consent to the proposal, and accept the recommendation.

CARRIED

COUNCIL RESOLUTION

Councillors Boag / Brosnan

That the proposal to revoke the existing recreational reserve be supported, and that Iwi consent to the proposal, and accept the recommendation..

COUNCIL RESOLUTION

Councillors Boag / Brosnan

That the Maori Consultative Committee Minutes be received.

CARRIED

Note: The Maori Consultative Committee Recommendations in relation to the Standing Committees items are recorded with each specific item.

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 22 JULY 2016

1. CORPORATE RISK MANAGEMENT FRAMEWORK

Type of Report: Information
Legal Reference: N/A
Document ID: 295790
Reporting Officer/s & Unit: Heather Mabin, Strategic Financial Advisor/Analyst

1.1 Purpose of Report

To present a progress report to the Committee that details the implementation of the Corporate Risk Management Framework (CRMF) at Napier City Council (NCC).

**COUNCIL
RESOLUTION**

**Councillors Wise / Hamilton
That the report be received.**

CARRIED

2. NCC DELEGATIONS & AUTHORITIES FRAMEWORK PROGRESS REPORT

Type of Report: Information
Legal Reference: N/A
Document ID: 296104
Reporting Officer/s & Unit: Heather Mabin, Strategic Financial Advisor/Analyst

2.1 Purpose of Report

To update the Committee on the progress of the implementation of the delegations and authorities framework at Napier City Council (NCC).

**COUNCIL
RESOLUTION**

**Councillors Wise / Hamilton
That the report be received.**

CARRIED

REPORTS FROM REGULATORY COMMITTEE HELD 27 JULY 2016

1. LEE/MEEANEE ROAD INTERSECTION

Type of Report: Legal
Legal Reference: Public Works Act 1981
Document ID: 294105
Reporting Officer/s & Unit: Bryan Faulknor, Corporate Property Manager

1.1 Purpose of Report

To seek Council approval in accordance with Section 114 of the Public Works Act 1981 to consent to the land described in the Schedule hereto to be declared road and vested in the Napier City Council.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

L Ratima / G Reti

That the Council resolve that the Committee's recommendation be adopted.

CARRIED

COUNCIL
RESOLUTION

Councillors Pyke / Brosnan

That Council resolve in accordance with Section 114 of the Public Works Act 1981 to consent to the land described in the Schedule hereto to be declared road and vested in the Napier City Council.

CARRIED

2. MARINE PARADE REDEVELOPMENT CARPARKS

Type of Report: Legal and Operational
Legal Reference: Traffic Regulations
Document ID: 288933
Reporting Officer/s & Unit: Kim Anstey, Planner Policy/Analyst

2.1 Purpose of Report

To consider a vehicle parking limit of P120 in the carparks established as part of the Marine Parade redevelopment.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

L Ratima / G Reti

That the Council resolve that the Committee's recommendation be adopted.

CARRIED

COUNCIL
RESOLUTION

Councillors Pyke / Brosnan

That P120 time limited parking be adopted for the carparks created as part of the Marine Parade redevelopment.

CARRIED

3. STREET NAMING

Type of Report: Procedural
Legal Reference: N/A
Document ID: 293047
Reporting Officer/s & Unit: Paul O'Shaughnessy, Senior Resource Consent Planner

3.1 Purpose of Report

To obtain Council approval for one new street name, Te Roera Drive, for a recent subdivision located off Puketapu Road and in the vicinity of the Dolbel Reserve.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

L Ratima / G Reti

That the Council resolve that the Committee's recommendation be adopted.

CARRIED

COUNCIL
RESOLUTION

Councillors Pyke / Brosnan

That the proposed street name "Te Roera Drive", for a subdivision located off Puketapu Road be approved.

CARRIED

4. URBAN ENVIRONMENTS BYLAW

Type of Report: Legal and Operational
Legal Reference: Local Government Act 2002
Document ID: 295609
Reporting Officer/s & Unit: Kim Anstey, Planner Policy/Analyst

4.1 Purpose of Report

To consider the proposal to review and consolidate Council's bylaws that relate to place based activities into a single Urban Environments Bylaw.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

L Ratima / G Reti

That the Council resolve that the Committee's recommendation be adopted.

CARRIED

COUNCIL
RESOLUTION

Councillors Pyke / Brosnan

- a. That officers commence reviewing Council bylaws beginning with the Stormwater Bylaw and a new Urban Environments Bylaw.
- b. That a draft statement of proposal and draft Urban Environments Bylaw be prepared for approval by Council, for formal consultation via the Special Consultative Procedure of the Local Government Act 2002.

CARRIED

5. COMMERCIAL ACTIVITIES IN RESERVES

Type of Report: Operational
Legal Reference: N/A
Document ID: 295793
Reporting Officer/s & Unit: Fleur Lincoln, Resource Consents Planner (Heritage)
Debra Stewart, Reserves Asset Manager

5.1 Purpose of Report

To gain approval to commence a review of the current regulatory framework for commercial activities in reserves that will present recommendations for an integrated regulatory framework that reflects the strategic direction of the City Vision.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

L Ratima / G Reti

That the Council resolve that the Committee's recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Councillors Pyke / Brosnan

- a) That Council officer's commence a review of the policy framework that regulates commercial activities in reserves;
- b) That Council officer's presented recommendations to Council highlighting those changes needed to ensure an integrated regulatory framework that is consistent with the strategic direction established in the City Vision.

CARRIED

6. STOPPING A PORTION OF BATTERY ROAD

Type of Report: Legal
Legal Reference: Local Government Act 1974
Document ID: 290832
Reporting Officer/s & Unit: Jason Pratt, Projects & Development Engineer

6.1 Purpose of Report

To obtain Council approval to initiate the road stopping process in accordance with the 10th schedule of the Local Government Act 1974 and sale of approximately 65m² of legal road to 12-18, 20 and 22 Battery Road, Napier.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

L Ratima / G Reti

That the Council resolve that the Committee's recommendation be adopted.

CARRIED

**COUNCIL
RESOLUTION**

Councillors Pyke / Brosnan

- a. That pursuant to Section 342 of the Local Government Act 1974 to initiate the stopping of approximately 65m² of legal road in accordance with the Tenth Schedule to the Local Government Act 1974.
- b. That upon completion of the Tenth Schedule stopping process, the stopped road is sold to the owners of the adjacent properties 12-18, 20 and 22 Battery Road at valuation plus all associated legal, survey and valuation costs.

CARRIED

7. GRANTS ALLOCATION SUBCOMMITTEE

Type of Report: Operational
Legal Reference: N/A
Document ID: 293775
Reporting Officer/s & Unit: Belinda McLeod, Admin Team Leader (Community Development)

7.1 Purpose of Report

To receive the minutes of the Grants Allocation Sub Committee from the meeting held 28 June 2016. **Attachment A**

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

L Ratima / G Reti

That the Council resolve that the Committee's recommendation be adopted.

CARRIED

**COUNCIL
RESOLUTION**

Councillors Pyke / Brosnan

That the minutes of the Grants Allocation Sub Committee meeting held 28 June 2016 be received and the recommendations be adopted.

CARRIED

REPORTS UNDER DELEGATED AUTHORITY

1. REQUESTS FOR OFFICIAL INFORMATION

Type of Report: Information
Legal Reference: Local Government Official Information and Meetings Act 1987
Document ID: 301705
Reporting Officer/s & Unit: Wayne Jack, Chief Executive

1.1 Purpose of Report

To report on written requests for official information received since the Council Meeting held 29 June 2016.

At the meeting

A request was made that Councillors view the responses to Official Information requests. The Chief Executive said he would ensure that this would happen.

COUNCIL RESOLUTION

Councillors McGrath / Wise

That the requests for official information be received.

CARRIED

2. LIQUOR LICENCES

Type of Report: Information
Legal Reference: Sale and Supply of Alcohol Act 2012
Document ID: 301707
Reporting Officer/s & Unit: Richard Munneke, Planning Manager

2.1 Purpose of Report

To report on the Liquor Licences issued under delegated authority for June and July 2016, see Attachment A.

COUNCIL RESOLUTION

Councillors Hamilton / Pyke

That the report be received.

CARRIED

3. RESOURCE CONSENTS

Type of Report: Information
Legal Reference: Resource Management Act 1991
Document ID: 301708
Reporting Officer/s & Unit: Paul O'Shaughnessy, Senior Resource Consent Planner

3.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority from 1 June - 31 July 2016.

**COUNCIL
RESOLUTION**

Councillors McGrath / Wise

That the report be received.

CARRIED

4. TENDERS LET

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| <i>Type of Report:</i> | <i>Information</i> |
| <i>Legal Reference:</i> | <i>Local Government Act 2002</i> |
| <i>Document ID:</i> | <i>301709</i> |
| <i>Reporting Officer/s & Unit:</i> | <i>Jon Kingsford, Director Infrastructure</i> |

4.1 Purpose of Report

To report on Tenders let under delegated authority from 21 June 2016 to 21 July 2016, see Attachment A.

**COUNCIL
RESOLUTION**

Councillors McGrath / Wise

That the report be received.

CARRIED

5. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

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| <i>Type of Report:</i> | <i>Operational</i> |
| <i>Legal Reference:</i> | <i>N/A</i> |
| <i>Document ID:</i> | <i>301710</i> |
| <i>Reporting Officer/s & Unit:</i> | <i>Wayne Jack, Chief Executive</i> |

5.1 Purpose of Report

To report of documents executed under seal, from 21 June 2016 to 31 July 2016.

**COUNCIL
RESOLUTION**

Councillors McGrath / Wise

That the report be received.

CARRIED

PUBLIC EXCLUDED ITEMS

**COUNCIL
RESOLUTION**

Councillors Taylor / Hamilton

- a. That the public be excluded from the following parts of the proceedings of this meeting.
- b. That the representatives from the Rugby Union be allowed to remain for Item 1 of the Public Excluded section of the meeting.

CARRIED

New Reports

1. Park Island Northern Hub Development
2. Citizens' Civic Awards

Reports from Audit and Risk Committee held 22 July 2016

1. Provisional Capital Plan 2015/16 Progress Report
2. Napier City Council Investment and Debt report
3. Napier City Council Internal Audit
4. Napier City Council Deloitte Report July 2016
5. 2016/17 Insurance Renewal Programme
6. Napier City Council Health & Safety Report
7. Napier City Council Transition of Outlook to the Cloud

Reports from Regulatory Committee held 27 July 2016

1. Waipatiki Beach Holiday Park
2. Grants Allocation Subcommittee Recommendations

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

| GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED | REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER | GROUND(S) UNDER SECTION 48(1) TO THE PASSING OF THIS RESOLUTION |
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| New Reports | | |
| 1. Park Island Northern Hub Development | 7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the | 48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of |

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| | person who supplied or who is the subject of the information | information for which good reason for withholding would exist: |
| 2. Citizens' Civic Awards | 7(2)(a) Protect the privacy of natural persons, including that of a deceased person | (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987. |
| Reports from Audit and Risk Committee held 22 July 2016 | | |
| 1. Provisional Capital Plan 2015/16 Progress Report | 7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information 7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities | 48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987. |
| 2. Napier City Council Investment and Debt report | 7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | |
| 3. Napier City Council Internal Audit | 7(2)(a) Protect the privacy of natural persons, including that of a deceased person | |
| 4. Napier City Council Deloitte Report July 2016 | 7(2)(a) Protect the privacy of natural persons, including that of a deceased person 7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied | |
| 5. 2016/17 Insurance Renewal Programme | 7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial | |

| | | |
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| | negotiations) | |
| 6. Napier City Council Health & Safety Report | 7(2)(a) Protect the privacy of natural persons, including that of a deceased person | |
| 7. Napier City Council Transition of Outlook to the Cloud | 7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | |
| Reports from Regulatory Committee held 27 July 2016 | | |
| 1. Waipatiki Beach Holiday Park | 7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | 48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987. |
| 2. Grants Allocation Subcommittee Recommendations | 7(2)(b)(i) Protect information where the making available of the information would disclose a trade secret 7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information | |

APPROVED AND ADOPTED AS A TRUE AND ACCURATE RECORD OF THE MEETING

CHAIRPERSON:_____ **DATE OF APPROVAL:**_____