

Ordinary Meeting of Council

OPEN MINUTES

Meeting Date: **Wednesday 22 February 2017**
Time: **3pm-4.15pm**
Venue: **Main Committee Room
3rd Floor Civic Building
231 Hastings Street
Napier**

Present: The Mayor (Chair), Councillors Boag, Brosnan, Dallimore, Hague, McGrath, Price, Tapine, Taylor, White, Wise and Wright

In Attendance: Chief Executive, Director Corporate Services, Director City Strategy, Director Infrastructure Services, Director Community Services, Director City Services, Manager Communications and Marketing, Manager Sports and Recreation, Chief Financial Officer, Policy Planner, Team Leader Policy Planning, Communications Specialist, Team Leader Governance, Governance Advisor, Economic Development Manager, Manager Business Excellence and Transformation

APOLOGIES

**COUNCIL
RESOLUTION**

Councillors White/ Boag

That the apology from Councillor Jeffery be accepted.

CARRIED

CONFLICTS OF INTEREST

Councillor Wise declared a conflict of interest for the item on liquor licences.

PUBLIC FORUM

The Mayor advised of the decision yesterday to remove item 2 from this meeting. As such, it will not be a topic of conversation at this meeting, neither will the deputation on it be going ahead. The Extraordinary meeting of council called for 8 March 2017 is also cancelled.

ANNOUNCEMENTS BY THE MAYOR

The Mayor expressed that the pohiri for Matatini was very moving, and encouraged everyone to attend the festival. The Mayor also expressed that the Economic Summit he attended was very effective, and significant levels of business were confirmed.

ANNOUNCEMENTS BY THE MANAGEMENT

None

CONFIRMATION OF MINUTES

**COUNCIL
RESOLUTION**

Councillors Wise / Hague

That the Draft Minutes of the Extraordinary meeting of Council held on 24 November 2016 and reconvened on 14 December 2016 be confirmed as a true and accurate record of the meeting.

CARRIED

**COUNCIL
RESOLUTION**

Councillors Wise / Wright

That the Draft Minutes of the Ordinary meeting held on 14 December 2016 be confirmed as a true and accurate record of the meeting.

CARRIED

LOCAL GOVERNMENT ACT 2002

COUNCIL RESOLUTION

Councillors Price / Boag

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. LOCAL EASTER SUNDAY TRADING POLICY - SUMMARY OF SUBMISSIONS

<i>Type of Report:</i>	<i>Legal and Operational</i>
<i>Legal Reference:</i>	<i>Local Government Act 2002</i>
<i>Document ID:</i>	<i>337805</i>
<i>Reporting Officer/s & Unit:</i>	<i>Dean Moriarity, Team Leader Policy Planning</i>

1.1 Purpose of Report

To report on the submissions received on Council's proposed Local Easter Sunday Trading Policy and once having heard and considered those submissions, for Council to make a decision on whether to adopt the Local Easter Sunday Trading Policy.

At the Meeting

The hearing of submissions commenced at 3.05pm.

The following members of the public delivered their oral submissions at the meeting:

- Dr. Robin Gwynn
- Isabel Morgan (submission by read Margaret Lynch)
- Reverend Bryan Carey (St Luke's Anglican Church)

All three speakers spoke against the proposed Policy, raising the following key points:

- That they believe New Zealand currently has one of the lowest number of common break days in a year across the OECD. Currently this is 3.5 days, with a total of 361 trading days across the year.
- That they felt that the proposed Policy would negatively impact on families because it has the potential to reduce the number of days they may spend together.
- That although the proposed Policy provides a choice for retailers, the submitters felt that commercial pressures would create a situation where retailers felt they had to open on Easter Sunday in order to remain competitive. Moreover, they also expressed a concern on the practical reality of whether employees would feel pressured by their employers to work that day.
- That they felt there was not enough demand from retailers to warrant adopting the proposed Policy, and that Council should take a wait and see approach, and reconsider the Policy should overwhelming demand occur.
- They were particularly concerned about the timing of the consultation period, being held over December and January, and the appearance that Christian groups were

not (who have a special interest in Easter weekend), consulted with to an appropriate level.

In response to questions from Councillors, it was clarified that:

- the Napier community network which consists of approximately 90-100 organisations was consulted including religious groups.
- the consultation occurred from 5 December 2016-13 January 2017.
- it is believed that Hastings District Council is due to undertake consultation on this matter this year; a large number of councils have already discussed and decided on an Easter Sunday trading policy to date.

The hearing of submissions were closed at 3.30pm. Deliberations started at 3.30pm.

The Mayor advised Councillors that this decision should be treated as a conscience vote.

Key deliberations

Points raised for the recommendation were:

- the proposed Policy gives retailers the choice to open or not. In practice, retailers already have a choice not to open on Sundays if they do not want to, and this is evident in Napier and works well e.g. the retailers are not compelled to open.
- Napier is a tourist town and many people do enjoy visiting and shopping in our area at this time of year.
- Many who could be most affected by the Policy have indicated that they want the choice as an employee.
- In practice, the 5 day working week has not been a reality for some time, and a lot of employees also work shifts.

Points raised against the recommendation were:

- Napier prides itself on being a family friendly city and adopting this Policy was viewed as a challenge to this as it reduces the number of non-trading days from 3.5 days to 2.5 days.
- it wasn't believed that there is significant demand from retailers for the option to open (e.g. only 65% of retailers requested it).
- concern on how the proposed Policy would operate in practice, there would be less choice for employees if retailers decided to open.
- there was concern that there should have been specific consultation with Christian churches and that the timeframe that consultation was open for was unfortunate.
- concern that competitive pressure on retailers would create a situation where some would feel they had to open.

Deliberations closed at 3.43pm.

COUNCIL RESOLUTION

Councillors White / Wise

- a. Council receive and hear submissions on the Local Easter Sunday Trading Policy.**
- b. That Council resolve to adopt the Local Easter Trading Policy that will give all retailers the option to trade on Easter Sunday.**

CARRIED

*The division was declared **carried** by 7 votes to 5 votes the voting*

being as follows:

For: Mayor, Councillors Dallimore, Hague, Price, Taylor, White and Wise

Against: Councillors Boag, Brosnan, McGrath, Tapine and Wright

2. MULTI-USE SPORTS FACILITY BUSINESS CASE

As per the decision taken on the 21st of February, this item was not discussed. Item 3 was taken next.

3. NAPIER AQUATIC CENTRE HOURS OF OPERATION REVIEW - FURTHER INFORMATION

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	339234
Reporting Officer/s & Unit:	Antoinette Campbell, Director Community Services

3.1 Purpose of Report

To provide additional information to supplement the report to the Community Services Committee meeting of 8th February 2017 titled “Napier Aquatic Centre Hours of Operation Review”.

At the meeting

An amendment was immediately raised, that part B of the officer’s recommendation be removed for the following reasons:

- changes to the opening hours during weekdays is not considered necessary at this time.
- Napier City Council is not fulfilling its outcome listed in the Long Term Plan of safe and secure aquatic facilities.
- Napier City Council should fast-track Aquatic development to meet the needs of the community as outlined in the Long Term Plan, rather than making one-off changes to the current situation to minimise current limitations.

Officer’s Recommendation

- That the Napier Aquatic Centre changes its opening hours on Saturdays to the earlier time of 9.00am, and on Sundays and public holidays to an earlier opening of 10.00am.**
- That commencing 1st May 2017, the Napier Aquatic Centre changes its hours of operation to be open to the general public on weekdays during school term time between 3.00pm and 7.00pm.**

COUNCIL RESOLUTION

Councillors Taylor/ Price

That the Napier Aquatic Centre changes its opening hours on Saturdays to the earlier time of 9.00am, and on Sundays and public holidays to an earlier opening of 10.00am.

CARRIED

4. TRIENNIAL AGREEMENT 2016-19

Type of Report:	Legal
Legal Reference:	Local Government Act 2002
Document ID:	339188
Reporting Officer/s & Unit:	Deborah Smith, Governance Advisor

4.1 Purpose of Report

To present the final draft Triennial Agreement 2016-19 for approval and adoption by Council.

At the Meeting

The Chief Executive gave an overview of the Agreement including that it is now clearer on what key activities we want to focus on as a region, and advised Councillors of some minor amendments proposed by Hawke's Bay Regional Council (HBRC), including:

- reference to Coastal Hazards Joint Committee in the Agreement. Councillors were comfortable with this recommendation.
- a suggestion around bilateral engagement between regional councillors and individual Councils. This suggestion was not considered appropriate for this multi-party agreement, and fits better into a bilateral agreement between Councils and the HBRC.

It was agreed to pursue the existing approach of adopting the agreement, as accepted in principle by the Mayors and Chair of the region's councils, and discussing any proposed amendments at upcoming Mayoral forum meetings.

Councillors expressed their support to the Agreement in particular noting the benefits of the new Agreement over the previous Agreement including, the Agreement,

- o is clearer on the key activities we want to focus on as a region
- o specifies what the principles are and the activities
- o has more substance, and
- o more frequent meetings will provide more focus to the agreement.

In response to questions raised by Councillors, the CE advised:

- o the Councillors can put items for consideration on the agenda through the Mayor
- o minutes will be made available to Councillors
- o the Mayoral forum will establish processes around the infrastructure fund.

COUNCIL RESOLUTION

Councillors White / Wise

- a. That the *Triennial Agreement 2016-19* be adopted.

CARRIED

5. APPOINTMENT OF OMARUNUI REFUSE LANDFILL JOINT COMMITTEE ALTERNATE REPRESENTATIVE

Type of Report:	Operational and Procedural
Legal Reference:	N/A
Document ID:	337890
Reporting Officer/s & Unit:	Deborah Smith, Governance Advisor

5.1 Purpose of Report

To request that Council confirm the appointment of Mayor Bill Dalton as the alternate representative to the Omarunui Refuse Landfill Joint Committee.

COUNCIL RESOLUTION

Councillors Brosnan / Wright

- a. That Mayor Bill Dalton be appointed as Napier City Council's alternate representative to the Omarunui Refuse Landfill Joint Committee, as per the Heads of Agreement document dated 4 October 2010.

CARRIED

6. QUARTERLY REPORT FOR DECEMBER 2016

<i>Type of Report:</i>	<i>Enter Significance of Report</i>
<i>Legal Reference:</i>	<i>Enter Legal Reference</i>
<i>Document ID:</i>	332441
<i>Reporting Officer/s & Unit:</i>	Mary Quinn, Senior Management Accountant Chris Comber, Accounting Manager

6.1 Purpose of Report

To consider the Quarterly Report for the period 1 October 2016 to 31 December 2016 and the Health & Safety Report for January 2017.

At the meeting

Councillors expressed their support for the Quarterly Report, and congratulated the Napier City Council, including

- for the majority of items Council reported on, it shows we are on track
- Napier City Council should showcase to the public areas where we are excelling, for example, one of the key achievements in the report is that Napier City Council has one of the highest rating building consents authorities in the country.
- Napier City Council is tracking to budget and there is a favourable variance to income; it is on target with operating expenditure; overspent on capital expenditure, but given the size of the capital programme this is not considered a concern.
- the traffic light system in the report allows for Councillors to easily see which areas to direct their attention to.

In response to a query on two line items, it was clarified that:

- the general ledger codes are set and have not been updated to reflect the change in concept from Velodrome to the Multi-use sports facility.
- there may have been some small spend on the completion of the movement of penguins to the Aquarium, and the Director of Corporate Services would report back to Council on this.

On the Health and Safety report, Councillors make the following comments:

- the report should be pitched at a more strategic level for the Councillors to be able to make governance decisions on it. Where the report includes any areas where a rating has not been achieved, an explanation should accompany it.
- a concern was raised around the number of incidences of abuse towards library and environmental health staff, and in particular the library staff. The Director of Community Services advised that the library is close to social services, and

explained risk mitigations including that:

- librarians have processes in place to deal with intimidation and if they are threatened.
- there is also a security company on call for rapid response should Police not be able to respond.
- The Director also explained that anecdotally there does seem to be an increase in these types of incidences around the city, but no statistics have been taken.
- Regarding the SkatePark, a question was asked on the way the report outlines incidences at the Skatepark including a section on minor injuries and then a section which states not-minor injuries, and whether this meant ‘major injuries’. A further question was asked around whether the Napier City Council has a helmet policy and is enforcing it.
- The Director of Community Services said, in line with the approach taken by professional ski-fields, that the helmet policy is based on encouraging people to wear a helmet, and that this is done through the staff wearing helmets and providing education to the skaters. This policy of encouragement, versus a strict policy of enforcement, was promoted as being a more effective way of encouraging skaters to the park.

Actions required:

- Council to showcase the achievement of highest rating building consents in the next Proudly Napier
- General Ledger code Velodrome, to be changed to Multi-use sports facility.
- Report back to Council at next meeting relating to the expenditure for ‘removal of penguins from Marineland to Aquarium’ is.
- Council to change the type of health and safety reporting to Council:
 - to focus more on governance and strategic information rather than a report that details operational information,
 - using the ‘traffic light’ reporting style
 - where a not achieved is noted against a Health and Safety key performance indicator, an explanation be included.

**COUNCIL
RESOLUTION**

Councillors White / Wise

- a. That the Quarterly Report for the period 1 October 2016 to 31 December 2016 and the Health & Safety Report for January 2017 be received.

CARRIED

REPORT / RECOMMENDATIONS FROM THE STANDING COMMITTEES

REPORTS FROM STRATEGY AND INFRASTRUCTURE COMMITTEE HELD 27 JANUARY 2017

1. APPLICATION TO SIGNIFICANT PROJECTS FUND

<i>Type of Report:</i>	<i>Procedural</i>
<i>Legal Reference:</i>	<i>N/A</i>
<i>Document ID:</i>	<i>336131</i>
<i>Reporting Officer/s & Unit:</i>	<i>Antoinette Campbell, Director Community Services</i>

1.1 Purpose of Report

To apply to the Lottery Significant Projects Fund for a grant toward the development of the Multi-Use Sports Facility.

At the Meeting

In response to a query, the Chief Executive clarified that part a. of the resolution passed at the Strategy and Infrastructure Meeting on 27 January 2017, was to remain standing until such time as it became obvious that the stated timeframe of 15 March 2017 would not be possible to meet.

COUNCIL RESOLUTION

*(Made at
Strategy and
Infrastructure
meeting, 27
January 2017)*

Councillors Wise / Wright

- a. That an application is made to the Lottery Significant Projects Fund after 22 February 2017 and consideration of the detailed business case, and prior to the closing of the fund application period on 15 March 2017, toward the development of a Multi-Use Sports Facility adjacent to Pettigrew Arena.
- b. That a resource consent application for the Multi-Use Sports Facility is lodged with Council before the 1st February 2017.
- c. That a **DECISION OF COUNCIL** is required urgently to enable the resource consent application to be lodged with Council before 1 February 2017 to meet funding deadline of 15th March 2017. This will require the following resolution to be passed before the decision of Council is taken:

That, 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 considers, in its discretion, is appropriate to make decisions on the recommendation.

CARRIED

2. GROUND LEASE - RICHMONDVALE ARCHERY CLUB INCORPORATED

<i>Type of Report:</i>	<i>Legal</i>
<i>Legal Reference:</i>	<i>Public Works Act 1981</i>
<i>Document ID:</i>	<i>333116</i>
<i>Reporting Officer/s & Unit:</i>	<i>Bryan Faulknor, Manager Property</i>

2.1 Purpose of Report

To obtain Council approval to grant a new ground lease to the Richmondvale Archery Club Incorporated for the land occupied by the Club's building on Park Island for a term of 15 years with one 15 year right of renewal.

COUNCIL RESOLUTION

Councillors Price / Hague

- a. That a new ground lease be granted to the Richmondvale Archery Club Incorporated for the land occupied by the Club's building on Park Island for a term of 15 years with one 15 year right of renewal; and
- b. That the terms and conditions of the lease will be as per Council's standard terms for leases of reserve land to community groups. The initial ground rental will be a nominal rental of \$705 plus GST per annum, to be reviewed annually according to the method laid out in the standard terms described above.

CARRIED

3. ROAD STOPPING - PORTION OF BATTERY ROAD

Type of Report: Legal
Legal Reference: Local Government Act 1974
Document ID: 333136
Reporting Officer/s & Unit: Bryan Faulknor, Manager Property

3.1 Purpose of Report

To confirm the Council resolution of 10 August 2016, that approximately 65 m² of legal road fronting 12 – 18, 20 and 22 Battery Road, Napier be stopped and sold to the adjoining land owners.

COUNCIL RESOLUTION

Councillors Price / Hague

- a. That Council confirm the resolution of 10 August 2016 to declare the part of Battery Road fronting 12 – 18, 20 and 22 Battery Road and described in the Schedule below to be stopped and sold to the adjoining land owners.

SCHEDULE
Hawke's Bay Land District – Napier City

Area	Description
0.0023 ha	Section 1 SO Plan 504725
0.0024 ha	Section 2 SO Plan 504725
0.0018 ha	Section 3 SO Plan 504725

CARRIED

4. PART LEE ROAD STOPPING AND VESTING

Type of Report: Legal
Legal Reference: Public Works Act 1981

Document ID: 333253
Reporting Officer/s & Unit: Bryan Faulknor, Manager Property

4.1 Purpose of Report

To obtain Council approval to stop part of Lee Road, declare the section in question as a Segregation Strip subject to the Reserves Act 1977, and add it to the adjoining existing Segregation Strip.

COUNCIL RESOLUTION

Councillors Price / Hague

- a. That Council declare the legal road described in the Schedule as being stopped pursuant to Section 116 of the Public Works Act 1981; and
- b. That Council deal with the stopped road described in the Schedule, pursuant to Section 117(7) of the Public Works Act 1981, by declaring all of the said stopped road to be a Local Purpose (Segregation Strip) Reserve subject to the Reserves Act 1977, and to be added to the intersecting Local Purpose (Segregation Strip) Reserve described as Section 21 SO Plan 491548 and Lot 8 DP 15782.

SCHEDULE

Hawkes Bay Land District – Napier City

Area (ha)	Legal Description	Adjoining
0.0004	Section 20 SO 491458	Certificates of Title: 761479, 761477, HBH3/370, HBH3/372, HBH4/122, HBH4/123
0.0008	Section 22 SO 491548	HBH4/122, HBH4/123, 761479

CARRIED

5. MARINE PARADE REALIGNMENT

Type of Report: Operational
Legal Reference: N/A
Document ID: 330984
Reporting Officer/s & Unit: Fleur Lincoln, Strategic Planning Lead
 Georgina King, Urban Design Lead

5.1 Purpose of Report

The purpose of the report is to update Council on progress made with the Marine Parade realignment project, including the final design, public engagement and communication strategy, and timeframes.

**COUNCIL
RESOLUTION**

Councillors Price / Hague

- a. That the Officer's update report on Marine Parade Realignment dated 27 January 2017 be received.

CARRIED

6. TRIENNIAL AGREEMENT 2016-2019

Type of Report: Information
Legal Reference: Local Government Act 2002
Document ID: 334507
Reporting Officer/s & Unit: Deborah Smith, Governance Advisor

6.1 Purpose of Report

The purpose of this report is to provide Elected Members with an update on the current status of the Triennial Agreement 2016-2019, and the proposals Napier City Council have made towards creating a more meaningful document.

**COUNCIL
RESOLUTION**

Councillors Price / Hague

- a. That the update report titled Triennial Agreement 2016-19 dated 27 January 2017 be received.

CARRIED

7. OMARUNUI REFUSE LANDFILL JOINT COMMITTEE

Type of Report: Operational and Procedural
Legal Reference: Local Government Act 2002
Document ID: 333707
Reporting Officer/s & Unit: Jane McLoughlin, Team Leader Governance
Caroline Thomson, Chief Financial Officer

7.1 Purpose of Report

To provide key points of interest and a copy of the minutes from the Omarunui Refuse Landfill Joint Committee meeting held on 9 December 2016.

**COUNCIL
RESOLUTION**

Councillors Price / Hague

- a. That the minutes from the Omarunui Refuse Landfill Joint Committee held on 9 December 2016 be received.

CARRIED

**REPORTS FROM REGULATORY COMMITTEE
HELD 27 JANUARY 2017**

1. APPLICATION FOR TEMPORARY LIQUOR BAN - MISSION CONCERT 2017

Type of Report: Legal and Operational
Legal Reference: Local Government Act 2002
Document ID: 334452

Reporting Officer/s & Unit: Hayleigh Brereton, Business Support Manager

1.1 Purpose of Report

To consider the request from Napier Police for a temporary liquor ban on the roads adjacent to the Mission Estate Winery during the 2017 Mission Concert.

COUNCIL RESOLUTION

Councillors McGrath / Taylor

- a. That pursuant to section 147 of the Local Government Act 2002 and the Napier City Council Public Places Liquor Control Bylaw 2014, Council approve the following areas as a “Specified Public Place” where the consumption, possession and bringing of liquor into is prohibited from 11.00 am to 12.00 midnight on Saturday 8 April 2017 and from 11.00 am to 12.00 midnight on Sunday 9 April 2017.

The area to be designated as a “Specified Public Place” are all those public places, reserves, roads and footpaths on both sides of the road within the area described as:

Church Road	from Wharerangi Road to Kent Terrace
Avenue Road	from Church Road to Avondale Road
Mission Road	from Church Road to Auckland Road
Montpelier Drive	full length
Tironui Drive	full length
Irene Moody Place	full length
Bishops Close	full length
Pukekura Place	full length
Ennor Place	full length.

CARRIED

REPORTS	FROM	FINANCE	COMMITTEE
HELD 8 FEBRUARY 2017			

1. MAYORAL TRAVEL

Type of Report: Procedural
Legal Reference: N/A
Document ID: 337577
Reporting Officer/s & Unit: Jane McLoughlin, Team Leader Governance

1.1 Purpose of Report

To request Council’s approval for the Mayor to travel to the United States for the purposes of research and relationship building in preparation for the National Aquarium of New Zealand expansion project.

COUNCIL RESOLUTION

Councillors Wright / Brosnan

That a **DECISION OF COUNCIL** be made approving the Mayor to travel with officials to the United States in March 2017 for the purposes

(Made at
Finance
Committee, 8
February 2017)

of research and relationship building in preparation for the National Aquarium of New Zealand expansion project.

CARRIED

2. LOCAL GOVERNMENT OFFICIAL INFORMATION ACT REQUESTS - UPDATE TO CHARGES

Type of Report: Operational and Procedural
Legal Reference: Local Government Official Information and Meetings Act 1987
Document ID: 336110
Reporting Officer/s & Unit: Deborah Smith, Governance Advisor

2.1 Purpose of Report

To outline the proposed changes to charges of Local Government Official Information and Meetings Act requests.

COUNCIL RESOLUTION

Councillors Wise / Dallimore

- a. That the charges used by Napier City Council for requests under the Local Government Official Information and Meetings Act 1987 be updated to the charges recommended in the Ministry of Justice *Charging Guidelines*.
- b. The charges will be as follows: \$38 per half hour of staff time after the first hour, \$0.20 cents per page for photocopying in excess of 20 pages, calculated as per the formula provided in the *Office of the Ombudsman Guidelines June 2016*.

CARRIED

3. CONTRIBUTION TOWARDS ARTWORK PURCHASE BY HAWKE'S BAY MUSEUMS TRUST

Type of Report: Operational
Legal Reference: N/A
Document ID: 336993
Reporting Officer/s & Unit: Caroline Thomson, Chief Financial Officer

3.1 Purpose of Report

To seek Council approval to contribute \$12,000 towards the Hawke's Bay Museums Trust purchase of artworks by Jono Rotman entitled 'Omarunui'.

COUNCIL RESOLUTION

Councillors Wise / Dallimore

- a. That Council approve a financial contribution of \$12,000 towards the Hawke's Bay Museums Trust purchase of artworks by Jono Rotman entitled 'Omarunui'; and
- b. That the contribution of \$12,000 be funded from Council's contingency fund.

CARRIED

4. NAPIER CONFERENCE CENTRE - TEMPORARY CHARGES MARCH-JUNE 2017

Type of Report: Information
Legal Reference: Local Government Act 2002
Document ID: 337525
Reporting Officer/s & Unit: Glenys Fraser, Venues Manager

4.1 Purpose of Report

To outline Napier City Council's temporary approach to charging fees for use of the new spaces created in the upgrade of the Napier Conference Centre.

COUNCIL RESOLUTION

Councillors Wise / Dallimore

- a. That Council receives the report titled *Napier Conference Centre – Temporary Charges March-June 2017*.

CARRIED

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 8 FEBRUARY 2017

1. PROPOSED OMNI GYMNASTIC CENTRE EXPANSION

Type of Report: Legal
Legal Reference: Reserves Act 1977
Document ID: 332997
Reporting Officer/s & Unit: Antoinette Campbell, Director Community Services

1.1 Purpose of Report

To outline a proposal by the Omni Gymnastic Centre to expand their operations on Council recreation reserve.

COUNCIL RESOLUTION

Councillors White/ Wright

- a. That the proposal to extend the Omni Gymnastic Centre is approved to progress to the resource consent application stage by Omni Gymnastic Centre Incorporated
- b. That, subject to Omni Gymnastic Centre obtaining resource consent and approval of the Team Leader Parks, Reserves, Sportsgrounds for the final design of the proposed expansion, approval for a new ground lease pursuant to section 54 of the Reserves Act 1977 is granted for an area of 675m² at Onekawa Park for a term of 15 years with a right of renewal for an additional 15 years.

CARRIED

2. NAPIER AQUATIC CENTRE HOURS OF OPERATION REVIEW

Type of Report: Operational
Legal Reference: N/A
Document ID: 333194
Reporting Officer/s & Unit: Antoinette Campbell, Director Community Services

2.1 Purpose of Report

To review the Napier Aquatic Centre's hours of operation to better meet the needs of the community.

COMMITTEE'S RECOMMENDATION

Councillors White / Wright

- a. That the matter proceed to Council on 22 February 2017 without a Committee recommendation; and
- b. That Officers investigate and report back to that Council meeting on:
 - the feasibility of a trial period for proposed changes to the Napier Aquatic Centre's casual access hours; and
 - the implications of making no changes to public access prior to a new facility being completed.

CARRIED

REPORTS UNDER DELEGATED AUTHORITY

1. REQUESTS FOR OFFICIAL INFORMATION

Type of Report: Operational and Procedural
Legal Reference: Local Government Official Information and Meetings Act 1987
Document ID: 337253
Reporting Officer/s & Unit: Sarah Ashworth, PA to Chief Executive

1.1 Purpose of Report

To report on written requests for Official Information received since the 14 December 2016

COUNCIL RESOLUTION

Councillors Hague / Wise

That Council resolves that the report be received.

CARRIED

2. SCHEDULE OF DOCUMENTS UNDER SEAL

Type of Report: Information
Legal Reference: N/A
Document ID: 338064
Reporting Officer/s & Unit: Sarah Ashworth, PA to Chief Executive

2.1 Purpose of Report

To report on documents executed under seal from 8 December 2016 to 10 February 2017.

COUNCIL RESOLUTION

Councillors Price / Brosnan

That the report titled *Schedule of Documents Under Seal* be received.

CARRIED

3. LIQUOR LICENSES ISSUED FOR THE PERIOD ENDING 31 JANUARY 2017

Type of Report: Information
Legal Reference: Sale and Supply of Alcohol Act 2012
Document ID: 338583
Reporting Officer/s & Unit: Sarah Ashworth, PA to Chief Executive

3.1 Purpose of Report

To report on the Liquor Licenses issued under delegated authority for the period ending 31 January 2017.

COUNCIL RESOLUTION

Councillors Tapine / Wright

That the report titled *Liquor licences issued for the period ending 31 January 2017* be received.

CARRIED

Councillor Wise did not participate in this vote due to a conflict of interest.

4. RESOURCE CONSENTS ISSUED FOR THE PERIOD ENDING 31 JANUARY 2017

Type of Report: Information
Legal Reference: Resource Management Act 1991
Document ID: 339112
Reporting Officer/s & Unit: Sarah Ashworth, PA to Chief Executive

4.1 Purpose of Report

To present the report on resource consents issued under delegated authority for December 2016 to January 2017.

**COUNCIL
RESOLUTION**

Councillors Wise / McGrath

That the report titled *Resource Consents issued for the period ending 31 January 2017* be received.

CARRIED

5. TENDERS LET FOR THE PERIOD ENDING 10 FEBRUARY 2017

Type of Report: Procedural
Legal Reference: Local Government Act 2002
Document ID: 338588
Reporting Officer/s & Unit: Sarah Ashworth, PA to Chief Executive

5.1 Purpose of Report

To report Tenders let under delegated authority from 9 December 2016 to 10 February 2017.

**COUNCIL
RESOLUTION**

Councillors Wise / White

That the report titled *Tenders Let for the period ending 10 February 2017* be received.

CARRIED

PUBLIC EXCLUDED ITEMS

**COUNCIL
RESOLUTION**

Councillors Wright / Hague

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

Reports from Strategy and Infrastructure Committee held 27 January 2017

1. Omarunui Refuse Landfill Joint Committee

Reports from Finance Committee held 8 February 2017

1. Bid for 2018/19 All Blacks Test
2. Parklands Residential Subdivision, Area 3, Stage 4 Civil Works
3. Hawke's Bay Airport Limited - Report to Shareholders

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	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) TO THE PASSING OF THIS RESOLUTION
		48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would

BE CONSIDERED	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:	be likely to result in the disclosure of information for which good reason for withholding would exist:
Reports from Strategy and Infrastructure Committee held 27 January 2017		
1. Omarunui Refuse Landfill Joint Committee	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.
Reports from Finance Committee held 8 February 2017		
1. Bid for 2018/19 All Blacks Test	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. Parklands Residential Subdivision, Area 3, Stage 4 Civil Works	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.
3. Hawke's Bay Airport Limited - Report to Shareholders	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.

The meeting concluded at 4.15pm.

APPROVED AND ADOPTED AS A TRUE AND ACCURATE RECORD OF THE MEETING	
CHAIRPERSON: _____	DATE OF APPROVAL: _____