

# Strategy and Infrastructure Committee

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## OPEN AGENDA

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Meeting Date: **Wednesday 8 March 2017**  
Time: **3pm**  
Venue: **Main Committee Room  
3rd floor Civic Building  
231 Hastings Street  
Napier**

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**Council Members** The Mayor, Councillor Price (Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Tapine, Taylor, White, Wise and Wright

**Officer Responsible** Director Infrastructure Services and Director City Strategy

**Administrator** Governance Team

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**Next Strategy and Infrastructure Committee Meeting**  
**Wednesday 19 April 2017**

# ORDER OF BUSINESS

## APOLOGIES

## CONFLICTS OF INTEREST

## PUBLIC FORUM

## ANNOUNCEMENTS BY THE MAYOR

## ANNOUNCEMENTS BY THE CHAIRPERSON

## ANNOUNCEMENTS BY THE MANAGEMENT

## CONFIRMATION OF MINUTES *(page 8 refers)*

That the Minutes of the Strategy and Infrastructure Committee meeting held on Friday, 27 January 2017 be taken as a true and accurate record of the meeting.

## AGENDA ITEMS

- 1 Road Stopping - Portion of Rogers Road .....3

## PUBLIC EXCLUDED

Nil

## AGENDA ITEMS

### 1. ROAD STOPPING - PORTION OF ROGERS ROAD

<b>Type of Report:</b>	Legal
<b>Legal Reference:</b>	Public Works Act 1981
<b>Document ID:</b>	339644
<b>Reporting Officer/s &amp; Unit:</b>	Bryan Faulknor, Manager Property

#### 1.1 Purpose of Report

To seek Council's approval to stop approximately 70 m<sup>2</sup> of legal road fronting 107 Rogers Road, Napier, and sell the stopped road to the adjoining landowners.

#### Officer's Recommendation

- a. That Council, in accordance with the provisions of Section 116 of the Public Works Act 1981, resolves to stop the road described in the Schedule hereto, and in accordance with the provisions of Section 117 of the Public Works Act 1981 to vest the stopped road to the owners of the adjoining land contained in CFR 95876.

#### SCHEDULE

##### Hawke's Bay Land District – Napier City

Area	Road	Adjoining Land (CFR)
0.0070ha	Section 1 SO Plan 478237	95876

#### CHAIRPERSON'S RECOMMENDATION

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

#### 1.2 Background Summary

The current owners purchased the lot that became 107 Rogers Road and employed a designer to prepare plans for their new house. Unfortunately, the designer misunderstood the boundary information and placed the new house within one metre of the road boundary. The section encroaches into the current legal turning head at the end of Rogers Road.

The owners and Council have entered into an Agreement whereby the Council has agreed to stop the part of the road on which the section is located and sell that part of the road to the owners. The stopped road will then be amalgamated with the owner's existing land.

Concurrently with this, the Council has obtained replacement land on the other side of the turning head, which will be vested as part of a subdivision. This means that the turning arc will remain the same size as present, but will be slightly relocated.

The road stopping effects no party other than the adjoining owners. The land immediately adjacent to the landowners is a public walkway.

### **1.3 Issues**

There are no issues.

### **1.4 Significance and Consultation**

There has been considerable consultation with the owners of the adjoining land as well as the landowner opposite to reach a satisfactory conclusion on this matter. There are no other parties involved.

### **1.5 Implications**

#### **Financial**

The landowners are purchasing the property at valuation which ensures it is a fair market rate. The owner of the land across the road has made the re-alignment possible through the subdivision process. No payment from Napier City Council is required and the land is to be vested in Napier City Council. There are no further budgetary implications.

#### **Social & Policy**

Not applicable.

#### **Risk**

Not applicable.

### **1.6 Options**

The options available to Council are as follows:

To approve the road stopping in accordance with the provisions of Section 116 of the Public Works Act 1981, and to vest the stopped road to the owners of the adjoining land being that land contained in CFR 95876.

### **1.7 Development of Preferred Option**

The stopping of the road and sale to the adjoining owners, along with the relocation of the turning head, provides the only sensible solution to legalise the current situation.

### **1.8 Attachments**

A 107 Roger Road - SO Plan [↓](#)



# Title Plan - SO 478237

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**Survey Number** SO 478237  
**Surveyor Reference** 124938 - Roger Road Trust  
**Surveyor** Brian Thomas Daly  
**Survey Firm** The Surveying Company (Hastings)  
**Surveyor Declaration**

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**Survey Details**

<b>Dataset Description</b>	Section 1		
<b>Status</b>	Initiated		
<b>Land District</b>	Hawkes Bay	<b>Survey Class</b>	Class A
<b>Submitted Date</b>		<b>Survey Approval Date</b>	
		<b>Deposit Date</b>	

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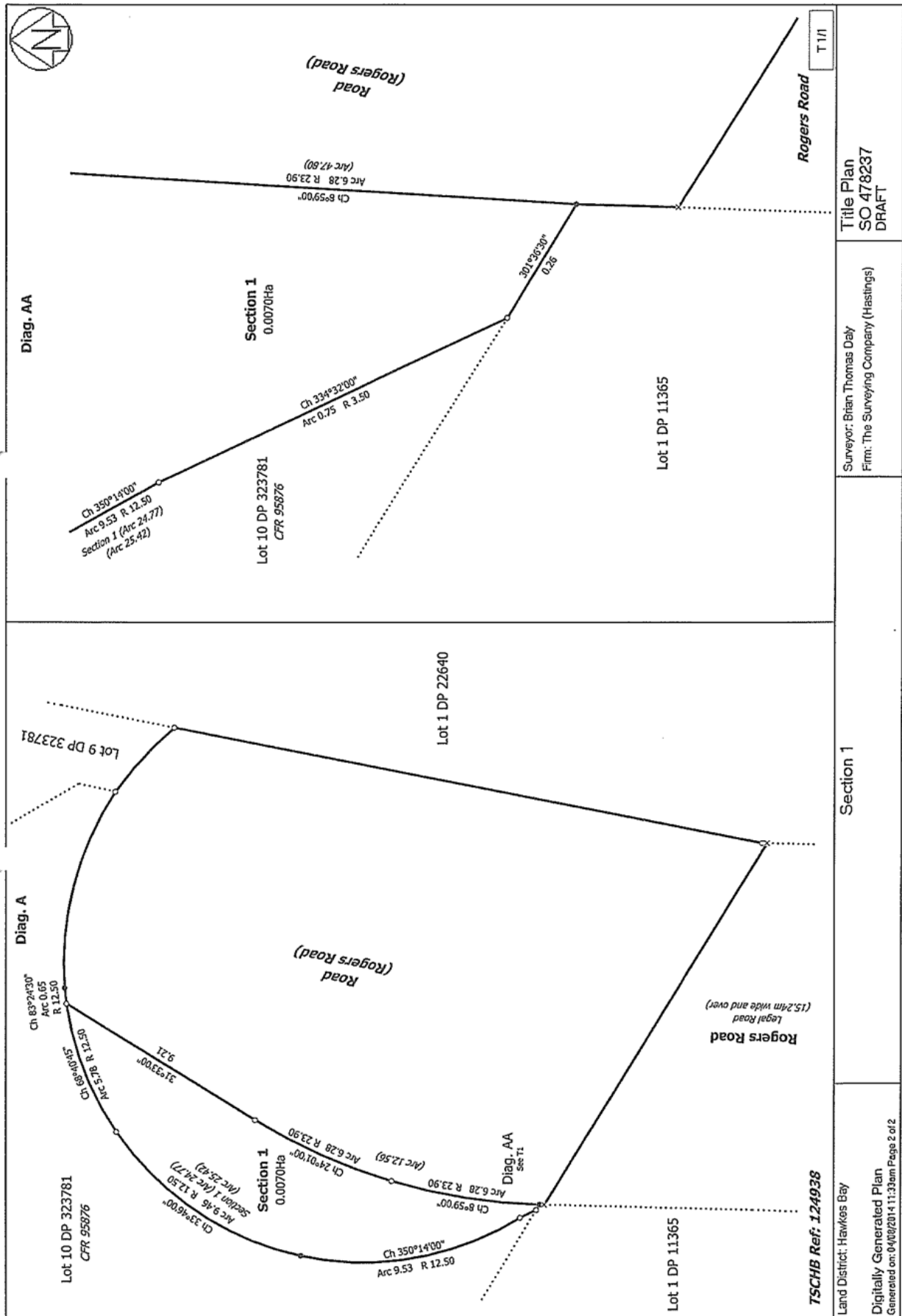
**Territorial Authorities**

Napier City

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**Created Parcels**

Parcels	Parcel Intent	Area	CT Reference
Section 1 Survey Office Plan 478237	Legalisation	0.0070 Ha	
CSC Parcel Number: 2	Road		
<b>Total Area</b>		<u>0.0070 Ha</u>	



<p>Title Plan SO 478237 DRAFT</p>	<p>Surveyor: Brian Thomas Day Firm: The Surveying Company (Hastings)</p>	<p>Section 1</p>	<p><b>TSCHB Ref: 124938</b> Land District: Hawkes Bay Digitally Generated Plan Generated on: 04/03/2014 11:33am Page 2 of 2</p>
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# Strategy and Infrastructure Committee

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## OPEN MINUTES

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Meeting Date: **Friday 27 January 2017**  
Time: **3pm**  
Venue: **Main Committee Room  
3rd floor Civic Building  
231 Hastings Street  
Napier**

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

**In Attendance:** Chief Executive, Director Infrastructure Services, Director City Strategy, Director Community Services, Corporate Management Team, Team Leader Governance, Governance Advisor, Chief Financial Officer, Communication Specialist, Manager Regulatory Solutions, Strategic Planning Lead, Urban Design Lead

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**APOLOGIES**

NIL

**CONFLICTS OF INTEREST**

NIL

**PUBLIC FORUM**

NIL

**ANNOUNCEMENTS BY THE MAYOR**

NIL

**ANNOUNCEMENTS BY THE CHAIRPERSON**

The Chair put a motion that the meeting be adjourned following the completion of the open agenda.

**ADJOURNMENT OF MEETING**

**COMMITTEE'S RECOMMENDATION**

**Councillors Brosnan / Wise**

That the meeting adjourn after the open agenda to allow the open agenda of the Regulatory Committee to be taken, and that the Strategy and Infrastructure Committee reconvene at the conclusion of the Regulatory Committee.

**CARRIED**

**ANNOUNCEMENTS BY THE MANAGEMENT**

The Chief Executive advised that there will be upgrades to the technology for meetings such as microphones.

**CONFIRMATION OF MINUTES**

NIL

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**AGENDA ITEMS**

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**1. APPLICATION TO SIGNIFICANT PROJECTS FUND**

*Type of Report:*  
*Legal Reference:*

*Procedural*  
*N/A*

**Document ID:** 336131  
**Reporting Officer/s & Unit:** Antoinette Campbell, Director Community Services

### 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.

### OFFICER'S RECOMMENDATION

- a. That an application is made to the Lottery Significant Projects Fund opening on 1<sup>st</sup> February and closing 15<sup>th</sup> March 2017, toward the development of a Multi-Use Sports Facility adjacent to Pettigrew Green Arena.
- b. That a resource consent application for the Multi-Use Sports Facility is lodged with Council before the 1<sup>st</sup> February 2017.
- c. That a **DECISION OF COUNCIL** is required urgently to meet funding deadline of 15<sup>th</sup> 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.

### Amendment

#### Councillors Wise / Taylor

- 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 1<sup>st</sup> 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 15<sup>th</sup> 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**

#### Councillors Wise / Taylor

**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**

**COUNCIL  
RESOLUTION**

**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 1<sup>st</sup> 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 15<sup>th</sup> 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 &amp; 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.

**COMMITTEE'S RECOMMENDATION**

**Councillor McGrath / Brosnan**

- 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 m<sup>2</sup> of legal road fronting 12 – 18, 20 and 22 Battery Road, Napier be stopped and sold to the adjoining land owners.

#### COMMITTEE'S RECOMMENDATION

##### Councillors Brosnan / Wise

- 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.

#### COMMITTEE'S RECOMMENDATION

##### Councillors Wise / Wright

- 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**

<b>Area (ha)</b>	<b>Legal Description</b>	<b>Adjoining</b>
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.

**At the Meeting**

In response to questions from Councillors, it was confirmed that initial consultation has been undertaken with key parties to the proposed design. Brief clarification was provided on cycling provisions within the design.

**COMMITTEE'S RECOMMENDATION**

**Councillor Brosnan / McGrath**

- 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.

#### At the Meeting

It was clarified that while Iwi are not party to the Agreement as it is specific to local government authorities, they are considered partners and consulted within existing fora.

It was discussed that the Agreement should focus on a few key priorities and do these well, such as the Matariki – Hawke’s Bay Regional Economic Development Strategy and a Regional infrastructure investment fund.

In response to a question from Councillors, it was advised that opportunities to regionalise water services, might better be approached through shared services or direct infrastructure management, rather than in this Agreement. The Chief Executive also advised that under section 17A reviews, opportunities to create efficiencies may be identified.

### COMMITTEE'S RECOMMENDATION

#### Councillors White / Wise

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

**CARRIED**

## 7. OMARUNUI REFUSE LANDFILL JOINT COMMITTEE

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

### 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.

### COMMITTEE'S RECOMMENDATION

#### Councillors Dallimore / Tapine

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

**CARRIED**

*The meeting was adjourned at 3.16pm in order to commence the open agenda of the Regulatory Committee while the public were present.*

The meeting reconvened at 3.20pm.

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## PUBLIC EXCLUDED ITEMS

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### Councillor Taylor / Councillor Wright

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

1. Omarunui Refuse Landfill Joint Committee

**CARRIED**

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

<b>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b>	<b>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER</b>	<b>GROUND(S) UNDER SECTION 48(1) TO THE PASSING OF THIS RESOLUTION</b>
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.

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

**CHAIRPERSON:** \_\_\_\_\_ **DATE OF APPROVAL:** \_\_\_\_\_