



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Wednesday 20 December 2017

Time: 3pm – 4.13pm

Venue Small Exhibition Hall
Napier Conference Centre
Marine Parade
Napier

Present: The Mayor (In the Chair), Councillors Boag [from 3.50pm],
Brosnan, Dallimore, Hague, Jeffery, McGrath, Tapine [from
3.50pm], Taylor, White, Wise and Wright

In Attendance: Chief Executive, Director Corporate Services, Director
Community Services, Director Infrastructure Services, Director
City Services, Director City Strategy, Manager Communications
and Marketing, Manager Asset Strategy, Manager Business
Excellence and Transformation, Manager Community
Strategies, Team Leader Policy Planning, Waste Minimisation
Lead, Senior Advisor Policy

Administration: Governance Team

Apologies

APOLOGIES

Councillors Dallimore / Wright

That the apology from Cr Keith Price be accepted.

Carried

APOLOGIES

Councillors White/ Brosnan

That the apologies for lateness from Cr Maxine Boag and Cr Api Tapine be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

Council resolution Councillors Wise / Taylor

That the Draft Minutes of the Ordinary meeting held on 8 November 2017 be confirmed as a true and accurate record of the meeting.

Carried

Council resolution Councillors Hague / McGrath

That the Draft Minutes of the Extraordinary meeting held on 22 November 2017 be confirmed as a true and accurate record of the meeting.

Carried

Local Government Act 2002

Council resolution Councillors Dallimore/ Wright

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

AGENDA ITEMS

1. MARIST HOLDINGS LIMITED - PRIVATE PLAN CHANGE REQUEST

Type of Report: Legal and Operational

Legal Reference: Resource Management Act 1991

Document ID: 428559

Reporting Officer/s & Unit: Dean Moriarity, Team Leader Policy Planning

1.1 Purpose of Report

The purpose of this report is to recommend that Council adopt (as its own) a private plan change lodged by Marist Holdings (Greenmeadows) Limited ("MHL"), seeking to rezone 288.6 hectares of land at Church Road and Puketitiri Road, Poraiti, Napier, from Western Hills Residential Zone, Rural Residential Zone and Main Rural Zone to a new Mission Special Character Zone. The full Mission Special Character Private Plan Change request is included as separate attachments under separate cover.

This report has been prepared in relation to Council's statutory obligation to consider the plan change request under clause 25 of Part 2 of Schedule 1 to the Resource Management Act 1991 (RMA).

The initial process for considering private plan change requests under clause 25 of the RMA is procedural: the Council should not consider the detailed merits of the request, as that is something that should primarily be done at the hearing of submissions received on the plan change after it has been publicly notified. However, it must determine how the plan change request should be addressed and thereby the way it is processed.

At the Meeting

In response to questions from councillors it was advised that:

- Officers have a good level of comfort with the significant changes proposed; early issues have been worked through with Marist Holdings.
- The Structure Plan is in place to ensure development takes place in the manner agreed, and the clarity of intent will be further protected by the consents process that each stage will be required to undertake.

In discussing the matter, councillors made the points that:

- The process undertaken to get to this point has been extremely robust with considerable consultation.
 - Important factors including protection of the landscape, maintaining walkways and aesthetics of the development have all been taken into consideration.
 - There has already been a positive response from Taradale residents regarding the option to carefully extend development into the hills.
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Council resolution Councillors Jeffery / White

That Council

- a. Adopt the private plan change request made by MHL, to rezone 288.6 hectares of land at Church Road and Puketitiri Road, Poraiti, Napier, from Western Hills Residential Zone, Rural Residential Zone and Main Rural Zone to a new Mission Special Character Zone, in accordance with clause 25(2)(a), Part 2, Schedule 1, of the RMA , for the following reasons:
 - That the Plan Change has significant public good elements such as the protection of the visual amenity of the Mission landscape as a backdrop to the city; development of a public walkway network that links with other existing Napier City walkways on the Western Hills; and the opportunity to provide a different style of significant residential development in an area free from the risks of known natural hazards;
 - There is sufficient information to proceed to publicly notify the plan change;
 - There are no reasonable grounds on which to reject the request;
 - The Plan Change request addresses valid resource management issues;
 - It is not appropriate for the request to be dealt with as a resource consent application; and
 - The merits of the Plan Change will be examined following submissions through the hearing process
- b. That within 10 working days of the date of this decision, MHL is notified of the decision and the reasons for it.
- c. That the private plan change request is publicly notified in accordance with clause 25(2)(a)(i), Part 2, Schedule 1 of the RMA as soon as is reasonably practicable.
- d. That the Council note that adopting the Plan Change request and deciding to proceed to notification is procedural only and does not affect the Council's ability to consider the merits of the Plan Change request at a later stage.

Carried

2. ADOPTION OF DRAFT JOINT WASTE MANAGEMENT AND MINIMISATION PLAN FOR CONSULTATION

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|--|---|
| <i>Type of Report:</i> | Legal and Operational |
| <i>Legal Reference:</i> | Local Government Act 2002 |
| <i>Document ID:</i> | 428859 |
| <i>Reporting Officer/s & Unit:</i> | Jon Kingsford, Director Infrastructure Services |

2.1 Purpose of Report

- a. The purpose of this report is to obtain a decision from the Council to adopt the Draft Joint Waste Management and Minimisation Plan 2018-2024 in accordance with the relevant provisions of the Waste Minimisation Act 2008 and the Local Government Act 2002.
 - b. This request arises from The Waste Minimisation Act 2008 (WMA) giving councils the responsibility to promote effective and efficient waste management and minimisation within their territory. The WMA requires councils to adopt a waste management and minimisation plan (WMMP), which must be reviewed every six years.
 - c. The objective of this decision relevant to the purpose of Local Government is to enable community participation in Council decision making processes as set out in section 95 (5) of the Local Government Act 2002.
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At the Meeting

In response to questions from councillors it was clarified that:

- It is expected that the consultation period will elicit a range of opinions from the community. While the approaches of other councils may be reviewed for good practice, each community will have different needs and preferences and this is what will ultimately drive the decision made.
- The consultation documentation will be targeted at a variety of literacy levels (through imagery etc.) to ensure a wide cross-section of the community have equal chance to have their say on the options.

Council resolution Councillors Brosnan / Wright

That Council

- a. Adopt the Statement of Proposal 2018-2024 draft Joint Waste Management and Minimisation Plan for consultation in accordance with Section 83 of the Local Government Act 2002
 - b. Adopt the Summary of the Statement of Proposal for Community Consultation in accordance with Section 83 and 83AA of the Local Government Act 2002.
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Carried

3. OMARUNUI JOINT REFUSE LANDFILL COMMITTEE MINUTES - 24 NOVEMBER 2017

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|--|-----------------------------------|
| <i>Type of Report:</i> | Procedural |
| <i>Legal Reference:</i> | N/A |
| <i>Document ID:</i> | 427895 |
| <i>Reporting Officer/s & Unit:</i> | Deborah Smith, Governance Advisor |

3.1 Purpose of Report

To present the open minutes of the Omarunui Joint Refuse Landfill Committee from 24 November 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Dallimore / McGrath

That Council

- a. Receive the open minutes of the Omarunui Joint Refuse Landfill Committee from 24 November 2017.

Carried

4. CLIFTON TO TANGOIO COASTAL HAZARDS JOINT COMMITTEE - MINUTES - 5 DECEMBER 2017

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|--|-----------------------------------|
| <i>Type of Report:</i> | Procedural |
| <i>Legal Reference:</i> | Enter Legal Reference |
| <i>Document ID:</i> | 428421 |
| <i>Reporting Officer/s & Unit:</i> | Deborah Smith, Governance Advisor |

4.1 Purpose of Report

To present to Council the Clifton to Tangoio Coastal Hazards Joint Committee minutes from 5 December 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Jeffery / Dallimore

That Council

- a. Receive the minutes of the Clifton to Tangoio Coastal Hazards Joint Committee from 5 December 2017.

Carried

5. UPDATE ON DRINKING WATER QUALITY

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 430578

Reporting Officer/s & Unit: Chris Dolley, Manager Asset Strategy

5.1 Purpose of Report

To provide an update to Council on:

- Program of work to improve security of source
- Progress of Water Safety Plan Improvement Plan.

At the Meeting

The Manager Asset Strategy spoke to the item, noting:

- Following a gap analysis on the bore headworks, works were undertaken to address the issues identified at the time; these have now been completed.
 - In their assessment of the bore headworks the Drinking Water Assessor noted some remaining legacy issues which are now being addressed and are expected to be complete about mid-2018.
 - Every Council is required to have a Water Safety Plan in place; Napier has a very ambitious Plan with 28 actions. Eleven of these are now complete, 8 are on track for completion within their timeframe and 9 have experienced delays. The delays have in large part been due to the lack of resource in the team and the competing demands of acute operational works from the network transgressions and demands of manually chlorinating.
 - With the recent recruitment of the Drinking Water Lead, the team now only has one vacancy. There is a general shortage of water engineers and it has been a slow process filling the positions.
 - It has now been confirmed that there is capacity to provide enough chlorinated water to meet the summer peak; however in order to do so all bores must be online and working. It is intended to build appropriate redundancy into the network to protect the system and supply.
 - Water is a precious resource and it is important to use it wisely. Council will be looking at ways that water use can be done differently and better, both in its own activities
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and encouraging water conservation efforts in the community – for example by watering gardens in the evening when it is most effective.

- Following the Havelock North incident testing requirements have become significantly more stringent. The incident was of international interest as a case study and the results of the inquiry have impacted on councils across the country. Everyone is or will be addressing matters of water safety and supply as a matter of priority.
- Seismic assessment of the reservoirs is currently programmed for next year. A full cost/benefit prioritisation process has been applied across the over 500 projects within the Infrastructure space.
- Knowledge and technologies are always changing; the team are putting contemporary best practice principles in place now with the expectation that this will better position Council to meet future updates.
- Early work had been undertaken to ensure the Long Term Plan funding forecast was as accurate as possible. While some work will need to be undertaken earlier than anticipated in general Council is in a good position to fund this.
- The discolouration experienced by some suburbs has been caused in part by changes in speed and direction of flow created when the T1 bore was brought online. The team are currently assessing the most appropriate time for works on the network. In the meantime some scouring has been undertaken on behalf of commercial premises and flushing the mains for 20 minutes has been advised.
- The water supply has been assessed as safe by the Drinking Water Assessor and the District Health Board.
- Grey water use could be investigated as one of many options, but there can be challenges with maintaining the systems and ensuring that cross-contamination does to occur (where a greywater system is unintentionally plumbed into).

Council resolution Mayor Dalton/ Councillor Wright

That Council

- a. Receive the update on security of headworks
- b. Note the work being undertaken on the Water Safety Improvement Plan.

Carried

6. RESPONSE TO HAVELOCK NORTH INQUIRY PART 2 REPORT

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|--|--------------------------------------|
| <i>Type of Report:</i> | Operational |
| <i>Legal Reference:</i> | Local Government Act 2002 |
| <i>Document ID:</i> | 429886 |
| <i>Reporting Officer/s & Unit:</i> | Chris Dolley, Manager Asset Strategy |

6.1 Purpose of Report

To provide an update on the Havelock North Stage 2 Inquiry report and its impact on the Napier City Council Water Supply.

To note the adoption of the “urgent and early recommendations” from the Inquiry.

The report notes accelerating the following capital works that have already been included in the draft LTP program to configure the water network to optimise water quality outcomes as early as practicable:

- Replace 4 existing below ground bores.
- Consolidate treatment from 10 incident to 2 permanent treatment plants.
- Install dedicated trunk main from bores to reservoirs.
- Install dedicated inlet outlets to reservoirs.
- Suspend the \$400k project J084626 Interim Chlorination Facility designed to upgrade the existing chlorination sites with a 5 year life.

At the Meeting

Cr Boag and Cr Tapine joined the meeting at 3.50pm.

The Manager Asset Strategy spoke to the report noting:

- The Director-General of the Ministry of Health has just today issued a statement following the completion of the Havelock North inquiry (see **Appendix One**).
 - The report from the inquiry is a publicly available document.
 - A number of recommendations were made in the report, including some for “urgent and early” action. The report affects all councils in New Zealand and each will be required to ensure that they are managing water safety and supply as diligently as possible.
 - Napier has already initiated many of the recommendations of the inquiry, albeit for other reasons; for example chlorination has been in place since July 2017 in response to low level transgressions identified through our testing regime.
 - The current chlorination was instigated as an emergency temporary measure, it is resource heavy due to the manual operation and monitoring required. Restructuring the network to meet modern requirements with the inclusion of chlorination will create significant efficiencies.
 - It is expected that chlorine taste/ odour will reduce as the network is fully chlorinated and the appropriate residual level is established.
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- Should the District Health Board later enforce fluoridation of water the updated network would allow for this; currently this would be financially and operationally untenable.
- Some flexibility for chlorine free taps has been left, however the inquiry is clear that the water would be considered inferior to chlorinated town supply. They would not meet the recommendations of the report.

Council resolution Mayor Dalton/ Councillor Wright

That Council

- Note the Chief Executive’s decision to adopt relevant “**urgent and early recommendations**” from Havelock Inquiry Stage 2 immediately by:
 - Maintain incident chlorination of the Napier water supply
 - Do not recognise secure bore status for Napier as a barrier to pathogens
 - Continue to fully participate in the Joint Working Group
- Note that an accelerated water quality program will be considered as part of the 2018-2028 LTP as per Table below, all projects commencing in year 1 of the LTP. (yellow highlight denotes projects brought forward in draft LTP)

| Project Number | Project Name | Priority | Total project Cost (000's) |
|----------------|--|----------|----------------------------|
| 102 | District Metering | 258 | \$1,000 |
| 106 | New Bores Awatoto | 234 | \$1,050 |
| 107 | Improve bores | 224 | \$250 |
| 108 | New Treatment Plants | 172 | \$1,700 |
| 109 | Dedicated water takes from hydrants | 160 | \$95 |
| 114 | New Taradale bore field and dedicated pipe | 114 | \$4,600 |
| 116 | Reservoir Inlets and Outlet Improvements | 83 | \$880 |

- Note that a report on the provision of chlorine free taps will be presented at the next Council meeting for a decision.

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- d. Note that in the event that they wish to consider further options, a report for decision can be brought to the next Council meeting.

Carried

REPORT / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 13 December 2017

Council resolution Councillors Tapine / Wright

That the Māori Consultative Committee recommendations be adopted.

Carried

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

REPORTS FROM STRATEGY AND INFRASTRUCTURE COMMITTEE HELD 22 NOVEMBER 2017

1. HAWKE'S BAY DRINKING WATER JOINT COMMITTEE TERMS OF REFERENCE

Type of Report: Operational and Procedural

Legal Reference: Local Government Act 2002

Document ID: 416006

Reporting Officer/s & Unit: Deborah Smith, Governance Advisor

1.1 Purpose of Report

To present to Council the minutes of the inaugural meeting of the Hawke's Bay Drinking Water Joint Committee and the ensuing Terms of Reference for adoption.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Councillor Tapine

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Hague / McGrath

That Council

- a. Receive the minutes of the inaugural meeting of the Hawke's Bay Drinking Water Joint Committee, held on 24 October 2017.
- b. Adopt the Terms of Reference for the Hawke's Bay Drinking Water Joint Committee.
- c. Agree the Mayor will be appointed as an alternate representative for Napier City Council on the Hawke's Bay Drinking Water Joint Committee.

Carried

REPORTS FROM REGULATORY COMMITTEE HELD 22 NOVEMBER 2017

1. ADOPTION AND NOTIFICATION OF PLAN CHANGE 11 - PARK ISLAND RECONFIGURATION

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|--|--|
| Type of Report: | <i>Operational and Procedural</i> |
| Legal Reference: | <i>Resource Management Act 1991</i> |
| Document ID: | <i>399787</i> |
| Reporting Officer/s & Unit: | <i>Dean Moriarity, Team Leader Policy Planning</i> |

1.1 Purpose of Report

The purpose of this report is for Council to adopt Plan Change 11 - Park Island Reconfiguration, its accompanying Section 32 report and authorise officers to publicly notify the change for public submissions. This plan change is to give effect to the newly adopted Park Island Master Plan (May 2017).

DECISION OF COUNCIL

Councillors White / Brosnan

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

At the Regulatory Committee meeting held on Wednesday, 22 November 2017 the following committee recommendation was ratified as a DECISION OF COUNCIL.

Councillors Wright / Taylor

- a. That the Council resolve:
- b. That Council adopt Plan Change 11, its accompanying Section 32 report and authorise officers to publicly notify the change for public submissions.
- c. That the closing date for submissions be an extended period no less than 1.5x the statutory minimum of 20 working days after the date of public notification (to recognise and provide for the holiday period).

Carried

2. TEMPORARY LIQUOR BAN - CHRISTMAS IN THE PARK

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 400881

Reporting Officer/s & Unit: Hayleigh Brereton, Manager Regulatory Solutions

2.1 Purpose of Report

To consider the request from the New Zealand Police for a temporary liquor ban at Anderson Park and the surrounding roads during 2017 Christmas in the Park event.

DECISION OF COUNCIL

Mayor Dalton / Councillor Price

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

At the Regulatory Committee meeting held on Wednesday, 22 November 2017 the following committee recommendation was ratified as a DECISION OF COUNCIL.

Councillors Hague / Wise

- 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 consumption, possession and bringing of alcohol into is prohibited from 1200 hours on the 9th December 2017 to 2359 hours on the 9th December 2017.
- b. That the following areas be designated as "Specified Public Place" are all those public, places, reserves, roads and footpaths on both sides of the road within the area described as;
 - Auckland Road *from Lannie Place to York Avenue*
 - Freyberg Avenue *from York Avenue to Islington Place*
 - Islington Place *full length*
 - Kennedy Road *from Auckland Road to Taradale Road and 424 Kennedy Road*
 - Taradale Road *from Kennedy Road to adjacent to the boundary of 362 & 360 Taradale Road*
 - York Avenue *from Auckland Road to Freyberg Avenue*

Carried

REPORTS FROM FINANCE COMMITTEE HELD 6 DECEMBER 2017

1. REVALUATION OF NAPIER CITY 2017

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 415248

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

1.1 Purpose of Report

Quotable Value NZ (QV), Council's contractor for rating valuation services, will make a presentation to Council on the triennial revaluation of Napier City recently undertaken.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Receive the presentation.

Carried

2. SETTING GENERAL RATES - OVERVIEW

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|--|--|
| <i>Type of Report:</i> | Legal |
| <i>Legal Reference:</i> | Local Government (Rating) Act 2002 |
| <i>Document ID:</i> | 412497 |
| <i>Reporting Officer/s & Unit:</i> | Ian Condon, Revenue and Treasury Manager |

2.1 Purpose of Report

To provide background information on the underlying basis and process for applying general rate differentials. The information will enable a better understanding of the purpose of other rating related items on the agenda, and how each relates to the rate setting process.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Receive the report titled *Setting General Rates – Overview*.

Carried

3. RATING - 2017 REVALUATION OF NAPIER CITY

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 412911

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

3.1 Purpose of Report

To summarise the changes in rateable value resulting from the triennial revaluation of Napier City in 2017, and to outline the rating effect of the revaluation on broad property categories, and on a range of selected residential, commercial and industrial properties.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

a. Receive the report titled *Rating – 2017 Revaluation of Napier City*.

Carried

4. ALLOCATION OF GENERAL RATE-FUNDED COSTS

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 412969

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

4.1 Purpose of Report

To review the allocation of general rate-funded costs between residential and non residential properties as part of the process of establishing the differential to apply to general rates following the 2017 revaluation of Napier City.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Approve the allocation of general rate funded costs on the basis of 70% residential / 30% non-residential, to apply from 1 July 2018.

Carried

5. COST OF COUNCIL SERVICES SUPPLIED TO BAYVIEW

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 414420

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

5.1 Purpose of Report

To review the assessed cost of general rates funded services provided to Bay View as part of the process of establishing the differential to apply to general rates following the 2017 revaluation of Napier City.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Approve that the differential applying to the Bay View Rating Area be adjusted for 2018/19 to enable the assessed cost of supplying general rate funded services to Bay View properties be fully recovered collectively from these properties.
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Carried

6. COST OF COUNCIL SERVICES SUPPLIED TO RURAL PROPERTIES

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 414427

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

6.1 Purpose of Report

To review the assessed cost of general rates funded services provided to rural properties as part of the process of establishing the differential to apply to general rates following the 2017 revaluation of Napier City.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Approve that the differentials applying to rural properties be adjusted for 2018/19 to enable the assessed costs of supplying general rate funded services to rural property to be recovered collectively from these properties.
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Carried

7. REPRESENTATION REVIEW: ENGAGEMENT UPDATE

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|--|---|
| <i>Type of Report:</i> | Information |
| <i>Legal Reference:</i> | Local Government Act 2002 |
| <i>Document ID:</i> | 406865 |
| <i>Reporting Officer/s & Unit:</i> | Jane McLoughlin, Team Leader Governance |

7.1 Purpose of Report

To provide an update on the Representation Review project, data-gathering and pre-consultation phase.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council:

- a. Receive the report titled 'Napier City Council Representation Review Survey' prepared by SIL Research.
 - b. Note the summary report from Officers on the engagement undertaken during the pre-consultation phase of the Representation Review project.
 - c. Note that Officers will next report to Council early next year once modelling options have been prepared for consideration.
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Carried

8. QUARTERLY REPORT FOR SEPTEMBER 2017

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| Type of Report: | <i>Procedural</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>423027</i> |
| Reporting Officer/s & Unit: | Caroline Thomson, Chief Financial Officer |

8.1 Purpose of Report

To consider the Quarterly Report on performance by Activity Group for the period 1 July 2017 to 30 September 2017.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That the Committee

- a. Receive the Quarterly Report for the period 1 July 2017 to 30 September 2017.

Carried

9. SIGNIFICANCE AND ENGAGEMENT POLICY

Type of Report: Legal

Legal Reference: Local Government Act 2002

Document ID: 426034

Reporting Officer/s & Unit: Adele Henderson, Director Corporate Services
Natasha Carswell, Manager Community Strategies

9.1 Purpose of Report

1.1. The Local Government Act 2002, Section 76AA requires every local authority to adopt a policy setting out how the local authorities determine significance of proposals and decisions in relation to issues, assets and other matters. The policy determines how the criteria or procedure are applied and how the community engagement and/or consultation will be carried out.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council:

- a. approve and adopt the Significance and Engagement Policy as attached.

Carried

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 6 DECEMBER 2017

1. HOURS OF OPERATION - MTG HAWKE'S BAY AND NAPIER LIBRARIES

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|--|---|
| <i>Type of Report:</i> | Operational and Procedural |
| <i>Legal Reference:</i> | Local Government Act 2002 |
| <i>Document ID:</i> | 420487 |
| <i>Reporting Officer/s & Unit:</i> | Sally Jackson, Manager Visitor Experience |

1.1 Purpose of Report

To review the MTG Hawke's Bay and the Napier Libraries hours of operation to better meet the needs of the community during the temporary co-location of the two facilities.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Tiwana Aranui / Liz Ratima

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors White / Wright

That Council:

- a. Approve that commencing 7 February 2018, the MTG Hawke's Bay and Napier City Library and the Taradale Library change its hours of operation to be open to the general public as follows:
 - The MTG Hawke's Bay and temporary Napier City Library open Monday to Sunday 9.30am – 5.00pm, and
 - The Taradale Library open Monday to Friday 9.30am – 5.30pm and Saturday & Sunday from 10.00am – 4pm.
- b. Approve that the hours of operation for both the MTG Hawke's Bay and the Napier Libraries are reviewed at the end of the temporary co-location period.

Carried

2. LIBRARY FEES AND CHARGES

Type of Report: Operational and Procedural

Legal Reference: N/A

Document ID: 421204

Reporting Officer/s & Unit: Antoinette Campbell, Director Community Services

2.1 Purpose of Report

To seek approval to remove the Reservations Fees in place for the Napier Libraries.

DECISION OF COUNCIL

Councillors Wright / Wise

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

At the Community Services Committee meeting held on Wednesday, 6 December 2017 the following committee recommendation was ratified as a DECISION OF COUNCIL.

Councillors Taylor / Hague

That Council:

- a) Approve that the Reservations Fees be removed from the Napier City Council Fees and Charges schedule effective immediately;
- b) Review the removal of this fee at the end of the temporary transition period.

Carried

3. JOINT ALCOHOL STRATEGY REVIEW

Type of Report: Operational

Legal Reference: N/A

Document ID: 422034

Reporting Officer/s & Unit: Michele Grigg, Senior Advisor Policy

3.1 Purpose of Report

To update Council on the feedback process for the revised Joint Alcohol Strategy, and to request adoption of the revised Strategy.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Tiwana Aranui / Liz Ratima

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

Carried

At the Meeting

It was noted that the Strategy had been adopted by Hastings District Council, with recommendations to engage with school principals and discuss with Local Government New Zealand.

Council resolution Councillors White / Wright

That Council

- a. adopts the revised Joint Alcohol Strategy 2017.
-

Carried

REPORTS FROM MĀORI CONSULTATIVE COMMITTEE HELD 13 DECEMBER 2017

1. UPDATE ON REVIEW OF MĀORI CONSULTATIVE COMMITTEE

Type of Report: Enter Significance of Report

Legal Reference: Local Government Act 2002

Document ID: 428400

Reporting Officer/s & Unit: Jane McLoughlin, Team Leader Governance

1.1 Purpose of Report

To update the Committee on progress made of the review of the Māori Consultative Committee which has occurred since the last meeting.

At the meeting

There was no discussion on this item.

Council resolution Councillors Tapine / Boag

That Council

- a. Receive the verbal updated provided by the Strategic Māori Advisor on the review of the Māori Consultative Committee.

Carried

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 7 DECEMBER 2017

2. HEALTH AND SAFETY REPORT 31 OCTOBER 2017

| | |
|--|---|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>340075</i> |
| Reporting Officer/s & Unit: | <i>Adele Henderson, Director Corporate Services</i> |
| Reason for Exclusion | <i>Section 7(2)(d) Avoid prejudice to measures protecting the health and safety of members of the public.</i> |

2.1 Purpose of Report

To table to the Committee the Napier City Council Health & Safety report as at 31 October 2017 for their review.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

That the Committee

- a. Receive the Napier City Council Health and Safety report as at 31 October 2017.

Carried

3. AUDIT AND RISK MEETING SCHEDULE 2017-18

| | |
|--|---|
| Type of Report: | <i>Operational and Procedural</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>424601</i> |
| Reporting Officer/s & Unit: | <i>Adele Henderson, Director Corporate Services</i> |
| Reason for Exclusion | <i>Section 7(2)(g) Maintain legal professional privilege.</i> |

3.1 Purpose of Report

To consider the proposed timetable of meetings for the Audit and Risk Committee in 2018, as detailed below.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

That the Committee

- a. Receive the proposed timetable of meetings for the Audit and Risk Committee for 2018.

Carried

6. NAPIER CITY COUNCIL INVESTMENT AND DEBT REPORT

| | |
|--|---|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>340069</i> |
| Reporting Officer/s & Unit: | <i>Adele Henderson, Director Corporate Services</i> |
| Reason for Exclusion | <i>Section 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.</i> |

6.1 Purpose of Report

To consider the snapshot report on Napier City Council's Investment and Debt as at 31 October 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

That the Committee

- a. Receive the snapshot report on Napier City Council's Investment and Debt as at 31 October 2017.

Carried

9. AUDIT AND RISK CHARTER REVIEW

| | |
|--|---|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>426002</i> |
| Reporting Officer/s & Unit: | <i>Adele Henderson, Director Corporate Services</i> |
| Reason for Exclusion | <i>Section 7(2)(g) Maintain legal professional privilege.</i> |

9.1 Purpose of Report

To present and make recommendations on amendments to the Audit and Risk Committee Charter and Terms of Reference.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

- a. That the report titled Audit and Risk Charter Review be received.
- b. That the amendments to the Audit and Risk Committee Charter and Terms of Reference are recommended to Council for approval.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. REQUESTS FOR OFFICIAL INFORMATION

| | |
|--|---|
| <i>Type of Report:</i> | Information |
| <i>Legal Reference:</i> | Local Government Official Information and Meetings Act 1987 |
| <i>Document ID:</i> | 429415 |
| <i>Reporting Officer/s & Unit:</i> | Jane McLoughlin, Team Leader Governance |

1.1 Purpose of Report

To report on written requests for official information received to 8 December 2017 and provide an overview of key statistics for the year.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council:

- a. Receive the report on requests for official information to 8 December 2017.
- b. Note the yearly statistics provided.

Carried

2. TENDERS LET

| | |
|--|---------------------------------------|
| <i>Type of Report:</i> | Information |
| <i>Legal Reference:</i> | N/A |
| <i>Document ID:</i> | 427454 |
| <i>Reporting Officer/s & Unit:</i> | Sarah Ashworth, PA to Chief Executive |

2.1 Purpose of Report

To report Tenders Let under delegated authority from 31 October to 8 December 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council

- a. Receive the report Tenders Let under delegated authority from 31 October to 8 December 2017.

Carried

3. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

Type of Report: Information

Legal Reference: N/A

Document ID: 427460

Reporting Officer/s & Unit: Sarah Ashworth, PA to Chief Executive

3.1 Purpose of Report

To report documents executed under seal from 27 October 2017 to 8 December 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council

- a. Receive the Report of document executed under seal from 27 October 2017 to 8 December 2017.

Carried

4. RESOURCE CONSENTS

Type of Report: Enter Significance of Report

Legal Reference: Enter Legal Reference

Document ID: 427463

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 the period 1 November to 7 December.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council

- a. Receive the report on Resource Consents issued under delegated authority for the period 1 November to 7 December.

Carried

PUBLIC EXCLUDED ITEMS

Council resolution Councillors Wise / Taylor

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

Carried

Agenda Items

1. Sportsground commercial considerations
2. Omarunui Joint Refuse Landfill Committee Public Excluded Minutes - 24 November 2017

Reports from Strategy and Infrastructure Committee held 22 November 2017

1. Battery Road Development Options
2. Trade Waste Charges Write-off

Reports from Regulatory Committee held 22 November 2017

1. Property Acquisition - 286 Hastings Street, Napier

Reports from Finance Committee held 6 December 2017

1. Re-appointment of independent members to the Audit and Risk Committee

Reports from Audit and Risk Committee held 7 December 2017

1. Update on Water Supply- Drinking Water Quality Improvements
4. Audit NZ - Management Letter 2016/17
5. Risk Management Report December 2017
7. Internal Audit Data Analytics
8. Tax Risk Governance Framework

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

Agenda Items

| | | |
|----------------------------|---|--|
| 1. Sportsground commercial | 7(2)(i) Enable the local authority to carry on, without | 48(1)A That the public conduct of the whole or the |
|----------------------------|---|--|

| | | |
|---|--|---|
| <p>considerations</p> | <p>prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>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.</p> |
| <p>2. Omarunui Joint Refuse Landfill Committee Public Excluded Minutes - 24 November 2017</p> | <p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p> |

Reports from Strategy and Infrastructure Committee held 22 November 2017

| | | |
|--|--|---|
| <p>1. Battery Road Development Options</p> | <p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p> | <p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p> |
|--|--|---|

| | | |
|---|--|---|
| <p>2. Trade Waste Charges Write-off</p> | <p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p> | <p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p> |
|---|--|---|

Reports from Regulatory Committee held 22 November 2017

| | | |
|--|---|---|
| <p>1. Property Acquisition - 286 Hastings Street, Napier</p> | <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p> |
|--|---|---|

Reports from Finance Committee held 6 December 2017

| | | |
|---|--|---|
| <p>1. Re-appointment of independent members to the Audit and Risk Committee</p> | <p>7(2)(g) Maintain legal professional privilege</p> | <p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (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</p> |
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| | | |
|--|---|---|
| | | 1987. |
| Reports from Audit and Risk Committee held 7 December 2017 | | |
| 1. Update on Water Supply- Drinking Water Quality Improvements | 7(2)(f)(ii) Maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment | 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. |
| 4. Audit NZ - Management Letter 2016/17 | 7(2)(g) Maintain legal professional privilege | 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. |
| 5. Risk Management Report December 2017 | 7(2)(e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public | 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. |
| 7. Internal Audit Data Analytics | 7(2)(a) Protect the privacy of natural persons, including that of a deceased person | 48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987. |
| 8. Tax Risk Governance Framework | 7(2)(e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public | 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 moved into committee at 4.13pm

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

Chairperson

Date of approval

Appendix One – Director-General Statement 20 December 2017



*Statement from
Director General of
Ministry of Health.*

DIRECTOR-GENERAL STATEMENT

HEALTH ACT 1956 s 69ZZZC

I, Chai Chuah, Director-General of Health, for the purposes of protecting public health and informing the public, issue the following statement.

In August 2016 an outbreak of campylobacteriosis arising from contamination of the Havelock North drinking-water supply affected around 5,500 people.

The Government Inquiry into the contamination event is now complete and the Stage Two report has provided important recommendations for the safe management of drinking-water supplies in New Zealand.

The Inquiry identified that the outbreak was caused by contamination of ground water that was provided to consumers as untreated drinking-water. The Inquiry identified that several parties with responsibility for the water supply system failed to adhere to the high levels of care and diligence necessary to avoid this occurring and to protect public health. Improvements to the drinking-water framework have been identified and need to be actioned.

I advise all drinking-water suppliers and drinking-water assessors that:

- Protection of drinking-water sources is of paramount importance and a founding principle of drinking-water safety;
- Every drinking-water supplier must contribute to the protection of drinking-water sources;
- The risk to the public is increased if drinking-water is untreated;
- To provide adequate protection to public health, suppliers providing drinking-water to untreated networked supplies should consider implementing appropriate and effective treatment without delay; and
- They should reconsider their reliance on secure bore water status as a means of providing safe drinking-water.

Chai Chuah
Director-General of Health

in Wellington this 20. day of December 2017.