



# ORDINARY MEETING OF COUNCIL

## Open Minutes

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Meeting Date: Tuesday 15 May 2018

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Time: 3.00pm – 3.16pm

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Venue Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
Napier

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

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In Attendance Director City Services (Acting Chief Executive), Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Strategy, Manager Communications and Marketing, Manager Regulatory Solutions

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Administration Governance Team

## Apologies

Nil

## Conflicts of interest

Nil

## Public forum

Nil

## Announcements by the Mayor

It was agreed that a question and answer session would be arranged for councillors in relation to the Napier Aquatic Centre proposed options.

## Announcements by the management

Nil

## Confirmation of minutes

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Council resolution Councillors Price / Hague

That the Draft Minutes of the Extraordinary meeting held on 9 April 2018 be confirmed as a true and accurate record of the meeting.

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Carried

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Council resolution Councillors Price / Hague

That the Draft Minutes of the Extraordinary meeting held on 10 April 2018 be confirmed as a true and accurate record of the meeting.

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Carried

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Council resolution Councillors Price / Hague

That the Draft Minutes of the Extraordinary meeting held on 24 April 2018 be confirmed as a true and accurate record of the meeting.

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Carried

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# NEW REPORTS

## 1. LEASE OF RESERVE - ROYAL NEW ZEALAND PLUNKET TRUST, ONEKAWA PARK

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*Type of Report:* Legal

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*Legal Reference:* Reserves Act 1977

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*Document ID:* 459560

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*Reporting Officer/s & Unit:* Bryan Faulknor, Manager Property  
Jenny Martin, Property and Facilities Officer

### 1.1 Purpose of Report

To seek Council approval for a ground lease with the Royal New Zealand Plunket Trust for the land occupied by the outdoor play area at the Plunket premises on Onekawa Park.

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### At the Meeting

It was noted that while this item is largely procedural, it gave the existing lessee more stability and would encourage them to invest in the property in the way they have indicated they wish to.

Council resolution Councillors Brosnan / Tapine

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That Council

- a. Enter into a ground lease, pursuant to Section 73(3) of the Reserves Act 1977, with the Royal New Zealand Plunket Trust for the land occupied by the outdoor play area at Onekawa Park for a term of approximately eight years with one 15 year right of renewal.

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Carried

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## 2. LEASE OF RESERVE - NAPIER CITY PETANQUE CLUB INCORPORATED

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<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	461515
<i>Reporting Officer/s &amp; Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

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### 2.1 Purpose of Report

To obtain Council approval to enter into a ground lease with the Napier City Petanque Club Incorporated for the land occupied by the Club at Nelson Park, Napier South for a term of fifteen years with one fifteen year right of renewal.

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### At the Meeting

There was no discussion on this item.

Council resolution Councillors McGrath / Wise

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That Council

- a. Approve a ground lease, under Section 54 of the Reserves Act 1977, with the Napier City Petanque Club Incorporated for a term of fifteen years with one fifteen year right of renewal.
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Carried

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## 3. JOINT COMMITTEE UNCONFIRMED MINUTES

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	471122
<i>Reporting Officer/s &amp; Unit:</i>	Cheree Ball, Governance Advisor

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### 3.1 Purpose of Report

To present the unconfirmed minutes of the Hawke's Bay Drinking Water Governance Joint Committee, held on 24 October 2017, and the Hawke's Bay Civil Defence Emergency Management Group meeting, held on 27 November 2017.

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**At the Meeting**

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

That Council:

- a. Receive the unconfirmed minutes of the Hawke's Bay Drinking Water Governance Joint Committee from 24 October 2017.
- b. Receive the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group meeting from 27 November 2017.

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Carried

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# REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

## MĀORI CONSULTATIVE COMMITTEE MEETING - 8 May 2018

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Council resolution Councillors Tapine / Boag

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That the Māori Consultative Committee Minutes be received.

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Carried

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### **At the Meeting**

It was noted that Liz Ratima has stepped down from the Committee; Te Whetu Marama Henare-Winiata has accepted the role.

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

## REPORTS FROM FINANCE COMMITTEE HELD 1 MAY 2018

### 1. WATER SUPPLY UPDATE

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 465890

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

#### 1.1 Purpose of Report

To provide an update to Council on:

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

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Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

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Carried

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#### At the Meeting

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

- Communications from the Director of Health and the DHB in regards to the water enquiry report and recommendations, including chlorination, were able to be requested under the Local Government Official Information and Meetings Act 1987 and there were no immediately identifiable issues with proactively releasing these.
- Members of the public who are concerned that chlorine in the water is making them feel itchy have been directed to the DHB or their local GP, who are best placed to advise on medical matters. It was noted that the level of chlorination in our system is very low and filters were available from large retailers which may be a longer term solution for those that had concerns.
- The network has been undergoing a cleaning and flushing process which may have created some discolouration in the water; the public have already been advised that the project is underway but there will be further regular updates in line with the communications plan.

It was noted that the processes are being refined for capturing and tracking questions asked but not able to be answered at meetings.

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Council resolution Councillors Brosnan / Price

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The Finance Committee:

- a. Note that
  - Substantial progress has been made in addressing the condition of the bore headworks.
  - Progress has been made with the Water Safety Plan Improvement Plan.
  - Chlorination will continue for the Napier water supply.

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Carried

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## 2. QUARTERLY REPORT FOR THE NINE MONTHS ENDED 31 MARCH 2018

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*Type of Report:* Enter Significance of Report

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*Legal Reference:* Enter Legal Reference

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*Document ID:* 466202

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*Reporting Officer/s & Unit:* Caroline Thomson, Chief Financial Officer

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### 2.1 Purpose of Report

To consider the Quarterly Report for the nine months ended 31 March 2018.

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Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

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Carried

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### At the Meeting

There was no discussion on this item.

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Council resolution Councillors Brosnan / Price

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That the Committee

- a. Receive the Quarterly Report for the nine months ended 31 March 2018.

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Carried

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### 3. GRANT APPLICATIONS FOR EXTERNAL FUNDING

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 460290

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*Reporting Officer/s & Unit:* Belinda McLeod, Community Funding Advisor

#### 3.1 Purpose of Report

- a) To seek approval to apply for external funding to support three projects:
- New Year's Eve event for 2018-2019.
  - Napier Positive Ageing Strategy.
  - Rangatahi Summit.

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Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

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Carried

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#### At the Meeting

There was no discussion on this item.

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Council resolution Councillors Brosnan / Price

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That Council

- a. Approve the applications being made to external funding providers for grants for the following projects:
- Napier City Council New Year's Eve event 2018/19
  - Positive Ageing Strategy
  - Rangatahi Summit
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Carried

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# REPORTS UNDER DELEGATED AUTHORITY

## 1. OFFICIAL INFORMATION REQUESTS

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	467697
<i>Reporting Officer/s &amp; Unit:</i>	Cheree Ball, Governance Advisor

### 1.1 Purpose of Report

To present the year to date Official Information statistics.

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### At the Meeting

In response to questions from councillors it was clarified that:

- The Ombudsman investigation into an item included in the public excluded agenda of the December 2017 meeting of the Audit and Risk Committee has now been completed. The item in question was a verbal update on the water status at the time. It had been allocated to the public excluded section under section 7(2)(f)(i) of the Local Government Official Information and Meetings Act 1987 – that the effective conduct of public affairs through the free and frank expressions of opinions of members or officers or employees of any local authority may be maintained. The Ombudsman upheld the complaint, but recognised that Council had already undertaken a review of the allocation of papers into public excluded prior to the decision of the Ombudsman and no further action was required.
- Statistics on the numbers of LGOIMA requests to which charging has been advised, whether for all or part of the request, will be included in the monthly breakdown.

Council resolution Councillors Taylor / Price

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That Council:

- a. Receives the report Official Information Requests 27 March 2018 to 2 May 2018.

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Carried

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## 2. TENDERS LET

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	467695
<i>Reporting Officer/s &amp; Unit:</i>	Sarah Ashworth, PA to Chief Executive

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### 2.1 Purpose of Report

To report Tenders Let under delegated authority to 28 April 2018

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#### At the Meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Price

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- a. Receive the report Tenders Let under delegated authority to 28 April 2018

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Carried

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## 3. RESOURCE CONSENTS

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Building Act 2004
<i>Document ID:</i>	467698
<i>Reporting Officer/s &amp; Unit:</i>	Sarah Ashworth, PA to Chief Executive

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### 3.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period 15 March – 20 April 2018.

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#### At the Meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Price

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- That Council
- a. Receive the report on Resource Consents issued under delegated authority for the period 15 March – 20 April 2018.

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Carried

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#### 4. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 467700

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

##### 4.1 Purpose of Report

To report of documents executed under seal for the period 26 March to 11 May.

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##### At the Meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Price

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That Council

- a. Receive the Report of Documents Executed Under Seal for the period 26 March to 11 May

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Carried

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# PUBLIC EXCLUDED ITEMS

Council resolution Councillors Boag / Wright

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

Carried

## Agenda Items

1. Lease of Ocean Boulevard parking facilities

## Reports from Finance Committee held 1 May 2018

1. Bad Debt Write Off
2. Creative Communities Funding 2018

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>
	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. Lease of Ocean Boulevard parking facilities	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities  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
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		Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
<b>Reports from Finance Committee held 1 May 2018</b>		
1. Bad Debt Write Off	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.
2. Creative Communities Funding 2018	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.

The meeting moved into committee at 3.16pm

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

Chairperson .....

Date of approval .....