



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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ORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date:	Tuesday 26 June 2018
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Time:	2.00pm
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Venue:	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
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Council Members	Mayor Dalton (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise and Wright
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Officer Responsible	Chief Executive
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Administrator	Governance Team
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Next Council Meeting
Tuesday 7 August 2018

ORDER OF BUSINESS

Apologies

Nil

Conflicts of interest

Announcements by the Mayor

Announcements by the management

Confirmation of minutes

That the Draft Minutes of the Ordinary Meeting of Council held on Tuesday, 15 May 2018 be confirmed as a true and accurate record of the meeting. 114

That the Draft Minutes of the Extraordinary Meeting of Council held on Friday, 1 June 2018 be confirmed as a true and accurate record of the meeting. 127

Hearing of Submissions – Representation Review

Mark Cleary

Paul Bailey

Fran Lowe

Rosalind Muir

Jenny Mauger

Maryanne Marsters

Murray Mills – Waiapu Cathedral E J P Network

Robert Patrick Magill – Napier Pilot City Trust

Michelle Ratima – Tū Tangata Maraenui Trust

Robin Gwynn

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AGENDA ITEMS

1. REPRESENTATION REVIEW - SUBMISSIONS ON INITIAL PROPOSAL

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Electoral Act 2001
<i>Document ID:</i>	482720
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Governance Advisor

1.1 Purpose of Report

To provide submissions and brief analysis for the Hearing and Deliberations on the Representation Review Initial Proposal.

Officer's Recommendation

That Council:

- a. Hears and deliberates on the submissions on the Initial Proposal.
- b. Determines which system of representation it considers best provides for effective representation of communities of interest within Napier City, and which provides fair representation, the fundamental determinant of which is population equality within +/- 10%.
- c. Directs Officers to record and publicly notify the Final Proposal and the responses to submissions along with the reasons for each response, as required under section 19N(2) of the Local Electoral Act 2001.

Mayor's Recommendation

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

1.2 Background Summary

Following the Council's decision on the Initial Proposal for the 2018 Representation Review made 9 April 2018, consultation was undertaken with the public from 11 April to 17 May 2018. Council's Initial Proposal was to maintain the status quo (see **Attachment A**).

1.3 Issues

No issues.

1.4 Significance and Engagement

The opportunity to provide feedback was communicated to the community via Council's website, social media, newspaper advertisements, community posters and bookmarks (see **Attachment B**).

The web page for the Representation Review included all the information that had been considered by Council in making its decision, including the officer's reports and analysis, and pre-engagement survey results.

The pre-engagement and consultation processes were discussed in detail at several meetings of the Māori Consultative Committee, so they were informed and able to encourage their networks to participate in the consultation.

The public were able to provide their feedback via an online submission form, a PDF form that could be printed, completed and returned, or a hard copy form that could be collected from Council's Customer Service Centre and Libraries for completion.

Submissions:

Thirty-seven submissions were received during the consultation period (see **Attachment C**), with one late submission received on 18 May 2018. The late submission has not been included in this analysis, but supported the majority view of the submitters.

It is of note that only four submissions were received during the 2012 Representation Review consultation, so there has been a significant increase in the level of public feedback for this process.

Twelve people indicated that they wished to speak to their submissions, and have been invited to attend the meeting from 2pm to be heard and answer any questions from Councillors. Those who will be speaking to their submission have been given up to five minutes to speak, followed by any questions.

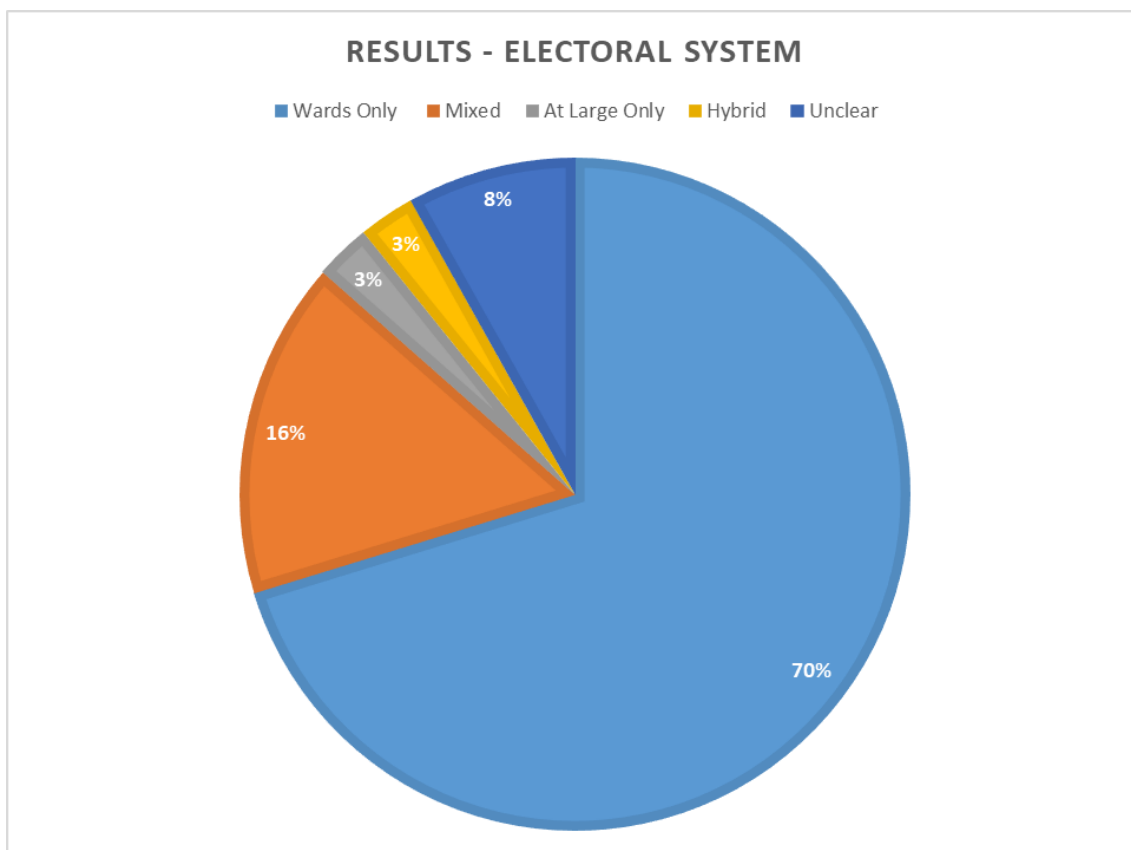
Results in Brief

Submitters were asked whether they agreed with the Initial Proposal (being to maintain the status quo), and then invited to comment on any or all of its three sections:

- Their preferred electoral system, whether fully at large, ward only, the current mix or an adjusted mix of at large and wards,
- Their preferred number of elected members, and
- Whether they would like community boards to be established or not.

Electoral System

The results for the preferred electoral system are shown in the graph below:



Ward Only

A strong majority of submitters (70%, 26 submissions) supported an electoral system structured of wards only.

Reasons provided for this preference included:

- That the ward system has been linked historically to greater voter turnout and increased public participation,
- That it was felt that having only wards would be fairer, more evenly distribute representation through all strata of the community, and better represent people in areas of higher deprivation and different ethnic groups,
- That the positions on Council would be better contested and those elected more directly accountable to their ward communities. It was also anticipated that the ward councillors would more clearly understand and advocate for the particular concerns of their discrete communities, within their responsibility to the city overall,
- Workload would be more equally shared across all councillors, and
- It would make standing as a candidate more accessible to a wider range of people as the costs of an election campaign would be lower having to address only the members of a ward rather than the whole city.

Status Quo

The status quo mixed system (i.e. the Initial Proposal) was supported by 17% of submitters (six submissions).

Most of these submitters did not provide a reason for their preference. The one comment that was received amongst this group of submissions was that the submitter liked being

able to vote for a greater proportion of the total number of councillors than a ward-only system would allow.

Other

The fully at large system was supported by 3% of submitters (one submission). The submitter felt the city is not large or spread out enough to warrant wards.

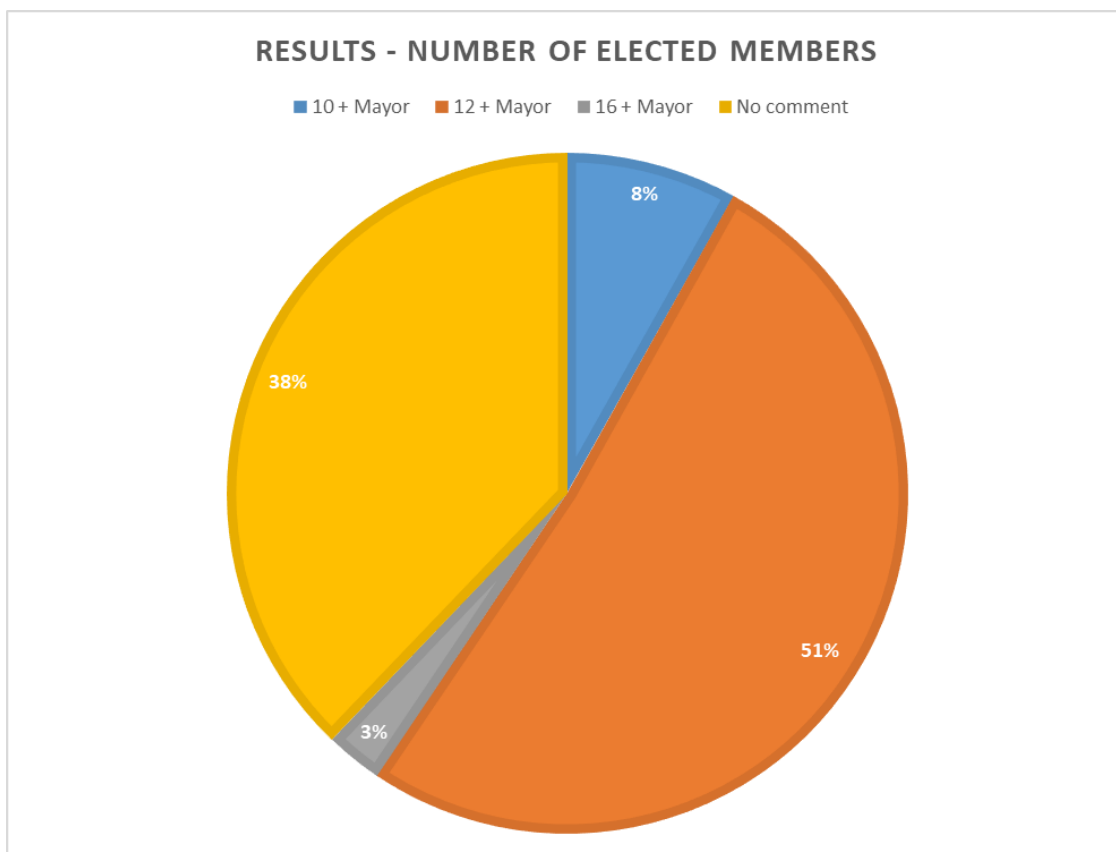
A reworked mixed system was supported by one submission, which proposed expanding the ward system to two representatives for each ward and four at large members. This proposal would remove single member wards.

Three submitters (8%) provided comments in relation to representation that were considered unclear enough not to be allocated against a specific result:

- “I am in favour of keeping the ward system. I am convinced that it results in a fairer representation of all Napier residents, including the poorer and less-well educated ones.”
 - *The current system is a mixed one.*
- “Based on what I have read I would like to see a change to the current system. My submission would be a move away from ‘At Large’ Councillors.”
 - *The current system incorporates At Large councillors.*
- “I would like to support keeping wards and also introducing Māori wards.”
 - *This does not specify whether status quo, a reworked mix or ward only system is preferred.*

Council Size

The results for the preferred number of elected members are shown in the graph below:

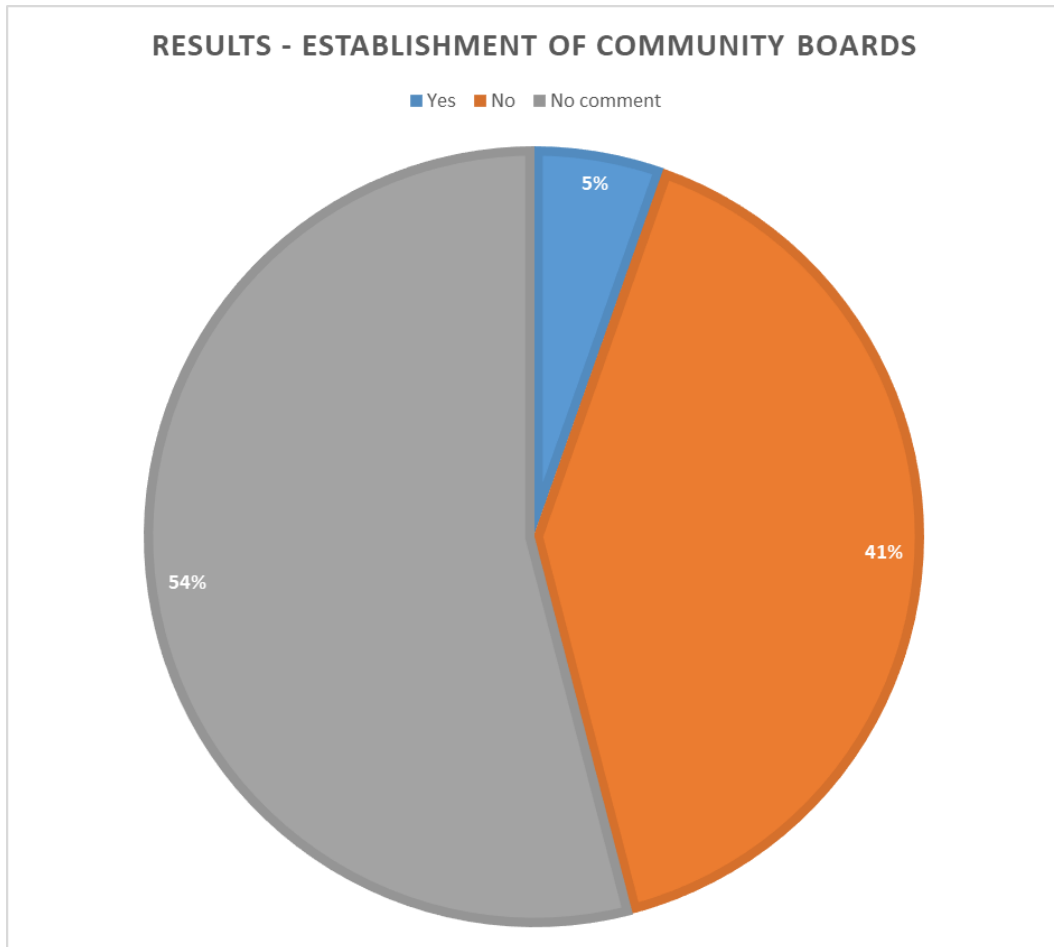


The majority of submitters (51%) were happy with the current number of elected members; there were also many submitters that did not comment on this topic (38%).

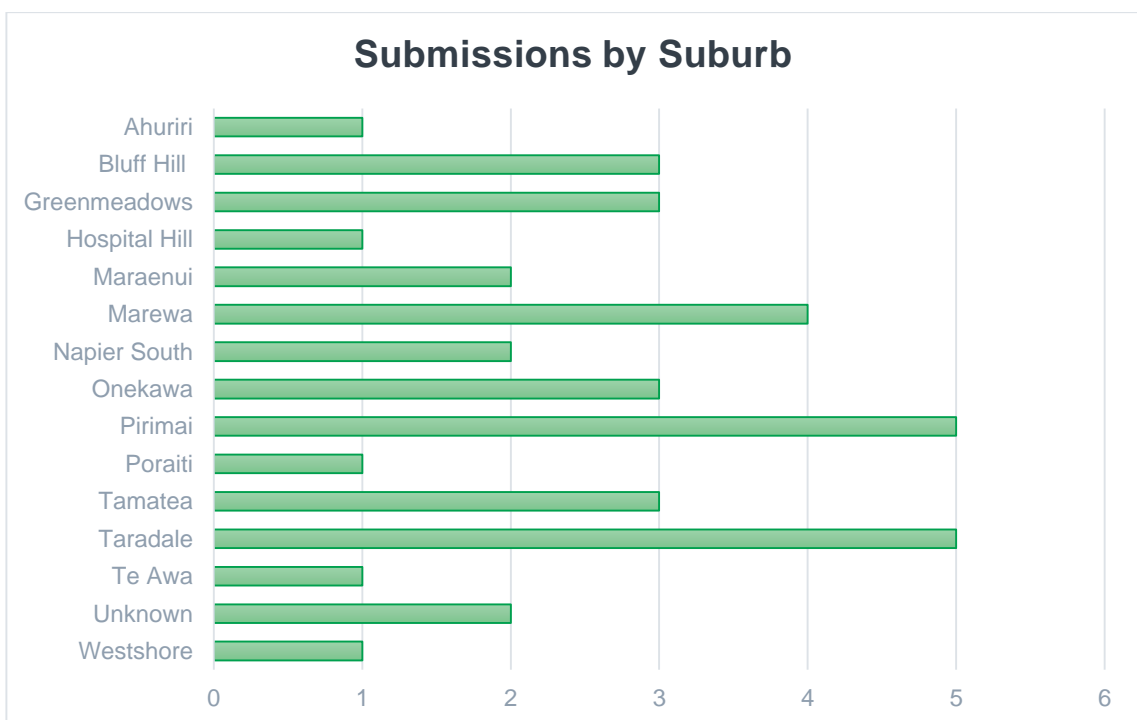
The other proposals were for 10 and a Mayor, and four elected members per ward or 16 in total.

Establishment of Community Boards

Submitters were also invited to comment on whether they would like community boards to be established. The majority of submitters did not comment on this at all (54%). Of those that did, the majority did not support the establishment of community boards, as shown in the graph below:



The geographic spread of the submitters is demonstrated in the graph below:



1.5 Decision Making Process and Next Steps

Final Proposal

In reaching its decision, which will be communicated as a Final Proposal, Council is required to ensure compliance with sections 19T and 19V of the Local Electoral Act 2001. These require that effective representation of communities of interest is provided and fair representation of each ward or subdivision is achieved.

Effective representation requires consideration of the communities of interest within the District and how an electoral system would best be structured to represent them, and where wards exist that the boundaries coincide with the current statistical meshblock areas determined by Statistics New Zealand and used for parliamentary electoral purposes.

Where wards or subdivision exist, fair representation occurs when the population of each ward or subdivision, divided by the number of members to be elected by that ward or subdivision, produces a figure no more than 10% greater or smaller than the population of the district divided by the total number of elected members (other than the mayor).

The Council must consider all submissions and make decisions on representation based on these submissions. Once Council has considered the submissions, it can make amendments to its original resolutions as it thinks fit on the basis of the submissions made. It is important to note that Council's final decision must be based on its original decision or on the submissions. It cannot now introduce new options.

Once Council has resolved on the submissions made, there will be a further public notice incorporating any amendments made and stating both the reasons for the amendments and the reason for any rejection of submissions. This is the "Final Proposal".

Appeals and Objections

Submitters have the right of appeal against the Council decision.

If Council amends its original Proposal in light of the submissions, there is a right of objection given to the general public to any amended resolutions. For clarity, if the Final Proposal amended the number of councillors proposed but retained the intention not to establish community boards, the number of councillors could be objected to as this is new, but not the stance on community boards as this was consulted on as part of the Initial Proposal.

If there are no changes to the Proposal, and none of the submitters appeal within the allotted time period, then Council's original decision becomes the Final Proposal that will apply for the 2019 and 2022 elections.

Appeals or objections may be lodged from one month after the public notice of the Final Proposal through to 20 December 2018. If there are appeals by submitters (or objections to an amended proposal), the Local Government Commission will review and determine the Council's representation arrangements. This process would be completed in April 2019 and any directive would ideally be implemented prior to July 2019 when candidacy nominations open for the 2019 elections. Determinations can be appealed to the High Court but only on a point of law.

If there are no appeals or objections by 20 December, the Final Proposal is confirmed and a public notice must be placed advising of this.

1.6 Options

After considering the submissions, the options available to Council are as follows:

- a. Confirm its original proposal (being status quo),
- b. Adopt any proposal put forward by the submitters, or
- c. Modify its original resolutions on the basis of the submissions made.

It is up to the Council to determine what representation system it wants, based on its original decisions and the submissions, provided the final decision complies with the Local Electoral Act 2001 and gives particular consideration to sections 19T and 19V, that effective representation of communities of interest is provided and fair representation of each ward or subdivision is achieved. It is essential to give reasons for the decisions reached.

1.7 Attachments

- A Attachment A - Initial Proposal [↓](#)
- B Attachment B - Examples of engagement and communications tools [↓](#)
- C Attachment C - Submissions [↓](#)



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EXTRAORDINARY MEETING OF COUNCIL

Open Minutes - **EXTRACT**

Meeting Date:	Monday 9 April 2018
Time:	3.00pm – 5.58pm
Venue	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
Present	The Mayor (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise [by phone, 3.31pm to 4.44pm] 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, Chief Financial Officer, Team Leader Policy Planning, Venues Manager, Marketing Manager, Manager Business Excellence and Transformation Tony Porter – Chairman, Hawke's Bay Airport Ltd Sarah Park – Director, Hawke's Bay Airport Ltd Craig Daly – Coastal Hazards Strategy Assessment Panel Simon Bendall – Coastal Hazards Assessment Panel
Administration	Governance Team

Ordinary Meeting of Council - 03 April 2018 - Open Minutes

NEW ITEM: REPRESENTATION REVIEW - ADDITIONAL OPTIONS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Electoral Act 2001
<i>Document ID:</i>	461856
<i>Reporting Officer/s & Unit:</i>	Jane McLoughlin, Team Leader Governance Rachael Horton, Manager Business Excellence & Transformation

5.1 Purpose of Report

To provide information to Elected Members on additional options for their consideration for the Representation Review.

At the Meeting

This item of additional information was taken in concert with Item 2 from the Finance Committee Meeting of 20 March 2018.

It was noted that at the Finance Committee meeting of 20 March 2018, many councillors had observed that while they felt that the current mixed system was reasonably successful, there were some shortcomings such as single-member wards. This additional information item presented the analysis of another mixed-system option.

Council resolution Councillors Dalton / Hague

That Council

- a. Note the additional Representation Review options:
 - (i) Moving Awatoto into Ahuriri Ward, and Tamatea South into Taradale Ward:
 - of a mixed system with eight Elected Members split over three Wards and four at large Elected Members (outlined in table 2)
 - of a ward-only system with 8 or 12 Elected Members in total (outlined in tables 3-4)
 - (ii) In addition to the above movements of suburbs, move Poraiti and Meeanee into Ahuriri Ward:
 - of a mixed system with nine Elected Members split over three wards and 3 at large Elected Members (outlined in table 7)
 - of a ward-only system with 12 Elected Members in total (outlined in table 8).
- b. Note the importance of ensuring effective representation for communities of interest.

Carried

Ordinary Meeting of Council - 03 April 2018 - Open Minutes

2. REPRESENTATION REVIEW

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Electoral Act 2001
<i>Document ID:</i>	441536
<i>Reporting Officer/s & Unit:</i>	Jane McLoughlin, Team Leader Governance Rachael Horton, Manager Business Excellence & Transformation

2.1 Purpose of Report

To determine Council's initial proposal for representation arrangements for the 2019 and 2022 elections.

At the Meeting

In discussion, many councillors noted that the current mixed-system is reasonably successful, while recognising the benefits of a ward-only system identified through the analysis of Napier's electoral history and feedback from the pre-engagement surveys of the public.

An opposing view noted that the ward-only system identified as the recommended option through the analysis process was the most fair and effective form of representation, particularly for areas with traditionally lower voter turn-out, and areas of higher deprivation.

It was noted that there is a high level of recognition amongst the community as to their ward, and other ways of 'cutting' these felt clumsy.

It was cautioned that Council need to ensure their focus clearly remains on finding the best way to that the community may be represented; the public perception should not be one of 'patch protection'.

The relative costs and benefits of ward candidacies and at-large candidacies were discussed briefly, noting that the cost of running a ward-based campaign tends to be lower overall.

It was noted that only one proposal can be consulted on.

Māori Consultative Committee's recommendation

Mr Aranui / Mayor Dalton

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

Carried

Ordinary Meeting of Council - 03 April 2018 - Open Minutes

Council resolution Councillors Price / McGrath

That Council:

Approve the initial proposal for representation arrangements for the 2019 and 2022 elections, and that the proposal be distributed for public consultation, that initial proposal being:

- a. retain the status quo of representation arrangements as they currently stand; 12 Elected Members, current ward structure, mixed system of six Elected Members at large, and six Elected Members elected via wards
- b. the total number of Elected Members is 12 and the Mayor
- c. that there be no community boards within Napier City.

Carried

Crs Boag and Tapine against

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



INITIAL PROPOSAL FOR REPRESENTATION ARRANGEMENTS FOR THE 2019 LOCAL ELECTIONS

On 9 April 2018, the Napier City Council reviewed its representation arrangements, and resolved that the following proposal apply for the Council and its community boards for the elections to be held on 12 October 2019:

Council Representation

It is proposed that the Council retain the status quo of representation arrangements as they currently stand; 12 Elected Members, current ward structure, mixed system of six Elected Members at large, and six Elected Members elected via wards. The total number of Elected Members is 12 and the Mayor.

The current ward structure is as follows:

Ward	Communities of interest
Ahuriri Ward	Bayview, Westshore, Ahuriri, Bluff Hill, Hospital Hill, and the northern part of Onekawa West
Nelson Park Ward	Nelson Park, McLean Park, Onekawa South, Maraenui, area of Marewa south of Kennedy Road, area of Pirimai south of Kennedy Road, and the most northern meshblock of Awatoto
Onekawa - Tamatea Ward	Onekawa Central, Onekawa West, Tamatea North, Tamatea South, Northern part of Pirimai, and the northern part of Marewa (i.e. consisting of all meshblocks north of Kennedy Road)
Taradale Ward	Taradale South, Taradale North, Greenmeadows, Poraiti, Meeanee, and Awatoto (except the most northern meshblock)

The population that each member will represent is as follows:

Ward	Population (2017 population estimates)	Members	Population per member
Ahuriri Ward	10,200	1	10,200
Nelson Park Ward	18,750	2	9,375
Onekawa - Tamatea Ward	10,400	1	10,400
Taradale Ward	22,600	2	11,300
At Large	61,950	6	10,325
Total	61,950	12	

All of these figures are within the +/-10% range required under section 19V(2) of the Local Electoral Act 2001 to ensure fair representation.

Community Board Representation

It is proposed that there are no community boards in Napier.

Further Information

Copies of the Council's resolution and maps setting out the areas of the current wards, communities and subdivisions may be viewed and obtained from Napier City Council's Customer Service Centre, 215 Hastings Street, Napier.

Any queries regarding the Council's decision should be directed to Deborah Smith, 06 834 9826, governance@napier.govt.nz.

Relevant information is also available on the Council's website www.napier.govt.nz.

Submissions are invited

Persons with an interest in the proposed representation arrangements are invited to make written submissions on the Council's representation proposal. Submissions are to be forwarded to:

- Attention - Deborah Smith (06 834 9826)
- Physical address - Napier City Council Customer Service Centre, 215 Hastings Street, Napier 4110
- Email - governance@napier.govt.nz

Submissions must be received by Council no later than 12noon, Thursday 17 May 2018.

WAYNE JACK
CHIEF EXECUTIVE

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Media Release



Review of Council representation underway

Tuesday 19 September 2017

Do you feel well represented on Council?

Every six years we need to review Napier City Council's make-up and we want to know your answers to this question, and much more.

Should we have ward councillors, at large councillors or a mix of both? Currently Napier's residents are represented by 12 councillors in a mixed system, comprising six at large councillors elected by the entire city, and six ward councillors, elected by residents in four wards.

As part of our engagement on this issue we are running an online survey over the next few weeks to find out what you think.

Council staff will also be out and about at a series of fun pop-up soap box events, which are also opportunities to complete the survey on the spot.

Once the survey has closed, the results will be presented to Council and will help inform the development of an option to go through a formal consultation process early next year.

Following consultation, Council will decide what, if any changes will be made to Napier's system of representation. The Local Government Commission will then confirm the decision for the next election, in 2019.

For more information and to complete the survey online, go to www.napier.govt.nz #sayit.

There is an interactive map available on the Say It page to help you find out what ward you live in if you are unsure.

ENDS

For media enquiries contact:

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REPRESENTATION REVIEW

How do you want to be represented?

Should we have ward councillors, at large councillors, or a mix of both and how many?

We want to know if you feel well represented on Council, and if it could be any different. We are running a survey to find out what you think.

To have your say go to
www.napier.govt.nz #repreview
by 31 October 2017.



REPRESENTATION REVIEW

How do you want to be represented?

Every six years we need to review the Council's make-up.

Should we have ward councillors, at large councillors or a mix of both – and how many councillors should we have?

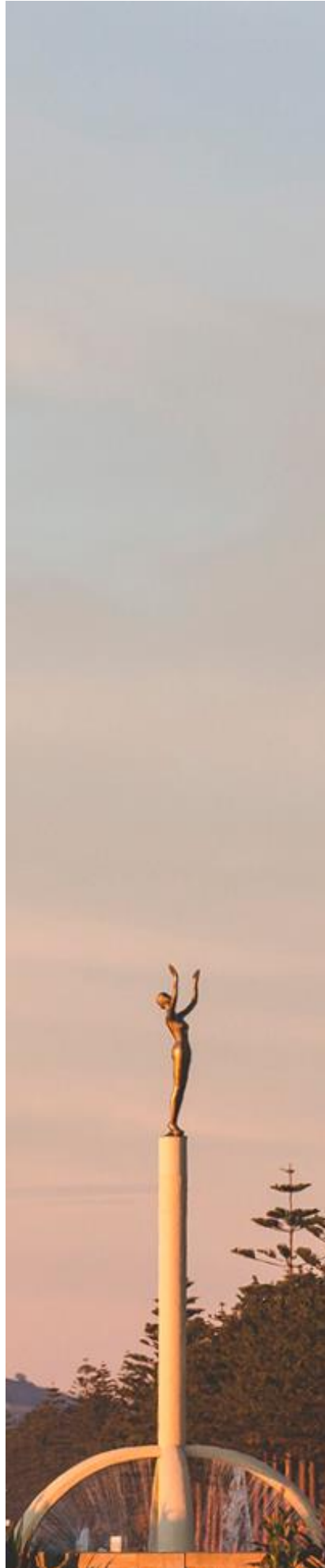
Currently we have 12 councillors and a mixed system.

We want to know if you feel well represented on Council, and if it could be any different.

We are running a survey to find out what you think. To have your say go to www.napier.govt.nz keyword #repreview by 31 October 2017.



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Sub #	Speak	First Name	Last Name	Org?	Suburb	Ward Only	Mix	At Large	Hybrid	Unclear	EMs	Comm. Boards	Full Submission
1	0	Garry and Lynne	Ravenwood	Individual	Pirimai	1	0	0	0	0	xxx	xxx	<p>I am amazed that the Council has decided on maintaining the mixed representation when the commission clearly said that the ward system was the most democratic and had the best voter turnout which shows that it brings the voters much more into the community process and makes the elections much more interesting</p> <p>My wife and I would very much like to see the ward system adopted by the council for the next elections</p>
2	Y	Fran	Lowe	Individual	Pirimai	1	0	0	0	0	12 & Mayor	No	<p>I would like the full ward system be adopted as recommended by the councils staff members. I would like Napier to have a better distribution of representation through all strata of society and for areas of deprivation to be better represented. I would like to have every councillor answerable to the people who voted for them via well contested elections. The advantages of the full ward system are well expressed by the council's own report as reproduced below.</p> <p>a. (preferred option) Retain the current ward structure and total number of Elected Members and move to a ward only system. No community boards are established. Under this option:</p> <p>i. current ward structure is retained which gives particular representation to voters in high deprivation areas, does not split recognised communities of interest between electoral sub-divisions, and does not group together two or more communities of interest that have few common interests.</p> <p>ii. it is more likely there will be a choice of candidates for each seat, avoid single member wards, and provide more diverse candidates.</p> <p>iii. the number of Elected Members would remain at 12.</p>
3	0	Susan	Jacobs	Individual	Bluff Hill	1	0	0	0	0	xxx	xxx	<p>I strongly support a change to representation by wards only. It will improve voter participation, as well as councillor responsivity to their discreet communities. People who live in an area are better placed to understand issues and concerns of the ward, and are better placed to liaise with constituents. Ward representation also provides for greater possibilities that minority groups will be better represented through election of individuals from their ward area.</p>
4	0	Ann	Webster	Individual	Tamatea	0	0	1	0	0	12 & Mayor	xxx	<p>I don't like having wards. The city is not large, nor spread out so I don't see the need to have specific wards when a councillor living on one side of town can easily work with people on the opposite side of town. Have 12 councillors elected full stop - no wards. Last election, the one councillor that I really liked was in another ward so I could not vote for them and I did not like the options in the ward I am in.</p>

5	Y	Mark	Cleary	Individual	Bluff Hill	1	0	0	0	0	12 & Mayor	No	<p>The Council Report 441536 makes a very clear recommendation that is based on cogent and clearly argued research.</p> <p>The report notes that 'Quality democratic processes are important and foster a richer form of citizenship and civic engagement. Electoral arrangements need to be representative and fair so that communities feel that they have influence and can effect change.'</p> <p>All citizens of Napier deserve the very best representation at the Council from locally elected representatives. The Local Government Act 2001 has a principle of: 'Fair and effective representation for individuals and communities.'</p> <p>Many of us argued strongly against amalgamation because we put local representation and participation ahead of the potential economic gains that the merger promised.</p> <p>By supporting the status quo signals that the current council shows that it has little interest in increasing that engagement and participation, sadly giving voice to the current perception that the interests of business and tourism is paramount.</p> <p>As a person who knows Napier well, and understands the issues of inequality, I strongly urge the Council to adopt the Council recommendation and move Napier forward as a more inclusive City where regardless of where you live, you will access to a representative who understands the issues of your ward.</p>
6	0	Ruth	Smithies	Individual	Greenmeadows	0	0	0	0	1	xxx	xxx	<p>I am in favour of keeping the ward system. I am convinced that it results in a fairer representation of all Napier residents, including the poorer and less-well educated ones.</p>
7	0	Susan	John	Individual	Ahuriri	1	0	0	0	0	xxx	xxx	<p>I urge you to use the complete Ward System of representation, as it is the fairest way of allowing the widest representation of the whole voting area.</p>
8	0	Ian	Elgie	Individual	Taradale	0	1	0	0	0	12 & Mayor	No	<p>The current system appears to work well, I would like the current council makeup to continue.</p>
9	0	Barbara	Abbott	Individual	Maraenui	1	0	0	0	0	xxx	xxx	<p>I wish to recommend that we adopt a full ward system, using existing boundaries, and then this will double the number of councillors in each ward.</p> <p>I think this should happen because 'at large councillors' can do more being a ward councillor. They can then help share the load as some councillors have a large area to cover.</p> <p>Your own (council's governance staff) survey showed that the recommendation that we adopt the full ward system. Please look at your own report and adopt what is best for Napier.</p> <p>Regards Barb Abbott</p>

10	Y	Paul	Bailey	Individual	Te Awa	1	0	0	0	0	xxx	xxx	<p>The current proposal to ration the status-quo with respect to representation arrangements is flawed for a couple of reasons:</p> <p>1/ Without some sort of proportional representation voting system at large ward councillors are not generally representative of the overall population.</p> <p>2/ Ward councillors seem to be more in touch with their local communities, and the issues that they face. This is especially relevant for those lower socioeconomic areas in our community.</p> <p>3/ It is more challenging resource wise to be elected at large than via a ward. This presents challenges in ensuring that all sectors of our community are fairly represented.</p> <p>Recommendation</p> <p>I would recommend that we shift to a fully ward system, with the creation of further wards based on population numbers being distributed as evenly as possible between each councillor. My preference would be for a larger number of wards.</p> <p>Other</p> <p>I am making this submission as a private individual.</p> <p>This submission is not intended to cast aspersions on any of the current councillors. I am conscious that at the end of the day you all make decisions on behalf of Napier City.</p>
11	0	Sue	MacDonald	Individual	Marewa	0	0	0	1	0	xxx	xxx	<p>I would like you to consider expanding the ward system to 2 representatives for each ward and that would leave 4 at large members.</p> <p>I believe that having a ward councillor means that you have a first point of contact for issues and having 2 councillors gives you a choice when voting and discussing issues.</p> <p>I am however disappointed that it seems ward meetings are either non existent or few and far between and would like to see ward meetings held every 3 months. While I understand we can make an appointment anytime to talk to a councillor I believe it is important that we all have opportunities to talk to councillors face to face in group situations so we can gauge how others in the community are 'thinking'. I feel it is beneficial to hear more widespread views.</p> <p>Thank You</p>
12	0	Dermott	McCaughan	Individual	Poraiti	1	0	0	0	0	xxx	xxx	<p>It is important than every street and road in the city is represented. It is unlikely that most councillors on NCC know that Rotowhenua Road is part of the council domain. The at-large councillors have no need to speak up for anyone other than their own narrow voting group meaning that districts and streets are ignored.</p>
13	0	Shona	Blavk	Individual	Taradale	0	0	0	0	1	xxx	xxx	<p>Based on what I have read I would like to see a chance to the current system. My submission would be a move away from 'At Large' Councillors.</p>
14	0	Rachael	Berkahn	Individual	Greenmeadows	1	0	0	0	0	16 & Mayor	xxx	<p>My submission is I would like to see 4 councillors in each ward and no councillors at large.</p>
15	0	Glenn	Munro	Individual	Napier South	0	1	0	0	0	12 & Mayor	No	<p>I prefer the status quo to remain.</p>

16	0	Margaret	Engman	Individual	Onekawa	0	1	0	0	0	12 & Mayor	No	after reading some of the press stories i would like to support the status quo for council elections. i also think people should have to live in the ward they represent to stop rich people on the hill running in other wards taking opportunities away from locals.
17	0	Penelope	Fraser	Individual	Taradale	0	1	0	0	0	10 & Mayor	No	Change the representation to ten elected members plus the mayor Retain the ward system with one elected representative from each ward and six elected as "at large" No Community Boards
18	0	Annette	Le Comte	Individual	Pirimai	1	0	0	0	0	xxx	xxx	Full Ward System. Will involve all residents and give a fairer overall opportunity for Napier Citizens to be involved disregarding background and lower socio-economic areas they reside in.
19	0	Maree	Leatherby	Individual	Pirimai	1	0	0	0	0	12 & Mayor	xxx	I do not agree that the current mixed system is the best option for Napier. I think 12 Councillors in a full ward system would be better. I believe a full ward system would be the most effective system of representing communities. Currently there is less accountability for at large candidates.
20	Y	Robin	Gwynn	Individual	Bluff Hill	1	0	0	0	0	12 & Mayor	No	*large attachment – see Appendix One below
21	Y	Rosalind	Muir	Individual	Pirimai	1	0	0	0	0	12 & Mayor	No	In order to have fairer community representation, I believe all 12 members should be elected by wards. Without the full ward system in place, I feel that there is a need for community boards as these areas are not represented fairly under the current system. Members elected at large don't seem to have any tangible responsibilities, or anyone to be accountable to. Ward councillors are more likely to have a genuine community focus, and a better understanding of what is needed in their respective wards. In an ideal scenario, ward councillors would actually live in the wards they represent. With better community representation and focus, a greater level of engagement would be expected from the community, including those who feel powerless under the current system due to lack of appropriate representation.

22	0	Gary	Curtis	Individual	Taradale	1	0	0	0	0	xxx	No	<p>I believe Napier and its residents would be best served by retaining the existing wards, dispensing with 'at large councillors' and having a 'ward only' system.</p> <p>A greater number of Councillors representing 'specific wards' will result in more comprehensive representation for ward residents.</p> <p>As 'Councillors at large' are not accountable to 'specific ward' residents, a ward only system would make being on Council fairer and more equitable as every Councillor would be responsible for a specific group of ratepayers.</p> <p>The only opinions from Councillors on this matter I have come across were in the March 28 edition of Proudly Napier.</p> <p>The argument presented by Councillor Maxine Boag of spreading the workload has validity and single ward residents representation must at times be compromised (i.e. When Councillors are unwell or out of town).</p> <p>I have an opposing view to that of Councillor Annette Brosnan (as reported) and think if Councillors 'always have a community of interest at heart' it would be positive for all Napier residents rather than a negative as implied by Councillor Brosnan.</p> <p>Surely Councillors have the ability not only to represent a ward, but able at all times to represent the City as a whole. It would be ludicrous if a Napier resident was not able to approach any Councillor regardless of what ward they represent.</p> <p>Apparently Councillor Price said, 'he feared that a full ward system would mean some Councillors might "sometimes put their own wards ahead of other wards" when making decisions'.</p> <p>I think residents should be able to trust our Councillors to act honourably, ethically and with integrity when making decisions. However, I would be extremely disappointed with any ward representative who did not fight tooth and nail for the benefit of the area I reside in.</p> <p>Sadly the comments of the Mayor - 'If it works for us, it works for us' gives no indication as to any advantages the current system may have over the proposed system.</p> <p>Therefore there is little valid argument to convince me to support the current system.</p> <p>Community Boards: I do not support having Community Boards</p>
23	0	David	Wood	Individual	Onekawa	1	0	0	0	0	12 & Mayor	xxx	<p>I do NOT support the resolution dated 9 April 2018 to retain the present mixed representation arrangement, namely part ward, part members at large.</p> <p>WARD SYSTEM I support a full ward system, in accordance with the Analysis Report of the Council's own Representation Review in 2018. A full ward system is a fairer system as: 1. it would better represent the diverse communities and socio economic groupings, ethnicity, and gender balance within Napier city; 2. councillors would reside throughout the city; and 3. each ward would have more than one councillor.</p> <p>NUMBER OF COUNCILLORS I support leaving the number at 12 plus a mayor, given that Napier's population is increasing, and the workload for councillors is rising due to: 1. central government demands; 2. the need to upgrade and extend infrastructure; 3. the need to develop the city and make it more vibrant and innovative to attract more families. A group of 12+1 is less likely to be dominated by a single councillor or clique.</p>

24	0	Phillipa	Wood	Individual	Onekawa	1	0	0	0	0	12 & Mayor	xxx	<p>I do NOT support the resolution dated 9 April 2018 to retain the present mixed representation arrangement, namely part ward, part members at large.</p> <p>WARD SYSTEM I support a full ward system, in accordance with the Analysis Report of the Council's own Representation Review in 2018. A full ward system is a fairer system as: 1. it would better represent the diverse communities and socio economic groupings, ethnicity, and gender balance within Napier city; 2. councillors would reside throughout the city; and 3. each ward would have more than one councillor.</p> <p>NUMBER OF COUNCILLORS I support leaving the number at 12 plus a mayor, given that Napier's population is increasing, and the workload for councillors is rising due to: 1. central government demands; 2. the need to upgrade and extend infrastructure; 3. the need to develop the city and make it more vibrant and innovative to attract more families. A group of 12+1 is less likely to be dominated by a single councillor or clique.</p>
25	Y	Claire	McCormick	Individual	Napier South	1	0	0	0	0	12 & Mayor	xxx	<p>VIA LTP: I support instead the full ward system (12 councillors spread across our existing four wards). I am concerned that the at-large system has delivered a council who operate without reference to their voters. They are out of step and make decisions which are then criticised by the wider public. The Council's own report on a detailed objective analysis of the last 40 years of council elections, concluded that of all three systems Napier voters have experienced, the full ward system produces the fairest and most effective representative arrangement. In the report, they looked at key indicators to assess the effectiveness of each system and found that on every indicator but one the full ward system scored the best. Our current mixed system produced the lowest voter turnout, surely a failure of democracy; while the at large system had the second lowest voter turnout, the lowest number of candidates, lowest geographical spread of candidates and elected members, and lowest percentage of female elected members and candidates. The at-large election model is stacked against low-income and minority candidates while in a ward system they can cover their own community with less expense. By the way I live in Napier South how did I end up in a NELSON WARD? I believe we will have a more in touch Council with a full ward system.</p> <p>VIA REP REVIEW: I support a full ward system, with wards based on population numbers being distributed as evenly as possible between each councillor. I am concerned that the mixed ward/at-large system has delivered a council who are largely able to operate without reference to their voters and make decisions which are often out of step and then criticised by the wider public. The Council's own report on a detailed objective analysis of the last 40 years of council elections, concluded that of all three systems Napier voters have experienced, the full ward system produces the fairest and most effective representative arrangement. In the report, they looked at key indicators to assess the effectiveness of each system and found that on every indicator but one the full ward system scored the best. Our current mixed system produced the lowest voter turnout, surely a failure of democracy; while the at large system had the second lowest voter turnout; the lowest number of candidates; lowest geographical spread of candidates and elected members; and lowest percentage of female elected members and candidates. People from well-known family names seem to have an unfair advantage in the at-large system. Does having a high profile sportsperson in the family or a family business produce the best representative? The at-large election model is also stacked against low-income and minority candidates while in a ward system they can cover their own community with less expense. It is my observation that our Nelson Ward councillors are more active and in touch with our local communities, and responsive to the issues we face. This is especially important for lower socioeconomic areas in our community who have less resources to deal with the negative impact of</p>

													Council policies for example needing water filters and storage.
													By the way I live in Napier South how did I end up voting in a NELSON WARD? The current mixed system produces one size fits all huge wards. I believe we will have fairer representation with a more in touch and representative Council with a full ward system with smaller meaningful wards. The Council's own research supports this view. I hope you will reconsider your decision to stick with the status quo. Claire McCormick Ratepayer in Napier South for 30+ years Life Member of the Napier Art Deco Trust
26	0	Awhina	English	Individual	Tamatea	0	0	0	0	1	xxx	xxx	I would like to support keeping wards and also introducing Maori wards.

27	Y	Jenny	Mauger	Individual	Unknown	1	0	0	0	0	10-12 & Mayor	Yes	<p>Firstly, I acknowledge the thoroughness of the your staff who I am proud to know upheld wide community values in their Representation Review: Analysis Report of the Representative Review survey report for Napier City, our home.</p> <p>The era of Aotearoa / New Zealand featuring at the peak of social disparities internationally, necessitates a paradigm shift from the existing model (status quo) from which our current situation emerged.</p> <p>Diversity is on the rise here in our homeland, and the elected Councillors need to demonstrate more flexibility towards the general populace of Napier.</p> <p>Ward Councillors would be able to work in tandem with their fellow Councillor, delivering quality insights, knowledge and understanding of their Constituents to Napier as a whole.</p> <p>Wellbeing economics, establishing a living standard framework beyond economic markers is being developed by Treasury for fiscal 2019 to measure national progress on all fronts: raising income as well as improving environmental and social goods. PM Jacinda Ardern "If we are increasing GDP and increasingly seeing environmental degradation and social suffering, it's hard to say we've succeeded", referring to gross domestic product (GDP), the conventional measure of the monetary value of an economy's output. [https://www.stuff.co.nz/national/politics/102001865/jacinda-arderns-new-zealand-a-social-laboratory-for-the-world] Napier could "lead out" on the soon to be released framework, think Pilot City.</p> <p>Democracies are meant to encourage Constituent participation, i.e. those who fund public service and its servants. Not so the current mixed system in Napier.</p> <p>I cannot comprehend the outmoded positions of all our elected Councillors including the Mayor with the notable exception of Cr Maxine Boag, in not supporting the recommendations of the staff. That said, I do NOT support the resolution dated 9 April 2018 to retain the present mixed representation.</p> <p>I support a ward system with the full elected Council comprising 10-12 Councillors and a Mayor. Maraenui would be a strong candidate for a Community Board. Should one or more Community Boards be established, perhaps the number of Councillors could drop to 10 (and a Mayor) to offset payments. I look forward to our Councillors being more approachable and responsive to those of us who vote for them. I would like to see a drop in clinic or semi-formal/formal wānanga/workshops to identify & resolve issues apropos each ward.</p> <p>Mauri ora Jenny Mauger</p>
28	0	Norma	Shield	Individual	Maraenui	0	1	0	0	0	12 & Mayor	No	<p>Retain 12 Elected member Ward structure/mixed system 6 elected members at large and 6 elected member via wards</p> <p>12 Elected members and Mayor</p> <p>There be community boards within Napier</p>
29	0	Linda	Axford	Individual	Hospital Hill	1	0	0	0	0	12 & Mayor	No	<p>I support a full Ward system, retain the same number of councillors (12) and no community boards.</p> <p>Thanks</p>

30	Y	Maryanne	Marsters	Individual	Marewa	1	0	0	0	0	10 & Mayor	Yes	<p>QUESTION: Do you support Council's initial proposal on representation arrangements? RESPONSE: I do not support the Council's initial proposal on representation arrangements.</p> <p>QUESTION: REASON: RESPONSE: I believe the most fair and effective system of representation is the ward system and not the current mixed system.</p> <p>Representation Review: Analysis by Napier City Council, 2018 (NCC, 2018) <i>Key findings of the Representation Review: Analysis (NCC, 2018) state that of the three election systems Napier has had over the last 40 years, the ward system created more fair and effective representation than the mixed system, and the at large system.</i> <i>Key findings of the Representation Review: Analysis (NCC, 2018) tell us that Napier has diverse communities and that communities have their own community characteristics. The findings inform that the Ward system is the most effective system for representing communities of interest, and that key findings state the ward system in the past provided higher numbers of candidates and more diverse candidates.</i> <i>Key findings of the Representation Review: Analysis (NCC, 2018) state that the ward system showed the highest voter turnout; highest number of candidates and no seats unopposed; highest geographical spread of Elected Members and candidates; second highest percentage of female candidates and Elected Member.</i> <i>Key findings of the Representation Review: Analysis (NCC, 2018) inform that a ward system addresses issues raised in previous representation reviews in Napier, which encompass voter turnout, diversity of candidates/Elected Members, number of candidates standing, communities of interest, and ward effectiveness.</i> <i>The key findings of the Representation Review: Analysis (NCC, 2018) tells me the ward system is the best option. I believe the ward system enables a fairer and effective representation of the communities that reside in the four wards of Napier. In my case the Nelson Park ward.</i></p> <p>I seek the following decision:</p> <ol style="list-style-type: none"> 1. Replace the current mixed system with the ward system. 2. Keep the existing four wards (Nelson Park, Ahuriri, Taradale, Onekawa-Tamatea). 3. Change the number of Councillors from twelve to ten. 4. Establish community boards for the Maraenui and Bay view suburbs.
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													<p>I support Paul Bailey's submission.</p> <p>"The current proposal to ration the status-quo with respect to representation arrangements is flawed for a couple of reasons:</p> <p>1/ Without some sort of proportional representation voting system at large ward councillors are not generally representative of the overall population.</p> <p>2/ Ward councillors seem to be more in touch with their local communities, and the issues that they face. This is especially relevant for those lower socioeconomic areas in our community.</p> <p>3/ It is more challenging resource wise to be elected at large than via a ward. This presents challenges in ensuring that all sectors of our community are fairly represented.</p> <p>Recommendation</p> <p>I would recommend that we shift to a fully ward system, with the creation of further wards based on population numbers being distributed as evenly as possible between each councillor. My preference would be for a larger number of wards.</p> <p>Other</p> <p>I am making this submission as a private individual.</p>
31	0	Ian	Cook	Individual	Greenmeadows	1	0	0	0	0	xxx	xxx	
32	0	R H	Severinson	Individual	Tamatea	1	0	0	0	0	12 & Mayor	No	<p>The Napier City Council comprehensive analysis of the three systems (mixed, ward only, at-large only) indicates that the Full Ward system gives the fairest representation. Why would Council use our money to pay for this report and then ignore its own Governance team's findings and analysis? The status quo may be the easiest option, but it stacked against low income/ minority candidates whose support comes from low voter turn-out areas.</p> <p>Ward councillors have a duty to support Napier City as a whole, as well as a special interest in their Ward. A full Ward system would supply another Councillor to ease the workload/ accountability required by our current single ward Councillor for Onekawa-Tamatea. I believe it would also increase the number of candidates for selection in our ward, plus increase diversity of candidates across the whole of Napier.</p> <p>I seek the following decision:</p> <p>a. that Napier have a Full Ward System of representation</p> <p>b. 12 elected members and the Mayor</p> <p>c. No community boards</p>
33	Y	June	Graham	Individual	Taradale	0	1	0	0	0	12 & Mayor	No	<p>For me the status quo - I feel pleased to have more say in the total number of councillors and the full ward system limits my choice of representatives. I support option A - retain the status quo</p>
34	0	Alan	Rhodes	Individual	Marewa	1	0	0	0	0	xxx	xxx	<p>An elected representative job is to represent.</p> <p>Cities have many subgroups with varied and diverse interests.</p> <p>An 'at large' system of choosing representatives means each elected representative represents 'everyone' which means they can represent largely whatever they like since accountability is so diffused.</p> <p>This significantly disengages 'representatives' from the represented and this 'removal' in no way helps voter connection with the process and weakens turnout.</p> <p>Here in Napier it is neither fish nor food being half and half. The 'wards' overlaid over the whole city are too large to have much meaning.</p> <p>Effectively the system is 'at large' and 'virtually at large'.</p> <p>A full ward system would be clear and more honest.</p> <p>I seek the following decision:</p> <p>That Napier City Council elections adopt a full ward system</p>

35	Y	Murray	Mills	Waiapu Cathedral E J P Network	Unknown	1	0	0	0	0	12 & Mayor	xxx	<p>We favour the option recommended by the representation review process that the full council be elected on a WARD ONLY BASIS on the current 6 ward structure.</p> <p>We question the appropriateness of the current Council making the decision without a full debate on the arguments in the 147 page document.</p> <p>Among the reason are:</p> <p>a. The research of the report affirms that the full ward system produces the fairest most effective representation on Council - in terms of numbers of candidates standing, geographical spread, and issues like female, age-range, and minority representation.</p> <p>b. At large elections are stacked against low-income and minority candidates. Candidates from more affluent suburbs with higher voter turnouts can more comfortably win over poorer suburbs.</p> <p>c. At large campaigning demands heavier expenses and outlay than ward campaigning.</p> <p>d. With only 6 ward councillors, their work load is huge (e.g. the size of Ahuriri ward), while a full ward system would mean a more equal sharing of the workload by all 12 councillors. The suggestion of having at large councillors 'adopt' a ward is not as responsibly democratic as the full ward system.</p> <p>We seek a fuller consideration of the Review Process report and the election of the full council on a ward only basis on the current 6 ward structure.</p>
36	Y	Robert Patrick	Magill	Napier Pilot City Trust	Westshore	1	0	0	0	0	12 & Mayor	No	<p>Its not a fair process and its time to change for the betterment of the people.</p> <p>I support the recommendations made by the council staff regarding election system.</p> <p>A. Full ward representation system.</p> <p>B. Total elected members in 12 and the Mayor</p> <p>c. No community boards within Napier District</p>
37	Y	Michelle	Ratima	Tū Tangata Maraenui Trust	Marewa	1	0	0	0	0	12 & Mayor	No	<p>I support the recommendations, key findings, effective representation in the representation review analysis, March 2018.</p> <p>A full ward system followed by the mixed system. Total of elected members is 12 and the Mayor. No Community Boards within Napier.</p>

Appendix One – Submission 20: Robin Gwynn

14 MAY 2018

SUBMISSION TO NAPIER CITY COUNCIL REPRESENTATION REVIEW

May 2018

Robin Gwynn MA PhD, 23 Clyde Road, Napier 4110
(06 835 2122; gwynn@nowmail.co.nz)

This submission does not support Council's proposals for the representation arrangements to apply for the elections to be held in 2019 and 2022.

Instead it **asks Council to follow the advice of its own officers as attached to the Finance Committee Agenda of 20 March 2018, that the basis of election be Ward-only based on the current Ward structure, that the total number of Elected Members be 12 and the Mayor, and that there be no community boards within the city.** I wish to speak further to my submission when hearings are arranged.

It was *the officers'* recommendation that should have been put to the people of this city for consideration. Unlike the councillors, the officers had no possible conflict of interest, and their report was impartial. Unlike the councillors, the officers in question had done a considerable amount of research, and the 147 pages of their report represent by far the most serious investigation of the subject ever produced within this Council – I congratulate them on their efforts. Unlike the councillors, the officers started from the question, what would be the best way for the city to have representation that was truly representative and fair, and would best enable public confidence in, and understanding of, the local electoral process?

I attended the March meeting in the Regional Council Chamber when our councillors first discussed the officers' recommendation. It was a disturbing experience. Rather than the normal procedural motion from the chair 'the officers' recommendation be adopted' to open discussion, there was an immediate pre-emptive motion that Council should recommend the status quo to the people of Napier as its recommendation.

I took that to indicate that councillors had no wish to discuss the report seriously, and they didn't. The mover said he 'questioned some assumptions' but never said what these were, so there was no discussion about them. The Mayor suggested the report was too 'analytical' while another councillor talked of 'bunches of numbers'; do they use the same approach when considering cost estimates?

What was astounding was to hear the mover congratulating himself and his fellows for being 'pretty good in running the city', and another speaker's comments on how well they represent our community. 20 March was around the time the war memorial issue was climaxing, resulting in Council being forced to back down after two years of continuous public protest at non-consultation which eventually brought a mayoral apology – an apology which should never have been needed because the matter should never have been handled as it was in the first place. As I started to write this submission in April, the papers around me had columns like 'The wrongs need to be righted' ('Napier's elected leaders appear to have been led astray by council management for some time. Were they truly representative of their constituents we

would have heard differing opinions.’) and the letter column of the day had the heading ‘Consultation a charade’ (this referring to the removal of trees in Taradale, surely a good case for ward discussion but apparently there had been none).

Had the self-satisfied councillors actually studied the report through to the end? In the ‘Do you have any other comments’ part of the Survey, agenda pages 160-4, they would have met:

- ‘There are definite and clear disparities between suburbs’
- ‘Ward councillors and councillors at large need to be more embedded in their communities.’
- ‘The Council does very well in looking at Napier / Hill / Ahuriri and Taradale... but the suburbs in between are a bit less well catered for or well considered’
- ‘Maraenui is in the “too difficult basket” and the council tend to ignore the residents and like to go to other suburbs where they believe they will get a better response’
- ‘I don’t think the current council acts on peoples requests at moment’
- ‘It would be nice if the councillors would actually listen to the rate payers who voted them in and not just rubber stamp what is put in front of them’
- ‘Councillors need to listen to what the Rate payers are telling them’
- ‘I want my councillors to be more active and representative of [my] area. They have disappeared since they were elected.’

One would have hoped that such comments might lead at least to serious discussion as to whether things could be being done better. There was none.

**

Why do we have local government? Why do we have a Mayor and Council at all? It isn’t just to rubberstamp decisions taken by Council administrative officers, although obviously they will often have well-informed advice and suggestions to offer.

Rather it is to help develop things along the lines the community wants. In other words, to build our community, to develop and maintain a healthy community. Local government must have the power to make local decisions – or why have local government at all?

But to do that, the decisions must be COMMUNITY decisions, not ones taken by two or three people. Mayor and Councillors have to be in close touch with people throughout their community, be able to represent their concerns, listen to them carefully whatever their wealth and background may be, consult them. As Local Government New Zealand puts it, ‘the key accountability of a local authority is to its community’.

The comments highlight a major division between what Council and community mean by ‘consultation’. Council tends to treat it as a legal requirement, a hurdle to be endured and then set aside as soon as possible. The community, on the contrary, views worthwhile consultation as involving *on-going contact and face-to-face discussion, and accountability at a local suburban level. Such things can only be achieved at ward level.*

**

The last time Council looked at Representation arrangements was in 2012, and in August that year I submitted on the subject. My submission supported Council's proposals but also emphasized that changes were essential in Council's policy on wards. I noted that surveys council had done included no questions asking whether residents felt they had adequate contact with their ward councillors, or whether there are ways in which they would like this aspect of their representation to be improved, and that while many people thought wards were good, there had been repeated submissions to Council and questions asked at public meetings on improving their use which had been ignored or bypassed. Yet an alarming 38% of our residents felt they have very little or virtually no opportunity to express their views on the future of Napier, with a trend over the past decade of more residents perceiving they cannot influence the city's direction, a trend also shown up in declining voting statistics.

I reported that my (Ahuriri) ward had had no ward meetings in five years, and that I had never seen any annual, mid-term or other report on the activities of my ward councillor. I concluded that 'in other regards I know from personal experience that he is a hard-working, worthwhile councillor who makes a valuable contribution to Council. But as far as ward representation goes, the system is not working as it might and should.' I therefore recommended

'Changes needed in Council's present approach:

- * ward meetings should be encouraged, not discouraged;
- * new ward councillors should be formally introduced in their wards within the first six months of their term;
- * a forum as part of a regular Council meeting should enable ward councillors to report on activities and developments in their wards;
- * ward councillors should be encouraged to help suburbs develop their own vision of where they should be going, and to encourage local initiatives (e.g. neighbourhood watch) of a kind that might discourage crime.... I ended up,

'In recent times, Council has argued against amalgamation, noting that it would not be good for Napier because it is better to be represented closer to home. The argument is valid, and Council has my full support. Democracy is always most effective when units of representation are smaller, communities of interest have a real voice, and there is real local dialogue. The same arguments apply equally to our own wards.'

**

The 2018 council officers' report confirms that many of the problems which existed in 2012 persist today. There have been some ward meetings held, but not enough, and importantly, not regularly or widely enough – again there hasn't been one in my own ward for years, although there have been issues enough. New ward councillors have not been introduced to their wards. Ward councillors have not reported regularly on activities in their wards, or (so far as I am aware) helped suburbs develop their own vision of where they might be heading, except in one ward where, thanks to the enthusiasm of one councillor, a newspaper has been developed. Elsewhere, there has been little progress.

Back in 2009, a correspondent in a local paper spelt out what happened in his part of the UK, where local authorities have a fully functioning ward system which is further backed up by locally elected Community Councils (groups of local citizens who voluntarily give their time to represent the views and concerns of their local area to the city). He pointed out that in Scotland, local authorities are legally bound to support and consult such bodies; Napier has no such ties with our local associations. He explained how this devolution of responsibility down to specific areas had already resulted in great improvements in a wide range of respects that a city-wide set of policies would have ignored.

Overall, it could reasonably be said that any moves Napier has made to recognize the better representation wards can offer have happened at a speed that would try the patience of a tortoise.

To resolve the problems and ensure that council takes the wards seriously, we should now catch up with the rest of urban New Zealand and move to a full Ward system, so that all councillors equally share the same responsibility both in their ward and 'at large'. At the same time Council should be required to make much more positive use of that system by holding regular ward meetings at least annually in each ward.

There are other important reasons why the move to a full ward system should now be made:

At the 20 March meeting, the mover of the motion that was put expressed doubt that ward councillors were up to the task of taking an overall view. One might as well ask whether 'at large' councillors are up to the task of understanding local problems. We absolutely do not want that kind of division developing within Council. If all councillors share the same responsibilities, it cannot do so.

I believe that another division that has developed is that 'at large' councillors are more likely than Ward councillors to be appointed as chairpeople of standing committees. I therefore asked Council for a breakdown of chairpeople of council standing committees since the partial ward system was introduced – how many were 'at large' and how many Ward councillors. The reply implies Council has simply kept no records. I was told this 'will require significant staff time and materials' and invited to pay up to \$760 to obtain the answer. This is information which in my opinion should be available without charge especially since it is Council that is calling for submissions. I suggest that if any Councillors doubt my opinion, they ask the same question and pay whatever fee the officers demand of them. The point, again, is that any such division is undesirable, and if all councillors share the same responsibilities, it should not happen.

At the same meeting, it was clarified that some wards are so big they need more than one ward councillor. Ahuriri, my own ward, includes all Bayview, Westshore, Ahuriri and the whole of the Hill, which may well have deterred the one councillor from holding any meetings. Doubling the ward councillor numbers is a good and desirable move.

Perhaps the one practical proposal for improvement to the present situation made at the meeting came from Cr Jeffery, who said there was no reason 'at large' councillors should not be allocated to wards. I'm not unsympathetic to the idea – I floated it myself as a mayoral candidate fifteen years ago - but the lack of subsequent progress has shown it has no support. We need the ward element to be a concrete part of every councillor's role.

Other questions put to Council staff revealed the lack of genuine support for the Ward councillors' role at Council level. It emerged that there are no records of any meetings held before September 2016. There are also no job descriptions of any kind for councillors; perhaps that was to be expected of 'at large' councillors continuing in a former role, but the decade since the new system was introduced indicates remarkable lack of urgency with the wards.

Other information needed for this submission was also declined on the grounds that it would 'require significant staff time and materials' unless I wished to pay up to another \$760. I cannot think of anything less in keeping with the opening of the local governance statement where we are told that 'The purpose of Napier City Council is to enable democratic local decision-making to meet the current and future needs of Napier for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses'.

I am informed I may need to go to the Ombudsman to overturn the ruling, but in any event long arranged other commitments mean I am out of time. I advise that I may have more material to present at the hearing, and that if so I will seek an extension of time for my oral presentation.

In conclusion: I ask Council to follow the advice of its own officers as attached to the Finance Committee Agenda of 20 March 2018, that the basis of election be Ward-only based on the current Ward structure, that the total number of Elected Members be 12 and the Mayor, and that there be no community boards within the city.

2. PLAN CHANGE 11 (PC11) - PARK ISLAND RECONFIGURATION. RECOMMENDATION REPORT FROM INDEPENDENT COMMISSIONER

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	491842
<i>Reporting Officer/s & Unit:</i>	Dean Moriarity, Team Leader Policy Planning

2.1 Purpose of Report

To consider and make a decision as to whether to accept the recommendations of an Independent Commissioner appointed to hear Plan Change 11 (PC11) – Park Island Reconfiguration, to the City of Napier District Plan.

Officer's Recommendation

That Council:

- a. Adopt as decisions of Council the recommendations (and reasons stated) of the Independent Commissioner on Plan Change 11 to the City of Napier District Plan.
- b. That Council Officers be authorised to undertake any administrative work necessary and issue the decisions of Council to submitters.
- c. To adopt those parts of Plan Change 11 to the City of Napier District Plan unaffected by submissions or recommendations by the Commissioner.
- d. That Council Officers be authorised to update the City of Napier District Plan in accordance with Plan Change 11 - Park Island Reconfiguration and the adopted decisions of Council.
- e. That Council Officers be authorised to publicly notify the date on which Plan Change 11 - Park Island Reconfiguration becomes operative in accordance with the requirements of the Resource Management Act 1991, if there are no appeals once the appeal period expires

Mayor's Recommendation

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

2.2 Background Summary

An Independent Commissioner, Rob van Voorthuysen, conducted a hearing on the 29th May 2018 to hear, consider, and make recommendations to Council on submissions to PC11. The Resource Management Act precludes Council from delegating the decision making function around policy in the District Plan to another body or person and therefore the Independent Commissioner legally can only make a recommendation to Council.

The Commissioner heard from 3 submitters and 1 further submitter. The Commissioner has recommended that NCC approves and adopts PC11 as notified albeit while amending one rule (48.7(1)) as a consequential change to avoid any potential confusion over plan interpretation and administration in the future. A full copy of the Independent Commissioners recommendation report is attached below.

The Commissioner's final recommendations are presented to the Council for final consideration. The Council may accept or reject the recommendations of the Commissioner. In practice, if the Council does not accept and adopt the recommendations either in whole or in part, or if the Council wished to modify the recommendations, then the Council should arrange to rehear the matters in accordance with the principles of natural justice.

A note from Brookers annotated Resource Management Act 1991 explains the situation:

“S34.04 Natural Justice

Where a Council has delegated to a committee, community board, commissioner, or officer power to hear a matter but must itself make the decision, care needs to be taken if the Council is not minded to adopt the recommendations of the delegate which heard the application. The Council should then itself hear the application and any objections, either by viva voce rehearing or, where an adequate report of the hearing by the delegate is available, by members of the Council examining that report. It would infringe natural justice for members of a Council to participate in a decision on an application which differs from that recommended by the delegate which heard the matter unless they have themselves ‘heard’ the application and any objection. See Jeffs v NZ Dairy Board [1967] NZRL 1057 (PC).”

It is recommended that the Council adopt the Commissioners recommendations and reasons. This will then enable Officers to issue those recommendations as decisions of Council to the submitters. It is also recommended that Council adopt those parts of Plan Change 11 not affected by submissions or the recommendations of the Independent Commissioner.

2.3 Issues

The recommendation report from the Independent Commissioner addresses all relevant issues raised by the submitters. Once the zoning is in place development of the Northern Sports Hub and future residential development in Parklands will become an operational issue.

2.4 Significance and Engagement

Plan changes are processed in accordance with the requirements of the Resource Management Act and engagement (both informal and formal) with the community was undertaken as part of this statutory process.

2.5 Implications

Financial

The plan change has been processed from operational budgets.

Development of the proposed new residential area and the northern sports hub will be undertaken in accordance with budgeted work programmes planned for these developments.

Social & Policy

The District Plan will be updated in accordance with the Independent Commissioner's recommendations should Council choose to adopt the recommendations and issue them as decisions of Council.

Risk

Any submitter has the legal right to appeal a decision of Council to the Environment Court and as such this particular risk cannot be mitigated.

The main risk to Council however, is if it decides not to adopt the Commissioner's recommendations as this would require a new hearing to be undertaken.

2.6 Options

The options available to Council are as follows:

- a. Adopt the recommendations of the Independent Commissioner and issue them as decisions of Council.
- b. Not to adopt the recommendations of the Independent Commissioner and have a rehearing to reconsider the issues raised by submitters.

2.7 Development of Preferred Option

To adopt the recommendations of the Independent Commissioner and issue them as decisions of Council.

2.8 Attachments

- A Recommendation Report from Independent Commissioner [↓](#)

Recommendation Report
Plan Change 11 to the City of Napier District Plan
Park Island Reconfiguration

June 2018

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Appendix 1 Recommendations on Submissions

1 Appointment

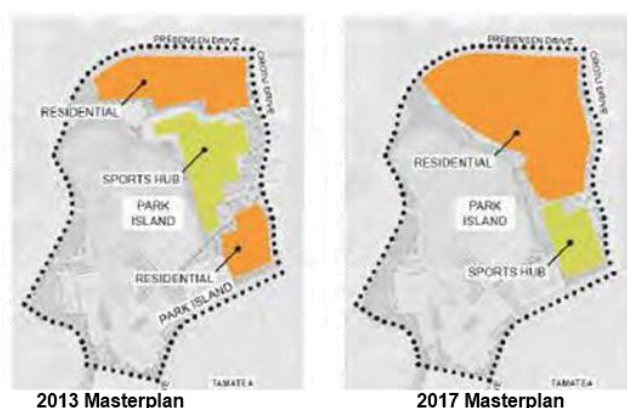
- [01] The Napier City Council (Council or NCC), acting under s34A of the Resource Management Act 1991 (RMA), appointed Robert van Voorthuysen¹ to conduct a hearing into Plan Change 11 (PC11) to the City of Napier District Plan (CNDP).

2 Description of Proposal

- [02] PC11 was well described in a number of reports prepared by the Council or its consultants.² I recommend that readers of this Recommendation Report refer to those documents for a full description of the proposal. By way of overview, the Council's Summary and Explanation Report³ states the purpose of PC11 as follows:

The purpose of Plan Change 11 is to give effect to the recently adopted May 2017 Park Island Master Plan, which seeks to reconfigure the size and location of the Northern Sports Hub alongside Orotu Drive. The redesign of the Northern Sports Hub requires a reconfiguration of Residential and Sports Park zonings in the vicinity of Park Island. Plan Change 11 is proposing to rezone the Residential Zone on the southeastern boundary of Park Island to Sports Park Zone, and to rezone much of the current Sports Park Zone in the northeast of Park Island to Main Residential Zone. The rezoning proposals affect planning maps G4, G5, H4 and H5.

- [03] A number of minor consequential changes to the CNDP are also proposed, as also set out in the Summary and Explanation Report.⁴ The high-level outcome intended to be achieved by PC11 can most easily be understood by referring to the diagrams below:



- [04] A more detailed diagrammatic illustration of the 2013 and 2017 sports hub configurations is included in the Summary and Explanation Report.⁵

¹ Commissioner van Voorthuysen is an experienced independent commissioner, having sat on over 260 hearings throughout New Zealand since 1998. He has qualifications in natural resources engineering and public policy and was a full member of the New Zealand Planning Institute (NZPI) from 1998 to 2016.

² Operative City of Napier District Plan, Plan Change 11: Park Island Reconfiguration, Summary and Explanation Report (undated); Plan Change 11 to the City of Napier District Plan, Park Island Re-configuration, Section 32 Evaluation Report, Strategy, 10 November 2017; Plan Change 11 to the City of Napier District Plan, Park Island Re-configuration, Hearing Report, Strategy, 7 May 2018.

³ Ibid, second page.

⁴ Ibid.

⁵ Ibid, sixth page.

3 Notification and Submissions

- [05] PC11 was publicly notified on 6 December 2017. Seven initial and five further submissions were received, and they were well summarised in the Section 42A Report.⁶ I adopt those summaries, but do not repeat them here for the sake of brevity. I record that I read all the submissions in full.

4 Process Issues**4.1 Pre-circulation of evidence**

- [06] The Section 42A Report was pre-circulated on Monday 5 May 2018 in conformance with a procedural and timetabling Minute that I issued.⁷ No evidence from submitters appearing at the hearing was received for pre-circulation.⁸

4.2 Petition

- [07] At the hearing, one submitter tabled a 'petition' or list of eighteen signatures that he purported to represent people in the Parklands area who supported his submission. I explained that I could not give any weight to that 'petition' as the signatories to it were not submitters on PC11.

4.3 Section 32AA RMA

- [08] In compliance with s32 and clause 5 of Schedule 1 of the RMA, the NCC prepared and publicly notified an evaluation report (the Section 32 Report).
- [09] Section 32AA of the RMA requires a further evaluation of any changes made to PC11 after the initial Section 32 evaluation report is completed. The further evaluation can be the subject of a separate report, or it can be referred to in the decision-making record. If it is referred to in the decision-making record, it should contain sufficient detail to demonstrate that a further evaluation has been duly undertaken.
- [10] If my recommendations in this report are adopted by Council, then this Recommendation Report (including its appendix) is intended to form part of the decision-making record. Therefore, in compliance with clause 10(2)(ab) of Schedule 1 of the RMA, and electing the second option in section 32AA(1)(d), I include in this report a further evaluation of the issues raised by submitters.

5 Hearing

- [11] A hearing was held in the National Aquarium boardroom on Tuesday 29 May 2018.⁹ I undertook a site visit of the Parklands area in my own time, viewing the area from public roads. I closed the Hearing on 29 May 2018, having satisfied myself that I did not require any further information from any party.
- [12] I have not attempted to summarise the statements made and evidence presented by submitters appearing at the hearing. Copies of any written material tabled are held by the Council. I took my own notes of their verbal statements and answers to my

⁶ Section 3, pages 7 to 10, including Table 1.

⁷ Napier City Council – Plan Change 11, Minute and Directions of the Commissioner, Minute 1.

⁸ HBRC tabled a letter prior to the hearing – see section 7.1 of this report. Powerco Limited also provided a letter (dated 18 May 2018) to Kathryn Hunt at the NCC advising that it supported the officer recommendations on its submission points and offering to assist NCC with upgrading its Engineering Code of Practice to cover off early contact with Powerco around the installation of gas lines with other utilities and sharing trenching where possible. That latter offer is outside the scope of PC11.

⁹ Submitters appearing were Ron Carswell, Parklands Neighbourhood Support Group (Ken McKee), Nigel MacNeil and June Graham.

questions. I record that I have had regard to all the matters raised by submitters, both in their original and further submissions and in the evidence provided to me at the hearing.

6 Higher Order Statutory Instruments

- [13] Under s75(3) of the RMA PC11 must give effect to any national policy statement, any New Zealand coastal policy statement,¹⁰ and any regional policy statement. Under s74(1)(f) of the RMA PC11 must be prepared in accordance with any regulations (meaning national environmental standards).
- [14] The National Policy Statement on Urban Development Capacity 2016 (NPSUDC) is relevant.¹¹ The reporting officer advised¹² that Napier is a 'medium-growth urban area' and so while all objectives of the NPSUDC are relevant, only Policies PA1 – PA4, PB1 – PB7, PC1 – PC4 and PD1 – PD 2 are applicable. I note that the relevant NPSUDC provisions are, in general, about ensuring that urban environments enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing; that there are sufficient opportunities for the development of housing and business land to meet demand; and that land use, development, development infrastructure and other infrastructure are integrated with each other.
- [15] The reporting officer noted that the Heretaunga Plains Urban Development Strategy (HPUDS) largely gives effect to the NPSUDC and he helpfully explained in some detail why that is so. The officer concluded that PC11 gives effect to the NPSUDC because PC11 will continue to provide capacity for residential development (Policy PA1); infrastructure is available to service the affected area (Policy PA2); providing for additional residential yield is consistent with Policy PA3; and PC11 is consistent with Policies PD1 and PD2 because it is also consistent with HPUDS.
- [16] I received no evidence to the contrary and, having also considered the relevant provisions of the NPSUDC myself, I am satisfied that the intent and content of PC11 (as summarised in paragraph [02] above) appropriately gives effect to the relevant provisions of the NPSUDC.
- [17] The Hawke's Bay Regional Policy Statement (RPS) is relevant. The Section 32 Report comprehensively addressed the provisions of Chapter 3.1B of the RPS that deals with 'Managing the Built Environment'.¹³ It concluded that:¹⁴

"... although the proposal will involve an increase in potential yield, there are benefits in terms of the efficient use of infrastructure and maintenance of supply in that the minor increase will result in a more intensively developed and compact city within existing urban limits. Indeed, the expanded area:

- Has already been identified as a suitable greenfield growth area in HPUDS and the RPS;
- Can be serviced by existing and already planned infrastructure,
- Is located in close proximity to established social infrastructure including schools, commercial services, sport and recreation facilities and public open space,

¹⁰ The NZCPS is not relevant because the area affected by PC11 is not contained within the wider coastal environment of the Regional Coastal Environment Plan (the RCEP applies over what is defined in that Plan as the entire 'coastal environment').

¹¹ I do not consider the NPS Freshwater Management to be relevant, despite the stormwater issues raised by HBRC. Those matters are being dealt with under a separate consent renewal process (see also Appendix 1 to this report).

¹² Letter from Strategy (Can Drury) to the commissioner, dated 24 May 2018 and responding to three questions posed by the commissioner prior to the hearing.

¹³ Section 32 Report, section 5.5, pages 33 to 45.

¹⁴ Ibid, page 45

- Has good access to main arterials and areas of employment,
 - Will continue a proven pattern of active and continuous development.
- Overall, it is considered that the proposed reconfiguration gives effect to the RPS.”

- [18] I agree with the conclusions reached in the Section 32 Report.
- [19] A submission on PC11 was lodged by the Hawke's Bay Regional Council (HBRC). That submission sought no specific relief,¹⁵ but suggested that a fuller assessment of policies in the RPS was warranted. In response the Section 42A author undertook a thorough assessment of a number of provisions in the RPS.¹⁶ The author concluded that overall, the proposed reconfiguration occasioned by PC11 gave effect to the RPS. I agree with his assessment but note that HBRC held some residual concerns which I discuss in section 7.2 of this Recommendation Report.
- [20] I have had regard to the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in relation to potentially contaminated land. That NES was discussed in the Section 32 Report¹⁷ which in turn relied on two Detailed Site Investigations (DSI) prepared by EAM Environmental Consultants.¹⁸ The initial DSI assessed the 38.6ha of land now proposed for residential land use. It concluded contaminants within the shallow soils were identified at levels well below NES guideline values for a residential¹⁹ land use scenario; no contaminant source was identified and therefore risk to human health was low; adverse effects on human health as a result of residential development were considered highly unlikely; and the site was compliant with the NES. The second DSI addressed the land to be used for a sports park. It concluded that site sampling results recorded arsenic and lead results well below the NES soil contaminant standards for a land use scenario of Recreation and Rural Residential²⁰ and the site was compliant with the NES.
- [21] I received no qualified evidence to the contrary and so I am satisfied that the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 have been complied with and there are no soil contamination issues that would indicate PC 11 should not to be adopted.
- [22] No other national policy statements or national environmental standards that are relevant to the proposal were brought to my attention and I am not aware of any.

¹⁵ The specification of specific relief is required by RMA Schedule 1, subclause 6(3) and Form 5 prescribed in the Resource Management (Forms Fees and Procedure) Regulations 2003).

¹⁶ Chapter 3.2 – The Sustainable Management of Coastal Resources; Chapter 3.5 – Effects of Conflicting Land Use Activities; Chapter 3.9 – Groundwater [sic] Quality; Chapter 3.10 – Surface Water Resources; Chapter 3.12 – Natural Hazards; and Chapter 3.13 – Maintenance and Enhancement of Physical Infrastructure.

¹⁷ Section 32 Report, Section 5.3.5, pages 29 and 30.

¹⁸ Detailed Site Assessment With National Environmental Standard For Assessing And Managing Contaminants In Soil To Protect Human Health, Residential Expansion Park Island, Napier, Hawke's Bay, Project No. EAM-Rep-02, Prepared For Napier City Council, Prepared By Jason Strong, September 2017; Detailed Site Assessment With National Environmental Standard For Assessing And Managing Contaminants In Soil To Protect Human Health, 250 Westminster Avenue (Parklands), Napier, Project No. EAM-Rep-01, Prepared For Napier City Council, Prepared By Jason Strong, December 2017.

¹⁹ 10% produce level, meaning people are assumed to consume 10% of their produce from vegetables grown on site.

²⁰ 25% produce.

7 Assessment

- [23] The reporting officer assessed the seven submissions on a submission by submission basis as opposed to an issue basis.²¹ Having assessed the matters raised in the submissions he recommended no changes to the provisions of PC11 as notified.²² Having read the submissions and having heard the evidence presented at the hearing I have reached the same conclusion. Appendix 1 to this report sets out the various submission points and whether I recommend their acceptance or rejection, together with brief reasons. However, I record that I also adopt the section 42A author's reasons as set out in his assessment of the submissions referred to above.
- [24] However, for completeness and for the benefit of submitters, I discuss several matters raised by submitters in the sections that follow, together with a consequential matter raised by the reporting officer.²³

7.1 Alternatives

- [25] Some submitters²⁴ suggested that there might be preferable alternative locations for a sports hub away from residential areas. I note that it is not my role to consider 'alternative locations'. Rather, it is my role to consider the potential effects of PC11 and determine, in light of the matters raised in submissions and the evidence presented, whether there are aspects of PC11 that should be amended to better achieve the purpose of the RMA, or to achieve the objectives of the CNDP in a more appropriate manner. That is what I have done.

7.2 Hawke's Bay RPS

- [26] The tabled 'evidence'²⁵ of HBRC stated

On page 21 of the s42 report reference is made to 'Chapter 3.9 Groundwater Quality', however Chapter 3.9 of the RPS is Groundwater Quantity (Groundwater Quality is Chapter 3.8). Clearly this is an error in the s42 report, however as a consequence there still remains no evidence to demonstrate how the conclusions were arrived upon in respect of Chapter 3.9 of the RPS for Groundwater Quantity.

- [27] In response the reporting officer examined the provisions of Chapter 3.9 of the RPS (Objectives 23 and 24²⁶ and associated policies) and advised that PC11 does not involve any new groundwater takes and its affected area will be serviced by existing consented municipal water takes. Consequently, PC11 was consistent with that Chapter of the RPS. I agree.

²¹ Section 42A Report, sections 4.1 to 4.6, pages 11 to 22.

²² Ibid, section 5, page 28.

²³ Email from Cam Drury to Kathryn Hunt dated Monday 28 May 2018.

²⁴ Including Ron Carswell. Mr Carswell had suggested "supporting the Hastings Sports Park would be the perfect solution" in his original submission, but at the hearing he withdrew that particular element of his submission.

²⁵ Letter from Ceri Edmonds, HBRC Senior Planner, Strategic Development Group, HBRC, addressed to Kathryn Hunt and dated 14 May 2018, third bullet point.

²⁶ Objective 23 seeks to avoid any significant adverse effects of water takes on the long-term quantity of groundwater in aquifers and on surface water resources. Objective 24 seeks to avoid or remedy any significant adverse effects of water takes on the operation of existing lawful efficient groundwater takes.

7.3 Lighting

- [28] Some submitters²⁷ were concerned about the potential for light spill from the reconfigured sports hub. I understand that no expert advice was sought by the submitters on lighting matters.
- [29] The Council commissioned an expert evaluation of the off-site lighting effects likely to arise from the additional illuminated Park Island sports fields from Xyst Limited.²⁸ In my view that evaluation was very thorough. It concluded that, based on some design assumptions and subject to some limitations²⁹ stated in the evaluation report, the light spill onto any adjoining residential window from the proposed sports hub lighting would not exceed 10 lux, horizontal and vertical at any time. The consequence of that was CNDP Rule 48.14(a) Light Spill could be complied with if the lighting was constructed in accordance with the proposed lighting design described in the 2017 Master Plan.³⁰
- [30] On the evidence before me, I am satisfied the potential adverse effects of the proposed sports hub lighting are not of a magnitude that would warrant any amendments to PC11 as notified.

7.4 Vehicle Access

- [31] Some submitters sought that vehicle access to the proposed northern sports hub be provided from Clyde Jeffery Drive, and that there be no access from Orotu Drive. The submitters did not provide any expert evidence in support of their requests.
- [32] At the hearing submitters³¹ elaborated on their concerns, stressing the existing traffic and parking congestion on Westminster Avenue and Clyde Jeffery Drive during sporting events. I asked Mr McKee if his proposal (using Clyde Jeffery Drive) would increase the existing congestion on that road. He did not think it would because in his view visitors to the sports hub would utilise Prebensen Drive to access Clyde Jeffery Drive. He provided no evidence in support of that assertion and I note that it would involve greater travel distances (compared to PC11's proposed use of Orotu Drive) for visitors to the proposed northern sports hub travelling from central Napier.
- [33] As noted in the S42A Report,³² the option of providing vehicle access to the northern sports hub from Clyde Jeffery Drive was considered by the NCC Transportation Team. It was concluded that in terms of safety and the level of service that could be achieved, utilising Clyde Jeffery Drive would have the adverse effect of making the recreational areas more vehicle dominated which would in turn introduce additional conflicts between vehicles and people. Clyde Jeffery Drive and on road car parking in the vicinity was already at full capacity during large sports events (as was graphically demonstrated by pictures provided by the submitters).

²⁷ Including Ron Carswell. Mr Carswell called one witness, Alan Petersen, in support of his submission. Mr Petersen advised, in response to my query, that he was giving lay evidence as a private individual and he had no relevant qualifications. I note Mr Petersen tabled written material addressing his wider concerns with activities of the NCC, but he did not address the matters contained in Mr Carswell's submission, other than the issue of 'alternatives'.

²⁸ The evaluation report was authored by Paul Wilson, Senior Consultant, Xyst Limited (ArPro, CIPP, TechIES)

²⁹ Including that the evaluation was based on a supplied CAD drawing, the calculations were subject to normal variations (plus or minus 10%), a lumen depreciation figure of 1.0 was used, and the design was based on specified luminaries.

³⁰ The 2017 Masterplan anticipates the lighting of 23 individual playing fields. Hockey, football and rugby fields are to be illuminated to AS 2560 Sports Lighting (various codes). FIFA "Guide to the Artificial Lighting for Football Pitches" has also been considered with respect to pole placement. (Xyst Limited Report, paragraph 3.1, page 3).

³¹ Including Ron Carswell (representing himself) and Ken McKee representing the Parklands Neighbourhood Support Group 14A. Mr McKee is a former hydro-power engineer. At the hearing, he advised that he had not sought any advice from independent traffic experts, but he had consulted with NCC staff on traffic matters.

³² Page 12.

Utilising Clyde Jeffery Drive for access would also save very little in terms of distance travelled.

- [34] On the basis of the qualified evidence before me, I am not persuaded that accessing the proposed northern sports hub from Clyde Jeffery Drive is a reasonably practicable or effective option and I find that accepting the submitters' requests would not give better effect to the relevant objectives of the CNDP.³³

7.5 Emergency Access

- [35] Some submitters³⁴ sought that emergency access to the proposed northern sports hub be by way of an existing bridge off Westminster Avenue. The submitters did not provide any expert evidence in support of their request.

- [36] At the hearing Mr McKee suggested that a 'crash barrier' "*similar to what was used at airports*" could be used on the the existing Westminster Avenue bridge to prevent unauthorised access. In answer to my query, he explained that would be a flimsy barrier that, for example, an ambulance fitted with 'bull bars' would crash through in the event of emergency access being required. No evidence was presented from emergency service providers to support such an approach and I am far from convinced that it would be a reasonably practicable or effective option.

- [37] As with the vehicle access issue, the S42A Report³⁵ advised that the option of providing emergency access across the existing bridge in Westminster Avenue was considered by the NCC Transportation Team. It was concluded that providing formal emergency access from Westminster Avenue would require a new bridge as the existing one lane bridge was not suitable for use by emergency vehicles. It would require additional maintenance to ensure the access was available at all times and the accessway might need to be gated to prevent misuse by others. Use of the proposed more resilient access off Orotu Drive was preferred as it minimised travel time for vehicles attending to an emergency call out.

- [38] On the basis of the evidence before me, I find that the submitters' proposal is not a reasonably practical option.

7.6 Car Parking

- [39] Some submitters³⁶ sought that adequate parking be provided within the proposed northern sports hubs, or in one case that an additional 100 carparks be provided therein.³⁷ The submitters did not provide any expert evidence in support of their requests.

- [40] As with the previous transport issues, the S42A Report³⁸ advised that car parking concerns had been considered by the NCC Transportation Team. A total of 196 car parks are proposed for the northern sports hub. That was considered to be more than adequate for the proposed layout and calculated parking space demand.

³³ Including Objective 61.3 which is "To maintain a safe and efficient transport network that meets the needs of the community and the future growth of Napier without creating significant adverse effect."

³⁴ Including the Parklands Neighbourhood Support Group 14A.

³⁵ Page 12.

³⁶ Including the Parklands Neighbourhood Support Group 14A and Nigel MacNeill.

³⁷ Nigel MacNeill.

³⁸ Page 12.

- [41] It was acknowledged that there would most probably be an overspill of up to 100 vehicles parking on Orotu Drive at peak times of sporting activity and those parked vehicles could extend up to 600m along the road. That was not considered to raise safety or capacity issues given the existing geometry of Orotu Drive which has adequate kerbside parking space and central median islands. The frequency of the 'peak times' was likely to be only once or twice a week, including weekends, and was expected to be outside the usual peak commuter and school times prevailing on the Parklands urban road network.
- [42] It was also noted that the additional 527 carparks proposed for the whole of Park Island would more evenly distribute car parking to match demand, reducing parking pressure at those peak times.
- [43] Regarding one submitter's request for a further 100 constructed car parks within the northern sports hub, the NCC Transportation Team noted that would require additional sealed surfacing to be constructed and maintained, but the resultant car parks would receive minimal use. Conversely, the existing roadside parking available along Orotu Drive was currently under utilised and was considered to be preferable to creating 100 under-utilised car parks within the sports hub.
- [44] Given the concerns of submitters,³⁹ I asked the NCC staff about restricting parking to the western (sports hub) side of Orotu Drive and was advised NCC had the capacity to do that should nuisance issues arise, such as parked vehicles blocking residents' driveways.
- [45] On the basis of the qualified evidence before me, I find that no amendments are required to the car parking aspects of PC11 as it gives effect to the relevant objectives of the CNDP.⁴⁰ In that regard I also find that the car parking proposed within the northern sports hubs is adequate.

7.7 Consequential amendment

- [46] The s42A author has recommended a consequential amendment to Rule 48.7 to resolve a potential conflict between Rule 48.7(1) and the changes to Rule 48.2(1)(e) arising from PC11.
- [47] In brief, Rule 48.2(1)(e) as amended by PC11 would provide for buildings identified in the Park Island Master Plan area to be permitted activities, subject to conditions relating to bulk and location. If Rule 48.7(1) is not amended, then those buildings could arguably be classified as discretionary activities. Similarly, commercial activities described in Rule 48.2(1)(e) as amended by PC11 might also be captured by Rule 48.7(1).
- [48] To avoid that occurring, I recommend that, pursuant to Clause 10(2)(b)(i) of Schedule 1 to the RMA,⁴¹ Rule 48.7 is amended as follows:

³⁹ Including Nigel MacNeill.

⁴⁰ Including Objective 61.3.

⁴¹ The submission of Parklands Neighbourhood Support Group 1A raised the issue of sports buildings, albeit in relation to their distance from Orotu Drive.

48.7 Discretionary Activities

1. The following land uses are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the assessment criteria in Chapter 49. The Council's discretion is unrestricted.
 - a) Commercial activities, other than commercial activities referred to in Rule 48.2(1)(e).
 - b) Licensed premises.
 - c) The construction or erection of any new building, other than new buildings referred to in Rule 48.2(1)(e).
 - d) Relocation of a building from another site.
 - e) Any land use not specifically provided for elsewhere in this Chapter as a prohibited activity, a permitted activity, a controlled activity, or a restricted discretionary activity.

8 Part 2 Assessment

- [49] Following the *King Salmon* decision, I have not separately referred to Part 2 matters as the objectives and policies of the CNDP appropriately address those matters in a comprehensive, clear, *vires* and complete manner in my view.

9 Determination

- [50] I have considered and deliberated on PC11; the submissions lodged on it; and the reports, evidence and submissions made and given prior to, and at the hearing. I have sought to comply with all applicable provisions of the RMA. The relevant matters I have considered and my reasons for them are summarised in the main body of this Recommendation Report and in Appendix 1.
- [51] I recommend to the Napier City Council that:
- a) it approves and adopts Plan Change 11 to the City of Napier District Plan as notified without amendment; and
 - b) it amends Rule 48.7(1) as a necessary consequence arising from the approval and adoption of PC11.



Rob van Voorthuysen
Dated: 5 June 2018

Appendix 1 Recommendations on Submissions

In addition to the 7 primary submissions raising the points listed in this Appendix, the Napier City Council received five further submissions in support of, or opposition to, a primary submission. To the extent that the points raised by further submissions are not identified directly in this Appendix, I recommend that they are accepted or rejected according to my recommendations for accepting or rejecting the corresponding primary submission points.

Submitter	Decision Sought	Recommendation	Reason
Ron Carswell	Reject PC11 and consider other options.	Reject	The reconfiguration of Residential and Sports Park zonings near Park Island occasioned by PC11 is an appropriate option for giving effect to the objectives of the CNDP. In terms of Mr Carswell's concerns about noise, see (4) below in response to the submissions of the Parklands Neighbourhood Support Group 1A. In terms of lighting, see section 7.3 of the Recommendation Report. In terms of vehicle access and traffic, see sections 7.4 and 7.6 of the Recommendation Report.
Parklands Neighbourhood Support Group 1A	Amend PC11 to: 1) Provide vehicle access to the proposed northern sports hub from Clyde Jeffery Drive (with no access from Orotu Drive). 2) Emergency access to the proposed northern sports hub to be from the existing bridge in Westminster Avenue. 3) Adequate parking be provided within the sports hubs. 4) Sports buildings should be located as far as practicable from Orotu Drive.	1) Reject 2) Reject 3) Accept 4) Accept	1) See section 7.4 of the Recommendation Report. 2) See section 7.5 of the Recommendation Report. 3) See section 7.6 of the Recommendation Report. 4) There will be a 36m minimum set back from the western side of Orotu Drive, increasing to 61m from dwellings on the eastern side of Orotu Drive due to the width of the road reserve. Additionally: <ul style="list-style-type: none"> the noise limits specified in CNPD Chapter 48 (permitted activity condition 48.13) apply to all Sports Park Zones, many of which (like the Sports Park Zone subject to PC11) adjoin residential zones with no known issues arising; and Council's landscape expert concludes that the effects of the anticipated development will be no more than minor and not inappropriate for the setting.

Submitter	Decision Sought	Recommendation	Reason
Nigel MacNeil	<ol style="list-style-type: none"> 1) Requests an additional 100 carparks on the sports hub, or 2) An alternative vehicle access to the sports hub via Clyde Jeffery Drive. 	<ol style="list-style-type: none"> 1) Reject 2) Reject 	<ol style="list-style-type: none"> 1) See section 7.6 of the Recommendation Report. 2) See section 7.4 of the Recommendation Report.
Powerco	No relief sought but seeks to ensure recognition, protection and access to existing assets in the area, and that an adequate and secure supply of gas can be supplied to new development where required.	Accept	No amendments to PC11 were sought and none are required in response to the issues raised. Powerco advised, by way of a letter tabled prior to the hearing, that they supported the reporting officer's recommendations on its submission points and believe the NCC engineering code of practice covers off their issues and concerns around continued access and protection of their assets from future development.
Central Football	Supports PC11 and seeks that there be no additional traffic off Clyde Jeffery Road.	Accept	See section 7.4 of the Recommendation Report.
Hawke's Bay Regional Council.	<p>No relief sought but suggested:</p> <ol style="list-style-type: none"> 1) A fuller assessment of policies in the Regional Policy Statement was warranted as part of notification of PC11. 2) HBRC needs more details on stormwater collection, treatment and disposal to fully understand potential impacts on the quantity of stormwater runoff and water quality of receiving environments. 3) NCC should be aware that there is a natural overland flow path from the Taipo Stream over the existing Park Island Sports Park (Southern Sports Hub) generally towards the development area (the Northern Sports Hub). 4) NCC should undertake an assessment of the capability of the existing wastewater infrastructure to cope with the potential increase in the number of dwellings and share these findings with the HBRC in order to avoid any further incidents associated with discharge of contaminated stormwater due to network capacity issues. 	Accept in part	<p>No amendments to PC11 were sought by HBRC and none are required in response to the issues raised in their submission. However, for completeness I note for each issue raised:</p> <ol style="list-style-type: none"> 1) This was undertaken by the Section 42A Report author. See also section 7.2 of the Recommendation Report. 2) HBRC evidence advised HBRC 'no longer hold concerns about stormwater quantity'. 3) As for (2) above. 4) A sewer pumping main "Western Trunk" was constructed along Westminster Avenue in 2012, to replace an existing pumping main and provide for growth in the area including Parklands. Redundancy is provided in this part of the sewer network which has a duplicate gravity pipeline draining to a part of the system (Tamatea). Additional flow that may be generated from PC11 will not be of scale to increase the frequency or impact of issues associated with

Submitter	Decision Sought	Recommendation	Reason
	<p>5) Discussions should be held with the HBRC regarding the proposal to discharge secondary runoff from the development area to the Ahuriri Estuary via the Purimu pump station through the existing consent for discharge. The intention is to reduce potential contaminants entering the Ahuriri Estuary by way of stormwater design and treatment through low impact designs.</p> <p>6) That due to potential liquefaction risk a geotechnical engineer provide input into the design of all buildings, including a site-specific assessment of subsurface ground conditions.</p> <p>7) That due to potential Tsunami inundation risk consideration be given to restricting the location of critical facilities within the development area and design, enhancement and protection of evacuation routes be considered when developing new infrastructure.</p>		<p>stormwater inflow and groundwater infiltration.</p> <p>5) The existing consent referred to is CD990516Wa, held jointly by NCC and HBRC. An application to replace this consent has been recently lodged with HBRC and is in process (at the time of writing). I understand that has and will continue to involve discussions between the councils.</p> <p>6) Specific regard to ground improvement works and foundation design of future buildings will be applied at the subdivision stage and the imposition of Consent Notices, which in this case (given the area's liquefaction category of 'High') will require specific design by a geotechnical engineer.</p> <p>7) The proposed re-configuration of Residential and Sports Park zonings in the vicinity of Park Island occasioned by PC11 does not change the tsunami risk.</p>
Launch Active Early Learning	Supports PC11 but believes provision should be made for an 'early childhood education centre' to be included in Parklands Estate.	Accept in part	Day care centres are provided for as a Permitted Activity under Rule 5.6 of the Main Residential Zone. That will not change with the proposed re-configuration of the Residential and Sports Park zonings occasioned by PC11, so it is not necessary to introduce any new provisions in the CNDP for Parklands Estate.

3. HAWKES BAY MUSEUM TRUST BOARD APPOINTMENT

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	511032
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

3.1 Purpose of Report

The purpose of the report is to confirm the appointment of the Napier City Council member of the Hawkes Bay Museum Trust Board

Officer's Recommendation

That Council:

- a. Resolve to reappointment Deputy Mayor Councillor Faye White as the Napier City Council appointed member of the Hawkes Bay Museum Trust

Mayor's Recommendation

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

3.2 Background Summary

The purpose of the Hawkes Bay Museum Trust is to hold and protect the museum collection for the people of Hawke's Bay.

The Trust Board is composed of five members who are appointed as follows:

- a) One appointment by the Napier City Council
- b) One appointment by the Hastings District Council
- c) One appointment by the Hawke's Bay Museums Foundation Charitable Trust
- d) One by Ngati Kahungunu Iwi (Incorporated)
- e) The Chairperson who shall be jointly appointed by the Napier City Council and the Hastings District Council

The Hawkes Bay Museum Trust (1989), under its Constitution and Rules (updated September 2017), section 6.4 require Members to be appointed for a specified period not exceeding three years.

Section 7.1 requires a member from time to time be re-appointed, or may at a time resign office by notice in writing addressed to the Trust

Deputy Mayor Faye White was appointed to the Trust in 2015.

Trust Board members are being recommended for a further term appointment of three years. The recommendation will provide for ongoing conversations around the future storage needs and requirements of the Collection.

3.3 Issues

n/a

3.4 Significance and Engagement

n/a

3.5 Implications

Financial

n/a

Social & Policy

n/a

Risk

n/a

3.6 Options

The options available to Council are as follows:

- a. To appoint Deputy Mayor Faye White as a member of the Hawkes Bay Museum Trust
- b. To provide an alternative member as the member of the Hawkes Bay Museum Trust

3.7 Development of Preferred Option

To reappoint Deputy Mayor Faye White as a member of the Hawkes Bay Museum Trust

3.8 Attachments

Nil

4. CCO - HB MUSEUMS TRUST SOI 2018-2020

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	478275
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

4.1 Purpose of Report

To receive the final Statement of Intent 2018 – 2020 for the Hawke's Bay Museums Trust to Council required for reporting requirements for Council-Controlled Organisations.

Officer's Recommendation

That Council:

Receive the final Hawke's Bay Museums Trust Statement of Intent 2018 –2020.

Mayor's Recommendation

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

4.2 Implications

Financial

None

Social & Policy

None

Risk

None

4.3 Attachments

A HBMT Statement of Intent 2018-20 [↓](#)



Hawke's Bay Museums Trust ***Ruawharo Ta-u-rangi***

STATEMENT OF INTENT 2018 – 2020

The Hawke's Bay Museums Trust is a Council Controlled Organisation as three of the five members of the Board are Council nominees.

As a Council Controlled Organisation the Trust acknowledges the 2012 amendment of the Local Government Act 2002.

The Objectives of the Trust are:

- To hold and protect the collection for the people of Hawke's Bay
- To encourage the development of quality cultural facilities capable of accessing or drawing upon the collection within Hawke's Bay
- To advance and promote cultural heritage and the arts through the use of the collection
- To oversee collection management through the development of collection policy, conservation and risk management strategies via a contract for services with the Napier City Council
- To oversee collection development through the regulation of the acquisition and disposal of collection items
- To manage the bequests vested in the Trust in a way in which best industry practices benefit the collection.

Governance of the Trust is:

The Board is constituted to have five members appointed as follows:

- One appointed by the Napier City Council
- One appointed by the Hastings District Council
- One appointed by the Hawke's Bay Museums Foundation Charitable Trust
- One by Ngati Kahungunu Iwi (Incorporated)
- One Chairperson who is jointly appointed by the Napier City Council and the Hastings District Council.

The Trust Board will govern on a high level strategic direction basis. It will ensure regional balance and Iwi representation. It will undertake a management agreement with Napier City Council for the care and management of the regional collection.

The strategic intentions of the Trust for 2018-2020 are:

The Trust will:

- work closely with the Napier City Council and the Hastings District Council and other local authorities in the Hawke's Bay region to promote public appreciation of the collection
- consult regularly with the Director of MTG to advance the standing of the MTG in the community and further afield
- review annually the performance of the Napier City Council in the execution of its contract for care and management of the collection.
- ensure that the Trust's investment policy is managed in a manner that satisfies the guiding principles set by Hastings District Council and Napier City Council for their own investment policies
- work closely with Napier City Council and Hastings District Council and Hawke's Bay Regional Council to determine a solution to develop long-term storage for the collection.

The Nature and Scope of Activities to be undertaken by Napier City Council are outlined below. These activities will be achieved in accordance with agreed best industry practice and consistent with HBMT policies and procedures.

1) Protection

- Storage including pest control, storage media, shelving and air quality
 - Pest control
 - Storage media
 - Shelving
 - Air quality
- Security including alarm and access systems and monitoring, and insurance
 - Alarm systems (burglary, fire)
 - Alarm monitoring
 - Access systems
 - Insurance (loan items, owed items)
- Records Management including Vernon database and other records
 - Vernon database
 - Other records

2) Quality including conservation, accessioning and de-accessioning.

- Conservation - appropriate conservation to accepted best industry practice and consistent with HBMT collection policies.
- Accessioning - appropriate accessioning to accepted best industry practice consistent with HBMT collection policies.
- De-accessioning - appropriate de-accessioning to accepted best industry practice consistent with HBMT collection policies.

3) Access including exhibitions, research and archives.

- Exhibitions - Collection available to Hastings City Art Gallery and MTG Hawke's Bay and other institutions as appropriate within accepted best industry practice.
- Research - Collection made available through MTG Hawke's Bay as appropriate within accepted best industry practice.
- Archives - Archives made available through MTG Hawke's Bay as appropriate within accepted best industry practice.

4) Development including fundraising, reserves management and relationship development.

- Fundraising - To work with the MTG Hawke's Bay Foundation to provide funding.
- Reserves - To appropriately manage accession reserves.
- Relationships - To appropriately manage relationships to allow the collection to develop appropriately.
 - Funding Councils
 - Te Rōpū Kaiawhina Taonga
 - MTG Friends

Accounting Policies adopted by the Hawke's Bay Museums Trust will be:

Reporting entity

The Hawke's Bay Museums Trust is registered under the Charitable Trusts Act 1957 and is registered as a charitable entity under the Charities Act 2005.

Statutory base

The financial statements will be prepared in accordance with Section 15 of the Public Audit Act 2001.

General accounting policies

The general accounting policies recognised as appropriate for the measurement and reporting of results, and

financial position, under the historical cost method as modified by any revaluation of any assets will be followed in the preparation of the financial statements.

The Trust qualifies as a Not-for-Profit (NFP) public benefit entity (PBE) for financial reporting purposes and is classified as a Tier 3 PBE reporting entity. It is therefore eligible to elect to report in accordance with PBE Simple Format Reporting - Accrual (Not-for-Profit) (PBE SFR-A (NFP)) on the basis that it does not have public accountability (as defined in XRB A1 (FP Entities + PS PBEs + NFPs -FP T3 + T4 Update)) and it has total expenses less than or equal to \$2 million.

Specific accounting policies

This Statement of Intent has been prepared on the basis that the Hawke's Bay Museums Trust is a going concern.

Accounts receivable

Any accounts receivable will be stated at their estimated net realisable value.

Inventory

Any inventory will be stated at the lower of cost and net realisable value on a FIFO basis after due allowance for damaged and obsolete stock.

Investments

Investments will be stated at lower of cost or net realisable value.

Grants

Any grants received will be recognised in the Statement of Financial Performance when the requirements under the grant agreement have been met. Any grants for which the requirements under the grant agreement have not been completed will be carried as liabilities until the conditions have been fulfilled.

Artworks and Collection assets

The Board considers it is a custodian of the Collection and as the collections tend to have an indefinite life, and are generally not of a depreciable nature, depreciation will therefore not be applicable and collection assets will be carried at fair value.

An independent qualified valuer provides a three-yearly full revaluation of the collection. Carrying values will be reassessed annually in the intervening years.

Purchases of collections will be recorded at cost, and donated collection assets will be recorded without attached values at the time of acquisition. These values will be captured during annual update revision of the valuation as noted above.

Goods and Services Tax (GST)

The Statement of Financial Performance will be prepared so that components will be stated exclusive of GST. All items in the Statement of Financial Position will be stated net of GST, with the exception of receivables and payables, which will include GST invoiced.

Income tax

Hawke's Bay Museums Trust is exempt from paying income tax.

Changes in accounting policies

Any changes in accounting policies will be clearly signified and quantified.

Performance Targets

Key Result Area	Performance Indicator	Target/Reporting Method	
		2018/20 target	2018/20 actual
Protection	Full insurance cover is provided for the collection.	Yes	
	Collections are stored in an acceptable environment.	No items reported to have suffered deterioration due to environment	
Quality	Every item accessioned into the collection has undergone a detailed selection process within the framework of the Collection Strategy	Yes	
	De-accessions are managed in accordance with the Collection Strategy and reported to the Board	Yes	
Access	HBMT collections are used for academic and personal research	1,500 enquiries	
	Collections are made available to the public through quality exhibitions	Minimum of 5 collection based exhibitions	
Development	Bequest funds income is used in the manner determined by the donor.	Yes	
	Conservation funds income is used solely for collection care.	Yes	
	Joint HBMT/Te Rōpū Kaiawhina Taonga meeting held.	1 per annum	

Hawke's Bay Museums Trust Financial Targets

Financial Performance	2018/19	2019/20	2020/21
Revenue			
Council Funding (NCC & HDC)*	1,181,397	1,234,148	1,291,040
Interest Income **	19,800	19,800	19,800
Donations	7,200	7,200	7,200
Total Revenue	1,208,397	1,261,148	1,318,040
Expenses			
Management Fee	964,977	1,013,700	1,066,072
Off-Site Storage	176,000	179,520	183,469
Education Grant (HDC)	15,000	15,000	15,000
Trust Admin & Management	16,000	16,320	16,679
Audit, Insurance, Legal etc ***	9,420	9,608	9,820
Conservation	13,500	13,500	13,500
Accessions	13,500	13,500	13,500
Total Expenses	1,208,397	1,261,148	1,318,040
Surplus/(Deficit)	0	0	0

* Where appropriate, budgets have been inflation-adjusted using the BERL assumptions used by both Councils' Ten Year Plans, but the future year adjustments for 2019/20 and 2020/21 may differ from the above targets.

**Interest income is based on maintaining capital funds at present levels – early spending of these funds will accordingly reduce the interest income.

***Trust Admin for 2017/18 includes Audit \$5,200, Insurance \$2,575, Legal \$1,600 and Charities \$45.

No dividend is recommended.

No additional Council funding is requested.

Capital Expenditure

There is no planned expenditure on buildings or plant and machinery for the 2018-2020 periods. Accessions and conservation will be funded from grants, donations, de-accessions, and bequest and investment interest income.

Faraday Centre

Trustees are reviewing the future direction of the Faraday Centre. This includes potentially separating this activity from the Hawke's Bay Museums Trust when a sustainable model is identified.

Financial Reports

These will be inserted as the 2018/19 final audited accounts.

Compensation from Local Authority

The costs of maintaining the collection will be equally funded by Napier City Council and Hastings District Council. Additional funding may be sought from other sources as appropriate.

The Board estimates the commercial value of the Hawke's Bay Museums Trust collection at approximately \$39 million (including the Faraday Collection).

Reporting against intended performance

An Annual Report will be prepared which will include a comparison of performance with the relevant Statement of Intent.

5. CCO - HB AIRPORT LIMITED SOI 2018/19

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	462000
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

5.1 Purpose of Report

To receive the final Statement of Intent 2018 – 2020 for Hawke's Bay Airport Limited to Council required for reporting requirements for Council-Controlled Organisations.

Officer's Recommendation

Receive the final Hawke's Bay Airport Limited Statement of Intent 2018 –2020.

Mayor's Recommendation

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

5.2 Issues

- 1) Under **Key Objectives:**
 - 'To be an employer of choice.' Added as an Activity and Outcome – HR Strategy and supporting framework
 - 'To improve our impact on the environment.' Added as Activity and Outcome – Develop an Environmental Management Plan:
 - o Ecologically sustainable development
 - o Waste and hazardous materials management
 - o Storm water management
 - o Reduce our carbon footprint
- 2) Under **Financial Performance Targets**
 - Capital Expenditure – Financial Year 2018/19 increased by \$65k and Financial Year 2019/20 decreased by \$65k – move item 'Business Park' from Financial Year 2019/20 to Financial Year 2018/19.

5.3 Implications

Financial

None

Social & Policy

None

Risk

None

5.4 Attachments

A HB Airport Ltd - Statement of Intent 2018/19 [↓](#)

Hawke's Bay Airport Limited

Statement of Intent

For the year ended 30 June 2019 and the two following years.

Governance

Governance sits with the Board of Directors of Hawke's Bay Airport Ltd, which is responsible for the strategic and overall direction of the organisation. Directors are appointed by the company's shareholders; the Napier City Council (26%), Hastings District Council (24%) and the Crown (50%).

The Board has four Directors, two of whom are appointed by the Napier City Council and the Hastings District Council and two who are appointed by the Crown. The Board meets regularly with Management to review the company's performance and provides quarterly, half yearly and annual business performance reports to shareholders.

Nature and Scope of Activities

Vision

New Zealand's leading regional airport where people and commerce thrive.

Mission

To enable air transport services in and out of Hawke's Bay now and in the future.

Values

- We are customer focused
- We are commercially driven
- We are committed to safety
- We plan for the future
- We act as a socially and environmentally responsible corporate citizen.
- We care about our people

Strategy

Hawke's Bay Airport will work towards achieving its Vision by pursuing the following Six Strategic Imperatives:

1. Optimise shareholder value and returns
2. Diversify the HBAL revenue base
3. Champion a positive customer experience inside and outside the terminal
4. Continually improve the management of all business risks
5. To be an employer of choice focused on the development of our people
6. To improve our impact on the environment

1. Key Objectives: Business Plan FY 2018/19

Strategic Imperative	Activity and Outcome	Target Date
Optimise shareholder value and returns	Achieve Financial and Operational Targets as per SOI	30/06/2019
	New Landing Charge Agreements in place by 30 June 2018 to take effect 1/7/18	01/07/2018
Diversify the HBAL revenue base	Business Park rezone	30/06/2019
	Increased share of revenue of non-regulated commercial activities	30/06/2019
Champion a positive customer experience inside and outside the terminal	Ensure appropriate infrastructure with investment in:	
	<i>Terminal Redevelopment</i>	
	- Complete Stage 1 (Northern extension)	30/11/2018
	- Commence Stage 2-3 (refurb of existing building including baggage handling system and upgraded CCTV/security contracts)	31/10/2018
	<i>New Entranceway Project</i>	
	- Practical completion of intersection upgrade to improve safety and access to the Airport from the HB Expressway/SH2	31/08/2018
	<i>Apron Extension</i>	
	- Complete design of Apron extension to guarantee level of service to airline operators and enable future airside business development	31/12/2018
Continually improve the management of all key business risks	Conduct Annual Customer Survey	01/08/18
	Apron and Users Meetings	Monthly
	Meetings with key customers and stakeholders that build trust and enable continuous improvement	Ongoing
	SMS Implementation plan and gap analysis complete	30/07/2018
	Successful implementation and adoption of SMS	30/11/2019
To be an employer of choice focused on the development of our people	Independent board evaluation	30/03/2019
	Quarterly internal QA audits	<10 days of QTR end June/ Dec
	Twice yearly key risk review	
	Establish and consolidate new team with new CEO	
To improve our impact on the environment	Good working relationships established across Management team and with Board	Ongoing
	HR strategy and supporting framework	
To improve our impact on the environment	Develop an Environmental Management Plan:	31/3/2019
	- Ecologically sustainable development	
	- Waste and hazardous materials management	
	- Storm water management	
	- Reduce our carbon footprint	

2. Financial Performance Targets

	FY2018/19	FY2019/20	FY2020/21
Passenger Numbers	705,598	726,766	748,569
FINANCIAL PERFORMANCE (\$)			
Airport Revenue (note 1)	3,473,520	3,577,524	3,684,503
Landside Revenue (note 2)	2,831,921	2,958,878	3,137,314
Business Park Revenue	328,181	328,873	338,037
Group Revenue	6,633,623	6,865,275	7,159,855
Operating Expenses	3,238,013	3,343,311	3,460,160
EBITDA	3,395,609	3,521,964	3,699,694
Depreciation & Amortisation	1,260,656	1,559,975	1,651,079
EBIT	2,134,954	1,961,988	2,048,615
Interest Income	0	0	0
Interest Paid (interest charged to P&L)	297,697	635,103	720,012
Profit before Tax	1,837,257	1,326,885	1,328,603
Tax	514,330	371,558	372,073
Profit after Tax	1,322,926	955,327	956,530
FINANCIAL POSITION (\$)			
Net Debt	10,636,000	14,698,000	14,033,000
Total Assets (note 3)	48,608,000	52,819,000	52,460,000
Shareholders Funds (note 4)	31,144,000	31,570,000	32,145,000
CASHFLOW SUMMARY (\$)			
Operating Cashflow	2,831,000	2,246,000	2,312,000
Capital Expenditure	11,105,000	5,779,000	1,264,000
Dividend	529,000	382,000	383,000
FINANCIAL METRICS			
Return on Equity	4.3%	3.1%	3.0%
Net Gearing Ratio	22.2%	29.1%	27.6
Shareholders Funds/Total Assets	64%	60%	61%

Note 1: Airside Revenue includes aircraft landing and parking charges

Note 2: Landside Revenue includes car parking, rents, concessions, advertising and other income

Note 3: Total Assets is the total of all current and non-current assets

Note 4: Shareholders Funds is the total of share capital and retained earnings

3. Capital Expenditure

HBAL continues to invest in its infrastructure in line with passenger growth, Civil Aviation security requirements and identified opportunities to grow its non-aeronautical revenue base such as its Business Park. Budgeted capital expenditure is summarised in the table below. From time to time, HBAL may consider additional capital expenditure programmes if supported by a robust business case and the provision of debt funding.

	FY2018/19	FY2019/20	FY2020/21
	\$	\$	\$
Terminal	9,355,000	4,900,000	-
Roading Development	1,350,000	-	-
Car Parking	130,000	-	-
Business Park	65,000	-	-
Airfield Infrastructure	143,000	22,000	422,000
Buildings	32,000	12,000	22,000
Security Fencing	-	800,000	805,000
Land Development	-	-	-
Office Equipment	5,000	35,000	5,000
Plant and Equipment	22,000	10,000	10,000
Vehicles	3,000	-	-
	11,105,000	5,779,000	1,264,000

4. Accounting Policies

The accounting policies adopted by HBAL are consistent with New Zealand's International Financial Reporting Standards and generally accepted New Zealand accounting practices. The policies are included within HBAL's Annual Report that is available on the Company's website; www.hawkesbay-airport.co.nz/about/company/annual-report

5. Distributions

Despite the scale of development and associated demands on capital for the period covered by this statement it is anticipated that dividends averaging 40% of Net Profit After Tax will continue to be paid to shareholders.

6. Information to be provided to Shareholders

Shareholders will receive:

- An annual report including audited financial statements within 3 months of balance date.
- A 6-monthly report including non-audited financial statements within 2 months of balance date.
- A Quarterly Report within 2 months of the end of each quarter.
- A Statement of Intent submitted for shareholders' consideration in accordance with the Local Government Act 2002

- Other interim financial reports as agreed with the shareholders
- Reports on matters of material interest to shareholders. Shareholders will continue to be kept informed of key developments, consistent with the Crown's 'No Surprises' policy.

7. Acquisition Procedures

The acquisition of any interest in a company or organisation will only be considered when it is consistent with the long-term commercial objectives of the company. Any material acquisition will be the subject of consultation with shareholders, however none are contemplated in the planning period.

Major transactions as defined by the Companies Act 1993 will require shareholder approval. None are contemplated in the planning period.

8. Compensation Sought from Local Body Shareholders

At the request of the shareholders the company may undertake activities that are not consistent with normal commercial objectives.

The company may seek, in these circumstances, a specific subsidy to meet the full commercial cost of providing such activities, however none are contemplated in the planning period.

9. Estimate of Commercial Value

The value of Shareholders investment in the company as at 31 December 2017 is \$29,571,914.

The non-current assets owned by HBAL were revalued at 30 June 2015 to their current market value resulting in an uplift in value of \$9.5 million (net of the deferred tax impact). The individual assets and liabilities included on the balance sheet at 30 June 2017 are not considered by the Directors or Management to be materially different from the current market value.

HBAL will continue to undertake a revaluation approach to its assets on a regular cycle of every 3 [three] years or when there has been a significant change in the market, to consider the gap between current book values of the assets and liabilities versus the commercial value of the business. In line with this policy, it is anticipated that a revaluation of HBAL's assets will take place post completion of the new Terminal Building and construction of associated new infrastructure.



Tony M Porter
Chairman
Hawke's Bay Airport limited
28 February, 2018

6. JOINT COMMITTEE UNCONFIRMED MINUTES

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	476789
<i>Reporting Officer/s & Unit:</i>	Cheree Ball, Governance Advisor

6.1 Purpose of Report

To present the unconfirmed minutes of the Hawke's Bay Drinking Water Governance Joint Committee, held on 10 May 2018.

Officer's Recommendation

That Council:

- a. Receive the unconfirmed minutes of the Hawke's Bay Drinking Water Governance Joint Committee from 10 May 2018.

Mayor's Recommendation

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

6.2 Background Summary

The Hawke's Bay Drinking Water Governance Joint Committee met on 10 May 2018, the unconfirmed minutes are shown at **Attachment A**.

6.3 Issues

No issues.

6.4 Significance and Engagement

N/A

6.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

6.6 Options

To receive the unconfirmed minutes as attached.

6.7 Attachments

- A 2018-05-10 HB Drinking Water Governance Joint Committee - unconfirmed minutes



Unconfirmed

MINUTES OF A MEETING OF THE HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

Date: Thursday 10 May 2018

Time: 10.00am

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: G Cowie - Chairman
Cr TA Aitken – CHB DC
Cr SB Burne-Field – CHB DC
Cr K Watkins – HDC
Cr S Nixon – HDC (Alternate)
Ms A Apatu – HB DHB
Cr P Bailey – HBRC
Cr T Belford – HBRC
Cr K Wise – NCC
Cr C Lambert – WDC

In Attendance: J Palmer – HBRC CE
L Hooper – HBRC Governance Manager
N Jones – HB DHB
E Lambert – HBRC GM External Relations
S May – WDC Chief Executive
C Thew – HDC
M Davidson – CHBDC CE
J Kingsford – NCC
R Douglas – HBRC Senior Planner
S Swabey – HBRC Science Manager

1. Welcome/Apologies/Notices

Mr James Palmer, acting as Chair to open the meeting, welcomed everyone and Cr Charles Lambert offered a karakia.

DWG4/18 Resolution

That the apologies for absence from Mayors Sandra Hazlehurst and Craig Little and Councillor Keith Price be received.

**Bailey/Apatu
CARRIED**

2. Conflict of Interest Declarations

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Hawke's Bay Drinking Water Governance Joint Committee meeting held on 24 October 2017**DWG5/18 Resolution**

Minutes of the Hawke's Bay Drinking Water Governance Joint Committee held on Tuesday, 24 October 2017, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record.

**Nixon/Apatu
CARRIED**

4. Appointment of Independent Chairperson

Cr Kirsten Wise, as Chair of the appointments panel, introduced the item by outlining the process undertaken to arrive at the recommendation for appointment.

James Palmer advised that Garth Cowie is chairing the HDC change project, that potential conflicts of interest have been discussed and it is the HDC view that those can be adequately managed if they arise.

There was some discussions around the cost allocations for the Chair's fees.

DWG6/18 Resolutions

That the Hawke's Bay Drinking Water Governance Joint Committee:

1. Exercises its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and makes decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
2. Accepts the recommendation of the Appointments Panel, and appoints Mr Garth Cowie as Independent Chairperson of the Joint Committee.
3. Agrees that remuneration paid to the Independent Chairperson, shared equally between Hastings District Council, Napier City Council, Hawke's Bay Regional Council and Hawke's Bay District Health Board, will be \$200 per hour.

**Watkins/Belford
CARRIED**

James Palmer, vacated the Chair and Garth Cowie assumed the Chair at 10.15am.

5. Formal Confirmation of Member Organisations' Appointments

The item was taken as read, and introductions were made around the table.

DWG7/18 Resolutions

1. That the Hawke's Bay Drinking Water Governance Joint Committee receives the **"Formal Confirmation of Member Organisations' Appointments"** report, noting those appointments are:
 - 1.1. Councillors Tim Aitken and Shelley Burne-Field representing Central Hawke's Bay District Council, and Mayor Alex Walker as Alternate
 - 1.2. Mayor Sandra Hazlehurst and Councillor Kevin Watkins representing Hastings District Council, and Councillor Simon Nixon as Alternate
 - 1.3. Mr Kevin Atkinson and Ms Ana Apatu for Hawke's Bay District Health Board, and Mrs Barbara Arnott as Alternate
 - 1.4. Councillors Tom Belford and Paul Bailey for Hawke's Bay Regional Council
 - 1.5. Councillors Keith Price and Kirsten Wise representing Napier City Council, and Mayor Bill Dalton as Alternate
 - 1.6. Mayor Craig Little and Councillor Charles Lambert representing Wairoa District Council.

**Wise/Bailey
CARRIED**

6. Adoption of the Joint Working Group Terms of Reference

Nick Jones, acting Chair of the Joint Working Group (JWG), introduced the item, outlining the history of the group and development of its Terms of Reference and highlighting the purpose of the JWG and the Independent Chair role's vacancy.

Principle focus on drinking water, however other water management issues can and do impact on drinking water safety and quality.

There was a suggestion that the group consider whether the scope of the Joint Committee should be widened to include the '3 waters' and a view expressed that the group firstly focus on drinking water related issues specifically for the time being.

Discussions about the requirement for an independent Chair for the JWG included whether that role could be undertaken by the same person that Chairs the Joint Committee (JC), the option to rotate the Chair amongst members of the JWG, as well as accountability. JWG Chair is mostly a facilitation role, and any conflicts could be avoided by removing voting rights for the Chair.

DWG8/18 Resolutions

That the Hawke's Bay Drinking Water Governance Joint Committee:

1. Exercises its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and makes decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
2. Receives and notes the **"Adoption of the Joint Working Group Terms of Reference"** staff report.
3. Adopts the Terms of Reference for the Joint Working Group as amended as follows.
 - 3.1 in clauses 1.5 and 1.5.2 remove "fresh" from in front of 'water management issues'
 - 3.2 in clause 11.2 remove 'and the Independent Chairperson' to remove

voting entitlement from the Chair's role.

4. Appoints Garth Cowie as Chair of the Joint Working Group.

**Belford/Bailey
CARRIED**

7. Adoption of the Joint Working Group Work Plan

Nick Jones, as acting Chair of the Joint Working Group (JWG), introduced the item and outlined work and actions undertaken to date.

- Group currently focusing on working together collaboratively and sharing information rather than the mechanics of regulation and legislation.
- Progress on some actions more quickly as priority or as resource has been available.
- Communications plan being developed, and will deal with communications internally within the JWG, between all organisations involved, and communications with the public
- A request for the work programme to be prioritised was agreed for future reports to the JC
- Each organisation has its own communications plan, and although those plans are different the JWG has worked together to make each other aware of each other's key messages, and the JC suggests that finalising the communications plan be lifted up the priority list.

DWG9/18 Resolutions

That the Hawke's Bay Drinking Water Governance Joint Committee:

1. Exercises its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and makes decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision.
2. Receives and notes the ***"Adoption of the Joint Working Group Work Plan"*** staff report.
3. Agrees the work plan for the Drinking Water Working Group as amended to prioritise.

**Wise/Bailey
CARRIED**

8. Drinking Water Safety Policy as Part of the HBRC TANK Plan Change

Rina Douglas outlined the collaborative stakeholder process under way to develop the Tutaekuri Ahuriri Ngaruroro Karamu (Greater Heretaunga) TANK plan change, noting that the Joint Working Group has engaged Good Earth Matters to deliver the Drinking Water Safety Policy part of the plan change policy. GEM also looking at recommendations for changes to district plans where appropriate, to address drinking water safety provisions. Registered self suppliers (serving over 25) will be included in considerations. Policies and rules that impact on drinking water are within the scope, using an adaptive framework that can be adapted for other catchments in future.

Discussion about providing the GEM drafted policies to members of the JC.

DWG10/18 Resolution

That the Hawke's Bay Drinking Water Governance Joint Committee receives and notes the ***"Drinking Water Safety Policy as Part of the HBRC TANK Plan Change"*** staff report.

**Apatu/Aitken
CARRIED**

Mrs Lambert spoke about a recent finding of elevated arsenic levels in their bore water by a member of the public and the following actions undertaken by HBRC, including follow-up testing, public meetings and communications with residents in the area as well as investigations revealing that the arsenic is naturally occurring. Public meeting this week provided information from Public Health, HBRC and NCC about findings and options for what they can do for drinking water supplies and treatment. Additionally, HBRC will now test their monitoring bores for arsenic. HBRC considering what information should be communicated with self suppliers in terms of drinking water safety, monitoring and maintenance, and treatment.

Garth Cowie advised that lab resourcing locally may be feeling pressured with increased testing being requested, and also providing the results in a format understood by a layperson.

Stage 2 Inquiry recommendations relating to self supplies and laboratories.

The next meeting of the Joint Committee will be scheduled in August.

Charles Lambert closed the meeting with a karakia.

Closure:

There being no further business the Chairman declared the meeting closed at 12.15pm on Thursday 10 May 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN:

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 19 June 2018

Māori Consultative Committee Recommendation

That the Māori Consultative Committee recommendations be adopted.

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 29 MAY 2018

1. HAWKE'S BAY AIRPORT LIMITED - DIRECTOR

Type of Report:	Legal
Legal Reference:	Local Government Act 2002
Document ID:	473345
Reporting Officer/s & Unit:	Adele Henderson, Director Corporate Services

1.1 Purpose of Report

To endorse the reappointment of Tony Porter as director to Hawke's Bay Airport Limited (HBAL).

At the Māori Consultative Committee meeting

The Chief Executive provided a summary of key points at of the paper noting the recommendation for Tony Porter to remain as Director for the reasons that:

- Major period of growth with redevelopment work scheduled to take place.
- Facility upgrade will require comprehensive stakeholder engagement in which Mr Porter has proved strengths.

The committee agreed unanimously that the Airport is doing very well as the gateway to Hawke's Bay.

In response to questions from the Committee the Chief Executive confirmed that there is no plan to create an international airport, the idea had been investigated three years ago and determined not economically viable.

Māori Consultative Committee's recommendation

T Aranui / T Henare-Winitana

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

Carried

Committee's recommendation

Mayor Dalton / Councillor Taylor

The Strategy and Infrastructure Committee:

- Approve the reappointment of Tony Porter as Director to Hawke's Bay Airport Limited for a further term of two (2) years until 30 June 2020.

Carried

2. TE KOMITI MURIWAI O TE WHANGA (AHURIRI ESTUARY COMMITTEE)

Type of Report:	Legal and Operational
Legal Reference:	Draft Ahuriri Hapū Claims Settlement Legislation
Document ID:	467265
Reporting Officer/s & Unit:	Kim Anstey, Planner Policy/Analyst Richard Munneke, Director City Strategy

2.1 Purpose of Report

The purpose of this report is to update Council on details of the Ahuriri Hapū Claims Settlement Bill that establishes the Te Komiti Muriwai o Te Whanga (the Ahuriri Estuary Committee) and for Council to appoint a Councillor to represent Napier City Council on Te Komiti.

At the Māori Consultative Committee meeting

The Chair spoke to the work being undertaken to improve the Ahuriri Estuary. He confirmed Councillor Claire Hague had been appointed to the committee as the Council Representative. A key factor to improving the health and wellbeing of the Estuary is through collaboration amongst stakeholders and the report outlines positive steps to achieving this goal. Once the health of the Estuary is restored success would be visible through the provision of healthy food stocks and clean water.

There were no questions or comments from the committee.

Māori Consultative Committee's recommendation

T Aranui / T Henare-Winitana

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

Carried

Committee's recommendation

Councillors White / Taylor

The Strategy and Infrastructure Committee:

- Note the draft provisions for the establishment and administration of the Te Komiti o Te Whanga as provided for in the Ahuriri Hapū Claims Settlement Bill
- Appoint Councillor Claire Hague to Te Komiti Muriwai of Te Whanga as the Napier City Council Representative.

Cr Hague did not participate in the vote

Carried

3. HERITAGE IMPROVEMENT FUND - PROGRESS UPDATE

Type of Report: Operational

Legal Reference: N/A

Document ID: 470588

Reporting Officer/s & Unit: Fleur Lincoln, Strategic Planning Lead

3.1 Purpose of Report

The purpose of the report is to update Council on the Robert McGregor Heritage Fund's first year of operation, and to seek a resolution of Council to allocate funds towards the Robert McGregor Heritage Fund for a further 3 years.

At the Māori Consultative Committee meeting

The Chair provided an update on the structure of the Heritage Improvement Fund and outlined the objectives of the group. Concerns were raised about the high cost to members of the public to engage in this process. Undergoing archaeological studies for resource consent were based on assumptions and there was a requirement to ensure a measure of common sense was applied to ensure best outcomes for everyone involved.

Māori Consultative Committee's recommendation

T Aranui / T Henare-Winitana

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

Carried

Committee's recommendation

Councillors White / Wise

The Strategy and Infrastructure Committee:

- a. Resolve that Napier City Council allocate \$20,000 to the Art Deco Trust each year for a further 3 years (from the 2018/19 financial year through to the 2020/2021 financial year) to contribute to the Robert McGregor Heritage Fund.

Carried

REPORTS FROM REGULATORY COMMITTEE HELD 29 MAY 2018

1. NAPIER CITY BLACK FRIDAY FIESTA

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	468801
Reporting Officer/s & Unit:	Fleur Lincoln, Strategic Planning Lead Andy Long, Project Planning Facilitator

1.1 Purpose of Report

To obtain a Council resolution to allow food trucks and other mobile food operators to operate within Market and Emerson Street at the upcoming Napier City Black Friday Fiesta to be held on the 13th July 2018 in accordance with the Trading in Public Places Bylaw 2014.

At the Māori Consultative Committee meeting

In response to questions the Committee were advised that the event is aimed at encouraging people to come out and support local business in the winter. It was noted that a series of similar events were run successfully over summer.

Māori Consultative Committee's recommendation

T Henare-Winitana / T Aranui

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

Carried

Committee's recommendation

Councillors Brosnan / Wise

The Regulatory Committee:

- a. Resolve to allow mobile trading (food and drink) within the public spaces of Market and Emerson Streets on the 13th July 2018 as part of the Black Friday Fiesta event to be held by Napier City Business Inc.

Carried

2. STREET NAMING-240 AND 250 GUPPY ROAD TARADALE

Type of Report: Procedural

Legal Reference: N/A

Document ID: 472545

Reporting Officer/s & Unit: Paul O'Shaughnessy, Team Leader Resource Consents

2.1 Purpose of Report

The purpose of this report is to obtain Councils approval for two new street names within two recently approved residential subdivisions at 240 and 250 Guppy Road Taradale.

At the Māori Consultative Committee meeting

Concerns were raised about the Officers comments under section 2.5 of the paper stating:

..that this street naming is not considered to require consultation by Councils Maori Consultative Committee and no risk was envisaged by the use of these two names.

In response to questions about the comment the Chief Executive advised that as this was a private subdivision Council had less involvement in the choice of the name. The Committee recommended that this comment be omitted and that both Council and private developers should always consult this Committee to ensure names are both appropriate and culturally sensitive.

Māori Consultative Committee's recommendation

T Henare-Winitana / T Aranui

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

Carried

Committee's recommendation

Councillors Taylor / Brosnan

The Regulatory Committee:

- a. Approve two new street names within the subdivisions at 240 and 250 Guppy Road as follows:

Road 1 - Young Place (240 Guppy Road)

Road 2 - Chue Place (250 Guppy Road)

Subject to confirmation from the Māori Consultative Committee.

Carried

3. PARKING CONTROLS

Type of Report: Legal and Operational

Legal Reference: Traffic Regulations/ Parking Control Bylaws 2014

Document ID: 470409

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

3.1 Purpose of Report

To seek Council approval to revoke parking time restrictions in the Napier CBD so as to allow all day parking in a number of streets and to add additional pay and display areas in Vautier Street and Marine parade (between Albion and Vautier Street) to ensure consistency with surrounding parking provision.

At the Māori Consultative Committee meeting

There was no discussion on this item.

Māori Consultative Committee's recommendation

T Henare-Winitana / T Aranui

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

Carried

Committee's recommendation

Councillors White / Jeffery

The Regulatory Committee:

- a. Resolve that the P120 time restrictions be revoked at the following locations;
 - i. Tiffen East Carpark
 - ii. Emerson Street between Clive Square East and Clive Square West
 - iii. Wellesley Road between Raffles and Latham Street
 - iv. Wellesley Road between Kennedy Road and 45 Wellesley Road on the north-western side of the road only
 - v. Munroe Street between Dickens and Station Street on the western side only.
 - vi. Station Street between Tennyson Street and the Station Street roundabout.
 - vii. Bower Street between Edwardes and 41 Bower Street on the eastern side only.
 - viii. Marine Parade between Albion Street and Vautier Street
 - ix. Vautier Street between Marine Parade and Munroe Street
 - b. Resolve that a parking fee apply at \$1.00 per hour for the following locations;
 - i. Vautier Street
 - ii. Marine Parade between Albion Street and Vautier Street.
-

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. OFFICIAL INFORMATION REQUESTS 3 MAY 2018 TO 8 JUNE 2018

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	510075
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Acting Team Leader Governance Cheree Ball, Governance Advisor

1.1 Purpose of Report

To present the year to date Official Information Request statistics.

Officer's Recommendation

That Council:

- a. Receives the report Official Information Requests 3 May 2018 – 8 June 2018.

MAYOR'S RECOMMENDATION

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

1.2 Background Information – Charging for LGOIMAs

At the Council meeting of 15 May 2018, it was requested that information be included in the Official Information request statistics on how many requests had incurred advice of charging in whole or part; this report now includes that information.

The Local Government Official Information and Meetings Act 1987 ('the Act') states that agencies "may charge for the supply of official information" (s13(1A)), noting that any fixed charge must be "reasonable", and regard may be had to the cost of labour and materials involved in making the information available. A decision to release at least some of the information at issue must have been made prior to advising of any charges. This is because the legislation only authorises a charge to be made at the same time as a decision to grant a request, for the supply of official information. We cannot charge for information that is withheld.

The Office of the Ombudsman produces guides to the various aspects of the Act, including charging. These guidelines are regularly referred to as we address the many official information requests received, and cover the following:

- When it is reasonable to charge,

- What can be charged for (and what not), and
- What is considered to be a reasonable charge.

When is it reasonable to charge?

The Committee on Official Information which recommended the enactment of the OIA noted:

“...some enquiries will doubtless engage considerable time and attention when less obviously available answers are sought. Search, abstraction, collation and copying could combine into formidable workloads. Even if research or quasiresearch activities are firmly ruled out and the simpler enquiries are allowed to be free, there is left a middle ground where charging will be warrantable”.

(Danks Committee, “Towards Open Government: Supplementary report (July 1981))

The guidelines note that what is ‘considerable’ will need to be considered on a case-by-case basis, including the resources available to the agency to deal with the request.

Where a request would require ‘substantial collation and research’ to make the information available, agencies are “expressly required” to consider charging as one tool in enabling the request to be met.

Consideration is also allowed for the behaviour of a requestor when considering charging; for example if multiple smaller requests from the same person have been received within a very close time frame, these may be considered together for the purposes of deciding whether to charge to meet the reasonable costs of responding to further requests.

What can be charged for and what must not be?

Once a decision on release has been made, a maximum total estimated charge can be calculated to include:

- Labour
 - Search and retrieval
 - Collation (bringing together the information at issue, e.g. from archive storage etc)
 - Research (reading and reviewing to identify the information at issue)
 - Editing (the physical task of excising/ redacting withheld information)
 - Scanning or copying
 - Reasonably required peer review to ensure the above tasks have been carried out correctly
 - Formatting information in a way sought by the requestor
 - Supervising access (where the information at issue is made available for inspection)
 - Reproducing recordings
- Materials
 - Paper where photocopying is required
 - Electronic storage devices if this is how the information is provided

- Other actual costs (for example retrieval of information from off-site)

It is important to note that agencies cannot charge for 'decision making'; that is, the work required to decide whether to grant the request in whole or part including reading and reviewing to decide whether to withhold or release, and any legal advice, consultation or peer review of the decision making process.

Neither can a charge be levied for any work in actually deciding whether to charge and the maximum total charge estimation process.

Charging is also not allowed where administrative inefficiencies or poor record keeping increase the time it would be reasonably expected to respond to the request.

What is considered to be a reasonable charge?

At its meeting on 22 February 2017, Council resolved the following:

COUNCIL RESOLUTION	<p>Councillors Wise / Dallimore</p> <p>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 <i>Charging Guidelines</i>.</p> <p>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 <i>Office of the Ombudsman Guidelines June 2016</i>.</p> <p style="text-align: right;">CARRIED</p>
-------------------------------	--

This brought Council in line with the 2002 Ministry of Justice *Charging Guidelines for OIA requests* (corrected for GST in 2010), which remains the current version and is the accepted standard for charging under the Official Information Act (central government) and the Local Government Official Information and Meetings Act 1987 (local government).

Case study example

A recent request asked for all correspondence to several recipients on a particular topic, broken down by smaller categories.

In this instance, when the initial IT search was run based on identified key search terms, the initial search results for just one recipient group numbered just under 14,000. Officers were also required to search our other document storage facilities, as well as consider the search results for the other recipient groups (which also numbered in the thousands).

It is generally following the initial search that we calculate a maximum total estimated charge for all or part of the request response. In this calculation, we consider what work would be required for the process to be completed.

Each result must be reviewed to identify whether it is pertinent to the request or not (research).

If it is pertinent, the decision must be taken whether any or all of the information in the document should be withheld under sections 6, 7 or 17 of the Act. This process cannot be charged for, but the physical task of actually redacting any information can be.

Redactions currently all documents to be saved or scanned as PDFs; where an email has multiple attachments (and often sub-attachments within the attachments) these cannot be saved directly as a PDF but must be separately scanned so none of the attachments are lost.

This process is then peer reviewed, a draft response prepared and the internal approval process completed.

Typically we do not charge for materials, and use secure document viewing systems rather than electronic storage devices for sharing information in very large request responses.

Where possible we respond to what we can as soon as possible, and work with the requestor to refine their request so that they are more likely to get what they are actually looking for with a minimal charge as possible.

Proportionately very few requests receive any advice of charging; those that do are usually for part of the request only and typically the requestor works with officers to agree to a refinement that meets their needs while reducing or mitigating charges.

1.3 Attachments

A Official Information Requests - 3 May 2018 to 8 June 2018 [↓](#)

**REPORT: For the period 3 May 2018 to 8 June 2018
Requests made under the Local Government Official
Information and Meetings Act 1987**





	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Charging advised (for all or part of a request)	Proceed with charges as advised	Ombudsman complaints
December 2017 (9 th – 22 nd)	10	10	8	2	0	5.8	0	0	0
January 2018	24	19	15	3 7(2)(a) – 2 7(2)(f)(i)/ 17(d) – 1	1 17(c)(i) Food Act	6.11	1 Part	0 No response	0
February 2018	8	11	9	2 7(2)(a) – 1 7(2)(a), 7(2)(h), 17(c) - 1	0	12.45	1 Full	0 Decided not to proceed – not in relation to charging	1 Water item PX section Audit & Risk agenda – complaint upheld. No recommendation - closed.



	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Charging advised (for all or part of a request)	Proceed with charges as advised	Ombudsman complaints
March 2018	22	14	9	5 17(e) – 1 7(2)(a) – 3 7(2)(a), 7(2)(h) – 1	0	9.14	0	0	0
April 2018	18	19	15	3 7(2)(a) – 3	1 (transfer)	10.95	2 Full - 2	0 Viewed on site- 2	0
May 2018	18	16	11	5 7(2)(a) – 4 7(2)(h) & 7(2)(a) – 1	0	11.31	2 Part - 2	0 Withdrawn - 1 Refined -1	0
June 2018	3	1	0	1 7(2)(a)	0	19	0	0	1 Milton Rd leak – complaint open.
YTD Total	103	90	67	21	2	10.68	6	0	2

Requests received 8 June 2018:

Types of requests received	December	January	February	March	April	May	June	TOTAL RECEIVED YTD
Finance and Commercial	<ul style="list-style-type: none"> - Register of pecuniary interests 	<ul style="list-style-type: none"> - Average residential costs - Ratepayer numbers - CEO remuneration - Chamber of commerce subscription - Council owned housing - Entertainment, catering and gift expenditure - Average residential rates (Regional councils) - Membership to external groups - Peer review of seismic assessments - Mileage payments 	<ul style="list-style-type: none"> - Alcohol inspectors training budgets 	<ul style="list-style-type: none"> - Port Rates 	<ul style="list-style-type: none"> - Sensitive Expenditure x2 - Business information (Privacy Act) - Irrigation funding - Property/valuations data 	<ul style="list-style-type: none"> - Sensitive expenditure 		19



Types of requests received	December	January	February	March	April	May	June	TOTAL RECEIVED YTD
The Council	<ul style="list-style-type: none"> - Complaint number 170341 - Peer review of seismic assessments - Mileage payments 	<ul style="list-style-type: none"> - Staff numbers - Code of conduct - Mayoral staff - Audit and Risk oversight - Absenteeism elected members and staff - Correspondence with MP Nanaia Mahuta 	<ul style="list-style-type: none"> - Organisational information 		<ul style="list-style-type: none"> - Staff code of conduct - Representation review 	<ul style="list-style-type: none"> - Risk policy and procedures - Sexual harassment in the public sector 		14
Planning, Policy and Strategy		<ul style="list-style-type: none"> - Medium density housing RC data 						1
Culture, Community and Events	<ul style="list-style-type: none"> - War memorial 	<ul style="list-style-type: none"> - War memorial 		<ul style="list-style-type: none"> - War memorial x7 - Aquarium research travel 	<ul style="list-style-type: none"> - War memorial x3 - Aquarium visits - Aquarium IBC 	<ul style="list-style-type: none"> - Community housing - NANZ indicative business case 		17
Environment Parks and Gardens		<ul style="list-style-type: none"> - Pest control operations - Street and park tree inventories 		<ul style="list-style-type: none"> - Press release 2012 				3



Types of requests received	December	January	February	March	April	May	June	TOTAL RECEIVED YTD
Consenting and Compliance	- Campgrounds	- Café audit report - Freedom camping - Freedom camping monitoring - Westshore infringements Dec 2017	- Licensed hairdressers/barbers - 106 Priestly Terrace	- Building consent data - Noise complaints Rimu Pl. - Building consent charges - Consents costs x2		- Liquor license application or renewals	- LED digital billboard consents	14
Animal Management	- Menacing dog classification	- Complaint file 170341 - Dog data - Dog file letter		- Dog attack statement - Dog safety education	- Dog data	- Dogs x4		11



Types of requests received	December	January	February	March	April	May	June	TOTAL RECEIVED YTD
Infrastructure Services and Transport	<ul style="list-style-type: none"> - Water levels x2 - Water distribution network 	<ul style="list-style-type: none"> - Water statistics - Existence of asbestos in water infra - Water fluoridation - Bayskate contract documents 	<ul style="list-style-type: none"> - Water system upgrade 	<ul style="list-style-type: none"> - Water leak - Parking 	<ul style="list-style-type: none"> - Parking (Privacy Act) - Enfield Reservoir report - Onekawa Landfill - Bike path risk & analysis - Quarry extraction 	<ul style="list-style-type: none"> - Dowsing - Chlorination complaints x2 - Network maintenance costs - Napier water supply - Water supply procedures - Parking time restrictions (PAS) - Regional fuel tax 	<ul style="list-style-type: none"> - Proposed playground feasibility plan - Service requests 	24

2. TENDERS LIST

Type of Report: Information

Legal Reference: N/A

Document ID: 510080

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

2.1 Purpose of Report

To report Tenders Let under delegated authority to 08 June 2018.

Officer's Recommendation

That Council:

- a) Receives the report Tenders Let under delegated authority to 08 June 2018 .

MAYOR'S RECOMMENDATION

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

There were no tenders let under delegated authority for to 8 June 2018.

2.2 Attachments

Nil

3. RESOURCE CONSENTS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Building Act 2004
<i>Document ID:</i>	510086
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

3.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period April – June 2018

Officer's Recommendation

That Council:

- a) Receive the report on Resource Consents issued under delegated authority for the period 23 April 2018 – 6 June 2018.

MAYOR'S RECOMMENDATION

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

Please see report attached detailing that 26 Resource Consents were processed in the period 23 April 2018 to 6 June 2018 with 100% processed within statutory time periods.

3.2 Attachments

- A Resource Consents [↓](#)

Resource Consents (Subdivision & Land Use) Issued between 23 April 2018 - 6 June 2018

Consent Number	Site Location	Applicant	Proposal	Activity Status	Decision Date
RMS18026	25 Nelson Crescent	N Jansen & V Bernard	Main Residential zone subdivision to create one additional lot (two in total)	Restricted Discretionary	24 April 2018
RMS18027	60 Kennedy Road	PC Davis	Main Residential zone subdivision to create one additional lot (two in total)	Restricted Discretionary	24 April 2018
RM180074	4-14 Roberts Terrace	Harrison Bentley Limited	Section 127 variation to RM160164 to delete four on-site vehicle spaces from this multi-unit residential development	Variation	24 April 2018
RM180075	800 State Highway Two	Napier City Council	Earthworks exceeding the maximum allowable volume within the Foreshore Reserve and works within the vicinity of notable trees	Discretionary	24 April 2018
RM180076	40A Roslyn Road	MS Dickerson	Section 127 RMA variation to approved Resource Consent RM170071 to allow a dwelling exceeding height control provision	Variation	24 April 2018
PB180006	3 Lerwick Street	R & J Kaarsemaker	Garage conversion resulting in height infringement within the Main Residential zone	Deemed Permitted Boundary Activity	2 May 2018
RM180084	9 Allen Berry Avenue	Empire Coffee Roasters Limited	Establish and operate a café within the Suburban Commercial zone	Certificate of Compliance	2 May 2018
RM180078	156, 158 & 162 Emerson Street	Wallace Development Company Limited	Internal and external alterations to a Group 1 heritage building	Restricted Discretionary	4 May 2018
RM180085	198 Willowbank Avenue	T & G Global	Relocated building within the Main Rural zone (two buildings to be used for staff facilities)	Controlled	7 May 2018

RM180080	5 Roslyn Road	MF Toogood	Variation to approved resource consent RM170148 to address an additional height infringement	Variation	11 May 2018
RM180088	3 Seaview Terrace	L & J Arlidge	Additions/alterations to an existing dwelling resulting in front yard and height infringements	Restricted Discretionary	11 May 2018
RM180083	94 Waghorne Street	KM Stuart	Additions and alterations to an existing dwelling within the Hardinge Road Residential zone infringing height and outdoor living space provisions	Restricted Discretionary	11 May 2018
RM170103	16 Lincoln Road	C Ward & King Trustees (2011) Limited	External additions and alterations to a Group 2 heritage item (Lincoln Grange)	Restricted Discretionary	11 May 2018
RM180090	4 Seaview Terrace	L Maaka & M Johnstone	Alterations and additions to an existing dwelling resulting in a 3m front yard infringement	Restricted Discretionary	15 May 2018
RM180082	28 Alamein Crescent	S Bower	Construct a garage within the 5m front yard within the Main Residential zone	Restricted Discretionary	15 May 2018
RM180093	Kennedy Road & Wilding Avenue	Napier City Council	Works (cycleway construction) within the drip-line of 27 notable trees	Discretionary	16 May 2018
RM180092	58 Ferguson Street	M Pittar	Additions and alterations to an existing dwelling within the Rural Settlement zone resulting in a site coverage infringement	Restricted Discretionary	21 May 2018
RMS18028	12 Kowhai Road	M Fan	Napier Hill Character zone boundary adjustment/subdivision (no new lots created)	Controlled	21 May 2018
RMS18032	312 Kennedy Road	Green Family Trust	Main Residential zone subdivision to create one additional lot (two in total)	Controlled	23 May 2018
RM180096	State Highway 2	WSP – Opus	Construction of a southbound parking lane between the airport and Bay View and alteration to designation	Outline Plan	21 May 2018

RM180089	15 Devonshire Place	Napier District Masonic Trust Incorporated	Extension to an existing retirement complex within the Main Residential zone	Discretionary	25 May 2018
RM180091	39 & 41 Kennedy Road	J & S Maxted	Establish signage associated with a childcare facility which infringes the maximum size allowed in the Main Residential zone	Restricted Discretionary	24 May 2018
RM180098	5 Heipipi Drive	D Hastings & H Benard	Supplementary dwelling located within the Rural Residential zone which exceeds an area of 80m ²	Non-complying	6 June 2018
RMS18020	138 Eriksen Road & 57A Squire Drive	Te Awa Land Development Company Limited	Subdivide site into 67 residential lots and undertake earthworks	Restricted Discretionary	30 May 2018
RM180102	12A Chaucer Road	GSP Developments Limited	Relocated dwelling within the Napier Hill Character zone	Controlled	31 May 2018
PB180007	87 Charles Street	AD White	Additions and alterations to an existing carport resulting in yard and height to boundary infringements within the Northern Residential zone	Deemed Permitted Boundary Activity	30 May 2018

4. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	510142
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

4.1 Purpose of Report

To report of documents executed under seal from 12 May to 12 June 2018.

Officer's Recommendation

That Council:

- a) Receive the Report of Documents Executed Under Seal 12 May to 12 June 2018.

MAYOR'S RECOMMENDATION

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

Date	Document	Presenting Officer
08/05/18	Warwick Crescent – Sewerage Easement	Paul O'Shaughnessy
10/05/18	Deed of Rent Review – 25 Munroe Street	Jenny Martin
23/05/18	Lease of Reserve Napier City Petanque Club	Jenny Martin

4.2 Attachments

Nil

PUBLIC EXCLUDED ITEMS

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

Agenda Items

1. Council Projects Fund - Application

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. Council Projects Fund - Application	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	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.
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ORDINARY MEETING OF COUNCIL

Open Minutes

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
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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

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.

Carried

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.

Carried

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.

Carried

NEW REPORTS

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

Type of Report:	Legal
Legal Reference:	Reserves Act 1977
Document ID:	459560
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.

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

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.

Carried

2. LEASE OF RESERVE - NAPIER CITY PETANQUE CLUB INCORPORATED

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

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.

At the Meeting

There was no discussion on this item.

Council resolution Councillors McGrath / Wise

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.

Carried

3. JOINT COMMITTEE UNCONFIRMED MINUTES

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

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.

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.

Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 8 May 2018

Council resolution Councillors Tapine / Boag

That the Māori Consultative Committee Minutes be received.

Carried

At the Meeting

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

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

Type of Report: Operational

Legal Reference: N/A

Document ID: 465890

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.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

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.

Council resolution Councillors Brosnan / Price

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.

Carried

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

Type of Report: Enter Significance of Report

Legal Reference: Enter Legal Reference

Document ID: 466202

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

2.1 Purpose of Report

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

Māori Consultative Committee's recommendation

Councillor Tapine / T 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 Brosnan / Price

That the Committee

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

Carried

3. GRANT APPLICATIONS FOR EXTERNAL FUNDING

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	460290
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.

Māori Consultative Committee's recommendation

Councillor Tapine / T 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 Brosnan / Price

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

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. OFFICIAL INFORMATION REQUESTS

<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 & Unit:</i>	Cheree Ball, Governance Advisor

1.1 Purpose of Report

To present the year to date Official Information statistics.

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

That Council:

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

Carried

2. TENDERS LET

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

2.1 Purpose of Report

To report Tenders Let under delegated authority to 28 April 2018

At the Meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Price

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

Carried

3. RESOURCE CONSENTS

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

3.1 Purpose of Report

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

At the Meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Price

That Council

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

Carried

4. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

Type of Report: Information

Legal Reference: N/A

Document ID: 467700

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.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Price

That Council

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

Carried

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:

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. Lease of Ocean Boulevard parking facilities	<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:</p> <p>(i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except</p>
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		7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
Reports from Finance Committee held 1 May 2018		
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

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

Chairperson

Date of approval

EXTRAORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Friday 1 June 2018
 Tuesday 5 June 2018
 Wednesday 6 June 2018

Time: 9am

Venue Breakout Room 2 (1 June 2018)
 Large Exhibition Hall (5-7 June 2018)
 Napier Conference Centre
 Marine Parade
 Napier

Present The Mayor (In the Chair), Councillors Boag, Brosnan, Dallimore,
 Hague, Jeffery, McGrath, Price, Tapine, 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

Administration Governance Team

Meeting opened with the Mayor's prayer

Apologies

Councillors Brosnan/ Price

That the apology for lateness on Friday 1 June 2018 from Councillor Taylor be accepted.

Carried

Conflicts of interest

The Mayor advised that it is the responsibility of councillors to declare any interests they may have. Any Councillor who holds a Council appointed position on a body that has made a submission is not required to declare a conflict.

HEARING OF SUBMISSIONS

Name	Organisation	Brief summary
Dr Robin Gwynn		Dr Gwynn spoke to his submission in relation to consultation and democratic process. He urged Council to take a proactive stance in supporting the Local Government (Four Well-beings) Amendment Bill, as well as reinstating the word 'Democracy' to Council's Governance Team job titles and descriptions, which was removed in the recent restructure.
Margaret Gwynn		Margaret Gwynn spoke to her submission, and in particular the Napier Aquatic Centre Development and Ahuriri Masterplan. Margaret noted her preference for the Aquatic Centre to remain at the current Onekawa site. In relation to the Ahuriri Masterplan, she acknowledged that Option 2 could go a long way to improving water quality in the estuary provided Council treats stormwater entering the estuary as wastewater.
June Graham		June Graham spoke to her submission supporting the need for the Aquatic Centre, noting however that this requires further consultation. June emphasised that any work in the inner harbour would have an effect on the estuary. She also raised concerns in relation to community housing, noting that although community housing comes at a cost this should be considered a priority.

Meeting adjourned at 9.27am - Break

Meeting resumed at 9.55am

Don Alexander		Don Alexander spoke to his submission, requesting that eight fountains featuring coloured lighting be installed between Latham Street and Kennedy Road. Don confirmed that he would like to see Council work in partnership with Rotary to deliver this concept. He noted the previous fountains referred to in his submission featured a red light and were subject to vandalism on occasion.
Phillip Smith	Ātea a Rangi Educational Trust	Phillip (Piripi) Smith spoke to his submission, requesting \$8,000 per year, over the next three years. Attendance for the Takanga o te Rā (Winter Solstice) event has already been confirmed for over 800 students from 20 schools. A further 1500-2000 people are expected to attend during the week of

		<p>Matariki. There will be no costs to schools as transport costs have already been addressed.</p> <p>The Trust are looking to expand and include more Napier schools.</p>
Bruce Andrew Carnegie	Napier & Districts Grey Power Assn	<p>Bruce Carnegie spoke to his submission, made on behalf of Napier & Districts Grey Power Assn, in relation to the affordability of facilities and rates for pensioners. Particular areas of concern included parking, entry fees for Council facilities (including the Aquarium and Aquatic Centre), and rates increases. The high costs of living have a significant effect on our ageing population, especially those on a fixed income.</p>
Kristen Price, Operations Manager	Toimata Foundation	<p>Sally Chandler spoke on behalf of Kristen Price, regarding the Toimata Foundation's submission. The Foundation would like to develop a partnership with Council to help deliver initiatives to the region in relation to the Ahuriri Masterplan and stormwater education through the Enviroschools programme. It was confirmed that funding is essential to the Foundation's growth and provision of professional development.</p>
Sir Graeme Seton Avery	HB Community Fitness Centre Trust	<p>Sir Graeme Avery spoke to the HB Community Fitness Centre Trust's submission regarding the proposal to build a Centre of Excellence in Human Performance at the Regional Sports Park. The Trust is seeking a commitment from Council for a \$3M grant in the year 2021/22; they understand that consultation will be required.</p> <p>It was confirmed that Stage II includes a 50m pool which would require resource consent from Hastings District Council. It is hoped that construction on the 50m pool will begin in around 24 months. It was also noted that Napier schools' usage of the current facility is just under 40%.</p>
Mark Stephen Brown-Thomas		<p>Mark Brown-Thomas spoke to his submission regarding community housing. Tenants are looking for reassurance from Council that nothing will change in the short term, and alternative accommodation would be provided before any decision is made to sell properties. Council should consider the useful alternatives provided in the Morrison Law working paper for the longer term.</p> <p>It was confirmed that Council has no intention to sell houses at this stage; \$200,000 has been set aside in this round to undertake a review of the Housing</p>

		portfolio to fully assess current and future needs of the community and associated costs.
Carolyn Patricia Hooker	Age Concern Napier	Carolyn Hooker spoke on behalf of Age Concern Napier, regarding community housing. Council currently provides a supported and safe environment for elderly tenants. If these properties are sold to another organisation the same level of accountability to the community could not be guaranteed. Concerns regarding the long waiting lists for community housing were raised.
Murray Mills and Judy Mills	Waiapu Cathedral Environment Justice and Peace Network	Murray and Judy Mills spoke to their submission in relation to community housing, noting that this is not a good time to significantly change direction on this matter. Hawke's Bay and Napier are currently experiencing escalating housing prices, together with a housing shortage. It is important for Council to maintain ownership and management of existing housing and expand holdings further in the future, including the provision of short-term emergency housing.
Joy Potaka-England	Pensioner groups for Community Housing only	Joy Potaka-England spoke regarding community housing on behalf of the residents of the Carlyle Place complex. It was requested that Council retain ownership/management of the flats at Carlyle Place. There are a number of single occupants currently residing in family housing; there is a shortage of single bedroom units, resulting in wasted bedrooms. It was confirmed that there is some resistance to relocating from older tenants, which contributes to the problem of bedrooms not in use.
Linda Walsh	Taradale Marketing Association	<p>Linda Walsh spoke to her submission on behalf of the Taradale Marketing Association, noting that the Taradale community has been largely left behind with community facilities.</p> <p>They have requested installation of shade sails over the playgrounds in Taradale Park and Puketapu Road, and funding for a replacement mural on the Taradale Park toilet block.</p> <p>It was confirmed that the Association have been unsuccessful in their funding applications through other avenues.</p>
Dr Susan Jacobs MNZM	National Council of Women of New Zealand	Dr Susan Jacobs spoke to her submission, requesting that Council partner with the National Council of Women of New Zealand Hawke's Bay Branch to restore the Women's Rest building. They wish to retain the memorial purpose and architectural elements of the building and reopen it as a centre for

	Hawke's Bay Branch	<p>the women of Napier, including facilities for parents and caregivers. The Heretaunga Women's Centre provides an excellent example of how this could work.</p> <p>The latest structural report showed it is about 46% of Building Code, which is much better than originally thought. Council are looking at options for the future use of this building.</p>
Stephanie Kennard	Napier City Business Inc.	<p>Stephanie Kennard spoke to Napier City Business Inc.'s submission, requesting additional funding of \$50k for events, security and safety in the CBD. The main focus of the events would be to develop the "after 5pm" economy in the town centre. Security issues in the CBD, including drug usage and disorderly behaviour, need to be addressed.</p> <p>It was noted that closing the road down Emerson Street could be helpful when the cruise ships are in town, but not otherwise. Members have not been approached to contribute to funding requirements as yet.</p>
Shawn Elliott on behalf of John McCorkindale	Bluewater Hotel Complex / The RJG Trust	<p>Shawn Elliott spoke on behalf of John McCorkindale, supporting the proposal to allow freeholding of leasehold properties. Council needs to ensure that all leasehold properties are treated equally; some properties have not had a market rental review since 2004.</p> <p>It was confirmed that a review of Council's portfolio has not been completed at this time, as the formal decision of Council will not be made until end June 2018.</p>

Meeting adjourned at 12.07pm - Break

Meeting resumed at 12.55pm

Councillor Taylor joined the meeting

Mark Aspden	Sport Hawke's Bay	<p>Mark Aspden spoke on behalf of Sport Hawke's Bay noting they are appreciative of the focus and investment that Council places on sport and recreation opportunities in the community. The additional \$20K per annum that is sought is intended to contribute towards additional active hubs (where activities and healthy food are made available) and to allow for an increased focus on low participation communities.</p>
Dr Nicholas Jones (Acting	Hawke's Bay DHB	<p>Dr Nicholas Jones spoke to the District Health Board's submission; the DHB supports the approach taken by Council to its potable water supplies. They are happy to work with Council on communications in</p>

Clinical Director, HBDHB)		relation to water, chlorination and public health. The request for funding for the Housing Coalition was also raised.
Rex Graham & James Palmer	Hawke's Bay Regional Council	Paul Bailey spoke on behalf of Rex Graham, drawing attention to the implications of the TANK (Tutaekuri, Ahuriri, Ngaruroro and Karamu catchments) plan change outlined in the submission from Hawke's Bay Regional Council with regards to water use and infrastructure planning for future development. The Regional Council is also supportive of the inclusion of the Ahuriri Estuary Masterplan in the Long Term Plan.
Neil Edmundson	Hawke's Bay Hockey Artificial Surface Trust	<p>The Hawke's Bay Hockey Artificial Surface Trust asked for Council to contribute towards maintaining the hockey turfs to supplement the financial contributions made by the players through the 'pay to play' concept established in the early 2000s. It was noted that the creation of a third turf would enable major national tournaments to be held in the Hawke's Bay. There are some infrastructure upgrades required at Park Island which the Trust believes should sit with Council to address as they are broader in focus than just hockey.</p> <p>It was confirmed that the Trust would be in a position to service a loan in the short term.</p>
Paul Bailey		<p>Paul Bailey spoke to his individual submission, supporting the focus on dealing with stormwater discharges into the estuary, and the Ahuriri Estuary Masterplan. He recognised the challenges nationwide to resourcing water infrastructure teams has had an impact on the length of time taken to progress the work.</p> <p>Strong support was indicated for the implementation of webcasting of committee and council meetings, noting that there is significant interest amongst the public for topical issues and it would help with transparency and public understanding of why particular decisions have been made. There could be some negatives from webcasting, such as grandstanding behaviours from councillors, but this was potentially no different to a meeting with significant media presence.</p> <p>The Refurbishment and Replacement option was preferred for the National Aquarium of New Zealand; while the education component to the facility was a useful one, Mr Bailey was concerned that the research component may be at cross purposes with the</p>

		Regional Council's mandate and may not be as environmentally responsible as posited
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Meeting adjourned at 1.25pm – no speakers

Meeting resumed at 1.32pm

Genevieve Bennett	Biodiversity Hawke's Bay	Biodiversity Hawke's Bay is a standalone charity which is the product of seven years of preparation, and which intends to fill the gap in active leadership to promote the importance of maintaining and developing biodiversity in the region. The Charity sought support and leadership from Council in the form of \$100K per annum for the next four years, and nominations for their Board. The Charity would be directed by Council as to where the preferred focus would be for spending the contribution. The Charity has not read the Ahuriri Estuary Masterplan in detail but would be happy to work with Council in this space.
David Wood		David Wood represented a group of neighbours who support the cross country drain from the expressway to the Awatoto pumping station in principle, but would prefer a comprehensive plan that incorporates: ensuring there is water in the drain year round to support bird and plant life, planting to create an ecosystem corridor along the drain, and a shared pathway which would link Taradale to Marine Parade. The group have considered other possible funding streams to contribute to the total for the project, but are aware that it would be a long term undertaking as the assessment and modelling contract has only recently been let and will require around 12 months for this phase to be completed. Schools have been approached for possible involvement and were interested in principle but time poor. Rotary clubs have not yet been approached but were identified as a possible source of volunteer labour.

Meeting adjourned at 1.55pm – no speakers

Meeting resumed at 2.01pm

Erin Harford-Wright	Napier Port	Michael spoke on behalf of Erin Harford-Wright, noting that the Port supports the expansion of the National Aquarium in principle but believes there is a high level of risk to the project and it will be important that Council undertake due diligence prior to any full commitment to the project. It was asked that the inner harbour works be prioritised.
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		<p>The Ahuriri bypass is a critical transport corridor which is expecting significant increases in transport movements in the near future. There must be surety around the Ahuriri corridor functionality and accessibility to the Port; discussions should include the Port, Kiwirail and NZTA. It was important to ensure traffic keeps flowing through this main corridor and this was not broken by multiple pedestrian crossings in the area.</p>
John Buck, Chairman	Cranford Hospice Foundation	<p>John Buck spoke on behalf of the Cranford Hospice Foundation who are undertaking a project to develop a new facility for the region, the total cost of which is expected to be \$15,126,000. The project will take place over four years, with construction due to begin next year. The Trust has also approached Hastings District Council and the Hawke's Bay Regional Council, and is looking for funding (\$2M) and service contributions over the four years.</p>
Peter Dunkerley	Hawke's Bay Knowledge Bank	<p>Peter Dunkerley spoke on behalf of the Knowledge Bank. The contribution from Council is requested to help with the daily running of the facility, which is primarily operated by volunteers with support from two part time staff. The Bank has recently been gifted the Russell Spiller collection of over 1 million images which is expected to take several years to catalogue.</p>

Meeting adjourned at 2.26pm – no speakers

Meeting resumed at 2.44pm

Shayne Walker	Maungaharuru-Tangitū Trust	<p><i>Mr Walker was welcomed to the proceedings with a short mihi from Council's Strategic Māori Advisor.</i></p> <p>Shayne Walker spoke on behalf of Maungaharuru-Tangitū Trust (MTT), who have requested \$100K from Council under the Long Term Plan.</p> <p>The Trust wants to create authentic partnership with Council, and will work with Council towards a less transactional approach to interactions.</p> <p>MTT conceptually support the National Aquarium of New Zealand expansion project.</p> <p>It was noted that a correction had been previously requested to the statement that Mr Hori Reti represents MTT on the Māori Consultative Committee; it was asked that this be actioned as soon as possible.</p> <p>MTT believes that there is too much discretion at Planner/ Management level as to whether Resource Consents are notified or not, and advised that too often when a consent was not notified the Trust were</p>
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		not provided with the consent information to review. It was asked that this be addressed.
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Meeting adjourned 2.59pm – Break

Meeting reconvened 3.24pm

Charles Cordwell	Surf Life Saving New Zealand	Charles Cordwell spoke on behalf of Surf Lifesaving New Zealand, which provides guards for both main beaches in Napier seven days a week over the summer period and on a volunteer basis for weekends throughout the rest of the year. They also offer an education programme for primary school children. The organisation does its best to employ local youth. Duty guards must be at least 16 years old, and the patrol leads tend to be early to mid-20s. They are requesting funding for lifeguard services over three years in order to be able to better cover the actual costs of the service and to retain the more skilled guards over multiple years. Currently Council contributes \$48K per annum; they have requested \$189K over three years, or \$66K in the first year and \$62K in the second and third years.
Greendale Tennis Club; Taradale Cricket Club; Taradale Sports Association		<p>The Taradale Clubs have invested in developing a project to expand the Greendale Club footprint, which would create benefits for each sport using the club. The representatives asked that the proposed skate/ bowl development be postponed until the whole park development can be looked at. The club intends to contribute half of the development costs and is looking for the remaining 50% from other sources, including Council. It was also hoped that Council might contribute help with infrastructure for the project such as drainage and concrete laying.</p> <p>At this point key stakeholders have been spoken to about the proposal but the wider community of recreational users has not, as the group wished to speak to Council prior to this. It is intended that links to the iWay cyclepath be incorporated around the club access.</p>
Andi Plumpton for Richard Catley	Pirimai Residents Association	Andi Plumpton spoke on behalf of the Pirimai Residents Association, noting that the green space in Pirimai currently owned by the Ministry of Education is an asset to the community and used as a safe space for children to play. Lower income families in the area particularly benefit from the space being available for play and interaction for their children, as they may not have extra money available for petrol to attend other playgrounds in the city. It was asked that

		Council commit to securing this land should it become available to purchase from the government.
Rosalind Muir		Rosalind Muir noted that there is little information available for horse riders as to where they might ride within Napier, and the available space has been reducing as previous areas have been converted to shared pathways that have not taken horse riding into account. Haumoana and Te Awanga beaches are sometimes used for riding but the access roads are not ideal for floats. There are a lot of riders in the area who are looking for opportunities both to ride for exercise and to train for events. It was proposed that a liaison position to Council be created on a volunteer basis to represent horse riders, and that consideration be given to their needs when thinking about projects such as the cross-country drain.
Sandra Loughlin-Hunt	Villers Street	The neighbourhood of Villers Street, Bayview, has no footpath on either side of the street, which intersects directly with the main road north from Napier. The safety of children and other users of the street is at risk from having to walk on the road. A petition was brought to Council 21/2 years ago on the same matter but nothing has been actioned as yet. The neighbourhood would like to see the footpath and drainage works progressed as soon as possible.
Greg Chojeta		Not in attendance
Jess Mio	Part of my feedback (about Roberts Tce Reserve) is on behalf of the Onekawa Working Group.	<p>Jess Mio encouraged Council to restore a social/ environmental balance across the city and actively create people-friendly spaces, such as through moving Emerson to a fully pedestrian-only area and integrating cycleways more thoroughly into infrastructure planning.</p> <p>Council were asked to particularly address current waste disposal systems and options for increased sustainability.</p> <p>Jess asked Council to consider a wider range of styles of public art and artists. For example, contemporary pieces like the light boxes in Wellington could be explored for Emerson Street if it was full pedestrianised.</p> <p>An Onekawa Working Group has been formed and would particularly like investment in Roberts Terrace Reserve with better facilities and planting.</p> <p>Jess asked that the city become more inclusive in its approach; the Disability Strategy has gone some way to help but better consideration of the needs of the sex/gender diverse community was needed. One</p>

		way this could be addressed was through the provision of gender neutral bathroom facilities.
Andrew Stringer		Not in attendance
Marcus Hill	Te Awa Land Development Company Limited	Marcus Hill spoke to his concern that infrastructure funding for the development of Te Awa has not been included in the Long Term Plan, despite a Structure Plan and calculated development contributions for the area being in place. The Te Awa area has been signalled as a development area for the city but the Long Term Plan as it stands creates the impression that this area will be neglected by Council. It was requested that development in Te Awa be actively fostered by Council by planning for the appropriate infrastructure as outlined in the Structure Plan. Currently if a consent application was made there is no surety for the developer that the requisite infrastructure will be in place.
<i>4.36pm Meeting adjourned, and reconvened 9am on Tuesday, 5 June 2018</i>		
Greg Rzesniowiecki		Greg Rzesniowiecki spoke to his submission in relation to the Trans Pacific Partnership (TPP), noting that trade negotiations are taking place behind closed doors and our interests are being put aside. He asked Council to: consider governance principles for our city, nationally and the world; contribute to better processes to ensure civil society's interests are better placed in those agreements; support the Local Government (Four Well-beings) Amendment Bill; and consider "Doughnut Economics" as a framework for economics and how to approach the challenges we face today.
Dalayne Cyrus Tareha		Not in attendance
Ian Matehe	Maraenui Waka Ama, Maraenui Motivators	Ian Matehe spoke on behalf of Maraenui Waka Ama, Maraenui Motivators and as a Maraenui ratepayer, in relation to the council's major projects. He did not support de-chlorinated water stations or selling leasehold land, but spoke strongly in favour of the Aquatic Centre remaining at the current site in Onekawa as the proposed new site would be too far for Maraenui residents and children to walk to. He questioned the spend on the Aquarium when there is a toilet block at Maraenui Park that has not been upgraded for 40 years. Ian also noted that lighting and overgrown trees are a big problem in Maraenui.

Michelle Ratima	Tu Tangata Maraenui Trust	<p>Michelle Ratima spoke to her submission on behalf of the Tu Tangata Maraenui Trust, acknowledging the work that Council has done for Maraenui. It was appreciated that the Roding team had attended community meetings. It was noted that security was still an important issue for Council to address in Maraenui, and some added 'sparkle' for the suburb was desirable.</p> <p>The Trust supported de-chlorinated water stations if paid for by Council. The preference was to extend the existing aquatic centre as many walk to the facility and find the current entry fee difficult to meet. The selling of leasehold land was not supported, nor was any spend on the Aquarium. The focus of the Ahuriri Masterplan should be on stormwater quality only.</p>
Robert Patrick Magill	Napier Pilot City Trust	<p>Pat Magill spoke to his submission regarding Napier becoming a Child Friendly City. Pat and Minnie shared the presentation that they will be taking to the 2018 Penal Reform Conference in London on 12 June 2018, noting that "we need to look after our own".</p>

Meeting adjourned at 9.50am - Break

Meeting resumed at 10.25am

Eyles Garth Oliver		Not in attendance
Tim Hunter		Not in attendance
Carolyn Neville	Business HB	<p>Carolyn Neville, supported by Mike Purchase and Hamish White, spoke to Business Hawke's Bay's submission regarding their application for the continuation of their current funding. Carolyn noted Business HB is engaged with Matariki REDS and outlined their key achievements to date; HUB Connect are attracting 800 visitors per month.</p> <p>It was suggested that Council could further encourage collaboration between businesses in the Hawke's Bay.</p>

Meeting adjourned at 10.37am – no speakers

Meeting resumed at 11.05am

Stephen Rye-Dunn		Not in attendance
Avian Hooker		Not in attendance
Mere Tumataroa		Not in attendance

Hannah Gordon		Not in attendance
Toni-Jane White		Not in attendance
Matthew Fallow Edwards		Matthew Edwards spoke to his submission, noting that he does not agree with the government's directive to chlorinate and the decision should sit with ratepayers. He expressed concerns in relation to sea-level rise, which would affect much of Hawke's Bay. He also stated that Council's Chief Executive should be an experienced and capable civil engineer.

Meeting adjourned at 11.15am – no speakers

Meeting resumed at 11.30am

Isabel Morgan, Chairperson AEP Society	Ahuriri Estuary Protection Society	<p>Isabel Morgan spoke on behalf of the Ahuriri Estuary Protection Society, noting their concern that businesses were still dumping pollutants into the Thames Street drain; it was hoped that the requirement to produce management plans including environmentally focussed actions would end this.</p> <p>It was confirmed that a new joint committee led by Mana Ahuriri has been formed to effectively restore the estuary.</p>
Pauline Doyle	Guardians of the Aquifer	<p>Pauline Doyle, spoke on behalf of the Guardians of the Aquifer in relation to chlorination of Napier's drinking water, advising their preference that Council:</p> <ul style="list-style-type: none"> • organise a public referendum on chlorine-free water in Napier; • write to the Minister of Local Government urging government not to introduce mandatory chlorination of municipal water supplies; • inform the Joint Working Group that Napier City Council intends to demonstrate that its bores are secure and that the Council will immediately discontinue use of chlorine as a residual disinfectant; • allocate no further capital expenditure for treatment plants; and • reinstate the chlorine-free public water taps so locals don't have to travel to Hastings for "de-chlorination" water. <p>It was confirmed that all Councils received a letter from the Minister of Health and the DHB stating that water is a public health issue. There is a liability risk to Council if they decide to stop chlorination.</p>

Sue MacDonald		Sue MacDonald spoke to her individual submission, on the Ahuriri Masterplan, stating that Council must focus on improving the water quality and stormwater issues in relation to the estuary. She supported the Ahuriri Estuary Management Plan but does not want the inflatable toys to be returned to the pond.
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Meeting adjourned 12.01pm – Break

Meeting resumed at 1pm

Clare Plug		<p>Clare Plug spoke in relation to the Estuary, stating her preference that the focus be stormwater only. She stated that she sees chlorination as a “band-aid solution”; the network should be upgraded urgently and the chlorine dose reduced to an undetectable level.</p> <p>Her preference was to refurb the existing Aquarium and not to expand it, as it wasn’t visited by enough people to warrant the work.</p>
<i>Tony Mildenhall</i>		<i>Not in attendance</i>
<i>Fred</i>		<i>Not in attendance</i>
<i>Juliet Greig</i>		<i>Not in attendance</i>
David Kamper	Napier Aquahawks	<p>David Kamper spoke in relation to the Aquatic Centre Development, noting that Napier Aquahawks Swimming Club supports the alternate development of the existing pool extension at Onekawa.</p> <p>He noted the lack of indoor space around the pool and minimal spectator seating in the QEII complex, advising that swimming competitions could not be hosted in this facility due to the lack of seating. This would also affect school swimming sports. He advised that six tier high spectator seating would be required and his belief that a 50m pool was required to meet Napier’s needs for the next 25 years.</p> <p>The QEII plan only provides for an additional 1½ 25m lanes from the current Onekawa Complex, based on the current 1.8m lane width and there is no learn to swim pool.</p> <p>David commended the Onekawa pool staff and lifeguards, stating that the Napier Aquatic Centre is one of the cleanest and well presented pools that they visit in NZ.</p> <p>It was confirmed that Napier is seeking more versatile pool space. Bulkhead technology would allow for multiple uses of the space. Modern filtration</p>

		<p>systems handle heating requirements for indoor/outdoor areas.</p> <p>It was also confirmed that a second 50m pool at the Regional Sports Park in Hastings is quite different to a 50m pool in Napier.</p>
<i>Michelle Beams</i>		<i>Not in attendance</i>
<i>Ethel & Jim Luft</i>		<i>Not in attendance</i>

Meeting adjourned at 1.43pm – no speakers

Meeting resumed at 1.48pm

Kay Foley		<p>Kay Foley spoke regarding chlorination, the aquatic centre development and the Ahuriri Masterplan, noting that Council's priority should be providing residents with safe drinking water from our underground aquifer.</p> <p>She stated that local authorities need to review the level of compliance, monitoring and standards and this would help ensure good water from underground. We do not necessarily need to chlorinate just because other NZ cities have to do so.</p>
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Meeting adjourned at 1.54pm – no speakers

Meeting resumed at 1.58pm

Craig Morley		<p>Craig Morley spoke to his submission in support of up to four rates funded de-chlorinated water stations. He noted that his preferred option was for safe un-chlorinated drinking water.</p>
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Meeting adjourned at 2.10pm – no speakers

Meeting resumed at 2.20pm

Andrew Wilson	Accessible Properties New Zealand Ltd	<p>Andrew Wilson spoke on behalf of Accessible Properties in relation to their submission on community housing, noting that their preferred option is option 2 from the Morrison Low report, being: That Council enters into a partnership arrangement with a social housing provider to create a community housing provider that delivers the service on its behalf.</p> <p>Accessible Properties New Zealand Ltd are potentially an interested party if Council decides to enter into a partnership with a Registered Community Housing Provider or seek housing services provision. It was noted that for access to income-related rent subsidies (IRRS) funding, the housing provider has to be registered as a community housing provider</p>
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		<p>(CHP), which takes considerable time and has associated ongoing costs.</p> <p>It was confirmed that a committee, made up of three Councillors and senior council officers, will review the matter, and come back to Council with their recommendation.</p>
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Meeting adjourned at 2.45pm – Break

Meeting resumed at 3.20pm

Peter Twigg		Peter Twigg spoke in support of Council's proposal to freehold non-strategic leasehold land, stating that Council needs to allow owners to freehold and reinvest in their properties. It was noted that there have been submissions made in support of retaining leasehold land, but even though Council own the land they are unable to access or use this land as the leaseholder has an interest in the property.
Robert Simpson		Robert Simpson spoke in relation to Council's ongoing chlorination of drinking water. He noted that permanent chlorination is unnecessary, over-the-top and brings its own health complications.
Garry Maurice Neems		Garry Neems spoke in relation to chlorination, requesting that Council consider assisting property owners with, or subsidising, the installation of water filters.
Hamish Frame	Tumu Merchants Limited	Hamish Frame spoke in support of Council reviewing their leasehold land policy. He referred to a proposed development in Ahuriri which is being held up due to part of the property being leasehold land. The feasibility of this project relies on the property titles being further subdivided, which is not able to be done while Council owns the freehold interest in the land.

Meeting adjourned at 3.53pm – no speakers

Meeting resumed at 3.57pm

Phil Norman		Phil Norman spoke in relation to motorhome parking on residential properties, noting that some impact negatively on neighbours' privacy and light etc. It was recommended that the Normans make a submission to the District Plan review next year.
Joe D'Esposito	Hawkes Bay Seafoods Ltd	Joe D'Esposito spoke in support of Council's proposal to review the leasehold land policy, noting that all leasehold property owners should be able to freehold and it is pleasing that the CBRE report now largely reflects submissions made to Council on this matter over the years.

		It was confirmed that ground rent reviews were historically based on land values; and, in terms of bank security, freehold ownership is preferred to leasehold for lending purposes.
Kelly Parker	Bodycorp 28401, Anchorage Apartments	<p>Kelly Parker spoke to his submission, noting that the Anchorage Apartments on West Quay Bodycorp fully support Council's proposal to freehold non-strategic leasehold land.</p> <p>The Anchorage Apartments were the first apartments to be built along West Quay, with many of the residents being pensioners and on fixed incomes. The ground rental was increased by 873% in 2017 with owners needing to pay more than \$1000 per month. It was confirmed that most, not all, of the Anchorage Apartment owners would be in a position to freehold should this option be available.</p>
Annie Dundas	Hawke's Bay Tourism	<p>Annie Dundas spoke to Hawke's Bay Tourism's submission in support of the National Aquarium of New Zealand expansion project. This facility will be a big asset for tourism in Napier.</p> <p>It was noted that identifying the benefits for the local community as well as tourists was important. When considering revenue from the facility, entry fees were only part of the picture, with retail and café takings also to be factored in. The government funding indicated is specifically tagged for this project and would not be allocated to the region for other projects if the Aquarium expansion did not proceed.</p>
Parag Jain		Parag Jain spoke to his submission in relation to subsidising food for lower income groups, noting this could be achieved through Council owned grocery stores or by working in partnership with supermarkets. It was confirmed that Parag's submission is requesting that Council assist however they can, either by ratepayer funding or advocating this proposal with central government.
<i>4.48pm Meeting adjourned, to reconvene 9am, Wednesday, 6 June 2018.</i>		
Warwick Marshall		Mr Marshall has been an Eskdale resident for many years. He spoke to his concern that the Ahuriri Estuary is no longer being fully utilised in its intended role as a stormwater outflow. For the last 20 years the focus has shifted to recreation and wetlands preservation at the expense of stormwater management. Silt and dirt flow down from higher in the catchments and build up, stopping the ability of water to flow and flush through the estuary. Mr

		Marshall believed that riparian planting may exacerbate the issue.
Ken Crispin	Citizens Environmental Advocacy Centre. (CEAC) Est' 2001.	<p>Council committed at its Services Committee in 2001 to advocate to Government on behalf of residents affected by noise from the expressway. While some mitigation has taken place since that time there has been very little overall; sections of road smoothing have been implemented but noise and pollution barriers have not. Noise measurements taken by the Crispins suggest that exceedances of 78db take place much more regularly than is considered best practice by WHO. NZTA do test noise levels but do not include dBc as well as dBa in their measurements.</p> <p>Council was asked to advocate on behalf of residents both for more immediate mitigations such as a noise wall/ pollution barrier, and to move towards increased rail transport.</p>
<p><i>9.35am Hearing of submissions ends. Meeting adjourned</i></p> <p><i>10.00am Meeting reconvened for Deliberations</i></p>		

DELIBERATIONS

LTP Funding Requests

ID	Organisation (Name)	Request	\$	Council Decision
338	Cranford Hospice Foundation – John Buck	Funding contribution for Cranford Hospice new building project	\$2,000,000	<p>This request was rejected on the basis that it is not the role of Local Government to fund this type of project.</p> <p>However Council is happy to support the project in other ways, for example through advocating with the Mayors/ Chair of the region on behalf of Cranford Hospice to Central Government. We are also currently assisting in kind.</p>
497	Sport HB – Mark Aspden	Funding for work in low participation areas	\$20,000	Council will allocate up to \$20k from the Council Projects Fund to work with Sport Hawke's Bay to develop the project. This is considered a one year payment and in addition to existing funding.
508	Bike On – Paul McArdle	\$100,000 pa to support local Napier schools implementing Bikes in Schools projects	\$1,000,000	This request was rejected on the basis that there are other funding avenues available to the submitter. It was further noted that Council is already contributing to cycling through infrastructure developments and the contribution of funding towards the Regional Cycling Coordinator, an unsubsidised cost of \$30k per annum.
571	Sir Graeme Avery	Grant of \$3 million in 2021/22 for the Hawke's Bay Community Fitness Centre Trust	\$3,000,000	Council supports this project; an unfunded commitment of \$2M that will be included as part of the consultation for the Long Term Plan 2021-31.
572	National Council of Women HB Branch – Dr Susan Jacobs	Financial options to be explored for the restoration of the Women's Rest	No amount specified	Council acknowledges the historic significance of this building and will work in partnership with the submitter.

ID	Organisation (Name)	Request	\$	Council Decision
		Building in Memorial Square		Building options will be considered later in 2018 in conjunction with options for the library building development.
642	Napier City Business Inc – Stephanie Kennard	Funding of \$50,000 pa to facilitate work on business growth and assist with development start ups.	\$500,000	Council will increase the City Vision budget by \$25k to provide one-off funding from reserves to assist with the development and implementation of the Napier City Business Inc strategy, ensuring that it aligns with the City Vision principles. Council encourages Napier City Business Inc to consult with their members on increasing the levy to fund business growth activities.
711	HB Knowledge Bank – Peter Dunkerley	Grant of \$23,000 for staff costs	\$23,000	Council approves a one-off grant of \$23k from the Council Projects fund.
751	Toimata Foundation – Kirsten Price	\$15,000 pa for Enviroschools	\$150,000	Council approves funding of \$15k per annum for three years (\$45k) from the Council Projects fund.
684	Maungaharuru-Tangitu Trust – Shayne Walker	Funding for Council to assist with Environmental Management Plans for each post settlement governance entity across the region. \$100K per claimant	\$200,000	Council will continue to work with MTT to develop the relationship and how we will engage with them. Funding will be considered in the future.
689	Gordon & Jan Anderson David & Wendy Wood	Cross Country Drain Enhancement	\$1,690,000 NCC share	Council supports the concept but will not allocate specific funding at this time. Council encourages the submitters to meet with Council staff to work in partnership on this project. Council's primary focus is on stormwater quality, and we are currently evaluating all

ID	Organisation (Name)	Request	\$	Council Decision
				aspects of the cross-country drain.
784	Gordon & Jan Anderson David & Wendy Wood	Birds at Our Back Gate & Cape to City project with Cross Country Drain above	Not specified	Council supports the concept but will not allocate specific funding at this time. Council encourages the submitters to meet with Council staff to work in partnership on this project. Stormwater quality is the primary focus, and we are currently evaluating all aspects of the cross-country drain.
714	HB Biodiversity Foundation – Genevieve Bennett	\$100,000 pa for four years for support of the HB Biodiversity Foundation	\$400,000	Council commends the work the Foundation is doing and will continue to develop the relationship with them. Council also encourages the Foundation to continue to work in partnership with Council in the development of the biodiversity strategy for Napier. Council will provide a one-off grant of \$50k as seed funding for the Foundation, funded from reserves. The Foundation is to report back to Council in a year on progress on the strategy and projects.
789	Waikato Regional Council - Vaughan Payne	Support for the \$1.5m fish passage research and development programme \$10K pa for three years	\$30,000	The request is rejected. Council encourages the submitter to discuss their request with the Hawke's Bay Regional Council.
798	Hawke's Bay Hockey Artificial Surface Trust – Neil Edmundson	<ul style="list-style-type: none"> Release the \$500K already agreed \$500,000 additional grant Up to \$500,000 loan pay back over 5 years 	\$500,000 Plus loan of \$500,000	Council will release the \$500k already committed. Council agrees to a further \$500k grant from the Parklands Councillor fund.

ID	Organisation (Name)	Request	\$	Council Decision
				Council also agrees to be guarantor for a loan of up to \$500k.
716	Surf Life Saving New Zealand – Charles Cordwell	Funding of Surf Life Guarding contract for service.	Not specified	Council agrees to provide \$20k in year one of the Long Term Plan, to be funded from Council Projects fund. The service agreement process can cover additional increases in years two and three.
661	Atea a Rangi educational trust - Philip Smith	Winter Solstice and Matariki	Not specified	Council encourages the submitters to make an application through the Community Development Projects fund process. Council indicates a strong desire to fund this project through this pathway.
671	Greendale Tennis, Taradale Cricket, Taradale Sports Club	Development of Taradale Park	Not Specified	Council will consider the points raised in this submission as part of the development of the Taradale Park strategy and urges that this piece of work becomes a priority.
659	Pirimai Residents Association – Richard Catley	Purchase of the Land from MoE adjacent to Allen Berry Park	Not Specified	Council has provided \$100k for development of the green space in the capital programme, if the land is able to be purchased.
857	Dr Nicholas Jones (HBDHB)	Allocation for housing improvement projects approved by the Housing Coalition	\$60,000	Council rejects this request.

Major Project 1 – De-Chlorinated Water Stations

Officer's Recommendation

That the proposed option of no de-chlorination stations is retained in the LTP.

Council's Recommendation:

That a minimum of two de-chlorinated water stations be provided in locations still to be agreed and a report brought to Council. To be funded from rates as per consultation (noting an offset in rates cost has been identified and to be approved as a resolution). Further stations to be determined based on usage. Council will carry out an education programme on water related matters.

For the reason being that this gives the public a choice to access de-chlorinated water if desired, noting that the Director of Health has strongly urged chlorination of drinking water across the country.

Major Project 2 – Napier Aquatic Centre Development

Officer's Recommendation

That Council proceed with the proposed 25m x 25m Pools and Play option (new location) and retain the allocated \$41.3 million for this project in the LTP.

Council's recommendation:

That the Officer's Recommendation be accepted subject to the following caveats:

- Post-move development and funding plan put in place for Onekawa
- Outdoor space built-in to the new complex
- Scope of Tender agreed by Council before it goes out
- The site investigations for the new location being completed

For the reasons that:

- The location allows the flexibility to provide a premium facility that will provide for future generations and areas of increased growth within Napier
- There can be continuity of swimming pool use while the new facility is under construction
- The new site has a great public profile and accessibility
- There will be a net increase in green space allowing for community access to free play

Major Project 3 – Ahuriri Masterplan

Officer's Recommendation

That Council proceed with the 12 proposed Ahuriri Masterplan projects and retain the allocated \$21.4 million for these projects in the LTP.

Council's recommendation:

That Council proceed with the 12 proposed Ahuriri Masterplan projects and retain the allocated \$21.4 million for these projects in the LTP.

For the reasons that:

- The focus of this Council is prioritising environmental sustainability and ecological excellence
- Council support the rejuvenation of the Ahuriri Estuary
- These projects will enhance the area and build on using our natural environment sustainably
- It fulfils Council's obligations to our partners who also want to work in this space

Major Project 4 – National Aquarium of New Zealand

Officer's Recommendation

That Council:

- (i) proceed with the preferred option, and allocate \$10.2M in the LTP as Council's contribution towards the \$53M full expansion project, and
- (ii) proceed to full business case and design concept following Government endorsement of the indicative business case.

Council's Recommendation

That Council:

- (i) proceed with the preferred option, and allocate \$10.2M in the LTP as Council's contribution towards the \$53M full expansion project, and
- (ii) proceed to full business case (including the full geotechnical assessment) and design concept following Government endorsement of the indicative business case

For the reasons that:

- It is now an important decision point: to close or reinvest – the facility exists so opportunity to maximise the asset
- This is a unique tourist attraction
- It is the National Aquarium of New Zealand
- The expanded facility will be a leader in environmental education to both schools and the community and a showcase for research being undertaken in the land-to-sea environment
- The expanded facility will support economic development and employment opportunities
- Will allow Council to continue to promote Napier as the kid's capital of New Zealand
- To allow Council to capitalise on partnerships and creative opportunities including with Weta Workshop and Air New Zealand

- An opportunity for Council to focus on Māori and Pacific education, training and careers in the science and mathematics areas; with school and tertiary partners locally, nationally and internationally
- Council recognises there are future decision gateways including business case approval, and external funding being obtained

Major Project 5 – Leasehold Land

Officer's Recommendation

That Council proceed with the preferred option to enable the sale of non-strategic leasehold land on a case by case basis.

Council's Recommendation

That Council proceed with the preferred option to enable the sale of non-strategic leasehold land on a case-by-case basis, subject to alternative investments being identified, and

That the resolutions from the Strategy and Infrastructure Committee meeting on 30 January 2018 be **updated** to reflect the following:

- To allow freeholding of non-strategic land using as a guide the June 2016 Boffa Miskell report "Napier City Investment Portfolio: Urban Landscape Strategic review" on a case by case basis.
- That recommendations on the freeholding of all identified non-strategic land be considered by the Audit and Risk Committee in the first instance for recommendation to Council.
- That the sale of leasehold land be a Decision of Council.
- That a divestment and investment policy for the sale proceeds is established and approved by Council resolution prior to the release of any leasehold land.

For the reasons that:

- The current policy provides no flexibility for freeholding specific, non-strategic assets that if sold, could assist in the redevelopment of industrial and/or commercial land in Napier and stimulate private investment.
- Introducing some flexibility in the policy will allow Council to consider each leasehold property on its merits so that any decisions relating to such land is made with the best intentions for the future of Napier.
- Freeholding specific properties will enable diversification of the Council's investment portfolio which will reduce market exposure risks.
- Using the Boffa Miskell report as guidance to determine the strategic nature of each property and performing an investigation into sale and reinvestment opportunities on a case by case basis, gives Council the ability to adapt to current market conditions to ensure maximum benefit to ratepayers.

Do we have the right balance?

The final consultation question asked submitters if they think Council has the correct balance between the balance of providing essential services and the provision of things that make our city a great place to live like hosting events, providing things to do, gardens to admire parks to play in, places to do business and so on - the “sparkle”.

Based on the submissions Council received the balance was endorsed
The following recommendations support this outcome.

Council's recommendation:

That Council:

1. Change the funding for the Aquarium Business Case from rates to Council reserves in 2018/19, which will result in a decrease in rates from those provided in consultation.
2. Fund \$500k to meet investigation/design requirements for the Te Awa development from Development Contributions in 2019/20.
3. Approves the transfer from rates to Development Contributions, the projects that were identified in the consultation of the Development and Financial Contribution Policy (\$5Million over 10 years).

Other Issues

The submissions and management comments were reviewed. Any matters raised in relation to specific submissions are captured below; otherwise the management comments were accepted by Council.

ID	Organisation (Name)	Council Comments															
864	Taradale Marketing Association – Linda Walsh	<table border="1"> <thead> <tr> <th></th><th>Topic</th><th>Management Comment</th></tr> </thead> <tbody> <tr> <td>1</td><td>Installation of Shade Sails over the Playgrounds in Taradale Park, Puketapu Road</td><td>The development of a Reserve Management Plan for Taradale Park will inform the scope and timing of any/all work at the park, including how Council will implement the shade policy</td></tr> <tr> <td>2</td><td>Funding of a Replacement Mural on Taradale Park Toilet Block</td><td>Grants or private funding would be appropriate for a mural but Council will need to approve the proposed mural. Given there may be changes to the area as a result of the Reserves Management Plan and potential changes to the skate bowl area, any murals should be considered as part of this process subject to wider community feedback. Note: There have only been four tagging incidents reported on this asset over the last 12 months.</td></tr> <tr> <td>3</td><td>Installation of Additional Bike / Scooter Stands in Gloucester Street</td><td>The provision of cycle stands is included in New Cycle and Walking Tracks budgets. These will be prioritised on a citywide basis and areas such as Taradale are highly likely to see the installation of new facilities.</td></tr> <tr> <td>4</td><td>Symons Lane – Traffic and Pedestrian Safety Issues</td><td>As part of the alleyway place making projects, Symons Lane was brought to the attention of Council's Road Engineering who have provided initial advice regarding these projects. The treatment of Symons Lane will be considered alongside the Reserves Management Plan currently being developed and any other changes to the park in the meantime. Traffic calming features have already been ordered and it is expected they will be in place by the end of June.</td></tr> </tbody> </table> <p>Council confirmed that shade sails are a priority before next summer.</p>		Topic	Management Comment	1	Installation of Shade Sails over the Playgrounds in Taradale Park, Puketapu Road	The development of a Reserve Management Plan for Taradale Park will inform the scope and timing of any/all work at the park, including how Council will implement the shade policy	2	Funding of a Replacement Mural on Taradale Park Toilet Block	Grants or private funding would be appropriate for a mural but Council will need to approve the proposed mural. Given there may be changes to the area as a result of the Reserves Management Plan and potential changes to the skate bowl area, any murals should be considered as part of this process subject to wider community feedback. Note: There have only been four tagging incidents reported on this asset over the last 12 months.	3	Installation of Additional Bike / Scooter Stands in Gloucester Street	The provision of cycle stands is included in New Cycle and Walking Tracks budgets. These will be prioritised on a citywide basis and areas such as Taradale are highly likely to see the installation of new facilities.	4	Symons Lane – Traffic and Pedestrian Safety Issues	As part of the alleyway place making projects, Symons Lane was brought to the attention of Council's Road Engineering who have provided initial advice regarding these projects. The treatment of Symons Lane will be considered alongside the Reserves Management Plan currently being developed and any other changes to the park in the meantime. Traffic calming features have already been ordered and it is expected they will be in place by the end of June.
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171	Robin Harvey	The incorrect management comment has been included for this submission – this will be amended.															
503	Ken Crispin	Councillor Price, Council's representative on the Regional Land Transport Committee, will raise this issue with the committee for their consideration.															
86		Council notes there is a 10m height restriction on buildings in the town centre heritage zone to help maintain its aesthetic.															
233	Diane Roselle	Further to the management comments, it should be noted that capital funding for the Aquarium will largely be raised from outside sources and as such cannot be used to offset rates.															
572 Etc	Parent's facility/ women's rest	Council has confirmed it will provide \$30k per annum from the Council Projects fund for operational expenditure, with capital expenditure to come from the Councillors Parklands fund.															
642	Napier Business Inc.	It is proposed to allocate \$100k from Council's Projects fund to Napier City Council's safety patrols for 12 months to ensure an appropriate model for Napier is implemented.															

ID	Organisation (Name)	Council Comments
	Re Rates increases	Rates are able to be reduced by 0.4% as a result of the implementation funding the Aquarium Business Case from reserves rather than rates.
	Re Livestreaming formal meetings	The timing of possible live streaming of council meetings is best aligned with a move into a permanent civic facility. The management team will report back to Council on anticipated costs of live streaming for committee and council meetings.
262	Keith Ronald	Please confirm that the management response is in relation to current erosion concerns and not any possible future effects of climate change.
863	Warwick Marshall	Council have asked the council engineering team to meet with Warwick to discuss the issues raised in his submission .

RECOMMENDATIONS

1. SUBMISSIONS FOR THE LONG TERM PLAN 2018-28 CONSULTATION DOCUMENT

Type of Report:	Legal
Legal Reference:	Local Government Act 2002
Document ID:	477925
Reporting Officer/s & Unit:	Wayne Jack, Chief Executive

1.1 Purpose of Report

To consider submissions received on the Long Term Plan 2018-28 Consultation Document.

Council resolution Councillors Taylor / Price

That Council

- a. Resolve that officers be requested to prepare the Long Term Plan 2018-28 document in accordance with the recommendations.
- b. Resolve that the submitters be advised of Council's decision in relation to their submission at the time of the adoption of the Long Term Plan 2018-28 on 29 June 2018.
- c. Resolve that the funding request recommendations be actioned, and incorporated into the response letters prepared to submitters.
- d. Resolve that the recommendations on other issues be updated as per council discussion, and incorporated into the response letters prepared to submitters.
- e. Resolve that the following council recommendations be adopted, including any changes and/ or additional recommendations arising from the Hearing and consideration of all submissions to the Long Term Plan 2018-28 ('LTP') Consultation Document:

(i) **De-chlorinated Water Stations**

That a minimum of two de-chlorinated water stations be provided in locations still to be agreed and a report brought to Council. To be funded from rates as per consultation (noting an offset in rates cost has been identified and to be approved as a resolution). Further stations to be determined based on usage. Council will carry out an education programme on water related matters.

For the reason being that this gives the public a choice to access de-chlorinated water if desired, noting that the Director of Health has strongly urged chlorination of drinking water across the country.

(ii) Napier Aquatic Centre Development

That Council proceed with the proposed 25m x 25m Pools and Play option (new location) and retain the allocated \$41.3 million for this project in the LTP, subject to the following caveats:

- Post-move development and funding plan put in place for Onekawa
- Outdoor space built-in to the new complex
- Scope of Tender agreed by Council before it goes out
- The site investigations for the new location being completed

For the reasons that:

- The location allows the flexibility to provide a premium facility that will provide for future generations and areas of increased growth within Napier
- There can be continuity of swimming pool use while the new facility is under construction
- The new site has a great public profile and accessibility
- There will be a net increase in green space allowing for community access to free play

(iii) Ahuriri Masterplan

That Council proceed with the 12 proposed Ahuriri Masterplan projects and retain the allocated \$21.4 million for these projects in the LTP.

For the reasons that:

- The focus of this Council is prioritising environmental sustainability and ecological excellence
- Council supports the rejuvenation of the Ahuriri Estuary
- These projects will enhance the area and build on using our natural environment sustainably
- It fulfils Council's obligations to our partners who also want to work in this space

(iv) National Aquarium of New Zealand

That Council:

(i) proceed with the preferred option, and allocate \$10.2M in the LTP as Council's contribution towards the \$53M full expansion project, and

(ii) proceed to full business case (including the full geotechnical assessment) and design concept following Government endorsement of the indicative business case

For the reasons that:

- It is now an important decision point: to close or reinvest – the facility exists so opportunity to maximise the asset
- This is a unique tourist attraction
- The expanded facility will be a leader in environmental education to both schools and the community and a showcase for research being undertaken in the land-to-sea environment
- The expanded facility will support economic development and employment opportunities
- Council will continue to promote Napier as kid's capital
- To allow Council to capitalise on partnerships and creative opportunities including with Weta Workshops, University of Waikato and Air New Zealand
- This is an opportunity for Council to focus on Māori and Pacific education, training and careers in the science and mathematics areas; with school and tertiary partners locally, nationally and internationally
- Council recognises there are future decision gateways

(v) *Leasehold Land*

That Council proceed with the preferred option to enable the sale of non-strategic leasehold land on a case by case basis, subject to alternative investments being identified.

And that the resolutions from the Strategy and Infrastructure Committee meeting on 30 January 2018 be updated to reflect the following:

- To allow freeholding of non-strategic land using as a guide the June 2016 Boffa Miskell report "Napier City Investment Portfolio: Urban Landscape Strategic review" on a case by case basis.
- That recommendations on the freeholding of all identified non-strategic land be considered by the Audit and Risk Committee in the first instance for recommendation to Council.
- That the sale of leasehold land be a Decision of Council.
- That a divestment and investment policy for the sale proceeds is established and approved by Council resolution prior to the release of any leasehold land.

For the reasons that:

- The current policy provides no flexibility for freeholding specific, non-strategic assets that if sold, could assist in the redevelopment of industrial and/or commercial land in Napier and stimulate private investment.
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- Introducing some flexibility in the policy will allow Council to consider each leasehold property on its merits so that any decisions relating to such land is made with the best intentions for the future of Napier.
 - Freeholding specific properties will enable diversification of the Council's investment portfolio which will reduce market exposure risks.
 - Using the Boffa Miskell report as guidance to determine the strategic nature of each property and performing an investigation into sale and reinvestment opportunities on a case by case basis, gives Council the ability to adapt to current market conditions to ensure maximum benefit to ratepayers.

(vi) *Animal Control*

That revenue from dog registrations is adjusted from year two to recognise increased number of dog owners, including minor adjustments to revenue to recognise additional costs relating to the provision of the service in line with costs.

(vii) *Public Toilets*

That capital expenditure on public toilets in years six to year ten is reduced by \$2.2m (inflated).

(viii) *Anderson Park Upgrade Stage 2*

That capital expenditure totalling \$1.2m for the Anderson park upgrade is removed from the capital plan (\$112k in year 6 and \$1.1.m year 7) as there was a duplication.

(ix) *Housing review*

That \$200k be allocated to undertake the housing review with funding from the housing ring fenced fund.

(x) *Westshore dredging*

That \$25k pa for years one and two be allocated from existing budgets and reserves for consents for dredging disposal at Westshore.

(xi) *Aquarium Business Case*

That the funding for the Aquarium Business Case be moved from rates to Council reserves in 2018/19.

(xii) *Te Awa Development*

That \$500k be funded to meet investigation/design requirements for the Te Awa development from Development Contributions in 2019/20.

(xiii) *Council Projects Fund*

Council agrees to a one year increase of \$100k to the 2018/19 Council Projects fund. To be sourced from unspent Council Projects fund budget from 2017/18 and included in the Long Term Plan operating budget

Carried

The meeting closed at 5.32pm, 6 June 2018

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

Chairperson

Date of approval