



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Tuesday 26 June 2018

Time: 2.00pm – 3.32pm

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 and Wright

In Attendance Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Manager Business Excellence & Transformation

Administration Governance Team

Apologies

Nil

Conflicts of interest

Nil

Announcements by the Mayor

The Mayor advised that:

1. The meeting is being live streamed via Napier City Council's facebook page;
2. The Draft Minutes of the Ordinary meeting held on 1 June 2018 will be considered at the Extraordinary Meeting of Council on 29 June 2018.

Announcements by the management

Nil

Confirmation of minutes

Council resolution Councillors Boag / Hague

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

Carried

Hearing of Submissions – Representation Review

Apologies were received for the following speakers:

- Maryanne Marsters
- Robert Patrick Magill – Napier Pilot City Trust
- Michelle Ratima – Tū Tangata Maraenui Trust

Mark Cleary

Mark Cleary spoke to his submission in support of a full ward system, with 12 Councillors. He urged the Councillors not to ignore the officer's report, noting that a full ward system will allow Napier to position itself as a genuinely democratic city.

Paul Bailey

Paul Bailey spoke to his submission in support of a ward only system; representation should be at the lowest level, as close to the people as possible. He noted that Ward Councillors appear to be more visible to the community than At-large Councillors, and it is more cost effective to stand as a Ward Councillor than At-large.

In response to questions from Councillors Mr Bailey confirmed that he preferred a larger number of wards; and that it could be seen as a disadvantage that voters will no longer be able to vote for the majority of Councillors under a ward only system, but this could also be a positive.

Fran Lowe

Fran Lowe spoke to her submission in support of a full ward system, as per the officer's analysis report. The ward system should promote a more competitively contested election, resulting in better representation and less cost to candidates.

Rosalind Muir

Rosalind Muir spoke to her submission noting that there is currently a disconnect between Council and the community, as evidenced on social media. A move to a more grass-roots level is needed; community boards would allow more local people to become involved.

In response to questions from Councillors Rosalind confirmed that Nelson Park Ward Councillors attend the Pirimai Residents' Association (of which she is a member); At-large Councillors have also attended, when invited.

Jenny Mauger

Jenny Mauger spoke to her submission noting that doubling the number of ward Councillors would replace at-large Councillors and would assist in sharing the load.

Murray Mills – Waiapu Cathedral E J P Network

Murray Mills spoke to his submission in support of a full council on a ward-only basis noting that the officer's report suggested that this would encourage a fairer and fuller demographic spread; similar to MMP. He stated that a broader range of voters would feel better represented and would be more inclined to approach their ward Councillors, and that at-large is easier for candidates with money, time and resources. It is important to have a local face representing a manageable area.

Robin Gwynn

Robin Gwynn spoke to his submission in support of a full ward system noting that Napier needs better democracy and congratulating officers on their report. Fundamental to the concept of fairness is whether Napier is one homogenous community of interest or not; it is not. Historically, the vast majority of Councillors came from Taradale/Greenmeadows and the Hill, leaving large areas unrepresented. The mixed system has somewhat addressed this but not far enough; it is not representative if 'representatives' come from limited areas of the voting boundaries, they should come from all areas across the city and areas of high deprivation need to be better represented.

Deliberation of Submissions – Representation Review

Deliberations in response to submissions were undertaken, noting the following points:

- Our current Council is vibrant and inclusive including six female Councillors and six male, one Māori representative, a range of ages with the youngest recently turning 30, a range of political positions and diverse and complementary skills.
- Councillors with businesses and other interests are also involved in the community.
- Some noted that the current Council is a good example of how the mixed system works.
- Decision making requires a balance of data and instinct; data can be influenced by other circumstances.
- The submitters have made it very clear that the status quo is not acceptable.
- A number of Councillors confirmed that they previously voted to retain the status quo as they were unsure what the voters wanted; the clarity in the submissions made,

regarding the full ward system, is appreciated and Councillor views have been adjusted based on the submissions received.

- A number of Councillors confirmed that they have been both ward and at-large Councillors and found it interesting comparing the two positions.
- Although the report suggests that voter turnout would be improved under a full ward system, 75% of New Zealand Councils have a full ward system yet voter turnout continues to decrease every year.
- There were two options recommended for consideration in the report, retaining the status quo and moving to a full ward system.

AGENDA ITEMS

1. REPRESENTATION REVIEW - SUBMISSIONS ON INITIAL PROPOSAL

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|--|-----------------------------------|
| <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.

At the meeting

During the discussion the following points were made in support of moving to a full ward system:

- All three systems, at-large, mixed and all ward, have been used by Napier in the past.
 - The full ward system was determined to be the fairest and best representation in accordance with the detailed analysis provided in the officers' reports.
 - 70% of the submissions received were in favour of the full ward system, referencing the following points in favour of this system:
 - Greater voter turnout
 - Fairer representation
 - Increased number of candidates contesting seats
 - Increased accountability of elected members
 - Share workloads of ward Councillors
 - Not as expensive to run in wards
 - Napier argued against amalgamation because it was considered that best representation should be close to home; ward representatives were considered another way to reflect this.
 - The majority of submitters in favour of retaining the status quo didn't make any comments.
 - The submitters have made a compelling case for moving to a full ward system. This is an opportunity to demonstrate that Council are listening.
 - If the full ward system could possibly increase ethnic diversity, visibility and accountability of our Council, then we should give this a try.
 - It no longer makes sense to only have one representative in the Ahuriri Ward and only two in the Nelson Park Ward; the workload would be shared under a full ward system.
 - Council has an opportunity to trial the full ward system; this can always be reassessed in three years' time. A number of Councillors noted that they are prepared to vote in favour of the full ward system to see if this results in any changes for this coming term.
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- Some members of the community find it difficult to connect with Council under the current system.
 - Ward Councillors are accountable to their ward. They will be voted out if they are not performing, giving the community greater control in who represents them.

The following points were made in support of retaining the status quo:

- The current Council represents a good mix of business and community, this has been achieved under the current mixed system.
- Consideration should be given to the city's appetite for change. The results of the public survey showed that the majority wanted to retain the status quo, similar to the amalgamation debate. Only 11.8% were in favour of a full ward system.
- In response to comments that it costs less to run as a ward Councillor than at-large, some at-large Councillors have been known to spend little or nothing to run and have still been elected.
- Council is a business with \$1.6Billion worth of assets to manage and 530 staff. Having at-large candidates allows voters to consider those that can bring business and administrative skills to the table.
- The current mixed system offers the best of both worlds.
- Voter turnout should be considered in a wider context than just wards/no wards.
- The mixed system allows the public to vote for a larger number of Councillors than ward only.

Council resolution Councillors Boag / Tapine

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%, being:

That Council adopt a full ward system using the existing ward boundaries, with 12 Councillors and the Mayor, and with no community boards being established.

For the reasons being:

- The full ward system was determined to be the fairest and best representation in accordance with the detailed analysis provided in the officer's report.
- 70% of submissions received were in favour of the full ward system.
- Increased diversity, visibility and accountability of Council.
- Shared workloads of ward Councillors.

- c. Directs Officers to record and publicly notify the Final Proposal and the responses to submissions along with the reasons for each
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response, as required under section 19N(2) of the Local Electoral Act 2001.

Councillor McGrath against.

Carried

The meeting adjourned briefly at 3.23pm and reconvened at 3.26pm.

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

Type of Report: Legal and Operational

Legal Reference: Resource Management Act 1991

Document ID: 491842

Reporting Officer/s & Unit: 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.

At the meeting

No discussion was held on this item.

Council resolution Mayor Dalton / Councillor Jeffery

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.
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- 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

Carried

3. HAWKES BAY MUSEUM TRUST BOARD APPOINTMENT

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 511032

Reporting Officer/s & Unit: 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

At the meeting

No discussion was held on this item.

Council resolution Councillors Brosnan / Hague

That Council:

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

Carried

4. CCO - HB MUSEUMS TRUST SOI 2018-2020

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 478275

Reporting Officer/s & Unit: 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.

At the meeting

No discussion was held on this item.

Council resolution Councillors Wise / Wright

That Council:

- a. Receive the final Hawke’s Bay Museums Trust Statement of Intent 2018 –2020.

Carried

5. CCO - HB AIRPORT LIMITED SOI 2018/19

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 462000

Reporting Officer/s & Unit: 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.

At the meeting

No discussion was held on this item.

Council resolution Councillors Taylor / Dallimore

That Council:

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

Carried

6. JOINT COMMITTEE UNCONFIRMED MINUTES

Type of Report: Information

Legal Reference: N/A

Document ID: 476789

Reporting Officer/s & Unit: 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.

At the meeting

No discussion was held on this item.

Council resolution Councillors Wise / Dallimore

That Council:

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

Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 19 June 2018

Council resolution Councillors Tapine / Boag

That the Māori Consultative Committee Minutes be received.

Carried

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

REPORTS FROM STRATEGY AND INFRASTRUCTURE COMMITTEE HELD 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).

Māori Consultative Committee's recommendation

T Aranui / T Henare-Winitana

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

Carried

At the meeting

No discussion was held on this item.

Council resolution Councillors Price / Brosnan

The Strategy and Infrastructure Committee:

- a. 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.

Māori Consultative Committee's recommendation

T Aranui / T Henare-Winitana

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

Carried

At the meeting

No discussion was held on this item.

Council resolution Councillors Price / Brosnan

The Strategy and Infrastructure Committee:

- a. 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
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- b. 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.

Māori Consultative Committee's recommendation

T Aranui / T Henare-Winitana

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

Carried

At the meeting

No discussion was held on this item.

Council resolution Councillors Price / Brosnan

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.
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Carried

REPORTS FROM REGULATORY COMMITTEE HELD 29 MAY 2018

1. NAPIER CITY BLACK FRIDAY FIESTA

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|--|---|
| <i>Type of Report:</i> | Operational |
| <i>Legal Reference:</i> | Local Government Act 2002 |
| <i>Document ID:</i> | 468801 |
| <i>Reporting Officer/s & Unit:</i> | 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.

Māori Consultative Committee's recommendation

T Henare-Winitana / T Aranui

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

Carried

At the meeting

It was noted that waste-free events are encouraged, including the provision of recycling bins.

Council resolution Councillors Hague / Taylor

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.
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Carried

2. STREET NAMING-240 AND 250 GUPPY ROAD TARADALE

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|--|---|
| <i>Type of Report:</i> | Procedural |
| <i>Legal Reference:</i> | N/A |
| <i>Document ID:</i> | 472545 |
| <i>Reporting Officer/s & Unit:</i> | 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.

Māori Consultative Committee's recommendation

T Henare-Winitana / 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 confirmed that Council Officers will engage the Māori Consultative Committee earlier regarding street naming, and will work through this process with private developers where possible.

Council resolution Councillors Hague / Taylor

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.

Māori Consultative Committee's recommendation

T Henare-Winitana / T Aranui

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

Carried

At the meeting

No discussion was held on this item.

Council resolution Councillors Hague / Taylor

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 nor-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
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- 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.
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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.

At the meeting

No discussion was held on this item.

Council resolution Councillors Jeffery / Wright

That Council:

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

Carried

2. TENDERS LIST

| | |
|--|---------------------------------------|
| <i>Type of Report:</i> | Information |
| <i>Legal Reference:</i> | N/A |
| <i>Document ID:</i> | 510080 |
| <i>Reporting Officer/s & Unit:</i> | Sarah Ashworth, PA to Chief Executive |

2.1 Purpose of Report

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

At the meeting

No discussion was held on this item.

Council resolution Councillors Jeffery / Wright

That Council:

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

Carried

3. RESOURCE CONSENTS

Type of Report: Information

Legal Reference: Building Act 2004

Document ID: 510086

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 April – June 2018.

At the meeting

No discussion was held on this item.

Council resolution Councillors Jeffery / Wright

That Council:

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

Carried

4. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

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|--|---------------------------------------|
| <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.

At the meeting

No discussion was held on this item.

Council resolution Councillors Jeffery / Wright

That Council:

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

Carried

PUBLIC EXCLUDED ITEMS

Council resolution Councillors Brosnan / Wise

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

Carried

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

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|--|---|---|
| 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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The meeting moved into committee at 3.32pm.

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

Chairperson

Date of approval