



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Tuesday 7 August 2018

Time: 3.00pm – 3.20pm

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 Community Strategies, Manager Business Excellence and Transformation, Manager City Development, Manager Regulatory Solutions, Strategic Planning Lead

Administration Governance Team

Apologies

Nil

Conflicts of interest

Cr Wise – Variation of Lease, Danish Delight (Reports Under Delegated Authority Item 4 – Schedule of Documents Under Seal)

Public forum

Nil

Announcements by the Mayor

The Mayor and Chief Executive are working directly with the Chair of the Māori Consultative Committee to adjust where and how in the meeting cycle that Committee are able to participate in discussions. It has also been agreed that the Committee members will be included in all seminar invitations to ensure they have increased opportunities to discuss projects and activities underway.

Announcements by the management

Welcome was extended to the new Communications and Marketing Manager, Craig Ogborn.

Acknowledgment and thanks were extended by staff and Council to the Manager Regulatory Solutions, Hayleigh Brereton, who is leaving Council to move to Christchurch.

Confirmation of minutes

Council resolution Councillors Taylor / Price

That the Draft Minutes of the Ordinary meeting held on 26 June 2018 be confirmed as a true and accurate record of the meeting.

Carried

Council resolution Councillors Brosnan / Dallimore

That the Draft Minutes of the Ordinary meeting held on 29 June 2018 be confirmed as a true and accurate record of the meeting.

Carried

Council resolution Councillors Wright / White

That the Draft Minutes of the Ordinary meeting held on 11 July 2018 be confirmed as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. ELECTED MEMBERS REMUNERATION DETERMINATION 2018/19

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 531256

Reporting Officer/s & Unit: Deborah Smith, Acting Team Leader Governance

1.1 Purpose of Report

To present to Council the 2018/19 determination of the Remuneration Authority on remuneration for Elected Members.

At the Meeting

In discussion Councillors noted that:

- The 2018/19 Determination is part of a transition to the Remuneration Authority's new process which will be rolled out more fully in 2019.
- When Council is able to allocate its own funding pool, it was recommended that a greater differential be created between the Deputy Mayoralty and Chairs of Standing Committees in recognition of the responsibilities held by a Deputy Mayor.

Cr Boag spoke against the recommendation in principle, noting that Council has not yet made a decision to move all employees to the living wage.

It was advised in response to questions from councillors that the details of staff not currently on the living wage are being worked through, as part of the larger body of work in relation to government's indicated likely raise of the minimum wage.

I

Council resolution Councillors White / Tapine

That Council:

- a. Adopt the remuneration levels advised by the national Remuneration Authority for the year 2018/19.
- b. Note the three-phase implementation of changes to how elected member remuneration will be set by the Remuneration Authority, starting with the 2018/19 Determination.

Cr Boag against

Carried

2. REPRESENTATION REVIEW - APPEALS AND OBJECTIONS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Electoral Act 2001
<i>Document ID:</i>	603337
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Acting Team Leader Governance

2.1 Purpose of Report

To notify Council of any appeals and objections received to the final proposal for the 2018 Representation Review, and advise of the next stage of the process.

At the Meeting

In response to questions from Councillors it was clarified that should Council be concerned by any determination of the Local Government Commission, an appeal may be sought on a point of law, or a judicial review of the process may be requested. While both paths are unusual, they have taken place on occasion.

Council resolution Councillors Boag / Wise

That Council:

- a. Note the appeals and or objections received to its final proposal for the 2018 Representation Review.
- b. Note the next stages in the review process.

Carried

3. CONSENT TO EASEMENT OVER RESERVES

Type of Report:	Legal
Legal Reference:	Reserves Act 1977
Document ID:	552594
Reporting Officer/s & Unit:	Steve King, Policy and Standards Engineer

3.1 Purpose of Report

To seek Council consent to the granting of Easements in favour of Unison Networks Limited, over Council Local Purpose (Passive Recreation) Reserves in Parklands.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Brosnan / Wright

That Council:

- a. Resolve, pursuant to Section 48(1) of the Reserves Act 1977, to consent to the grant of the easements in gross as set out in the Schedule below: -

SCHEDULE

Hawkes Bay Land District

Napier City Council

Purpose	Land	CFR	Shown	Grantee
Right to Convey Electricity, Telecommunications and Electronic Data	Lot1003 DP5200 53	845056	E and Y on DP 520053	Unison Networks Limited
Right to Convey Electricity, Telecommunications and Electronic Data	Section 1 SO 470226	778177	X on DP 520053	Unison Networks Limited

Carried

4. HB CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE - DRAFT MINUTES

Type of Report: Procedural

Legal Reference: N/A

Document ID: 549821

Reporting Officer/s & Unit: Rebecca Huckle, Personal Assistant to the Mayor

4.1 Purpose of Report

To present to Council the draft minutes of the HB Civil Defence Emergency Management Group Joint Committee from 14th May 2018

At the Meeting

There was no discussion on this item.

Council resolution Councillors Dallimore / Taylor

That Council:

- a. Receive the draft minutes of the HB Civil Defence Emergency Management Group Joint Committee from 14th May 2018

Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 19 JULY 2018

1. REVIEW OF CHARTER

Type of Report: Operational

Legal Reference: N/A

Document ID: 522046

Reporting Officer/s & Unit: Adele Henderson, Director Corporate Services

1.1 Purpose of Report

As set out in the Audit and Risk Committee Charter, the Committee will review this Charter in consultation with the Council at least once a year. Any substantive changes to the Charter will be recommended by the Committee, and formally approved by the Council. The last review of the Charter was undertaken December 2016

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

The Audit and Risk Committee:

- a. Review the Audit and Risk Committee Charter
 - b. Provide any recommended changes for Council approval, those changes being:
 - Flow through the document has been improved with the inclusion of section titles
 - The Charter is proposed to be reviewed every two years rather than annually. The next review will be October 2020.
 - The only content changes are as follows:
 - Under section “Composition and Tenure”:
-

- The Napier City Council will appoint the Chairperson of the Committee.
 - Council representatives on the Committee will carry out their duties as outlined in the Charter, recognising the difference in the role of the Committee compared to Councillor community advocate.
- Under section “Risk Management”:
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- Under section “External Accountability”:
- Review the processes and risk assessment are in place for the development and adoption of the Council’s Long Term Plan.

Carried

2. EXTERNAL AUDIT - AUDIT NZ MANAGEMENT REPORT CONSULTATION DOCUMENT 2018-28

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	519643
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

2.1 Purpose of Report

To receive the Audit New Zealand management report for the Consultation Document for the Long Term Plan 2018-28

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

The Audit and Risk Committee:

- a. Receive the Audit New Zealand management report for the Consultation Document for the Long Term Plan 2018-28.

Carried

3. EXTERNAL AUDIT - AUDIT NZ INTERIM MANAGEMENT REPORT

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 453613

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

3.1 Purpose of Report

To advise the committee that Audit NZ did not find any new issues while carrying out the interim audit for 2017/18 and therefore no management report has been issued.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

That the Committee:

- a. Note that Audit New Zealand did not find any new issues from the interim audit for 2017/18 and therefore no management report has been issued.
-

Carried

4. EXTERNAL AUDIT - AUDIT NZ MANAGEMENT REPORT LONG TERM PLAN 2018-28

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 525799

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

4.1 Purpose of Report

To receive the Audit New Zealand management report for the Long Term Plan 2018-28.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

The Audit and Risk Committee:

- a. Receive the Audit New Zealand management report for the Long Term Plan 2018-28.
- b. Receive the recommendations and approve the management comments.

Carried

5. RISK MANAGEMENT - RISK MANAGEMENT REPORT

Type of Report: Information

Legal Reference: N/A

Document ID: 453619

Reporting Officer/s & Unit: Rachael Horton, Manager Business Excellence & Transformation

5.1 Purpose of Report

To provide the Audit and Risk Committee (Committee) with an update on progress with risk management work and to report on the highest rated risks.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

That the Committee:

- a. Note the risk management work being undertaken by the NCC Risk Committee.
- b. Receive the report titled: Highest rated risks report 9 July 2018.

Carried

6. RISK MANAGEMENT - INSURANCE UPDATE

Type of Report: Information

Legal Reference: N/A

Document ID: 525768

Reporting Officer/s & Unit: Bryan Faulknor, Manager Property

6.1 Purpose of Report

To advise the committee of the insurance arrangements for the period 1 July 2018 to 30 June 2019.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

The Audit and Risk Committee:

- a. Resolve
 - i. That the report on the 2018/19 insurance arrangements be received.
-

Carried

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 24 JULY 2018

1. NYREE DAWN PORTER COMMEMORATION

Type of Report: Operational

Legal Reference: N/A

Document ID: 513398

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

1.1 Purpose of Report

The purpose of this report to present options to celebrate and commemorate the achievements of Napier born and raised Nyree Dawn Porter, a celebrated actress, singer, and dancer, who made it to the West End in numerous shows, as well as film and television appearances abroad. Ms Porter passed away in London in 2001. She continues to have family residing in Napier.

At the Meeting

There was no discussion on this item.

Council resolution Councillors White / Wright

The Community Services Committee:

- a. Endorse the proposal to rename the Municipal Theatre's dress circle the 'Nyree Dawn Porter Circle', and to provide further exposure of Ms Porter's achievements by displaying informational material within the theatre foyer for a limited time.
- b. Approve that further opportunities to celebrate Ms Porter's achievements are explored as projects and funding opportunities arise.

Carried

2. FINAL AHURIRI ESTUARY & COASTAL EDGE MASTERPLAN

Type of Report: Operational

Legal Reference: N/A

Document ID: 522119

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

2.1 Purpose of Report

The purpose of this report is to outline the changes that have been made to the Draft Ahuriri Estuary and Coastal Edge Masterplan, and to adopt the Final Ahuriri Estuary and Coastal Edge Masterplan as provided in the attachment.

At the Meeting

The Chief Executive acknowledged the work undertaken by the Strategic Planning Lead on this project, noting that the Masterplan is considered cutting edge. It has been an extremely large piece of work, including significant consultation, and the result is outstanding.

In response to questions from Councillors, it was noted that there is signage in relation to dogs in two places of the estuary shared pathways. There is also an off-lead area by Meanee Quay with signage. The area is regularly patrolled by Animal Control Officers to ensure dogs are on-lead while not in the specific off-lead area.

Council resolution Councillors White / Wright

The Community Services Committee:

- a. Adopt the Final Ahuriri Estuary and Coastal Edge Masterplan.
-

Carried

3. INCREASE IN EVENT FUNDING

Type of Report: Operational

Legal Reference: N/A

Document ID: 524714

Reporting Officer/s & Unit: Kevin Murphy, Event Manager

3.1 Purpose of Report

To increase event funding for two existing supported events; the Hawke's Bay Arts Festival and the Horse of the Year.

At the Community Services Committee meeting held on Tuesday, 24 July 2018 the following committee recommendation was ratified as a DECISION OF COUNCIL.

Councillors Wright / Dallimore

That Council:

- a. Approve an increase in Council funding for the next two year funding cycle for the following events:
 - i. Hawkes Bay Arts Festival to the level of \$20k (per year); and
 - ii. Horse of the Year to the level of \$30k (per year). **Cr Brosnan against a(ii)**

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

Type of Report: Information

Legal Reference: N/A

Document ID: 588750

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

1.1 Purpose of Report

To report Tenders let under delegated authority for the period to 25 July 2018.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Brosnan / Hague

That Council:

- a. Note there were no Tenders let under delegated authority for the period 9 June 2018 to 25 July 2018.

Carried

2. 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>	588836
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

2.1 Purpose of Report

To present the year to date Official Information Request statistics.

At the Meeting

It was noted that on occasions where Councillors' information is requested, the members in question will be advised in advance so their view with regards to any potential withholding reasons can be taken into consideration in the final decision.

Council resolution Councillors Brosnan / Taylor

That Council:

- a. Receives the report Official Information Requests 9 June 2018 - 27 July 2018.

Carried

3. RESOURCE CONSENT APPLICATIONS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Building Act 2004
<i>Document ID:</i>	588837
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

3.1 Purpose of Report

To present of the report on Resource Consents issued under delegated authority for the period 7 June 2018 – 25 July 2018.

At the Meeting

There was no discussion on this item.

Council resolution Councillors McGrath / Tapine

That Council:

- a. Receive the report on Resource Consents issued under delegated authority for the period 7 June 2018 – 25 July 2018.

Carried

4. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

Type of Report: Information

Legal Reference: N/A

Document ID: 588838

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

4.1 Purpose of Report

To report of documents executed under seal from 13 June to 25 July 2018.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council:

- a. Receive the Report of Documents Executed Under Seal from 13 June to 25 July 2018.

Cr Wise abstained

Carried

PUBLIC EXCLUDED ITEMS

Council resolution Councillors White / Brosnan

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

Carried

Agenda Items

1. Amendment of Resolution - Civic Awards
2. Land acquisition - McLeod Road

Reports from Strategy and Infrastructure Committee held 10 July 2018

1. Citizen's Civic Award Recommended Recipients

Reports from Audit and Risk Committee held 19 July 2018

1. Risk Management - Health and Safety Reports to 30 June 2018
2. Internal Audit - Cash Handling Review
3. Composition and Tenure

Reports from Finance Committee held 24 July 2018

1. Battery Road Development Options
2. Bad Debt Write Off

Reports from Community Services Committee held 24 July 2018

1. Grants Allocation Sub Committee 2018/19 - Funding Allocations

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	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

	withholding of the information is necessary to:	which good reason for withholding would exist:
--	---	--

Agenda Items

1. Amendment of Resolution - Civic Awards	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. Land acquisition - McLeod Road	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.

Reports from Strategy and Infrastructure Committee held 10 July 2018

1. Citizen's Civic Award Recommended Recipients	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.
--	--	---

Reports from Audit and Risk Committee held 19 July 2018

1. Risk Management - Health and Safety Reports to 30 June 2018	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied	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. Internal Audit - Cash Handling Review	6(a) Prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial	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.
3. Composition and Tenure	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.
--	--	--

Reports from Finance Committee held 24 July 2018

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

Reports from Community Services Committee held 24 July 2018

1. Grants Allocation Sub Committee 2018/19 - Funding Allocations	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely 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: (i) Where the local authority
--	---	---

	prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied	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 3.20pm

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

Chairperson

Date of approval