



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Tuesday 18 September 2018

Time: 3.00pm-3.15pm

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

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

Administration Governance Team

Apologies

Council resolution Councillors Wright / Brosnan

That the apologies from Councillor White, Councillor Taylor and Councillor Jeffery be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

Council resolution Councillors Hague / Price

That the Draft Minutes of the Ordinary meeting held on 7 August 2018 be confirmed as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. AUDIT AND RISK COMMITTEE CHARTER 2018

Type of Report: Operational

Legal Reference: N/A

Document ID: 617763

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

1.1 Purpose of Report

The Audit and Risk Committee Charter is set to be reviewed every 2 years, and this requires Council approval and adoption.

At the Meeting

It was noted that the proposed changes are highlighted in the agenda item and further explanatory points will be provided to Councillors for completeness.

Council resolution Councillors Wise / Hague

That Council:

- a. Adopt the Audit and Risk Committee Charter dated 18th September 2018.
-

Carried

2. HB DRINKING WATER GOVERNANCE JOINT COMMITTEE MINUTES

Type of Report: Information

Legal Reference: N/A

Document ID: 625406

Reporting Officer/s & Unit: Cheree Ball, Governance Advisor

2.1 Purpose of Report

To present to Council the unconfirmed minutes of the HB Drinking Water Governance Joint Committee meeting, held on 15 August 2018.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Price

That Council:

- a. Receive the unconfirmed minutes of the HB Drinking Water Governance Joint Committee meeting from 15 August 2018.

Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 11 September 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 21 AUGUST 2018

1. MARINE PARADE TRAFFIC CALMING - UPDATE

Type of Report: Information

Legal Reference: Enter Legal Reference

Document ID: 486985

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

1.1 Purpose of Report

The purpose of the report is to provide Council with a progress update, and to outline the proposed approach moving forward for this project.

Māori Consultative Committee's recommendation

T Aranui / Councillor Tapine

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Price / Dallimore

That Council:

- a. Note the update provided by the Council Officer.
-

Carried

2. DISTRICT PLAN REVIEW - PROJECT LAUNCH

Type of Report: Procedural

Legal Reference: Resource Management Act 1991

Document ID: 603455

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

2.1 Purpose of Report

The purpose of this report is to follow up on the seminar held with Council on 23 July 2018 regarding initiating a review of the District Plan and for Council to approve 'in principle' both the overall strategic direction for the review and the indicative overall process the review of the District Plan will follow.

Māori Consultative Committee's recommendation

T Aranui / Councillor Tapine

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Price / Dallimore

That Council:

- a. Resolve to formally initiate the review of the current District Plan.
 - b. Endorse 'in principle' both the overall strategic direction for the review and the indicative overall process the review of the District Plan will follow.
-

Carried

REPORTS FROM REGULATORY COMMITTEE HELD 21 AUGUST 2018

1. ANNUAL DOG CONTROL REPORT 2017/18

Type of Report: Legal

Legal Reference: Dog Control Act 1996

Document ID: 559263

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

1.1 Purpose of Report

To present the territorial authority report on dog control policies and practices for the dog control registration year 1 July 2017 – 30 June 2018, for adoption by Council as required under Section 10A of the Dog Control Act 1996, prior to being submitted to the Secretary for Local Government and being made publically available.

Māori Consultative Committee's recommendation

Mayor Dalton / 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 Hague / McGrath

That Council:

- a. Adopt the Napier City Council Annual Dog Control Report 2017/18.
 - i. That the report be submitted to the Secretary for Local government and published in accordance with the Dog Control Act 1996.
-

Carried

REPORTS FROM FINANCE COMMITTEE HELD 4 SEPTEMBER 2018

1. JOINT WASTE MANAGEMENT AND MINIMISATION PLAN

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Waste Minimisation Act 2008
<i>Document ID:</i>	619564
<i>Reporting Officer/s & Unit:</i>	Rhett van Veldhuizen, Waste Minimisation Lead

1.1 Purpose of Report

The purpose of this report is to obtain a decision from the Council on the adoption of the Joint Waste Management and Minimisation Plan (Plan) 2018-2024.

Māori Consultative Committee's recommendation

Mayor Dalton / T Aranui

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

Carried

At the Meeting

It was noted that the adoption of the Joint Waste Management and Minimisation Plan 2018-24 (Plan) would not adversely affect privately owned providers, as Council is only changing the receptacle and the Plan creates other opportunities for these providers regarding waste management. As green waste is currently being managed efficiently it was decided not to enter this market.

In response to questions from Councillors it was clarified that the statistics on plastic bottle collection show no change as a result of chlorination, and work in relation to the de-chlorinated water stations is now underway.

Council resolution Councillors Tapine / Brosnan

That Council:

- a. Adopt the Joint Waste Management and Minimisation Plan 2018-24 in accordance with section 43 of the Waste Minimisation Act 2008 without further amendment which revokes the previous Joint Waste Management and Minimisation Plan 2012-2018.
 - b. Delegate to the Joint Council Waste Futures Project Steering Committee the authority to implement updates and changes that may
-

be required due to wider environmental factors, while keeping within the intent of the strategy.

- c. Acknowledge the recommendation from the Joint Council Waste Futures Project Steering Committee that additional resource is urgently required to implement the Waste Management and Minimisation Plan.

Carried

2. JOINT WASTE FUTURES STEERING COMMITTEE UNCONFIRMED MINUTES

Type of Report: Information

Legal Reference: N/A

Document ID: 618626

Reporting Officer/s & Unit: Cheree Ball, Governance Advisor

2.1 Purpose of Report

To present to Council the unconfirmed minutes of the Joint Council Waste Futures Project Steering Committee meeting, held on 25 July 2018.

Māori Consultative Committee's recommendation

Mayor Dalton / 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 Tapine / Brosnan

That Council:

- a. Receive the unconfirmed minutes of the Joint Council Waste Futures Project Steering Committee meeting from 25 July 2018.

Carried

3. COASTAL HAZARDS JOINT COMMITTEE MEMBERSHIP

Type of Report: Operational

Legal Reference: N/A

Document ID: 621251

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

3.1 Purpose of Report

To seek approval from Council for the nomination of a further member of the Coastal Hazards Joint Committee.

Māori Consultative Committee's recommendation

Mayor Dalton / 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 Tapine / Brosnan

That Council:

- a. Approve the nomination of Cr Brosnan to the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
-

Carried

4. 2018 NRB SURVEY

Type of Report: Information

Legal Reference: N/A

Document ID: 619834

Reporting Officer/s & Unit: Steve Gregory, Transformation Lead

4.1 Purpose of Report

To advise Council on the results of the NRB survey carried out in 2018.

Māori Consultative Committee's recommendation

Mayor Dalton / 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 Tapine / Brosnan

That Council:

- a. Resolve that the 2018 NRB Survey results be received.
-

Carried

5. INVESTMENT PROPERTY PORTFOLIO POLICY

Type of Report: Operational and Procedural

Legal Reference: Local Government Act 2002

Document ID: 622351

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

5.1 Purpose of Report

To seek Council's approval of a Policy relating to the Investment Property Portfolio (Leasehold Land).

The resolution of Council of 1 June 2018 (as outlined below) required 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.

The attached policy has been developed in response to the resolution. It outlines the terms and conditions on which Council may sell non-strategic land included in the portfolio. The policy also provides guidance relating to the investment of the proceeds of sale.

Māori Consultative Committee's recommendation

Mayor Dalton / T Aranui

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

Carried

At the Meeting

It was noted that this decision represents a significant change in Council policy.

Council resolution Councillors Tapine / Brosnan

That Council:

a) Approve the Investment Property Portfolio Policy.

Carried

6. SALE OF ENDOWMENT LAND

Type of Report: Operational and Procedural

Legal Reference: Napier Borough Endowments Act 1876, Napier Borough Endowments Amendment Act 1999, Sections 140 and 141 of the Local Government Act 2002 (LGA). Section 40 of the Public Works Act 1981 (PWA).

Document ID: 622679

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

6.1 Purpose of Report

To seek Council's approval to sell certain land which is subject to the Napier Borough Endowments Act 1876 and is part of Council's Investment Property Portfolio. Any sale is to be considered on a case by case basis and is subject to the terms and conditions of the Investment Property Portfolio Policy.

Māori Consultative Committee's recommendation

Mayor Dalton / 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 Tapine / Brosnan

That Council:

Resolve:

- a. To allow the sale, after consideration on a case by case basis, of the land included in the schedule below, being endowment land which is subject to the Napier Borough Endowments Act 1876.
- b. That considerations and process is to comply with Council's Investment Property Portfolio Policy.
- c. To record that this decision represents a discretion to be executed by Council on a case by case basis, nothing in this decision represents a right for any person to insist or require Council to sell to them and the sale by Council of any land under this decision does not create precedence or expectation that other land held by Council (whether of a similar nature or not) will be sold.
- d. That the process requirements set out in Sections 140 and 141 of the Local Government Act 2002 are to be complied with.
- e. To record that Council has considered the issue of an offer back obligation to the Crown under Section 40 of the Public Works Act 1981. Legal advice has confirmed that in the particular circumstances surrounding the land, there are relevant exceptions to any offer back obligation based on the criteria set out in Section 40(2) and (4) of the Public Works Act 1981, and therefore there is no offer back requirement.

Schedule of land:

48 West Quay	Lot 1 DP 478612, CFR664012
40 West Quay	Lot 2 DP 4786142, CFR 664012
14 Bridge Street	Lot 2 DP 17631, CFR HBK2/1415
16 Bridge Street	Lot 1 DP 17631, CFR HBK2/1415
22 Bridge Street HBC4/1148	Part Town Section 610 Napier, CFR
9B, 9FD and 9 E Riddell Street	Lot 1-2 DP 5357, CFR HBA4/1405
160 Wellesley Road CFR HB97/42	Town Section 569 Town of Napier

Carried

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 4 SEPTEMBER 2018

1. COMMUNITY SERVICES GRANTS - ALLOCATION

Type of Report: Operational

Legal Reference: N/A

Document ID: 604443

Reporting Officer/s & Unit: Natasha Carswell, Manager Community Strategies

1.1 Purpose of Report

To assess the adequacy of the current budget allocation for the Community Services Grants scheme and to identify options for any increase.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

At the Meeting

It was noted that this is a significant increase in the amount of funding that will be available to community groups working with those most in need in our community.

In response to questions from Councillors the following points were clarified:

- The Local Government Cost Index (LGCI) has been applied through the Long Term Plan budget.
- LGCI takes multiple factors into consideration including CPI, salary/wages, construction cost etc. and is more favourable than CPI alone.
- Pensioners and lower income groups are affected by the use of LGCI as opposed to CPI adjustments.

Committee's recommendation

The Community Services Committee:

- a. Increase the allocation to the Community Services Grants scheme using a combination of population and CPI adjustments and increasing the per head allocation to \$1.80.
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Substitute motion Councillors Wright / Boag

Council resolution

That Council:

- a. Increase the allocation to the Community Services Grants scheme to \$1.80 per head of population, adjusting the allocation annually based on census data or population projections from 2019/20.

Carried

2. WHITE NIGHT - PROVISION OF FOOD TRUCKS

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 623967

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

2.1 Purpose of Report

The purpose of this report is to obtain a resolution of Council to allow the sale of food and drink to the public within Herschell Street as part of the White Night event on the 20th October 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 Wright / Dallimore

That Council:

- a. Resolve to allow the sale of food and drink to the public within Herschell Street at the White Night event on Saturday 20th October 2018.

Carried

3. YOUTH POLICY REVIEW - PUBLIC FEEDBACK

Type of Report: Operational

Legal Reference: N/A

Document ID: 620996

Reporting Officer/s & Unit: Jessica Wilson, Community Advisor

3.1 Purpose of Report

To advise Council on the process undertaken in reviewing the Youth Policy and to request approval to release the draft Strategy (attachment one) for stakeholder and public feedback prior to adoption by Council.

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 Wright / Dallimore

That Council:

- a. Approve the release of the draft Napier Youth Strategy for stakeholder and public feedback.
-

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. OFFICIAL INFORMATION REQUESTS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	631842
<i>Reporting Officer/s & Unit:</i>	Cheree Ball, Governance Advisor

1.1 Purpose of Report

To present the year to date Official Information Request statistics.

At the Meeting

It was noted that Council is receiving an increased number of official information requests, including an increase in scope of requests. This appears to be a national trend experienced by all councils.

In response to questions from Councillors, officers confirmed that costs are being recovered where appropriate.

Council resolution Councillors Brosnan / Wright

That Council:

- a. Receives the report Official Information Requests 28 July 2018 to 10 September 2018.

Carried

2. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	631835
<i>Reporting Officer/s & Unit:</i>	Alix Burke, Executive Assistant to the Chief Executive

2.1 Purpose of Report

To report Tenders let under delegated authority for the period to 7 September 2018.

At the Meeting

Council officers were acknowledged for their input and work in relation to the Maggie's Way Track improvements; this is an exciting development and the response from the Pathways Trust has been positive.

Council resolution Councillors Brosnan / Wright

That Council:

- a. Receive the report for Tenders let under delegated authority for the period 26 July 2018 to 7 September 2018.

Carried

3. RESOURCE CONSENT APPLICATIONS

Type of Report: Information

Legal Reference: N/A

Document ID: 631836

Reporting Officer/s & Unit: Alix Burke, Executive Assistant to the Chief Executive

3.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period 26 July – 30 August 2018.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Brosnan / Wright

That Council:

- a. Receive the report on Resource Consents issued under delegated authority for the period 26 July – 30 August 2018.

Carried

4. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

Type of Report: Information

Legal Reference: N/A

Document ID: 631841

Reporting Officer/s & Unit: Alix Burke, Executive Assistant to the Chief Executive

4.1 Purpose of Report

To report of documents executed under Seal for the period 26 July to 12 September 2018.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Brosnan / Wright

That Council:

- a. Receive the Report of Documents Executed Under Seal for the period 26 July to 12 September 2018.
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Carried

PUBLIC EXCLUDED ITEMS

Council resolution Councillors Price / Dallimore

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

Carried

PUBLIC EXCLUDED - CONFIRMATION OF MINUTES (NO AGENDA ITEMS).

The meeting moved into committee at 3.15pm.

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

Chairperson

Date of approval