



# ORDINARY MEETING OF COUNCIL

## Open Minutes

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Meeting Date: Tuesday 30 October 2018

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Time: 3.00pm-3.30pm  
Meeting reconvened 4.01pm-4.13pm

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

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

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In Attendance Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Manager Communications and Marketing, Manager City Development, HBLASS Programme Manager, Policy Planner

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Administration Governance Team

## Apologies

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Council resolution Councillors Price / Boag

That the apologies from Bill Dalton and Councillor Wright be accepted.

Carried

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## Conflicts of interest

Nil

## Public forum

Nil

## Announcements by the Acting Mayor

Item 1 on the agenda regarding the adoption of the Annual Report 2017/18 will be taken at the end of the open meeting to allow time for the audit opinion to be distributed to Councillors.

## Announcements by the management

Nil

## Confirmation of minutes

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Council resolution Councillors Hague / Wise

That the Draft Minutes of the Ordinary meeting held on 18 September 2018 be confirmed as a true and accurate record of the meeting.

Carried

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## Questions from Councillors for Further Action

<i>Item</i>	<i>Requestor</i>	<i>Action</i>	<i>Responsible</i>
Reports under delegated authority	Cr Wise	Is there any reason why Councillors no longer receive a report regarding liquor licenses?	Governance/Regulatory

# AGENDA ITEMS

## 2. PLAN CHANGE 12 - MISSION SPECIAL CHARACTER ZONE RECOMMENDATION REPORT FROM INDEPENDENT COMMISSIONERS

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<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	658024
<i>Reporting Officer/s &amp; Unit:</i>	Kim Anstey, Planner Policy/Analyst Dean Moriarity, Team Leader Policy Planning

### 2.1 Purpose of Report

To consider and to make a decision as to whether to accept the recommendation of the Independent Commissioners appointed to hear Plan Change 12 – Mission Special Character Zone.

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### At the meeting

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

- Council officers do not consider the decision being appealed to the environment court as a high risk, due to a collaborative process being followed in developing the Plan change.
- Cultural impact assessments will be standard practice for all Resource Management Act 1991 (RMA) consultations going forward. Discussions are currently underway with Iwi to determine how they would prefer to engage in these processes.
- Where submissions were not appropriate to be considered through the Plan change and directed elsewhere, clear conversations have taken place with the submitters in relation to next steps.

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Council resolution Councillors Taylor / Dallimore

That Council:

- a. Adopt Plan Change 12 as notified, as per the Commissioners Recommendation Report (Appendix A), except where it is to be amended as shown in Appendix 2 of the Recommendation Report.
  - b. Accept or Reject all submissions on Plan Change 12 to the extent set out in the Commissioners Recommendation Report and as summarised in Appendix 1 of the Report.
  - c. Give notice of its decision on submissions to Plan Change 12 pursuant to Clause 10 of the First Schedule of the Resource Management Act 1991.
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- d. Authorise Officers to update the City of Napier District Plan in accordance with the adoption of the Commissioners recommendations in relation to the plan change and the submissions received on it.
  - e. Authorise Officers to publicly notify the date on which Plan Change 12 – Mission Special Character Zone becomes operative in accordance with the requirements of the Resource Management Act 1991, if there are no appeals once the appeal period expires.

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Carried

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### 3. COUNCIL MEETING SCHEDULE 2019

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	658892
<i>Reporting Officer/s &amp; Unit:</i>	Deborah Smith, Team Leader Governance

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#### 3.1 Purpose of Report

To provide an updated schedule for Standing Committee and Council meeting for Napier City Council for 2019.

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#### At the meeting

The Team Leader Governance confirmed that the meeting dates noted after the election are tentative and will be updated following the election. It was noted that the current dates in Councillor diaries were set at the beginning of the triennium and will be updated following adoption of the 2019 dates.

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Council resolution Councillors Wise / Brosnan

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That Council:

- a. Endorse the schedule of Standing Committees and Council meetings for Napier City Council for 2019, noting that a new schedule will be drafted following the 2019 Local Government Elections in October 2019.
  - b. Note that additional ordinary, extraordinary and multi-day meetings may be scheduled from time to time in consultation with the Mayor and Chief Executive
  - c. Note that meeting times for other committees and subcommittees will be formally notified as required in accordance with the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.
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Carried

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#### 4. OMARUNUI REFUSE LANDFILL JOINT COMMITTEE MINUTES

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 660110

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

##### 4.1 Purpose of Report

To present to Council the unconfirmed minutes of the Omarunui Refuse Landfill Joint Committee meeting, held on 5 October 2018.

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##### At the meeting

There was no discussion on this item.

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Council resolution Councillors Dallimore / Tapine

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That Council:

- a. Receive the unconfirmed minutes of the Omarunui Refuse Landfill Joint Committee meeting from 5 October 2018.

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Carried

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# REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

## MĀORI CONSULTATIVE COMMITTEE MEETING - 23 October 2018

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Council resolution Councillors Boag / Tapine

That the Māori Consultative Committee Minutes be received.

Carried

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

## REPORTS FROM STRATEGY AND INFRASTRUCTURE COMMITTEE HELD 2 OCTOBER 2018

### 1. AMENDMENT OF RESOLUTION - WAR MEMORIAL CONSULTATION OPTIONS

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*Type of Report:* Legal

*Legal Reference:* Local Government Official Information and Meetings Act 1987

*Document ID:* 636482

*Reporting Officer/s & Unit:* Wayne Jack, Chief Executive

#### 1.1 Purpose of Report

To recommend the amendment of the part b of the resolution of Council dated 29 June 2018 regarding the Napier War Memorial consultation options.

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**At the Strategy** Councillors Wise / Brosnan  
**and Infrastructure**

**Committee** That Council amend part b of the Council resolution dated 29 June 2018  
**meeting held on** to the following:

**Tuesday, 2** a. That Council approve the withdrawal of the Brent Scott design from  
**October 2018 the** the community consultation process and replace this with an internal

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<b>following committee recommendation was ratified as a DECISION OF COUNCIL.</b>	<p>example/concept, that being the design concept prepared by Craig Morley.</p> <p>b. That the following three design options go out for public consultation, requesting not only feedback but also input into any potential alternative designs or modifications:</p> <ul style="list-style-type: none"> <li>a) Option One - Renovation solution Internal to the main Memorial Building</li> <li>b) Option Two – Building solution external to the main Memorial Building</li> <li>c) Option Three - Landscape solution external to the main Memorial Building</li> </ul> <p>c. That Council notes the offer of the video and images of Option One from Mr Morley and agrees that these will be sufficient to include in the consultation without needing to incur additional design costs.</p>
	Carried

## 2. EASTER SUNDAY TRADING POLICY

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	632729
<i>Reporting Officer/s &amp; Unit:</i>	Richard Munneke, Director City Strategy Kim Anstey, Planner Policy/Analyst

### 2.1 Purpose of Report

A high court decision on 1 August 2018 overturned the current Easter Sunday Trading Policy that allowed shops within the Napier District to open on Easter Sunday. This report is to seek Council approval to re consult on an Easter Sunday Trading Policy. This requires Council to adopt a draft policy, the accompanying Statement of Proposal (**Attachment A**), and to authorise officers to commence the special consultative procedure.

<b>At the Strategy and Infrastructure Committee meeting held on Tuesday, 2 October 2018 the following committee</b>	<p>Councillors Boag / Brosnan</p> <p>That Council:</p> <p>a. Agree the proposed changes to the draft Easter Sunday Trading Policy and Statement of Proposal, as follows:</p> <ul style="list-style-type: none"> <li>1. Include in Reason for Proposal section (page 10): Pharmacy and Souvenir Shops, as these are also to be open under the Shop Trading Hours Act 1990.</li> </ul>
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**recommendation  
was ratified as a  
DECISION OF  
COUNCIL.**

2. Add in another heading:  
What would happen if we do not pass this policy?  
We would return to the situation in which some shops listed above could open and others not.
  3. Include in the Religious Beliefs section (page 11):  
During consultation with the community in 2016 and 2017 on the previous Easter Sunday Trading Policy, Council received feedback from parts of the community that demonstrated concerns with having a policy that removed one of the few remaining days where shops were not legally able to trade. Council is keen to understand the Napier community's views on this aspect of the policy.
  4. That the survey on page 11 of the proposal be removed.
- b. Approve the Easter Sunday Trading Policy and Statement of Proposal, with the agreed amendments as set out in Part A.
  - c. Authorise officers to proceed with public notification through the special consultative procedure as prescribed in Section 83, of the Local Government Act 2002
  - d. Officers to prepare an engagement plan that is specifically directed to Christian Churches, Unions, Retail and business organisations.
  - e. Request that council be provided with a full briefing of the High Court ruling by our legal representation

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Carried

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### 3. DISTRICT PLAN REVIEW - PRE-ENGAGEMENT STRATEGY

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*Type of Report:* Procedural

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*Legal Reference:* Resource Management Act 1991

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*Document ID:* 634986

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*Reporting Officer/s & Unit:* Catherine Reaburn, Senior Policy Planner

#### 3.1 Purpose of Report

The purpose of this report is for Council to approve the pre-engagement strategy for the District Plan Review (DPR).

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#### **Māori Consultative Committee's recommendation**

Mr Aranui / Deputy Mayor White

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

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Carried

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#### **At the meeting**

There was no discussion on this item.

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Council resolution Councillors McGrath / Brosnan

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That Council:

- a. Endorse the District Plan Review pre-engagement strategy
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Carried

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#### 4. PARKING CONTROL CHANGE - UPPER TIFFEN CAR PARK

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*Type of Report:* Legal

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*Legal Reference:* Parking Control Bylaw 2014

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*Document ID:* 603217

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*Reporting Officer/s & Unit:* Richard Munneke, Director City Strategy

##### 4.1 Purpose of Report

To seek council approval to convert the upper floor of Tiffen Car Park from pay and display all day casual parking to leased car parking during the week days (Monday to Friday).

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##### Māori Consultative Committee's recommendation

Mr Aranui / Deputy Mayor White

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

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Carried

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##### At the meeting

There was no discussion on this item.

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Council resolution Councillors McGrath / Brosnan

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That Council:

- a. Resolve that the Upper Tiffen car park becomes leased car parking (Monday to Friday).
    - i. That the rate be set at \$25.00 per week.
  - b. Resolve that the ground level of Tiffen car park becomes \$5 all day casual parking Monday to Saturday
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Carried

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## 5. ROAD STOPPING - EDWARDES STREET

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*Type of Report:* Legal

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*Legal Reference:* Public Works Act 1981

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*Document ID:* 634953

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

### 5.1 Purpose of Report

To seek a Council resolution to:

- a) Declare the service lane described in the Schedule below as being stopped pursuant to Section 116 of the Public Works Act 1981; and
  
- b) Deal with the stopped service lane described in the Schedule pursuant to Section 117(3)(b) of the Public Works Act 1981 by vesting the stopped service lane in the adjoining owner, Eastside Enterprises Limited, and amalgamating the stopped service lane pursuant to Section 120(3) of the Public Works Act 1981 with the land in CFR HBV2/563.

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### Māori Consultative Committee's recommendation

Mr Aranui / Deputy Mayor White

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

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Carried

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### At the meeting

There was no discussion on this item.

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Council resolution Councillors McGrath / Brosnan

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That Council:

- a. Declare the service lane described in the Schedule as being stopped pursuant to Section 116 of the Public Works Act 1981; and
  
  - b. Deal with the stopped service lane described in the Schedule pursuant to Section 117(3)(b) of the Public Works Act 1981 by vesting the stopped service lane in Eastside Enterprises Limited, and amalgamating the stopped service lane pursuant to Section 120(3) of the Public Works Act 1981 with the land in CFR HBV2/563.
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**SCHEDULE**

**Hawke's Bay Land District – Napier City**

<b>Area (ha)</b>	<b>Legal Description</b>	<b>Adjoining</b>
0.0233	Section 1 SO 528887	CFR HBV2/563

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Carried

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## REPORTS FROM AUDIT AND RISK COMMITTEE HELD 11 OCTOBER 2018

### 1. HEALTH AND SAFETY REPORT

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*Type of Report:* Operational

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*Legal Reference:* Health and Safety at Work Act 2015

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*Document ID:* 433376

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*Reporting Officer/s & Unit:* Sue Matkin, Manager People & Capability

#### 1.1 Purpose of Report

The purpose of this report is to provide Audit and Risk with an overview of the health and safety performance as at 31<sup>st</sup> August 2018.

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#### At the meeting

There was no discussion on this item.

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Council resolution Councillors Wise / Hague

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a. That Council receive the report.

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Carried

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## 2. RISK MANAGEMENT REPORT

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	433390
<i>Reporting Officer/s &amp; Unit:</i>	Ross Franklin, Consultant Rachael Horton, Manager Business Excellence & Transformation

### 2.1 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.

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#### At the meeting

In response to questions from Councillors in relation to the high risk in relation to water quality at Pandora Point, the following points were clarified:

- Council is conducting water testing and a good baseline has been established.
- E-coli readings increase to higher levels following typical rain events and standard operating procedures are being developed to deal with this. The general rule is to not swim in Pandora Pond for three days following rainfall. Small rainfall events may cause levels to rise yet still remain within safe parameters.
- The turnaround on water testing is three days.
- There do not appear to be other nutrients in the water that Council should be concerned about.
- The inflatables are an extremely popular recreational activity in the space and operating procedures to actively manage any risk are being developed. The pond is also popular for waka ama and Iron Māori events and Council officers are communicating with the appropriate groups.
- The risk to Council in relation to the inflatables does not extend to independently run events such as Iron Māori.

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Council resolution Councillors Wise / Hague

That Council:

- a. Note the risk management work being undertaken by the NCC Risk Committee.
- b. Receive the report titled: Highest rated risks report 24 September 2018.

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Carried

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## REPORTS FROM FINANCE COMMITTEE HELD 16 OCTOBER 2018

### 1. WHAKARIRE REVETMENT FUNDING PROPOSAL

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<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	631017
<i>Reporting Officer/s &amp; Unit:</i>	Richard Munneke, Director City Strategy

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#### 1.1 Purpose of Report

To consider funding options and obtain approval from Council on the public/private funding split for the Whakarire revetment.

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#### Māori Consultative Committee's recommendation

Deputy Mayor White / Councillor Tapine

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

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Carried

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#### At the meeting

The Acting Mayor proposed that this Agenda Item remain on the table, to be revisited at the December 2018 Council meeting. She noted that this matter should go through the Annual Plan and requested a seminar to provide Councillors with further information in preparation for the decision.

Councillor Dallimore tabled comments from himself and the public in response to information provided by Council officers following the 16 October 2018 meeting.

There was no further discussion on this item.

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#### Committee's recommendation

That Council:

- a. Leave the Officer's recommendation for this item on the table for further discussion at the Council meeting on 30 October 2018, that being:

That the Finance Committee:

- a. Approve, in principle, funding option for the revetment works at Whakarire Avenue in accordance with Section 101(3) of the Local Government Act.
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- b. And that options of funding by general rate or UAGC be identified for consideration.
  - c. And that consultation be undertaken as appropriate. This would comprise informal consultation on a proposed funding option as per part a above, culminating in formal consultation as part of the 2019/20 Annual Plan process.

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Council resolution Councillors Wise / Price

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That Council:

- a. Leave the Officer's recommendation for this item on the table and revisit at the Council meeting on 11 December 2018, that being:

That the Finance Committee:

- a. Approve, in principle, funding option for the revetment works at Whakarire Avenue in accordance with Section 101(3) of the Local Government Act.
- b. And that options of funding by general rate or UAGC be identified for consideration.
- c. And that consultation be undertaken as appropriate. This would comprise informal consultation on a proposed funding option as per part a above, culminating in formal consultation as part of the 2019/20 Annual Plan process.

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Carried

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## 2. CAPITAL PROJECT FUNDING BROUGHT FORWARD

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*Type of Report:* Procedural

*Legal Reference:* N/A

*Document ID:* 653014

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

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### 2.1 Purpose of Report

To seek approval from Council to bring forward funding in the Long Term Plan 2019/20 budget relating to the Park Island Redevelopment into 2018/19 to complete the earthworks required for the Hawkes Bay Rugby Union complex at Park Island due to be started February 2019.



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**Māori Consultative Committee's recommendation**

Deputy Mayor White / Councillor Tapine

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

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Carried

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**At the meeting**

There was no discussion on this item.

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Council resolution Councillors Wise / Tapine

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That Council:

- a. Approve \$400,000 to be brought forward from the Long Term Plan 2019/20 budget for the Park Island Redevelopment (Loan funded) to accommodate earthworks required to progress the Hawkes Bay Rugby Union complex at Park Island due to start February 2019
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Carried

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### 3. ROAD STOPPING - LAND CORNER OF GEDDIS & LONGFELLOW AVENUE

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*Type of Report:* Legal

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*Legal Reference:* Local Government Act 1974

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*Document ID:* 637186

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

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#### 3.1 Purpose of Report

To obtain Council approval to initiate the road stopping process in accordance with the 10<sup>th</sup> Schedule of the Local Government Act 1974, and subsequent sale of approximately 188m<sup>2</sup> of current legal road on the corner of Geddis and Longfellow Avenue, to Ahuriri District Health.

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**Māori Consultative Committee's recommendation**

Deputy Mayor White / Councillor Tapine

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

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Carried

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**At the meeting**

There was no discussion on this item.

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Council resolution Councillors Wise / Tapine

That Council:

- a. Recommend pursuant to Section 342 of the Local Government Act 1974, to initiate the stopping of approximately 188m<sup>2</sup> of legal road, on the corner of Geddis and Longfellow Avenue and adjacent to 65 Geddis Avenue, in accordance with the Tenth Schedule to the Local Government Act 1974.
- b. Recommend that upon completion of the Tenth Schedule stopping process, the stopped road is sold to Ahuriri District Health (a Charitable Trust) at a peppercorn sale price of one dollar plus all associated legal, survey and advertising costs.

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Carried

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**4. POWERCO GAS PIPELINE - GRANT OF EASEMENT AND CONCESSION**

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*Type of Report:* Legal and Operational

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*Legal Reference:* Reserves Act 1977, Conservation Act 1987

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*Document ID:* 641344

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

**4.1 Purpose of Report**

- a. To obtain Council's approval to grant a concession in the form of an easement to Powerco Limited to use reserve land to convey gas by way of a pipeline.
- b. To also obtain Council's approval to grant an easement to Powerco to use non reserve fee simple land owned by Council for the same purpose.

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**Māori Consultative Committee's recommendation**

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Deputy Mayor White / Councillor Tapine

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

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Carried

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**At the meeting**

There was no discussion on this item.

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Council resolution Councillors Wise / Tapine

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That Council:

- a. Pursuant to Section 48 of the Reserves Act 1977, approve the granting of a concession in the form of an easement to Powerco Limited to convey gas under the reserve land described in Schedule 1 below.
- b. Approve the granting of an easement to Powerco Limited to convey gas under the fee simple land owned by Council as described in Schedule 2 below.

#### SCHEDULE 1

<b>Legal Description</b>	<b>Title/GN Reference</b>	<b>Land Status</b>
Section 2 Survey Office Plan 468666	NZGN 2002 p488	Local Purpose (Wildlife) Reserve
Section 1 Survey Office Plan 468666	641949	Local Purpose (Community Building) Reserve

#### SCHEDULE 2

<b>Legal Description</b>	<b>Title/GN Reference</b>	<b>Land Status</b>
Lot 2 Deposited Plan 8156	HB131/258	Fee Simple

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Carried

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## 5. HB MUSEUMS TRUST ANNUAL REPORT

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*Type of Report:* Legal

*Legal Reference:* Local Government Act 2002

*Document ID:* 650777

*Reporting Officer/s & Unit:* Chris Denby, Finance Accountant

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### 5.1 Purpose of Report

To provide Napier City Council with the Hawke's Bay Museums Trust Annual Report for the year ending 30 June 2018.

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**Māori Consultative Committee's recommendation**

Councillors Prentice / Tapine

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

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Carried

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**At the meeting**

There was no discussion on this item.

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Council resolution Councillors Wise / Tapine

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That Council:

- a. Receive the Annual Report of the Hawke's Bay Museums Trust
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Carried

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## REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 16 OCTOBER 2018

### 1. LIBRARY SITE PROJECT STEERING GROUP - TERMS OF REFERENCE

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 643002

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*Reporting Officer/s & Unit:* Fleur Lincoln, Strategic Planning Lead  
Natasha Carswell, Manager Community Strategies

#### 1.1 Purpose of Report

The purpose of the report is to obtain Council approval of the Terms of Reference for the Library Site Project Steering Group.

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#### **Māori Consultative Committee's recommendation**

Councillor Tapine / Mr Aranui

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

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Carried

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#### **At the meeting**

There was no discussion on this item.

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Council resolution Councillors White / Brosnan

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That Council:

- a. Approve the Library Site Project Steering Group Terms of Reference.
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Carried

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## 2. DRAFT LIBRARY STRATEGY - PUBLIC FEEDBACK

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 643048

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*Reporting Officer/s & Unit:* Darran Gillies, Libraries Manager

### 2.1 Purpose of Report

To advise Council on the process undertaken in developing the Napier Library Strategy and to request approval to release the draft strategy (attachment one) for stakeholder and public feedback prior to adoption by Council.

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### Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

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Carried

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### At the meeting

There was no discussion on this item.

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Council resolution Councillors White / Brosnan

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That Council:

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

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# REPORTS UNDER DELEGATED AUTHORITY

## 1. OFFICIAL INFORMATION REQUESTS

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	659938
<i>Reporting Officer/s &amp; Unit:</i>	Cheree Ball, Governance Advisor

### 1.1 Purpose of Report

To present the year to date Official Information Request statistics.

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### At the meeting

There was no discussion on this item.

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Council resolution Councillors Hague / Taylor

That Council:

- a. Receives the report Official Information Requests for the period 11 September 2018 to 18 October 2018.

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Carried

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## 2. TENDERS LET

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	660019
<i>Reporting Officer/s &amp; 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 7 September – 10 October 2018.

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### At the meeting

In response to questions from Councillors it was noted that due to the construction industry being full at present, tender prices are coming in higher than the estimates. Some work is also required to improve Council processes around obtaining estimates.

It was noted that Councillors no longer receive a report in relation to liquor licenses. Officers advised that they will look into this and report back to Council.

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Council resolution Councillors Hague / Taylor

That Council:

- a) Receive the Report of Tenders Let for the period 7 September to 10 October 2018.

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Carried

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### 3. RESOURCE CONSENTS

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*Type of Report:* Information

*Legal Reference:* N/A

*Document ID:* 660020

*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 30 August – 10 October 2018.

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### At the meeting

In response to questions, Council officers advised that the distance of the proposed Kmart location from the CBD has been considered; however, due to small retail being restricted, the area is unlikely to become a destination hub. Carparking constraints will also assist in this regard.

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Council resolution Councillors Hague / Taylor

That Council:

- a. Receive the report on Resource Consents issued under delegated authority for the period 30 August – 10 October 2018.

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Carried

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## 4. DOCUMENTS EXECUTED UNDER SEAL

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 660057

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*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 13 September – 18 October 2018.

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#### At the meeting

There was no discussion on this item.

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Council resolution Councillors Hague / Taylor

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That Council:

- a) Receive the Report of Documents Executed Under Seal for the period 13 September to 18 October 2018.

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Carried

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## GENERAL BUSINESS

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Council resolution Councillors Wise/ Brosnan

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That Council:

- a) Adjourn the open meeting to allow staff to seek instructions in relation to timing of the audit opinion.

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Carried

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*At 3.30pm the open meeting briefly adjourned and reconvened following advice from staff.*

# PUBLIC EXCLUDED ITEMS

Council resolution Councillors Brosnan / Wise

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

Carried

## New Reports

1. Development civic building site

## Reports from Audit and Risk Committee held 11 October 2018

1. Draft Annual Report 2017/18
2. Freeholding
3. Legal update as at 30 June 2018

## Reports from Finance Committee held 16 October 2018

1. Proposed Solution to Recycling Service for Napier
2. Leasehold Land Freeholding - Request 1

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

<b>General subject of each matter to be considered.</b>	<b>Reason for passing this resolution in relation to each matter.</b>	<b>Ground(s) under section 48(1) to the passing of this resolution.</b>
	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:

## New Reports

1. Development civic building site	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	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
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	<p>supplied or who is the subject of the information</p> <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>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 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>
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### Reports from Audit and Risk Committee held 11 October 2018

1. Draft Annual Report 2017/18	7(2)(f)(ii) Maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment	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. Freeholding	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.
3. Legal update as at 30 June 2018	7(2)(i) Enable the local authority to carry on, without	48(1)A That the public conduct of the whole or the relevant part of the

	prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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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### Reports from Finance Committee held 16 October 2018

1. Proposed Solution to Recycling Service for Napier	<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>	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. Leasehold Land Freeholding - Request 1	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 3.31pm.*

*The open meeting reconvened at 4.01pm following receipt and distribution of the audit opinion for the Annual Report 2017/18.*

## 1. ADOPTION OF ANNUAL REPORT 2017/18

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*Type of Report:* Legal

*Legal Reference:* Local Government Act 2002

*Document ID:* 633469

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

### 1.1 Purpose of Report

To present the Napier City Council Annual Report 2017/18 for adoption by Council.

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#### At the meeting

Acting Mayor White spoke to the 2017/18 Annual Report, thanking staff and Elected Members and highlighting the major projects undertaken by Council, including:

- The Marine Parade redevelopment
- The award winning playground at Anderson Park
- Upgrade and expansion of the Napier War Memorial Centre which houses the Napier Conference Centre
- Relocating over 260 Council staff within the CBD after finding the Civic and Library building were earthquake prone

It was noted that Council spent \$99 Million (or \$4.40 per resident, per day) running the City in the 2017/18 financial year and achieved a year end surplus of \$11.7 Million.

The Chief Executive also spoke to the report, adding the following achievements:

- No external debt is held
- Council continues to have low average rates compared to similar Councils
- Council has strong non-rates funded revenue streams meaning only 48.5% of revenue comes from rates
- 236,000 visitors passed through our visitor centre for the year
- The Museum had 208,000 visitors for the year, up from 128,000 in the previous year
- 1,101 building consents were issued for the year
- 32 events were supported by Council, with a positive economic impact of \$18.2 Million
- 353 events and conferences held at the Napier War Memorial Centre for the year
- Other major projects of note:
  - Embankment bridge
  - Further cycleways – 47.7km of cycleways across Napier
  - Safer drinking water initiatives
  - Completion of the Ahuriri Estuary Masterplan
  - 2018-28 Long Term Plan

The Director Corporate Services confirmed that an unqualified opinion was received from Audit New Zealand just prior to today's Council meeting.

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Minor changes to the Annual Report were tabled, which largely consisted of additional information to be provided to the community.

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

- The newly appointed Investment and Funding Manager will be looking to optimise investments, including assessing Council deposits and comparing these against the Capital Plan.
- Recommendations will come back to Council around what to do with the \$800,000 rating surplus.
- Fewer sections sold in Parklands than planned; surplus was less than anticipated.
- Council is in a strong financial position.

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Council resolution Acting Mayor White / Councillor Hague

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That Council:

- a. Adopt the Annual Report for Napier City Council for 2017/18 subject to any grammatical and minor changes and any changes due to the requirements of the audit process.

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Carried

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The meeting closed at 4.13pm.

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

Chairperson .....

Date of approval .....