



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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ORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date:	Tuesday 5 March 2019
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Time:	3.00pm
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Venue:	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
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Council Members	Mayor Dalton (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise and Wright
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Officer Responsible	Acting Chief Executive
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Administrator	Governance Team
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Next Council Meeting
Tuesday 16 April 2019

ORDER OF BUSINESS

Apologies

Chief Executive

Conflicts of interest

Public forum

Craig Waterhouse

Announcements by the Mayor

Announcements by the management

Confirmation of minutes

That the Draft Minutes of the Ordinary Meeting of Council held on Tuesday, 11 December 2018 be confirmed as a true and accurate record of the meeting.104

That the Draft Minutes of the Extraordinary Meeting of Council held on Thursday, 20 December 2018 be confirmed as a true and accurate record of the meeting.131

That the Draft Minutes of the Extraordinary Meeting of Council held on Friday, 8 February 2019 be confirmed as a true and accurate record of the meeting.142

Agenda items

- 1 Supplementary Report - War Memorial Design4
- 2 Hawke's Bay Disaster Relief Trust7
- 3 Updated External Policies10
- 4 Hawke's Bay Museums Trust - Draft Statement Of Intent 2019/20 To 2021/22.....38
- 5 Hawke's Bay Museums Trust Half -Year Financial Report To 31 December 2018.....47

Reports / Recommendations from the Standing Committees

Reports from Māori Consultative Committee held 26 February 201963

Reports from Audit and Risk Committee held 6 December 201863

- 1 Audit New Zealand Management Letter63
- 2 Proposed Audit and Risk Committee 2019 Meeting Calendar64
- 3 Health and Safety Report65
- 4 Risk Management Report.....66
- 5 Internal Audit Programme 2018/1967

Reports from Strategy and Infrastructure Committee held 19 February 2019

- 1 Napier Disability Strategy - Draft for Consultation68
- 2 Napier Sailing Club Funding Request69
- 3 Representation Review 2018 - Local Government Commission Determination71
- 4 Ordering of candidates' names on voting documents72
- 5 Napier Roll of Honour73
- 6 War Memorial Design Options Consultation74
- 7 Greendale Pool Funding Decision: Council Projects Fund76
- 8 Road Stopping - Corner of Geddis and Longfellow Avenues77
- 9 Omarunui Refuse Landfill Joint Committee Minutes 7 December 2018.....78

Reports from Regulatory Committee held 19 February 2019

1	NCC and Napier City Business Inc Events 2019	79
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Reports under delegated authority

1	Tenders Let.....	80
2	Resource Consents	81
3	Documents Executed Under Seal	89
4	Official Information Requests	91

Public Excluded	103
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AGENDA ITEMS

1. SUPPLEMENTARY REPORT - WAR MEMORIAL DESIGN

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	706128
<i>Reporting Officer/s & Unit:</i>	Antoinette Campbell, Director Community Services

1.1 Purpose of Report

To provide further information on the Strategy and Infrastructure Committee's recommendation for the Napier War Memorial design and construction.

Officer's Recommendation

That Council:

- a. Note that the design of the Napier War Memorial will be tendered out for completion
- b. Note that timings for completion of the final War Memorial design are dependent upon tender process and acceptance of design which will have a flow on impact to physical construction
- c. Note that without a War Memorial concept design the total costs are unknown
- d. Note that the costs of a new concept design may trigger the requirement for consultation in accordance with Council's Significance and Engagement policy
- e. Note that the Terms of Reference of the Arts Advisory Panel does not provide for commissioning art works.

Mayor's Recommendation

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

1.2 Background Summary

At the Strategy and Infrastructure meeting of 19 February 2019, the Committee considered community feedback on the Napier War Memorial design options and recommended to reconfirm its previous decision to locate the War Memorial at the Floral Clock site, and provided direction on a design concept with a number of requirements to be incorporated into a final design concept.

1.3 Issues

The Committee's recommendation has resulted in a new design direction for a concept design option that has not been developed in any form, nor have any costs to its construction been estimated. The design brief does have some complexities incorporated to it, particularly around the incorporation of the perpetual flame in to the existing War Memorial building that will require specialist skills to be able to assess how

that could be achieved. As a result of this and other project priorities, there is not the capacity to complete this work in-house and therefore the design brief will be tendered for completion. The timeframe for completion of the design will be dependent upon completion and acceptance of the tender and the development of a design concept that will then be workshoped with Council prior to acceptance.

A detailed design to enable construction to commence will be dependent on timings of Council accepting the design and consideration of any further consultation should that be required. It should also be noted that the costs are unknown for the new design and could be substantial with cost highlighted as a key concern of our ratepayers during consultation of all of the options. Any changes to the 2019/20 Annual Plan budgets for this activity will not be able to be undertaken in time for Annual Plan consultation.

One on the directives within the Committee's recommendation was "*That remembrance artwork be commissioned, to connect the Memorial space with the Memorial Building and lower lawn, uniting the memorial elements; and that this be given as a brief to the Arts Advisory Group to commission*". The Terms of Reference of the Arts Advisory Panel (attached) do not provide for commissioning artworks. It is recommended that appropriate artistic elements are incorporated to the final design concept in accordance with Council's Arts Policy. This has been successfully achieved in the recent Marine Parade and Destination Playground developments and is therefore recommended to be included in the tender brief.

1.4 Significance and Engagement

With just under 1300 people taking part in the War Memorial Design Options consultation, the matter has generated moderate community interest, and has been of high interest to key stakeholders and special interest groups. Should the cost of the new design exceed the costs advised during the consultation and impact significantly on rates and/or borrowing, under Council's Significance and Engagement policy, the need for further consultation would be triggered.

1.5 Implications

Financial

Any budgetary impacts are unknown at this point in time until a design concept has been completed and assessed by a Quantity Surveyor. A budget provision has been made in the 2019/20 Annual Plan of \$1.5m for the War Memorial.

Social & Policy

N/A

Risk

N/A

1.6 Options

The options available to Council are as follows:

- a. Note the issues raised.

1.7 Development of Preferred Option

N/A

1.8 Attachments

- A Arts Advisory Panel Terms of Reference [↓](#)

ARTS ADVISORY PANEL

<i>Reports to</i>	<i>Community Services Committee</i>
<i>Chairperson</i>	<i>Councillor Wright</i>
<i>Deputy Chairperson</i>	<i>N/A</i>
<i>Membership</i>	<i>1 Napier City Council representative</i>
	<i>External Membership</i>
	<i>1 representative from:</i>
	<i>Art Deco Trust</i>
	<i>Napier Arts Community Practitioner</i>
	<i>Creative Arts Napier Inc</i>
	<i>MTG</i>
	<i>Māori/Iwi</i>
	<i>Secondment of Design Group Representative as required: a member of an existing Design Group should be seconded onto the Panel when the Panel has to consider one off art work in public places or part of the urban development relating to the Design Group's area of interest.</i>
<i>Quorum</i>	<i>3</i>
<i>Meeting frequency</i>	<i>As required</i>
<i>Officer in Charge</i>	<i>Director Community Services</i>

Role

1. To make recommendations to Council on the suitability of one-off art installations for a particular location giving considerations to the uniqueness of the community into which it is to be installed, and the heritage and cultural values of the site.
2. To assess and ensure that the potential art installation is aligned with the objectives and policies as set out in Napier City Council's Arts Policy.

Note:

- This panel will not replace or supersede the existing design groups across the city such as the West Quay/Ahuriri Design Group for the Ahuriri area and any group established under the CBD Design Guide or any other newly established Council design groups.
- All potential art in public places being considered by an existing Design Group either as a one off artwork or part of the urban development in their location of interest must be referred to the Arts Advisory Panel for advice.
- The Arts Advisory Panel meet, as required, to coincide with the appropriate Council meeting to assess proposals and submit recommendations. Members are volunteers.

2. HAWKE'S BAY DISASTER RELIEF TRUST

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	707715
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

2.1 Purpose of Report

The purpose of this report is to obtain a decision from the Council on a proposal to establish a Hawke's Bay Disaster Relief Trust and to consult on its establishment through the 2019/20 Annual Plan.

Officer's Recommendation

That Council:

- a. Receive the report of the Chief Financial Officer titled "Hawke's Bay Disaster Relief Trust"
 - b. That the Council include the proposal to form the establishment of the Hawkes Bay Disaster Relief Trust within its 2019/20 Annual Plan to fulfil the statutory requirements in creating a Council Controlled Organisation.
- With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for local public services in the event of a major disaster.

Mayor's Recommendation

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

2.2 Background Summary

Hawke's Bay is currently lacking a vehicle to receive funds in the event of a major disaster.

This proposal arises from discussions held with the Group Manager/Group Controller for Hawkes Bay Civil Defence Emergency Management Group, the CEG and the Regional Advisor from the Ministry of Civil Defence and Emergency Management.

The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.

The objective of this decision relevant to the purpose of Local Government is to enable local public services to be delivered in an effective and efficient way in the event of a major disaster.

This report concludes by recommending that the proposal to establish the Hawkes Bay Disaster Relief Trust be included in the 2019/20 Annual Plan.

Current Situation

The Hawke's Bay Civil Defence Emergency Management (CDEM) Group is a collective of the five Hawke's Bay local authorities required under the CDEM Act 2002 to govern and manage CDEM within the region. The Group is governed by a joint committee consisting of the Mayors and the Chairperson of the regional council.

The approved CDEM Group Plan 2014-19 has an objective seeking to establish a Hawke's Bay Disaster Relief Fund with the objective of collecting and distributing donations made by the public and organisations to assist people affected by a civil defence emergency in Hawke's Bay. Establishing the fund will enable the mechanisms to be put in place before a disaster occurs to immediately seek and administer donations as a charity. This will allow for donated funds to be distributed as quickly as possible to those most in need.

Any collected funds that would be placed in the fund are not Council funds, nor are they funds that would otherwise be coming to the Council. The fund will need to be administered by a Trust.

As the Trustees will need to be appointed by the Hawke's Bay Councils, it is necessary to establish a Council Controlled Organisation (CCO) under the Local Government Act to form and administer the fund. This would trigger the consultation provisions under the Local Government Act. It is therefore requested the Council include the intention to establish a CCO for the purposes outlined above in the draft 2019/20 Annual Plan being released for consultation.

The local authorities of the region have undertaken to consult with their communities in a similar approach to that outlined here for Napier City Council to complete the processes required to establish the Trust.

2.3 Issues

No Issues

2.4 Significance and Engagement

The Local Government Act provides the guidance as to the steps that are required to form a Council Controlled Organisation. The approach recommended within the report will satisfy those requirements.

2.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

2.6 Options

The options are either to approve or not approve the formation of the Trust.

To not approve the formation of the Trust will mean that Napier City Council will not be supporting an objective of the CDEM Group Plan, and will mean that Hawkes Bay will continue to lack a vehicle to receive funds in the event of a major disaster.

Approving the proposal to form the Trust and to include this for consultation within the 2019/20 Annual Plan will enable the statutory processes to be completed to establish the Trust and to obtain the benefits from having it in place.

2.7 Development of Preferred Option

The preferred option is to include the proposal to establish the Trust within the 2019/20 Annual Plan for consultation. There are no financial implications from this proposal

2.8 Attachments

Nil

3. UPDATED EXTERNAL POLICIES

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	707930
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Team Leader Governance

3.1 Purpose of Report

To present three external (public facing) policies for ratification of the proposed updates/actions.

Officer's Recommendation

That Council:

- a. Approve the updates made to the LGOIMA Policy for finalisation and publication
- b. Approve the updated Graffiti Removal Policy for finalisation and publication
- c. Repeal the Governance Structure Policy, noting that it is a duplicate of information presented to the public via the Local Governance Statement

Mayor's Recommendation

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

3.2 Background Summary

Council undertakes regular reviews of its policies to ensure that they are still pertinent, clear and accurate to reflect any shifts in best practice.

As part of the current review process, three external (public facing) policies have been assessed as follows:

LGOIMA Policy (Attachment A)

A number of changes and corrections have been made to the Policy to reflect correct expectations under the Local Government Official Information and Meetings Act 1987 (the Act), and current practice as per the internal procedure established in early 2017.

As the treatment of official information requests is largely prescribed in the Act, guidelines from the Office of the Ombudsman (the adjudicating body under the Act) and Council's own accepted procedure, the Policy is now presented at what is believed to be a more appropriate level of detail, with reference to key accompanying documents.

Graffiti Removal Policy (Attachment B)

The standing policy has been re-confirmed with one very minor adjustment, as it works well and continues to set high yet reasonable expectations as to how graffiti will be addressed across Napier.

Governance Structure Policy (Attachment C)

It is recommended that the Policy (attached) be repealed, as the contents are solely the governance structure for the 2016-19 triennium and now out of date.

The structure is out of date in the Policy as the same information is included in entirety in the Local Governance Statement, which due to its nature has been treated as a superseding document.

The Local Governance Statement is a document which Council is required to produce under the Local Government Act 2002, and which covers not only the governance structure but a broad variety of information about the purpose and operations of Council.

Regular updates are made to the Local Governance Statement to ensure information is accurate and remains pertinent.

3.3 Issues

No issues

3.4 Significance and Engagement

Policy reviews are an internal operational process and do not require consultation.

3.5 Implications**Financial**

N/A

Social & Policy

N/A

Risk

N/A

3.6 Options

The options available to Council are as follows:

- a. To approve the updates/ actions recommended by officers.
- b. To propose other updates or actions for consideration.

3.7 Development of Preferred Option

It is recommended that the proposed updates/ actions be adopted.

3.8 Attachments

- A LGOIMA Policy 2014 [↓](#)
- B Graffiti Removal Policy 2015 [↓](#)
- C Governance Structure Policy 2016 [↓](#)



Local Government Official Information and Meetings Act Policy			
Approved by	Council		
Department	Governance		
Original Approval Date	8 October 2014	Review Approval Date	8 October 2014
Next Review Deadline	8 October 2017	EDRMS Working Doc #	346220
Relevant Legislation	Local Government Official Information and Meetings Act 1987		
NCC Documents Referenced	340092 LGOIMA procedure		
	335938 LGOIMA response templates and reasons for withholding		
	335923 LGOIMA tracking spreadsheet		

Purpose

Local Government Official Information and Meetings Act (LGOIMA) requests for Information

The Local Government Official Information and Meetings Act 1987 (the Act) establishes the law to apply in responding to requests for information. The purposes of the Act are:

- a) to provide for the availability to the public of official information held by local authorities, and to promote the open and public transaction of business at meetings of local authorities, in order
 - to enable more effective participation by the public in the actions and decisions of local authorities, and
 - to promote the accountability of local authority members and officials, and thereby to enhance respect for the law and to promote good local government in New Zealand.
- ~~b) to provide for proper access by each person to official information relating to that person.~~
- c) to protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

This policy outlines the principles and procedures applying to receipt of a LGOIMA request.

Policy

1. Principles

- 1.1. All requests for official information are, in fact, requests under the Act, unless it is by an individual for any of their own information held by Napier City Council, in which case the request is made under the Privacy Act 1993.
- 1.2. Requests may only be for information already held; there is no obligation to create new information for the purposes of responding to a request.
- 1.3. Requests for opinion are not requests for official information.
- 1.4. The Act requires that a response on whether the request is being upheld, partially upheld or declined is provided within 20 working days of the request being received. Where information is being provided in full or in part, this should follow the response as soon as a reasonably practicable.
- 1.5. If a person asks for information urgently, they must specify the reason(s) for urgency.

Commented [DS1]: To be updated once approved

Commented [DS2]: To be updated once approved

Commented [DS3]: Not correct - this is a Privacy Act function. Remove

~~1.6. There is a general duty towards transparency and assistance under the Local Government Official Information and Meetings Act 1987 (the Act); the default position should be to release information unless there is very good reason under the Act not to.~~

~~1.7. This duty also extends to providing assistance to requestors through the request process, including helping requestors to clearly frame their request, and responding to the request as soon as reasonably practicable and no later than 20 working days.~~

~~1.1.1.8. Responses need to balance the duty to make information available and to protect information where necessary, including the need to protect an individual's privacy. Where any information is withheld, the reason under the Act must be provided.~~

~~1.2. Under the Local Government Official Information and Meetings Act, all information held by Council is to be made available on request unless there are specific reasons for withholding information requested.~~

~~1.3. Reasons for withholding information are defined in sections 6 – 9 of the Act.~~

~~1.4. For the purposes of this policy a LGOIMA request:~~

- ~~• is a request in writing~~
- ~~• does not need to state that it is a LGOIMA request.~~
- ~~• will be identified as a LGOIMA where the information requested is not specific to a person or an entity or that person's or entity's interest in a specific property.~~
- ~~• is of a general nature e.g. query re Council credit cards and card expenditure, Council debt and debt policies, any Council policy or in regard to a specific project or Council process.~~
- ~~• information requests from pressure groups or journalists. These will be treated as LGOIMA requests and subject to this policy.~~
- ~~• Where any doubt exists as to if a written request should be treated as a LGOIMA, for the purposes of this policy, the decision will be taken by a Departmental Head and confirmed by the LGOIMA administrator (Personal Assistant to Chief Executive).~~

~~1.5. Generally LGOIMA requests should be addressed to the Chief Executive. This is advised to the public on Napier City Council website.~~

~~2. Procedure~~

~~1.6.2.1. Council's operational procedure for addressing requests under the Local Government Official Information and Meetings Act 1987 is outlined in the document "LGOIMA procedure" and its accompanying documents "LGOIMA response templates and reasons for withholding" and "LGOIMA tracking spreadsheet".~~

~~1.7. All requests must be logged with the LGOIMA administrator immediately on receipt.~~

~~1.8. All requests must be assessed, immediately on receipt, as to if the information requested should be withheld under any of sections 6 – 9 of the Local Government Official Information and Meetings Act.~~

~~1.9. The LGOIMA administrator will reply to the enquirer within 24 hours of receipt of the LGOIMA request, acknowledging receipt of the request and advising that the request will be replied to within 20 days or, if the request falls under the reasons for not responding, that a determination will be made within 10 days and the requestor will be notified of the decision at that time.~~

~~1.10. Responses must be within 20 working days of the receipt of the request unless the information cannot be located within this timeframe.~~

Commented [DS4]: Not limited to written; they can be verbal

Commented [DS5]: Not true - they can be very specific

Commented [DS6]: Not true. They can be addressed to anyone in the business and are still considered to be received by Council on the date that person receives the request.

- ~~1.11. Where a response will take longer than 20 days to provide, the LGOIMA administrator will inform the enquirer and advise an expected date for the delivery of the requested information.~~
- ~~1.12. If the reply to a LGOIMA will take longer than 1 hour to research and respond to, a quote of the cost of the response must be advised to the LGOIMA administrator before the expiry of 10 days. The LGOIMA administrator will then advise the enquirer and seek confirmation that the enquirer will accept the cost.~~
- ~~1.13. The LGOIMA request response must provide the information specifically requested.~~
- ~~1.14. If it is unclear what information is being requested, the enquirer must be advised within 10 days of receipt of the request and requested to provide clarification as soon as possible.~~
- 2.3. Reporting**
- ~~2.1.3.1. An overview of all LGOIMA requests processed in the reporting period will be reported to Council at the next each Council meeting.~~

Commented [DS7]: Out of date

Policy Review

The review timeframe of this policy will be no longer than every three years.

Document History

Version	Reviewer	Change Detail	Date
	To be populated		



Graffiti Removal Policy			
Approved By:	Council		
Department:	City Services		
Date Approved:	19 September 2007	Reviewed:	19 November 2015
Next Review Date:	19 November 2018	DOC ID:	216783
Relevant Legislation:	Local Government Act 2002		
NCC Documents Referenced:	Safer Napier Policy		

Commented [DS1]: Will be updated once approved

Commented [DS2]: Will be updated once approved

Purpose

The purpose of this policy is to detail the Napier City Council's strategy to combat graffiti and to outline how the Council deals with graffiti in public spaces.

All graffiti in the city should be notified to the Building Maintenance Manager by phoning 8337744.

Policy

1. Strategies to Combat Graffiti

Public toilets

Public Toilets have always been a prime target of graffiti artists. All new toilets are now built with finishes that resist graffiti paints. They can be cleaned with solvents that easily remove the graffiti but leave the underlying surface undamaged. Older toilets are being painted with those paints when they become due for maintenance. Greater use is also being made of tiles. This work is paid for out of the toilets maintenance budget.

Large Blank Walls

These are often the target of graffiti artists. Many of the walls in public places in Napier have had murals painted on them and that strategy has been successful in stopping graffiti as it appears that taggers respect other artwork.

Prosecution of Offenders

~~It has become apparent that the bulk of the graffiti is being done by only a very few offenders. Photographs are being taken of the graffiti and being passed on to the Police. Where the graffiti can be linked to particular offenders it is put on their Police files. When enough evidence is collected, the offenders will be taken to court by the Police.~~
 It has become apparent that the bulk of the graffiti is being done by only a very few offenders. Photographs are being taken of the graffiti and being passed on to the Police. Where the graffiti can be linked to particular offenders it is put on their Police files. When enough evidence is collected, the offenders will be taken to court by the Police.

2. Categories of areas affected by Graffiti

Areas that are affected by graffiti can be sorted into four broad categories:

- a. **Council Owned Assets** - including all NCC buildings and other assets such as roads, seats, bus shelters, structures on reserve land, etc.
- b. Private walls and fences on the road boundary.
- c. Privately owned fences fronting onto alleyways.
- d. Private buildings other than those on a road boundary frontage.

a. Council Owned Assets

1. Once notification of graffiti is received, a response time of not more than 2 days is targeted.
2. Offensive graffiti is dealt with as above except that the target time was not more than 4 hours from reporting to removal.
3. All tags are date photographed before removal in order to assist possible prosecution and cost recovery.
4. The graffiti is to be removed and/or painted over. A best colour match is made to the existing paint and only the affected area is painted.

b. Private Walls and Fences On The Road Boundary

At Council's discretion:

1. If notification of graffiti is received, the owner of the property may be contacted, and permission sought for the Napier City Council remove the graffiti. The owner or a representative must sign a consent form before work is commenced.
2. Target times for the graffiti is two days (as per Council owned Assets above) except that this is taken from the time of receiving written approval from the owner.
3. If permission is not given, the graffiti will not be removed.

Note: The Council undertakes to paint out the graffiti and paint the affected area with the best colour match. It does not accept that the whole fence, wall, or building should be repainted.

c. Private Fences on Napier City Council Alleyways

1. Graffiti will not be removed in these cases.
2. Where specific complaints are received about offensive words, they will be painted out.

d. Private Buildings – Other Than Those On A Road Boundary

1. Owners will be offered advice only by Council staff.



Governance Structure Policy			
Approved by	Council		
Department	Governance		
Original Approval Date	14 December 2016	Review Approval Date	14 December 2016
Next Review Deadline	14 December 2019	EDRMS Working Doc #	346012
Relevant Legislation	Local Government Act 2002 Local Electoral Act 2001 Shop Trading Hours Act 1990 Sale and Supply of Alcohol Act 2012		
NCC Documents Referenced	Not Applicable		

Purpose

This policy sets out the governance structure for the 2016-19 triennium for the Napier City Council and its subordinate decision making structures including the terms of reference and delegations.

Introduction

Purpose

This document sets out the governance structure for the 2016-19 triennium for the Napier City Council and its subordinate decision making structures including the terms of reference and delegations.

Governance Principles

The Local Government Act 2002 sets out a number of governance principles which Napier City Council have considered in establishing its Governance Structure¹ including to:

- ensure that Napier City Council's governance structures and processes are effective, open, and transparent
- ensure as far as is practical, that responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities
- provide opportunities for Maori to contribute to the decision-making process.

In order to enable democratic participation, the Napier City Council operates on the principle of a double debate system. A double debate system is where Elected Members and the public are generally provided with two opportunities to discuss items before Elected Members make a resolution:

- 1) at a standing committee (committee of a whole²), and
- 2) at the Council meeting.

There will be instances however, such as when there are matters of urgency, where it is prudent for standing committees (committee of a whole) to make a decision of council. Therefore, the following delegation applies:

All Standing Committees (which are committees of a whole) are delegated the authority of Council to make a final Council decision on matters of urgency, within legislative requirements.

In addition, in order for routine business undertaken by the Hearings Committee to run efficiently, Council delegates the ability for the Hearings Committee to make decisions of council within legislative requirements. Therefore, the following delegation applies:

The Hearings Committee is granted full delegated authority of the Council to make final decisions of Council in accordance with legislative requirements.

Role of Maori

Napier City Council has re-established a Maori Consultative Committee. The Committee's mandate and membership has evolved over time. The Committee has an expanded membership for this triennium and will now meet regularly³ (every 6 weeks) throughout the year to provide comments to Council on their thoughts on the recommendations from standing committee meetings.

The Role of the Mayor

¹ Section 39, and Section 14 of the Local Government Act 2002 (LGA);

² A 'Committee of a whole' is a committee of which all Elected Members are members.

³ The Maori Consultative Committee will be convened every 6 weeks, on week 5 of the cycle which is directly after the standing committees of a whole and just prior to the Council meeting.

The Mayor of Napier City is responsible for defining and promoting a vision for the advancement of Napier City and the people of Napier, and to provide leadership to the other elected members.

Establishment of Committees

The Mayor of Napier City has exercised the power vested in the Mayor under Section 41A of the Local Government Act 2002 to establish the committee structure and make appointments to it.⁴ The Mayor is an ex-officio of each committee.

Council can at any stage review its committee structure to ensure that it is appropriate and operating as intended.

Quorum

The terms of reference for each committee or other subordinate decision-making body contain the quorum required.

Generally (unless specified otherwise), a quorum is the presence of half of the members if the number of member is even, and a majority of members if the number of members is odd⁵.

Ambiguity and Conflict

For clarity, matters that are not delegated by the Council to a committee or another subordinate decision-making body, or to the Chief Executive or other Council officer, are to be determined by the Council.

In the event of ambiguity or conflict between any of the provisions contained in these terms of reference, with the result that there is uncertainty or dispute as to which committee or other subordinate decision-making body has the delegated authority to act in respect of a particular matter, then the Council will decide after having received advice from the Chief Executive.

Overview of regular meeting cycle

Napier City Council uses a 6-week cycle for its regular meetings.

Week 1	Seminars/Workshops
Week 2	Standing Committees
	- Infrastructure and Strategy
	- Regulatory
Week 3	Seminars/Workshops
Week 4	Standing Committees
	- Finance
	- Community Services
Week 5	Maori Consultative Committee
Week 6	Council meeting

⁴ Refer minutes of Triennial Council meeting, 2 November 2016

⁵ Schedule 7, Clause 23, Local Government Act 2002

TERMS OF REFERENCES

Council

<i>Chairperson</i>	<i>His Worship Mayor Bill Dalton</i>
<i>Deputy Chairperson</i>	<i>Deputy Mayor Faye White</i>
<i>Membership</i>	<i>All elected members: Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, Wise, Wright</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>6 weekly or as required</i>
<i>Executive</i>	<i>Chief Executive</i>

Role

The Council is responsible for the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body⁶:

- a) The power to make a rate
- b) The power to make a bylaw
- c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
- d) The power to adopt a long-term plan, annual plan, or annual report
- e) The power to appoint a chief executive
- f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in associations with the long-term plan or developed for the purpose of the local governance statement, including the 30-Year Infrastructure Strategy.
- g) The power to adopt a remuneration and employment policy.
- h) The power to establish a joint committee with another local authority or other public body⁷.
- i) The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
- j) The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
- k) The power to make a final decision whether to adopt, amend, revoke, or replace a local Easter Sunday shop trading policy, or to continue a local Easter Sunday shop trading policy without amendment following a review.⁸

To exercise the following powers and responsibilities of Council, which the Council chooses to retain:

- a) The power to approve or amend the Council's Standing Orders⁹.
- b) The power to approve or amend the Code of Conduct for Elected Members¹⁰.
- c) The power to appoint and discharge committees, subcommittees, other subordinate decision-making bodies¹¹.

⁶ Numbers 1-7 refer to Schedule 7, Clause 32. Local Government Act 2002.

⁷ Schedule 7, Clause 30A.

⁸ Shop Trading Hours Act 1990, Section 5D.

⁹ Schedule 7, Clause 27,

¹⁰ Schedule 7, Clause 15,

¹¹ Schedule 7, Clause 30,

¹² Schedule 7, Clause 30,

- a) The power to appoint and discharge members of committees (when not appointed by the Mayor)¹².
- b) To approve governance level strategies, plans and policies which advance council's vision and strategic goals.
- c) Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer.
- d) Reviewing representation arrangements¹³.
- e) To approve any changes to city boundaries under the Resource Management Act.
- f) To appoint or remove trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (COs) and to other external bodies.
- g) To approve the Local governance Statement required under the Local Government Act 2002.
- h) To approve the Triennial Agreement.
- i) To exercise any authority which it has delegated to a committee, subcommittee or officer, which is referred to it for decision.
- j) To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.
- k) Approval of any changes to the nature and delegations of the Committees.

Oversight of policies (including but not limited to)

- Significance and engagement policy
- Standing Orders
- Elected Members Code of Conduct
- Local Governance Statement

¹³ Local Electoral Act 2001, Section 19H.

Committees

Standing Committees

INFRASTRUCTURE AND STRATEGY

<i>Reports to</i>	<i>Council</i>
<i>Chairperson</i>	<i>Councillor Price</i>
<i>Deputy Chairperson</i>	<i>Councillor Brosnan</i>
<i>Membership</i>	<i>All elected members: His Worship the Mayor Bill Dalton, Deputy Mayor Faye White, Councillors Boag, Dallimore, Hague, Jeffrey, McGrath, Tapine, Taylor, Wise, Wright</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>6 weekly or as required</i>
<i>Executive</i>	<i>Director City Strategy, Jon Kingsford, Director Infrastructure</i>

Role

The purpose of this Committee is to provide the leadership for the overall direction of Napier City including strategic vision, city planning, and city infrastructure.

Delegations

- To govern the development of integrated strategies across the organisation to promote the development of Napier City in line with the Council's Vision.
- To develop policy relating to sustainable economic development.
- To develop policy and make recommendations to Council on the provision of Council's infrastructural assets, facilities, and services, including:

Sewerage	Stormwater
Water supply	Roading
Rubbish collection	Waste minimisation
Sportsgrounds and facilities	Parks and reserves
Gardens	Public toilets
Playgrounds	Cemeteries
Memorials	

- To develop policy regarding environmental protection and sustainable practices throughout the Council.
- To consider periodic reports from:
 - Redclyffe Transfer Station Business Unit
 - Lagoon Farm Business Unit
 - Omarunui Joint Refuse Landfill Committee

Oversight of Policies (including but not limited to):

- Asset Management Policy
- Parks and Reserves Donation Policy
- Dangerous, Earthquake Prone and Insanitary Buildings Policy
- Development Contributions and Financial Contributions Policy
- Memorials Policy

REGULATORY

Reports to	Council
Chairperson	Councillor Jeffery
Deputy Chairperson	Councillor Taylor
Membership	All elected members: His Worship the Mayor Bill Dalton, Deputy Mayor Faye White, Councillors Boag, Brosnan, Dallimore, Hague, McGrath, Price, Tapine, Wise, Wright
Quorums	7
Meeting frequency	6 weekly or as required
Executive	Director City Strategy

Role

The purpose of this Committee is to provide the strategy, policy direction and governance on all regulatory functions of the Council.

Note: While the Resource Management Act will form the backbone of this Committee's legislative role, it will also take responsibility for all processes that have a specific statutory requirement for Council involvement (including but not limited to bylaws, health & safety, parking, legal disputes, animal control, building requirements, resource consent applications lodged by the Council, taking or designation of land for any purpose, and the management of consents held by the Council).

Delegations

1. Policy direction and governance on all regulatory matters.
2. To conduct hearings of bylaws including to hear submissions and make recommendations to Council.
3. To hear submissions and make recommendations to Council on any regulatory policy in accordance with legislative requirements e.g. Ability to conduct hearings for Easter Sunday shop trading policies.
4. To refer other hearings to be undertaken by the Hearings Committee within legislative requirements.
5. Provide policy and governance direction on the district plan process and make recommendations to council.
6. To consider and approve statement of proposals, hear submissions, and make decisions for recommendation to Council for final decision on bylaws and regulatory policies.
7. To develop policy relating to all regulatory functions of the Council.
8. To receive and consider regular reports on all regulatory functions of the Council.
9. To initiate a policy statement or plan, or any change or review to a policy statement or plan, under the Resource Management Act.
10. To consider reports relating to all environmental monitoring.
11. To ensure that Council meets all compliance requirements relating to its regulatory responsibilities.

Oversight of policies (including but not limited to)

- Street Stall policy
- Dangerous buildings policy
- Class 4 venues policy
- Footpath management policy
- Seized skateboards policy

COMMUNITY SERVICES

<i>Reports to</i>	<i>Council</i>
<i>Chairperson</i>	<i>Deputy Mayor Faye White</i>
<i>Deputy Chairperson</i>	<i>Councillor Wright</i>
<i>Membership</i>	<i>All elected members: His Worship the Mayor Bill Dalton, Councillors Boag, Brosnan, Dallimore, Hague, Jeffrey, McGrath, Price, Tapine, Taylor, Wise</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>6 weekly</i>
<i>Executive</i>	<i>Director Community Services</i>

Role

To provide governance for all community strategies, visitor experiences and sport and recreation, including facility related operations, bringing together a coordinated approach to community strategies and programs, business operations and the utilisation of associated facilities. The Committee also adopts a wide focus by considering policy implications that impact on the health, safety and well-being of the community.

Delegations

1. Advocacy and policy development on all relevant issues regarding community services promoted by the Council including health, safety, education, and well-being.
2. To monitor and report on social and cultural needs of the community, and its impact on the Council and communities in Napier.
3. To monitor Napier tourism including liaison with entities such as Hawke's Bay Tourism.
4. To monitor compliance of conditions of Council grants made to outside organisations and all community funding initiatives including Creative New Zealand funding.
5. To review Council policy for community and other discretionary grants.
6. To receive reports from the Arts Advisory Panel, Grants Sub Committee, Creative Communities NZ Assessment Special Committee, and any other organisations where Council is represented.
7. To provide governance and monitor visitor experience, sport and recreation and facility related operations:

Kennedy Park Holiday Resort	MTG
National Aquarium of NZ	i-SITE Visitor Information Centre/Par 2 Minigolf
Napier Conference Centre	Municipal Theatre
Napier Aquatic Centre & Ocean Spa	Libraries
McLean Park and Centennial Hall	Community Halls
Napier Skate Park	Retirement Housing

8. Policy for emergency management.
9. To promote Napier City for national, regional and local events.

Oversight of policies (including but not limited to):

- Joint Smokefree Policy
- Youth Policy
- Arts Policy
- Class 4 Venues and Racing Board Venues Policy
- CCTV policy

FINANCE COMMITTEE

<i>Chairperson</i>	<i>Councillor Wise</i>
<i>Deputy Chairperson</i>	<i>Councillor Hague</i>
<i>Membership</i>	<i>All elected members: His Worship the Mayor Bill Dalton, Deputy Mayor Faye White, Councillors Boag, Brosnan, Dallimore, Jeffrey, McGrath, Price, Tapine, Taylor, Wright</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>6 weekly</i>
<i>Officer in Charge</i>	<i>Director Corporate Services</i>

Role

The purpose of the Finance Committee is to:

1. Govern the corporate business of the Council including the Council's long term plan (LTP).
2. Monitor the Council's financial position and financial performance against the LTP and Annual Plan.
3. Guide and monitor Council's interests in its Council Controlled Organisations (CCOs), Council Organisations (COs), and subsidiaries.

Delegations

The Committee has the responsibility and the authority to:

LTP/Annual Plan

1. develop the Council's LTP, Annual Plan, for recommendation to the Council.
2. develop all policies required to be part of, or included in, the LTP and the funding and financial policies in the Local Government Act 2002¹⁴.
3. determine the form and extent of public consultation for the LTP and Annual Plan and hear all associated submissions such as making recommendation to Council on the Consultation document for the LTP and Annual Plan.
4. receive and consider reports on the Council's performance against the LTP and Annual Plan.
5. review and recommend to Council the adoption of the Annual Report.
6. recommend any changes to budget allocations of the LTP and Annual Plan.

Council Organisations/CCOs

To govern Council's involvement with CCOs and COs including undertake any reviews of CCO's including their governance arrangements, and to monitor the overall performance of CCO's, and make recommendations, and to approve the Statements of Intent of Council's CCOs.

Funding and Rates

1. Provide policy and governance direction on funding and rating matters.
2. To consider proposed expenditure over and above the delegated authority of the Chief Executive.

Property

3. To monitor all Council's property operations and develop related policy.

¹⁴ Section 102 of the Local Government Act 2002.

Governance

To review, develop and recommend to Council policy and practices in respect of governance (including representation reviews and related issues).

Oversight of Policies (including but not limited to):

- Financial Strategy
- Rating Policy
- Revenue and Financing Policy
- Appointment and Remuneration of Directors of Council Organisations Policy
- Investment and liability management Policy
- Rates remissions and postponements policy
- Procurement Policy

MAORI CONSULTATIVE COMMITTEE

Chairperson *Council Kaumatua, Mr Piri Prentice*

Deputy Chairperson *N/A*

Membership *1 representative from Napier City Council:
Councillor Api Tapine*

External representatives

- *Piri Prentice, representing Mana Ahuriri*
- *Mr Tiwana Aranui, and Liz Ratima, representing Pukemokimoki Marae*
- *Mr Hori Reti, representing the MaungaharuruTangitu Trust, the Taiwhenua O Te Whanganui A Orotu, and wider Maori Interests*

Quorum *3*

Meeting frequency *6 weekly*

Officer responsible *Director Community Services*

Role

This committee is to provide governance input of Tangata Whenua to the Council decision making process.

Delegations

To make recommendations to Council on:

- agenda items included on Standing Committees.
- any other matters relevant to Council as considered necessary by the Committee.
- Oversee, develop and make recommendations to Council on Council's relationship with Maori.

This committee has no decision-making powers.

Note: Members of the Maori Consultative Committee can be invited to attend Council seminars/workshops and standing committee meetings as appropriate.

SPECIALIST COMMITTEES

HEARINGS

<i>Chairperson</i>	<i>Councillor Jeffery</i>
<i>Deputy Chairperson</i>	<i>Councillor Taylor</i>
<i>Membership</i>	<i>Councillors Brosnan, White, Wise, Wright</i>
<i>Quorum</i>	<i>3</i>
<i>Meeting frequency</i>	<i>6 weekly or as required</i>
<i>Officer in Charge</i>	<i>Director City Strategy, and Director Infrastructure (for Tenders)</i>

Role

To conduct fair and effective hearings and make determinations on a range of the Council's quasi-judicial functions under legislation (and other matters as referred to the Committee).

In practice, some matters are referred to Commissioners appointed under the Resource Management Act.

Delegations

The Hearings Committee is granted full delegated authority of the Council to make final decisions of Council in line with its mandate and in accordance with legislative requirements.

The Hearings Committee has the responsibility for and authority to:

- hear and determine any statutory or regulatory hearings under relevant legislation unless otherwise delegated by Council, including (but without limitation):
 - District Plan Resource consents
 - Compliance
 - Challenges to decisions made under delegated authority where legislation allows
 - Objections under the Dog Control Act
 - Proposals for temporary closure of any road
 - Matters regarding drainage and works on private land under the LG Act 2002.

District Plan

To hear and decide on submissions and objections to the Napier City District Plan Review and any changes or variations proposed to that Plan. The Committee may decide to refer the matter, with recommendations to the Council for a final decision, in a situation where:

- a) the District Plan will be significantly altered as a result of submissions.
- b) any decision on the District Plan will have a significant impact outside the District Plan on other Council policies, particularly rating levels or fees and charges.
- c) the Council will need to consider making a variation or change to the District Plan.

Resource consents

Hear and determine notified resource consents applications and any challenges to conditions of consents.

Consents and Compliance

2. To hear any applications for consents and to hear any applications for compliance with the Building Act and all Council Bylaws.
3. To review, when requested by the applicants, decisions made by staff under delegated authority.

Dog Control

4. To hear and decide upon submissions and applications, and resolve disputes in relation to Dog Control within the City.

Tenders

4. To consider and decide tenders for the supply of goods and services to the Council, where tenders exceed the Chief Executive's delegated authority.

Other

Make recommendations to Council whether to proceed with a road stopping or temporary closure of any road.

To undertake any other hearings as required by Council and within legislative requirements.

AUDIT AND RISK

<i>Chairperson</i>	<i>External appointee - John Palairet</i>
<i>Deputy Chairperson</i>	<i>N/A</i>
<i>Membership</i>	<i>His Worship the Mayor Bill Dalton</i>
	<i>Chair of Finance Committee: Councillor Kirsten Wise</i>
	<i>Deputy Chair of Finance Committee: Councillor Claire Hague</i>
	External appointees
	<i>John Palairet</i>
	<i>Geoff Foster</i>
	<i>Note: The Chief Executive and External Auditor are required to attend all meetings but are not members and have no voting rights.</i>
<i>Quorum</i>	<i>3</i>
	<i>One of which is an external appointee</i>
<i>Meeting frequency</i>	<i>As required – no less than four times a year</i>
<i>Officer in Charge</i>	<i>Director Corporate Services</i>

Role

The role and scope of the Audit and Risk Committee is defined in the Audit Charter.

Delegations

The Committee has no decision-making powers and can make recommendations to Council or the Chief Executive as appropriate.

Oversight of Policies (but not limited to:

- Corporate Risk Management Framework Policy
- Code of Conduct

CHIEF EXECUTIVE CONTRACT

<i>Chairperson</i>	<i>His Worship the Mayor Bill Dalton</i>
<i>Deputy Chairperson</i>	<i>Deputy Mayor Faye White</i>
<i>Membership</i>	<i>Councillor Tony Jeffrey</i>
	<i>This Committee has the power to co-opt members from the Council as the Chair determines necessary.</i>
<i>Quorum</i>	<i>2</i>
<i>Meeting frequency</i>	<i>As required</i>
<i>Officer responsible</i>	<i>Governance Team Leader</i>

Role

To review the performance of the Chief Executive and make recommendations to the Council about all matters relating to the employment of the Chief Executive and the Chief Executive's employment agreement.

Delegations

The Chief Executive Contract Committee has the responsibility and the authority to:

- 1) Agree annual performance objectives with the Chief Executive.
- 2) Undertake a 6 monthly review of progress against the annual performance objectives, provide feedback, and agree any modification to the annual performance objectives with the Chief Executive.
- 3) Conduct the performance review required in the employment agreement between the Council and the Chief Executive.
- 4) Conduct and complete a review of employment under Clause 35, Schedule 7, of the Local Government Act 2002, and make a recommendation to Council under Clause 34, Schedule 7.
- 5) Under the annual remuneration review and make decisions regarding remuneration.
- 6) Act as Council's agent in all matters pertaining to the employment contract of the Chief Executive including any issues which may arise in respect of the job description, agreement, performance objectives or other similar matters.
- 7) Oversee any recruitment and selection process for a Chief Executive (a decision on appointment must by law be made by the Council), initiate any improvements to the employment contract, and undertake negotiations on Council's behalf.
- 8) To consider and propose to Council, training of the Chief Executive as necessary.

NOTE: The Mayor approves CE expenditure on a monthly basis

CREATIVE COMMUNITIES NZ ASSESSMENT

<i>Reports to</i>	<i>Community Services Committee</i>
<i>Chairperson</i>	<i>TBC</i>
<i>Deputy Chairperson</i>	<i>N/A</i>
<i>Membership</i>	<i>2 Napier City Council representatives:</i>
	<i>Councillor Tapine</i>
	<i>Councillor Boag</i>
	<i>External Membership</i>
	<i>3 Community Representatives</i>
	<i>Ruth Thomas, Wayne Walford, Sook Hua Lee</i>
	<i>1 Arts Advisory Panel Rep</i>
	<i>TBA</i>
<i>Quorum</i>	<i>3</i>
<i>Meeting frequency</i>	<i>Twice per year (6 monthly)</i>
<i>Officer in Charge</i>	<i>Manager Community Strategies</i>

Role

To act as an agent of Creative New Zealand in the Napier community.

Delegations

This committee has delegated authority to act on behalf of the Council in the allocation of Creative NZ funds.

To facilitate the Council's participation in the Local Authority Arts Scheme.

To allocate Creative NZ funds to local arts and Creative Arts Napier Inc.

DISTRICT LICENSING COMMITTEE

<i>Reports to</i>	<i>Council</i>
<i>Chairperson</i>	<i>Dave Fellows</i>
<i>Deputy Chairperson</i>	<i>Deputy Mayor Faye White</i>
<i>Membership</i>	<i>Two representatives of Napier City Council</i>
	<i>Deputy Mayor Faye White</i>
	<i>Councillor Keith Price</i>
	External membership <i>Two representatives:</i>
	<i>John Cocking</i>
	<i>Ross Pinkham</i>
	<i>Appointments for all representatives and Chair except for Councillor Price were made for a period of 5 years as allowed for under the Sale and Supply of Alcohol Act 2012, commencing on 28 November 2013 and expiring on 29 November 2018.</i>
	<i>Councillor Price was appointed in 2016.</i>
<i>Quorum</i>	<i>3</i>
<i>Meeting frequency</i>	<i>As required</i>
<i>Executive</i>	<i>Director City Strategy</i>

Purpose

To administer the Council's alcohol licensing framework as determined by the Sale and Supply of Alcohol Act 2012. The Act requires the Council to appoint one or more District Licensing Committees to deal with licensing matters.

Although the District Licensing Committee in Napier City is a Committee of Council and receives Council administrative support, it primarily operates as a decision making body without influence of Council. Napier City District Licensing Committee is chaired by an independent Commissioner and the members are a mix of appointed Councillors and suitably qualified lay persons.

Delegations

The functions of the District Licensing Committee is specified by the Act¹⁵ and include:

1. to consider and determine applications for licences and manager's certificates
2. to consider and determine applications for renewal of licences and manager's certificates
3. to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136
4. to consider and determine applications for the variation, suspension, or cancellation of special licences
5. to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280
6. with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority
7. to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175
8. any other functions conferred on licensing committees by or under this Act or any other enactment.

¹⁵ Section 187, Sale and Supply of Alcohol Act 2012.

The committee may make recommendations to Council.

Chair's delegation: When no objection to an application has been received (for a licence, manager's certificate, or renewal of a license or manager's certificate), and no matters of opposition have been raised under section 103, 129 or 141, the Chair has the delegation to decide on the papers and issue decisions on such applications.

Sub-Committees

GRANTS

<i>Chairperson</i>	<i>Councillor Boag</i>
<i>Deputy Chairperson</i>	<i>N/A</i>
<i>Membership</i>	<i>2 Napier City Council representatives:</i> <i>Councillor Tapine</i> <i>Councillor Boag</i> <i>External Membership</i> <i>4 Community Representatives</i> <i>Geoff Hansen</i> <i>Jay Lamburn</i> <i>Kenneth Simons</i> <i>Angela Williams</i>
<i>Quorum</i>	<i>3</i> <i>Half the members (including vacancies)</i>
<i>Meeting frequency</i>	<i>Meeting frequency set annually</i>
<i>Officer in Charge</i>	<i>Director Community Services</i>

Role

This committee reports to the Community Services Committee.

Delegations

To allocate grants in accordance with Council procedures.

To make recommendations to the Community Services Committee to approve Grants.

To make recommendations to the Community Services Committee on adding performance criteria and conditions on grants.

Remuneration:

Community representatives are paid \$204 per meeting.

ARTS ADVISORY PANEL

<i>Reports to</i>	<i>Community Services Committee</i>
<i>Chairperson</i>	<i>Councillor Wright</i>
<i>Deputy Chairperson</i>	<i>N/A</i>
<i>Membership</i>	<i>1 Napier City Council representative</i>
	<i>External Membership</i>
	<i>1 representative from:</i>
	<i>Art Deco Trust</i>
	<i>Napier Arts Community Practitioner</i>
	<i>Creative Arts Napier Inc</i>
	<i>MTG</i>
	<i>Maori/Iwi</i>
	<i>Secondment of Design Group Representative as required: a member of an existing Design Group should be seconded onto the Panel when the Panel has to consider one off art work in public places or part of the urban development relating to the Design Group's area of interest.</i>
<i>Quorum</i>	<i>3</i>
<i>Meeting frequency</i>	<i>As required</i>
<i>Officer in Charge</i>	<i>Director Community Services</i>

Role

1. To make recommendations to Council on the suitability of one-off art installations for a particular location giving considerations to the uniqueness of the community into which it is to be installed, and the heritage and cultural values of the site.
2. To assess and ensure that the potential art installation is aligned with the objectives and policies as set out in Napier City Council's Arts Policy.

Note:

- a) This panel will not replace or supersede the existing design groups across the city such as the West Quay/Ahuriri Design Group for the Ahuriri area and any group established under the CBD Design Guide or any other newly established Council design groups.
- b) All potential art in public places being considered by an existing Design Group either as a one off artwork or part of the urban development in their location of interest must be referred to the Arts Advisory Panel for advice.
- c) The Arts Advisory Panel is a voluntary sub-committee and reports to the Community Services Committee.
- d) The Arts Advisory Panel meet, as required, to coincide with the appropriate Council meeting to assess proposals and submit recommendations.

Policy Review

The review timeframe of this policy will be no longer than every three years.

Document History

Version	Reviewer	Change Detail	Date
	To be populated		

4. HAWKE'S BAY MUSEUMS TRUST - DRAFT STATEMENT OF INTENT 2019/20 TO 2021/22

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	707966
<i>Reporting Officer/s & Unit:</i>	Chris Denby, Finance Accountant

4.1 Purpose of Report

To provide the draft Statement of Intent 2019/20 to 2021/22 for the Hawke's Bay Museums Trust to Council for its consideration as part of the reporting requirements for council-controlled organisations.

Officer's Recommendation

That Council:

- a. Receive the Hawke's Bay Museums Trust Draft Statement of Intent 2019/20 to 2021/22 and provide any feedback to the Trust for their consideration

Mayor's Recommendation

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

4.2 Background Summary

The Local Government Act 2002 sets out monitoring and reporting requirements of council organisations (Part 5, Section 66, Local Government Act 2002). The Hawke's Bay Museums Trust is a council-controlled organisation as defined under Part 1, Section 6, of the Local Government Act 2002

4.3 Issues

No issues

4.4 Significance and Engagement

N/A

4.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

4.6 Attachments

- A Cover Letter HB Museums Trust Draft Statement of Intent 2019/20 to 2021/22 [↓](#)
- B HB Museums Trust Draft Statement of Intent 2019/20 to 2021/22 [↓](#)



26 February 2019

Hon. Bill Dalton
Mayor
Napier City Council
Private Bag 6010
Napier 4142

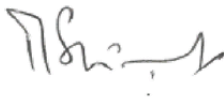
Dear Bill,

Hawke's Bay Museums Trust Statement of Intent 2019-2021

Enclosed please find the draft Statement of Intent for the upcoming period 2019 to 2021. The Trust accepted this draft at their quarterly board meeting on Friday, 25 February 2019.

This is for your Council's review, feedback and acceptance.

Yours sincerely,



Richard Grant
Chairman

Copy to: Wayne Jack
Nigel Bickle
Bruce Allan
Caroline Thomson
George Lyons
Faye White

C/- MTG Hawkes Bay, PO Box 248, Napier 4140, New Zealand



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

STATEMENT OF INTENT 2019 – 2021

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

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

The Objectives of the Trust are:

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

Governance of the Trust is:

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

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

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

The strategic intentions of the Trust for 2019-2021 are:

The Trust will:

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

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

1) Protection

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

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

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

3) Access including exhibitions, research and archives.

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

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

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

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

Reporting entity

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

Statutory base

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

General accounting policies

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

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

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

Specific accounting policies

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

Accounts receivable

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

Inventory

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

Investments

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

Grants

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

Artworks and Collection assets

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

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

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

Goods and Services Tax (GST)

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

Income tax

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

Changes in accounting policies

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

Performance Targets

Key Result Area	Performance Indicator	Target/Reporting Method	
		2019/20 target	2019/20 actual
Protection	Full insurance cover is provided for the collection.	Yes	
	Collections are stored in an acceptable environment.	No items reported to have suffered deterioration due to environment	
Quality	Every item accessioned into the collection has undergone a detailed selection process within the framework of the Collection Strategy	Yes	
	De-accessions are managed in accordance with the Collection Strategy and reported to the Board	Yes	
Access	HBMt collections are used for academic and personal research	1,500 enquiries	
	Collections are made available to the public through quality exhibitions	Minimum of 5 collection based exhibitions	
Development	Bequest funds income is used in the manner determined by the donor.	Yes	
	Conservation funds income is used solely for collection care.	Yes	
	Joint HBMt/Te Rōpū Kaiawhina Taonga meeting held.	1 per annum	

Hawke's Bay Museums Trust Financial Targets

Financial Performance	2019/20	2020/21	2021/22
Revenue			
Council Funding (NCC & HDC)*	1,182,520	1,208,205	1,234,455
Interest Income **	20,100	20,100	20,100
Donations	5,000	5,000	5,000
Total Revenue	1,207,620	1,233,305	1,259,555
Expenses			
Management Fee & Education Grant	950,620	971,534	992,907
Off-Site Storage	180,000	183,960	188,007
Education Grant (LEOTC)	15,000	15,000	15,000
Trust Admin & Management	27,900	28,514	29,141
Audit, Insurance & Legal etc***	9,000	9,197	9,400
Conservation	12,550	12,550	12,550
Accessions	12,550	12,550	12,550
Total Expenses	1,207,620	1,233,305	1,259,555
Surplus/(Deficit)	0	0	0

Financial Ratio Target:

Ratio of Shareholders Funds to Total Assets (minimum ratio):	95%	95%	95%
(Measures the percentage of assets on which equity holders have a residual claim)			

* Council Funding has been inflation-adjusted according to the assumptions used by both Councils' Ten Year Plans, but the future year adjustments for 2020/21 and 2021/22 may differ from the above targets.

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

*** Audit, Insurance & Legal etc for 2019/20 includes Audit \$5,275, Insurance \$2,080 and Legal \$1,600 and Charities \$45.

No dividend is recommended.

No additional Council funding is requested.

Capital Expenditure

There is no planned expenditure on buildings or plant and machinery for the 2019-2021 periods. Accessions and conservation will be funded from grants, donations, de-accessions, and bequest and investment interest income.

Faraday Centre

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

Financial Reports

These will be inserted as the 2019/20 final audited accounts.

Compensation from Local Authority

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

The Board estimates the commercial value of the Hawke's Bay Museums Trust collection at \$40 million (including the Faraday Collection).

Reporting against intended performance

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

5. HAWKE'S BAY MUSEUMS TRUST HALF-YEAR FINANCIAL REPORT TO 31 DECEMBER 2018

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	708143
<i>Reporting Officer/s & Unit:</i>	Chris Denby, Finance Accountant

5.1 Purpose of Report

To provide the half-yearly report for 2018/19 for the Hawke's Bay Museums Trust for adoption.

Officer's Recommendation

That Council:

- a. Receive the half-yearly report for 2018/19 from the Hawke's Bay Museums Trust.

Mayor's Recommendation

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

5.2 Background Summary

The Local Government Act 2002 sets out monitoring and reporting requirements of council organisations (Part 5, Section 66, Local Government Act 2002). The Hawke's Bay Museums Trust is a council-controlled organisation as defined under Part 1, Section 6, of the Local Government Act 2002.

The Hawke's Bay Museums Trust must produce a half-yearly report within two months after the end of the first half of each financial year. The Board is required to deliver this report to shareholders. This report must also include any information outlined in its Statement of Intent.

The half-year financial report covers the period from 1 July 2018 to 31 December 2018

5.3 Issues

No issues

5.4 Significance and Engagement

N/A

5.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

5.6 Attachments

A HB Museums Trust Half-Year Financial Report to 31 December 2018 [↓](#)



HAWKE'S BAY MUSEUMS TRUST

FINANCIAL STATEMENTS

FOR THE SIX MONTHS ENDED 31 DECEMBER 2018

**HAWKE'S BAY MUSEUMS TRUST
INDEX TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

Statement of Financial Position	1
Statement of Financial Performance	2
Statement of Movements in Equity	3
Statement of Cashflows	4
Notes to the Financial Statements	5 - 12

HAWKE'S BAY MUSEUMS TRUST
STATEMENT OF FINANCIAL POSITION
AS AT 31 DECEMBER 2018

	Note	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
Current Assets				
Bank Accounts and Cash	5	14,799	41,680	17,786
Investments	5	625,260	605,260	635,260
	5	640,059	646,940	653,046
Prepayments and Accrued Revenue	8	7,296	4,383	7,908
Total Current Assets		647,355	651,323	660,954
Non-Current Assets				
Artworks and Collection	9	40,181,438	39,328,591	40,179,424
Total Non Current Assets		40,181,438	39,328,591	40,179,424
Total Assets		40,828,793	39,979,914	40,840,378
Current Liabilities				
Accounts Payable and Accruals	10	2,637	7,312	21,590
GST Payable	10	(746)	1,551	740
Unspent Grants	10	7,026	10,288	8,026
Total Current Liabilities		8,917	19,151	30,356
Non-Current Liabilities				
Trust Funds Held on Behalf	11	75,260	75,260	75,260
		75,260	75,260	75,260
Accumulated Funds				
Retained Earnings	6	755,642	710,297	753,435
Asset Revaluation Reserve	6	39,474,064	38,673,798	39,474,064
Special Funds	6&7	514,911	501,408	507,263
		40,744,617	39,885,503	40,734,762
Total Funds Employed		40,828,793	39,979,914	40,840,378

The Trust Board of Hawke's Bay Museums Trust authorised these financial statements
for issue on Monday 25 February 2019
and are signed on behalf of the Board by:



Chairman



Trustee

HAWKE'S BAY MUSEUMS TRUST
STATEMENT OF FINANCIAL PERFORMANCE
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018

	Note	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
Operating Income				
Interest Received		9,662	9,704	19,588
Hastings District Council	2	299,099	233,080	466,160
Napier City Council	2	291,599	225,580	451,160
Donations Received	3	-	7,249	7,249
Donations - MTG Collection	3	-	-	49,974
Donations - Faraday Centre Assets		-	-	6,522
Marian Holt Grant Received		1,000	4,712	6,974
Public Stitch Fees Received		-	1,000	1,000
Total Operating Income		601,360	481,325	1,008,627
Less: Operating Expenses				
Audit Fees		2,413	2,600	5,500
Accounting Charge		8,000	8,550	33,190
Conservation Expenses		-	-	3,945
General Expenses		44	44	44
Legal Costs		-	-	1,145
Insurance		2,060	2,575	2,575
Management Fees	12	577,989	437,405	874,810
Marian Holt - Public Stitch Expenses		1,000	4,712	6,974
Loss on Disposal Assets (Faraday Centre)		-	-	2,000
Total Operating Expenses		591,505	455,887	930,183
Net Surplus/(Deficit) for the Period		9,855	25,438	78,444

**HAWKE'S BAY MUSEUMS TRUST
STATEMENT OF MOVEMENTS IN EQUITY
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

	Note	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
Net Surplus/(Deficit) for Period				
Allocated To:				
Net Surplus / (Deficit)		193	15,734	58,856
Special Funds		9,662	9,704	19,588
Net Surplus/(Deficit) for year		<u>9,855</u>	<u>25,438</u>	<u>78,444</u>
Opening Balance at 1 July		40,734,762	39,856,052	39,856,052
Movement in Asset Revaluation Reserve		-	-	800,266
Transfer of Capital Expenditure from Acquisitions Reserve		-	-	-
Transfer of De-accession Proceeds to Acquisitions Reserve		-	4,013	-
Accumulated Funds	6	<u>40,744,617</u>	<u>39,885,503</u>	<u>40,734,762</u>

**HAWKE'S BAY MUSEUMS TRUST
STATEMENT OF CASHFLOWS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

	Note	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
Cashflows from Operating Activities				
Cash was Provided From:				
Grants Council		590,699	458,661	917,320
Grants Received		-	15,000	15,000
Donations Received		-	7,249	7,249
Other Operating Revenue		-	-	1,000
Interest Received		10,273	12,907	18,266
Goods and Services Tax (net inflow)	-	1,487	166	(647)
		<u>599,485</u>	<u>493,982</u>	<u>958,188</u>
Cash was Disbursed To:				
Audit Fee		(5,275)	(5,200)	(5,200)
Management Fee & Education Grant		(577,989)	(448,575)	(874,810)
Accounting Fee to NCC		(24,090)	-	(17,100)
Marian Holt Grant Expenditure		(1,000)	-	(6,974)
Conservation Works		-	-	(3,945)
Insurance & Legal Costs		(2,060)	-	(3,720)
Other Expenses		(44)	-	(44)
Goods and Services Tax (net outflow)		-	-	-
		<u>(610,458)</u>	<u>(453,775)</u>	<u>(911,793)</u>
Net Cashflows from Operating	4	<u>(10,973)</u>	<u>40,207</u>	<u>46,395</u>
Cashflows from Investing Activities				
Cash was Provided From:				
Sale of Collection Assets		-	4,012	4,013
Cash was Disbursed To:				
Purchase of Collection Assets		(2,014)	(3,656)	(3,739)
Net Cashflows from Investing		<u>(2,014)</u>	<u>356</u>	<u>274</u>
Cashflows from Financing Activities				
Cash was Provided From:				
Maturity of Rabobank Bonds		-	35,000	35,000
Cash was Disbursed To:				
Increase in Term Deposit		-	-	-
Net Cashflows from Financing		<u>-</u>	<u>35,000</u>	<u>35,000</u>
Net Cashflows (Deficit)		(12,987)	75,563	81,669
Add Opening Cash Balance		653,046	571,377	571,377
Closing Cash Balance 31 December 2016		<u>640,059</u>	<u>646,940</u>	<u>653,046</u>

**HAWKE'S BAY MUSEUMS TRUST
NOTES TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

1. Statement of Accounting Policies**Reporting Entity**

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

General Accounting Policies

The general accounting policies recognised as appropriate for the measurement and reporting of results, and financial position, under the historical cost method as modified by the revaluation of certain assets, have been followed in the preparation of these financial statements.

The Board has elected to apply PBE-SFR-A (PS) Public Benefit Entity Simple Format Reporting - Accrual (Public Sector) on the basis that the Trust does not have public accountability (as defined) and has total annual expenses of less than \$2 million.

The financial statements are prepared on the assumption that the Trust will continue to operate in the foreseeable future.

All transactions in the financial statements are reported using the accrual basis of accounting

Significant accounting policies**Bank Accounts and Cash**

Bank Accounts and Cash comprise cheque or savings accounts and deposits held at call with banks.

Investments

Investments comprise bank term deposits.

Accounts Receivable

Accounts receivable are stated at their estimated net realisable value.

Grants

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

Donated Assets

Revenue from donated assets is recognised upon receipt of the asset if the asset has a useful life of more than 12 months and the value of the asset is readily obtainable and significant.

Artworks and Collection

The Trust has elected to apply International Public Sector Accounting Standard (IPSAS) 17 - Property, Plant and Equipment. Items contained in collection assets tend to have an indefinite life and are generally not of a depreciable nature. Depreciation is therefore not applicable and collection assets are carried at fair value. Carrying values are reviewed at least every five years to ensure those values are not materially different to fair value.

Creditors and Accrued Expenses

Creditors and accrued expenses are measured on the amount owing.

GST

The Trust is registered for GST. The Statement of Financial Performance has been prepared so that all components are stated net of GST. All items in the Statement of Financial Position are stated net of GST, with the exception of receivables and payables, which include GST invoiced.

Interest Revenue

Interest revenue is recorded as it is earned during the year.

Income Tax

Hawkes Bay Museums Trust is exempt from paying income tax.

Changes in Accounting Policies

There have been no changes in accounting policies for the 2018/19 financial year.

HAWKE'S BAY MUSEUMS TRUST
NOTES TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018

	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
2. Grants - Councils			
The Hawke's Bay Museums Trust is jointly funded by Napier City Council and Hastings District Council.			
Hastings District Council	299,099	233,080	466,160
Napier City Council	291,599	225,580	451,160
	<u>590,699</u>	<u>458,660</u>	<u>917,320</u>
3. Grants and Donations - Other			
Collection Additions	-	-	49,974
Grants (Marian Holt Grant)	-	-	6,974
Collection Additions - Faraday Centre	-	-	6,522
Other Donations	-	7,249	7,249
	<u>-</u>	<u>7,249</u>	<u>70,719</u>
4. Reconciliation of Net Surplus to Net Cash Flow from Operating Activities			
Operating Surplus	9,855	25,438	78,444
Less donated / vested assets	-	-	(56,497)
Cash surplus/(deficit) from operations	<u>9,855</u>	<u>25,438</u>	<u>21,947</u>
Add/(less) movements in working capital items:			
Accounts receivable			
Prepayments & accrued revenue (net, including interest)	612	2,202	(1,323)
Accounts payable accrued (net)	(18,954)	12,400	16,390
Increase in Unspent Grants	(1,000)	-	8,026
Loss on Disposals	-	-	2,000
Net GST movement	(1,486)	166	(645)
Net cash inflow/(outflow) from operating activities	<u>(10,973)</u>	<u>40,207</u>	<u>46,395</u>
	(0)		
5. Bank Accounts, Cash and Investments			
Bank Accounts			
Westpac Bank - Current Account	14,799	41,680	17,786
Total Bank Accounts and Cash	<u>14,799</u>	<u>41,680</u>	<u>17,786</u>
Investments			
Westpac Term Deposits	550,000	530,000	560,000
Westpac Term Deposits - Trusts Held on Behalf			
M S Spence Trust	33,387	33,387	33,387
L D Bestall Trust	20,834	20,834	20,834
Estate L D Bestall	21,039	21,039	21,039
	<u>625,260</u>	<u>605,260</u>	<u>635,260</u>
	<u>640,059</u>	<u>646,940</u>	<u>653,046</u>

HAWKE'S BAY MUSEUMS TRUST
NOTES TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018

6. Movements in equity	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
Special Reserves			
Restricted Reserves			
Opening Balance 1 July 2018	14,115	13,634	13,634
Interest income	237	238	481
Transfer to Other Reserves	-	-	-
Closing Balance Special Reserves	14,352	13,872	14,115
Unrestricted Reserves			
Opening Balance 1 July 2018	89,801	86,738	86,738
Interest Income	1,507	1,516	3,063
Grants and Donations	-	-	-
Transfer to Other Reserves	-	-	-
Transfer to Napier City Council	-	-	-
Closing Balance Unrestricted Reserves	91,308	88,254	89,801
Acquisitions Reserve			
Opening Balance 1 July 2018	369,199	356,337	356,337
Interest Income	6,194	6,229	12,589
Acquisitions Donations Received	-	-	-
Proceeds from De-accession	-	4,013	4,012
Acquisitions for Year	(2,014)	(3,656)	(3,739)
Closing Balance Acquisitions Reserve	373,379	362,923	369,199
Conservation Reserve Fund			
Opening Balance 1 July 2018	27,553	30,491	30,491
Interest Income	461	534	1,007
Conservation Donations Received	-	-	-
Conservation for Year	-	-	(3,945)
Closing Balance Conservation Reserve	28,014	31,025	27,553
Trusts Held on Behalf			
Opening Balance 1 July 2018	6,595	4,147	4,147
Interest Income	1,263	1,187	2,448
Acquisitions for Year	-	-	-
Closing Balance Trusts Held on Behalf	7,858	5,334	6,595
Total Special Reserves	514,911	501,408	507,263
Asset Revaluation Reserve			
Opening Balance 1 July 2018	39,474,064	38,673,798	38,673,798
Movement in Asset Revaluation Reserve	-	-	800,266
Closing Balance Revaluation Reserve	39,474,064	38,673,798	39,474,064
Retained earnings			
Opening Balance 1 July 2018	753,435	690,907	690,907
Transfer of donations to restricted reserve	-	-	-
Transfer of capital expenditure from restricted reserve	-	-	-
Transfer of donations to acquisitions reserve	-	-	-
Transfer of proceeds of deaccession to acquisitions reserve	-	-	(4,012)
Transfer of capital expenditure from acquisitions reserve	2,014	3,656	3,739
Transfer of donations to conservation reserve	-	-	-
Transfer of capital expenditure from conservation reserve	-	-	3,945
Transfer of capital expenditure to conservation reserve	-	-	-
Transfer of donations to restricted reserve	-	-	-
Transfer of capital expenditure from unrestricted reserve	-	-	-
Net surplus/(deficit) for year	193	15,734	58,856
Closing Balance Retained Earnings	755,642	710,297	753,435
	40,744,617	39,885,503	40,734,762

Restricted Reserves - consist of reserves which have conditions of use attached to the funds held within the reserve

Unrestricted Reserves - funds held in equity which have no restrictions on conditions of use

Acquisitions Reserve - funds which the Trustees have identified and set aside for the specific purpose of acquisition of items for the museum collection

Conservation Reserve Fund - funds which the Trustees have identified and set aside for applying to the cost of conservation of collection items

**HAWKE'S BAY MUSEUMS TRUST
NOTES TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

7. Special Funds

	Opening Balance as at 1 Jul 2018	Transfer	Grants Donations & Bequests Received	Acquisitions & Conservation for 6 Months to 31 Dec 2018	De-accessions for 6 Months to 31 Dec 2018	Allocation of Proportion Interest Income	Closing Balance as at 31 Dec 2018
Restricted Reserves							
JR McKenzie Trust	-	-	-	-	-	-	-
QEII Award Fund	14,115	-	-	-	-	237	14,352
	14,115	-	-	-	-	237	14,352
Unrestricted Reserves							
HB Museum Building Fund	-	-	-	-	-	-	-
Lilliput Building Fund	89,801	-	-	-	-	1,507	91,308
	89,801	-	-	-	-	1,507	91,308
Acquisitions Reserve Fund							
Millin Estate	273,735	-	-	(2,014)	-	4,592	276,313
LJ Sanderson	80,226	-	-	-	-	1,346	81,572
M L Holt	13,162	-	-	-	-	221	13,383
James Walker	1,493	-	-	-	-	25	1,518
Webb Trust	583	-	-	-	-	10	593
	369,199	-	-	(2,014)	-	6,194	373,379
Conservation Reserve Fund							
Dobson Trust	4,865	-	-	-	-	81	4,946
B Horne	9,326	-	-	-	-	156	9,482
M L Holt	13,047	-	-	-	-	219	13,266
Other - FHBMAG Care Fund	315	-	-	-	-	5	320
	27,553	-	-	-	-	461	28,014
Total HBMT Special Funds	500,668	-	-	(2,014)	-	8,399	507,053
Trusts Held on Behalf							
M S Spence Trust	2,927	-	-	-	-	560	3,487
L D Bestall Trust	1,798	-	-	-	-	350	2,148
Estate L D Bestall	1,870	-	-	-	-	353	2,223
Total Trusts Held on Behalf	6,595	-	-	-	-	1,263	7,858
Total Special Funds	507,263	-	-	(2,014)	-	9,662	514,911

**HAWKE'S BAY MUSEUMS TRUST
NOTES TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
8. Accounts Receivable, Accrued Revenue & Prepayments			
Accrued Interest	7,296	3,383	7,908
Public Stitch Fees Receivable	-	1,000	-
	<u>7,296</u>	<u>4,383</u>	<u>7,908</u>

**HAWKE'S BAY MUSEUMS TRUST
NOTES TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

9. Collection Assets

Museum Art & Collection Assets were valued by independent registered valuer Jessica Pearless MPINZ of Paragon Matter Art Services as at 30 June 2018 using fair value. The Faraday Centre Collection was valued by independent registered valuer Craig S Scoullar MPINZ of Asset Valuations Ltd as at 30 June 2017 using fair value. Both valuations have been brought to account in the 2017/18 financial statements. The basis for both valuations is 'Estimated Market Value.'

	Library Archives	Textiles & Associated Items	Taonga Maori	Fine Arts	Social History	Pottery Porcelain Glass Silver	Ethnology	Subtotal	Faraday Centre	Total
Carrying amount at 1 July 2017	1,754,417	769,944	25,343,587	8,394,153	957,739	375,043	1,249,826	38,844,709	480,226	39,324,935
Acquisitions	83	-	-	-	-	3,656	-	3,739	-	3,739
Donations	11,752	6,209	148	25,391	-	6,474	-	49,974	6,522	56,496
Deaccessions	-	-	-	(4,012)	-	-	-	(4,012)	(2,000)	(6,012)
Revaluation	-	10,304	92,609	622,310	24,304	33,217	17,522	800,266	-	800,266
Carrying amount at 30 June 2018	1,766,252	786,457	25,436,344	9,037,842	982,043	418,390	1,267,348	39,694,676	484,748	40,179,424
Carrying amount at 1 July 2018	1,766,252	786,457	25,436,344	9,037,842	982,043	418,390	1,267,348	39,694,676	484,748	40,179,424
Acquisitions	-	-	-	-	2,014	-	-	2,014	-	2,014
Donations	-	-	-	-	-	-	-	-	-	-
Deaccessions	-	-	-	-	-	-	-	-	-	-
Revaluation	-	-	-	-	-	-	-	-	-	-
Carrying amount at 31 December 2018	1,766,252	786,457	25,436,344	9,037,842	984,057	418,390	1,267,348	39,696,690	484,748	40,181,438

HAWKE'S BAY MUSEUMS TRUST
NOTES TO THE FINANCIAL STATEMENTS
FOR THE SIX MONTHS ENDED 31 DECEMBER 2018

	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
10. Accounts Payable & Accruals			
Accounts Payable & Accruals	2,637	7,312	21,590
GST Payable	(746)	1,551	740
Unexpended Grants	7,026	10,288	8,026
	<u>8,917</u>	<u>19,151</u>	<u>30,356</u>
11. Non-Current Liabilities			
M S Spence Trust Proceeds	33,387	33,387	33,387
L D Bestall Trust Proceeds	20,834	20,834	20,834
Estate L D Bestall Proceeds	21,039	21,039	21,039
	<u>75,260</u>	<u>75,260</u>	<u>75,260</u>
12. Related Parties			
Hastings District Council and Napier City Council are related parties, to the extent that they contribute funds and are represented on the Board.			
The Hawke's Bay Museums Trust has contracted Napier City Council to provide administrative and accounting services for the Trust's operations. Payment for these services during the financial period under review was \$8,000 (to 31 December 2017: \$8,550 and to 30 June 2018: \$33,190).			
The Hawkes Bay Museums Trust has also contracted Napier City Council to provide administrative and management services for the management of the collection. Payment for services during the financial period under review were: \$577,989 (to 31 December 2017: \$437,405 and to 30 June 2018: \$874,810).			
	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
13. Commitments			
Capital Commitments			
Known capital commitments	-	-	-
	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
14. Contingencies			
Known contingent events	-	-	-

HAWKE'S BAY MUSEUMS TRUST **NOTES TO THE FINANCIAL STATEMENTS** **FOR THE SIX MONTHS ENDED 31 DECEMBER 2018**

15. Statement of Intent

In its 2018/19 Statement of Intent the Trust set financial targets for the year. The following table summarises actual results (to 31 December 2018) against those targets, with explanations for variances.

	Actual to 31-Dec-18	Target to 31-Dec-18	Variance
Revenue			
Council Funding (NCC & HDC)	590,698	590,700	-2
Interest Income	9,662	9,900	-238
Cash Donations	0	3,600	-3,600
Marian Holt Grant Received	1,000	0	1,000
Total Revenue	601,360	604,200	-2,840
Expenses			
Management Fee and Education Grant	489,989	489,990	1
Off-Site Storage	88,000	88,002	2
Conservation	0	6,750	6,750
Accessions	2,014	6,750	4,736
Public Stitch Project	1,000	0	-1,000
Trust Admin & Management	8,000	7,998	-2
Audit, Insurance, Legal Fees	4,517	8,618	4,101
Total Expenses	593,520	608,108	10,487
Surplus/Deficit	7,840	-3,908	7,647

	Actual to 31-Dec-17	Target to 31-Dec-17	Variance
Revenue			
Council Funding (NCC & HDC)	458,660	458,664	-4
Interest Income	9,704	9,252	452
Cash Donations	7,249	4,002	3,247
Marian Holt Grant Received	4,712	0	4,712
Public Stitch Fees Received	1,000	0	1,000
Total Revenue	481,325	471,918	9,407
Expenses			
Management Fee and Education Grant	437,405	437,406	-1
Conservation	2,700	6,624	-3,924
Accessions	3,656	6,624	-2,968
Public Stitch Project	4,712	0	4,712
Other Special Funded Expenditure	0	0	0
Trust Admin & Management	8,550	8,550	0
Audit, Insurance, Legal Fees	5,219	8,558	-3,339
Total Expenses	462,242	467,762	-5,520
Surplus/Deficit	19,083	4,156	14,927

	6 Months Ended 31-Dec-18 \$	6 Months Ended 31-Dec-17 \$	Year Ended 30-Jun-18 \$
Ratio of Shareholders Funds to Total Assets	99.8%	99.8%	99.7%

Note: This ratio shows the proportion of assets on which the shareholders have a residual claim.

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 26 February 2019

Māori Consultative Committee Recommendation

That the Māori Consultative Committee recommendations be adopted.

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

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 6 DECEMBER 2018

1. AUDIT NEW ZEALAND MANAGEMENT LETTER

Type of Report:	Information
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Legal Reference:	Local Government Act 2002
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Document ID:	433397
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Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer
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1.1 Purpose of Report

To consider the Audit NZ management letter: Napier City Council Audit for the year ended 30 June 2018 (to be tabled at the meeting).

At the Meeting

Mr Lucy spoke to the management letter, noting that some minor matters are being worked through with Council officers; many of the findings are already under action.

The Annual Report was of good quality. It was noted that Council has a large number of big assets and a good process was in place to ensure that valuations are undertaken for these. The reporting mandated by Department of Internal Affairs was considered robust.

COMMITTEE'S RECOMMENDATION

Councillors Wise / Hague

That Council:

- a. Receive the Audit New Zealand management letter: Napier City Council Audit for the year ended 30 June 2018.

Carried

2. PROPOSED AUDIT AND RISK COMMITTEE 2019 MEETING CALENDAR

Type of Report: Operational

Legal Reference: N/A

Document ID: 433409

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

2.1 Purpose of Report

To consider the proposed timetable of meetings for the Audit and Risk Committee in 2018, as detailed below.

At the Meeting

The Chair advised that the March and June dates would need to be adjusted due to other commitments he holds.

Proposed alternative dates will be circulated to the committee for consideration. The recommendation was left lying on the table.

Officer's Recommendation

- a. That Council receive the proposed timetable of meetings for the Audit and Risk Committee for 2019.
-

3. HEALTH AND SAFETY REPORT

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	433412
<i>Reporting Officer/s & Unit:</i>	Sue Matkin, Manager People & Capability

3.1 Purpose of Report

The purpose of the report is to provide the Audit and Risk Committee with an overview of the health and safety performance as at 31st October 2018.

At the Meeting

The Manager People and Capability spoke to the report, noting that there have been no serious incidents in the reporting period since the previous meeting. There has been an increased focus on contractor auditing and 'visible leadership' in the Health and Safety space within the reporting period; 37 additional onsite visits were made by Corporate Manager Team members to discuss Health and Safety matters.

November was 'Men's health awareness month', and \$2600 was raised for prostate cancer support.

Testing has recently been completed of response times in relation to a new tool for use by independent onsite workers called "man-down devices". If someone has an incident or accident while on their own and they are literally "down" the device triggers and contacts a company called Red Wolf. They will then call the person. If a response is not received emergency services are immediately notified and directed to the location of the worker, identified via GPS tracking associated with the devices.

Workloads have been very high in the lead into the summer holiday period and People and Capability are liaising with teams across Council to ensure that stress and fatigue levels are monitored and managed.

In response to a question from the Committee it was advised that bullying and sexual harassment are identified as hazards under the Health and Safety in the Workplace Act. In May this year an anti-bullying campaign was run which identified what bullying and harassment looks like, provided tools for managers and staff, and advised on how to get help.

COMMITTEE'S RECOMMENDATION

Councillors Wise / Hague

That Council:

- a. Receive the Health and Safety report as at 31 October 2018.

Carried

4. RISK MANAGEMENT REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	433414
<i>Reporting Officer/s & Unit:</i>	Ross Franklin, Consultant

4.1 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

The Sycle projects module delivery date has been adjusted to March 2019 to ensure good delivery of the project. The business continuity management project is in the investigative phase.

As most of the current risks in the risk register were entered in July 2018, they have now become due to review. The opportunity is being taken to review these in more detail, checking the risk description and rating remain accurate.

The risk framework and policy will be brought to this Committee at its first meeting for the 2019 year.

It was noted that the risk related to Pandora Pond has now been removed. The inflatables will not be placed in the pond this summer season as an outcome of the patterns identified through modelling by the Infrastructure team; fluctuations in the pond following rain events have been identified through this process.

In response to question from the Committee it was advised that:

- One of the important culture changes has been to consider risk management as part of everyday work. While the teams are doing as much as they can with the resource available, Council continues to consider options to ensure that it is able to continue moving forward in this space.
- While dedicated resource, such as a risk management insurance role, could be put in place and may be considered at some point, it has been important to ensure that all managers and risk owners are brought along the change journey and clearly understand risk and what is required of them. This process may have been circumvented by a dedicated role being in place too early.
- Consideration would need to be given to the level within the risk framework that any dedicated role operated at.

COMMITTEE'S RECOMMENDATION

Councillor Hague / Mr Foster

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.
- c. Receive the report titled; NCC Risk Maturity Roadmap: 5 Year Plan

Carried

5. INTERNAL AUDIT PROGRAMME 2018/19

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	671251
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

5.1 Purpose of Report

To table to the Committee the internal audit programme for 2017/18 and 2018/19 from Crowe Horwath. Recommendations, feedback and any other review priorities the Committee deems relevant, is sought.

At the Meeting

The Chief Financial Officer spoke to the report, briefly reviewing the recent audits completed by Crowe Horwath and the intended schedule for the next year. It was noted that the contract with Crowe Horwath is flexible so it would be possible to incorporate a broader high level review into the schedule if desired.

In response to a question from the Committee it was advised that the first fraud workshop was run with senior leadership and the second with cash handling positions, depot and front of house staff. It was recommended that a specialist in the area of fraud present to this Committee in 2019.

It was noted that Crowe Horwath do not currently review cyber security but a separate review of our IT security measures is undertaken annually.

COMMITTEE'S RECOMMENDATION

Councillor Wise / Mr Foster

The Council:

- a. Resolve that the internal audit programme for 2017/18 and 2018/19 from Crowe Horwath is received.

Carried

REPORTS FROM STRATEGY AND INFRASTRUCTURE COMMITTEE HELD 19 FEBRUARY 2019

1. NAPIER DISABILITY STRATEGY - DRAFT FOR CONSULTATION

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	697022
Reporting Officer/s & Unit:	Natasha Carswell, Manager Community Strategies

1.1 Purpose of Report

This report summarises the development of the Napier Disability Strategy and requests approval to release it for community feedback prior to its finalisation for adoption by Council.

At the Māori Consultative Committee meeting

Councillor Tapine spoke to previous discussion had by the Strategy and Infrastructure Committee on this item.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Councillors Boag / White

That Council:

- a. Approve the release of the draft Napier Disability Strategy for community feedback.

Carried

2. NAPIER SAILING CLUB FUNDING REQUEST

Type of Report: Operational

Legal Reference: N/A

Document ID: 698622

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

2.1 Purpose of Report

To seek Council's approval for a grant to the Napier Sailing Club towards the cost of upgrading the existing breastwork and boardwalk immediately in front of the Napier Sailing Club Clubhouse.

At the Māori Consultative Committee meeting

The Mayor clarified that the grant is to assist the Napier Sailing Club with the cost of upgrading the breastwork around the sailing club.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Mayor Dalton / Councillor Brosnan

That Council:

- a. Approve a grant to the Napier Sailing Club of 50% of the cost of an upgrade to the breastwork and boardwalk in front of the clubhouse, subject to a maximum grant amount of \$250,000.
- b. That approval of the grant is subject to Council Officers being satisfied as to final design, scope of works, final quote, and compliance with any required consents.
- c. That actual payment to the club is to be made only upon Council Officers being satisfied as to physical progress of the works.
- d. That funding is to be provided from current Inner Harbour capital budgets, which are funded from the Hawke's Bay Harbour Board Endowment Land Income Account.
- e. To authorise the transfer of the appropriate budget from the Inner Harbour Capital budgets to a Grant budget.

- f. That an appropriate variation be made to the current Deed of Lease to secure reasonable public access to the breastwork and boardwalk in front of the clubhouse.

Carried

3. REPRESENTATION REVIEW 2018 - LOCAL GOVERNMENT COMMISSION DETERMINATION

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Electoral Act 2002
<i>Document ID:</i>	693953
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Team Leader Governance

3.1 Purpose of Report

To bring to Council the determination of the Local Government Commission in relation to the 2018 representation review.

At the Māori Consultative Committee meeting

It was noted that Council will move to a ward-only system from the next election.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Councillors Boag / Wright

That Council:

- a. Receive the Local Government Commission determination on the 2018 representation review.
- b. Note that Officers will make the appropriate arrangements for the 2019 elections in liaison with Council's election provider.

Carried

4. ORDERING OF CANDIDATES' NAMES ON VOTING DOCUMENTS

Type of Report: Operational

Legal Reference: Local Electoral Act 2001

Document ID: 694417

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

4.1 Purpose of Report

To obtain a decision from the Council on the ordering of candidates' names on voting documents, as per the Local Electoral Act 2001.

At the Māori Consultative Committee meeting

The Chief Executive advised that other Councils are now moving to random order of candidates' names on voting papers.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Councillors McGrath / Taylor

That Council:

- a. Endorse the presentation of candidates' names in random order on voting documents for the 2019 Local Government Elections.

Carried

5. NAPIER ROLL OF HONOUR

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 697896

Reporting Officer/s & Unit: Charles Ropitini, Strategic Maori Advisor

5.1 Purpose of Report

To consider and approve the reviewed Napier Roll of Honour for display at the War Memorial Centre site.

At the Māori Consultative Committee meeting

The Strategic Māori Advisor spoke to the item, noting that updating the Roll of Honour (ROH) has been a large piece of work undertaken with the assistance of external researchers and archivists. The number of names has doubled from the number listed on the original ROH. Through this work some Māori names have been identified for correction and the Committee were asked to review the names and advise of any discrepancies. It was noted that records for Māori soldiers in particular are very poor.

In response to questions and discussion from the Committee it was clarified that the ROH does not recognise service. The criteria for the ROH is names of those that died within the official government period of the conflict. The Chair noted his dissatisfaction that service would not be recognised on the ROH.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Mayor Dalton / Councillor Taylor

That Council:

- a. Approve the Napier Roll of Honour as an official Civic list of war dead for display at the War Memorial Centre site, and:
 - b. Approve that 15 identified names from the 1995 Roll of Honour deemed by research to have good and legitimate reason for removal are not carried forward to the revised Roll of Honour.
-

Carried

6. WAR MEMORIAL DESIGN OPTIONS CONSULTATION

Type of Report: Operational

Legal Reference: N/A

Document ID: 699633

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

6.1 Purpose of Report

This report provides the feedback received during consultation on concept design options for a War Memorial. It is recommended that Council select an option in order to proceed with development of a concept brief and subsequent construction of a War Memorial for Napier.

At the Māori Consultative Committee meeting

It was noted that the War Memorial is still in the planning stage, but as the community has indicated that they would like to see interactive elements, there are opportunities for technology to be used in some manner to ensure the younger generation feel connected to this space and possibly to recognise others involved in those conflicts.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Councillors Brosnan / Wise

That Council:

- a. Considers the community feedback,
- b. Reconfirms its decision made on 27 September 2017 to locate the War Memorial at the Floral Clock site, and
- c. Provides direction on a design concept.
- d. That Council staff take the following design direction to create a final design concept for adoption by Council:
 1. That the reinstated Memorial be constructed at forecourt level, on the floral clock site, forming part of the War Memorial Site,
 2. That a curved wall, open to the elements, mimicking the ballroom shape and physically connected to the building, display the Roll of Honour,

3. That the Perpetual Flame be built into the existing War Memorial Building Entranceway so that it is visible when entering the building, from the Memorial and externally at night,
 4. That water be incorporated into the design that is near to and complements the flame, so that they can be viewed together,
 5. That a place/s to sit and reflect be included,
 6. That physical access and visual connection to the formal lawn be incorporated,
 7. That remembrance artwork be commissioned, to connect the Memorial space with the Memorial Building and lower lawn, uniting the Memorial elements; and that this be given as a brief to the Arts Advisory Group to commission,
 8. That landscaping is included that complements and promotes restful contemplation, and unites the Memorial Building with the Memorial elements,
 9. That the design include flag poles connecting the Memorial and Memorial building,
 10. That WW1 and WW2 Rolls be displayed in a prominent way flowing onto future conflicts such as Vietnam and Boer War Rolls,
 11. That the physical original Roll of Honour be respectfully incorporated into the design and that a small committee of appropriate representatives are given this brief, to provide Council a recommendation on 'how to incorporate'.
- e. Note Councils intention to adopt a final design no later than August 2019 and begin construction as soon as practicable in the 2019 calendar year.

*The division was declared **carried** by 12 votes to 1 vote the voting being as follows:*

For: Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise and Wright

Against: Mayor Dalton

Carried

7. GREENDALE POOL FUNDING DECISION: COUNCIL PROJECTS FUND

Type of Report: Operational

Legal Reference: N/A

Document ID: 700270

Reporting Officer/s & Unit: Glenn Lucas, Manager Sport & Recreation

7.1 Purpose of Report

To approve a \$50,000 grant to Greendale Committee to contribute towards the restoration of the Taradale School Pool (Greendale Pool).

At the Māori Consultative Committee meeting

The Mayor clarified that the aquatic strategy is currently underway with a new facility to be built at Prebensen Drive. In the short term there is a shortage of swimming lanes, especially for learn to swim programmes. Council has agreed to assist with the cost of upgrading the Greendale Pool, with funding being subject to the Greendale fundraising committee obtaining a signed contract for the works.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Councillors Wise / Taylor

That Council:

- a. Approve that \$50,000 be allocated from the 2019/20 Council Project Fund to the Greendale Committee to restore the Taradale School Pool, conditional upon the receipt of a signed tender agreement signalling the commencement of the refurbishment work.

The division was declared ***carried*** by 12 votes to 1 vote the voting being as follows:

For: Mayor Dalton, Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, Price, Tapine, Taylor, White, Wise and Wright

Against: Councillor McGrath

Carried

8. ROAD STOPPING - CORNER OF GEDDIS AND LONGFELLOW AVENUES

Type of Report:	Legal
Legal Reference:	Local Government Act 1974
Document ID:	696916
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

8.1 Purpose of Report

To confirm the Council resolution of 30 October 2018 to initiate the road stopping process in accordance with the 10th Schedule of the Local Government Act 1974 and subsequent sale of approximately 188m² of the current legal road on the corner of Geddis and Longfellow Avenues, to Ahuriri District Health.

At the Māori Consultative Committee meeting

There was no discussion on this item. The Mayor noted that the road stopping is an operational matter.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Councillors Jeffery / Boag

That Council:

- Declare the road adjoining 65 Geddis Avenue, as described in the Schedule hereto, to be stopped; and
- Transfer the stopped road to the owners of the adjoining land, as described in the Schedule hereto, and require the amalgamation of the stopped road with the adjoining land under one record of title.

SCHEDULE

Hawkes Bay Land District – Napier City

Area	Description	Adjoining Land
0.0188 ha	Section 1 SO Plan 530636	Record of Title HBM3/1138

Carried

9. OMARUNUI REFUSE LANDFILL JOINT COMMITTEE MINUTES 7 DECEMBER 2018

Type of Report:	Information
Legal Reference:	N/A
Document ID:	696550
Reporting Officer/s & Unit:	Cheree Ball, Governance Advisor

9.1 Purpose of Report

To present to Council the unconfirmed minutes of the Omarunui Refuse Landfill Joint Committee meeting, held on 7 December 2018.

At the Māori Consultative Committee meeting

The Mayor noted that the real challenge is around limiting the amount of waste that ends up at the landfill. New environmental requirements mean that the cost to build a new landfill will be enormously expensive. It was acknowledged that education will be key to delaying this for as long as possible.

Māori Consultative Committee's recommendation

Councillor Tapine / T Aranui

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

Carried

Committee's recommendation

Councillors Tapine / Hague

That Council:

- a. Receive the unconfirmed minutes of the Omarunui Refuse Landfill Joint Committee meeting from 7 December 2018.

Carried

REPORTS FROM REGULATORY COMMITTEE HELD 19 FEBRUARY 2019

1. NCC AND NAPIER CITY BUSINESS INC EVENTS 2019

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 694616

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

1.1 Purpose of Report

The purpose of this report is to obtain a resolution of Council to allow trading in a public place to occur at Napier City Council and Napier City Business Inc events in Napier city until the end of October 2019.

At the Māori Consultative Committee meeting

The Chief Executive noted that this recommendation provides approval for food carts to trade in the CBD as part of Council or Napier City Business Inc events until 31 October 2019, which they are currently unable to do under the bylaw.

In response to questions it was noted that Council will assess whether a change to the bylaw is required.

Māori Consultative Committee's recommendation

Councillor Tapine / Mayor Dalton

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

Carried

Committee's recommendation

Councillors Boag / Tapine

That Council:

- a. Approve the sale of food and beverages, including alcoholic beverages, to the public on public land within the city centre as part of events held by either Napier City Council or Napier City Business Inc until the 31st October 2019.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	707806
<i>Reporting Officer/s & Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

1.1 Purpose of Report

To report Tenders let under delegated authority for the period 22 November 2018 – 22 February 2019.

Officer's Recommendation

That Council:

- a. Receive the Report of Tenders Let for the period 22 November 2018 – 22 February 2019.

MAYOR'S RECOMMENDATION

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

Three Waters Review

Five tenders were received.

The Engineer's estimate was \$200,000.00.

It was recommended that the tender from Morrison Low be accepted in the sum of \$175,000.00 + GST. This recommendation was approved.

1.2 Attachments

Nil

2. RESOURCE CONSENTS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	707813
<i>Reporting Officer/s & Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

2.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period 22 November 2018 to 22 February 2019.

Officer's Recommendation

That Council:

- a. Receive the report on Resource Consents issued under delegated authority for the period 22 November 2018 to 22 February 2019.

MAYOR'S RECOMMENDATION

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

Attached is the report with information on Resource Consents under delegated authority for the period 22 November 2018 to 22 February 2019.

2.2 Attachments

- A Resource Consents Issued Report 22 Nov 18 - 22 Feb 19 [↓](#)

Resource Consents (Subdivision & Land Use) Issued between 22 November 2018 – 22 February 2019

Consent Number	Site Location	Applicant	Proposal	Activity Status	Decision Date
RM180185	136, 156 & 160 Eriksen Road	Summerset Villages (Te Awa) Limited	Undertake earthworks within the Main Residential zone (Te Awa Structure Plan) that exceeds the maximum permitted volume (cut 20,000m ³ and fill 36,000m ³)	Discretionary	22 November 2018
RM180191	29A Waghorne Street	TW Turfrey	Construct an upper deck resulting in yard and coverage infringements within the Mixed Use zone	Restricted Discretionary	23 November 2018
RM180129	26 Hardinge Road & 62 Waghorne Street	Fred Family Trust	Remove two existing dwellings which are located within the Hardinge Road Character Area (Group 3A Heritage items) and construct a dwelling infringing yards, height and open space controls	Restricted Discretionary	27 November 2018
RMS18050	20 Boyd Road	AT Walewski	Rural Residential subdivision creating one additional lot (two in total)	Non-complying	28 November 2018
RMS18081	113 & 121 Fryer Road	N & D Kirton	Boundary adjustment of a portion of the neighbouring property to be amalgamated into the applicants property	Controlled	28 November 2018
RMS18084	74 Poraiti Road	K & S O'Connor	Rural Residential zone subdivision creating one additional lot (two in total)	Non-complying	28 November 2018
RM180197	5 Leyland Street	ELGAS Limited New Zealand	Relocated portacom and construct a fence exceeding 2m height control within the Main Industrial zone	Restricted Discretionary	29 November 2018
RM180201	25 Hardinge Road	Adrenalin Properties Limited	Construct a dwelling with yard and height infringements within the Hardinge Road Character zone	Restricted Discretionary	29 November 2018

RMS18087	15 Cambridge Terrace	M & S Boys	Main Residential zone subdivision creating one additional lot (two in total)	Controlled	29 November 2018
RMS18089	50 & 70 Pineleigh Drive	G & M Duncan	Subdivide an existing lot into two lots to facilitate a boundary adjustment within the Rural Residential zone	Controlled	29 November 2018
RM180198	590 Main North Road	Young Motors Limited	Addition to an existing workshop with side yard infringement and NES within the Main Rural zone	Discretionary	4 December 2018
RM180202	35A Murphy Road	M & D Persen	Addition to dwelling (covered patio) located within the 3m front yard in the Main Residential zone	Restricted Discretionary	4 December 2018
RMS18086	56 Kenny Road & 100 Eriksen Road	Waipatiki Trust	Subdivision for the purposes of a boundary adjustment between two titles to rationalise the sites to facilitate future development within the Main Residential zone	Discretionary	4 December 2018
RMS18082	501 Shakespeare Terrace	J & N Evans	Construct a new dwelling that infringes the recession plane and yard setbacks and undertake a boundary adjustment	Restricted Discretionary	4 December 2018
RM180203	262 Gloucester Street	Dalovevann Limited	Establish and operate a licensed (BYO) restaurant within the Suburban Commercial zone	Controlled	4 December 2018
RMS18088	26 Higgins Street	Apley Properties Limited	Main Residential zone subdivision creating one additional lot (two in total)	Controlled	6 December 2018
RMS18091	185 Shakespeare Road	The Rondel Trust	Napier Hill Character zone creating two additional residential lots and three lots (to be used for parking) to be amalgamated with one existing and two proposed residential units	Restricted Discretionary	7 December 2018

RMS18093	24 Campbell Street & 18 Coronation Street	Napier Operatic Society Incorporated	Mixed use zone subdivision creating one additional lot which will be amalgamated with an adjoining site (Tabard Theatre)	Restricted Discretionary	7 December 2018
RM180182	21 Napier Terrace	LJ Swinburn	Retrospective consent to authorise height infringements in relation to an existing dwelling	Restricted Discretionary	12 December 2018
RMS18092	138 Eriksen Road & 57A Squire Drive	Te Awa Land Development Company Limited	Section 127 variation to approved Resource Consent RMS18020 to acknowledge the credit of the financial contribution paid under RMS17023	Variation	13 December 2018
RM180195	111 Main North Road	Hawkes Bay Airport Limited	Establish remote signage within the Airport zone which also exceeds maximum area limits	Non-complying	14 December 2018
RM180188	205 Marine Parade	Y Rose	Internal alterations to a Group 1 heritage building (Six Sisters)	Discretionary	18 December 2018
RM180206	1 Grey Street	L & S Turner	Establish a secondary dwelling (tiny house) in the Rural Settlement zone infringing the front yard and density controls	Non-complying	19 December 2018
RM180061	202 & 210 Hastings Street	202 Investment Company Limited	Establish signage on the rear and side facade of the building	Restricted Discretionary	19 December 2018
RM180214	26 Pukekura Place	HR Henderson	Extend and convert existing shed into an oversized supplementary unit within the Main Residential zone	Discretionary	21 December 2018
RM180170	2 Austin Street & 70 Taradale Road	Gaisford Properties Limited	Multi unit development within the Main Industrial zone involving retail/office accommodation	Discretionary	21 December 2018
RM180199	136, 156 & 160 Eriksen Road	Summerset Villages (Te Awa) Limited	Construct and operate a Retirement Complex in the Main Residential zone	Discretionary	21 December 2018

RM180220	90 Prebensen Drive	Ideaology Inc Limited	Establish and operate a place of assembly (water slide theme park) within the Main Residential zone	Discretionary	21 December 2018
RMS18097	36A Douglas McLean Avenue	AC Hanson	Main Residential zone subdivision to create one additional lot (two in total)	Controlled	21 December 2018
RM180221	150 Church Road	Rocket Scaffolding	Stage construction in association with a temporary activity not meeting time limits	Restricted Discretionary	4 January 2019
RMS18094	67 Waverley Road	S Dooney	Main Rural zone subdivision to create one undersized additional lot (two in total)	Non-complying	15 January 2019
RMS18095	80 Waverley Road & 321 Riverbend Road	CD & WL Dowling & J Mallard	Main Rural zone subdivision to create one additional lot (two in total) with a balance lot to be amalgamated with an adjoining block	Non-complying	15 January 2019
RMS18096	39 Chester Street	B & L Ward	Main Residential zone subdivision to create one additional lot (two in total)	Controlled	15 January 2019
RM180200	147 Carlyle Street	Evolve Education Group Limited	Section 127 variation to approved resource consent (RM160101) to accommodate additional signage	Variation	15 January 2019
RM180208	150 Ballantyne Road	Homeworx Design & Build Limited	Construction of a dwelling within the Rural Residential zone that infringes the 6m side yard requirement	Restricted Discretionary	15 January 2019
RM180219	38 Campbell Street	G Clark	Demolition/removal of a dwelling located within the Coronation Street Character Area/Group 3A Heritage item	Restricted Discretionary	21 January 2019
RM180217	31 Maadi Road	SH Jones	Construct a garage within the 5m front yard within the Main Residential zone	Restricted Discretionary	22 January 2019
RM180210	332A Kennedy Road & 480 Gloucester Street	Napier City Council	Upgrade to chlorine dosing points	Controlled	21 January 2019

RM180211	Multiple Sites (6)	Napier City Council	Upgrade to chlorine dosing points	Certificate of Compliance	21 January 2019
RM180215	2 Kenny Avenue	A Dick	Demolition/removal of a dwelling located within the Battery Road Character Area/Group 3A Heritage item	Discretionary	22 January 2019
RM180222	6 Wanaka Place	Y Teng	Construct patio roof that exceeds the site coverage control within the Main Residential zone	Restricted Discretionary	22 January 2019
RM180224	16 Napier Street	D & R Curtis	Build a new dwelling in an area of significance to Maori	Restricted Discretionary	22 January 2019
RM190008	6 Market Street	TW Criterion Limited	Section 127 variation to approved resource consent RM180193 to undertake internal alterations	Variation	22 January 2019
RMS18098	21 Lincoln Road	M Taylor	Subdivision to create one additional undersized lot (two in total) within the Napier Hill Character zone	Restricted Discretionary	25 January 2019
RM180216	15 Powdrell Road	P & S Young	Construct a dwelling exceeding maximum height control and upon an identified HAIL site in the Main Rural zone	Restricted Discretionary	25 January 2019
RM190007	Watchman Road Roundabout & Airport Connection	New Zealand Transport Agency	Section 127 application to change condition 1 of approved resource consent RM160120 to alter contour of the fill at the existing soil disposal	Variation	28 January 2019
RM180212	58 Burness Road	Rowe Contracting Limited	Operate a commercial business in the Main Rural zone	Discretionary	29 January 2019
RMS19002	195 Tennyson Street	ANZA International Limited	Proposed right of way easement to service existing carparks on the adjoining property	Right of Way	29 January 2019
RM180218	86 Bridge Street	RS Pratt	Multi-unit development entailing the establishment of a first floor residential	Restricted Discretionary	31 January 2019

			unit within the Suburban Commercial zone		
RMS19001	257 Georges Drive	R Vokes	Subdivide site to create an additional lot (two in total) in the Main Residential zone	Controlled	5 February 2019
PB190001	79 Hill Road	R & A Simon	Construction of a garage within the 6m rear yard within the Rural Residential zone	Deemed Permitted Boundary Activity	5 February 2019
RM190005	201 Waitangi Road	BioRich Limited	Section 127 variation to approved resource consent RM160165 to construct a new prefabricated office	Variation	5 February 2019
RM190011	31 Chambers Street (NBHS)	Capital Works	Outline Plan encompassing demolition of existing building and construction of replacement classroom block	Outline Plan	7 February 2019
RMS19007	66 Murphy Road	Hislop Construction Limited	Main Residential zone subdivision to create one additional lot (two in total)	Controlled	7 February 2019
RM190003	338 Hill Road	P Harwood & H Duncan	Construct a supplementary dwelling in the Rural Residential zone	Non-complying	7 February 2019
RMS19010	41, 43, 45, 45A, 47 & 47A Milton Road	The Dempsey Family Trust	Napier Hill Character zone subdivision to create six lots around six existing residential units not complying with on-site parking provision	Restricted Discretionary	7 February 2019
RMS19009	1/113 & 2/113 Chaucer Road Nth	A Wood, S Taylor, J White & H Whittaker	Napier Hill Character zone subdivision to freehold two existing dwellings	Controlled	8 February 2019
RM180223	115 Priestley Terrace	LJ Pearson	Demolish an existing dwelling and build a new two storey dwelling exceeding the 8m height limit and with associated earthworks in the Napier Hill Character zone	Restricted Discretionary	12 February 2019

RM190006	138 Eriksen Road & 57A Squire Drive	Te Awa Land Development Company Limited	Construction of eight residential dwellings resulting in a multi-unit consent	Restricted Discretionary	14 February 2019
RM190014	3 Seaview Terrace	L & J Arlidge	Section 127 variation to approved resource consent RM180088 allowing a relaxation of the 3m front yard	Variation	15 February 2019
RMS19005	5, 7 & 11 Waitangi Road	Zapata Limited	Boundary adjustment to adjust the legal boundary between two existing industrial sites	Controlled	15 February 2019
RM190009	643 & 645 Marine Parade	M & M Tibbles Construction Limited	Construct four units resulting in multi-unit consent in the Marine Parade Character zone	Restricted Discretionary	15 February 2019
RMS19004	147 Meeanee Road	A & J Jobbins	Subdivide to create three new lots	Restricted Discretionary	18 February 2019
RMS19012	12 Riverbend Road	P Harris	Main Residential zone subdivision to create one additional lot (two in total)	Controlled	21 February 2019
RMS19014	52 Bridge Street	Macklock Properties Limited	Unit title subdivision to create six separate unit titles (five residential and one commercial) and associated auxiliary units within the Mixed Use zone	Controlled	21 February 2019
RM190002	85 Hill Road	J Demanser	Construct a self-contained supplementary dwelling in the Rural Residential zone	Non-complying	20 February 2019

3. DOCUMENTS EXECUTED UNDER SEAL

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	707817
<i>Reporting Officer/s & Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

3.1 Purpose of Report

To report of Documents Executed Under Seal for the period 22 November 2018 – 22 February 2019.

Officer's Recommendation

That Council:

- a) Receive the Report of Documents Executed Under Seal for the period 22 November 2018 – 22 February 2019.

MAYOR'S RECOMMENDATION

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

Schedule of Documents Executed Under Seal for the period 22 November 2018 to 22 February 2019.

Date	Document
11.12.18	Release of NCC Bond – 14a Bailliol Avenue
17.12.18	Lease Variation Subway, Pettigrew Green Arena
19.12.18	Lease or Reserve, Carlyle Kindergarten
23.01.19	Agreement & Easement document, Powerco Gas Pipeline
23.01.19	3 Brewster Street Amalgamation Covenant
01.02.19	Easement instrument to grant easement – 16A Church Road, Taradale
01.02.19	Easement instrument to grant easement – 1/16 Church Road, Taradale
01.02.19	Easement instrument to grant easement – 2/16 Church Road, Taradale
01.02.19	Easement instrument to grant easement – 18 Church Road, Taradale
01.02.19	Easement instrument to grant easement – 3/16 Church Road, Taradale
07.02.19	Bond – 207 Carlyle Street, Napier
18.02.19	Transfer Instrument 8 & 8b Ferguson Avenue, Westshore

3.2 Attachments

Nil

4. 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>	708001
<i>Reporting Officer/s & Unit:</i>	Cheree Ball, Governance Advisor

4.1 Purpose of Report

To present the year to date Official Information Request statistics.

Officer's Recommendation

That Council:

- a. Receives the report Official Information Requests for the year to 26 February 2019.

MAYOR'S RECOMMENDATION

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

Statistics for Official Information requests received for the year to 26 February 2019 are included in the **attached** report.

4.2 Attachments

- A 2019-02-26 LGOIMA Council Report [↓](#)

REPORT: For the year to 26 February 2019
Requests made under the Local Government Official
Information and Meetings Act 1987





	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Charging advised (for all or part of a request)	Proceed with charges as advised	Ombudsman complaints
February 2018	8	11	9	2 7(2)(a) – 1 7(2)(a), 7(2)(h), 17(c) - 1	0	12.45	1 Full	0 Decided not to proceed – not in relation to charging	1 Water item PX section Audit & Risk agenda – complaint upheld. No rec - closed.
March 2018	22	14	9	5 17(e) – 1 7(2)(a) – 3 7(2)(a), 7(2)(h) - 1	0	9.14	0	0	0
April 2018	18	19	15	3 7(2)(a) – 3	1 (transfer)	10.95	2 Full - 2	0 Viewed on site- 2	0
May 2018	18	16	11	5 7(2)(a) – 4 7(2)(h) & 7(2)(a) – 1	0	11.31	2 Part - 2	0 Withdrawn - 1 Refined -1	0



	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Charging advised (for all or part of a request)	Proceed with charges as advised	Ombudsman complaints
June 2018	13	10	3	7 7(2)(a) - 7	0	17.6	2 Part - 2	0 Withdrawn - 2	1 Milton Rd leak – complaint closed.
July 2018	26	21	12	7 7(2)(a) – 3 7(2)(a) & 7(2)(h) – 1 7(2)(a) & 7(2)(f)(i) – 1 7(2)(a), 7(2)(c) & 7(2)(f)(i) – 1 7(2)(a) & 7(2)(f)(i) - 1	2 BAU – 1 Transfer - 1	9.47	2 Part - 2	0 Withdrawn - 1	1 Audio and video recordings of meetings – complaint closed.
August 2018	18	17	9	8 7(2)(a) – 7 7(2)(a) & 7(2)(c)(i) - 1	0	12.29	0	0	0



	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Charging advised (for all or part of a request)	Proceed with charges as advised	Ombudsman complaints
September 2018	8	13	8	5 7(2)(a) -3 7(2)(d) -1 7(2)(i) & 7(2)(a) - 1	0	16.54	0	0	1 Targeted rate for pool fencing – complaint closed.
October 2018	6	5	5	0	0	7.6	0	0	0
November 2018	20	12	12	0	0	10.5	0	0	0
December 2018	8	16	11	5 7(2)(a) - 5	0	14.37	1	0	0
January 2019	11	2	1	1 7(2)(a) & 17(e)	0	5.5	0	0	0



	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Charging advised (for all or part of a request)	Proceed with charges as advised	Ombudsman complaints
February 2019	15	8	6	2 7(2)(a) - 2	0	14.75	0	0	0
YTD Total	191	164	111	50	3	11.72	10	0	4

Requests received for the year to 26 February 2019:

Directorate	February/ March	April/ May	June/ July	August/ September	October/ November	December/ January	February	TOTAL RECEIVED YTD
Finance and Commercial	<ul style="list-style-type: none"> - Alcohol inspectors training budgets - Port Rates 	<ul style="list-style-type: none"> - Sensitive Expenditure x2 - Business information (Privacy Act) - Irrigation funding - Property/valuations data - Sensitive expenditure 	<ul style="list-style-type: none"> - Ocean spa documentation - Council building sales - Average council rates - Recycling options costs - Town halls 	<ul style="list-style-type: none"> - Tourism and spending - Flights and international trips - Audit borrowing costs/qualifying assets - Flights and international trips - Audit/ borrowing costs/ qualifying assets - Swimming pool business case costs - Council building energy performance - Defamation costs 	<ul style="list-style-type: none"> - Total costs for expenses relating to Easter Sunday High Court battle - 2017/18 industry/ lobby group payments - 2017/18 association payments - Koru Club membership - Hold music - Christmas expenses - 2017/18 Koha and Donations - 2017/18 paper usage - 2017/18 electricity usage - Salary details 	<ul style="list-style-type: none"> - Retirement Village rates and charges - Economic grants to Toyota NZ - Annual advertising spend 	<ul style="list-style-type: none"> - Giblin Group - Council contracts - Council fees and charges 	37
The Council	<ul style="list-style-type: none"> - Organisational information 	<ul style="list-style-type: none"> - Staff code of conduct - Representation review - Risk policy and procedures - Sexual harassment in the public sector 	<ul style="list-style-type: none"> - Provincial growth fund - Executive emails - Press release - 1080 Amended Statement of Claim - Audio and video recordings 	<ul style="list-style-type: none"> - Mayoral entertainment expenditure - Official information requests - Employee driving incident - Provincial growth fund - Mayor's vehicle expenses 	<ul style="list-style-type: none"> - Time capsule and Veronica plaque - Bullying and sexual harassment complaints - Fleet vehicles 	<ul style="list-style-type: none"> - Recording of public meeting - CCTV footage 	<ul style="list-style-type: none"> - Annual statistics - Onekawa/Tamatea ward 	22
Planning, Policy and Strategy						<ul style="list-style-type: none"> - Schedule 6 request - Tiffen Street carpark 		2



Directorate	February/ March	April/ May	June/ July	August/ September	October/ November	December/ January	February	TOTAL RECEIVED YTD
Culture, Community and Events	<ul style="list-style-type: none"> - War memorial x7 - Aquarium research travel 	<ul style="list-style-type: none"> - War memorial x3 - Aquarium visits - Aquarium IBC - Community housing - NANZ indicative business case 	<ul style="list-style-type: none"> - NANZ information - Library employment information - Napier war memorial - War memorial transfer - McDermott Miller report - Land transfer 	<ul style="list-style-type: none"> - Ivan Wilson Pool business case - NANZ questions - Creative Arts Capacity Review - Swimming pool business case costs - Ivan Wilson pool business case - Creative Arts Capacity Review - Eternal flame gas usage 	<ul style="list-style-type: none"> - Marineland dolphin pools design - Marineland dolphin pools 	<ul style="list-style-type: none"> - War Memorial letter to Internal Affairs 1947 - Water Safety funding 2017/18 	<ul style="list-style-type: none"> - Library income and expenditure - Engineering reports for pools - War Memorial/Strata Group 	35
Environment Parks and Gardens	<ul style="list-style-type: none"> - Press release 2012 				<ul style="list-style-type: none"> - Cycle storage cages - CBD carpark revenue - Bike cages and wooden seating areas 			4
Consenting and Compliance	<ul style="list-style-type: none"> - Licensed hairdressers/ barbers - Priestly Terrace - Building consent data - Noise complaints - Building consent charges - Consents costs x2 	<ul style="list-style-type: none"> - Liquor license application or renewals 	<ul style="list-style-type: none"> - LED digital billboard consents - Sale of food products - Diesel tank permits (heating) - Correspondence and vehicle records (Privacy Act) - Bay city club x4 - Noise complaints 	<ul style="list-style-type: none"> - Property information file - Private swimming pools - Licensed premises - Licensed premises - Building inspection data - Westshore reserve freedom camping 		<ul style="list-style-type: none"> - Boat correspondence - Complaints received - Bird farm resource consent applications - Unison consents and complaints - Parked vehicles for sale - Complaints against a business - Building consents data 2017/18 - Earthworks report 	<ul style="list-style-type: none"> - Noise complaints - Armouguard freedom camping procedures - Request for correspondence - King street documentation - Quarrying consents - Property information 	37
Animal Management	<ul style="list-style-type: none"> - Dog attack statement - Dog safety education 	<ul style="list-style-type: none"> - Dog data - Dogs x4 	<ul style="list-style-type: none"> - Dog attack files - Barking complaints 		<ul style="list-style-type: none"> - Dog attack details x2 			11



Directorate	February/ March	April/ May	June/ July	August/ September	October/ November	December/ January	February	TOTAL RECEIVED YTD
Infrastructure Services and Transport	<ul style="list-style-type: none"> - Water system upgrade - Water leak - Parking 	<ul style="list-style-type: none"> - Parking (Privacy Act) - Enfield Reservoir report - Onekawa Landfill - Bike path risk & analysis - Quarry extraction - Dowsing - Chlorination complaints x3 - Network maintenance costs - Napier water supply - Water supply procedures - Parking time restrictions (PAS) - Regional fuel tax 	<ul style="list-style-type: none"> - Proposed playground feasibility plan - Service requests - Water leak - Public place recycling scheme - Plastic waste management - Greywater recycling schemes - Aquatic Centre geotech reports - Onekawa aquatic centre 50m pool - Recycling options costs - Aquatic centre options 	<ul style="list-style-type: none"> - Simla Terrace slip - Photos and correspondence - Drinking water quality - Napier water supply - Recent geo-engineers reports - Drinking water quality - Napier water supply - Photos & corro - Recent geo-engineers reports 	<ul style="list-style-type: none"> - Onekawa site reports x3 - Onekawa Park feasibility study 	<ul style="list-style-type: none"> - Chlorination costs - WMMP funding grants 	<ul style="list-style-type: none"> - Microbiology test results 	43

PUBLIC EXCLUDED ITEMS

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

Reports from Strategy and Infrastructure Committee held 19 February 2019

1. Omarunui Refuse Landfill Joint Committee Public Excluded Minutes 7 December 2018

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

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

Reports from Strategy and Infrastructure Committee held 19 February 2019

1. Omarunui Refuse Landfill Joint Committee Public Excluded Minutes 7 December 2018	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities 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.
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ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date:	Tuesday 11 December 2018
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Time:	3.00pm-4.25pm
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Venue	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
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Present	The Mayor (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price [until 4.16pm], Tapine, Taylor, White, Wise and Wright
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In Attendance	Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Chief Financial Officer, Manager Community Strategies, Manager Property, Strategic Planning Lead, Urban Design Lead, Communications Specialist
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Administration	Governance Team
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Apologies

Nil

Conflicts of interest

Nil

Public forum

Jenny Pearce - Manager, Citizens Advice Bureau Napier branch

Jenny Pearce spoke on behalf of the Citizens Advice Bureau Napier branch (CAB), requesting that Council reconsider the decision to relocate CAB to Taradale. She noted that it is paramount for CAB to be located in a central location where the public can access their services. They request Council assistance with additional funding of \$15,000 per annum to remain in their current location for 3-5 years, or until another suitable location can be sourced.

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

- Additional funding is required from around June 2019.
- CAB will approach their current landlord and come back to Council officers regarding a possible renewal of their lease.
- The Manager Community Strategies advised that the original intention in relocating CAB to the Taradale community hub was to be able to offer CAB a community rate in a Council building, as opposed to paying a private rental.

Since this decision was made however, time has moved on and the library building and site has presented itself as an opportunity to consider incorporating CAB into the new library development.

Council officers agree with the requirement for CAB to be located in the CBD and are trying to facilitate this through the library development; they have discussed a temporary solution of extending the lease.

Announcements by the Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

Council resolution Councillors Price / Taylor

That the Draft Minutes of the Ordinary meeting held on 30 October 2018 be confirmed as a true and accurate record of the meeting.

Carried

Council resolution Councillors Brosnan / Dallimore

That the Draft Minutes of the Extraordinary meeting held on 30 November 2018 be confirmed as a true and accurate record of the meeting.

Carried

Questions from Councillors for Further Action

Item	Requestor	Action
4	Cr Brosnan	Should Council be reporting on wet weather overflows under wastewater management; we are currently reporting on dry weather overflows only.
4	Cr Hague	How are the risks being addressed regarding building consent performance and the changes to playground inspections.

AGENDA ITEMS

1. HAWKE'S BAY AIRPORT LTD ANNUAL REPORT 2018

Type of Report:	Procedural
Legal Reference:	Local Government Act 2002
Document ID:	667551
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

1.1 Purpose of Report

To present to Council the Hawke's Bay Airport Ltd Annual Report 2018.

At the meeting

Tony Porter, Stuart Ainslie and Sarah Park of Hawke's Bay Airport Ltd (HBAL) spoke to the 2018 Annual Report providing an overview of the financials and reported on increasing growth in passenger numbers. Councillors were walked through floorplans for the new terminal building and given an update as to progress. Security screening and car parking were highlighted as upcoming projects.

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

- HBAL confirmed that no formal approach had been made in relation to Mana Ahuriri and the government's shareholding.
- They are working closely with partners, including Mana Ahuriri and environmental agencies around health and safety concerns regarding proximity to the estuary and cycle pathways etc.
- The expanded plans for the terminal footprint may have coincided with the appointment of the new CEO but Directors were already uncomfortable with the size of the planned expansion prior to his appointment. The growth over the last three years has warranted the expansion and when the CEO commenced, the project was not too far along to reassess the plans. Security screening was thought to be a long way off when the plans were first considered but government has since indicated this is now inevitable. HBAL are comfortable that they have created more opportunity by spending additional capital at this time.
- It is inevitable that jets will be introduced at Hawke's Bay Airport in the future; jets deliver a better scale of economy for airlines on certain routes.
- Tapping into the export market would significantly increase the economic benefit to the region; this absolutely should be explored in future but how this would look is not known at this point.
- The commercial model for carparking will be assessed. It is expected at some point that parking cost increases may need to be considered, but any increases would be carefully assessed and appropriate for the product offering.
- HBAL are partnering with the Masterplan reviewer to create a safe connection into the airport zone for pedestrians and the cycle pathways.

Council resolution Councillors Dalton / Taylor

That Council:

- a. Receive the Hawke's Bay Airport Ltd Annual Report 2018

Carried

2. WHAKARIRE REVETMENT FUNDING PROPOSAL

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 679075

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

2.1 Purpose of Report

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

At the meeting

Councillor Dallimore noted his objection to the officer's 'in principle' recommendation as he did not believe the Whakarire Avenue ratepayers should be required to contribute to the funding to repair damage caused by others; however, agreed to proceed with the 3% private allocation to ensure progress is made in this matter. The Mayor subsequently proposed that the motion be amended to remove the words 'in principle'.

The following points were discussed by Councillors:

- It was noted that the intention of the Coastal Hazards Strategy is to create zones of benefit and if we had a regional funding model in place, the public figure of 97% would be spread across the wider region.
- This does not affect future decisions regarding mitigation for other damage.
- \$300 per annum for 30 years, for the 12 properties identified in the report, is considered to be an elegant and fair solution to protect these properties in future.
- It was confirmed that consultation will be undertaken regarding the funding model and residents will have the opportunity to engage in this process.
- It was suggested that a one-off payment could be preferred by some residents.
- The impact of the 97% public good, being the balance of ratepayers, will be \$6 per annum.

Officer's Recommendation

That Council:

- a. Approve, in principle, a funding option of 97% public and 3% private allocation for the revetment works at Whakarire Avenue in accordance with Section 101(3) of the Local Government Act the Council.
- b. Discuss options of funding by general rate or UAGC with preference to be identified and further details to be brought back to Council for consideration and subsequent community consultation.

-
- c. Note that consultation will be undertaken as appropriate comprising 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.

Substitute Motion Councillors Dalton / Hague

Council resolution

That Council:

- a. Approve a funding option of 97% public and 3% private allocation for the revetment works at Whakarire Avenue in accordance with Section 101(3) of the Local Government Act the Council.
- b. Discuss options of funding by general rate or UAGC with preference to be identified and further details to be brought back to Council for consideration and subsequent community consultation.
- c. Note that consultation will be undertaken as appropriate comprising 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.

Carried

3. NAPIER LIBRARY SITE SELECTION EVALUATION APPROACH

Type of Report: Procedural

Legal Reference: N/A

Document ID: 674862

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

3.1 Purpose of Report

To resolve to approve the Napier Library site evaluation method, including criteria and weighting, as prepared by the Library Site Project Steering Group.

At the meeting

Councillors acknowledged and thanked staff involved in developing the site evaluation method and noted that the criteria has been very well considered.

Council resolution Councillors Wright / White

That Council:

- a. Approve the Napier Library site evaluation method
-

Carried

4. QUARTERLY REPORT FOR THE THREE MONTHS ENDED 30 SEPTEMBER 2018

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	675093
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

4.1 Purpose of Report

To consider the Quarterly Report for the three months ended 30 September 2018.

At the meeting

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

- It was originally thought that the Taradale reservoir would be brought online before the end of December but this is unlikely as contractors have not completed works yet. This reservoir is not critical to meet water demands over summer; however, Council could occupy the reservoir on a temporary basis if required.
- Officers will come back to Council as to whether we should be reporting on wet weather overflows under wastewater management; we are currently reporting on dry weather overflows only.
- Officers will email Councillors as to how the risks are being addressed regarding building consent performance and the changes to playground inspections.
- The City Strategy measures noted are new measures brought in to report on the performance of the directorate.

The Chief Executive provided an update to Councillors on the events over the weekend as a result of the Church Road booster coming on board. Officers were testing the booster for the summer period which resulted in an increased flow rate and change in direction. Some discolouration was expected, but not the levels that occurred. The team are considering other ways to address the sediment issue and a Councillor workshop will be held to discuss options.

It was noted that the flushing of the pipes had been advertised and staff were very responsive, but unfortunately they cannot be everywhere at once and were required to cover a much larger area than intended.

As far as addressing goodwill with the community, the best way to repair this is to fix the problem. Officers are considering elements of the three waters programme that could potentially be brought forward, such as the Taradale bore field, or zone metering to better understand how water moves through our network. Officers advised they are aiming for early 2019 for de-chlorinated water station location options and the design process is underway; however, reactive work continues to slow progress in this space.

Council resolution Councillors Wise / Wright

That Council:

- a. Receive the Quarterly Report for the three months ended 30 September 2018.

Carried

5. TERMS OF REFERENCE FOR THE CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY JOINT COMMITTEE

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 664668

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

5.1 Purpose of Report

To present the updated Terms of Reference of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee for adoption by Council.

At the meeting

It was agreed that the hybrid model regarding membership to the Clifton to Tangoio Coastal Hazards Strategy Joint Committee was the most appropriate.

Council resolution Councillors Jeffery / Brosnan

That Council:

- a. Adopt the updated Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee as at 28 September 2018.

Carried

6. HB CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE - UNCONFIRMED MINUTES

Type of Report:	Information
Legal Reference:	N/A
Document ID:	679538
Reporting Officer/s & Unit:	Cheree Ball, Governance Advisor

6.1 Purpose of Report

To present to Council the unconfirmed minutes of the HB Civil Defence Emergency Management Group Joint Committee meeting held on 27 August 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Dalton / Taylor

That Council:

- a. Receive the unconfirmed minutes of the HB Civil Defence Emergency Management Group Joint Committee meeting held on 27 August 2018.

Carried

Councillor Price left the meeting at 4.16pm.

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 4 December 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 13 NOVEMBER 2018

1. COMPLIANCE WITH CURRENT DRINKING-WATER STANDARDS FOR NEW ZEALAND - 2017/18

Type of Report: Information

Legal Reference: N/A

Document ID: 656402

Reporting Officer/s & Unit: Santha Agas, Team Leader 3 Waters

1.1 Purpose of Report

The purpose of this report is to advise Council of:

- The outcome of the report received from Central North Island Drinking Water Assessment Unit (CNIDWAU) on compliance with the Drinking-water Standards for New Zealand 2005 (Revised 2008) and duties under Health Act 1956.
- The scheduled programme of works in the next 5 years to improve the quality of Napier's Water Supply network.

At the meeting

In response to questions from Councillors, it was acknowledged that the report from management has unfortunately not been completed due to conflicting priorities.

Council resolution Councillors Brosnan / Hague

That Council:

- a. Receive the update on compliance with current drinking-water standards.

Carried

2. SPEED LIMIT BYLAW REVIEW 2018

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 468094

Reporting Officer/s & Unit: Tony Mills, Senior Roding Engineer

2.1 Purpose of Report

The purpose of this report is to recommend Council to commence formal public consultation on the proposed changes to the “Napier City Council Speed Limits Bylaw 2012” and the accompanying Statement of Proposal.

The proposed changes follow the introduction of the new “Speed Management Guide” which was developed by the New Zealand Transport Agency (NZTA) to help Road Controlling Authorities (RCAs) better understand the risk associated with their roads so that the appropriate speed limits can be set.

Informal public consultation was undertaken to enable the community to have input in to the process at an early stage and the findings are detailed in this report.

At the meeting

Councillor McGrath noted that he would be voting against the motion due to expressed concerns of predetermination regarding a proposed speed change in Tamatea.

It was noted that clear signage will be key to ensuring the effective implementation of any speed changes.

Council resolution Councillors Wright / Dallimore

That Council:

- a. Adopt the report from the Senior Roding Engineer titled “Speed Limit Bylaw Review 2018” with the reasons for the decision being:
 - i. That a bylaw is the only method mandated by the Land Transport Rule: Setting of Speed Limits 2017
 - ii. That the right to control speed limits is granted by Parliament to territorial authorities and the limitations proposed are justified
-

limitations in terms of section 5 of the New Zealand Bill of Rights Act 1990 and that there is accordingly no breach of the New Zealand Bill of Rights Act.

- iii. That the consultation on the speed limits will allow affected parties and the wider community to fully consider the bylaw amendments proposed having regard to the requirements of the Rule 4.2(2) of the Land Transport Rule: Setting of Speed Limits 2017
- b. Adopt the Proposed Amendments to the Speed Limits Bylaw 2012 and the Statement of Proposal to commence public consultation in accordance with the special consultative procedure under the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2017.

*The division was declared **carried** by 11 votes to 1 vote the voting being as follows:*

For: Mayor Dalton, Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, Tapine, Taylor, White, Wise and Wright

Against: Councillor McGrath

Carried

3. LEASE OF RESERVE - NAPIER FREE KINDERGARTEN ASSOCIATION INCORPORATED

Type of Report:	Legal
Legal Reference:	Reserves Act 1977
Document ID:	655792
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

3.1 Purpose of Report

To obtain a Council decision to enter into a new ground lease with the Napier Free Kindergarten Association Incorporated for the Carlyle Kindergarten at the Thackeray Street Reserve.

At the meeting

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

- There are seven kindergartens on Council owned land. It is standard practice for community groups, rugby clubs etc. to be granted a 15 year lease with a further 15 year right of renewal, at Council's discretion. This acknowledges that the buildings are

generally owned by the organisation who, in some cases, have made substantial investment in these buildings.

- Internal processes are followed and the appropriate teams are consulted when formalising documentation for ground leases.
 - Officers did not consider that granting the lease to Taradale Kindergarten would impede progress in Taradale Park in future.
-

Council resolution Councillors White / Brosnan

That Council:

- a. Resolve to enter into a new ground lease with the Napier Free Kindergarten Association Incorporated for the Carlyle Kindergarten for a term of 15 years with one 15-year right of renewal.

Councillor Wright did not participate in the discussion or voting due to an expressed conflict of interest.

Carried

REPORTS FROM REGULATORY COMMITTEE HELD 13 NOVEMBER 2018

1. APPOINTMENT OF DISTRICT LICENSING COMMITTEE

Type of Report:	Operational
Legal Reference:	Sale and Supply of Alcohol Act 2012
Document ID:	661285
Reporting Officer/s & Unit:	Rachael Horton, Manager Business Excellence & Transformation

1.1 Purpose of Report

To seek Council's approval to reappoint the current District Licensing Committee for a further term of 12 months to 29 November 2019, and to align the District Licensing Committee appointment process with the triennial election cycle.

At the Regulatory Committee meeting held on Tuesday, 13 November 2018 the following committee recommendation was ratified as a DECISION OF COUNCIL.	Councillors Taylor / Wright
	That Council:
	a. Receive the report.
	b. Approve the reappointment of the following members of the District Licensing Committee pursuant to the provisions of the Sale and Supply of Alcohol Act 2012 for a further term of 12 months to 29 November 2019:
	<ul style="list-style-type: none">• Dave Fellows as Commissioner and Chair• Deputy Mayor Faye White as Deputy Chair• Councillor Keith Price• John Cocking• Ross Pinkham
	c. Approve future appointments of District Licensing Committees for terms of three years in line with the triennial election cycle.
	<i>Deputy Mayor White and Councillor Price did not participate in the discussion or voting due to their expressed conflict of interest.</i>
	Carried

2. NAPIER CHRISTMAS FIESTA - PROVISION OF FOOD TRUCKS

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 652821

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 (no alcohol) to the public within Clive Square East and Emerson Street between Clive and Memorial Squares as part of the Napier Christmas Fiesta that will be held following the Christmas parade. The Fiesta will run from 1.30pm to 4.00pm on Sunday 2 December 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Tapine / Wright

That Council:

- a. Resolve to allow the sale of food and drink to the public within Clive Square East and Emerson Street between Clive and Memorial Squares at the Napier Christmas Fiesta event from 1.30pm to 4.00pm on Sunday 2 December 2018.
-

Carried

REPORTS FROM FINANCE COMMITTEE HELD 27 NOVEMBER 2018

1. THREE WATERS REVIEW

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	667489
<i>Reporting Officer/s & Unit:</i>	Wayne Jack, Chief Executive

1.1 Purpose of Report

This report seeks Council approval to develop a regional business case assessing options to improve the management of drinking water, storm water and wastewater ("Three Waters") in the Hawkes Bay region and in doing so, address Central Government concerns associated with these activities. This review will develop recommendations for performance improvements to our Regional Three Waters systems with a view to guiding Central Governments Three Waters strategy.

At the Finance Committee meeting held on Tuesday, 27 November 2018 the following committee recommendation was ratified as a DECISION OF COUNCIL.	<p>Councillors Price / Wright</p> <p>That Council:</p> <ol style="list-style-type: none"> Endorse the development of a regional business case on Three Waters management. Note the cost of the review is apportioned across the Hawkes Bay Councils as follows: <ul style="list-style-type: none"> 35% NCC, 35% HDC, 15% HBRC, 7.5% WDC, 7.5% CHBDC <p>Carried</p>
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2. DISTRICT PLAN REVIEW FUNDING OPTIONS

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	669135
Reporting Officer/s & Unit:	Paulina Wilhelm, Manager City Development

2.1 Purpose of Report

The purpose of this report is to allow the use of the funds available in the Financial Contributions Special Fund to enable the production of Structure Plans and other work streams for servicing development in Napier. The Structure Plans will inform any future rezoning decision for the Napier District Plan and enable the city to grow.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Wright

That Council:

- a. Approve \$1.2m from the Financial Contributions Special Fund to fund the District Plan Review work programme which will allow future city growth.

Carried

3. BUDGETS TO BE CARRIED FORWARD TO 2018/19

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	637309
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

3.1 Purpose of Report

To seek Council approval to carry forward budgets into 2018/19.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Wright

That Council:

- a. Approve carrying forward budgeted expenditure of \$3,796,408 from 2017/18 into 2018/19.

Carried

4. RATING OUTTURN SURPLUS 2017/18

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 637305

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

4.1 Purpose of Report

To report on the Rating Account to 30 June 2018, and to approve allocations from the Rating Surplus.

At the meeting

In response to questions from Councillors it was clarified that suggestions for spending the surplus funds will need to come to Council. Any initiatives can be discussed during the Annual Plan workshops; however, cost drivers that Council is currently facing need to be considered.

Council resolution Councillors Wise / Wright

That Council:

- a. Approve transferring the 2017/18 net rating surplus of \$926,578 to the Capital Reserve Account where it is available for future commitments.

Carried

5. LEASES OF RESERVE - NAPIER FREE KINDERGARTEN ASSOCIATION INCORPORATED

Type of Report:	Legal
Legal Reference:	Reserves Act 1977
Document ID:	665671
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

5.1 Purpose of Report

To obtain a Council decision to enter into three new ground leases with the Napier Free Kindergarten Association Incorporated for the Taradale Kindergarten, Greenmeadows Kindergarten and Marewa Kindergarten.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Wright

That Council:

- a. Recommend that Council resolve to enter into a new ground lease with the Napier Free Kindergarten Association Incorporated for the Taradale Kindergarten, Greenmeadows Kindergarten and the Marewa Kindergarten each for a term of 15 years with one 15-year right of renewal.

Due to an expressed conflict of interest, Councillor Wright did not participate in the discussion or vote on this agenda item.

Carried

6. FIRE HYDRANT USE POLICY 2018

Type of Report: Operational

Legal Reference: N/A

Document ID: 662412

Reporting Officer/s & Unit: Anze Lencek, Water Quality Lead

6.1 Purpose of Report

To seek Council approval of the proposed Fire Hydrant Use Policy 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Wright

That Council:

a. Adopt the Fire Hydrant Use Policy 2018.

Carried

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 27 NOVEMBER 2018

1. LIBRARY STRATEGY CONSULTATION FEEDBACK

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	664231
<i>Reporting Officer/s & Unit:</i>	Darran Gillies, Libraries Manager

1.1 Purpose of Report

To update Council on the feedback on the Library Strategy (attachment A), and to request adoption of the Strategy.

At the meeting

There was no discussion on this item.

Council resolution Councillors Tapine / White

That Council:

- a. Adopt the Napier Library Strategy 2018.

Carried

2. CREATIVE COMMUNITIES FUNDING SEPTEMBER 2018

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	661887
<i>Reporting Officer/s & Unit:</i>	Belinda McLeod, Community Funding Advisor

2.1 Purpose of Report

To note the Creative Communities funding decisions made on 27 September 2018. Council administers the scheme on behalf of Creative NZ. Funding decisions do not require ratification from Council.

At the meeting

There was no discussion on this item.

Council resolution Councillors Tapine / White

That Council:

- a. Note the Creative Communities funding decisions made on 27 September 2018.

Carried

3. YOUTH POLICY REVIEW

Type of Report: Operational

Legal Reference: N/A

Document ID: 664273

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

3.1 Purpose of Report

To update Council on the feedback received on the draft Napier Youth Strategy, and to recommend adoption of the Strategy.

At the meeting

There was no discussion on this item.

Council resolution Councillors Tapine / White

That Council:

- a. Adopt the Napier Youth Strategy 2018.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	679063
<i>Reporting Officer/s & Unit:</i>	Alix Burke, Executive Assistant to the Chief Executive

1.1 Purpose of Report

To report Tenders let under delegated authority for the period 10 October to 22 November 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wright / Jeffery

That Council:

- a. Receive the Report of Tenders Let for the period 10 October to 22 November 2018.

Carried

2. RESOURCE CONSENTS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	679070
<i>Reporting Officer/s & Unit:</i>	Alix Burke, Executive Assistant to the Chief Executive

2.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period 10 October – 22 November 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wright / Jeffery

That Council:

- a. Receive the report on Resource Consents issued under delegated authority for the period 10 October – 22 November 2018.

Carried

3. DOCUMENTS EXECUTED UNDER SEAL

Type of Report: Information

Legal Reference: N/A

Document ID: 679074

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

3.1 Purpose of Report

To report of Documents Executed Under Seal for the period 10 October – 22 November 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wright / Jeffery

That Council:

- a) Receive the Report of Documents Executed Under Seal for the period 10 October to 22 November 2018.

Carried

4. 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>	679097
<i>Reporting Officer/s & Unit:</i>	Cheree Ball, Governance Advisor

4.1 Purpose of Report

To present the year to date Official Information Request statistics.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wright / Jeffery

That Council:

- a. Receives the report Official Information Requests for the year to 30 November 2018.

Carried

PUBLIC EXCLUDED ITEMS

Council resolution Councillors Brosnan / White

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

Carried

Agenda Items

1. Legal Update as at 30 September 2018

Reports from Finance Committee held 27 November 2018

1. Land Sale

Reports from Community Services Committee held 27 November 2018

1. Kennedy Park Main Ablution Block Refurbishment

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

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

Agenda Items

1. Legal Update as at 30 September 2018	7(2)(g) Maintain legal professional privilege	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
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		7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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Reports from Finance Committee held 27 November 2018

1. Land Sale	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.
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Reports from Community Services Committee held 27 November 2018

1. Kennedy Park Main Ablution Block Refurbishment	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.
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The meeting moved into committee at 4.25pm.

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

Chairperson

Date of approval

EXTRAORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date:	Thursday 20 December 2018
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Time:	9.00am-11.34am
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Venue	Large Exhibition Hall Napier Conference Centre Napier War Memorial Centre Marine Parade Napier
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Present	The Mayor (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise and Wright
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In Attendance	Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Manager People and Capability, Manager Community Strategies, Manager Sport and Recreation, Strategic Finance Advisor, Senior Project Manager Rodney Howard – Halcyon Project Management Limited
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Administration	Governance Team
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Apologies

Nil

Conflicts of interest

Nil

Public forum

David Kamper

David stated that he believed there had been a lack of community engagement in relation to the aquatic centre project; this project should be about the community and not the aspirations of staff or elected members. He noted there are other sustainable and more affordable options than the current design proposal, and that a Contaminated Sites Remediation Fund is available through the Ministry for the Environment for the purpose of assisting with funding for contaminated sites.

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

- At a recent meeting of Napier Aquahawks Swim Club Inc. ('Aquahawks'), Mr Kamper stated that in his view the majority of members did not support Council's Prebensen Drive proposal.
- In relation to the Aquahawks letter of support, there is a meeting set down for January 2019 where Mr Kamper believes that letter of support is to be addressed as well as clarifying the club's standing on the issue. This follows a change in the Chair of the Aquahawks swim committee.
- Two extra lanes were added to the design to address Aquahawks' concerns regarding lane space.

Robin Gwynn

Robin spoke to the consultation process that has taken place, noting the public were consulted in 2016 at which time the site was not in question. There was no further consultation until 2018, when the Prebensen Drive site was raised as part of the Long Term Plan (LTP). He felt that misinformation had been provided in the LTP consultation document which in effect meant that the public were not given a fair opportunity to engage in the process and Council therefore has no mandate in this matter. Prior to the Prebensen Drive proposal no indication was given to the public that the site of the aquatic centre may change; the site should have gone out for public consultation. He requested that Council reconsider their decision.

Minnie Ratima and Sally Crow

Minnie and Sally spoke on behalf of the residents of Maraenui, requesting that public consultation be undertaken regarding the future of the aquatic centre. They noted that Maraenui has a special relationship with the Onekawa aquatic centre, being located within walking distance. Relocating the pools to Prebensen Drive will mean crossing the expressway either by bike or foot. The Onekawa site is a community hub, close to shops and everyone feels safe and connected. She expressed concerns that the new centre may cost more for families.

It was noted that the consultation process is now being questioned by some Councillors, and they are not alone in that. At the public meeting held earlier this month no one spoke in support of relocating the pools to Prebensen Drive.

In response to questions from Councillors they confirmed that kids walk to the pools from school, and a lot of families access the pools more than once a week.

Margaret Baker – Special Olympics Hawke’s Bay

Margaret spoke on behalf of the Special Olympics Hawke’s Bay, noting that they train weekly at the Onekawa pools but have not been directly consulted regarding their requirements for the new facility. She noted that the traditional tiered seating can cause problems and a number of facilities throughout the country do not provide ramps into the pools. Special Olympics Hawke’s Bay should be consulted to ensure their needs are met in the new facility. They are also concerned about the future cost to users.

In response to questions it was clarified that the current design incorporates ramp access into all pools as well as lift access, if required.

Keith Bone – Chair, Swimming Hawke’s Bay Poverty Bay

Keith spoke as the Chair of Swimming Hawke’s Bay Poverty Bay, noting that they had not been consulted directly in relation to the new facility. His major concern is the lack of lane space in the proposed design. The move to Prebensen Drive and build design proposed by Council is inadequate in his opinion and very expensive. The QEII facility is very cramped and the spectator seating is limited. He believed that other designs should be considered, including a 50m pool with a bulkhead, and that more lane space is required.

In response to questions it was clarified that Councillors are already aware that modifications would be required to the QEII plans, which includes spectator seating.

Brian Quirk – Director, Westshore Surf Lifesaving Club

Brian spoke on behalf of the Westshore Surf Lifesaving Club noting that he was present at the consultation meeting held in 2014 which identified the need for extra pool space. He also noted that they have not been specifically consulted since then. He is in favour of a 50m pool option and hoped Council would consider this.

In his opinion the decision was already made to proceed with the QEII design and the figures and information provided were weighted in favour of this option; a predetermined solution is not the best solution. He is also unsure where the figure of 300,000 visitors has come from as the current usage at Onekawa is only around 180,000. The proposed design is not a future proofed solution for Napier and he stated that Aquahawks were not aware that in supporting the aquatic centre at Prebensen Drive that they would lose Onekawa as a consequence.

A Councillor clarified that no elected member visited QEII in Christchurch until after the decision had been made.

Noel Hardgrave-Booth – Head Coach, Greendale Swim Club

Noel spoke in support of a 50m pool at Onekawa with two bulkheads and a movable floor, giving the facility flexibility for the elderly, learn to swim users and other water sports. He did not feel that Napier needs another gym but acknowledged that the café is necessary. Napier is growing quickly and a 50m pool is required to meet future needs. He believes the marketing strategy will be important to the success of a new facility and noted that the Frimley pool in Hastings was built mostly above ground with limited excavation.

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

- The Hawke’s Bay Regional Sports Park have announced that a 50m pool will be part of their plans. He believes that even if this eventuates, we still need a 50m pool in Napier. A 25m pool with the potential to expand to 50m in future, if required,

contradicts Sport New Zealand's opinion expressed at the public meeting around building a new facility alongside an old facility.

- He confirmed that he would like a 50m pool as well as the hydrotherapy pool etc. He noted that with a raised floor the 50m pool can also be used as a learn to swim pool.

Kaylea Bradshaw

Kaylea spoke as a new Napier resident having recently taken ownership of the New World in Onekawa. She attended the public meeting held earlier this month and felt that some really good data around the pools and costs were provided. However, Onekawa is the heart of the community and central to all areas from Napier Hill to Tamatea/ Greenmeadows, and a great location for an aquatic centre. If there is going to be one facility in Napier it should remain where it is. Her biggest concern is around access to swimming facilities for kids, noting that New Zealand has some of the highest swimming deaths numbers in the world.

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

- Kaylea felt that the best option for the community is to leave the aquatic centre where it is, as opposed to redeveloping the area into a free recreational area. The pools are the centre of the Onekawa community hub.
- The statistics provided for the number of visitors that drive to the aquatic centre were a result of a survey conducted over a four to six week period during opening hours.

Robin Fabish

Robin spoke as the Principal of Tamatea High School, noting that few of their students actually use the pool as most prefer the river and beaches or Pandora. He has seen kids walking from Tamatea to Pandora in summer to access the splash zone and doesn't believe that distance will deter kids from using a new facility in Prebensen Drive.

He is concerned with what is best for Napier, and not just the area immediately surrounding the aquatic facility. The schools that are close to Onekawa are lucky to be able to walk there at present but there is an opportunity to see how we can assist lower decile schools with access to a new facility at Prebensen Drive. We need to build a facility that will serve the needs of our community and ensure we can get the kids there to learn to swim.

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

- Robin felt that the older kids go to Ocean Spa to socialise and to the splash zone for fun. These kids generally prefer somewhere with an element of risk and if they can't go to Pandora they will find somewhere else. Younger kids still require a facility where they can swim safely.
- If the risks and costs to mitigate them were fully known for the Onekawa site, and these were equal to those of Prebensen Drive, then he would have to reconsider his position; however, his preference would still be to build a new facility.
- It was noted that some Councillors are keen to deliver something aspirational. Robin interpreted this as not settling for the status quo and pushing to see what is possible; having big goals and not settling.
- He stated that when balancing priorities, sometimes there are projects that you can't proceed with at that time. Other times leadership is required; someone needs to take responsibility and say what needs to be done, and sometimes borrow money to make it happen.

Announcements by the Mayor

Nil

Announcements by the management

Nil

Questions from Councillors for Further Action

Item	Requestor	Action
1	Cr McGrath	Councillors requested that officers advise how many of the risks listed for the Onekawa site would be consistent with both sites.

AGENDA ITEMS

1. NOTICE OF MOTION AQUATIC CENTRE

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 684073

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

1.1 Purpose of Report

To receive and make a decision on the notice of motion in relation to the Aquatic Centre.

At the Meeting

The Notice of Motion was moved, noting that the decision is not about where the pools will be located but whether the correct process has been followed to get to where we are today. The process undertaken to date was outlined and Councillors were asked to consider whether Council's significance and engagement policy has been adhered to; it states that Council will interact in an open, honest and respectful way and provide clear and relevant information.

A round table discussion was held where all Councillors were given an opportunity to express their views for or against the motion.

The points raised by Councillors for the motion were as follows:

- Such an expensive project should be rated at the highest end of Council's engagement spectrum.
 - Some Councillors believed that vital financial information was not disclosed in the LTP consultation document and the information provided appears to have been weighted in favour of the Prebensen Drive option.
 - Councillors were advised late in 2018 of the high contamination risks at Onekawa and of the risks to workers and surrounding areas.
 - A petition with over 7000 signatures was presented to Council objecting to moving the aquatic centre to Prebensen Drive and at the public meeting held on 4 December 2018, with approximately 150 attendees, not one person expressed their support for the move to Prebensen Drive. Council needs to listen to its community.
 - Councillors have been presented with significant new information since the adoption of the LTP in relation to the risks and additional costs associated with the Onekawa site, yet the public have only been invited to one public meeting.
 - The paper for this meeting states that independent advice has been obtained from a number of experts, all supporting construction at Prebensen Drive, but this advice does not seem to be supported by any additional reports. A summary report received from a member of the public however, states that the contamination risks are low at the Onekawa site.
 - Council has significant future spending for other projects that should be prioritised over the aquatic centre.
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- Council does not have a clear indication from the public of their preferred option. As this will be the largest project spend in Napier's history, Council should have a clear majority preference before making a decision.
 - A number of Councillors stated that they were uncomfortable with borrowing \$34Million for this project. The Ivan Wilson building has \$7Million worth of residual assets so a better option would be to 'revamp' the current building.
 - Some Councillors stated that, in their view, it is not the decision that was wrong but rather the flawed process in arriving at that decision.
 - Comments made during the public forum were reiterated by a Councillor in that this decision needs to be about the kids and our community.
 - It was agreed that Council may not get 100% support from the community about the aquatic centre; however the Mosgiel pool consultation process achieved over 90% support.
 - There were over 40 construction risks outlined for the Onekawa site and no risks outlined for Prebensen. Councillors requested that officers advise how many of the risks listed for Onekawa site would be consistent with both sites.
 - The question posed to officers of what would \$41Million would look like if it was spent at the Onekawa site has yet to be answered satisfactorily. The community have not been given an opportunity to say what they want and where they want it.
 - Regardless of what each Councillor's preference is, we need to be sure that the community has been given an opportunity to engage in the process.
 - Council has not received a mandate from the community.

The points raised by Councillors against the motion were as follows:

- The motion on the table is not taking into account the real issues of contamination and other site concerns at the Onekawa site that Council will need to address.
 - 47 notable risks were identified at the Onekawa site in risk analysis, and even after applying mitigating measures these risks remain significant.
 - The LTP consultation document was delivered to every household in Napier and pop up workshops were held at various shopping centres around Napier. Excluding staff and Councillors, around 100 people attended the public meeting from a population of over 60000.
 - A number of Councillors noted that there were attendees at the public meeting in favour of relocating the aquatic centre to Prebensen Drive who did not voice their views during the meeting itself for a number of reasons, but who have spoken to councillors afterwards.
 - The Onekawa site option is only good for 15 years; if Council were to build at Onekawa now and retain the Ivan Wilson building, the same discussion would be had again in 15 years' time.
 - Retrofitting an old site and blending the old with new brings additional risks and costs. It was noted that the previous 50m pool on the Onekawa site leaked as it had been built on unstable ground.
 - The risk at the Onekawa site is not quantifiable; the risk at Prebensen Drive is.
 - In proposing that the build move to a greenfield site, and using intellectual property from the QEII designs, Council is able to reduce the project costs.
 - Further investigations and consultation only adds to the project cost. The feeling at present is that no amount of consultation would change the public's mind if they genuinely want to keep the pool at Onekawa.
 - A number of Councillors expressed their disappointment that others have resorted to blaming staff for information provided. Governance rests with the elected members
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and all Councillors were given opportunities to set the direction, approve the project and edit wording in consultation documents etc. Councillors were given every opportunity to voice any concerns.

- Councillors made a unanimous decision to adopt the LTP consultation document. Legislation requires that the LTP document be concise to ensure everyone can understand it. Councillors also all signed off on the more detailed documents that sat behind the LTP which were available to everyone.
- Council set a vision for this project a few years ago, and this Council gave staff direction of a new build. We would be negligent to tell the community we could build at Onekawa without significant cost. A new build on a greenfield site is the right direction for this project.
- Council must run projects simultaneously. Council has a healthy balance sheet with money and a plan to deliver projects at the same time. The LTP reflects that water is Council's highest priority and has been funded accordingly. There is also the ability to provide additional resourcing to other activities, such as water, during the Annual Plan process.
- The Onekawa site will be redeveloped into a free-to-use family-friendly, greenspace area which will complement the Onekawa shopping centre. This will be a positive move to masterplan what is currently a group of buildings.
- Onekawa will continue to thrive after relocating the aquatic centre; Council has an opportunity through the District Plan Review to look at this area.
- Sporting groups have largely been in support of relocating the aquatic centre to Prebensen Drive.
- The appetite from construction companies to absorb the risk associated with the Onekawa site would be limited.
- No amount of consultation will result in a 100% unanimous decision from the public.
- Future residential development of Napier is focussed towards the western hills, with somewhere between 1100-1200 sections scheduled to be built in the western part of the City. This will significantly increase the number of people that fall within the 3km radius of the Prebensen Drive site.
- The options at Prebensen Drive are unlimited, with 7 hectares available for future development.
- Unless an expert's opinion can be refuted, it should be accepted. A number of experts have advised Council that the risks at the Onekawa site are too high to build a new aquatic centre and where another site is available the build should be there.
- Ignoring staff recommendations, including advice from a contamination expert, is not good decision making. Leaders are required to make the hard decisions.
- The member of the public that provided a summary report for Councillors on the contamination risks at Onekawa is a medical doctor, not a contamination expert.
- It was noted that this will not be the only pool offering in Napier; the Greendale pool and Ocean Spa are also available. The most successful gym in Napier is the Ocean Spa gym as members have access to both facilities.
- The NRB survey advised that the one thing that the public are most concerned about in Napier is the lack of pool facilities. The longer Council takes to progress this project the more the costs will escalate. Pools are always a controversial topic; the last time this issue was raised in Napier it took 40 years to come to a decision.

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

- Asbestos is present in the roof of the Ivan Wilson building. There is a plan in place to manage this as part of the regular building maintenance work.
- The contamination risks at the Onekawa site are different for residential developments than for commercial developments; the Omni Gym is located outside of the landfill contamination area.
- The risk assessment for the Onekawa site was prepared by The Business Intelligence Group in December 2017.

Councillors Wise / Boag

Councillor submitted notice of motion

That Council proceed with the notice of motion:

- i. That independent site, design, quantity survey and social impact assessments be undertaken for the Option 2 Aquatic Centre included in the 2018-28 Long Term Plan;
- ii. That the design of Option 2 be modified to address any findings from the independent assessment;
- iii. That Option 1 and the re-assessed Option 2 Aquatic Centre proposals go out for community consultation.

*The division was declared **lost** by 6 votes to 7 votes the voting being as follows:*

For: Councillors Boag, Dallimore, Jeffery, McGrath, Tapine and Wise

Against: Mayor Dalton, Councillors Brosnan, Hague, Price, Taylor, White and Wright

Motion Lost

The meeting adjourned for a short break at 11.25am.

The meeting reconvened at 11.33am

PUBLIC EXCLUDED ITEMS

Council resolution Councillors Wright / Dallimore

That the public and staff, with the exception of the Team Leader Governance, be excluded from the following parts of the proceedings of this meeting.

Carried

Agenda Items

1. Chief Executive Remuneration

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

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

Agenda Items

1. Chief Executive Remuneration	<p>7(2)(a) Protect the privacy of natural persons, including that of a deceased person</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:</p> <p>(i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>
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The meeting moved in to committee at 11.34am.

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

Chairperson

Date of approval

EXTRAORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date:	Friday 8 February 2019
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Time:	10.30am
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Venue	Council Chambers Hawke's Bay Regional Council 159 Dalton Street Napier
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Present	Deputy Mayor White (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, and Tapine
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In Attendance	Chief Executive, Director Corporate Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Manager Building Consents Helen Rice – Managing Director, Rice Speir Amy Davidson – Senior Associate, Rice Speir
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Administration	Governance Team
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Apologies

APOLOGIES

Council resolution Councillors Boag / Brosnan

That the apologies from Mayor Dalton, Cr Taylor, Cr Wise and Cr Wright be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Deputy Mayor

Nil

Announcements by the management

Nil

PUBLIC EXCLUDED ITEMS

Council resolution Councillors Hague / Price

That the public and all staff other than

- Members of the Senior Leadership Team
- Manager Building Consents
- Governance Team (for the purposes of meeting administration)
- Helen Rice and Amy Davidson of Rice Speir

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

Carried

Agenda Items

1. Delegation to Chief Executive

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

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

Agenda Items

1. Delegation to Chief Executive	7(2)(g) Maintain legal professional privilege 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
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		7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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The meeting moved into committee at 10.31am

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

Chairperson

Date of approval