



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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COMMUNITY SERVICES COMMITTEE

Open Agenda

Meeting Date: Tuesday 2 April 2019

Time: Following the Finance Committee meeting

Venue: Graeme Lowe Stand Corporate Lounge 2
McLean Park
Latham Street
Napier

Committee Members Mayor Dalton, Deputy Mayor White (In the Chair), Councillors
Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine,
Taylor, Wise and Wright

Officer Responsible Director Community Services

Administration Governance Team

Next Community Services Committee Meeting
Tuesday 14 May 2019

ORDER OF BUSINESS

Apologies

Nil

Conflicts of interest

Public forum

Nil

Announcements by the Mayor

Announcements by the Chairperson

Announcements by the management

Confirmation of minutes

That the Minutes of the Community Services Committee meeting held on Tuesday, 27 November 2018 be taken as a true and accurate record of the meeting.39

Agenda items

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Public excluded38

AGENDA ITEMS

1. SUBMISSION OF REMIT APPLICATION TO LOCAL GOVERNMENT NEW ZEALAND - HOUSING

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	713591
<i>Reporting Officer/s & Unit:</i>	Natasha Carswell, Manager Community Strategies

1.1 Purpose of Report

To seek approval to submit a Remit application to Local Government New Zealand (LGNZ) for them to approach the Government to seek funding support for the operation, upgrade and growth of local authority social housing portfolios.

Officer's Recommendation

That the Community Services Committee:

- a. Approve the submission of the Remit application regarding Social Housing.
- b. That a **DECISION OF COUNCIL** is required urgently to allow the remit to be submitted at the April 2019 Zone 3 meeting.

Chairperson's Recommendation

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

1.2 Background Summary

Councillor Maxine Boag requested that a Remit application be made to LGNZ regarding Council's housing provision given the lack of support from central government for this activity and the current model's lack of sustainability for the continued provision of housing in Napier, but also among many councils across New Zealand.

This Remit supports LGNZ's current work programme in this area. LGNZ recently facilitated a forum with central government agencies and local authorities to focus on how councils could be supported as key providers of community (social) housing. The Remit requests that the matter is now treated with urgency as more and more councils opt out of this activity.

1.3 Issues

Councils entered into the community housing sector in the 1960s, and again in the 1980s, when the government provided capital loan funding (interest suspended). Councils' rent setting formulas varied across the country, but all provided subsidised rents. While the stock was new, this income was adequate to maintain the homes, however, now, decades on, and with housing nearing end of life or not fit for purpose,

significant investment is required. Income from rents has not been enough to fund renewals, let alone growth to meet demand.

The government introduced Income Related Rent subsidy (IRR) in 2000 for public housing tenants, later extending this to registered Community Housing Providers. Essentially the IRR allows tenants to pay an affordable rent related to their income, while the housing provider receives an agreed market rent for the property. Being able to generate market rental income is the most successful sustainable model for the provision of community housing. Providers receive an adequate income to cover the cost of providing housing, to fund future renewals and to raise capital for immediate asset management. Councils are excluded from receiving this subsidy, and so are their tenants.

Demand for housing is increasing, and as the population ages, demand for low cost retirement housing will continue to increase. Already in Napier demand exceeds current supply.

Councils around the country are having to make decisions about whether or not they continue to provide housing. Many have opted out, while others have entered into complex arrangements in order to secure the IRR subsidy.

1.4 Significance and Engagement

This Remit application is required to gain support at either a Zone meeting or with five councils confirming support, before going to LGNZ's Annual General Meeting for consideration. This Remit application has been shared with Hastings District Council who will discuss it at their Remit Workshop on 19 March 2019.

1.5 Implications

Financial

There are no financial implications in submitting this Remit application.

Social & Policy

Should this Remit application, and subsequent approach to government be successful, there is a greater chance councils will be able to sustain the provision of housing for those in need. However, Council will need to put policies in place so that this situation does not occur again in a few decade's time.

Risk

Other councils may not support the Remit. However, there are a significant number of councils that are facing the same issue as Napier City Council with regards to the provision of housing and this Remit aligns strongly with LGNZ's Housing 2030 initiative and work programme. Central government have indicated they wish to work with local authorities to look into this issue.

1.6 Options

The options available to Council are as follows:

- a. Submit the Remit application (preferred option)
- b. Do not submit the Remit application

1.7 Development of Preferred Option

Following Council's approval to submit the Remit application the following steps will be undertaken:

1. Present the Remit application at the next Zone meeting on 4 April 2019.
2. Following support at the Zone meeting, submit Remit application to LGNZ by 13 May 2019.
3. Remits discussed at the LGNZ Annual General Meeting on 7 July 2019.

1.8 Attachments

- A Remit Application - Council Social Housing Provision [↓](#)

Annual General Meeting 2019

Remit Application

Council Proposing Remit:	Napier City Council
Contact Name:	Wayne Jack Chief Executive
Phone:	06 834 4159
Email:	waynej@napier.govt.nz
Remit passed by:	
Proposed Remit: That LGNZ approach the Government to seek funding support for the operation, upgrade and growth of local authority social housing portfolios.	

The nature of the issue

Social housing, especially for older citizens, is a strategic issue.

New Zealand communities are facing an extremely serious housing affordability crisis that has resulted in the country having the highest rate of homelessness in the developed world. Current policy settings are failing to adequately address the issue.

Local government is the second largest provider of social housing in New Zealand, however, since 1991, successive governments have failed to adequately recognise the contribution we have and are making. Unfortunately, existing policy actively discriminates against councils meeting local housing needs resulting in a gradual reduction in the council owned social housing stock. With Housing New Zealand focussing its attention on fast growing urban areas, social housing needs in smaller communities are not being met.

The issue is becoming more serious as baby boomers retire – the current social housing is not designed to address the needs of this cohort – a role historically provided by councils with support from central government in the form of capital grants.

The issue has already become urgent for Aotearoa New Zealand and its communities.

Link to LGNZ Policy and Work Programme

This remit supports LGNZ's Housing 2030 policy and programme, in particular the Social Housing and Affordable Housing work streams. Housing 2030 is one of LGNZ's four strategic projects. This remit reinforces and supports that initiative.

LG NZ recently hosted a Social Housing workshop with both local and central government agencies to discuss the issues and opportunities and the future role councils could play in the provision of social housing. There was agreement that a partnership approach that recognises local situations with a range of options for support from government (both funding and expertise) would be most suitable.

The level of work, if any, already undertaken on the issue by the proposer, and outcomes to date

As the proposer of this remit, Napier City Council, has undertaken an S17A Review of its own provision of community housing, with further investigation underway. In addition, both at a governance and management level, we have taken part in numerous conferences, symposiums and workshops on the matter in the last two years. We lead a local Cross Sector Group – Homelessness forum and take part in the Hawke's Bay Housing Coalition. We have provided housing for our community for over five decades, supplying just under 400 retirement and low cost rental units in Napier.

The outcomes of any zone or sector meetings which have discussed the Issue

The Housing 2030 initiative has been discussed at all Zone meetings.

Suggested actions that could be taken by LGNZ should the remit be adopted.

This remit supports, as a matter of urgency, the further investigation by central government and LGNZ of the opportunities identified at the workshop and any other mechanisms that would support councils provision of community housing in New Zealand.

It is designed to strengthen LGNZ's advocacy and would provide a reason to approach the Government in the knowledge that local government as a whole is in support.

Background

Councils provide in excess of 10,000 housing units, making it a significant provider of community housing in New Zealand. Councils began providing community housing across the country, particularly for pensioners, in the 1960s when central government encouraged them to do so through capital loan funding. In the 1980s, this occurred once again and was applied to general community housing developments. Council's rent setting formulas varied but all provided subsidised rents. While the housing stock was relatively new, the rental income maintained the homes, however, now decades on, and with housing at the end of life, significant investment is required. Income from rents has not been enough to fund renewals let alone growth to meet demand.

The government introduced Income Related Rent subsidy (IRR) in 2000 for public housing tenants and it was later applied to registered Community Housing Providers. This mechanism allows tenants to pay an affordable rent in relation to their income, while the housing provider receives a 'top up' to the agreed market rent for each property under the scheme. In effect, housing providers receive market rent through this mechanism. Being able to generate market rental income is the most successful sustainable model for the provision of community housing. Providers receive an adequate income to cover the cost of providing housing, to fund future renewals and to raise capital for immediate asset management. Councils are excluded from receiving this subsidy, and so are their tenants.

Current Issue

The current situation is a perfect storm. Council housing stock is nearing or at the end of life, many homes are unfit for purpose, all requiring major capital investment. At the same time, councils are excluded from being Community Housing Providers who receive the IRR subsidy, so are unable to fund the capital work required to the existing housing stock through rental income, let alone to fund growth in order to meet growing demand.

Our population is ageing. Demand is already strong for council community housing, with the future demand far exceeding supply.

Because of the significant demands councils have to provide other public infrastructure, many councils have or are considering opting out of housing provision. Others are entering into complex arrangements in order to secure the IRR subsidy to support continued provision of housing.

A New Approach

At the Social Housing workshop, among other opportunities, a tenant centric policy was discussed. Rather than housing provision being supported according to who is providing the home, support could be provided according to the needs of the tenant. The tenant's rent would be set according to their income situation and they could be matched to an available home that meets their needs. Specialist support would still be available through specific providers, but all providers would have access to the same funding mechanisms (like is the current case with Community Housing Providers).

2. SUBMISSION OF REMIT APPLICATION TO LOCAL GOVERNMENT NEW ZEALAND - LIABILITY TO BUILDING DEFECTS CLAIMS

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	716495
<i>Reporting Officer/s & Unit:</i>	Wayne Jack, Chief Executive

2.1 Purpose of Report

To seek approval to submit a Remit application to Local Government New Zealand (LGNZ) to take action as recommended by the Law Commission in its 2014 report on “Liability of Multiple Defendants” to limit the liability of councils in New Zealand in relation to building defects claims.

Officer’s Recommendation

That the Community Services Committee:

- a. Approve the submission of the Remit application regarding liability of councils in relation to building defects claims
- b. That a **DECISION OF COUNCIL** is required urgently to allow the remit to be submitted at the April 2019 Zone 3 meeting.

Chairperson’s Recommendation

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

2.2 Background Summary

Building consent authorities in New Zealand (Councils) are disproportionately affected by defective building claims, which are not limited to “leaky building” claims. Claims which include allegations involving structural and fire defects are increasingly common, both for residential and commercial properties.

In its report on joint and several liability issued in June 2014 the Law Commission recommended that councils’ liability for defective building claims should be capped. However, no further work has been taken on progressing this recommendation.

The proposed remit is aimed to focus MBIE and the Government on implementing the Law Commission’s recommendation. This includes requesting that a joint working party with LGNZ, MBIE and Ministry of Justice be set up to:

- share information,
- draft proposed amendments to the Building Act and/or a Building (Liability) Amendment Bill, and
- draft content for a cabinet paper to implement the Law Commission’s recommendation that council liability for building defect claims be capped.

2.3 Issues

The courts have held that Councils will generally have a proportionate share of liability in defective building cases in the vicinity of 20%. However, because councils are generally exposed to the full quantum of the claim, when other parties are absent (for example whereabouts unknown, deceased, company struck off) or insolvent (bankrupt or company liquidated), which is the rule, rather than the exception, Council is left to cover the shortfall. The Law Commission report recognised that councils in New Zealand effectively act as insurers for homeowners, at the expense of ratepayers.

The cost to ratepayers of the current joint and several liability system is significant, disproportionately so. Although this was recognised in the Law Commission report in 2014, no substantive steps have been taken by central government to address the issue or implement the Law Commission's recommendation that council liability should be capped.

2.4 Significance and Engagement

This Remit application is required to gain support at either a Zone meeting or with five councils confirming support, before going to LGNZ's Annual General Meeting for consideration.

2.5 Implications

Financial

There are no financial implications in submitting this Remit application. Should this Remit application, and subsequent approach to government be successful, Council's liability to future building defects claims would be limited.

Social & Policy

There are no social or policy implications in submitting this Remit application.

Risk

Other councils may not support the Remit. However, there are a significant number of councils that are facing the same issue as Napier City Council with regards to building defects liability claims and this Remit aligns with the recommendations of the Law Commission in 2014.

2.6 Options

The options available to Council are as follows:

- a. Submit the Remit application (preferred option)
- b. Do not submit the Remit application

1.7 Development of Preferred Option

Following Council's approval to submit the Remit application the following steps will be undertaken:

1. Present the Remit application at the next Zone meeting on 4 April 2019
2. Following support at the Zone meeting, submit Remit application to LGNZ by 13 May 2019
3. Remits discussed at the LGNC Annual General Meeting on 7 July 2019.

2.7 Attachments

- A Remit Application - Limit Council liability to building defect claims [↓](#)

Annual General Meeting 2019**Remit application**

Council Proposing Remit:	Napier City Council
Contact Name:	Wayne Jack, Chief Executive
Phone:	06 834 4159
Email:	waynej@napier.govt.nz
Fax:	N/A
Remit passed by: (zone/sector meeting and/or list 5 councils as per policy)	
Remit:	
LGNZ calls on central government to take action as recommended by the Law Commission in its 2014 report on “Liability of Multiple Defendants” to limit the liability of councils in New Zealand in relation to building defects claims.	

Background information and research

1. Nature of the issue

- 1.1. In its report on joint and several liability issued in June 2014 (the **Law Commission report**)¹ the Law Commission recommended that councils' liability for defective building claims should be capped. Building consent authorities in New Zealand (councils) are disproportionately affected by defective building claims².
- 1.2. The government in its response to the Law Commission report³ directed the Ministry of Justice and the Ministry of Business, Innovation and Employment (**MBIE**) to further analyse the value and potential impact of the Law Commission's recommendations, including capping liability of councils, and report back to their respective Ministers.
- 1.3. The MBIE website suggests that a Building (Liability) Amendment Bill would be consulted on in 2017 and final policy approval obtained from Cabinet⁴. That Bill, according to the MBIE website, would be aimed to amend the Building Act 2004 to cap the liability of councils and protect consumers by introducing provisions driving greater uptake of home warranty protection. However no progress appears to have been made towards drafting or introducing this Bill into Parliament. At a recent rural and provincial local government meeting in Wellington, MBIE advised that no further action is being taken to progress any capping of council liability.
- 1.4. This proposed remit is aimed to put pressure on MBIE and the Government to follow the Law Commission's recommendation to limit (ideally, by capping) councils' liability in respect of defective building claims.

2. Background

- 2.1. Defective building claims are prevalent throughout New Zealand, both in large centres and small. They are not limited to "leaky building" claims. Claims which include allegations involving structural and fire defects are increasingly common, both for residential and commercial properties.
- 2.2. The courts have held that councils will generally have a proportionate share of liability in defective building cases in the vicinity of 20%⁵. However, because councils are generally exposed to the full quantum of the claim, when other parties are absent (for example whereabouts unknown, deceased, company struck off) or insolvent (bankrupt

¹ Law Commission, *Liability of Multiple Defendants*, Report 132, June 2014 (**Law Commission report**) at p 20 <http://r132.publications.lawcom.govt.nz/uploads/NZLC-R132-Liability-of-Multiple-Defendants.pdf>.

² See, for example, Wellington City Council's submission to the Law Commission ahead of the Law Commission report, in which it notes that the council's contribution as a percentage of the settlement sum on single dwellings had, by 2010-2011, increased to 65%, <https://lawcom.govt.nz/sites/default/files/submissionAttachments/IP32%20Submissions%20part%203.pdf>; Law Commission report, above at n 1, including at pp 5, 12 and 45.

³ Government Response to Law Commission Report, 11 November 2014 https://lawcom.govt.nz/sites/default/files/governmentResponseAttachments/govt_response_to_nzlc_r132.pdf.

⁴ <https://www.mbie.govt.nz/cross-government-functions/regulatory-stewardship/regulatory-systems/building-regulatory-system/>.

⁵ *Body Corporate 326421 v Auckland Council* [2015] NZHC 862 (Nautilus) at [324].

or company liquidated), which is the rule, rather than the exception, Council is left to cover the shortfall⁶. The Law Commission report recognised that councils in New Zealand effectively act as insurers for homeowners, at the expense of ratepayers⁷.

- 2.3. Other liable parties such as developers, builders and architects can potentially reduce their exposure through insurance and wind up companies in the event of a large claim. Developers often set up a dedicated company for a particular development and then wind that company up following completion.
- 2.4. Councils on the other hand can no longer access insurance for weathertightness defects (a “known risk”)⁸. They have no choice about whether to be involved in the design and construction of buildings, as they have a legislative role as building consent authorities in their districts. They make no profit from developments and cannot increase their fees to account for the level of risk. Yet they are often the main or sole solvent defendant in defective building claims (last person standing).
- 2.5. The cost to ratepayers of the current joint and several liability system is significant, disproportionately so. This was recognised in the Law Commission report in 2014, but no substantive steps have been taken by central government to address the issue or implement the Law Commission’s recommendation that council liability should be capped.

3. Relationship to the current LGNZ Work Programme and its objectives

- 3.1. The current LGNZ Work Programme for housing includes an objective of the regulatory and competitive framework of continuing advocacy to Government for alternatives to current liability arrangements. Clearly this remit fits squarely within and would assist to progress that objective.

4. The level of work already undertaken on this issue and outcomes to date

- 4.1. The Law Commission report was a result of concerns raised primarily by LGNZ and councils around New Zealand about the effect of joint and several liability in relation to the leaky homes crisis. Prior to release of the report, LGNZ and a number of councils around New Zealand, including Auckland Council, Christchurch City Council, Hamilton City Council, Hastings District Council, Queenstown Lakes District Council, Tararua District Council, Waipa District Council staff, Wellington City Council, as well as SOLGM and BOINZ all filed submissions advocating for a change to the status quo.
- 4.2. The Law Commission report, as discussed in more detail **above** recommended that councils’ liability be capped. It was understood from the Government’s response to the Law Commission report and from MBIE (both discussed **above**) that this recommendation was being progressed in a meaningful way. This was further

⁶ Law Commission report, above at n 1, including a pp 47, 54-55.

⁷ Law Commission report, above at n 1, at p 20.

⁸ Riskpool submission for the Law Commission report, 30 January 2013, <https://lawcom.govt.nz/sites/default/files/submissionAttachments/IP32%20Submissions%20part%203.pdf>.

supported by MBIE's submission to the Law Commission prior to the release of the Law Commission report, in which it stated that⁹:

- a. Provisions in the Building Amendment Act 2012 not yet in force, in particular the three new types of building consent limiting councils' liability "are likely to be brought into force within a reasonable time after the Commission completes its review of joint and several liability". MBIE stated that the Law Commission should take the impact of these changes into account in preparing its report. However, these provisions are still not in force.
 - b. "The Government has instructed the Ministry to explore options for the consolidation of building consent authorities as part of the Housing Affordability agenda and ongoing reforms in the construction sector. Issues regarding the liability of a central regulator, as well as that of territorial authorities, will be fundamental concerns as consolidation options and other measures to increase productivity in the sector are explored". This does not appear to have been progressed.
- 4.3. It was only in the last month or so that MBIE has now advised that the recommendation that councils' liability be capped would no longer be progressed.

5. Outcomes of any zone or sector meetings which have discussed this issue

5.1. TBC

6. Suggested actions that could be taken by LGNZ should the remit be adopted

- 6.1. We consider that LGNZ could form a joint working party with MBIE and the Ministry of Justice, and possibly the relevant Minister's (Jenny Salesa's) staff to explore limiting councils' liability for building defects claims, including:
- a. Disclosing and considering the following information (whether by way of OIA requests and/or as part of a working group):
 - i. MBIE documents relating to its consideration of the Law Commission report and the reasons why it is no longer progressing the capping of council liability.
 - ii. Ministry of Justice and Minister of Building and Housing's documents relating to the Law Commission report and to proposed capping of council liability.
 - iii. MBIE and Minister of Building and Housing's documents relating to implementation of s 17 of the Building Amendment Act 2012.

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<https://lawcom.govt.nz/sites/default/files/submissionAttachments/IP32%20Submissions%20part%202.pdf>.

- b. Drafting proposed amendments to the Building Act and/or a Building (Liability) Amendment Bill (this work may have been started by MBIE¹⁰, so this task should await the outcome of the information gathering exercise above).
- c. Drafting content for a cabinet paper regarding the Law Commission's recommendation that council liability for building defect claims be capped.

¹⁰ See MBIE website here: <https://www.mbie.govt.nz/cross-government-functions/regulatory-stewardship/regulatory-systems/building-regulatory-system/> which references a Building (Liability) Amendment Bill including to amend the Building Act 2004 to cap the liability of councils. It is unclear how far advanced (if at all) this Bill is.

3. SUPPORT OF HASTINGS DISTRICT COUNCIL REMIT APPLICATION TO LOCAL GOVERNMENT NEW ZEALAND - ALCOHOL HARM

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	715928
Reporting Officer/s & Unit:	Michele Grigg, Senior Advisor Policy

3.1 Purpose of Report

To seek Council's support for Hastings District Council's (HDC) Remit application to Local Government New Zealand (LGNZ) asking them to identify opportunities and actively advocate on national policy changes to reduce alcohol harm.

Officer's Recommendation

That the Community Services Committee:

- a. Endorse Hastings District Council's Remit application to LGNZ about reducing alcohol harm.
- b. Agree that a **DECISION OF COUNCIL** is required urgently to allow the remit to be submitted noting NCC's endorsement at the April 2019 Zone 3 meeting.

Chairperson's Recommendation

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

3.2 Background Summary

Twenty-nine percent of Hawke's Bay adults drink at harmful levels compared to 21 percent nationally, and this rate is increasing over time (HBDHB, *Health Equity Report 2018*). In 2011, Napier City and Hastings District Councils developed a Joint Alcohol Strategy (JAS), which was revised in 2017 to cover the five year period 2017-2022.

The revised Strategy's aspirational vision is *a safe and healthy community free from alcohol related harm*. Objectives of the Strategy are:

- Demonstrate leadership to reduce alcohol harm
- Foster safe and responsible events and environments
- Change attitudes towards alcohol to reduce tolerance for alcohol harms.

During development of the revised Strategy, a JAS Advisory Group comprising two nominated Councillors from each Council, was established. Councillors White and Price represented Napier City Council on this Group.

The purpose of the Advisory Group was to review and consider feedback arising from engagement with stakeholders and the public on the draft revised JAS and to provide advice and recommendations to each Council on finalising the Strategy. During their deliberations, the Group asked Council Officers to add the following item to the Strategy Action Plan (once developed):

- “Council to submit a remit to LGNZ Conference to support stronger measures to reduce alcohol related harm nationally.”

The Remit is being prepared by HDC. The Remit is seeking LGNZ support to advocate central government to make changes to relevant policies and legislation that influence alcohol-related harm in New Zealand. Effective national-level strategies and interventions that prevent or minimise alcohol-related harm include:

- Pricing and taxing
- Regulating the physical availability
- Raising the purchase age
- Restrictions on marketing, advertising and sponsorship
- Drink-driving countermeasures
- Treatment and early intervention services.

(Babor et al, *Alcohol: No Ordinary Commodity*. Oxford University Press)

The proposed Remit builds on the Remit application submitted by Councillor Maxine Boag in 2018, asking that “LGNZ seek the Government’s agreement to amend the Sale and Supply of Alcohol Act 2012 so that Local Alcohol Policies are able to more accurately reflect local community views and preferences.” Communication by HDC with LGNZ indicates the 2018 Remit has not been progressed. The current Remit broadens but also reinforces the earlier one.

3.3 Issues

Alcohol harm is also a significant issue at the national level. Alcohol leads to a range of problems, including health issues, death and injury, violence, family harm, suicide, assault and anti-social behaviours.

Local-level activities aimed at reducing alcohol-related harm need to be supported by change at the national level.

3.4 Significance and Engagement

Napier City Council’s support will assist HDC to progress their Remit application at the upcoming Zone meeting, before going to LGNZ’s Annual General Meeting for consideration.

The vision and objectives of the Napier and Hastings JAS also strategically align with the goal to reduce alcohol related harm identified by the two safe communities (Safer Napier and Safer Hastings).

3.5 Implications

Financial

There are no financial implications associated with supporting HDC’s Remit application.

Social & Policy

Should the Remit application and subsequent action by LGNZ be successful, there is a greater likelihood of change towards reducing the harms caused by alcohol in our community.

Risk

Other councils may not support HDC’s Remit, however the likelihood of this is low given the passing of the 2018 Remit on alcohol harm submitted by Councillor Boag and the

impact of alcohol-related harm requiring national-level response in other jurisdictions in New Zealand.

3.6 Options

The options available to Council are as follows:

- a. Support HDC's Remit application (preferred option)
- b. Do not support HDC's Remit application.

3.7 Development of Preferred Option

Following Council's approval to support HDC's Remit application, the following steps will be undertaken:

1. HDC present their Remit application at the Zone meeting on 4 April 2019.
2. Following support at the Zone meeting, HDC submits the Remit application to LGNZ by 13 May 2019.
3. Remits discussed at the LGNZ Annual General Meeting on 7 July 2019.

Note: The HDC Remit is being developed and will be tabled at the meeting. Its contents reflect the information provided in this report.

3.8 Attachments

Nil

4. HAWKE'S BAY MUSEUMS TRUST COLLECTION MANAGEMENT AGREEMENT

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	715942
<i>Reporting Officer/s & Unit:</i>	Antoinette Campbell, Director Community Services

4.1 Purpose of Report

To seek Council approval to enter into a new Management Agreement with the Hawke's Bay Museum Trust (HBMT) for a period of one year while the Hawke's Bay Regional Collection Joint Working Group conducts its review of governance and operational arrangements of how the collection is to be maintained and governed.

Officer's Recommendation

That the Community Services Committee:

- a. Approve that Napier City Council enter into a one-year Management Agreement with the Hawke's Bay Museum Trust.

Chairperson's Recommendation

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

4.2 Background Summary

The MTG, on behalf of Napier City Council, provides for care, protection, access, storage and development of the Hawke's Bay Museums Trust regional collection by way of a Management Agreement between the Council and the Trust. The term of the current agreement is for three years from 1 July 2016 to 30 June 2019.

A Joint Working Group comprised of Napier City Councillors and officers, Hastings District Councillors and officers, and HBMT board members, has been established with the purpose of facilitating a review of the governance and operational arrangements of how the collection is to be maintained and governed. Specific objectives of the working party are to make recommendations to the respective councils and the Trust on the most appropriate and fit for purpose ways of achieving;

1. Regional museum - explore the concept of a regional museum and the implications moving forward.
2. Funding transparency – review management and funding arrangements to ensure funding requirements are transparent.
3. Levels of service expectations – review and make recommendations to all stakeholders for increased transparency of levels of service expectations.
4. Appropriate storage – identify most cost effective and fit for purpose storage arrangements.
5. Access to collection – set KPIs that encourage access to, and display of, the regional collection.

6. Service performance standards – review and make recommendations to the Trust for increased transparency of service performance standards included in the Statement of Intent.
7. Governance options – explore and make recommendations on the most appropriate governance options for the care and protection of the regional collection and/or running of the regional museum.

4.3 Issues

The Hawke's Bay Museums Trust met on the 25 February 2019 to discuss the renewal of the Management Agreement. At the meeting, the Trustees agreed that in light of the review underway by the Joint Working Group, that it is recommended that the Management Agreement is rolled over for one year commencing 1 July 2019. This will allow time for the objectives of the review to be met and Council will have clear direction on how the regional collection will be governed and managed into the future.

4.4 Significance and Engagement

N/A

4.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

4.6 Options

The options available to Council are as follows:

- a. Approve that Napier City Council enters into a one-year Management Agreement with the Hawke's Bay Museums Trust while the Joint Working Group carry out its review of governance and operations.
- b. Negotiate with the Trust to enter into a further three-year term Management Agreement.

4.7 Development of Preferred Option

The attached Management Agreement between Napier City Council is due to be presented for signing at the next meeting of the Hawke's Bay Museums Trust on Monday 29 April 2019. The preferred option is for Council to enter into a one-year Management Agreement with the Hawke's Bay Museums Trust while the Joint Working Group carry out the governance and operations review.

4.8 Attachments

A Management Agreement 2019/20 [↓](#)

**DATE:
29 APRIL 2019**

HAWKE'S BAY MUSEUMS TRUST

AND

NAPIER CITY COUNCIL

**MUSEUMS COLLECTIONS
MANAGEMENT AGREEMENT**



Addresses for notices:

**HB Museums Trust
PO Box 123
NAPIER**

**Napier City Council
Private Bag 6010
Hastings Street
NAPIER**

**Phone: 06-835-7579
Fax: 06-835-7574**

1. **Parties**

This agreement is made by:

- 1.1 Hawke's Bay Museums Trust ("HBMT") and
- 1.2 Napier City Council ("NCC")

2. **Background**

- 2.1 HBMT are the owners and guardians of the collection for the people of Hawke's Bay.
- 2.2 NCC owns and operates the facility known as MTG Hawke's Bay (MTG) which houses the collection owned by HBMT. This includes the Faraday Centre.
- 2.3 This Management Agreement relates to the provision of services by NCC to HBMT to ensure the proper care and management of the collection.
- 2.4 NCC and Hastings District Council have agreed to jointly fund the costs of holding maintaining and administering the collection, including HBMT governance costs. This Council funding is provided by way of grants to the HBMT who in turn pay NCC under this Management Agreement. This agreement is subject to the continuation of Hastings District Council and Napier City Council funding.

3. **Term**

- 3.1 The term of this agreement shall be for one year from 1 July 2019 to 30 June 2020.
- 3.2 Notwithstanding clause 3.1 this agreement may be terminated or amended with the mutual agreement of both parties provided that any such termination or agreement shall be recorded in writing.

4. **Obligations of the HBMT**

The HBMT shall be responsible for:

- 4.1 Retention of funds from the funding Councils' grants to provide for:
 - Legal Fees
 - Accounting Services
 - Management and Secretarial Services
 - Audit Fees
 - Meeting Expenses
 - Sundry Trust expenses
- 4.2 Creating policy with respect to access to the collection;

- 4.3 Providing income funds (where available) and applying its bequest capital for accessions to the collection in keeping with any accession conditions specified with the bequests
- 4.4 Providing income funds (where available) and applying its bequest capital to conservation of the collection in keeping with any conservation conditions specified with the bequests;
- 4.5 Arrange Trustee Liability Insurance for the Trustees of the HBMT;
- 4.6 Care and Collection Policies;
- 4.7 Policy for accessioning requests;
- 4.8 Policy for de-accessioning approvals;
- 4.9 Monitoring the Management Agreement;
- 4.10 The setting of key reporting targets with respect to the collection;
- 4.11 The setting of reporting requirements in agreement with NCC;
- 4.12 HBMT shall provide six-monthly and annual reports to Napier City Council and Hastings District Council in the prescribed format.

5. **Obligations of NCC**

NCC shall, within the funding levels provided by HBMT:

- 5.1 Cause a full valuation of the collection to be undertaken every three years with such valuation to be reviewed annually;
- 5.2 Arrange insurance of the collection to the value determined in accordance with clause 5.1 with such insurance providing cover for the collection at MTG Hawke's Bay, the Faraday Centre or any such other place as the collection or any part of the collection is located from time to time.
- 5.3 Provide necessary staff to meet agreed levels of service to ensure proper care and maintenance of the collection as detailed below:

Protection

This will be achieved through:

- a. Storage – appropriate storage to accepted Museum Industry Standards (MIS)
 - i. Pest Control
 - ii. Storage Media
 - iii. Shelving
 - iv. Air quality
- b. Security – appropriate security to accepted MIS
 - i. Alarm Systems (Burglary, fire)

- ii. Alarm Monitoring
 - iii. Access Systems
 - iv. Insurance (loan items, owed items)
- c. Records Management – appropriate records management to accepted MIS
 - i. Vernon database
 - ii. Other records

Quality

- a. Conservation – appropriate conservation to accepted MIS and consistent with HBMT collection policies
- b. Accessioning - appropriate accessioning to accepted MIS consistent with HBMT collection policies
- c. De-accessioning - appropriate de-accessioning to accepted MIS consistent with HBMT collection policies

Access

- a. Exhibitions – collection available to Hastings City Art Gallery and MTG Hawke's Bay and other institutions as appropriate within accepted MIS
- b. Research – Collection made available through MTG Hawke's Bay as appropriate within accepted MIS.
- c. Archives – Archives made available through MTG Hawke's Bay as appropriate within accepted MIS

Development

- a. Bequests – To actively foster bequests
 - b. Fundraising - To work with the MTG Foundation to provide funding.
 - c. Reserves – To appropriately manage accession reserves.
 - d. Relationships - To appropriately manage relationships to allow the collection to develop appropriately, in particular but not restricted to
 - i. Funding Councils
 - ii. Ngati Kahungunu Iwi Incorporated
 - iii. Te Roopu Kaiawhina Taonga, and
 - iv. Friends of MTG Hawkes Bay
- 5.4 Provide the information and reports necessary to enable HBMT to fulfil its reporting obligations under Clause 8.1

6. Financial

- 6.1 The financial management of the trust is to be kept completely separate from all other aspects of Napier City Council. Napier City Council will provide financial and administration services, including monthly management reports, and HBMT will be charged for all direct costs and a share of related overhead costs. Napier City Council will invoice HBMT monthly for reimbursement.

7. Joint obligations of HBMT and NCC

- 7.1 HBMT and NCC shall comply with all statutes, regulations and by-laws applicable to the facilities under its control (MTG Hawke's Bay and Faraday Centre)
- 7.2 In all cases, issues arising will be resolved in the spirit of mutual co-operation.

8. No Assignment Without Consent

- 8.1 Neither party may assign, or otherwise dispose of the whole or any part of its interest under this contract without the prior written consent of the other party.

9. Disputes

- 9.1 Amicable Resolution: The parties hereby acknowledge their desire that all questions or differences whatsoever which may arise between the parties concerning this Contract or its subject matter or arising out of or in relation thereto and whether as to interpretation or otherwise be resolved amicably by bona fide discussion between them.
- 9.2 Mediation: However, if any question or difference referred to in Clause 9.1 (the dispute) is not resolved either party may at any time invoke a mediation process, as follows:
 - 9.2.1 Mediation Notice: either party may by written notice (the "Mediation Notice") to the other party, require that the dispute between the parties be referred to mediation. A Mediation Notice shall set out the nature of the dispute, but need not detail the background or the party's position in relation to the same; and
 - 9.2.2 Obligation to Resolve Remains: a Mediation Notice shall not derogate from the obligation of the parties to seek resolution of the dispute by consultation and negotiation; and
 - 9.2.3 Appointment of Mediator: the parties shall in good faith endeavour to agree upon and appoint a person as mediator to consult with the parties and assist the parties to reach agreement in respect of the dispute by no later than seven days from the date upon which the Mediation Notice was given; and
 - 9.2.4 Mediator to Settle Procedures: if a mediator is appointed, he or she shall, in consultation with the parties, settle a timetable and the procedures to be adopted during the mediation. The decision of the mediator on any such timetabling and procedural matters shall be binding on the parties and, in particular, the mediator shall be entitled to call any meeting between the parties at such times and places as the mediator considers appropriate; and

9.2.5 Parties to Endeavour to Reach Solution in Good Faith: the parties shall attend all meetings called by the mediator and at such meetings shall conduct their negotiations in good faith, and shall use their best endeavours to reach an agreed solution which is acceptable to both parties. While the parties may, if they wish, have the assistance of legal counsel in such negotiations, all proceedings of the mediation shall be conducted on a "without prejudice" basis – in that nothing that transpires during the course of the negotiations (other than any settlement or supplementary written agreement between the parties) is intended to or shall in any way affect the rights or prejudice the position of the parties to the dispute or in any subsequent adjudication, arbitration or litigation or other legal proceedings of any kind. Without derogating from the generality of the foregoing and merely by way of example:

- (a) any opinion given, report produced and terms of settlement proposed or recommended by the mediator or either party shall not be disclosed to the adjudicator, arbitrator or court; and
- (b) the fact that information of whatsoever nature was made available to the mediator does not mean that privilege or confidentiality is waived for any subsequent adjudication, arbitration or litigation or other legal proceedings of any kind; and
- (c) the fact that the accuracy of information or the validity or meaning of documents was not challenged during the mediation does not preclude challenge in subsequent adjudication, arbitration or litigation or other legal proceedings of any kind; and

9.2.6 Mediator Has No Power of Decision: the mediator shall have no power of decision on any matters other than timetabling and procedural matters; and

9.3 Resolution of Unresolved Disputes: Subject to the provisions of this Clause 10.3 if any question or difference between the parties:

9.3.1 As to Interpretation of Application: as to the interpretation of the provisions of this Contract or as to their application in any particular circumstances (including any liability thereunder or any damages thereby arising); and

9.3.2 Arising from Failure to Agree: arising from the parties' failure to agree;

is not resolved by written agreement between the parties upon the expiration of 20 Business Days from the date upon which the Mediation Notice was given (irrespective of whether or not the parties agreed upon the appointed mediator pursuant to Clause 10.2.3, the question of difference shall be resolved by the arbitration of a single arbitrator to be agreed upon by the parties or, failing agreement, of an arbitrator appointed by the President for the time being of the New Zealand Law Society and every arbitration shall be conducted under and in accordance with the provisions of the Arbitration Act 1996. However, it is acknowledged and agreed that the award of the arbitrator shall contain reasons for the same and that the costs of and incidental to the reference and the award

respectively shall be at the discretion of the arbitrator, who may determine the amount thereof or the basis upon which the same shall be ascertained.

10. **Miscellaneous**

- 10.1 Non-waiver: Failure by either party to enforce any right or obligation with respect to any matter arising in connection with this Contract shall not constitute a waiver as to that matter or any other matter either then or in the future. Any waiver of any such right or obligation under this Contract shall only be of any force and effect if such waiver is in writing and is expressly stated to be a waiver of a specified right or obligation under this Contract.
- 10.2 Governing Law: This Contract shall be construed and take effect in accordance with the domestic laws of New Zealand.
- 10.3 Regulation: During the term of this Contract, each party shall comply with and observe all applicable regulations and statutory requirements for the time being in force.
- 10.4 Amendment: There shall be no amendment or modification of the provisions of this Contract except by a supplementary written agreement between the parties.
- 10.5 Notices:
 - 10.5.1 In Writing and by Facsimile, Mail or Other Delivery: any notice, request, offer, advice, consent, approval, invoice or other communication required by this Contract to be given by any one party to the other, shall be given in writing and shall be deemed to have been sufficiently given if sent by facsimile delivery to that party at the number set out in the Address for Communications section at the front of this Contract (or such other number or for the attention of such alternative person as may subsequently be notified by that party for such purpose) or by letter delivered by mail or otherwise to that party at the address set out in the Address for Communications section at the front of this Contract (or such other address or for the attention of such alternative person as may subsequently be notified by that party for such purpose); and
 - 10.5.2 Receipt of Facsimile: any such communication sent by facsimile shall be deemed to have been received by the addressee at the time of completion of the delivery of the facsimile and generation of a confirmation of receipt of the facsimile, provided that if the facsimile delivery occurs at a time other than between the hours of 8.30am and 5.30pm (inclusive) on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on the next succeeding Business Day and provided further, if the facsimile delivery occurs prior to 8.30am on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on that Business Day; and
 - 10.5.3 Receipt of Mail and Other Delivery: any such communication sent by letter delivered by mail or otherwise shall be deemed to have been received by the addressee:

- (a) if sent by mail (including by any document exchange system or which the addressee is a member), 48 hours after the envelope containing the communication was posted; or
- (b) if personally delivered (whether by courier or otherwise), at the time of delivery;

provided that if such time of receipt is not between the hours of 8.30am and 5.30pm (inclusive) on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on the next succeeding Business Day and provided further, if the time of receipt occurs prior to 8.30am on a Business Day, the communication shall be deemed to have been received by the addressee at 8.30am on that Business Day.

- 10.6 No Precedent: Nothing in this Contract shall operate or be taken by either party to be a precedent as to the form or substance of any new (or supplementary) terms and conditions or other contract which may be entered into between the parties.
- 10.7 No Third Party Rights: Except as specifically mentioned in this Contract the parties do not intend to create rights in or grant remedies to any third party as a beneficiary of this Contract and all covenants, stipulations, promises and agreements herein contained shall be for the sole and exclusive benefit of the parties hereto and their respective successors and permitted assigns.
- 10.8 Further Acts: Each party agrees that it will from time to time sign, execute, procure, pass and do all such further documents, acts, matters, resolutions and things within its power as may reasonably be necessary to effect the provisions of this Contract.
- 10.9 Commencement Date to be Effective: This Contract shall have effect from and including the Commencement Date.

DATED this day of 2019

SIGNED for and on behalf of)
HAWKE'S BAY MUSEUMS TRUST)

SIGNED for and on behalf of)
NAPIER CITY COUNCIL)

5. REGIONAL INDOOR SPORTS AND EVENTS CENTRE (RISEC) TRUSTEES

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	709895
<i>Reporting Officer/s & Unit:</i>	Antoinette Campbell, Director Community Services

5.1 Purpose of Report

To endorse the appointment of the Regional Indoor Sports and Events Centre (RISEC) trustees for a further term of three years.

Officer's Recommendation

That the Community Services Committee:

- a. Endorse the Advisory Group's recommendation to the RISEC Board to appoint the current trustees for a further three-year term.

Chairperson's Recommendation

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

5.2 Background

Pettigrew Green Arena (PGA) is governed by the Regional Indoor Sports and Events Centre (RISEC) Trust. The Trust make up is as follows;

Name:	Position	Appointed
• Craig Waterhouse	Chairman & Trustee	1 July 2014
• Shaun McPherson	Trustee	1 July 2014
• Ian Wilmot	Trustee	1 July 2014
• Paul Trass	Trustee	26 February 2015
• Matthew Lawson	Trustee	26 February 2015

As per the Trust deed, the Trust sought approval from the Advisory Group comprised of representatives from Napier City Council, Hastings District Council and the Eastern Institute of Technology, to appoint the current trustees for a further three year term.

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 Options

The options available to Council are as follows:

- a. To endorse the recommendation of the Advisory Group to appoint the current Trustees for a further three year team.

5.7 Development of Preferred Option

N/A

5.8 Attachments

Nil

6. SAFER NAPIER PROGRAMME - ANNUAL UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	713588
<i>Reporting Officer/s & Unit:</i>	Michele Grigg, Senior Advisor Policy

6.1 Purpose of Report

To provide a summary of the 2017/18 year of the Safer Napier programme, including key highlights and benefits to Council and Napier.

Officer's Recommendation

That the Community Services Committee:

- a. Note the Safer Napier programme update.

Chairperson's Recommendation

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

6.2 Background Summary

Napier has been an accredited Safe Community since 2010. Safe Communities is an international concept that recognises safety as a universal concern and a responsibility for all. It creates ways to increase action on community safety (in all its forms) through greater collaboration and cooperation between non-government organisations, the business sector, and local and government agencies.

Forty three organisations, agencies and groups have signed the Safer Napier Memorandum of Commitment agreeing to be part of the programme and to work together to improve community safety in Napier. Safer Napier was successfully reaccredited in 2015.

The vision of the Safer Napier programme is 'Napier is a safe and healthy city'. There are five goals to achieve this:

- People are injury free in Napier
- Napier is free from crime
- Napier roads are safe for all
- People in Napier keep themselves safe
- Napier is free from alcohol and addiction related harm.

A key strength of Safer Napier is the collaborative working relationship between signatory organisations, which is supported by a part-time contracted Coordinator and Council staff. The programme is overseen by a Safer Napier Strategic Group of representatives from 17 of the signatory organisations (Attachment A). Mayor Bill Dalton is the programme's ambassador.

The programme is part of the Safe Communities Foundation of New Zealand and the international safe communities network. It also has strong links with counterparts in

Hawke's Bay – Safer Hastings, Safer CHB, and Te Wairoa He Hapori Haumaru (Wairoa).

Safer Napier is a high priority for Council in meeting its goal to support and improve community safety.

Programme Planning

As an accredited Safe Community, data analysis, evaluation and priority setting form the foundation of the programme. The planning process begins each year with a workshop for the signatory organisations. The workshops are hosted by Safer Napier and attended by about 60 representatives who come together to identify ongoing and emerging safety issues under each goal area, and priorities for the year ahead.

Every two years the programme holds a Celebrate Safer Napier event for Napier residents. Each event has a safety theme (2017's theme was 'We're Water Safe') and is free to attend. The event provides an opportunity for the public to not only learn about key safety messages but to also identify their safety concerns/issues which feed into the upcoming action plan. The next Celebrate Safer Napier event is being planned for Spring 2019, with a possible focus on child safety.

The Safer Napier Strategic Group considers this feedback, along with issues identified in the workshop and the latest data to determine direction of the annual plan including priority actions and target population groups.

Programme Scope

Projects delivered to achieve Safer Napier's aims are many and varied. The Safe Community Foundation of New Zealand (SCFNZ) have noted that projects delivered by Safer Napier demonstrate a range of issues, interventions, and outcomes based on effective strategies.

The programme's annual 2017/18 report illustrates the diversity of projects being delivered in each goal area. These (and other programme documents) are available on Council's website (#safernapier).

Each year a user-friendly summary is also published in the free community newspaper to profile the programme to the public (Attachment B). A selection of highlights from the last year include:

- **Kaumātua Ironmāori:** Working with Te Timatanga Ararau Trust in 2017 and 2018 to promote key safety messages on fall prevention, fire safety and home safety at their kaumātua event.
- **Safe as Houses:** Adaptation and extension of Napier's flagship project into Napier City Council's retirement villages to check on fire safety and emergency preparedness and to promote safety in the home and neighbourhood.
- **Tools for the Teenage Years:** Revision of this well-established resource for parents, whānau and caregivers using a strengths-based approach to raise awareness of a wide range of issues affecting teens.
- **Water Safety:** Renewed focus on water safety, including the risks and dangers in our marine and river environments, through the 2017 Celebrate Safer Napier Day and investment into Surf Lifesaving patrols and water safety signage/information.
- **Alcohol Harm:** A strategic approach to the alignment of activities through the recently revised Napier and Hastings Joint Alcohol Strategy with the aim of

reducing alcohol-related harm in the area. As part of this, the effective 'One for One' promotion has become embedded into Hawke's Bay's large event calendar.

Programme Value

Safer Napier is a collaborative model involving Council, agencies and organisations working together to achieve its common vision. Its strengths include buy-in from a number of partner and signatory agencies, dedicated funding (from Council's Long Term Plan) for the programme Coordinator, and a high programme profile within Council activities.

The programme operates under a comprehensive implementation framework. This is established in the five-year Strategic Plan which sets out the programme's vision and ongoing focus. Operationalisation of the strategic vision is achieved through an annual action plan, a communications plan, and an evaluation plan. Evaluation of programme and project performance is undertaken using the Results Based Accountability framework (RBA) to measure progress.

Recognition

Safer Napier is recognised as a leading safe community program both internationally and nationally. In 2016 it won the World Health Organization's Western Pacific Regional Office Healthy Cities Recognition for Violence and Injury Prevention Award (the only accredited safe community in New Zealand to date to achieve this recognition).

Over the last five years, three of Safer Napier's key personnel have won SCFNZ awards in recognition of their commitment and leadership – Safer Napier Coordinator Liz Lambert, Safer Napier Manager Natasha Carswell, and local ACC representative Sally Phelps.

6.3 Issues

Sustainable funding for the programme, including for the Safer Napier Coordinator, is a key challenge. We are currently in the position of off-setting project funding to maintain viable coordination. Additional project funding is sought externally. This is also an issue for other safe communities around the country who have been reaccredited and therefore no longer receive ACC coordination support.

6.4 Significance and Engagement

Feedback and input from a range of sources ensures transparent annual action planning and appropriate identification of target groups and prioritisation of activities.

A snapshot of the programme's achievements is published annually in the free community newspaper.

6.5 Implications

Financial

Council's LTP includes funding for delivery of the Safer Napier programme through a part-time contracted Coordinator (\$39,600 per annum). ACC only provides programme funding to newly accredited safe communities. This ceases once a community becomes reaccredited (after five years) as is the case for Safer Napier, which is operating without any external programme funding. Coalition partner agencies are often not in a position to fund the programme and funding sources for projects remains variable.

The programme remains viable through ongoing support from Council in the form of staff time and LTP funding. Council also provides safety-related funding through its service agreements with the following community organisations:

- Surf Lifesaving NZ - \$47,000 per annum
- Napier Safety Trust (CCTV) - \$45,000 per annum
- Napier Community Patrol - \$47,000.

These further support Council's goal of improving community safety.

Social & Policy

Community safety remains a key priority for Napier residents. The 2017 Social Monitor survey found 93.8% of respondents feel the safety of themselves and other family members is average or better. This was similar to the percentage recorded in the previous survey (94.3% in 2014). In both surveys, a large number of comments were provided about specific safety concerns.

Safer Napier's programme reach extends year-on-year through the inclusion of additional target population groups and new or extended projects and initiatives. This ensures the programme remains relevant and responsive, and has continued impact as new and emerging issues arise in the community.

Risk

As mentioned earlier, Council is the primary funder for delivery of Safer Napier and many of its 'flagship' projects and events. Continued identification of funding through the Long Term Plan is essential for the programme's ongoing sustainability.

6.6 Options

The option available to Council is as follows:

- a. Note the Safer Napier annual summary.

6.7 Attachments

- A Safer Napier Strategic Group Members [↓](#)
- B Safer Napier Summary 2017/18 [↓](#)

Safer Napier Strategic Group Members

- Accident Compensation Corporation
- Fire and Emergency New Zealand
- Hawke's Bay Civil Defence Emergency Management Group
- Hawke's Bay District Health Board
- Health Hawke's Bay
- Housing New Zealand Corporation
- Ministry of Social Development
- Napier City Council
- Napier City Business Incorporated
- New Zealand Automobile Association
- New Zealand Police
- New Zealand Red Cross
- Te Puni Kōkiri
- RoadSafe Hawke's Bay
- Te Rangihaeata Oranga Trust
- Te Roopu a Iwi Trust
- Te Kupenga Hauora – Ahuriri



working together for a Safer Napier

Napier is very proud to be an accredited International Safe Community. We thank everyone, including over 40 groups, organisations and agencies who work together in Napier for a safe community. A full copy of the Safer Napier Annual Report 2017/2018, which outlines 40 of our projects and activities, is online at www.napier.govt.nz keyword #safernapier.

Highlights

Advances have been made in:

- Injury Prevention
- Crime Prevention
- Road Safety
- Community Resilience
- Alcohol Related Harm

Did you know?



10,725 Napier households are members of a Neighbourhood Support Group.



120 road crashes resulting in injury were reported on Napier roads.



41% of households in the Safe As Houses project had at least 10 litres of water stored, per person.



25 licensed premises were visited to monitor if alcohol was being sold to underage people in Napier.



Over 700 older adults attended Sport Hawke's Bay classes to improve their balance and prevent falls.

Some joint projects last year

Safe As Houses

We hold home safety assessments and street BBQs to raise safety awareness, and make physical changes to the home to reduce risk of falls, fires, crime and natural hazards. An important action you can take to make your place safer is to get to know your neighbours.

Tools for the Teenage Years

This is a resource for whānau, parents and caregivers of teens providing information, ideas and inspiration, including helpful websites and services.

Go to www.napier.govt.nz keyword #teenageyearsbooklet. Talk to your teen - ask them what they think, how they feel and what they need.

Joint Alcohol Strategy

Multiple agencies in Hawke's Bay work together to address alcohol related harm in our region. Actions include "Creating Safer Drinking Environments" seminars, alcohol free events, and promotion of the One for One message - drink a glass of water between each alcoholic beverage.

We're Water Safe

A free family day at Perfume Point hosted by Safer Napier focused on water safety. Lifejackets are essential for all recreational activities on the water. Never swim or surf alone.

School Zones

Flashing school zone signs operate near 16 Napier schools, reminding drivers to be extra vigilant that children, who can be easily distracted, could be crossing the road. Remember to slow down around schools.

Safety is everyone's business

Supported by



PUBLIC EXCLUDED ITEMS

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

AGENDA ITEMS

1. Art Deco Trust Loan Repayment

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.
1. Art Deco Trust Loan Repayment	7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

COMMUNITY SERVICES COMMITTEE

Open Minutes

Meeting Date:	Tuesday 27 November 2018
Time:	3.41pm-3.56pm
Venue	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
Present	Mayor Dalton, Councillor White (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, Wise and Wright
In Attendance	Chief Executive, Chief Financial Officer, Director Community Services, Director Infrastructure Services, Director City Strategy, Manager Communications and Marketing, Manager City Development, Manager Community Strategies, Libraries Manager, National Aquarium of New Zealand Director, Community Advisor, Manager Design and Projects, Kennedy Park Manager, Project Engineer
Administration	Governance Team

Apologies

Nil

Conflicts of interest

Nil

Public forum

Richard Grant and Jacob Scott – Ngā Toi Hawke's Bay

Dr Grant, as the Chair of Ngā Toi Hawke's Bay, introduced himself and fellow board member, Mr Scott, to Council. It was noted that Ngā Toi Hawke's Bay has existed for around six months and is a resurrection of a number of bodies that have existed in this space over the last 20 years.

The aim of Ngā Toi Hawke's Bay is to support arts and culture across the region and is designed to position itself as the prominent advocate for arts and culture in Hawke's Bay. In this advocacy role the Trust is looking to convey to the local bodies the significance of arts and culture in Hawke's Bay and how this can be supported.

Mr Scott extended an invitation to Council to attend the blessing of Taonga at Watchman Road on Sunday, 2 December 2018 from 4am. Car parking and marquee will be located on the Westshore side of Domain Road.

Announcements by the Mayor

Nil

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes

Councillors Boag / Hague

That the Minutes of the meeting held on 16 October 2018 were taken as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. LIBRARY STRATEGY CONSULTATION FEEDBACK

Type of Report: Operational

Legal Reference: N/A

Document ID: 664231

Reporting Officer/s & Unit: 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

Councillors involved in the working group spoke to the item, acknowledging the work undertaken to date to complete the Strategy and discussed next steps.

Committee's recommendation

Councillors Wright / Hague

That the Community Services Committee:

- a. Adopt the Napier Library Strategy 2018.

Carried

2. CREATIVE COMMUNITIES FUNDING SEPTEMBER 2018

Type of Report: Operational

Legal Reference: N/A

Document ID: 661887

Reporting Officer/s & Unit: 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

It was noted that a large number and variety of applications were received this round. Selection of another member is currently underway, with this position likely to be filled by the end of the year.

Committee's recommendation

Councillors Boag / Wright

That the Community Services Committee:

- 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

It was noted that several members of the Youth Council were in attendance to support the adoption of the Strategy. There was no further discussion on this item.

Committee's recommendation

Councillors Wright / Price

That the Community Services Committee:

- a. Adopt the Napier Youth Strategy 2018.

Carried

PUBLIC EXCLUDED ITEMS

Mayor Dalton / Councillor Dallimore

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

1. Kennedy Park Main Ablution Block Refurbishment

Carried

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.
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.

The meeting moved into committee at 3.56pm.

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

Chairperson

Date of approval