



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Tuesday 16 April 2019

Time: 3.00pm - 4.22pm

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

Present Acting Mayor White (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, Wise and Wright [*via teleconference from 3.05pm to 4.07pm*]

In Attendance Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Chief Financial Officer, Manager Property, Manager Community Strategies, Marketing Manager, Manager Sport & Recreation, Manager Design and Projects, Team Leader Governance

Administration Governance Team

Apologies

Council resolution Councillors Hague / Price

That the apology from Mayor Dalton be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Acting Mayor

The Acting Mayor noted that Council's thoughts are with Mayor Dalton and his family at present, and that we are all wishing him a speedy recovery.

Announcements by the management

Nil

Confirmation of minutes

Council resolution Councillors Wise / Taylor

That the Draft Minutes of the Ordinary meeting held on 5 March 2019 be confirmed as a true and accurate record of the meeting.

Carried

Council resolution Councillors Hague / Wise

That the Draft Minutes of the Extraordinary meeting held on 15 March 2019 be confirmed as a true and accurate record of the meeting.

Carried

Council resolution Councillors Price / Brosnan

That the Draft Minutes of the Extraordinary meeting held on 2 April 2019 be confirmed as a true and accurate record of the meeting.

Carried

At the Chair's direction, Item 1 from the Reports from Strategy and Infrastructure Committee held on 19 March 2019 was taken out of order to enable Councillor Wright to participate in the discussion via teleconference.

1. NAPIER AQUATIC CENTRE DEVELOPMENT: COMPLETING LTP CAVEATS

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	711664
<i>Reporting Officer/s & Unit:</i>	Glenn Lucas, Manager Sport & Recreation

1.1 Purpose of Report

The purpose of this report is to fulfil the requirements of the four caveats to the LTP decision to proceed with the development of the "Pools & Play" option at Prebensen Drive.

At the meeting

The Manager Sport and Recreation spoke to the report. He also provided an overview in relation to the Equitable Access Plan being developed for this facility, and noted that the important areas of focus for this work include location, sense of belonging, cultural capability, programming partnering and continuing community engagement and input.

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

- At this time Council has not received any complaints in relation to the aquatic centre from either the Office of the Ombudsman or the Waitangi Tribunal.
 - The Equitable Access Plan currently being developed will provide a framework that can be applied to other facilities in future.
 - A cultural impact study has not been completed on the site as this is not required as part of the resource consent process.
 - Many of the 47 risk factors previously identified do apply to both sites as they are related to project risks and not just the site. These risks have been transferred to the Prebensen site where relevant.
 - Council officers have received written confirmation from the New Zealand Transport Association advising that motorway designations will be lifted from the Prebensen site.
 - Operational matters concerning the day-to-day utilisation of the facility will be discussed at a later stage.
 - Traffic impact reports are currently being undertaken and the results are not known at this time; however, they will be provided as part of the resource consent application.
 - The proposed areas for expansion in the project fall outside of the liquefaction risk areas.
 - \$41.3Million has been approved for the project through the Long Term Plan (LTP), not \$50Million as reported. The cost of land is not normally included in capital projects and the \$3Million proposed to be set aside as a project contingency due to the timing delay through the 2018 notice of motion has not been approved at this time.
-

-
- All statutory responsibilities and legislation requirements have been met through the special consultative process under the LTP. Council's audit process ensures these are met also.
 - The Audit and Risk Committee provide an open forum for discussion around risks. A seminar was also held with the Committee around the LTP to assess risks and work through planned borrowing. No other risks have been raised by the Committee in relation to this project.

Before opening the matter up for discussion the Acting Mayor reiterated that the motion on the table is about the scope of tender. It was noted that the Māori Consultative Committee did not make any further recommendations to Council for consideration on this matter.

Those in support of the motion noted the following points:

- The caveats in question have been completed and the scope of tender includes everything required to meet the community's needs.
- The community are protected from cost increases. If the tender comes in above budget Council can consider options. Until the tenders are received the cost is unknown.
- Significant opportunities are presented through the new facility including looking at ways to deliver equitable access, local storytelling, learn to swim programmes and the redevelopment of the Onekawa site.
- The community is crying out for more aquatic facilities. The biggest area of complaint for the city for several years has been the current aquatic facilities. The Onekawa aquatic centre is currently at capacity with significant waiting lists for learn to swim programmes.
- The affordability of this project has been assessed at many stages throughout this process.
- The Audit and Risk Committee have not raised any risks regarding this project and the only risk remaining is in further delaying the project. The proposed \$3Million contingency is required due to the significant delays to this project to date.
- The community has been asking for better aquatic facilities for the last 20 years.
- Councillors should be able to trust the independent assurances given to them around the affordability of this project. Council has not deviated from the figures assessed by Audit New Zealand and provided to the Audit and Risk Committee. The information provided to Councillors says that this is affordable.
- This is a 50 year plus facility and when you consider the projected growth this location will be in the middle of the city in 50 years' time.

Those against the motion noted the following points:

- The total cumulative rates increase for this project over the next three years would be 5.6%.
 - There is concern around potential budget 'blow outs', and whether that will mean having to reassess and cutting other elements from the plans in order to reduce costs.
 - Some Councillors did not feel that the amount set aside will be sufficient to complete the project and meet Council's aspirational goal.
 - The current forecast lending does not appear to include other risks including social housing; Council has other risks that they need to set funds aside for.
 - Only five schools out of 35 are close to the Prebensen site and the lack of lane space still does not appear to have been sufficiently addressed.
-

-
- The overall rates affordability was discussed at length with some Councillors expressing concerns as to the impact on ratepayers, specifically those on fixed incomes.

In response to questions it was clarified that standing orders (in line with the local Government Act 2002) provide for the Chair to have casting vote in the event of a split decision.

Committee's recommendation

That Council:

- a. Note that three of the four caveats outlined during the Long Term Plan deliberations in relation to proceeding with the Aquatic Centre project have been completed:
 - i. Caveat #1: Post-move development and funding plan put in place for Onekawa Park has been met by the Onekawa Park Development and Funding Plan.
 - ii. Caveat #2: Outdoor space built-in to the new complex has been met by the design concepts included in the 'Napier Aquatic Centre Concept Design Revision 3.0'.
 - iii. Caveat #4: The site investigations for the new location being completed has been met by the Tonkin and Taylor report (Proposed Napier Aquatic Centre, Prebensen Drive, Napier).
- b. Endorse the 'Scope of Tender' for the Aquatic Centre project as detailed in this report. This will complete Caveat #3: Scope for Tender agreed by Council before it is tendered.
- c. Note that the tender come back to Council for approval, including financial costs.

Council resolution

Councillors Brosnan / Taylor

Amended Motion becoming the Substantive Motion

That Council:

- a. Note that three of the four caveats outlined during the Long Term Plan deliberations in relation to proceeding with the Aquatic Centre project have been completed:
 - i. Caveat #1: Post-move development and funding plan put in place for Onekawa Park has been met by the Onekawa Park Development and Funding Plan.
 - ii. Caveat #2: Outdoor space built-in to the new complex has been met by the design concepts included in the 'Napier Aquatic Centre Concept Design Revision 3.0'.
 - iii. Caveat #4: The site investigations for the new location being completed has been met by the Tonkin and Taylor report (Proposed Napier Aquatic Centre, Prebensen Drive, Napier).
 - b. Endorse the 'Scope of Tender' for the Aquatic Centre project as detailed in this report. This will complete Caveat #3: Scope for Tender agreed by Council before it is tendered.
 - c. Note that the tender come back to Council for approval, including financial costs.
-

-
- d. That an Equitable Access Plan now be developed in partnership with the community, to be brought back to Council.

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

For: *Acting Mayor White (both deliberative and casting vote),
Councillors Brosnan, Hague, Price, Taylor and Wright*

Against: *Councillors Boag, Dallimore, Jeffery, McGrath, Tapine and
Wise*

Carried

Councillor Wright left the meeting at 4.07pm

AGENDA ITEMS

1. FORD ROAD EXTENSION - LAND LEGALISATION

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Public Works Act 1981
<i>Document ID:</i>	723251
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property

1.1 Purpose of Report

To seek resolutions pursuant to the Public Works Act 1981 to declare certain land a road and land as a severance. This is required to complete land legalisation matters relating to the Ford Road Extension project.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Brosnan / Hague

That Council:

- a. Resolve, pursuant to Section 114 of the Public Works Act 1981, to consent to the land described in Schedule 1 below to be declared a road and vested in the Council.
- b. Resolve, pursuant to Section 119 of the Public Works Act 1981, to consent to the land described in Schedule 2 below to be declared taken and vested in the Council as severance.

SCHEDULE 1

Hawkes Bay Land District - Napier City

Area (hectares)	Legal Description	Identifier
0.0198	Section 2 SO Plan 453204	Part CFR 386409
0.3998	Section 3 SO Plan 453204	Part CFR 386410
0.0588	Section 6 SO Plan 453204	CFR HBV1/660
0.0054	Section 7 SO Plan 453204	Part CFR 209528

0.2343	Section 8 SO Plan 453204	Part CFR HBH2/1500
0.0612	Section 10 SO Plan 453204	Part CFR HBE4/998

SCHEDULE 2

Hawkes Bay Land District - Napier City

Area (hectares)	Legal Description	Identifier
0.0096	Section 9 SO Plan 453204	Part CFR HBE4/998

Carried

2. COUNCIL PROJECTS FUND - APPLICATION

Type of Report: Operational

Legal Reference: N/A

Document ID: 723391

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

2.1 Purpose of Report

This report requests Council to make a decision on whether or not to fund a proposal from Citizens Advice Bureau Napier (CAB) from the Council Projects Fund.

At the meeting

It was noted that it is important for the CAB to be based in the CBD location in order to continue to provide this important service.

In response to questions it was clarified that the CAB service agreement is up for review in two years time and any gap between the end of the lease and co-locating with the new Napier Library can be assessed as part of that process.

Council resolution

Councillors Boag / Wise

That Council:

- a. Approve the assessment recommendation to provide a one off grant from the Council Projects Fund of \$30,000 plus GST from the Council Projects Fund 2019/20 allocation, to support CAB to remain in its CBD location temporarily until it can co-locate with the Napier Library.

Carried

3. TERMS OF REFERENCE UPDATE - MĀORI CONSULTATIVE COMMITTEE

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	724566
<i>Reporting Officer/s & Unit:</i>	Devorah Nícuarta-Smith, Team Leader Governance

3.1 Purpose of Report

To seek confirmation from Council for a minor wording update to the Terms of Reference for the Māori Consultative Committee.

At the meeting

A question was raised regarding the Committee's responsibilities under the Local Government Act 2002 which directly considers a mana/tāngata whenua perspective of Council business. The terms of reference mention tāngata whenua but not mana whenua and Councillors were advised that officers would come back to them on this. It was also noted that we do not currently have mana whenua representation on the Committee.

The Chief Executive confirmed that work around the review of the Māori Consultative Committee's terms of reference are still ongoing.

Council resolution	Councillors Tapine / Boag
	That Council:
	a. Approve the update of the Terms of Reference for the Māori Consultative Committee.
	Carried

4. JOINT COUNCIL WASTE FUTURES PROJECT STEERING COMMITTEE - MINUTES

Type of Report: Information

Legal Reference: N/A

Document ID: 725089

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

4.1 Purpose of Report

To present to Council the unconfirmed minutes of the Joint Council Waste Futures Project Steering Committee meeting held on 22 March 2019.

At the meeting

There was no discussion on this item.

Council resolution Councillors Brosnan / Tapine

That Council:

- a. Receive the unconfirmed minutes of the Joint Council Waste Futures Project Steering Committee meeting held on 22 March 2019.

Carried

5. HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE - MINUTES

Type of Report: Information

Legal Reference: N/A

Document ID: 725084

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

5.1 Purpose of Report

To present to Council the unconfirmed minutes of the Hawke's Bay Drinking Water Governance Joint Committee meeting held on 7 November 2019.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Price

That Council:

- a. Receive the unconfirmed minutes of the Hawke's Bay Drinking Water Governance Joint Committee meeting held on 7 November 2019.

Carried

6. HB CREMATORIUM COMMITTEE - MINUTES

Type of Report: Information

Legal Reference: N/A

Document ID: 725074

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

6.1 Purpose of Report

To present to Council the unconfirmed minutes of the Hawke's Bay Crematorium Committee meeting held on 8 April 2019.

At the meeting

It was noted that some of the issues raised were dealt with at the meeting and have been resolved.

As the Māori Standing Committee have made some enquiries regarding the crematorium in the last 12 months it would be beneficial for these minutes to be provided to them together with the pricing and impacts with regards to the agreed changes.

Council resolution

Councillors Taylor / McGrath

That Council:

- a. Receive the unconfirmed minutes of the Hawke's Bay Crematorium Committee meeting held on 8 April 2019.

Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 9 April 2019

At the meeting

It was noted that although the Committee did not make any further recommendations on the aquatic centre item during the meeting, members did discuss the matter at length and a meeting has since been held with the Chief Executive to address their concerns.

Council resolution

Councillors Tapine / Price

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 19 MARCH 2019

2. LEASES OF RESERVES - NAPIER FREE KINDERGARTEN ASSOCIATION INCORPORATED

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	702389
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

2.1 Purpose of Report

To obtain a Council decision to enter into two new ground leases with the Napier Free Kindergarten Association Incorporated for the Pirimai Kindergarten and the Onekawa Kindergarten.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Price / Dallimore

That Council:

- a. Recommends that Council Resolve to:
 - i. Enter into new ground leases with the Napier Free Kindergarten Association Incorporated for the Pirimai Kindergarten and the Onekawa Kindergarten for 15 years with one 15 year right of renewal.
-

Carried

3. LEASE OF RESERVE - MARAENUI RUGBY & SPORTS ASSOCIATION INCORPORATED

Type of Report: Enter Significance of Report

Legal Reference: Reserves Act 1977

Document ID: 710981

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 Maraenui Rugby & Sports Association Incorporated for two portions of land located at Maraenui Park, Dinwiddie Avenue, Napier.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Price / Dallimore

That Council:

- a. Resolve to:
 - i. Enter into a new ground lease with the Maraenui Rugby & Sports Association for 15 years with one 15 year right of renewal.

Cr Boag did not vote, as per declaration of interest

Carried

4. PLASTIC RECYCLING

Type of Report: Operational

Legal Reference: N/A

Document ID: 713737

Reporting Officer/s & Unit: Rhett van Veldhuizen, Waste Minimisation Lead

Reason for Exclusion *Section 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*

Section 7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

4.1 Purpose of Report

The purpose of this report is to update Council on the current plastic recycling market situation, the impact on the Napier City Council waste services and the options going forward.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Price / Dallimore

That Council:

- a. Receive the report of the Waste Minimisation Lead titled "Plastic Recycling" dated 19/03/2019.
 - b. Approve the preferred option to collect only Grades 1 and 2 plastics to enable further negotiation with the contractors involved.
 - c. Approve funding up to \$50k for a joint communication plan on the change with Hastings District Council funded from existing Solid Waste budgets.
-

Carried

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 28 MARCH 2019

1. ANNUAL PLAN 2019/20 UNDERLYING DOCUMENTS

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	715731
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services Caroline Thomson, Chief Financial Officer

1.1 Purpose of Report

That the Committee review and provide feedback to Council on the Annual Plan 2019/20 underlying documents prior to the final adoption of the reports.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Wise / Hague

That Council:

- a. Receive the Annual Plan 2019/20 underlying documents:
 - Draft Annual Plan
 - Revenue and Financing Policy
 - Rates Remission Policy
- b. Recommend to Council for information to be approved for consultation

Carried

2. RISK MANAGEMENT REPORT MARCH 2019

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	715748
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

2.1 Purpose of Report

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

At the meeting

There was no discussion on this item.

Council resolution	Councillors Wise / Hague
	That Council:
	a. Note the risk management work being undertaken by the Napier City Council Risk Committee.
	b. Note the current Major Project risks.
	c. Receive the latest Risk Report Dated 7 March 2019.
	Carried

3. RISK MANAGEMENT - INSURANCE ARRANGEMENTS

Type of Report: Operational

Legal Reference: N/A

Document ID: 711491

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

3.1 Purpose of Report

To outline Council's current insurance programme, discuss any issues and to provide the opportunity for the Committee to provide feedback for insurance arrangements for the upcoming financial year 2019/20.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

That Council:

- a. Resolve to receive the report on current insurance arrangements.
 - b. That any feedback from the committee be considered for incorporation into the insurance arrangements for the insurance year commencing 1 July 2019.
-

Carried

4. RISK MANAGEMENT - BUSINESS CONTINUITY PLAN UPDATE

Type of Report: Operational

Legal Reference: N/A

Document ID: 715767

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

4.1 Purpose of Report

Update on progress towards the development of a Business Continuity Management programme for Napier City Council.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

That Council:

- a. Receive the Draft Business Continuity Plan update.
 - b. Receive the Draft Business Impact Assessment.
 - c. Provide feedback to Council officers for inclusion in final plans.
-

Carried

5. HEALTH AND SAFETY REPORT

Type of Report: Operational

Legal Reference: N/A

Document ID: 712384

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

5.1 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 31 December 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

That Council:

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

Carried

6. EXTERNAL ACCOUNTABILITY - INVESTMENT AND DEBT REPORT

Type of Report: Operational

Legal Reference: N/A

Document ID: 713474

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

6.1 Purpose of Report

To consider the snapshot report on Napier City Council's Investment and Debt as at 28 February 2019.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

That Council:

- a. Receive the snapshot report on Napier City Council's Investment and Debt as at 28 February 2019.
-

Carried

7. EXTERNAL AUDIT - AUDIT ARRANGEMENTS FOR YEAR ENDING 30 JUNE 2019

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 713477

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

7.1 Purpose of Report

To outline the audit arrangements for the audit of the Napier City Council for the year ending 30 June 2019.

At the meeting

There was no discussion on this item.

Council resolution Councillors Wise / Hague

That Council:

- a. Resolve that the audit arrangements for the year ending 30 June 2019 as set out in the audit arrangement letter from Audit New Zealand is received.
-

Carried

REPORTS FROM FINANCE COMMITTEE HELD 2 APRIL 2019

1. HAWKE'S BAY AIRPORT LTD HALF YEAR REPORT TO 31 DECEMBER 2018

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	714397
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

1.1 Purpose of Report

To receive the half year report to shareholders from Hawke's Bay Airport Limited to 31 December 2018.

At the meeting

There was no discussion on this item.

Council resolution	<u>Councillors Taylor / Hague</u>
	That Council:
	a. Receive the Hawke's Bay Airport Limited half year report to shareholders, to December 2018.
	<u>Carried</u>

2. ELECTED MEMBERS' REMUNERATION - 2019 INFORMATION UPDATE

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 713356

Reporting Officer/s & Unit: Devorah Nícuarta-Smith, Team Leader Governance

2.1 Purpose of Report

To present to Council an information update on the 2019 process provided by the Remuneration Authority, the national body charged with matters in relation to elected members' remuneration.

At the meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Hague

That Council:

- a. Receive the information update on the 2019 elected members' remuneration process provided by the national Remuneration Authority.
-

Carried

3. QUARTERLY REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2018

Type of Report: Legal

Legal Reference: Local Government Act 2002

Document ID: 711016

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

3.1 Purpose of Report

To consider the Quarterly Report for the six months ended 31 December 2018.

At the meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Hague

That Council:

- a. Receive the Quarterly Report for the six months ended 31 December 2018.
-

Carried

4. CONSENT TO LAND BEING DECLARED ROAD

Type of Report: Legal

Legal Reference: Public Works Act 1981

Document ID: 715741

Reporting Officer/s & Unit: Jenny Martin, Property and Facilities Officer

4.1 Purpose of Report

Seek approval by Council under the Public Works Act to consent to the land at 243 Awatoto Road be declared road.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Taylor / Hague

That Council:

- a. Recommends that Council Resolve:
 - i. That in accordance with the provisions of Section 114(2) of the Public Works Act 1981, to consent to the land described in the Schedule hereto to be declared road and vested in the Napier City Council.

SCHEDULE

Hawkes Bay land District – Napier City

Area (hectares)	Legal Description	Part of Record Of Title
0.0039	Section 1 SO Plan 531110	651679

Carried

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 2 APRIL 2019

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.

At the meeting

Although a Decision of Council was made at the Community Services Committee meeting held on 2 April 2019, the Chief Executive advised that at the remit was passed at the LGNZ Zone Three meeting following a reasonable amount of debate on the matter, with those not backing the remit feeling that Councils should not be involved in housing matters. In the end the remit received the support required but it was noted that it may be difficult to get this one through at the annual Local Government New Zealand conference.

Council resolution	Councillors Wright / Brosnan
At the Community Services Committee meeting held on Tuesday, 2 April 2019 the following committee recommendation was ratified as a DECISION OF COUNCIL.	That Council: a. Approve the submission of the Remit application regarding Social Housing.
	Carried

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

Type of Report: Procedural

Legal Reference: N/A

Document ID: 716495

Reporting Officer/s & Unit: 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.

At the meeting

Although a Decision of Council was made at the Community Services Committee meeting held on 2 April, the Chief Executive advised that at the remit was passed at the zone three meeting with no concerns raised.

Council resolution Councillors Wright / Jeffery

At the Community Services Committee meeting held on Tuesday, 2 April 2019 the following committee recommendation was ratified as a DECISION OF COUNCIL.

That Council:

a. Approve the submission of the Remit application regarding liability of councils in relation to building defects claims

Carried

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.

At the meeting

Although a Decision of Council was made at the Community Services Committee meeting held on 2 April, the Chief Executive advised that feedback from the LGNZ Zone Three meeting was that this remit is very high level with some unsure of how it would help to achieve the desired outcomes.

Council Councillors Jeffery / Hague

resolution

At the Community Services Committee meeting held on Tuesday, 2 April 2019 the following committee recommendation was ratified as a

That Council:

a. Endorse Hastings District Council's Remit application to LGNZ about reducing alcohol harm.

DECISION OF COUNCIL.

4. HAWKE'S BAY MUSEUMS TRUST COLLECTION MANAGEMENT AGREEMENT

Type of Report: Contractual

Legal Reference: N/A

Document ID: 715942

Reporting Officer/s & Unit: 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.

At the meeting

There was no discussion on this item.

Council resolution Councillors Boag / Wise

That Council:

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

Carried

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

Type of Report: Procedural

Legal Reference: N/A

Document ID: 709895

Reporting Officer/s & Unit: 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.

At the meeting

This matter was not discussed or dealt with at the meeting and remains on the table following the Community Services Committee meeting held on 2 April 2019. A further report will come back to Council at a later date.

Officer's Recommendation

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.

This Officer's recommendation was laid on the table, pending further information in relation to the lack of diversity in the current proposed trustees.

6. SAFER NAPIER PROGRAMME - ANNUAL UPDATE

Type of Report: Information

Legal Reference: Enter Legal Reference

Document ID: 713588

Reporting Officer/s & Unit: 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.

At the meeting

There was no discussion on this item.

Council Councillors Boag / Wise

resolution

That Council:

- a. Note the Safer Napier programme update.
-

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	709847
<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 25 February – 2 April 2019.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Jeffery / Taylor

That Council:

- a. Receive the Report of Tenders Let for the period 25 February – 2 April 2019.

Carried

2. RESOURCE CONSENTS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	709875
<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 25 February to 29 March 2019.

At the meeting

It was requested that the Chair of the Hearings Committee be advised of the reasons for any non-complying activities in future.

Council resolution

Councillors Jeffery / Taylor

That Council:

- a) Receive the report on Resource Consents issued under delegated authority for the period 25 February to 29 March 2019.

Carried

3. DOCUMENTS EXECUTED UNDER SEAL

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	709886
<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 25 February – 1 April 2019.

At the meeting

There was no discussion on this item.

Council resolution	<u>Councillors Jeffery / Taylor</u>
	That Council:
	a) Receive the Report of Documents Executed Under Seal for the period 25 February – 1 April 2019.

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>	725150
<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	<u>Councillors Jeffery / Taylor</u>
	That Council:
	a. Receives the report Official Information Requests for the year to 10 April 2019.
	<hr/>
	Carried

PUBLIC EXCLUDED ITEMS

Council resolution	Councillors Wise / Dallimore
	That the public be excluded from the following parts of the proceedings of this meeting.
	Carried

Agenda Items

1. Joint Council Waste Futures Project Steering Committee - Public Excluded Minutes

Reports from Strategy and Infrastructure Committee held 19 March 2019

1. Parking Strategy Implementation
2. Award of Contract - Inner Harbour Dredging

Reports from Audit and Risk Committee held 28 March 2019

1. Control Framework - Freeholding Framework

Reports from Community Services Committee held 2 April 2019

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.
	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. Joint Council Waste Futures Project Steering Committee - Public Excluded Minutes	7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably 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
---	---	---

	<p>prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>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>
--	--	--

Reports from Strategy and Infrastructure Committee held 19 March 2019

1. Parking Strategy Implementation	<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>
2. Award of Contract - Inner Harbour Dredging	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</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>

Reports from Audit and Risk Committee held 28 March 2019

1. Control Framework - Freeholding Framework	<p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage,</p>	<p>48(1)A That the public conduct of the whole or the relevant part of the</p>
--	---	--

	<p>negotiations (including commercial and industrial negotiations)</p>	<p>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.</p>
--	--	--

Reports from Community Services Committee held 2 April 2019

<p>1. Art Deco Trust Loan Repayment</p>	<p>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</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: (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>
---	--	--

The meeting moved into committee at 4.22pm.

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

Chairperson

Date of approval