



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 5 December 2019

Time: 10.00am – 12.22pm
12.33pm – 12.58pm
1.31pm – 2.12pm

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

Present Mayor Wise, Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor, Wright

In Attendance Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Chief Financial Officer, Manager Business Excellence & Transformation, Manager Community Strategies, Manager Environmental Solutions, Manager Regulatory Solutions, Team Leader Governance, Strategic Planning Lead

Administration Governance Team

Apologies

Nil

Conflicts of interest

Councillor Hayley Browne declared an interest in Item 9. In order to manage this interest she did not participate in the discussion or vote.

Public forum

Graeme Robinson

Graeme spoke in relation to the Civic and administration building and his 2011 seismic assessment report and design calculations, presented to the Chief Executive (copy of his speech **attached – Appendix A**).

In response to questions from Councillors, he noted the following:

- He didn't believe that the peer review report provided to Councillors ahead of the meeting included the Civic building, only the library building.
- The Strata Group reports did not appear to be held on the property file.
- He confirmed that his report had been peer reviewed by three engineers.
- The coefficient number (sideways push on the building) does not appear to be included in the Strata Group report and he doesn't see how they can work out whether the building will survive or not without this number.

Tyne Nelson and Emma Koch on behalf of Zero Waste Network

Tyne and Emma spoke in relation to sustainability and waste and noted that the current landfill is adequate for the time being (copy of presentation **attached – Appendix B**).

In response to questions from Councillors, they noted that separation of waste is key and education is important to try to change people's view of waste. We need to help people to see it as a resource.

Announcements by the Mayor including any discussion of minor matters not on the agenda

There were no announcements by the Mayor.

In calling for any minor matters not on the agenda, Deputy Mayor Annette Brosnan advised that she would provide an update on the Waipatiki Project at the end of the meeting.

Announcements by the management

Nil

Confirmation of minutes

Council resolution

Councillors Boag / Taylor

That the Draft Minutes of the Ordinary meeting held on 19 November 2019 be confirmed as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. STORMWATER BYLAW 2020

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	872514
<i>Reporting Officer/s & Unit:</i>	Cameron Burton, Manager Environmental Solutions Kim Anstey, Planner Policy/Analyst

1.1 Purpose of Report

The purpose of this report is for Council to adopt the Stormwater Bylaw 2020 having considered submissions at the Council meeting on 19 November 2019, including the issues raised and amendments requested during deliberations.

At the Meeting

The Director Infrastructure Services and Manager Environmental Solutions spoke to the report and the four main amendments to the Bylaw, made following the hearing.

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

- Officers will work with people, to a degree, to assist in implementing environmental improvements at each site.
 - Even though the Bylaw will come into effect on 1 February 2020, timeframes for each site to make changes will depend on the scale of the operation, and contaminants etc. Council is ultimately looking for low cost quick wins in this space and plans to be reasonable in enforcing the bylaw, but not so reasonable that the same discussions are being had in 10 years' time.
 - Environmental Management Plans will be required and implemented as conditional consents.
 - If people want to be able to use the estuary, then Council need to be seen to be leaders in this space and driving environmental change.
 - The Environmental Solutions team have a very busy work programme. Council will be considering their own compliance requirements but also need to look at other value-add opportunities for Napier. It would not be prudent to delay the implementation of the Bylaw until Council itself is perfectly compliant. Council will be pulling together a programme of work to identify their own compliance requirements.
 - Significance of non-compliance will be at the discretion of Council officers, as there may be other factors to consider, ie. quantity of stormwater may not be as serious as discharge of industrial waste into stormwater.
 - Council will take an educative approach initially and has procedures in place to deal with nuisance reports made by members of the public. Continued blatant abuse will be dealt with more strictly.
 - Any planting along waterways will need to be considered to ensure that it doesn't negate the main purpose of waterways, being water conveyance.
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Councillors Simpson and Mawson left the meeting briefly at 11.10am and 11.11am respectively, and returned at 11.13am.

- Council's piped network is required to meet a one in 10 year event. The rainfall in that time period may change, but we won't know that until it happens. Network models do however take into consideration increased growth in the City.

ACTION: Council officers to assess their own compliance requirements and consider these against other priorities in the current work programme.

**Council
resolution**

Dep. Mayor Brosnan / Councillor Tapine

That Council:

- a. Confirm, in accordance with Section 155(2) of the Local Government Act 2002, that the Stormwater Bylaw 2020 is the most appropriate form of bylaw and it is satisfied that no issues arise under the Bill of Rights Act 1990.
- b. Adopt the Stormwater Bylaw 2020.
- c. Authorise officers to notify submitters and the public that the bylaw has been adopted and will become operative on 1 February 2020.

Carried

2. COUNCIL MEETING SCHEDULE 2020

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987; Local Government Act 2002
<i>Document ID:</i>	872642
<i>Reporting Officer/s & Unit:</i>	Devorah Nicuarta-Smith, Team Leader Governance

2.1 Purpose of Report

To present the proposed 2020 meeting schedule to Council for adoption as per the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987.

At the Meeting

The Team Leader Governance spoke to the report noting that an annual meeting schedule has been proposed for a number of reasons, including that the Council is currently being hosted by Hawke's Bay Regional Council, an arrangement which is renegotiated each year. A number of Councillors noted their approval of the new meeting start time.

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

- The live stream is accessible directly via Council's Facebook page. A new YouTube channel is currently being created to store the videos and a new link will replace the current link in order to access these via the Council website.
- Joint committee meetings are held in the internal Council calendar.
- Some flexibility (for example in week five of the meeting cycle) could be given in order to accommodate meeting/seminar free weeks for those Councillors wanting to take leave without needing to put in their apologies.

Council resolution

Councillors Tapine / Wright

That Council:

- Endorse the schedule of Standing Committees and Council meetings for Napier City Council for 2020
- Note that additional ordinary, extraordinary and multi-day meetings may be scheduled from time to time in consultation with the Mayor and Chief Executive
- Note that meeting times for other committees and subcommittees will be formally notified as required in accordance with the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.
- Note that other events requiring elected member attendance, such as citizenship ceremonies and civic functions will be finalised as soon as possible and the dates notified to Council.

Carried

3. ELECTED MEMBERS' CHILDCARE ALLOWANCE

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Remuneration Determination 2019/20
<i>Document ID:</i>	872910
<i>Reporting Officer/s & Unit:</i>	Devorah Nícuarta-Smith, Team Leader Governance

3.1 Purpose of Report

To present options in relation to a potential childcare allowance for elected members, in line with the Remuneration Determination 2019/20.

At the Meeting

The Team Leader Governance spoke to the report. In response to questions from Councillors, the following points were clarified:

- The officer's recommendation of \$2,000 per eligible child per year was based on around 50 meetings/seminars per year at around \$20 per hour. The Remuneration Authority determined that Councils may adopt an amount up to a maximum of \$6,000.
- The reimbursement is rates funded.
- The reimbursement can only be claimed for costs incurred and evidence must be provided.
- The Remuneration Authority have taken WINZ provisions into consideration. Au pairs and full time care are not covered. The reimbursement is intended to cover ad hoc in home care.

A substitute motion was proposed by Deputy Mayor Brosnan with the substantial change being an increase to the maximum of \$6,000 per eligible child. A robust debate followed with all but two Councillors speaking to their position on the matter, and when put to a vote, the motion was lost.

The officer's recommendation was then put, subject to a minor amendment, being that Council authorised events be included. The amended motion was carried, with three Councillors voting against the motion.

Officer's Recommendation

That Council:

- a. Adopts an Elected Member Childcare Allowance Policy in line with the Remuneration Determination 2019/20, and with the purpose of allowing for and guiding the reimbursement elected members for childcare incurred by Council related activities.
- b. That the Policy contains the following guidance in relation to potential payments:
 - i. The allowance is only payable if:
 - The member is a parent or guardian of the child, or is a person who usually has responsibility for the day-to-day care of the child (other than on a temporary basis); and

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- The child is aged under 14 years of age; and
 - The childcare is provided by a person who –
 - is not a family member of the elected member ; and
 - does not ordinarily reside with the elected member; and
 - The member was participating in the following activities of Council during the time the childcare was required:
 - Attendance at Council or Committee meetings where the elected member is either a member of the Committee, or is a Council appointee to the Committee; or
 - Attendance at seminars or working parties of Council to discuss items of Council business; or
 - Attendance at civic events where attendance of elected members is required, such as citizenship ceremonies and the annual Napier Civic Awards; and
 - The elected member submits a claim for expenses, and provides satisfactory evidence to Napier City Council that the claim is based on actual costs of child care incurred and paid for by the elected member; and
 - Any claim is filed within 90 days of the actual costs of child care being incurred; and
 - The claim is authorised by the Mayor in line with the Napier City Council Sensitive Expenditure Policy.
- ii. The maximum value for reimbursement is to be \$20 per hour (plus GST where applicable), and
- iii. The maximum accrued allowance per financial year per qualifying child is \$2,000 (plus GST where applicable).

**Proposed
substitute motion**

Dep. Mayor Brosnan / Councillor Browne

Motion lost

That Council:

- a. Council adopts the remuneration authority's childcare policy determination and wording:
 - b. That the policy contain the following guidance and criteria:
 - i. Elected members are eligible for the allowance only if:
 - they are engaged on local authority business at the time of the childcare,
 - they are the parent or guardian of the child, or usually has day-to-day responsibility for care of the child, and
 - the child is under 14 years of age.
 - ii. The childcare must be provided by someone who:
 - is not a family member of the elected member, and
 - does not ordinarily reside with the elected member.
 - iii. Elected members must provide evidence of the amount paid for childcare.
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- iv. Council must not pay childcare allowances to a member that total more than \$6,000 per annum, per child.
- v. All claims for childcare must be made within 90 days of the care being incurred.

*The motion was declared **lost** by 5 votes to 8 votes the voting being as follows:*

For: Deputy Mayor Brosnan, Councillors McGrath, Tapine, Mawson and Browne

Against: Mayor Wise, Councillors Boag, Price, Taylor, Wright, Chrystal, Crown and Simpson

Council resolution

Amended officer's recommendation

New substitute motion

Mayor Wise / Councillor Mawson

That Council:

- a. Adopts an Elected Member Childcare Allowance Policy in line with the Remuneration Determination 2019/20, and with the purpose of allowing for and guiding the reimbursement elected members for childcare incurred by Council related activities.
- b. That the Policy contains the following guidance in relation to potential payments:
 - i. The allowance is only payable if:
 - The member is a parent or guardian of the child, or is a person who usually has responsibility for the day-to-day care of the child (other than on a temporary basis); and
 - The child is aged under 14 years of age; and
 - The childcare is provided by a person who –
 - is not a family member of the elected member ; and
 - does not ordinarily reside with the elected member; and
 - The member was participating in the following activities of Council during the time the childcare was required:
 - Attendance at Council or Committee meetings where the elected member is either a member of the Committee, or is a Council appointee to the Committee; or
 - Attendance at seminars or working parties of Council to discuss items of Council business; or
 - Attendance at civic events where attendance of elected members is required, such as Council authorised events including citizenship ceremonies and the annual Napier Civic Awards; and
 - The elected member submits a claim for expenses, and provides satisfactory evidence to Napier City Council that the claim is based on actual costs of child care incurred and paid for by the elected member; and

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- Any claim is filed within 90 days of the actual costs of child care being incurred; and
 - The claim is authorised by the Mayor in line with the Napier City Council Sensitive Expenditure Policy.
- ii. The maximum value for reimbursement is to be \$20 per hour (plus GST where applicable), and
- iii. The maximum accrued allowance per financial year per qualifying child is \$2,000 (plus GST where applicable).

Councillors Tapine, Taylor, and Wright voted against the motion.

Carried

The meeting adjourned at 12.22pm, and reconvened at 12.33pm.

Due to an external presenter only being available for a short time, the Mayor elected to bring forward Agenda Item 8: Resident Satisfaction Survey.

8. RESIDENT SATISFACTION SURVEY 2019

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	868500
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

8.1 Purpose of Report

To provide Council with the annual resident satisfaction survey and to outline how this survey fits into council's planning and reporting framework.

At the Meeting

Dr Virgil Troy addressed Council as the successful tenderer to undertake this research for Council on a quarterly basis. He highlighted the differences in the new process from what had previously been undertaken.

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

- There have been a number of iterations to this report; it would be possible to break the result down further into wards to line up with the ward only structure of Council. Dr Troy noted that it may be more appropriate to include this data as an appendix.
- The survey is ultimately around satisfaction levels for Council services. The questions are very similar to the previous survey, just reported back to Council differently.

It was noted that the officer's recommendation should be amended to note the increase of satisfaction levels, overall.

Officer's Recommendation

That Council:

- a. Note that satisfaction ratings and targets are part of Council's planning and performing framework as outlined in the Long Term Plan 2018-28.
 - b. Note the key findings of the annual Resident Survey 2019.
 - i. That there are areas where Council has received very high satisfaction ratings from the community, particularly there has been an increase in overall satisfaction ratings across all over Council's services from 2018.
 - ii. That there are some areas where Council has received low satisfaction ratings from the community, and come under the NZ benchmark rating
 - c. Note that it may wish to consider the Satisfaction Survey in the development of the Annual Plan 2020/21.
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**Council
resolution**

Councillors Wright / Chrystal

Substitute motion

That Council:

- a. Note that satisfaction ratings and targets are part of Council's planning and performing framework as outlined in the Long Term Plan 2018-28.
- b. Note the key findings of the annual Resident Survey 2019.
 - i. That there are areas where Council has received very high satisfaction ratings from the community, particularly there has been an increase in overall satisfaction ratings across all over Council's services from 2018.
 - ii. That there are some areas where Council has received low satisfaction ratings from the community, and come under the NZ benchmark rating
- c. Note that it may wish to consider the Satisfaction Survey in the development of the Annual Plan 2020/21.

Carried

4. MAYORAL REMUNERATION

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002; Remuneration Determination 2019/20
<i>Document ID:</i>	873231
<i>Reporting Officer/s & Unit:</i>	Devorah Nicuarta-Smith, Team Leader Governance

4.1 Purpose of Report

To note to Council the Mayoral remuneration for the post-election period of 2019/20.

At the Meeting

The Team Leader Governance spoke to the report, noting that the Mayor's remuneration is set by the Remuneration Authority allowing for slight adjustments in relation to a vehicle, providing for different levels of private use.

In response to a question from Councillors, it was confirmed that Council's vehicle insurance policy covers the full private use option elected by the Mayor.

Council resolution

Councillors Taylor / Mawson

That Council:

- a. Note the total mayoral remuneration and vehicle arrangements for the post-election period 2019/20.

Carried

5. CIVIC BUILDING DEMOLITION

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	871230
Reporting Officer/s & Unit:	Paulina Wilhelm, Manager City Development

5.1 Purpose of Report

To seek Council approval to demolish the Civic building in 2020. Officers also propose investigating if there are any cost savings in demolishing the Library building at the same time and reporting the findings back to Council for considering the future plans for the Civic Precinct Area (the area including the civic building, the library building and the civic court, refer to attachment). It is noted that no decision has been made on the future of the Library building at this time.

At the Meeting

The Director City Strategy and Manager City Development spoke to the report and provided some context around matters raised during the public forum by Mr Robinson. It was reiterated that this report is not about the seismic evaluation of the building, but follows on from the previous Council's Statement of Proposal in line with the desire to no longer retain the Civic Building site but rather divest it for commercial purposes. Some further background was provided for the benefit of the new Councillors.

Council officers confirmed they are confident that potential hotel developers are not interested in the Civic Building remaining on that site for their purposes. They also confirmed that Council is currently in negotiations with hotel developers in relation to the site; at this time it has not been confirmed whether the site will be sold or leased.

It was noted that the building remaining on that site is causing a "ghost town" effect on that part of town and the site needs to be prepared for the next commercial venture that will occupy the site, whatever that might be.

The meeting was adjourned at 12.58pm, in order to allow the Audit and Risk Committee meeting to be opened on time and adjourned until after the Council meeting had closed, and to allow for a brief lunch break.

The meeting reconvened at 1.31pm.

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

- Council officers did not believe there would be any harm in deferring a decision at this stage; however, the longer the building remains on the site, the more this contributes to the "ghost town" effect to this part of the CBD.
- There is not requirement to do anything with the Civic building from a safety point of view currently.
- The business case referred to the latest report, as a matter of standard practice. It would be unusual to include every report over all time on the same subject matter.

The latest report is assumed to cover all issues up to that moment in time, including issues raised previously.

- Council officers were unaware that the Strata Group report might be considered contentious. As far as the library building only being peer reviewed, this was due to timing and what was able to be done overnight as the matter was only raised with officers the day before. The focus was particularly on the library building as officers were shocked at how low the building had rated.

It was proposed that the item lay on the table for the next Council meeting scheduled for 19 December 2019, to allow Council officers to provide further background information to Councillors ahead of making the decision.

ACTION: Costings around refurbishment of the Civic Building to be provided to Councillors, ie. why was refurbishment ruled out.

Officer's Recommendation

That Council:

- a. Approve going to tender for the demolition of the Council Civic Administration building in 2020 and ring-fence the associated costs of demolition to be recovered from the future use of the site either through the sale or a long term lease.

Council resolution

Councillor Wright / Mayor Wise

Substitute motion

That Council:

- a. Agree that the Civic Building Demolition report should lie on the table to be brought to the next ordinary meeting of Council, set down for 19 December 2019.

Carried

6. BUDGETS TO BE CARRIED FORWARD TO 2019/20

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	832927
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

6.1 Purpose of Report

To seek Council approval to carry forward budgets into 2019/20.

At the Meeting

The Chief Financial Officer spoke to the report and provided a brief overview. Councillors acknowledged that Council has a large capital programme and asked officers to consider whether this could be better aligned each year with what can actually be achieved.

Council resolution

Councillors Taylor / Tapine

That Council:

- a. Approve total Capital carry forward budgeted expenditure of \$15,485,128 split as follows: \$8,557,230 from 2018/19 into 2019/20 and \$6,927,898 from 2018/19 into 2020/21.
- b. Approve total Operational Expenditure carry forward budgeted expenditure of \$2,916,782 split as follows: \$1,916,782 from 2018/19 into 2019/20 and \$1,000,000 from 2018/19 into 2020/21.

Carried

7. QUARTERLY REPORT FOR THE THREE MONTHS ENDED 30 SEPTEMBER 2019

Type of Report: Legal and Operational

Legal Reference: Enter Legal Reference

Document ID: 863933

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

7.1 Purpose of Report

To consider the Quarterly Report for the nine months ended 30 September 2019.

At the Meeting

The Chief Financial Officer spoke to the report, again providing a brief overview for Councillors. It was noted that the carry forwards in the previous agenda item are not included in the budgeted figures for this quarterly report, and these will improve Council's budgeted position once included.

The Mayor noted she was pleased to see Napier above average for voter enrolments, particularly for youth, and congratulated the Customer Services team for being ranked fifth out of 78 Councils for customer experience.

Council resolution Councillors Tapine / Mawson

That Council:

- a. Receive the Quarterly Report for the three months ended 30 September 2019.

Carried

9. NCC AND NAPIER CITY BUSINESS INC EVENTS

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	874487
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Strategic Planning Lead

9.1 Purpose of Report

The purpose of this report is to obtain a resolution of Council to allow trading in a public place to occur at Napier City Council, Napier City Business Inc and Art Deco Trust events in Napier city until the end of October 2022.

At the Meeting

The Strategic Planning Lead spoke to the report, noting it is an extension of the resolution made in February 2019, allowing trading at events held by Council, Napier City Business Inc. or Art Deco Trust within the City centre.

It was suggested that Dickens Street be included in the resolution; it was noted that this had only been omitted due to there being no request for events held in this location to date.

A number of Councillors raised concerns around waste disposal at these events and a discussion was held around the challenges faced by event organisers in the waste minimisation space.

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

- As the sound shell is reserve land, applications for events in this area should be considered on a case by case basis.
- It was noted that any specific events held under this authorisation where there were problems could be reported back to Council.

ACTION: That Council officers communicate Council's expectations around waste management with event organisers.

Officer's Recommendation

That Council:

- a. Resolve to allow the sale of food and beverages to the public on public land within the city centre as part of events held by either Napier City Council, Napier City Business Inc or Art Deco Trust for a maximum of 18 events per year until 31st October 2022 in accordance with the criteria below:
 - i. Trading must occur as part of an event or pop-up event.
 - ii. Trading must not occur for more than five hours at any one time, with the exception of events held by the Art Deco Trust where trading is limited to the length of the festival.
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- iii. Trading must only occur within the street reserve (not on reserve land).
 - iv. Trading of food and beverages only.
 - v. Permission must be obtained from both the Transportation Team Leader and Napier City Council Chief Executive.
 - vi. The views of retailers will be taken into consideration prior to approving an event.
 - vii. Trading is limited to the following streets: Hastings Street; Market Street; Tennyson Street; Emerson Street; Dalton Street; Clive Square East; Herschell Street; Marine Parade.
 - viii. The usual road closure procedures will be followed if road closures are deemed necessary.
 - ix. Council will operate within the Joint Alcohol Strategy and will use the Alcohol Decision Matrix in considering whether it is appropriate to allow the sale of alcohol at these events.
 - x. Trading must comply with all regulations including the Food Act 2014 and the Sale and Supply of Alcohol 2012, as well as Council regulations and policies.

**Council
resolution**

Councillors Wright / Chrystal

Substitute Motion

That Council:

- a. Resolve to allow the sale of food and beverages to the public on public land within the city centre as part of events held by either Napier City Council, Napier City Business Inc or Art Deco Trust for a maximum of 18 events per year until 31st October 2022 in accordance with the criteria below:
 - i. Trading must occur as part of an event or pop-up event.
 - ii. Trading must not occur for more than five hours at any one time, with the exception of events held by the Art Deco Trust where trading is limited to the length of the festival.
 - iii. Trading must only occur within the street reserve (not on reserve land).
 - iv. Trading of food and beverages only.
 - v. Permission must be obtained from both the Transportation Team Leader and Napier City Council Chief Executive.
 - vi. The views of retailers will be taken into consideration prior to approving an event.
 - vii. Trading is limited to the following streets: Hastings Street; Dickens Street; Market Street; Tennyson Street; Emerson Street; Dalton Street; Clive Square East; Herschell Street; Marine Parade.
 - viii. The usual road closure procedures will be followed if road closures are deemed necessary.
 - ix. Council will operate within the Joint Alcohol Strategy and will use the Alcohol Decision Matrix in considering whether it is appropriate to allow the sale of alcohol at these events.
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- x. Trading must comply with all regulations including the Food Act 2014 and the Sale and Supply of Alcohol 2012, as well as Council regulations and policies.

*Councillor Browne did not participate in the discussion
or vote due to her declared conflict of interest.*

Carried

10. ACTIONS FROM PREVIOUS MEETINGS

Type of Report: Procedural

Legal Reference: N/A

Document ID: 873456

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

10.1 Purpose of Report

To present the actions from previous meetings for awareness.

At the Meeting

The Team Leader Governance spoke to the report, confirming that action reports will come through to Council meetings, and will include actions from standing committees. The presentation and approach to the report was confirmed by the Council.

Councillor Taylor noted that he would raise the constitution matter with Sport HB at his next meeting and will keep officers updated.

Council resolution

Councillors Tapine / Boag

That Council:

- a. Note the actions from previous meetings along with their current status.

Carried

MINOR MATTERS NOT ON THE AGENDA

Waipatiki Project

Deputy Mayor Brosnan provided an update to Councillors in relation to the Waipatiki Project, noting that she and Councillor Price had met with the group working with Hastings District Council, and had asked them to come and speak to Napier City Council at some stage.

PUBLIC EXCLUDED ITEMS

Council resolution

Councillors Boag / Browne

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

Carried

Agenda Items

1. Contract 1229 Parklands Area 3 Stages 6 & 7
2. Actions Report - Public Excluded Items

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. Contract 1229 Parklands Area 3 Stages 6 & 7	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>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</p>
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		Information and Meetings Act 1987.
2. Actions Report - Public Excluded Items	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied	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 closed at 2.12pm.

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

Chairperson

Date of approval

Attachment A



**GRAEME W. ROBINSON, CONSULTING ENGINEER
CIVIL, STRUCTURAL, PUBLIC HEALTH ENGINEER**

Oral Submission to Napier City Council: Civic & Administration Building, 231 Hastings Street, Napier

My name is Graeme Robinson. I am a Chartered Professional Engineer and I established my sole-charge Consulting Engineering Practice in Napier in 1976.

I studied for my Civil Engineering Degree at Canterbury University in the era when Park & Paulay led the world in research into reinforced concrete design and when their lecture notes were compiled into a textbook that is still a reference document today.

Prior to returning to Napier, I worked in New Plymouth, where I was involved with the development of the onshore Maui Production Station. I personally planned and supervised the geotechnical investigation on the site and then assisted renowned Earthquake Engineer Latham Andrews with the preparation of a site-specific seismic (or earthquake) design standard that was a world-leading specification. I then designed foundations, plant and structures in accordance with the design standard. I contributed to a manual for the design of petrochemical plants in earthquake zones that was adopted by Shell International.

For more than 30 years, I carried out engagements for the Earthquake Commission. Between October 2010 and November 2014, I was based in Christchurch as the Commission's Structural Engineer during the Canterbury earthquake sequence. I inspected and assessed damage to some 1,500 residential buildings, from detached dwellings to multi-storey apartment buildings, and I reviewed files on another 1,000 buildings.

On 6 August 2010, Neil Taylor, the then Chief Executive Officer, instructed me to undertake a seismic assessment of the Council's Civic and Administration Centre building. The Darfield Earthquake delayed my review, but on 6 January 2011, I submitted my report and design calculations to Mr Taylor.

In short, I assessed the Main Office Building at not less than 100% of New Building Standard (100% NBS) for current earthquake design loadings, and I found that the Council Chambers had some structural limitations, so I recommended that it should be strengthened or demolished within 20 years.

I was in Christchurch in the immediate aftermath of the fatal earthquake of 22 February 2011. In reply to an enquiry from Mr Taylor, on 5 April 2011, I reported on my inspection of buildings in the Christchurch City Centre. I also reported that I had re-inspected the stairwells in the Council building and I confirmed that my earlier report was still valid in the light of what I had seen in Christchurch.

My report was reviewed by a Review Panel of three Engineers. After receiving comments from them, on 26 April 2011, I responded to points they had raised and I offered to meet with them. We met in August 2011, with Messrs Taylor and Brydon (Chief Building Inspector) in attendance.

Mr Taylor summarised our discussion in an email. I responded that I understood they had confirmed that my assessment calculations were accurate for both the gravity and earthquake forces, but their main criticism seemed to be that I had done hand-written calculations rather than producing computer print-outs.

In reply to a letter from the Council's Property Support Officer, on 11 August 2014, I summarised my findings and I attached copies of earlier correspondence to that letter.

Strata Group produced a Detailed Seismic Assessment Report dated 16 June 2017 and I obtained a copy of that on 27 June 2017. That report assessed the Council building at 10% NBS, identified it as an Earthquake-Prone Building and recommended structural strengthening or demolition be undertaken with 7.5 years.

While the Strata report contains many pages of computer-generated and hand-written calculations, I cannot find a figure that shows the level of earthquake horizontal force that was applied in the assessment.

That is a fundamental issue that I have with the Strata report. Without identifying the level of horizontal force that a new building of the same style would now be designed to resist, it is impossible to state what percentage of that horizontal force would cause the building to collapse. Strata put that figure at 10% NBS.



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Strata appear to have identified two columns that are expected to fail in an earthquake. In an earthquake, it is the more rigid walls that will absorb the bulk of the earthquake forces and it is only after they have yielded and deflected sideways by significant distances that the flexible columns will be called upon to resist horizontal forces. The Strata assessment appears to reverse this sequence of structural failure.

In my design calculations, I had applied a seismic coefficient of 0.72, which equates to a horizontal force that is 72% of the calculated weight of the occupied building.

If the building is assessed at 10% NBS (as determined by Strata), that means that it will be likely to collapse when the horizontal force is only one-tenth of this value. Based on my calculations, this would occur at a seismic coefficient of 0.072 or about 7% of the building weight.

That is a very low level of earthquake shaking. It is about the level of shaking that might cause some cracking in wall linings in buildings, and may cause some brick chimneys on houses to break off at roof level.

Since the Council building was completed in 1968, there have been a number of earthquake events that have caused at least that level of shaking in Napier. These include earthquakes in 1980 (after which I was first engaged by the Earthquake Commission) the two Weber Earthquakes of February and May 1990 and a more recent event in 2008.

From my observations during numerous visits to the Council building, I do not recall having seen so much as a crack in the wall linings that might be attributed to any of these earthquakes.

If the Strata assessment is valid, and if the Council building is only good for 10% NBS, then I consider that it should have suffered very serious structural damage, and might have collapsed, during at least one of the earthquakes that have occurred in the past 50 years since it was constructed.

If the Council's Civic and Administration Centre building is to be demolished, then I submit that the decision should properly be made on good grounds, from a fully informed position.

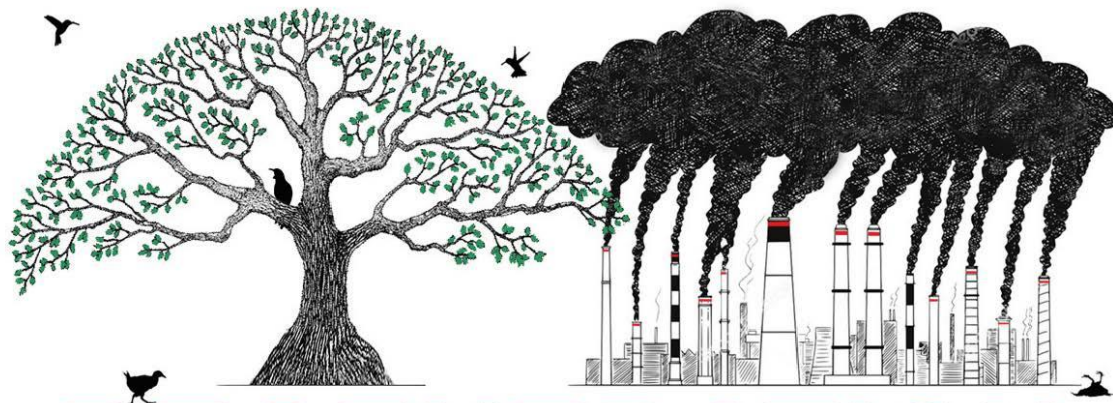
I believe that my reports and findings should be part of that discussion.

The citizens and ratepayers of Napier need to be sure that, if their money is going to be spent on demolishing this building, then it needs to be done for the right reasons.

If this building was correctly assessed in 2017 at 10% NBS, the perimeter of the site should have been secured then, so that the public was not exposed to unnecessary risk of injury or death if the building were to collapse in an earthquake.

Graeme Robinson

5 December 2019



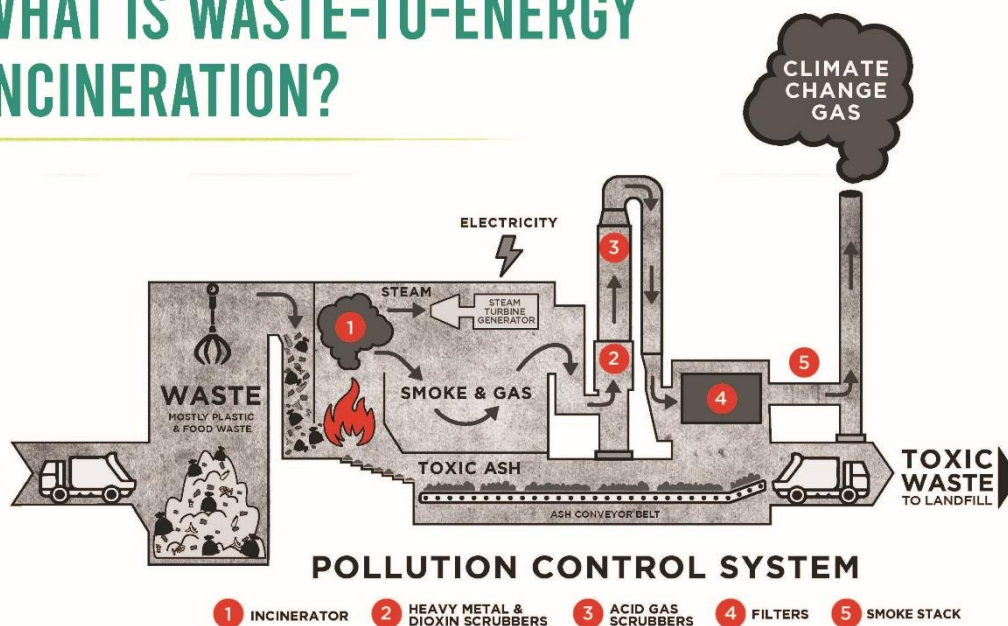
REGENERATION NOT INCINERATION

LET'S KEEP AOTEAROA NEW ZEALAND INCINERATOR FREE!

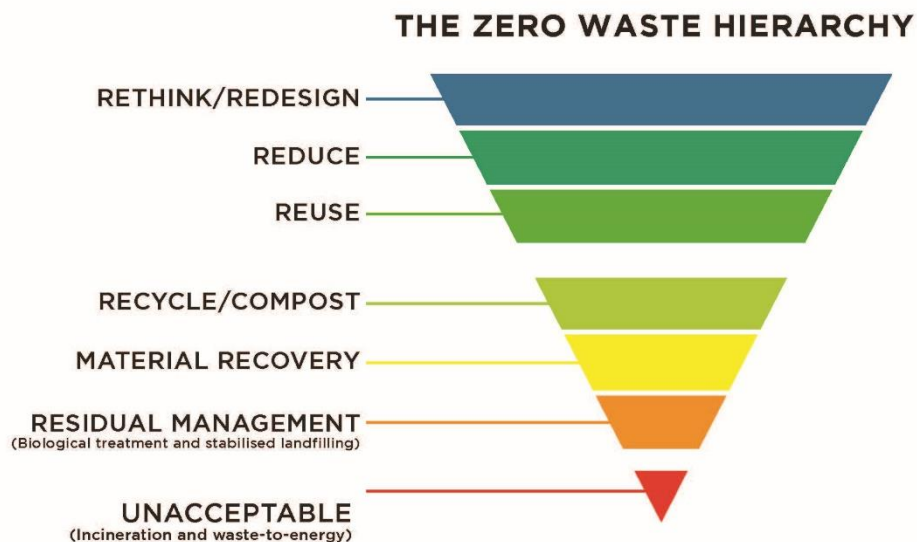
WHY ARE WE HERE?



WHAT IS WASTE-TO-ENERGY INCINERATION?



BUT DON'T OTHER COUNTRIES CLAIM THAT INCINERATION IS A SUCCESS?



WHAT'S THE SOLUTION?



WHAT CAN WE DO TO STOP INCINERATORS BEING BUILT?

You can help prevent incinerators being built in Aotearoa New Zealand by:

- Sign the Regeneration NOT Incineration petition
- Tell others about how incineration companies are distorting the truth
- Attend incinerator promotions and ask questions
- Learn about the circular economy in Aotearoa New Zealand
- Getting together to start a waste minimisation centre
- Join the Zero Waste Network
- Learn about the circular economy
- Actively promote the protection of our beautiful environment