



# EXTRAORDINARY MEETING OF COUNCIL

## Open Minutes

Meeting Date:	Thursday 9 April 2020
Time:	10am – 1.39pm
Venue	via Zoom and livestreamed on Council's facebook page
Present	Mayor Wise, Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor, Wright
In Attendance	Acting 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 Environmental Solutions Manager Property Manager Community Strategies General Manager, National Aquarium of New Zealand [to 1.05pm] Team Leader Transportation Team Leader Policy Planning Senior Policy Planner
Administration	Governance Team

## Apologies

Nil

## Conflicts of interest

Nil

## Public forum

Nil

## Announcements by the Mayor

The Mayor acknowledged very different world we are currently operating in, and thanked the community for all the efforts made to keep safe so we are able to move out of “lock down” as soon as possible.

## Announcements by the management

### Welfare

The Manager Community Strategies provided an update on the Napier welfare response – **refer Appendix One**

The following acronyms were noted:

- NDAG = napier disability advisory group. Local messaging has been done in new Zealand sign language to keep deaf people connected in particular
- YCON = youth council

### Recovery:

The Senior Policy Planner provided an update on the planning underway for Napier Recovery Support Programme – **refer Appendix Two**

Recovery will take place in phases, initially focussing on the post-lockdown environment, then mid-term recovery over 12-18months (which may still include travel restrictions), and then longer term.

There will be four parts to each phase:

- What will Napier look like in this timeframe?
- What are the opportunities and road blocks to achieving community wellbeing in the Napier context?
- Key objectives, areas to focus on
- Recovery initiatives

A website will go up early next week with recovery planning information and resources.

## Minor Matters

Nil

# AGENDA ITEMS

## 1. WHAKARIRE REVETMENT - FUNDING DECISION

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	911279
<i>Reporting Officer/s &amp; Unit:</i>	Jon Kingsford, Director Infrastructure Services

### 1.1 Purpose of Report

The purpose of this report is to:

- Update Council on recent engagement undertaken in relation to the Whakarire Avenue Revetment project
- Obtain approval to proceed with the project; and
- Confirm direction from Council on the balance on the public / private funding split for the project.

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### At the Meeting

The Director Infrastructure Services spoke to the most recent consultation with residents on the current funding proposal.

There have been changes in the expected total cost of the project both due to changes in scope and also increases in construction costs over the time taken to work through the funding structure.

Following questions from councillors the Director provided background to the project and outlined the impacts should it be decided not to go ahead with the work. The Director also spoke to the interaction between this work and the extensive assessment and initiatives for coastal hazards management being led by the Clifton to Tangoio Coastal Hazards Joint Committee.

Treatment of stormwater and some landscaping options to maintain some privacy for the properties, forming a type of 'buffer zone', have been looked at. Some brief discussion took place in relation to the resident not in support of the proposal, noting their concerns.

**ACTION:** "Local Purpose Reserve" to be defined

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<b>Council resolution</b>	<u>Councillors Tapine / Simpson</u>
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That Council:

- a. Note the change in scope of the project to now include stormwater conveyance, landscaping and third party supervision.
  - b. Resolve to proceed with the project.
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- c. Approve the updated project Cost Estimate that now includes additional items, including landscaping, stormwater conveyance and third party supervision and to fund the additional cost from loans.
  - d. Approve the private contribution to be held at the same amount as per the 2019/20 consultation, resulting in a change to the public/private split to 2.5% private/ 97.5% public.
  - e. Note that Council have committed to further consultation with residents of Whakarire Avenue to development a landscaping plan and that this will be undertaken as the project commences.

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Carried

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## 2. CIVIC PRECINCT PROJECT STEERING GROUP

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	908302
<i>Reporting Officer/s &amp; Unit:</i>	Richard Munneke, Director City Strategy

### 2.1 Purpose of Report

The purpose of the report is to update Council on the process, recommendations and decisions made to date on the Council Civic offices, Hotel development, and new Napier Library. The report also seeks endorsement for the formation of a Steering Group to support the project's next steps through the development of a civic precinct masterplan.

### At the Meeting

The Director City Strategy spoke to the report, noting that it is a once in a generation project for Napier, and outlining in brief each of the component parts of the project. It was noted that there may be some impacts from COVID-19 on the original master planning, for example in relation to any possible hotel development, which will be worked through.

### Council resolution

Dep. Mayor Brosnan / Councillor Mawson

That Council:

- a. Receive and accept in principle the recommendation from the Library site project steering group to pursue the development of the library on the Station Street site.
- b. Endorse the formation of a Civic Precinct Steering Group.
- c. Endorse the Civic Precinct Steering Group Terms of Reference.
- d. Note that the Civic Precinct Steering Group will undertake comprehensive master planning for the Civic Precinct including any important linkages beyond that site, keeping Council informed ahead of specific recommendations to Council on the master planning.
- e. Note that the Civic Precinct Steering Group will recommend key consultation steps to Council for the project
- f. Note the annual plan will include the preferred site for the library, and that any feedback on this through the annual plan can be forwarded to the Civic Precinct Steering Group for consideration in the master plan development
- g. Resolve that the time capsule and mural relating to the civic building be housed in temporary storage prior to demolition of the old civic site.

Carried

### 3. MAREWA SHOPPING CENTRE - TRANSPORT SAFETY IMPROVEMENTS

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*Type of Report:* Operational

*Legal Reference:* Traffic Regulations

*Document ID:* 909468

*Reporting Officer/s & Unit:* Robin Malley, Team Leader Transportation

#### 3.1 Purpose of Report

To inform Council of the process followed and progress towards a design for the Marewa Shops Safety Improvement project.

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#### At the Meeting

The Team Leader Transportation spoke to the report, noting the level of interest in the project from the community, and the importance of introducing safety measures to look after pedestrians and help reduce vehicle collisions.

The extended roundabout design will allow current movements to continue, although some slowing of through traffic will occur. Only one carpark has been lost in the process, with significant improvements through pedestrian crossings and traffic calming now proposed.

*Cr Mawson briefly left the meeting at 11.13am*

Following questions from councillors it was affirmed that it is anticipated that there will be no impacts on shops being able to operate during the works. The Team Leader also noted that they have been liaising with NZTA in relation to works that agency will be undertaking next year to ensure that it is integrated well with this project.

No additional risk has been created for emergency service access and for those pulling out of the way of these vehicles. The bus stop and shelter are intended to be brought as close to the northern crossing as possible.

*Cr Crown briefly left the meeting at 11.24am*

A brief discussion on the possible consultation process was had; the design and consultation can be started fairly quickly. It is anticipated that work could start just after Christmas, depending on any unexpected adjustments from COVID-19 management restrictions.

#### Council resolution

Councillors McGrath / Boag

That Council:

- a. Note the intent of the project is to improve safety for road users, particularly vulnerable road users.
  - b. Note that further engagement is planned, particularly a more targeted engagement with stakeholders to ensure that construction has a minimal impact on the vibrancy of the area.
  - c. Note that a communications and engagement strategy will be developed following approval of proposed changes.
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- d. Approve the proposed changes to the Kennedy Road/Douglas McLean Avenue and Kennedy Road/Nuffield Avenue/Wilding Avenue intersections and separation of the Marewa Shops parking lane.

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Carried

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#### 4. QUARTERLY REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2019

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<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	895738
<i>Reporting Officer/s &amp; Unit:</i>	Caroline Thomson, Chief Financial Officer

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##### 4.1 Purpose of Report

To consider the Quarterly Report for the six months ended 31 December 2019.

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##### At the Meeting

The Chief Financial Officer spoke to the report, touching on the variables which have contributed to the current surplus. The favourable variances were partially offset by unfavourable variances in the same period, including unfunded costs for the Aquarium business case, some legal costs and other operating costs.

It was recognised that there will be impacts seen in the next quarter from the COVID-19 response.

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<b>Council resolution</b>	<u>Mayor Wise / Councillor Chrystal</u>
	That Council:
	a. Receive the Quarterly Report for the six months ended 31 December 2019.
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	Carried

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## 5. DISTRICT PLAN REVIEW - PANDORA INDUSTRIAL AREA REZONING OPTIONS

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	910369
<i>Reporting Officer/s &amp; Unit:</i>	Catherine Reaburn, Senior Policy Planner

### 5.1 Purpose of Report

To obtain endorsement from Council to proceed with further analysis and stakeholder engagement on a potential Stormwater Overlay for the full Pandora Industrial Area; and relaxation of the existing Mixed Use Zone at Pandora (for the land between Pandora Road, Humber Street and Thames Street). No change in zoning for the existing Industrial zone is currently proposed.

### At the Meeting

The Team Leader Policy Planning spoke to the report, noting that the Pandora area has been identified as a key strategic area which has a number of different ambitions associated with it. As Council is a large land owner in the area, assessment for potential rezoning was undertaken by an independent to manage any potential conflict of interest.

Following questions from councillors the Team Leader spoke to discussions underway in relation to a stormwater overlay to be included in the District Plan, which would work hand in hand with the Stormwater Bylaw by managing consenting and discharges at the time of site development.

**ACTION:** The District Team will ensure that Māori engagement is as inclusive as possible, liaising with all appropriate groups.

### Council resolution

Councillor Tapine / Dep. Mayor Brosnan

That Council:

- a. Endorse officers to proceed with further analysis and stakeholder engagement on Option 4: Stormwater Overlay and relaxation of existing Mixed Use Zone; and
- b. To request officers to report the conclusions of the further analysis and stakeholder engagement for Council's consideration prior to adopting a policy position for the draft District Plan release in November 2020

Carried

The meeting adjourned for a short break at 12noon, reconvening at 12.17pm

## 6. DISTRICT PLAN REVIEW - RECOMMENDED POLICY APPROACH FOR STAKEHOLDER ENGAGEMENT

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<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	909359
<i>Reporting Officer/s &amp; Unit:</i>	Dean Moriarity, Team Leader Policy Planning

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### 6.1 Purpose of Report

The purpose of this report is to:

- a. Follow up on the recent series of seminars held with Council between 17th December 2019 – 5th March 2020 regarding the review of the District Plan; and
- b. for Council to approve 'in principle' the recommended policy approach for specific work streams so that officers can undertake engagement with key stakeholders.

The emphasis at this stage has been to identify landowners who may be affected by provisions potentially impacting on their property rights for issues involving a public good component. This includes provisions on landscapes, historic heritage, biodiversity, and new growth options in the hills. We have initiated engagement with these people in order to capture their views and opinions prior to preparation and release of a Draft District Plan.

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### At the Meeting

The Team Leader Policy Planning spoke to the report noting that there will be adjustments required in recognition of the impacts of COVID-19.

Early consideration and discussion in relation to a possible review of the Heretaunga Plains Urban Development Strategy (HPUDS) is already underway, noting that there has been a lot of national policy development that would also impact on it. It was noted that Hastings District Council have also indicated an interest in reviewing the current strategy.

Page 195 of the agenda lists historic character areas, the definition of which is made at a national level. Independent historic experts have been engaged to assess Napier's structures to identify cohesive areas that present the most representative examples of architecture as a "Snapshot" in time.

While COVID-19 has impacted on consultation processes, there will be future opportunities for people to engage. It was noted that the District Plan has an extensive time frame which will outlast even COVID, and good future planning for a strong community always underpins the process. However there is opportunity for Council to review the City Vision document if required, to give indications of any desired changes in response to the impacts of COVID-19.

**ACTION:** District Plan Team to advise which street are included in the Napier South character area.

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Councillors Mawson / Simpson

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That Council:

- a. Endorse 'in principle' the recommended policy approach outlined in **Appendix A** for specific work streams involving a public good component **Council resolution** in order to engage with key stakeholders prior to preparing a Draft District Plan; and
- b. To request officers to report on the conclusions of the stakeholder engagement for Council's consideration, prior to adopting a policy position for the draft District Plan release in November 2020.

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Carried

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## 7. COASTAL HAZARDS STRATEGY - UPDATE FROM THE FEBRUARY JOINT COMMITTEE MEETING

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	911663
<i>Reporting Officer/s &amp; Unit:</i>	Dean Moriarity, Team Leader Policy Planning

### 7.1 Purpose of Report

To update Councillors on progress of Stage 4 of the Coastal Hazards Strategy and for Council to adopt the Terms of Reference for the Joint Committee for the next triennium.

#### At the Meeting

The Team Leader Policy Planning spoke to the report, noting that the Strategy was initiated in 2014. Discussions in relation to the contributory fund are now underway, and reporting back through the partner Councils will increase to ensure that all parties are aware of the conversations underway.

A workshop with all councils was intended for early March but had to be postponed.

**ACTION:** It was proposed that a workshop be arranged to discuss Napier's position on the contributory fund prior to the rearrangement of the joint workshop.

#### Council resolution

Dep. Mayor Brosnan / Councillor Wright

That Council:

- a. Note the information contained in the meeting notes from the Coastal Hazards Strategy Joint Committee meeting held 4 February 2020
- b. Adopt the Terms of Reference as recommended by the Coastal Hazards Strategy Joint Committee on the meeting held 4 February 2020

Carried

## 8. OFFSITE KIWI FACILITY LEASE

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	904314
<i>Reporting Officer/s &amp; Unit:</i>	Rachel Haydon, General Manager, National Aquarium of New Zealand

### 8.1 Purpose of Report

This report is to provide Council with the proposed conditions of a lease between the Napier City Council and Kiwis for Kiwi, so the progression of a lease agreement can be made to occupy and operate the Offsite Kiwi Facility.

#### At the Meeting

The General Manager, National Aquarium of New Zealand spoke to the report noting the challenges to resourcing support of the kiwi breeding seasons, which can be quite a large part of the year. There would be significant benefits to the proposed arrangement with Kiwis for Kiwi both in terms of cost savings and also training and development opportunities for staff.

There may be some adjustments to the timing of any 'move in' of Kiwis for Kiwi, although the potential impacts of COVID-19 on this are as yet unknown.

Some discussion took place as to the level of interaction Council would maintain with the site and the existing birds over the lease. Some specific chattels are included in the lease; they will be maintained by Kiwis for Kiwi during the term of the lease and returned to Council.

Some discussion took place as to how costs could be reduced or mitigated in light of the impacts of COVID-19, for example by undertaking maintenance internally.

#### Council resolution

Councillors Mawson / Wright

That Council:

- a. Approve in principle (including key proposed lease conditions) the leasing of part of the Offsite Kiwi facility to a third party operator, Kiwis for Kiwi.
- b. Note that a draft lease will come back to Council for approval pursuant to the Reserves Act 1977.

Carried

*The General Manager, National Aquarium of New Zealand left the meeting at 1.05pm*

## 9. LANDFILL LEVY PROPOSAL - INTERIM SUBMISSION TO MINISTRY FOR THE ENVIRONMENT

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	911306
<i>Reporting Officer/s &amp; Unit:</i>	Cameron Burton, Manager Environmental Solutions

### 9.1 Purpose of Report

To advise Council of an Interim Submission made to the Ministry for the Environment regarding proposed changes to the Landfill Levy and to seek Council's endorsement or amendment to the Interim Submission.

#### At the Meeting

The Manager Environmental Solutions spoke to the report, noting the challenges regarding the timing of the submission period which led to the Interim Submission being prepared.

The Ministry's proposal was supported, but the policy writers were challenged to consider the variety of implications including on enforcement as well as the community well-beings.

Some discussion took place as to how potential cost increases for people following the rules could be addressed, noting that this was raised to the Ministry as a likely issue.

<b>Council resolution</b>	<u>Councillors Chrystal / Crown</u>
	That Council:
	a. Endorse the interim submission to the Ministry for the Environment.
	<u>Carried</u>

## 10. INDOOR SPORTS WORKING GROUP

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*Type of Report:* Operational

*Legal Reference:* N/A

*Document ID:* 907642

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

### 10.1 Purpose of Report

The purpose of this report is to recommend the formation of an Indoor Sports Working Group to investigate the provision of more indoor court space in Napier.

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#### At the Meeting

The Manager Sport and Recreation spoke to the report, noting that there is a substitute motion proposed by Cr Price and seconded by Cr Taylor which is intended to allow the work to progress, as it is already funded.

The intention of the Working Group is to investigate opportunities to create more court space for Napier, alongside the Regional Indoor Sports and Events Centre Trust (RISEC) and the Pettigrew Green Arena (PGA) Trust Board.

*Cr Mawson left the meeting briefly at 1.19pm*

It was noted that it will be important to be clear where any operating costs will land, so that the general rate payer is not unintentionally penalised. Any funding decisions will be brought back to Council.

#### Officer's Recommendation

That Council:

- a. Approve the formation of the Indoor Sports Working Group including the establishment a terms of reference.

#### Substitute Motion Councillors Price / Taylor

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##### Council resolution

That Council:

- a. Approve the formation of an indoor sports working group
- b. Appoint: Councillors Price (chair), Boag, Mawson and Taylor. Jon Kingsford, Glen Lucas, Dan Rodden (PGA) and Ryan Hambleton (Sport Hawke's Bay)
- c. Delegate the formation of a terms of reference to the working group, to be provided back to council.

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Carried

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## 11. LEASE OF RESERVE - THE SCOUT ASSOCIATION OF NEW ZEALAND

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*Type of Report:* Legal

*Legal Reference:* Reserves Act 1977

*Document ID:* 901760

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

### 11.1 Purpose of Report

To obtain Council approval to grant a new ground lease the Scout Association of New Zealand at Meeanee Quay for ten years with one right of renewal.

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### At the Meeting

The Manager Property spoke briefly to the report, noting that Council is acting under delegation from the Department of Conservation in this decision.

It was noted that the Sea Scouts are a very active community group; they do not have exclusive use of the land adjacent to the building leased and work in with other sporting groups. The building is leased out to other groups where possible.

### Council resolution

Councillors Browne / Boag

That Council:

- a. Agree to enter into a ground lease pursuant to Section 61(2A) of the Reserves Act 1977 with the Scout Association of New Zealand for the land at 808B Meeanee Quay, Westshore for ten years with one right of renewal.

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Carried

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## 12. CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE DRAFT MINUTES - 23 MARCH 2020

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	916587
<i>Reporting Officer/s &amp; Unit:</i>	Cheree Ball, Governance Advisor

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### 12.1 Purpose of Report

To receive the draft minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 23 March 2020.

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### At the Meeting

The Mayor noted that the Prime Minister's announcement that the country was moving into Alert 3 and shortly into Alert 4 was made during this meeting. The regional response was initiated extremely quickly and has been acknowledged at a national level.

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<b>Council resolution</b>	Mayor Wise / Councillor Taylor
	That Council:
	a. Receive the draft minutes of the Civil Defence Emergency Management Group Joint Committee meeting held on 23 March 2020.
	Carried

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# PUBLIC EXCLUDED ITEMS

## Council resolution

Councillors Price / Boag

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

Carried

## Agenda Items

1. Funding approval

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. Funding approval	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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The meeting moved into committee at 1.39pm

It was agreed that the decision in relation to the Public Excluded Item "Funding Approval" be released into the open minutes.

## 1. FUNDING APPROVAL

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**Substitute Motion** Councillors Boag / Wright

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**Council  
resolution**

That Council:

- a. Approve \$450,000 from Parklands being the balance to complete the Detailed Business case for the National Aquarium of New Zealand, now that confirmation of funding from the Provincial Growth Fund was not successful.
- b. Note that decision points remain to be made in relation to the future of the National Aquarium of New Zealand following the implications of COVID-19 and the uncertain future of the Detailed Business case.
- c. Direct Officers to release the decision into the public minutes.

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Carried

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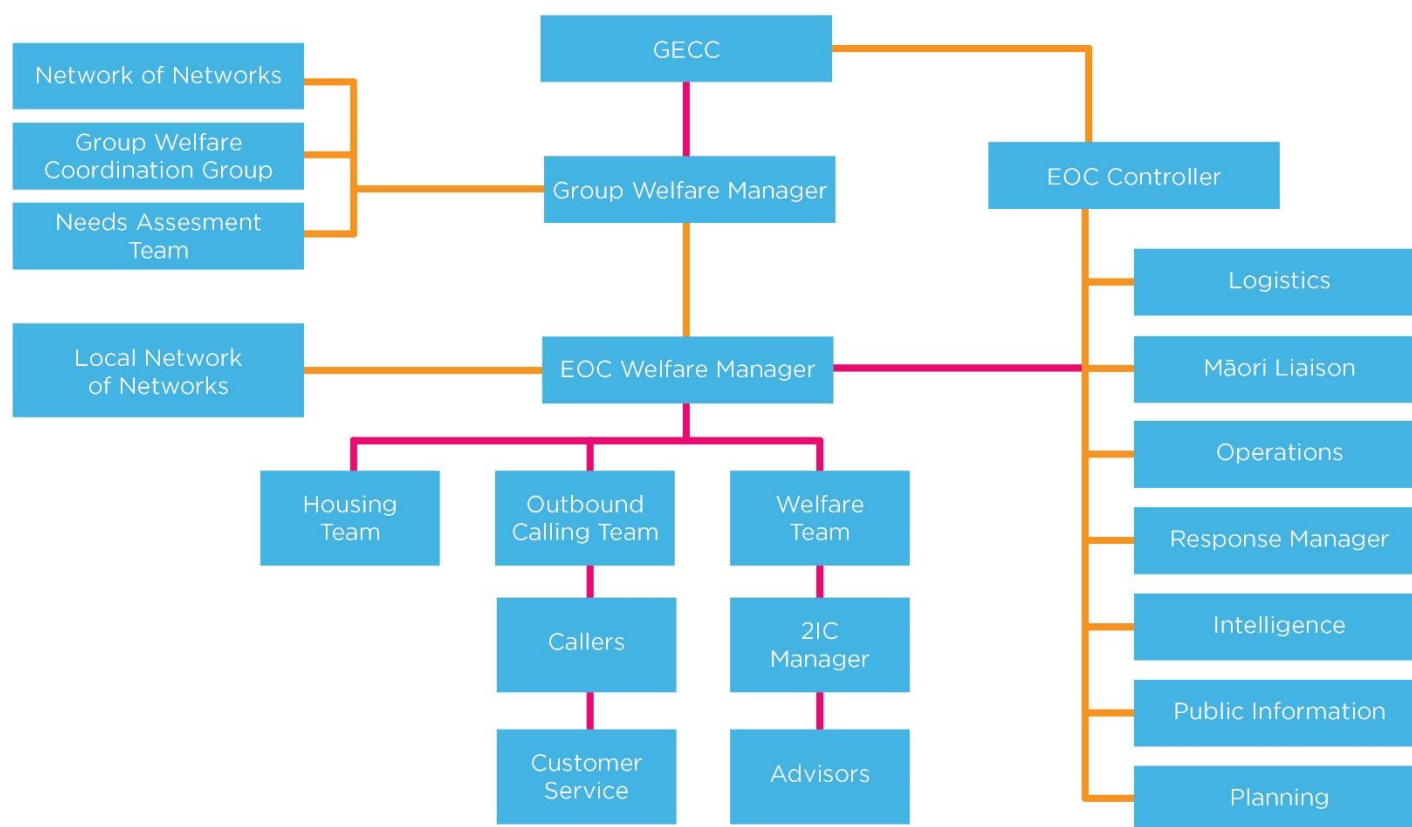
Approved and adopted as a true and accurate record of the meeting.

Chairperson .....

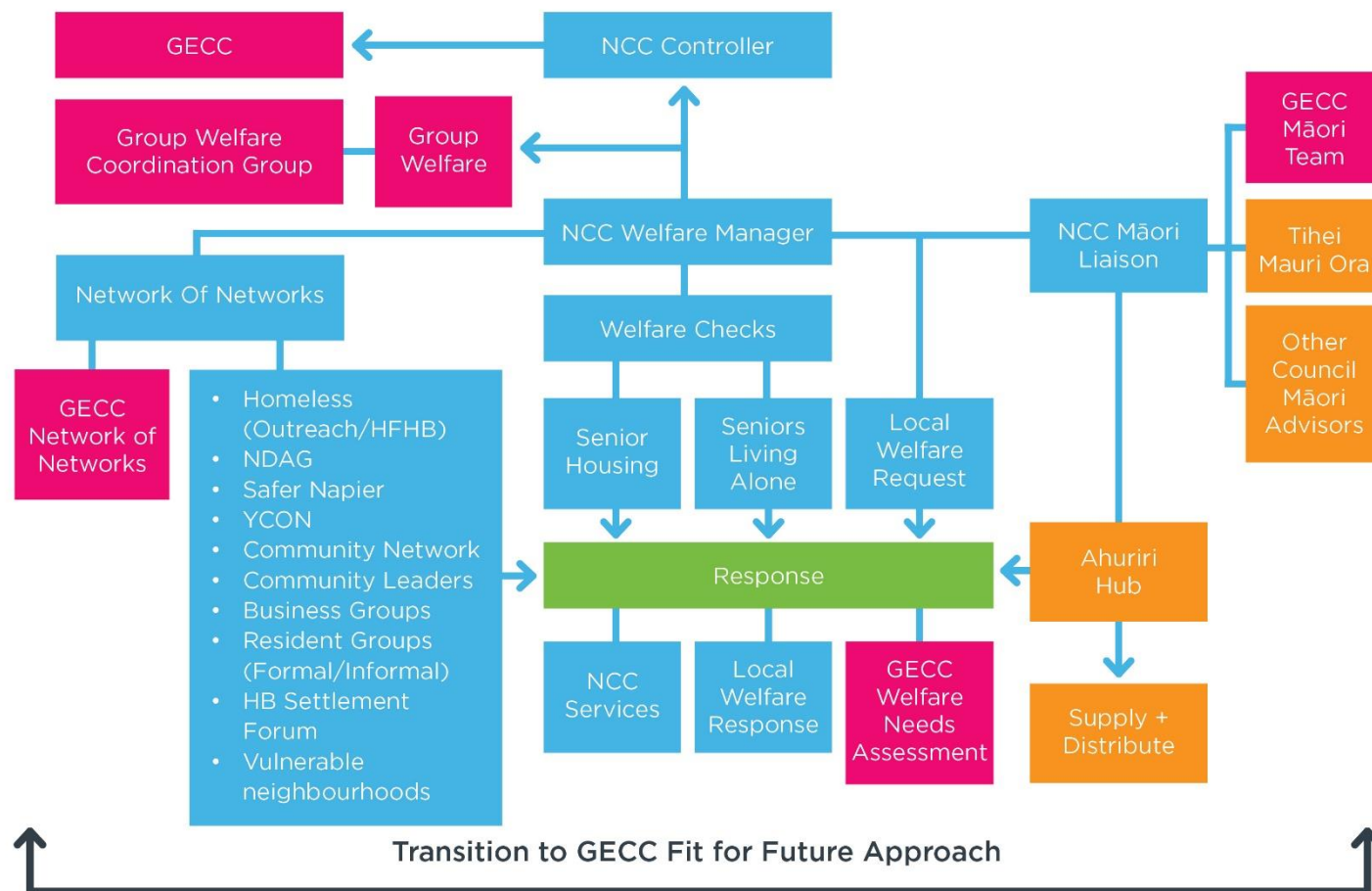
Date of approval .....

## Appendix One – Welfare

# Welfare Structure



# Napier Welfare Response



## Appendix Two – Recovery

