



# ORDINARY MEETING OF COUNCIL

## Open Minutes

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Meeting Date: Thursday 16 July 2020

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Time: 10.00am – 11.31am

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Venue Large Exhibition Hall  
Napier War Memorial Centre  
Marine Parade  
Napier

Zoom livestreamed to Council's Facebook page

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Present Deputy Mayor Brosnan (In the Chair), Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor

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In Attendance Interim Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Manager Communications and Marketing  
Chief Financial Officer  
Investments and Funding Manager  
Community Strategies Manager  
Manager Building Consents  
Manager Property  
Team Leader Transportation  
Team Leader, Planning and Compliance  
Procurement Lead  
Community Funding Advisor

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Administration Governance Team

## Apologies

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### Council resolution

Councillors Taylor / Browne

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That the apologies from Mayor Wise and Councillor Wright be accepted.

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Carried

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## Conflicts of interest

Nil

## Public forum

### Project Prima Volta

A short background to Project Prima Volta was provided, noting that the intention is to help young people to find their voice and provide a performance platform for them.

Project Prima Volta is the 'flagship' programme focussed on providing opportunities for teenagers, and recently a new junior programme was initiated to provide similar opportunities for a younger age cohort. A further initiative is called 'PPV Lab', where an educator works in schools both demonstrating the pedagogy and training the teachers.

The team continued to offer what they could during lockdown but attendees learned throughout the experience how important singing together is to them.

The team have expanded their thinking about community options that they could offer, and are planning to partner with the Napier Civic Choir and the Symphonic Orchestra to offer a Christmas concert. The opportunity to participate in such a large event can be transformative for many young people.

The team would appreciate Council's support through subsidised tickets and provision of venue related costs, allowing the community to attend without cost being a barrier.

In response to questions from Councillors it was clarified that

- The concert is intended to be indoors, ideally at the Municipal Theatre. The Theatre would also be required for rehearsals, meaning two non-consecutive evenings in the week before the concert.
- Tickets would need to be used to help manage numbers in the venue, and are intended to be circulated in an equitable way.
- Young people join the programme via PPV Lab, dropping flyers into school and advertising via Facebook.
- An application made to the Creative Communities Committee would mean that the team cannot apply for other Creative NZ Grants, and an submission has not been made to the Annual Plan process.

## Announcements by the Chair

Nil

## Minor Matters

Update on Marewa toilet block

## Announcements by the management

### Cemetery Plots

During Covid-19 lockdown, Council resolved to stop the pre-sale of cemetery plots. As there is no current pressures from COVID, and a new part of the cemetery is now open, the team feel comfortable removing this requirement. It can be reassessed if things change.

**ACTION** Governance will confirm the wording of the original resolution and if a specific resolution is required to overturn the existing decision this will be facilitated.

## Confirmation of minutes

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### Council resolution

Councillors Simpson / Price

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That the Draft Minutes of the Ordinary meeting held on 4 June 2020 be confirmed as a true and accurate record of the meeting.

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Carried

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### Council resolution

Councillors Simpson / Price

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That the Draft Minutes of the Extraordinary meeting held on 11 June 2020 be confirmed as a true and accurate record of the meeting.

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Carried

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## Point of Order

A point of order was raised as to why the four reports brought through as new reports rather than being double debated at committee level.

Two of the reports were impacted by timing, and two are governance related which are typically brought direct to Council.

# AGENDA ITEMS

## 1. PROCUREMENT STRATEGY FOR TRANSPORTATION PROJECTS

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<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	937168
<i>Reporting Officer/s &amp; Unit:</i>	Sharon O'Toole, Procurement Lead Robin Malley, Team Leader Transportation

### 1.1 Purpose of Report

To approve the Napier City Council Procurement Strategy for transportation projects.

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#### At the Meeting

The Team Leader Transportation spoke briefly to reasons why this report has been brought directly to Council, including constraints in timing set by NZTA.

The Procurement Lead spoke to the report providing a brief overview of the focus for the strategy. The strategy is one part of a larger piece of work.

In response to questions from councillors it was clarified that:

- The structure and content are set by an external party, and while there is a small amount of latitude the requirements are largely prescriptive.
- The requirements do mean the document is not purely strategic but also includes a lot of procedural matters.
- The transportation requirements within the broader strategy are to be reviewed within 12 months
- Remove references to LTCCP which is an out of date term for Long Term Plans
- The standard maximum contract period is 5 years but many organisations have longer periods in place. There would be the option to extend the period if desired.
- The Agency was very complimentary about what Council has submitted and are very comfortable with how Council is intending to progress.

#### Council resolution

Councillors Price / Simpson

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That Council:

- a. Approves the Transportation Procurement Strategy
- b. Notes the development of the Napier City Council Procurement Strategy, of which the Transportation Procurement Strategy will be a component.

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Carried

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## 2. MĀORI COMMITTEE MEETING 'MECHANICS'

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	942710
<i>Reporting Officer/s &amp; Unit:</i>	Devorah Nícuarta-Smith, Team Leader Governance

### 2.1 Purpose of Report

To present a proposal to re-integrate the Māori Committee into the six-weekly meeting cycle of Council.

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#### At the meeting

The Interim Chief Executive spoke briefly to the report, providing the background to this matter being brought to Council. The report is the culmination of a series of conversations with the Māori Committee over the last couple of months and is intended to re-integrate the Committee into the six weekly meeting cycle as part of Council's double debate process, but in a more meaningful way than they participated in this cycle over the last three-year term. Following informal circulation where the proposal was positively received, the report was formally considered by the Māori Committee at the most recent hui where it was endorsed and the recommendation affirmed.

As a governance related topic, the report has then been brought direct to Council as is standard practice with these matters.

The Team Leader Governance spoke to the report, noting that the intent is to provide meaningful space and weight to the voice of the Māori Committee. In the last triennium information came to the Committee too late, or bypassed the Committee altogether (for example where a Decision of Council was taken at a Standing Committee).

In response to questions from councillors it was clarified that:

- The proposal is not intended to override standing orders or the terms of reference of standing committees in relation to Decisions of Council. However Decisions of Council both bypass the double debate process which councillors see as a particularly strength and mean the Māori Committee lose their opportunity to consider and provide recommendations on the item in question, so the officers' recommendation reflects that they are undesirable for several reasons.
  - Where the timing of a decision is significant, extraordinary meetings are another tool that can be used to facilitate this.
  - Internal changes have been implemented to support business units to plan better for upcoming reporting to Council. It is anticipated that 'last minute' matters will be driven by external time frames rather than internal ones.
  - The Māori Committee receives both new reports directly and standing committee reports. If this proposal is approved they will receive all standing committee reports.
  - The recommendations of the Māori Committee on any report taken directly to that Committee would be pulled into a Council agenda in the same way that those of standing committee are.
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- The proposal allows for the demands of the InfoCouncil functionality as it interacts with the current agenda publication time frames set by the mayor.
  - There will be a time lag between any decision and implementation due to the InfoCouncil functionality, venue and supplier confirmation and the logistics to rearrange the meeting schedule.
  - Māori Committee hui are not currently livestreamed at the decision of the mayor, but this can be revised at any time as required, noting that there is a cost to all filing and livestreaming.
  - Standing committees, the Māori Committee and Council are all able to lay items on the table if required.
  - Councillors are welcome to attend Māori Committee hui and it will be confirmed that the invitations have been forwarded to the group.
  - This has been a timely opportunity to review the meeting cycle and report production timing as a whole. Available appropriate venues will also be required to be confirmed for meetings and workshops.

Councillors advised that they would prefer to consider the matter through a workshop prior to making a decision.

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**LAI** ON THE  
**TABLE**

**Officer's Recommendation**

That Council:

- a. Director Officers to re-integrate the Māori Committee into the six-weekly meeting cycle alongside the standing committees, including implementing the processes and system updates required to complete this change
- b. Note the following in relation to the update:
  - i. There will be changes in the timing of standing committees within the six weekly cycle to allow for the re-integration to take place
  - ii. Māori Committee members will be invited to all Council workshops
  - iii. Decisions of Council will no longer be taken at standing committees
  - iv. The Māori Committee will be able to lay items on the table, as are standing committees; a process is under development to clarify how any such items will be treated in the upcoming meeting cycle
  - v. The InfoCouncil functionality to allow for the flow of information through the standing and Māori committees to Council requires reactivation and there may be some time lag in the update due to the complexity of this process

**New Motion**

Councillors Boag / Price

**Council  
resolution**

That Council:

- a. Lay this report and recommendations on the table in order for Council to consider the intent and implication of the report at a Council workshop to which the Māori Committee are invited.

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Carried

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### 3. LOCAL GOVERNANCE STATEMENT UPDATES

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*Type of Report:* Operational

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 942687

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

#### 3.1 Purpose of Report

To highlight updates made to the Local Governance Statement since 12 March 2020, including adjustments in the Governance Structure which require adoption by Council.

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#### At the meeting

An updated Officers' Recommendation was tabled incorporating greater clarity in relation to the remuneration of Māori Committee members.

The Team Leader Governance spoke to the report, providing a brief overview of the updates that have been made to the Local Governance Statement since it was originally received by Council on 12 March 2020.

In responses to questions from councillors it was clarified that:

- The proposal to remunerate Māori Committee members \$200 gross per half day attended of discretionary workshops is based on a total of \$400 gross per day.
- The half day 'blocks' are 8am to 12 noon and 1pm – 5pm regardless of the number of individual blocks in any block.
- The Remuneration Authority's mandate is to set the total remuneration for mayors and a remuneration pool which must be spent across all other councillors. Any remuneration for appointed members is an internal decision to a council.
- Appointed members in other committees (such as the Audit and Risk Committee and Grants Sub-Committee) are also remunerated. The Grants Sub-Committee members are also paid per meeting and the rate was increased by Council resolution at the same time as the triennial increase to the Māori Committee rate in late 2019.

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#### Council resolution

Councillors Boag / Browne

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That Council:

- a. Endorse the mayor's proposed updates to the councillor portfolios
    - i. Cr Ronda Chrystal – Tourism/ Council Facilities
    - ii. Cr Richard McGrath – Child Friendly City, City Services
    - iii. Cr Sally Crown – Economic Development
  - b. Endorse the appointment of Cr Ronda Chrystal as a further councillor representative on the Arts Advisory Panel
  - c. Note the additional information to the Hearings Committee Terms of Reference regarding consideration of tenders
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- d. Note the external appointment correction from Sports Hawke's Bay to Sports Council
  - e. Note the overt recognition of the status of te Tiriti o Waitangi as requested by Council at its meeting on 12 March 2020
  - f. Note the inclusion of information on Napier' Sister Cities as requested by Council at its meeting on 12 March 2020
  - g. Endorse the increase in remuneration for the Māori Committee Chair to \$600 gross per attended Māori Committee meeting or workshop, with appropriate back payment to be made to the first meeting chaired
  - h. Note that Māori Committee members are now paid for all Māori Committee meetings and workshops attended where previously remuneration was only for Māori Committee meetings
  - i. Note that all Māori Committee members (including the Chair) will be remunerated for attending any discretionary workshops of Council at a rate of \$200 gross per half day
  - j. Note that the Terms of Reference for the Māori Committee continues to be a work in progress with the members of that Committee, and a further update to the governance structure and Local Governance Statement will ensue

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Carried

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#### 4. NEW YEARS EVE FUNDING 2020-2021

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 939253

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*Reporting Officer/s & Unit:* Belinda McLeod, Community Funding Advisor

##### 4.1 Purpose of Report

To seek approval to apply for external funding to support the 2020/21 New Year's Event.

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##### At the meeting

The Community Funding Advisor spoke to the report noting that the COVID-19 response has created some uncertainty around availability of funding.

In response to questions from councillors:

- The event uses as many local artists as possible and it is anticipated that this approach would continue

**ACTION** Next year as the New Year's Event is on a set date this report must come through to the community focussed committee (currently Napier People and Places Committee).

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**Council resolution** Councillors McGrath / Mawson

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That Council:

- a. Approve the applications to external funders for the 2020/21 New Year's Eve Event.

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Carried

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# REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

## REPORTS FROM AUDIT AND RISK COMMITTEE HELD 12 JUNE 2020

### 1. WASTEWATER OUTFALL REPORT

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*Type of Report:* Legal and Operational

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*Legal Reference:* Resource Management Act 1991

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*Document ID:* 933764

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*Reporting Officer/s & Unit:* Catherine Bayly, Manager Asset Strategy  
Cameron Burton, Manager Environmental Solutions

#### 1.1 Purpose of Report

To provide the Audit and Risk Committee with an update on the Wastewater Outfall, noting a similar report has gone to Council to:

- inform Council of an update to the status of the Awatoto Submarine Wastewater Outfall which conveys treated wastewater to the Pacific Ocean, and to;
- enable decisions to be made to bring forward funding for an expedited repair, renewal or replacement of the outfall structure.

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#### At the meeting

There was no discussion on this item.

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#### Council resolution

Councillors Simpson / Taylor

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That Council:

- a. Note the current status of the submarine wastewater outfall:
    - i. There remains some seepage of wastewater from sealing gaskets which form part of a bespoke fibreglass joint section of the subsurface outfall pipe structure;
    - ii. Despite efforts, staff have not been able to identify a way to quickly fix this seepage without putting the fibreglass joint at risk of rupturing;
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- iii. That frequent testing of the coastal waters surrounding the area of seepage continues to show de minimus environmental effect of those waters, caused by this seepage;
  - iv. That Hawkes Bay Regional Council (HBRC) have recently indicated (on 25 March 2020) that Council must take the following actions:
    - 1) Undertake short-term repairs to mitigate the leak from the joint leak by 30 October 2020
    - 2) Provide long-term options for repairing the joint in the outfall pipe by the same date (30 October 2020)
  - v. That HBRC have informally notified Council of their intention to pursue enforcement action against Napier City Council to cease the discharge at the joint if the timeframes above are not met.
  - vi. That a further leak has been discovered within 100m of the fibreglass joint. Divers have been to the site with the aim to repair and have found that this is an old repair that has been damaged by an anchor, or other, and will need an additional repair.
  - vii. Tight timeframes to effect a repair increases the risk associated with delivering a short-term fix, rather than facilitating long-term solutions which will provide better outcomes.
- b. Officers are seeking approval by Council to:
    - i. Seek a variation to the current resource consent to authorise the discharge of wastewater via seepage at a position other than that currently authorised (at the fibreglass joint location);
    - ii. Seek early provision of funding assigned for later financial years in the Long Term Plan (LTP) to enable the strategic and planned replacement of the wastewater outfall, including better treatment options to facilitate a more highly treated wastewater in the future.
  - c. Note that funding to be released from Wastewater Reserves to attempt a fix of the two seepages and to start on investigation works for replacement of the outfall (\$2m has been put forward in the 20/21 Annual Plan).
  - d. Note attempt the lowest risk repair option of the fibreglass joint to address Regional Council's repair timelines.
  - e. Note the Beca Ltd Report entitled "Napier City Council – Wastewater Outfall – Issues and Options" dated 15 May 2020.
  - f. Note the Audit and Risk Committee may request further information in relation to this issue that they may require in order to fully understand the risk to Council and the community if not already provided in the report. This committee has the ability to provide any feedback on the risk assessment based on the preferred options
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presented as part of this paper and/or may any recommendation to Council.

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Carried

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## 2. SUMMARY OF NAPIER WATER SAFETY PLAN'S RISKS

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 933756

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*Reporting Officer/s & Unit:* Catherine Bayly, Manager Asset Strategy

### 2.1 Purpose of Report

Purpose of this report is to bring 'high' and 'very high' risks as identified in NCC's current version of Water Safety Plan (v4.3, updated August 2019) to Audit and Risk Committee attention and for Committee to acknowledge those risks.

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### At the meeting

There was no discussion on this item.

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**Council resolution** Councillors Simpson / Taylor

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The Audit and Risk Committee:

- a. Endorse the report.
  - b. Note the risks identified.
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Carried

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### 3. HEALTH AND SAFETY REPORT

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 933568

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

#### 3.1 Purpose of Report

The purpose of the report is to provide the Audit and Risk Committee with an overview of the health and safety performance as at 30 April 2020.

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#### At the meeting

There was no discussion on this item.

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**Council resolution** Councillors Simpson / Taylor

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The Audit and Risk Committee:

- a. Receive the Health and Safety report as at 30 April 2020
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Carried

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## 4. DRAFT ANNUAL PLAN 2020/21

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*Type of Report:* Legal

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 933816

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*Reporting Officer/s & Unit:* Caroline Thomson, Chief Financial Officer  
Adele Henderson, Director Corporate Services  
Jane McLoughlin, Corporate Planner

### 4.1 Purpose of Report

That the Committee review and provide feedback to Council on the Annual Plan 2020/21 underlying financial information prior to the final adoption of the reports.

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### At the meeting

There was no discussion on this item.

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### Council resolution

Councillors Simpson / Taylor

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The Audit and Risk Committee note that they have reviewed and are comfortable with the approach taken by Council in the adoption of the Draft Annual Plan and commend and note that Council has made the following resolutions:

- a. Receive the underlying information as the basis for the Annual Plan 20/21:
    - i. Financial information
    - ii. 10 year revised capital plan
    - iii. Rates remission policy
    - iv. Rates postponement policy
    - v. Statement of Proposal to join LGFA
  - b. Provide feedback to Council by 9 June (via the Director of Corporate Services) to be tabled for consideration by Council at its meeting on 11 June 2020.
  - c. Resolve that the use reserves to fund the one-off shortfall of \$6.74m anticipated in 20/21 is financially prudent and does not impact unfairly on ratepayers in the future.
  - d. Note that the Annual Plan 20/21 does not meet the section 100 (i) balanced budget provision of the Local Government Act, and that Council will be working towards a balanced budget for the LTP.
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- e. Note that Council has notified DIA and Audit NZ that it will not meet the statutory deadline of 30 June 2020 for adoption of the Annual Plan 20/21.
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Carried

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## 5. SENSITIVE EXPENDITURE - MAYOR AND CHIEF EXECUTIVE

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*Type of Report:* Procedural

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*Legal Reference:* N/A

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*Document ID:* 933218

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

### 5.1 Purpose of Report

To provide the information required for the Committee to review Sensitive Expenditure of the Mayor and Chief Executive for compliance with Council's Sensitive Expenditure Policy.

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### At the meeting

There was no discussion on this item.

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### Council resolution

Councillors Simpson / Taylor

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The Audit and Risk Committee:

- a. Receive the report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.

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Carried

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## 6. EXTERNAL ACCOUNTABILITY - INVESTMENT AND DEBT REPORT

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 933511

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*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 30 April 2020.

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### At the meeting

There was no discussion on this item.

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### Council resolution

Councillors Simpson / Taylor

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The Audit and Risk Committee:

- a. Receive the snapshot report on Napier City Council's Investment and Debt as at 30 April 2020.
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Carried

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## 7. RISK MANAGEMENT REPORT JUNE 2020

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	934363
<i>Reporting Officer/s &amp; Unit:</i>	Adele Henderson, Director Corporate Services

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### 7.1 Purpose of Report

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

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### At the meeting

There was no discussion on this item.

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<b>Council resolution</b>	<u>Councillors Simpson / Taylor</u>
	The Audit and Risk Committee:
	a. Note the Risk Management Work being undertaken by Napier City Council staff and management.
	b. Note the current High risks.
	c. Receive the Risk Report dated 29 <sup>th</sup> May 2020
	<hr/> Carried

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# REPORTS FROM FUTURE NAPIER COMMITTEE HELD 18 JUNE 2020

## 1. BUILDING ACT CHANGES

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Building Act 2004
<i>Document ID:</i>	932415
<i>Reporting Officer/s &amp; Unit:</i>	Malcolm Smith, Manager Building Consents

### 1.1 Purpose of Report

To advise the Future Napier Committee on the potential implications on Council from proposed changes to the Building Act exempt work provisions.

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### At the meeting

There was no discussion on this item.

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### Council resolution

Councillors Chrystal / Tapine

The Future Napier Committee:

- a. Note that the proposed changes to the Building Act will have minimal implications for Council.
- b. Direct Officers to explore the possibility of growing the Building Team further to process applications for AlphaOne Councils.

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Carried

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## 2. RESOURCE CONSENT ACTIVITY

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	936789
<i>Reporting Officer/s &amp; Unit:</i>	Paul O'Shaughnessy, Principal Resource Consents Planner

### 2.1 Purpose of Report

This report provides an update on the status of major developments applying for resource consent in Napier.

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### At the meeting

There was no discussion on this item.

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<b>Council resolution</b>	<u>Councillors Chrystal / Tapine</u>
	The Future Napier Committee:
	a. Receives the report.
	<u>Carried</u>

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## REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 2 JULY 2020

### 1. LIBRARY MEMBERSHIP POLICY

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 934519

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*Reporting Officer/s & Unit:* Darran Gillies, Libraries Manager

#### 1.1 Purpose of Report

To define what library membership is, who is entitled to the membership and what the conditions of membership are. The policy should reflect the five objectives of the library strategy; Space for All, Enabling Access, Knowledge Advocacy, Community Collaborator and Sustainable futures.

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#### At the meeting

There was no discussion on this item.

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#### Council resolution

Councillors Boag / Browne

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The Napier People and Places Committee:

- a. Approve the Library Membership Policy
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Carried

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## REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 2 JULY 2020

### 1. LICENCE TO OCCUPY RECREATION RESERVE - SUNDAY MARKET

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*Type of Report:* Operational

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*Legal Reference:* Reserves Act 1977

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*Document ID:* 938617

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

#### 1.1 Purpose of Report

To confirm the granting of a Licence to Occupy to Margaret Habib for the carpark on Marine Parade immediately north of Ocean Spa and an alternative site at Anderson Park if the Marine Parade site is unavailable, for the operation of the Sunday Market for a term of three years.

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#### At the meeting

There was no discussion on this item.

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#### Council resolution

Councillors Taylor / Simpson

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The Prosperous Napier Committee:

- a. Recommend that Council approve the granting of a Licence to Occupy to Margaret Habib for the carpark on Marine Parade immediately north of Ocean Spa and an alternative site at Anderson Park if the Marine Parade site is unavailable, for the operation of the Sunday Market for a term of three years.

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Carried

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## 2. HAWKE'S BAY DISASTER RELIEF TRUST - COUNCIL CONTROLLED ORGANISATION EXEMPTION

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*Type of Report:* Legal and Operational

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 936362

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

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### 2.1 Purpose of Report

To obtain a decision from the Council to exempt the Hawke's Bay Disaster Relief Trust from the requirements imposed on Council Controlled Organisations (CCO) under the Local Government Act 2002 (LGA). The exemption will allow a reduced reporting requirement for the Trust under the LGA.

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### At the meeting

There was no discussion on this item.

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### Council resolution

Councillors Taylor / Simpson

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The Prosperous Napier Committee:

- a. Receive the report titled 'Hawke's Bay Disaster Relief Trust – Council Controlled Organisation Exemption'.
- b. Recommend that Council resolve that as provided for in sections 6 and 7 of the Local Government Act 2002, the Council grants the Hawke's Bay Disaster Relief Trust an exemption from being a Council Controlled Organisation, as defined by section 6 of the Local Government Act 2002 for a period of three years to 30 June 2023.

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Carried

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# REPORTS UNDER DELEGATED AUTHORITY

## 1. DOCUMENTS EXECUTED UNDER SEAL

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	942161
<i>Reporting Officer/s &amp; Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

### 1.1 Purpose of Report

To report on the Documents Executed under Seal for the period 22 February – 26 June 2020.

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### At the meeting

There was no discussion on this item.

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### Council resolution

Councillors Price / Tapine

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That Council:

- a. Receive the report for Documents Executed under Seal for the period 22 February – 26 June 2020.

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Carried

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## 2. TENDERS LET

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	942166
<i>Reporting Officer/s &amp; Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

### 2.1 Purpose of Report

To report the Tenders let under delegated authority for the period 22 February – 26 June 2020.

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#### At the meeting

There was no discussion on this item.

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<b>Council resolution</b>	Councillors Price / Tapine
	That Council:
	a. Receive the Tenders Let for the period 22 February – 26 June 2020.
	Carried

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### 3. RESOURCE CONSENTS

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	942357
<i>Reporting Officer/s &amp; Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

#### 3.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period 22 February – 26 June 2020.

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#### At the meeting

There was no discussion on this item.

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<b>Council resolution</b>	<u>Councillors Price / Tapine</u>
	That Council:
	a. Resolves to receive the report titled 'Resource Consents approved 22 February – 26 June 2020.
	<hr/> Carried

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# MINOR MATTERS

## **Marewa Toilet Block**

The damaged toilet block at Marewa has now been assessed by Council's insurance assessors and will now need to be structurally assessed to determine whether the block can be partially opened to provide some service. Signage is being placed in the areas notifying where the closest open facilities are.

# PUBLIC EXCLUDED ITEMS

**Council resolution**

Councillors Mawson / Crown

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

Carried

## Agenda Items

1. Contract for services
2. Napier Creative Communities Funding June 2020
3. Land Purchase

## Reports from Audit and Risk Committee held 12 June 2020

1. Insurance Update
2. Cybersecurity Strategy
3. Revera Lead Agency IaaS Close Out Report
4. Legal Update

## Reports from Napier People and Places Committee held 2 July 2020

1. Council Projects Fund Application

## Reports from Prosperous Napier Committee held 2 July 2020

1. Bad Debt Write Off
2. Loan Agreement

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

<p>1. Contract for services</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>
<p>2. Napier Creative Communities Funding June 2020</p>	<p>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</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>
<p>3. Land Purchase</p>	<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: (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>

		Information and Meetings Act 1987.
<b>Reports from Audit and Risk Committee held 12 June 2020</b>		
1. Insurance Update	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.
2. Cybersecurity Strategy	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
3. Revera Lead Agency IaaS Close Out Report	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

		Information and Meetings Act 1987.
4. Legal Update	<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>7(2)(g) Maintain legal professional privilege</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:</p> <p>(i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>

#### Reports from Napier People and Places Committee held 2 July 2020

1. Council Projects Fund Application	<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 Information and Meetings Act 1987.</p>
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#### Reports from Prosperous Napier Committee held 2 July 2020

1. Bad Debt Write Off	<p>7(2)(a) Protect the privacy of natural persons, including that of a deceased person</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</p>
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		Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Loan Agreement	<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>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>

The meeting moved into committee at 11.31am then adjourned for a short break.

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

Chairperson .....

Date of approval .....