



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 8 October 2020

Time: 10am – 10.48am

Venue Large Exhibition Hall
Napier War Memorial Centre
Marine Parade
Napier

Livestreamed to Council's Facebook site

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

In Attendance Interim Chief Executive, Director Corporate Services, Director Community Services, Director City Services, Director City Strategy
Youth Council representative
Chief Financial Officer
Manager Community Strategies
Senior Māori Advisor
Investments and Funding Lead
Strategic Planning Lead
Property Manager
Senior Project Manager [from 10.40am]

Administration Governance Team

Karakia

The Senior Māori Advisor opened the proceedings with a karakia

Apologies

Nil

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

The Mayor welcomed the Youth Council representative to the meeting.

The passing of Guy Natusch was reflected on with sadness, noting that over the last few years of his life he received awards recognising his significant voluntary contribution to Napier and the Hawke's Bay. Mr Natusch was also a well-respected architect whose buildings are still important in the Napier landscape today.

Minor Matters

Nil

Announcements by the management

The Chief Executive advised that the item originally brought to Future Napier Committee and the Māori Committee on the Ahuriri Regional Park has been laid on the table until further notice and will not be considered for decision at this meeting.

Confirmation of minutes

Council resolution

Dep. Mayor Brosnan / Councillor Boag

That the Draft Minutes of the Ordinary meeting held on 27 August 2020 be confirmed as a true and accurate record of the meeting.

Carried

Council resolution

Councillors McGrath / Chrystal

That the Draft Minutes of the Extraordinary meeting held on 27 August 2020 be confirmed as a true and accurate record of the meeting.

Carried

**Council
resolution**

Councillor Mawson / Dep. Mayor Brosnan

That the Draft Minutes of the Extraordinary meeting held on 15 September 2020 be confirmed as a true and accurate record of the meeting.

Carried

**Council
resolution**

Councillors Crown / Wright

That the Draft Minutes of the Extraordinary meeting held on 28 September 2020 be confirmed as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. STATEMENT OF PROPOSAL - REVENUE AND FINANCING POLICY

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 959200

Reporting Officer/s & Unit: Garry Hrustinsky, Investment and Funding Manager

1.1 Purpose of Report

The purpose of this report is to progress proposed amendments to the Revenue & Financing Policy, Rating Policy, Rates Remission Policy and Rates Postponement Policy by introducing a Statement of Proposal and consultation plan for Council consideration.

At the Meeting

The Investment and Funding Manager spoke to the report, noting the extensive process followed to bring the policy suite to this point. The policies are now to be taken to the community for feedback; the intended consultation outline and hearings were briefly reviewed.

In response to questions from councillors it was clarified that:

- A web page is being set up where rate payers can enter their address and get an indication of how their property may be affected by the proposed changes.
- The density and broad ranging nature of the consultation information is recognised, and summary documents and explanations in lay terms will be provided.
- The overall aim is about improving consistency and sharing the rates burden more fairly across the city – characteristics of properties had not been compared and aligned with one another from county days, almost 30 years.
- It has been such a large piece of work because it has not been undertaken as intensely in that 30 years, although a first principles review was completed in 2001. Stage 1 of the process was begun by the previous council and the current council has progressed the work to this point where the thoughts of the public will be sought.
- Where parties are considered “significantly affected” this means a change of about 20-25% to the current setting is indicated.

It was noted that the rates remission policy also included in the policy suite contains the option to receive a remission for lower waste.

**Council
resolution**

Councillors Boag / Taylor

That Council:

- a. Note the draft Revenue & Financing Policy, Rating Policy, Rates Remission Policy and Rates Postponement Policy were adopted by Council on 15 September 2020.
- b. Approve the Statement of Proposal amending the Revenue & Financing Policy, Rating Policy, Rates Remission Policy and Rates Postponement Policy.
- c. Approve the Consultation Plan for proposed amendments to the Revenue & Financing Policy, Rating Policy, Rates Remission Policy and Rates Postponement Policy.

Carried

2. UPDATE TO HEARINGS COMMITTEE MEMBERSHIP

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 1247831

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

2.1 Purpose of Report

To request Council approval for the updated membership of the Hearings Committee

At the Meeting

The report was taken as read, with the Mayor noting that it seeks Council's approval for the proposed updates to the Hearings Committee.

Cr Wright was thanked for her service to the Hearings Committee over most of her extensive career as a councillor.

It was confirmed that the Māori representative will undertake the "Making Good Decisions" training required for RMA related panel members and commissioners.

A further update to the Hearings Committee Terms of Reference is to be brought to Council, which will propose to allow the Hearings Committee to appoint commissioners, and it is intended that stronger cultural perspective is included moving forward.

Council resolution

Dep. Mayor Brosnan / Councillor Crown

That Council:

- a. Receive Cr Wright's resignation from the Hearings Committee
- b. Approve the Mayor's proposed nomination of Cr Browne to the Hearings Committee seat vacated by Cr Wright
- c. Approve the additional nomination of Cr Simpson to the Hearings Committee
- d. Approve the additional nomination of a representative of the Māori Committee to the Hearings Committee
- i. Noting that the Māori Committee members will make the selection of the representative from their membership
- e. Note that officers will make any updates required to documentation from the resolutions above

Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 10 SEPTEMBER 2020

1. COMMUNICATION AND ENGAGEMENT STRATEGY - ALL WATERS

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 960322

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

1.1 Purpose of Report

This report provides the Communication and Engagement Strategy which provides a framework for all communication and engagement approaches and activities associated with Council's water programme, both capital and operational for the next two years.

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Crown

That Council:

- a. Approve the All Waters Communication and Engagement Strategy for implementation.

Carried

REPORTS FROM FUTURE NAPIER COMMITTEE HELD 10 SEPTEMBER 2020

1. DISTRICT PLAN REVIEW - POLICY APPROACH OF DRAFT DISTRICT PLAN

Type of Report: Legal and Operational

Legal Reference: Resource Management Act 1991

Document ID: 957626

Reporting Officer/s & Unit: Dean Moriarity, Team Leader Policy Planning

1.1 Purpose of Report

- a. The purpose of this report is to follow up on the recent seminars held with Council between July 20th and August 20th regarding the review of the District Plan; and
- b. For Council to approve the recommended policy approach for specific chapters so that officers can draft plan provisions within an agreed framework.

At the meeting

There was no discussion on this item.

Council resolution Dep. Mayor Brosnan / Councillor Price

That Council:

- a. Endorse the recommended policy approach in the report, for preparing the Draft District Plan for the purposes of undertaking consultation and engagement with the Napier community.
-

Carried

2. TERMS OF REFERENCE FOR AHURIRI REGIONAL PARK WORKING GROUP

This item is laid on the table and was not considered at this meeting.

3. INTERNAL PRACTICE NOTE FOR FINANCIAL CONTRIBUTIONS

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	947060
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Strategic Planning Lead

3.1 Purpose of Report

The purpose of this report is to obtain an endorsement for a new Internal Practice Note to provide guidance to Resource Consent Planners preparing conditions relating to Financial Contributions.

At the meeting

There was no discussion on this item.

Council resolution

Dep. Mayor Brosnan / Councillor Price

That Council:

- a. Endorse the development of an Internal Practice Note for Planners that will provide additional guidance in the assessment and application of Financial Contribution conditions on resource consents applying to residential developments in the city centre.
- b. Note that consideration will be given to other areas of Napier before the final resolution is brought back to Council.

Carried

4. RESOURCE CONSENT ACTIVITY REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	951718
<i>Reporting Officer/s & Unit:</i>	Luke Johnson, Team Leader Planning and Compliance

4.1 Purpose of Report

This report provides an update on recent resource consenting activity. The report is provided for information purposes only, so that there is visibility of major projects and an opportunity for elected members to understand the process.

Applications are assessed by delegation through the Resource Management Act (RMA); it is not intended to have application outcome discussions as part of this paper.

This report only contains information which is lodged with Council and is publicly available.

At the meeting

There was no discussion on this item.

Council resolution	<u>Dep. Mayor Brosnan / Councillor Price</u>
	That Council:
	a. Note the resource consent activity update

Carried

5. UNCONFIRMED MINUTES HAWKE'S BAY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP - 8 JUNE 2020

Type of Report: Operational

Legal Reference: Local Government Official Information and Meetings Act 1987

Document ID: 960285

Reporting Officer/s & Unit: Anna Eady, Personal Assistant to the Mayor

5.1 Purpose of Report

To receive the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group meeting held on 8 June 2020.

At the meeting

There was no discussion on this item.

Council resolution Dep. Mayor Brosnan / Councillor Price

That Council:

- a. Receive the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group meeting held on 8 June 2020.
-

Carried

REPORTS FROM MĀORI COMMITTEE HELD 11 SEPTEMBER 2020

1. FORD ROAD EXTENSION - LAND LEGALISATION

Type of Report: Legal

Legal Reference: Reserves Act 1977

Document ID: 960497

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

1.1 Purpose of Report

To seek confirmation from the Māori Committee that they retrospectively endorse the revocation of reserve status for a small part of a Drainage Reserve where it crosses under the Ford Road Extension in Onekawa.

At the meeting

There was no discussion on this item.

Council resolution Mayor Wise / Dep. Mayor Brosnan

That Council:

- a. Endorse the revocation of Reserve status for Drainage Reserve land as described in the Schedule below, subject to appropriate consultation being undertaken first.

SCHEDULE

Hawkes Bay Land District - Napier City

Area (hectares)	Legal Description	Identifier
0.0588	Section 6 SO Plan 453204	CFR HBV1/660
0.0054	Section 7 SO Plan 453204	Part CFR 209528
0.2343	Section 8 SO Plan 453204	Part CFR HBH2/1500

0.0612	Section 10 SO Plan 453204	Part CFR HBE4/998
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Carried

2. TERMS OF REFERENCE FOR AHURIRI REGIONAL PARK WORKING GROUP

This item is laid on the table and was not considered at this meeting.

3. LEASE OF RESERVE - MAGNET CAFE

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	939800
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

3.1 Purpose of Report

To obtain approval to grant a new Lease for the 'pop-up' style Magnet Café currently operating from a repurposed shipping container on the northern end of the Marine Parade Foreshore Reserve.

At the meeting

There was no discussion on this item.

Council resolution

Mayor Wise / Dep. Mayor Brosnan

That Council:

- a. Recommend that Council agree to grant a new lease, under Section 54(1) (d) of the Reserves Act 1977, for a pop-up café to continue to occupy the northern part of the Marine Parade Foreshore Reserve.
- b. That the initial term of the new lease be for a period of 2 years plus two rights of renewal of 2 years each.
- c. That the placement of outdoor furniture be allowed outside of the leased area but such placement to be approved by Council's Team Leader Parks, Reserves, Sportsgrounds.
- d. That the terms of the lease specify that greywater is disposed of appropriately off-site.

Carried

4. NAPIER RECOVERY FUNDING

Type of Report: Information

Legal Reference: N/A

Document ID: 952626

Reporting Officer/s & Unit: Michele Grigg, Senior Advisor Policy
Dean Prebble, Economic Development Manager

4.1 Purpose of Report

To provide an update on two funds established to progress the aims of the Napier Recovery Plan.

At the meeting

There was no discussion on this item.

Council resolution Mayor Wise / Dep. Mayor Brosnan

That Council:

- a. Note the information on two recovery funds recently established, those being:
 - Recovery Projects Fund
 - Te Puawaitanga – Green Communities Together Fund

Carried

5. TE REO MĀORI ME ONA TIKANGA

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	949725
<i>Reporting Officer/s & Unit:</i>	Morehu Te Tomo, POU TĀHUHU SENIOR MĀORI ADVISOR

5.1 Purpose of Report

The purpose for this paper is to approve the development of a Te Reo Māori policy due to the growth of Te Reo me ona Tikanga used in Council.

At the meeting

There was no discussion on this item.

Council resolution	<u>Mayor Wise / Dep. Mayor Brosnan</u>
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That Council:

- a. Approve that the Senior Māori Advisor leads the Te Reo Māori policy process.
- b. Approve the Senior Māori Advisor to engage with external authorities to participate writing the policy.
- c. Investigate best practice for Council staff to follow process and procedures.

Carried

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 18 SEPTEMBER 2020

1. HEALTH AND SAFETY REPORT

Type of Report: Operational

Legal Reference: N/A

Document ID: 954020

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

1.1 Purpose of Report

The purpose of this paper is to provide the Audit & Risk Committee with an overview of Health & Safety activity for the year ended 30 June 2020.

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Taylor

That Council:

- a. Receive the Health and Safety report.
-

Carried

2. NCC H&S CHARTER AND DUE DILIGENCE WORK PLAN

Type of Report: Operational

Legal Reference: N/A

Document ID: 961197

Reporting Officer/s & Unit: Sue Matkin, Manager People & Capability
Michelle Warren, Health and Safety Lead

2.1 Purpose of Report

The purpose of this paper is to inform the Audit & Risk Committee about the agreed pathway of health and safety leadership at Napier City Council, in relation to Duties of Officers, under the Health and Safety at Work Act 2015 (HSWA). The plan also includes those who have significant influence over the whole business, i.e. the Senior Leadership Team.

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Taylor

That Council:

- a. Receive the report titled NCC H&S Charter and Due Diligence Work Plan.
-

Carried

3. INSURANCE UPDATE

Type of Report: Operational

Legal Reference: N/A

Document ID: 961847

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

3.1 Purpose of Report

To update the committee on the finalisation of the procurement of Insurance Brokerage Services and renewal of insurance coverage.

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Taylor

That Council:

- a. Resolve to receive the report on current brokerage and insurance arrangements
-

Carried

4. RISK MANAGEMENT REPORT SEPTEMBER 2020

Type of Report: Operational

Legal Reference: N/A

Document ID: 961668

Reporting Officer/s & Unit: Jane Klingender, Manager Business Excellence & Transformation
Dave Jordison, Risk and Assurance Lead

4.1 Purpose of Report

To provide the Audit and Risk Committee (Committee) with an update on risk management with reference to responsibilities listed in the Audit & Risk Charter; to report on high and extreme strategic risks; and to note emerging risks.

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Taylor

That Council:

- a. Receive the Risk Management Report September 2020
- b. Note the Risk Management work being undertaken
- c. Note the current high and extreme risks
- d. Note the emerging risks

Carried

5. THREE WATERS REFORM PROGRAMME - DELIVERY PLAN

Type of Report: Contractual

Legal Reference: N/A

Document ID: 961277

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

5.1 Purpose of Report

Council has signed the Memorandum of Understanding for the government's 3 Waters Reform programme. It is now required to complete the Funding agreement and Delivery Plan by 30 September 2020.

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Taylor

That Council:

- a. Note the progress with Three Waters Reform Programme.
 - b. Note that the DIA Funding Agreement and Delivery Plan will be circulated to the committee via email and any feedback is to be provided to the Director Infrastructure Services by 23 September 2020.
-

Carried

6. EXTERNAL ACCOUNTABILITY: INVESTMENT AND DEBT REPORT

Type of Report: Operational

Legal Reference: N/A

Document ID: 954018

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 31 August 2020.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Simpson / Taylor

The Audit and Risk Committee:

- a. Receive the snapshot report on Napier City Council's Investment and Debt as at 31 August 2020.
-

Carried

7. SENSITIVE EXPENDITURE - MAYOR AND CHIEF EXECUTIVE

Type of Report: Procedural

Legal Reference: N/A

Document ID: 954021

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

7.1 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.

At the meeting

A brief explanation of sensitive expenditure was provided – the current practice is that a report is brought to the Audit and Risk Committee to ensure appropriate scrutiny.

In response to questions from councillors it was clarified that:

- The current travel supplier was approved following a rigorous procurement process, and is one of the suppliers included in the All of Government panel contract which can provide financial benefits to smaller providers. The supplier is able to provide a 24/7 service to travellers through its several offices across the world.

ACTION The length of the existing travel supplier contract to be advised to elected members

Council resolution Councillors Simpson / Taylor

The Audit and Risk Committee:

- a. Receive the 30 June 2020 quarterly report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.
-

Carried

8. INTERNAL AUDIT - PROPOSED PROGRAMME FOR 2020/21

Type of Report: Operational

Legal Reference: N/A

Document ID: 954027

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

8.1 Purpose of Report

To table to the Committee the internal audit programme for 2020/21 from Crowe. Recommendations, feedback and any other review priorities the Committee deems relevant, is sought

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Taylor

The Audit and Risk Committee:

- a. Resolve that the internal audit programme for 2020/21 from Crowe is received and approved.
-

Carried

9. LEGISLATIVE COMPLIANCE: ANNUAL TAX UPDATE TO 30 JUNE 2020

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 962276

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

9.1 Purpose of Report

To provide the Audit and Risk Committee with the annual tax update on progress made during the period up to 30 June 2020.

At the meeting

There was no discussion on this item.

Council resolution Councillors Simpson / Taylor

The Audit and Risk Committee:

- a. Receive the report from PwC titled 'Napier City Council Annual Tax Update year to 30 June 2020'.
-

Carried

REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 24 SEPTEMBER 2020

1. AQUARIUM STAPP COVID RECOVERY FUNDING

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	963081
<i>Reporting Officer/s & Unit:</i>	Rachel Haydon, General Manager, National Aquarium of New Zealand

1.1 Purpose of Report

This report is to seek Council agreement to the terms of a funding agreement between Napier City Council (NCC) and the Ministry of Business, Innovation and Employment (MBIE) for a grant offered from Strategic Tourism Asset Protection Programme (STAPP) funding.

At the meeting

In response to a councillor's question it was clarified that Council is not committing itself to a loan with this decision, but creating the opportunity to take up this option should it be considered appropriate.

Council resolution

Councillors Boag / Wright

The Napier People and Places Committee:

- a. Approve to agree to the terms of the Strategic Tourism Assets Protection Programme (STAPP) funding agreement with MBIE.
 - b. Approve to accept the funding in line with the agreement
\$300k 20/21
\$200k 21/22
 - c. Delegate authority to the Director Corporate Services the negotiation of the loan agreement should Council wish to take this up.
 - d. Delegate authority to the Director Community Services to sign the funding agreement and if required make any minor changes as required by MBIE (Ministry of Business, Innovation and Employment).
-

Carried

REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 24 SEPTEMBER 2020

1. GLOUCESTER STREET LEGALISATION

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Public Works Act 1981
<i>Document ID:</i>	960267
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

1.1 Purpose of Report

To seek Council approval to declare portions of residential land in Gloucester Street to be road and vested in Napier City Council.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Taylor / Tapine

The Prosperous Napier Committee:

- a. Recommend that Council resolve pursuant to Section 114 of the Public Works Act 1981 to consent to the land described in the Schedule below to be declared road and vested in the Napier City Council.

SCHEDULE

Hawkes Bay Land District – Napier City

Area (ha)	Legal Description	Record of Title
0.0095	½ share of Section 3 SO Plan 505062	HBL3/188
0.0008	½ share of Section 4 SO Plan 505062	HBL3/188
0.0098	½ share of Section 2 SO Plan 505062	HBL4/1054
0.0098	½ share of Section 2 SO Plan 505062	HBL2/369

0.0100	Section 1 SO Plan 505062	HBP4/776
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Carried

2. PROCUREMENT UPDATE - HOW STRATEGIC PROCUREMENT CAN HELP ACHIEVE “BROADER OUTCOMES” FOR COUNCIL.

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	962946
<i>Reporting Officer/s & Unit:</i>	Sharon OToole, Procurement Lead

2.1 Purpose of Report

With an annual procurement programme of approximately \$100 million per year (exclusive of internal staff costs), Council’s procurement can have a profound effect on the local economy.

The Procurement Lead role commenced at Council in May 2019 to lead the development of a procurement & contracts management framework to add value, reduce risks and align activities with strategic objectives.

This paper outlines the legislative and regulatory framework that applies to Council procurement, and socialises recent developments and planned improvements that will help support advances in outcomes, capability, probity and assurance at Council. The paper includes suggestions on how Council will take a strategic approach on the consideration and integration of the 4 local government “well beings” and central government “broader outcomes” into Council procurement activities.

At the meeting

There was no discussion on this item.

Council resolution Councillors Taylor / Tapine

The Prosperous Napier Committee:

- a. Note the update on procurement and contract management at Council with particular reference to broader outcomes.
-

Carried

3. LEASE OF RESERVE - HAWKE'S BAY HOCKEY ARTIFICIAL SURFACE TRUST - PARK ISLAND.

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	964207
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Debra Stewart, Team Leader Parks, Reserves, Sportsgrounds

3.1 Purpose of Report

To seek Council's approval to enter into a new ground lease with the Hawke's Bay Hockey Artificial Surface Trust for the Hockey Facility at Park Island. The proposed lease includes an additional area to accommodate the proposed third turf.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Taylor / Tapine

The Prosperous Napier Committee:

Resolve:

- i. That pursuant to Section 54(1)(c) of the Reserves Act 1977, to grant a lease to the Hawke's Bay Hockey Artificial Surface Trust for an area of land at Park Island Reserve accommodating the existing facility plus including provision for a proposed new turf.
- ii. That the term of the lease be for a period of 15 years, with one right of renewal.

Carried

4. GRANTING OF EASEMENT - NELSON PARK SCHOOL

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	964594
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Debra Stewart, Team Leader Parks, Reserves, Sportsgrounds

4.1 Purpose of Report

To seek Councils approval, pursuant to Section 48 of the Reserves Act, to grant an easement and right of way over part of Nelson Park. This is required to allow a revised access way to Nelson Park School from the Park.

At the meeting

In response to questions from Councillors it was clarified that:

- The Transportation Team assessed the parking provisions following discussion at the People and Places Committee. Moving the parks provides greater safety in the area, and further parking is available further round.
- The area in question is a grass verge which is not designated
- The design and proposal came to Council from the Ministry of Education so it was anticipated that the Ministry would have communicated with the affected schools directly.

As a matter of further clarification, Council was advised that the entire proposal had come from the Ministry of Education and wasn't a Council led discussion. Council then expressed a hope that the Ministry had consulted with the school.

ACTION Staff at the Nelson Park and Fairhaven schools to be consulted on the intended parking arrangements provided. Officers to advise elected members of the outcome of the consultation.

A motion was proposed to lay the item on the table at this time (McGrath/ Mawson) but following debate and the associated vote, this was lost.

Council resolution Councillors Taylor / Tapine

The Prosperous Napier Committee:

- a. Resolve pursuant to Section 48 of the Reserves Act 1977, to approve the granting to Her Majesty the Queen for a Public School ('the Grantee') an easement over an area of land in Nelson Park
-

adjacent to the Nelson Park School. This is to allow a turning circle to be completed and to formalise a right of way over the access way already formed, incorporating the vehicle turning circle and running between the existing school entrance and Jull Street.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	967172
<i>Reporting Officer/s & Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 1 August – 18 September 2020.

At the meeting

There was no discussion on this item.

Council resolution	<u>Dep. Mayor Brosnan / Councillor Chrystal</u>
	That Council:
	a. Receive the Tenders Let for the period 1 August – 18 September 2020.
	<hr/>
	Carried

2. DOCUMENTS SIGNED UNDER DELEGATED AUTHORITY

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	967412
<i>Reporting Officer/s & Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

2.1 Purpose of Report

To report on the Documents Executed under Seal for the period 1 August – 18 September 2020.

At the meeting

There was no discussion on this item.

Council resolution

Councillors Wright / Taylor

That Council:

Receive the report for Documents Executed under Seal for the period 1 August – 18 September 2020.

Carried

PUBLIC EXCLUDED ITEMS

Council resolution

Councillors Mawson / Crown

That the public excepting the Youth Council representative be excluded from the following parts of the proceedings of this meeting.

Note that the Youth Council representative was briefed by the Chief Executive on the sensitivities involved in public excluded items and the need for confidentiality around these.

Carried

Reports from Audit and Risk Committee held 18 September 2020

1. External Accountability: Draft Annual Report 2019/20
2. Resource Consent

Reports from Napier People and Places Committee held 24 September 2020

1. Offsite Kiwi Facility Lease
2. Grants Allocation SubCommittee 2020/21 - Distribution of Funds

Reports from Prosperous Napier Committee held 24 September 2020

1. Rental Relief Update

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:

Reports from Audit and Risk Committee held 18 September 2020

<p>1. External Accountability: Draft Annual Report 2019/20</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: (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. Resource Consent</p>	<p>6(a) Prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial</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>

Reports from Napier People and Places Committee held 24 September 2020

<p>1. Offsite Kiwi Facility Lease</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 Information and Meetings Act 1987.</p>
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<p>2. Grants Allocation SubCommittee 2020/21 - Distribution of Funds</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>
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Reports from Prosperous Napier Committee held 24 September 2020

<p>1. Rental Relief Update</p>	<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: (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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The meeting moved into committee at 10.48am

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

Chairperson

Date of approval