



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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ORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date:	Thursday 19 November 2020
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Time:	10.00am
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Venue:	Napier War Memorial Centre Marine Parade Napier
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Council Members	Mayor Wise, Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor and Wright
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Officer Responsible	Interim Chief Executive
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Administrator	Governance Team
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Next Council Meeting
Thursday 17 December 2020

ORDER OF BUSINESS

Apologies

Mayor Wise and Councillor Simpson

Conflicts of interest

Public forum

Announcements by the Mayor including notification of minor matters not on the agenda

Note: re minor matters only - refer LGOIMA s46A(7A) and Standing Orders s9.13

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

Announcements by the management

Confirmation of minutes

That the Draft Minutes of the Ordinary Meeting of Council held on Thursday, 8 October 2020 be confirmed as a true and accurate record of the meeting.38

That the Draft Minutes of the Extraordinary Meeting of Council held on Thursday, 22 October 2020 be confirmed as a true and accurate record of the meeting.68

That the Draft Minutes of the Extraordinary Meeting of Council held on Monday, 2 November 2020 be confirmed as a true and accurate record of the meeting.73

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AGENDA ITEMS

1. FLOOD RESPONSE - PROPOSAL FOR RATES REMISSION

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Local Government (Rating) Act 2002
<i>Document ID:</i>	1263769
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

1.1 Purpose of Report

To seek delegation from Council to approve rates remissions in response to Significant Extraordinary Circumstances being the flood event on Monday 9th November.

Officer's Recommendation

That Council:

- a. Approve that the Flood event on 9 November meets the requirements as set out in the Rates Remission Policy for Remission for Significant Extraordinary Circumstances, and will relate to those that have been displaced permanently from their household as a result of flood damage
- b. Approve the remission for the qualifying rating unit for the full 2020/21 year i.e. all instalments
- c. Approve the delegation for the decision on the individual remission be provided to the Director Corporate Services and Chief Financial Officer.
- d. Approve up to \$200,000 for "Remission of Rates in Response to Significant Extraordinary Circumstances" for qualifying rating units as a result of the flood event on Monday, 9 November 2020
- e. Approve the redirection of \$200,000 of funds from the rates relief package that was not fully allocated as a result of the COVID-19 pandemic for the purposes of Rates Remission for Significant Extraordinary Circumstances
- f. Note that a form will be made available to those impacted following Council approval of the remission. The application form will be available on the Council website, Customer Services and our library
- g. Note that there may be other scenarios that may not directly meet the resolution above, and these will be brought back to Council for a decision on a case by case basis.

1.2 Background Summary

On Monday, 9 November Napier experienced a once-in-250-year flooding event (based on probability). Napier had the wettest single hour on record between 5pm and 6pm (54mm of rain) and the second wettest day on record (242.4mm over 24 hours into early

Tuesday). The heavy rain resulted in flooding, landslips and power outages across the city.

1.3 Issues

A number of properties in Napier have been classified as uninhabitable or condemned. At the time of writing, it is estimated that more than 60 properties have received this classification. Civil Defence and the NCC City Strategy department are both working to provide a comprehensive list of properties impacted. The list is changing daily as inspection continues.

1.4 Significance and Engagement

Civil Defence and Council officers are both working to provide a comprehensive list of properties impacted.

1.5 Implications

Financial

The New Zealand Government will provide \$100,000 to the Mayoral Fund for the purpose of supporting the flood relief effort.

Due to the low level of applications under the COVID-19 Rates Relief Grant, there is \$347,600 of funds that may be available for other purposes. Applications for this grant closed on 30th October. It is recommended that \$200,000 be redirected for the purposes of the remission requirements.

Social & Policy

Extract from the Rates Remission Policy:

Remission of Rates in Response to Significant Extraordinary Circumstances being identified by Council

Objective

To enable Council to provide rates remission for special and unforeseen circumstances, where it considers relief by way of rates remission is justified in the circumstances.

Definitions

Financial Hardship: for the purpose of this provision is defined as the inability of a person, after seeking recourse from Government benefits or applicable relief packages, to reasonably meet the cost of goods, services and financial obligations that are considered necessary according to New Zealand standards. In the case of a ratepayer who is not a natural person, it is the inability, after seeking recourse from Government benefits or applicable relief packages, to reasonably meet the cost of goods, services and financial obligations that are considered essential to the functioning of that entity according to New Zealand standards.

Conditions and Criteria

For this policy to apply Council must first have identified that there have been Significant Extraordinary Circumstances affecting the ratepayers of Napier, that Council wishes to respond to.

Once Significant Extraordinary Circumstances have been identified by Council, the criteria and application process (including an application form, if applicable), will be made available. For a Rating Unit to receive a remission under this policy it needs to be an "Affected Rating Unit" based on an assessment performed by officers, following guidance provided through a resolution of Council.

Council resolution will include:

1. That the resolution applies under the Rates Remission Policy; and
2. Identification of the Significant Extraordinary Circumstances triggering the policy (including both natural and man-made events); and
3. How the Significant Extraordinary Circumstances are expected to impact the community (e.g. financial hardship); and
4. The type of Rating Unit the remission will apply to; and
5. Whether individual applications are required or a broad based remission will be applied to all affected Rating Units or large groups of affected Rating Units; and
6. What rates instalment/s the remission will apply to; and
7. Whether the remission amount is either a fixed amount, percentage, and/or maximum amount to be remitted for each qualifying Rating Unit.

Explanation

The specific response and criteria will be set out by Council resolution linking the response to specific Significant Extraordinary Circumstances. The criteria may apply a remission broadly to all Rating Units or to specific groups or to Rating Units that meet specific criteria such as proven Financial Hardship, a percentage of income lost or some other criteria as determined by council and incorporated in a council resolution.

Council will indicate a budget to cover the value of remissions to be granted under this policy in any specific financial year.

The types of remission that may be applied under this policy include:

The remission of a fixed amount per Rating Unit either across the board or targeted to specific groups such as:

- A fixed amount per residential Rating Unit
- A fixed amount per commercial Rating Unit

Risk

N/A – this is a community support measure.

1.6 Options

The options available to Council are as follows:

- a. Approve the Rates Remission for Significant Extraordinary Circumstances as a result of the flood
- b. Do not approve the Rates Remission for Significant Extraordinary Circumstances as a result of the flood

AND:

- c. Approve funding of \$200,000 for “Remission of Rates in Response to Significant Extraordinary Circumstances being identified by Council”.
- d. Approve funding of a different amount for “Remission of Rates in Response to Significant Extraordinary Circumstances being identified by Council”
- e. Do not approve funding for the Remission for Significant Extraordinary Circumstances as set out in the Rates Remission Policy

1.7 Development of Preferred Option

Approve the flood event as being a Remission for Significant Extraordinary Circumstances under the Rates Remission policy for the qualifying rating units. Provide

\$200,000 to support those that have been impacted and displaced as a result of the flood.

1.8 Attachments

A Rates Remission Policy [!\[\]\(9dfdaff1d86ba3c1f8353b4d1b61b8c5_img.jpg\)](#)



Rates Remission Policy



Adopted by	Napier City Council on 13 August 2020
Relevant Legislation	Local Government Act 2002, Local Government (Rating) Act 2002
NCC Documents Referenced	Published in the Long Term Plan 2018-2028 which was reviewed between Mar/Apr 2018 and adopted on 29 June 2018 Reviewed and amended as part of 2019/20 Annual Plan Reviewed and amended as part of 2020/21 Annual Plan

Purpose

To enable Council to remit all or part of the rates on a rating unit under Section 85 of the Local Government (Rating) Act 2002 where a Rates Remission Policy has been adopted and the conditions and criteria in the policy are met.

Policy

1. Remission of Penalties

Objective

The objective of this part of the Rates Remission Policy is to enable Council to act fairly and reasonably in its consideration of rates which have not been received by the Council by the penalty date due to circumstances outside the ratepayer's control.

Conditions and Criteria

Penalties incurred will be automatically remitted where Council has made an error which results in a penalty being applied.

Remission of one penalty will be considered in any one rating year where payment has been late due to significant family disruption. This will apply in the case of death, illness, or accident of a family member, at about the times rates are due.

Remission of the penalty will be considered if the ratepayer forgets to make payment, claims a rates invoice was not received, is able to provide evidence that their payment has gone astray in the post, or the late payment has otherwise resulted from matters outside their control. Each application will be considered on its merits and remission will be granted where it is considered just and equitable to do so.

Remission of a penalty will be considered where sale has taken place very close to due date, resulting in confusion over liability, and the notice of sale has been promptly filed, or where the solicitor who acted in the sale for the owner acted promptly but made a mistake (e.g. inadvertently provided the wrong name and address) and the owner cannot be contacted. Each case shall be treated on its merits.

Penalties will also be remitted based on the application, by officers, of Council criteria established after Council has identified that Significant Extraordinary Circumstances have occurred that warrants further leniency in relation to the enforcement of penalties that would otherwise have been payable. The criteria to be applied will be set out in a council resolution that will be linked to the specific Significant Extraordinary Circumstances that have been identified by Council.

Penalties will also be remitted where Council's Chief Financial Officer considers a remission of the penalty, on the most recent instalment, is appropriate as part of an arrangement to collect outstanding rates from a ratepayer.

2. Remission for Residential Land in Commercial or Industrial Areas

Objective

To ensure that owners of rating units situated in commercial or industrial areas are not unduly penalised by the zoning decisions of this Council and previous local authorities.

Conditions and Criteria

To qualify for remission under this part of the policy the rating unit must:

- Be situated within an area of land that has been zoned for commercial or industrial use. Ratepayers can determine where their property has been zoned by inspecting the City of Napier District Plan, copies of which are available from the Council office.
- Be listed as a 'residential' property for differential rating purposes. Ratepayers wishing to ascertain whether their property is treated as a residential property may inspect the Council's rating information database at the Council office.

Rates will be automatically remitted annually for those properties which had Special Rateable Values applied under Section 24 of the Rating Valuations Act 1998 up to 30 June 2003, and for which evidence from Council's Valuation Service Provider indicates that, with effect from the 2002 revaluation of Napier City, the land value has been penalised by its zoning. The amount remitted will be the difference between the rates calculated on the equivalent special rateable value provided by the Valuation Service Provider and the rates payable on the Rateable Value.

Other ratepayers wishing to claim remission under this part of the policy must make an application in writing addressed to the Chief Financial Officer.

The application for rates remission must be made to the Council prior to the commencement of the rating year. Applications received during a rating year will be applicable from the commencement of the following rating year. Applications will not be backdated.

Where an application is approved, the Council will direct its Valuation Service Provider to inspect the rating unit and prepare a valuation that will treat the rating unit as if it were a comparable rating unit elsewhere in the district. The ratepayer may be asked to contribute to the cost of this valuation. Ratepayers should note that the Valuation Service Provider's decision is final as there are no statutory right of objection or appeal for values done in this way.

3. Remission for Land Subject to Special Preservation Conditions

Objective

To preserve and encourage the protection of land and improvements which are the subject of special preservation conditions.

Conditions and Criteria

Rates remission under this Section of the policy relates to land that is subject to:

- A heritage covenant under the Historic Places Act 1993; or
- A heritage order under the Resource Management Act 1991; or
- An open space covenant under the Queen Elizabeth the Second National Trust Act 1977; or
- A protected private land agreement or conservation covenant under the Reserves Act 1977; or
- Any other covenant or agreement entered into by the owner of the land with a public body for the preservation of existing features of land, or of buildings, where the conditions of the covenant or agreement are registered against the title to the land and are binding on subsequent owners of land.

Ratepayers who own Rating Units meeting this criteria may qualify for remission under this part of the policy.

Rates will automatically be remitted annually for those properties which had Special Rateable Values applied under Section 27 of the Rating Valuations Act up to 30 June 2003, and which meet the above criteria. The amount remitted will be the difference between the rates calculated on the equivalent special rateable value provided by the Valuation Service Provider and the rates payable on the Rateable Value.

Other ratepayers wishing to claim remission under this part of the policy must apply in writing to the Council office, and must provide supporting documentary evidence of the special preservation conditions, e.g. copy of the Covenant, Order or other legal mechanism.

The application for rates remission must be made to the Council prior to the commencement of the rating year. Applications received during a rating year will be applicable from the commencement of the following rating year.

Applications for remission under this part of the policy will be approved by the Council. The Council may specify certain conditions before remission will be granted. Applicants will be required to agree in writing to these conditions and to pay any remitted rates if the conditions are violated.

Where an application is approved, the Council will direct its Valuation Service Provider to inspect the Rating Unit and provide a special valuation. The ratepayer may be asked to contribute to the cost of this valuation. Ratepayers should note that the Valuation Service Provider's decision is final as there is no statutory right of objection or appeal for values done in this way.

The equivalent special rateable value will be determined by the Valuation Service Provider on the assumption that:

- The actual use to which the land is being put at the date of valuation will be continued; and
- Any improvements on the land will be continued and maintained or replaced in order to enable the land to continue to be so used.

It will be assessed taking into account any restriction on the use that may be made of the land imposed by the mandatory preservation of any existing tenements, hereditaments, trees, buildings, other improvements, and features.

4. Remission of Uniform Annual General Charges (UAGC) and Targeted Rates of a Fixed Amount on Rating Units Owned by the Same Owner

Objective

To provide for relief from UAGC and Targeted Rates of a fixed amount per Rating Unit or Separately Used or Inhabited Parts of a Rating Unit, where two or more Rating Units are owned by the same person or persons, and are:

- part of a subdivision plan which has been deposited for separate lots, or separate legal titles exist; or
- but the Rating Units may not necessarily be used jointly as a single unit, and each Rating Unit does not benefit separately from the services related to the UAGC and Targeted Rates.

Conditions and Criteria

Remission of UAGC and Targeted Rates of a fixed amount applies in the following situations:

- Unsold subdivided land, where as a result of the High Court decision of 20 November 2000 'Neil Construction and others vs. North Shore City Council and others', each separate lot or title is treated as a separate Rating Unit, and such land is implied to be not used as a single unit.

All remissions under this part of the policy will be approved by the Chief Financial Officer.

5. Remission for Water Rates (by meter)*Objective*

To provide ratepayers with a measure of relief by way of partial rates remission where, as a result of the existence of a water leak on the Rating Unit which they occupy the payment of fuller rates is inequitable, or where officers are convinced that there are errors in the data relating to water usage.

Conditions and Criteria

- The existence of a significant leak on the occupied Rating Unit has been established and there is evidence that steps have been taken to repair the leak as soon as possible after the detection, or officers have reviewed the usage data and are convinced that the usage readings are so abnormal as to require adjustment.
- The Council or its delegated officer(s) as determined from time to time and set out in the Council's delegations register shall determine the extent of any remission based on the merits of each situation.

6. Remission to smooth the effects of change in rates on individual or groups of properties*Objective*

To enable Council to provide rates remission where, as a result of a change in Council policy or other change that results in a significant increase in rates, Council decides it is equitable to smooth or temporarily reduce the impacts of the change by reducing the amount payable.

Conditions and Criteria

- Remission of part of the value based rates to enable the impact of a change in rates to be phased in over a period of no more than 3 years.

To continue with any existing rates adjustment where, due to change in process, policy or legislation Council considers it equitable to do so subject to a maximum limit of 3 years to a remission made under this clause in the policy.

7. Remission for Special Circumstances*Objective*

To enable Council to provide rates remission for special and unforeseen circumstances, where it considers relief by way of rates remission is justified in the circumstances.

Definitions

Financial Hardship: for the purpose of this provision is defined as the inability of a person, after seeking recourse from Government benefits or applicable relief packages, to reasonably meet the cost of goods, services and financial obligations that are considered necessary according to New Zealand standards. In the case of a ratepayer who is not a natural person, it is the inability, after seeking recourse from Government benefits or applicable relief packages, to reasonably meet the cost of goods, services and financial obligations that are considered essential to the functioning of that entity according to New Zealand standards.

Conditions and Criteria

For this policy to apply Council must first have identified that there have been Significant Extraordinary Circumstances affecting the ratepayers of Napier, that Council wishes to respond to.

Once Significant Extraordinary Circumstances have been identified by Council, the criteria and application process (including an application form, if applicable), will be made available.

For a Rating Unit to receive a remission under this policy it needs to be an "Affected Rating Unit" based on an assessment performed by officers, following guidance provided through a resolution of Council.

Council resolution will include:

1. That the resolution applies under the Rates Remission Policy; and
2. Identification of the Significant Extraordinary Circumstances triggering the policy (including both natural and man-made events); and
3. How the Significant Extraordinary Circumstances are expected to impact the community (e.g. financial hardship); and
4. The type of Rating Unit the remission will apply to; and
5. Whether individual applications are required or a broad based remission will be applied to all affected Rating Units or large groups of affected Rating Units; and
6. What rates instalment/s the remission will apply to; and
7. Whether the remission amount is either a fixed amount, percentage, and/or maximum amount to be remitted for each qualifying Rating Unit.

Explanation

The specific response and criteria will be set out by Council resolution linking the response to specific Significant Extraordinary Circumstances. The criteria may apply a remission broadly to all Rating Units or to specific groups or to Rating Units that meet specific criteria such as proven Financial Hardship, a percentage of income lost or some other criteria as determined by council and incorporated in a council resolution.

Council will indicate a budget to cover the value of remissions to be granted under this policy in any specific financial year.

The types of remission that may be applied under this policy include:

- The remission of a fixed amount per Rating Unit either across the board or targeted to specific groups such as:
 - A fixed amount per residential Rating Unit
 - A fixed amount per commercial Rating Unit

Policy Review

The review timeframe of this policy will be no longer than every three years.

2. HAKWE'S BAY MUSEUMS TRUST ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2020

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1258367
<i>Reporting Officer/s & Unit:</i>	Chris Denby, Finance Accountant

2.1 Purpose of Report

To provide Napier City Council with the Hawke's Bay Museums Trust Annual Report for the year ended 30 June 2020.

Officer's Recommendation

That Council:

- a. Receive the 30 June 2020 Annual Report of the Hawke's Bay Museums Trust

2.2 Background Summary

Under Section 67 of the Local Government Act 2002, the Hawke's Bay Museums Trust is required to deliver to Napier City Council a copy of its Annual Report within three months of the end of the financial year. Due to Covid-19 this deadline for 2020 has been extended to 30 November.

2.3 Attachments

- A Hawke's Bay Museums Trust Annual Report - 30 June 2020 (*Under Separate Cover*) [⇒](#)

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

REPORTS FROM MĀORI COMMITTEE HELD 9 OCTOBER 2020

1. IMPLEMENTATION OF DUAL PLACE-NAMES AND BILINGUAL SIGNAGE IN COUNCIL PARKS, RESERVES AND FACILITIES

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Māori Language Act 2016
<i>Document ID:</i>	950172
<i>Reporting Officer/s & Unit:</i>	Charles Ropitini, Strategic Maori Advisor

1.1 Purpose of Report

The purpose of this report is to update the Māori Committee of te reo Māori touchpoints implemented across Napier City Council reserves and facilities in the 2017-2019 Triennium.

The report provides an overview of dual place-names in public parks and reserves, and bilingual signage applied to Council facilities. The report recommends the formal adoption of the national Māori-English Bilingual Signage Guidelines.

The report supports the need for the Māori Committee to consider a Te Reo Māori Policy for Napier City Council as a framework for continued implementation of bilingualism across Council projects and documents.

At the Meeting

The Strategic Māori Advisor spoke to the report giving a short background of what bi-lingual achievements have been made to date, noting the context within which the te reo strategy, recently adopted by Council, was developed.

It was noted:

- McLean Park was the first fully bilingual Council venue. The process involved not just ensuring te reo was properly integrated at the venue, but also simplifying the English which had benefits for other readers.
- The learnings from McLean Park were then applied to Council's Waste Management Project and the Customer Service Centre, and the Council website has been translated.

- At the request of the Māori Committee dual place names and bilingual signage in Council parks, reserves and facilities has been implemented using the national Māori-English Bilingual Signage Guidelines. The te reo place-names are not translations, but rather the actual Māori place names.
- It is intended that Council work with mana whenua to help tell the stories related to the place names in a way that recognises and upholds cultural intellectual property.
- A further next step is the use of nationally agreed terms for zero waste programmes and libraries, to ensure consistency in what people see as they travel through the country.

In response to questions it was clarified:

- A time frame has not been agreed with mana whenua around the cultural stories as yet. An agreed process needs to be developed about how stories would be presented.
- Stories will also be integrated into the region's Council cultural app (Te Kupenga), which is due to be launched in a fortnight at the Local Regional Leaders Mayor's, Chairs and Chief Executives meeting.
- The cultural app is intended to boost understanding of, and engagement with, Te Matau-a-Māui knowledge, stories, and language. It will be similar to the Waikato Council's one, Kawe Kōrero.

Māori Committee's recommendation

C Tareha / Mayor Wise

The Māori Committee:

- a. Endorse the report as a consolidation of bilingual signage and dual place-names applied to Council projects over the 2017-2019 Triennium.
- b. Approve the Principal Māori Advisor to engage mana whenua to capture stories relating to Māori place-names reinstated to parks and reserves, with an agreed level of cultural intellectual property made available to the public domain.
- c. Approve the adoption of the national 'Māori-English Bilingual Signage – A Guide For Best Practice' as the guide for bilingual signage and dual place-names.
- d. Approve the use of national te reo Māori lexicons for Libraries and Para Kore Zero Waste, with a process developed for accepting national lexicons for future bilingual projects.

Kua Mana

2. MĀORI COMMITTEE REPRESENTATION EXTENSION

Type of Report: Procedural

Legal Reference: N/A

Document ID: 1247172

Reporting Officer/s & Unit: Antoinette Campbell, Director Community Services

2.1 Purpose of Report

The purpose of this report is to approve to amend the Māori Committee draft Terms of Reference to provide for the inclusion of an additional three representatives from the Ahuriri Māori community.

At the Meeting

The Director Community Services spoke to the report noting that:

- Expressions of interest will be sought to increase Māori Committee membership, in order to satisfy quorum needs and to build a diversity of skills within the Committee.
- Applicants will not need to be entity based.
- There is an intention for rangatahi to be encouraged to become involved, however it is not essential at this point in time.
- The Māori Committee will be integrated into the Council meeting schedule in 2021.

In response to questions from the Committee it was clarified that:

- Advertising will take place soon so that the new members can start in the new year. This will include shoulder tapping possible candidates as well.
- This model has been used in other Councils and has been found to build the mana of the Committee and strengthen community relationships.

Māori Committee's recommendation

Mayor Wise / A Taputoro

The Māori Committee:

- a. Approve the amended Māori Committee draft Terms of Reference to provide for three additional community representatives from the Ahuriri Māori community.

Kua Mana

REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 22 OCTOBER 2020

1. LEASE OF RESERVE - PACIFIC SURF LIFESAVING CLUB INCORPORATED

Type of Report:	Operational
Legal Reference:	Reserves Act 1977
Document ID:	965852
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

1.1 Purpose of Report

To obtain Council approval for a ground lease renewal and lease variation for the Pacific Surf Lifesaving Club Incorporated relating to their Clubrooms on Marine Parade. The lease variation relates to a request to carry out a cafe type operation.

At the Meeting

A representative of the Pacific Surf Lifesaving Club spoke to their request to initiate a café- type operation in the Club, as a variation to their lease agreement which they are also seeking further renewal of their lease. The intention is to use existing staff to run the café function to provide training and employment opportunities. It is hoped that the increased social options will help address some of the less social activity that has been noticed in the area recently.

In response to questions from councillors it was clarified that:

- The hall room can be hired out, and it is used by community sports and dance groups. It is also used as a polling station and may be used for a meeting room on occasion.
- The Pacific Surf Lifesaving Club lease is for the grounds only, the Club own their own building. The rent is calculated based on what would be paid for a standard residential property with discounting applied in recognition of the community nature of the business.
- A cycle hire business also operates from the property following authorisation of the sublease by Council in 2010.
- While there are some infrastructure assets that
- The Clubrooms are in a liquor ban area, and while they could apply for the appropriate permits the risk was considered too high for the Club based on the inability to fully control the behaviour of those hiring the rooms and ensuring no litter in the beach environment.

The innovation of the Club was recognised in thinking about ways to upskill and provide employment for members.

It was requested that when discussing matters of accessibility the term “accessible” be used rather than “disabled”.

Committee's recommendation

Councillor Brosnan / Mayor Wise

The Sustainable Napier Committee:

Recommend Council approve:

- i. A lease renewal, pursuant to Section 54(1)(d) of the Reserves Act, for a further ten years from 1 November 2020 for the Pacific Surf Lifesaving Club Incorporated for their Clubrooms on Marine Parade.
- ii. A variation to the lease, pursuant to Section 114 of the Reserves Act, to allow the Pacific Surf Lifesaving Club to sell coffee and other non-alcoholic beverages, ice creams and similar products, and finger food and snacks from its clubrooms.
- iii. That the variation is subject to the club obtaining all necessary consents, approvals or permits which may be required.

Carried

2. LEASE OF RESERVE - CENTRAL FOOTBALL FEDERATION

Type of Report: Legal

Legal Reference: Reserves Act 1977

Document ID: 1247410

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

2.1 Purpose of Report

To obtain Council approval to enter into a new lease with the Central Football Federation for the land and building occupied at Park Island under Section 54(1)(b) of the Reserves Act 1977 for a term of five years with two, two year rights of renewal.

At the Meeting

The Manager Property spoke to the report, noting that in this instance Council owns both the land and the building.

In response to questions from councillors it was clarified that:

- The Taradale Bridge Club's preference to be in this area would not have any effect on this lease.

Committee's recommendation

Councillors Mawson / Simpson

The Sustainable Napier Committee:

- a. Recommend Council agree to enter into a new lease with the Central Football Federation for the land and building occupied at Park Island under Section 54(1)(b) of the Reserves Act 1977 for a term of five years with two, two year rights of renewal.

Carried

REPORTS FROM FUTURE NAPIER COMMITTEE HELD 22 OCTOBER 2020

1. COUNCILLOR CONSENT HEARING DELEGATIONS

Type of Report:	Procedural
Legal Reference:	Resource Management Act 1991
Document ID:	1017194
Reporting Officer/s & Unit:	Luke Johnson, Team Leader Planning and Compliance

1.1 Purpose of Report

The purpose of this report is to update the current Hearings Committee Terms of Reference (**TOR**) and to introduce a set of guidance criteria that will help guide the appointment of Commissioners by the committee to hear and determine resource consent applications, in accordance with best practice.

At the Meeting

The Manager Regulatory Solutions and Mr Philip Hindrup spoke to the report, providing a brief overview of the process followed to date.

In response to questions from councillors it was clarified that:

- When the committee is considering potential commissioners for appointment, there are a number of ways delegation could be passed on to the successful appointee such as via a report leading to a formal resolution, letter of the committee and so on.
- Mr Hildrup is happy to provide sample reports to the team to help support their move into the new area of appointing commissioners in this way.

ACTION A report was requested to be brought through to the next meeting of Future Napier (scheduled for 3 December 2020) on the current state of national discussions in relation the Resource Management Act.

Committee's recommendation

Mayor Wise / Councillor McGrath

The Future Napier Committee:

- a. Receive the Independent Report Councillor Consent Hearing Delegations attached as **Attachment A** to this report, which includes:
 - i. Annex A – Quality Planning Guidance – The use of Commissioners 2017
 - ii. Annex B – NCC Current Hearings Committee Terms of Reference
 - iii. Annex C – Guidance Criteria for Delegations to and Assignment of Commissioners
- b. Approve the changes to the Hearings Committee Terms of Reference attached as **Appendix B** to this report.

Carried

2. CIVIC PRECINCT FRAMEWORK

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	984587
Reporting Officer/s & Unit:	Fleur Lincoln, Strategic Planning Lead

2.1 Purpose of Report

The purpose of this report is to seek Council endorsement of the Civic Precinct Framework.

At the Meeting

The Director City Strategy spoke to the report, noting briefly an error which will be corrected – the wrong Te Reo is referred to in the report in relation to “Team Napier”.

The Director provided a brief background on the discussions that have taken place with key stakeholders in relation to the masterplan for the civic precinct. The tender process for the consultant has just closed and the tenders are being assessed. It is intended by the Working Group that public information on the intention for the space be prepared and made public as quickly as possible, so people can begin to engage with the plans.

In response to questions from councillors it was clarified that:

- “Human scale” refers to the height of a building and scale in relation to a pedestrian. The built environment in Napier is quite low in comparison to many larger cities. A footnote providing a definition of “human scale” will be included in the public information
- Decisions have yet to be made in relation to what will happen to the existing library building; the interest in developing the Civic Building site as a hotel has dissipated with the impacts of COVID-19 so the planned demolition has been put on hold at this time. The Masterplan for the Precinct may determine a different direction for the two buildings than had been considered originally.
- The timeline that ‘action’ will be seen on the site will depend on when the Masterplan is accepted by Council; it is possible that this may not be until 2022 depending on the process.
- It has been agreed that the library will go back into the site, but “the site” is seen as the whole Precinct and so there may be some flexibility to where on the site it is placed.
- The challenge of having a smaller library within the museum building and the impacts on both activities was recognised, and the importance of ensuring the benefits and excitement of the Masterplan possibilities are very clear to the community was reiterated.
- The seawalls mural on the Civic Building will remain in place until a decision is made on where this could be housed.

ACTION The team to investigate utilising the space around the Precinct for different summer activities to encourage people into the area and help support businesses close by.

ACTION The Working Group will consider and bring a report to Council on options for the Civic site, including the option to continue with the demolition of the Civic Building noting that this would now incur costs.

Committee's recommendation

Councillors Brosnan / Wright

The Future Napier Committee:

- a. Endorse the Civic Precinct Framework

Carried

3. WAIAPU CATHEDRAL MARKET

Type of Report:	Operational and Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1251060
Reporting Officer/s & Unit:	Stephanie Kennard, Planning Projects Facilitator

3.1 Purpose of Report

The purpose of this report is to approve a Market Day on Saturday, 21st November 2020 within Cathedral Lane which will include the selling of goods and services within a public space. Approval from Council is required as we have a Trading in Public Places Bylaw 2014 that prohibits the selling of goods and services within a defined city centre boundary without approval from Council. Permission is being sought by on behalf of Anglican Diocese of Waiapu who will be operating the market.

At the Meeting

The Planning Projects Facilitator spoke to the report, providing a short overview of the Cathedral's request for a market and the requirements to support this.

In response to questions from councillors it was clarified that:

- The market in Clive Square is predominantly food-based and the Cathedral's market is intended to be primarily crafts and family activities so the nature of each is different.
- If the Cathedral market is successful they would like to make it an annual event.

Committee's recommendation

Councillors Chrystal / Mawson

The Future Napier Committee:

- a. Approve Anglican Diocese of Waiapu to operate a market within Cathedral Lane on Saturday, 21st November 2020, where the trading of goods and services will occur.
- b. That a **DECISION OF COUNCIL** is required urgently as the market is two days after the next Council meeting on the 19th of November 2020.

Carried

**Council
Resolution**

Councillors Wright / Simpson

*A Decision of
Council was taken
at the Future
Napier Committee
held on 22 October
2020*

That Council:

- a. Approve Anglican Diocese of Waiapu to operate a market within Cathedral Lane on Saturday, 21st November 2020, where the trading of goods and services will occur.

Carried

4. REPORT - RESOURCE CONSENT ACTIVITY

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1254856
<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

The Manager Regulatory Solutions spoke to the report, noting that the number of applications has slowed over the last few weeks but the amount of pre-activity to an application is high so it is anticipated that another peak will be experienced just prior to Christmas.

A brief overview was provided on the current applications.

In response to questions from councillors it was clarified that:

- A dashboard is under development so the team will be able to see in real time the number of applications underway.
- Heritage matters have to be worked through where these apply, but there are not time frames that this must be completed by.

Committee's recommendation

Councillors Mawson / Wright

The Future Napier Committee:

- a. Note the resource consent activity update.

Carried

5. MINUTES HERETAUNGA PLAINS URBAN DEVELOPMENT STRATEGY IMPLEMENTATION WORKING GROUP (HPUDS IWG) - 14 SEPTEMBER 2020

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1249788
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Personal Assistant to the Mayor

5.1 Purpose of Report

To receive the confirmed minutes of the Heretaunga Plains Urban Development Strategy Implementation Working Group meeting held on 14 September 2020.

At the Meeting

In response to questions from councillors it was clarified that:

- A date for the Implementation Working Group to reconvene has not yet been set but is anticipated to be in the New Year.

Officer's Recommendation

The Future Napier Committee:

- a. Receive the confirmed minutes of the Heretaunga Plains Urban Development Strategy Implementation Working Group meeting held on 14 September 2020.

REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 5 NOVEMBER 2020

1. 2021 CELEBRATE CULTURAL DIVERCITY

Type of Report: Operational

Legal Reference: N/A

Document ID: 965678

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

1.1 Purpose of Report

To seek approval to apply for external funding to support the 2021 Celebrate Cultural DiverCity Event to be held on Saturday 15 May 2021 at the Soundshell, Marine Parade, Napier.

At the Meeting

The Community Advisor spoke to the report, providing a brief overview and noting that the increase in funding is in order to provide a larger scale event based on the success of previous years.

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

- If the funding application is unsuccessful the event would still proceed but would need to be scaled back down.
- The application will be for funding up to \$10,000. This amount to be on top of the \$4,000 internal funding already allocated for this event.

The Chair noted that having attended the Celebrate Cultural DiverCity Event in previous years, that it is a wonderful opportunity to showcase diversity in our City and she was pleased to see that this had become an annual event.

Committee's recommendation

Councillors Tapine / Chrystal

The Napier People and Places Committee:

- a. Approve the application to apply for external funding from the Ethnic Communities Development Fund, for the 2021 Celebrate Cultural DiverCity Event.

Carried

2. WILDLIFE INSTITUTES RELIEF FUND (WIRF) FUNDING

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1254080
<i>Reporting Officer/s & Unit:</i>	Rachel Haydon, General Manager, National Aquarium of New Zealand

2.1 Purpose of Report

This report is to seek Council agreement to the terms of a Deed of Grant between Napier City Council (NCC) and the Department of Conservation (DOC) for a grant offered from Wildlife Institutes Relief Fund (WIRF) funding.

At the Meeting

The General Manager National Aquarium of New Zealand spoke to the report and provided a brief overview. It was noted that the application was made in response to Covid-19 for one-off funding assistance for the 2020/21 financial year.

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

- The funding must be used for the purposes outlined in the application. Any amount not required for the agreed use will be repaid.
- Funds will not be clawed back should the facility perform better than expected.
- Council officers are satisfied that having to acknowledge assistance from the WIRF will not adversely impact Council's branding.

Elected members congratulated staff on the successful application.

Committee's recommendation

Councillors Brosnan / Simpson

The Napier People and Places Committee:

- a. Approve and agree to the terms of the Wildlife Institutes Relief Fund (WIRF) Deed of Grant with the Department of Conservation (DOC).

Carried

REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 5 NOVEMBER 2020

1. LEASE OF RESERVE - NAPIER CITY ROVERS ASSOCIATION FOOTBALL CLUB INC. - PARK ISLAND

Type of Report:	Contractual
Legal Reference:	Reserves Act 1977
Document ID:	964468
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Debra Stewart, Team Leader Parks, Reserves, Sportsgrounds

1.1 Purpose of Report

To seek Council's approval to enter into a new ground lease with Napier City Rovers Association Football Club Inc. for the area of land occupied by the organisations clubrooms, changing rooms and grandstand.

At the Meeting

The Manager Property spoke to the report, providing a brief overview and noting that the playing field will remain under Napier City Council's control in terms of bookings.

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

- The view in the past has been that Napier City Rovers Association Football Club Inc. (Napier City Rovers) appeared to have exclusive use of the field, however this is not the case. Use of the field is at Council's discretion.
- This is considered to be the premier field for football/soccer in Napier and this sport is therefore given preference. It was noted that the ground is also a recreation reserve.
- Maintenance of the playing field has always been Council's responsibility. Users pay through Council's Fees and Charges Schedule for use of the grounds.
- The club room hireage is between Napier City Rovers and other users.
- Other users can have access to the grandstand and public toilets.
- The current lease has been rolling over on a month by month basis for around two years.
- In general, with the exception of the hockey turf and bowling greens, other sporting codes in Napier also rent the grounds they play on. The sporting groups usually own their club rooms with a ground lease from Council.

Committee's recommendation

Councillors Simpson / Crown

The Prosperous Napier Committee:

Resolve:

- i. That pursuant to Section 54(1)(b) of the Reserves Act 1977, to grant a lease to Napier City Rovers Association Football Club Inc. for an area of land at Park Island Reserve occupied by the Club's clubhouse, changing rooms and grandstand.
- ii. That the term of the lease be for a period of 15 years, with one right of renewal.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. DOCUMENTS EXECUTED UNDER SEAL

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1259119
<i>Reporting Officer/s & 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 21 September – 30 October 2020.

Officer's Recommendation

That Council:

Receive the report for Documents Executed under Seal for the period 21 September – 30 October 2020.

For the period 21 September – 30 October

Date	Document
22.09.2020	Consent to Sub-let – 10 West Quay
22.09.2020	Lease – 88 Meeanee Quay
29.09.2020	Lockheed Trust assignment of lease - Bodmin
30.09.2020	Consent 67 Oak Road, Napier.
30.09.2020	Licence to Occupy – Sunday Market
30.09.2020	Two consents to Sub-let part interest in Ground Lease 9921070.1
8.10.2020	Freeholding 34 Austin Street, Onekawa
13.10.2020	Renewal and Variation of Lease – Greendale Tennis Club
21.10.2020	Freeholding 32 Austin Street
21.10.2020	Freeholding 30 Austin Street

1.2 Attachments

Nil

2. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1259134
<i>Reporting Officer/s & 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 21 September – 30 October 2020.

Officer's Recommendation

That Council:

- a. Receive the Tenders Let report for the period 21 September – 30 October 2020.

There were no Tenders Let for the period 21 September – 30 October 2020

2.2 Attachments

Nil

PUBLIC EXCLUDED ITEMS

That the public be excluded from the following parts of the proceedings of this meeting, namely:

Agenda Items

1. Property Purchase

Reports from Sustainable Napier Committee held 22 October 2020

1. Museum Collection Storage Facility

Reports from Napier People and Places Committee held 5 November 2020

1. Creative Communities September 2020 Distribution of Funds

Reports from Prosperous Napier Committee held 5 November 2020

1. Land acquisition & Road Stopping - McLeod Road

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. Property Purchase	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
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		Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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Reports from Sustainable Napier Committee held 22 October 2020

1. Museum Collection Storage Facility	<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>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</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.
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Reports from Napier People and Places Committee held 5 November 2020

1. Creative Communities September 2020 Distribution of Funds	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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Reports from Prosperous Napier Committee held 5 November 2020

1. Land acquisition & Road Stopping - McLeod Road	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting
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	commercial and industrial negotiations)	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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ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date:	Thursday 8 October 2020
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Time:	10am – 10.48am
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Venue	Large Exhibition Hall Napier War Memorial Centre Marine Parade Napier
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Livestreamed to Council's Facebook site

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

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	959200
<i>Reporting Officer/s & Unit:</i>	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:

- Note the draft Revenue & Financing Policy, Rating Policy, Rates Remission Policy and Rates Postponement Policy were adopted by Council on 15 September 2020.

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- 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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1247831
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	960322
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	957626
<i>Reporting Officer/s & Unit:</i>	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:
	<ol style="list-style-type: none">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	<u>Dep. Mayor Brosnan / Councillor Price</u>
	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.
	<u>Carried</u>

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	Dep. Mayor Brosnan / Councillor Price
	That Council:
	a. Note the resource consent activity update
	Carried

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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	960285
<i>Reporting Officer/s & Unit:</i>	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	<u>Dep. Mayor Brosnan / Councillor Price</u>
	That Council:
	a. Receive the unconfirmed minutes of the Hawke's Bay Civil Defence Emergency Management Group meeting held on 8 June 2020.
	<u>Carried</u>

REPORTS FROM MĀORI COMMITTEE HELD 11 SEPTEMBER 2020

1. FORD ROAD EXTENSION - LAND LEGALISATION

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	960497
<i>Reporting Officer/s & Unit:</i>	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

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:
	<ul style="list-style-type: none"> 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

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	952626
<i>Reporting Officer/s & Unit:</i>	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:
	<ul style="list-style-type: none"> 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

Mayor Wise / Dep. Mayor Brosnan

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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	961197
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	961847
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	961277
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	954018
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	954021
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	954027
<i>Reporting Officer/s & Unit:</i>	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

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	962276
<i>Reporting Officer/s & Unit:</i>	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:

- Approve to agree to the terms of the Strategic Tourism Assets Protection Programme (STAPP) funding agreement with MBIE.
 - Approve to accept the funding in line with the agreement
\$300k 20/21
\$200k 21/22
 - Delegate authority to the Director Corporate Services the negotiation of the loan agreement should Council wish to take this up.
 - 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

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

Type of Report:	Legal
Legal Reference:	Reserves Act 1977
Document ID:	964594
Reporting Officer/s & Unit:	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

Dep. Mayor Brosnan / Councillor Chrystal

That Council:

- a. Receive the Tenders Let for the period 1 August – 18 September 2020.

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. <i>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.</i>
	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

1. External Accountability: Draft Annual Report 2019/20	7(2)(g) Maintain legal professional privilege	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting
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	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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. Resource Consent	6(a) Prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial	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.

Reports from Napier People and Places Committee held 24 September 2020

1. Offsite Kiwi Facility Lease	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. Grants Allocation SubCommittee 2020/21 - Distribution of Funds	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting

	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	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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Reports from Prosperous Napier Committee held 24 September 2020

1. Rental Relief Update	7(2)(a) Protect the privacy of natural persons, including that of a deceased person	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 10.48am

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

Chairperson

Date of approval

EXTRAORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date:	Thursday 22 October 2020
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Time:	12.17pm – 12.19pm
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Venue	Napier War Memorial Centre Marine Parade Napier
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Present	Mayor Wise (in the Chair), Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Wright
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In Attendance	Acting Chief Executive, Director Corporate Services, Director Community Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing Manager Asset Strategy Manager Projects and Design Project Management Engineer
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Administration	Governance Team
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Apologies

Council resolution

Councillors Tapine / Mawson

That the apology from Councillor Taylor be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

AGENDA ITEMS

1. 2021 MEETING SCHEDULE

Type of Report:

Operational

Legal Reference:

Local Government Act 2002

Document ID:

1253139

Reporting Officer/s & Unit:

Devorah Nicuarta-Smith, Team Leader Governance

1.1 Purpose of Report

To present the proposed meeting schedule for 2021 to Council for adoption in line with Schedule 7, Local Government Act 2002.

At the Meeting

In response to a councillor question it was confirmed that the January break from meetings has been maintained in the proposed schedule.

Council resolution

Councillors Boag / Price

That Council:

- a. Adopt the meeting schedule 2021
- i. Noting that Hawke's Bay Regional Council have confirmed the availability of their Chamber for all but two of the proposed dates

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- ii. Noting that this schedule re-integrates the Māori Committee into the six week meeting cycle as previously directed by resolution of Council
 - iii. Noting that further extraordinary or emergency meetings may be requisitioned as required throughout the year

Carried

PUBLIC EXCLUDED ITEMS

Council resolution

Councillors Mawson / McGrath

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

Carried

Agenda Items

1. Kenny Eriksen Roundabout

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. Kenny Eriksen Roundabout	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
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		Information and Meetings Act 1987.
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The meeting moved into committee at 12.19pm

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

Chairperson

Date of approval

EXTRAORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date:	Monday 2 November 2020
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Time:	3.00pm-3.31pm
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Venue	Large Exhibition Hall Napier War Memorial Centre Marine Parade Napier
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Livestreamed via Zoom on Council's Facebook page

Present	Mayor Wise, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor, Wright
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In Attendance	Interim Chief Executive, Director Corporate Services, Director Infrastructure Services, Director City Services, Director City Strategy, Manager Communications and Marketing, Chief Financial Officer, Manager Asset Strategy, Manager Design and Projects, Senior Māori Advisor, Manager Regulatory Solutions, Corporate Accountant,
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Karen Young, Audit Director - Audit New Zealand

Administration	Governance Team
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Karakia

The Senior Māori Advisor opened the meeting with a Karakia.

Apologies

Council resolution

Councillors Crown / Wright

That the apology from Councillor Brosnan be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the management

Nil

AGENDA ITEMS

1. RATING OUTTURN 2019/20

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	966772
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

1.1 Purpose of Report

To report on Council's rates position as at 30 June 2020.

At the Meeting

The Chief Financial Officer spoke to the report and it was noted that this agenda item reports on Council's rates position for the year whereas the following agenda item is in relation to Council's overall operating position, including other sources of funding in addition to rates.

A brief overview was provided and Council officers confirmed that the net rates deficit of \$2.3Million was a result of the significant impacts of Covid-19 this year, and mainly due to the closure of Council's business and tourism facilities. The report requests that Council fund the deficit from loans.

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

- All rates arrears are included in this position to year end, and the year to date rates arrears figure will be included in the first quarterly report.
- A loan term of 25 years would result in approximately a 0.2% increase on rates. Any shorter timeframe would increase the impact on rates. Loan terms are typically delegated to Council officers.
- The interest rate currently applied is 3%. This and interest rate assumptions going in to the Long Term Plan will be reassessed.
- In the event of future surpluses, Council may wish to apply any surpluses against the loan.

Elected members noted that Council had anticipated a higher deficit and were happy to see the final amount is lower than initially thought.

Council resolution

Councillors Taylor / Mawson

That Council:

- Note that lost revenue due to Covid-19 has impacted Council's rates position for 2019/20 resulting in a rates deficit of \$2,341,603
- Approve funding the 2019/20 net rating deficit of \$2,341,603 from loans.

Carried

2. ADOPTION OF ANNUAL REPORT 2019/20

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	966720
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

2.1 Purpose of Report

To present the Napier City Council Annual Report 2019/20 for adoption by Council.

At the Meeting

The Mayor introduced Karen Young, Audit Director from Audit New Zealand and invited her to speak to the report alongside Council's Chief Financial Officer. The Independent Auditor's Report (Audit Opinion) was tabled at the meeting (refer **Appendix A**).

The Chief Financial Officer spoke to the report, providing a brief overview and confirming that due to the significant impacts of Covid-19, Council would be reporting its first ever operating deficit of \$2Million. It was noted that the unbalanced budget has been carefully considered with the most financially prudent option being to loan fund the shortfall due to its one-off nature. Council will be working towards a balanced budget for the Long Term Plan 2021-31.

The audit opinion confirms Audit New Zealand are satisfied that the financial statements fairly reflect Council's activities for the year and its financial position, and includes an 'Emphasis of matter' paragraph explaining the impact that Covid-19 has had on Council's operations, financials and activity groups.

Three performance measures have also been identified in the audit opinion where Audit New Zealand was unable to determine that the reporting on these matters was materially correct, including the number of complaints for three-waters, mainly due to the lack of detail captured by Council's afterhours call provider. Council officers will work with the call provider to ensure that the call data is accurately recorded moving forward and it was noted that there will be a number of other Councils receiving a qualified audit opinion for the same matter.

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

- Performance measures are detailed in Council's quarterly reports.
- The Department of Internal Affairs mandatory performance measures in relation to complaints have been in place since 2013. The issue was initially identified last year and this year Audit New Zealand looked at this across all Councils. There are around 24 other Councils currently being audited that use the same after hours call provider. The Audit Director noted that there are similar issues with Council's system also.
- The value of Council housing will be included in land and buildings.
- In response to questions around the Resident Satisfaction Survey results, it was noted that following the adoption of the Parking Strategy, Council officers are looking at separating Napier's short term parking from long term parking. Key land purchases have also been identified to develop parking in the longer term.
- The six public cemeteries in Napier are Western Hills, Park Island, Wharerangi, Taradale, Napier and Eskdale.
- Income from gaming trusts is included in the actual report itself, relating to subsidies and grants.

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- The \$2Million operating deficit is Council's overall position; the \$2.3Million rates deficit forms part of Council's overall position.

ACTION: Councillor Boag requested that Council officers provide her with the total value of Council's housing as well as the amount of income that came from gaming trusts.

Officer's

That Council:

Recommendation

- Note the 2019/20 Annual Report has been considered by the Audit and Risk Committee.
- Note Council did not meet the balanced budget benchmark in 2019/20 due to the impact of Covid-19 on Council's revenues.
- Resolve that the operating deficit of \$2.2m for 2019/20 will be funded from loans
- Note the Auditor's report when available will include an emphasis of matter paragraph drawing attention to the impact of Covid-19 as set out in the notes to the financial statements and activity groups.
- Note Council when the audit opinion is available will receive a qualified Audit opinion on the activity group statements relating to incomplete information about the number of complaints for some services.
- Note that the Audit opinion will be provided at the Council meeting of 2 November 2020, with the Audit Director for Audit NZ available to talk to the opinion.
- Adopt the Annual Report for Napier City Council for 2019/20 subject to any grammatical and minor changes and any changes due to the requirements of the audit process.

**Council
resolution**

Mayor Wise / Councillor Tapine

Substitute Motion

That Council:

- Note the 2019/20 Annual Report has been considered by the Audit and Risk Committee.
 - Note Council did not meet the balanced budget benchmark in 2019/20 due to the impact of Covid-19 on Council's revenues.
 - Note as required under Section 80 of the Local Government Act (2002), Council considers the most financially prudent option is to fund Council's 2019/20 net operating deficit of \$2m from loans.
 - Resolve that the operating deficit of \$2m for 2019/20 will be funded from loans.
 - Note the Auditor's report when available will include an emphasis of matter paragraph drawing attention to the impact of Covid-19 as set out in the notes to the financial statements and activity groups.
 - Note Council when the audit opinion is available will receive a qualified Audit opinion on the activity group statements relating to incomplete information about the number of complaints for some services.
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- g. Note that the Audit opinion will be provided at the Council meeting of 2 November 2020, with the Audit Director for Audit NZ available to talk to the opinion.
 - h. Adopt the Annual Report for Napier City Council for 2019/20 subject to any grammatical and minor changes and any changes due to the requirements of the audit process.
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Carried

The Mayor thanked Councillor McGrath for arranging to have the Ranfurly Shield on display at the meeting.

PUBLIC EXCLUDED ITEMS

Council resolution

Councillors Mawson / Chrystal

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

Carried

Agenda Items

1. Kenny Eriksen Roundabout

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. Kenny Eriksen Roundabout	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.
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The meeting moved into committee at 3.31pm.

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

Chairperson

Date of approval

Appendix A



Independent Auditor's Report

To the readers of Napier City Council's annual report for the year ended 30 June 2020

The Auditor-General is the auditor of Napier City Council (the City Council). The Auditor-General has appointed me, Karen Young, using the staff and resources of Audit New Zealand, to report on the information in the City Council's annual report that we are required to audit under the Local Government Act 2002 (the Act). We refer to this information as "the audited information" in our report.

We are also required to report on:

- whether the City Council has complied with the requirements of Schedule 10 of the Act that apply to the annual report; and
- the completeness and accuracy of the City Council's disclosures about its performance against benchmarks that are required by the Local Government (Financial Reporting and Prudence) Regulations 2014.

We refer to this information as "the disclosure requirements" in our report.

We completed our work on 2 November 2020. This is the date on which we give our report.

Opinion

Unmodified opinion on the audited information, excluding the Activity Groups statement

In our opinion:

- the financial statements on pages [...] to [...] and pages [...] to [...]:
 - present fairly, in all material respects:
 - the City Council's financial position as at 30 June 2020;
 - the results of its operations and cash flows for the year ended on that date; and
 - comply with generally accepted accounting practice in New Zealand in accordance with Public Benefit Entity Reporting Standards;

- the funding impact statement on page [...], presents fairly, in all material respects, the amount of funds produced from each source of funding and how the funds were applied as compared to the information included in the City Council's annual plan;
- the statement about capital expenditure for each group of activities on pages [...] to [...], presents fairly, in all material respects, actual capital expenditure as compared to the budgeted capital expenditure included in the City Council's annual plan; and
- the funding impact statement for each group of activities on pages [...] to [...], presents fairly, in all material respects, the amount of funds produced from each source of funding and how the funds were applied as compared to the information included in the City Council's Long-term plan.

Qualified opinion on the Activity Groups statement – our work was limited with respect to the verification of the number of complaints for some services

In our opinion, except for the possible effects of the matter described in the *Basis for our qualified opinion* section of our report, the Activity Groups statement on pages [...] to [...]:

- presents fairly, in all material respects, the levels of service for each group of activities for the year ended 30 June 2020, including:
 - the levels of service achieved compared with the intended levels of service and whether any intended changes to levels of service were achieved;
 - the reasons for any significant variation between the levels of service achieved and the intended levels of service; and
- complies with generally accepted accounting practice in New Zealand

Report on the disclosure requirements

We report that the City Council has:

- complied with the requirements of Schedule 10 of the Act that apply to the annual report; and
- made the disclosures about performance against benchmarks as required by the Local Government (Financial Reporting and Prudence Regulations 2014) on pages [...] to [...], which represent a complete list of required disclosures and accurately reflects the information drawn from the City Council's audited information and, where applicable, the City Council's long-term plan and annual plans.

Basis for our qualified opinion on the audited information

The City Council is required to report against the performance measures set out in the Non-Financial Performance Measure Rules 2013 (the Rules) made by the Secretary for Local Government. These

mandatory performance measures include the total number of complaints (per 1,000 properties connected) received about the following:

- drinking water clarity, taste, odour, pressure or flow, and continuity of supply;;
- sewage odour, sewerage system faults and blockages, and the City Council's response to issues with the sewerage system; and
- the performance of the stormwater system.

These measures are important because the number of complaints are indicative of the quality of services received by ratepayers.

The Department of Internal Affairs has issued guidance to assist local authorities in applying the Rules, including on how to count complaints. Our audit testing found that the City Council has not been counting complaints in accordance with this guidance and that the City Council's method of counting was likely to have understated the actual number of complaints received both in the current year and in the comparative year to 30 June 2019. Complete records for all complaints made to the City Council were not available and we were unable to determine whether the City Council's reported results for these performance measures were materially correct.

We also found that the City Council's system for classifying complaints between the above performance measures is deficient and we are unable to determine whether this deficiency results in a material misstatement of the number of complaints reported per performance measure. The City Council has indicated their best estimate of the number of complaints based on a "worst-case" scenario for each of the performance measures above which has not been audited.

As a result, our work was limited and there were no practical audit procedures we could apply to obtain assurance over the number of complaints reported against these three performance measures.

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board. We describe our responsibilities under those standards further in the "Responsibilities of the auditor for the audited information" section of this report.

We have fulfilled our responsibilities in accordance with the Auditor-General's Auditing Standards.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified opinion on the audited information.

Emphasis of matter – Impact of Covid-19

Without further modifying our opinion, we draw attention to the disclosures about the impact of Covid-19 on the City Council as set out in [note x/notes x and y] to the financial statements and page xx of the Activity Groups statement.

Responsibilities of the Council for the audited information

The Council is responsible for meeting all legal requirements that apply to its annual report.

The Council's responsibilities arise under the Local Government Act 2002 and the Local Government (Financial Reporting and Prudence) Regulations 2014.

The Council is responsible for such internal control as it determines is necessary to enable it to prepare the information we audit that is free from material misstatement, whether due to fraud or error.

In preparing the information we audit the Council is responsible for assessing its ability to continue as a going concern. The Council is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless there is an intention to amalgamate or cease all of the functions of the City Council or there is no realistic alternative but to do so.

Responsibilities of the auditor for the audited information

Our objectives are to obtain reasonable assurance about whether the audited information, as a whole, is free from material misstatement, whether due to fraud or error, and to issue an audit report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in accordance with the Auditor General's Auditing Standards will always detect a material misstatement when it exists. Misstatements are differences or omissions of amounts or disclosures, and can arise from fraud or error. Misstatements are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of readers taken on the basis of this audited information.

For the budget information reported in the audited information, our procedures were limited to checking that the budget information agreed to the City Council's annual plan.

We did not evaluate the security and controls over the electronic publication of the audited information.

As part of an audit in accordance with the Auditor-General's Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. Also:

- We identify and assess the risks of material misstatement of the audited information, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City Council's internal control.

- We evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Council.
- We determine the appropriateness of the reported intended levels of service in the Activity Group, as a reasonable basis for assessing the levels of service achieved and reported by the City Council.
- We conclude on the appropriateness of the use of the going concern basis of accounting by the Council and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast a significant doubt on the City Council's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our audit report to the related disclosures in the audited information or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our audit report. However, future events or conditions may cause the City Council to cease to continue as a going concern.
- We evaluate the overall presentation, structure and content of the audited information, including the disclosures, and whether the audited information represents, where applicable, the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Council regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Other Information

The Council is responsible for the other information included in the annual report. The other information comprises the information included on pages [...] to [...] and [...] to [...], but does not include the audited information and the disclosure requirements.

Our opinion on the audited information and our report on the disclosure requirements do not cover the other information.

Our responsibility is to read the other information. In doing so, we consider whether the other information is materially inconsistent with the audited information and the disclosure requirements, or our knowledge obtained during our work, or otherwise appears to be materially misstated. If, based on our work, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Independence

We are independent of the City Council in accordance with the independence requirements of the Auditor-General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: International Code of Ethics for Assurance Practitioners issued by the New Zealand Auditing and Assurance Standards Board.

In addition to our audit and our report on the disclosure requirements, we have carried out a limited assurance engagement related to the City Council's debenture trust deed, which is compatible with those independence requirements. Other than these engagements, we have no relationship with or interests in the City Council.

Karen Young
Audit New Zealand
On behalf of the Auditor-General
Wellington, New Zealand