



**NAPIER**  
CITY COUNCIL  
*Te Kaunihera o Ahuriri*

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# ORDINARY MEETING OF COUNCIL

## Open Agenda

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Meeting Date: Thursday 2 June 2022

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Time: 9.30am

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Venue: The Ballroom  
War Memorial Centre  
Marine Parade  
Napier

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*Livestreamed via Council's Facebook site*

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Council Members **Chair:** Mayor Wise  
**Members:** Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine, Taylor and Wright

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Officer Responsible Chief Executive

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Administrator Governance Team

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**Next Council Meeting**  
**Thursday 30 June 2022**

# ORDER OF BUSINESS

## Karakia

## Apologies

Councillor Simpson

## Conflicts of interest

## Public forum

### Peter Grant, Positive Ageing Strategy Advisory Group

## 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, 21 April 2022 be confirmed as a true and accurate record of the meeting. ....56

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# AGENDA ITEMS

## 1. CHIEF EXECUTIVE'S REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1459303
<i>Reporting Officer/s &amp; Unit:</i>	Lauren Sye, Corporate Planning Analyst Steph Rotarangi, Chief Executive

### 1.1 Purpose of Report

The Chief Executive's Report is brought to Council, for your information, every six weeks.

#### Officer's Recommendation

That Council:

- a. **Receive** and note the Chief Executive's report for June 2022.

### 1.2 Background Summary

The Chief Executive's Report (the Report) seeks to update Council on a number of key projects and priorities for Napier City Council.

### 1.3 Issues

No issues.

### 1.4 Significance and Engagement

The Report is provided for information purposes only.

### 1.5 Implications

#### Financial

The Report does not give rise to any financial or resourcing implications.

#### Social & Policy

The Report does not have any particular social or policy implications.

#### Risk

The Report does not give rise to any particular risks for Council or the community.

### 1.6 Options

The options available to Council are as follows:

- a. Receive and note the Chief Executive's Report for June 2022.



### **1.7 Development of Preferred Option**

No preferred option has been developed.

### **1.8 Attachments**

- 1 Chief Executive's Report [↓](#)





# CHIEF EXECUTIVE'S *Report*

2 June 2022



**NAPIER**  
CITY COUNCIL  
*Te Kaunihera o Ahuriri*



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## Statement from the Chief Executive

It's been another busy few weeks for Council, our community, and indeed our country, as we look to recover from the recent economic pressures of Covid-19 and open up fully to international visitors. Recent tracking of economic data shows an improving situation for Napier's retailers along with signs of resilience, such as retail occupancy remaining stable over the last few years.

However, COVID-19 supply chain issues and illnesses are still impacting our city, along with increased inflation and workforce availability. You can track metrics at The Pulse of Napier which coincidentally is nominated for a Taituarā Excellence Award for Innovation pending announcement at the time of writing.

As we prepare for an uncertain future, the Executive Leadership Team (my direct reports) collectively agreed to consider if our structure is fit for purpose. We want to make sure we are aligned to the vision and outcomes that we articulate in our 2021-31 Long Term Plan, as well as acknowledging that it is a challenging time to be running a business while navigating reform. Our aim is to ensure we are being strategic and providing the right environment for our teams to deliver and thrive.

Following this process, I have decided to reduce the number of my direct reports to create a smaller leadership team with broader functional portfolios.

This will allow my direct reports to be more strategic and to delegate more effectively. Ultimately, this will enable our entire organisation to be efficient, effective and operate with more authorising environment.

As Napier prepares to fully open to the world, our country's i-SITE's have received full support from Central Government to become part of the Future Network Proposal. New government investment of \$2.975 million in the nation's i-SITE network will be used to upgrade sites, enhance online services, and drive better engagement with local history, culture and heritage attractions.

Our Infrastructure Acceleration Fund application has moved to the next and final stage. This allows us to negotiate the \$12.35 million investment in Maraenui's stormwater infrastructure to allow for better protection for the suburb as well as allow for more housing infrastructure to be built.

And finally, basketball has returned to Centennial Hall for the first time since the November 2020 floods. After delays with insurance, supply chain, COVID-19 lockdowns and illnesses, the hall has partially opened (with restrictions) to allow rangatahi to compete closer to home. We are looking forward to a full opening before July 2022.

Steph Rotarangi  
CHIEF EXECUTIVE



# Pulse Snapshot

For more statistics, and a huge range of Napier-specific social, economic and environmental measures, check out the Pulse of Napier at [napier.govt.nz](http://napier.govt.nz)

## Jobseeker Support

**Work Ready access by Napier residents:** Jobseeker Support is a weekly payment that helps people until they find work.

**2022**

Mar - **1440** | Feb - **1473** | Jan - **1581**

## Accommodation Supplement

This is a weekly payment which helps people with their rent, board or the cost of owning a home.

**2021-2022**

Mar - **5097** | Feb - **5190** | Jan - **5352**

## Resource Consent Activity

**MONTH OF MAR 2022**

Land use Consents issued - **8**

Subdivision Consents issued - **17**

**Total Resource Consents issued - 25**

## Building Consent Activity

**MONTH OF MAR 2022**

**Total Building Consents issued - 104**

Total estimated value - **\$40,119,106**

Total new dwellings - **24**

## Average House Prices *Napier* AS AT END OF MAR 2022

Average - **\$897,073**

3 Month Change - **0.3% ▲**

12 Month Change - **16.4% ▲**

## Mean Napier Rents *(as at the end of March 2022)*

Suburb	Lower estimate	Median	Upper estimate	Change since last report
Ahuriri	\$480	\$580	\$620	<b>2.1% ▲</b>
Maraenui	\$450	\$510	\$550	<b>2.9% ▼</b>
Napier South	\$435	\$520	\$583	<b>4% ▲</b>
Taradale	\$500	\$580	\$650	<b>-0.9% ▲</b>

## Domestic Tourist Spend

*Hawke's Bay*

Domestic Spend New Zealand

Domestic Spend Hawke's Bay

*March 2022*

**\$790m**

**\$27m**

*Change from prev. report*

**33% ▼**

**44% ▼**

## Police Activity

*Napier*

Crime Events

Non-Crime Events

*March 2022*

**813**

**737**

*Change from prev. report*

**7.9% ▼**

**13.9% ▼**



# Legislative Updates

## Progress of Bills currently in the House

### Road User Charges (Temporary RUC Reduction Scheme) Amendment Bill

This Bill entered into force on 12 April 2022, and temporarily reduces road user charges.

### Local Government (Pecuniary Interests Register) Amendment Bill

This Bill received Royal Assent on 20 May 2022, and will enter into force in November 2022. This Bill will improve transparency and strengthen public trust and confidence in the decision-making of local government by requiring councils to maintain and publish a register of pecuniary interests for elected members. It will better align transparency requirements of members of local authorities with members of Parliament and the Executive Council.

### Human Rights (Disability Assist Dogs Non-Discrimination) Amendment Bill

This Bill entered into force on 10 May. The Bill clarifies that discriminating against a person for having or using a disability assist dog is discriminating against the person on the basis of their disability.

### Sale and Supply of Alcohol (Renewal of Licences) Amendment Bill (No 2)

This Bill provides that where a local alcohol policy is in place under the provisions of the Sale and Supply of Alcohol Act 2012 any renewal of a licence under the Act must not be inconsistent with the provisions of that local alcohol policy. This Bill is currently awaiting its second reading (no change from last Chief Executive's Report).

### Pae Ora (Healthy Futures) Bill

This Bill provides for a new structure and new accountability arrangements for the publicly funded health system, in order to protect, promote, and improve the health of all New Zealanders.

This Bill passed its second reading on 5 May 2022 and is now awaiting Committee of the Whole House.

### Employment Relations (Extended Time for Personal Grievance for Sexual Harassment) Amendment Bill

This Bill would extend the time available to raise a personal grievance that involves allegations of sexual harassment from 90 days to 12 months. The Bill passed its first reading on 18 May 2022 and has been referred to the Education and Workforce Select Committee. Any impact of the Bill will be monitored by Council's People & Capability Team.

### Natural Hazards Insurance Bill

This Bill replaces the Earthquake Commission Act 1993. Its overarching objectives of the changes are to enable better community recovery from natural hazards, to clarify the role of the Earthquake Commission and the cover provided by the Bill, and to enhance the durability and flexibility of the legislation. The Bill passed its first reading on 30 March 2022 and has now been referred to the finance and Expenditure Committee. Submissions on the Bill closed on 13 May 2022.

### Fair Pay Agreements Bill

This Bill would create a framework for bargaining for fair pay agreements. Objectives include setting out a general duty of good faith, prescribing processes for initiating bargaining, providing dispute resolution processes, and establishing regulation making powers. The Bill passed its first reading on 5 April and has been referred to the Education and Workforce Select Committee. Submissions closed on 19 May.

### Te Ture Whenua Māori Bill

This Bill seeks to repeal and replace the current law relating to Māori land, to allow landowners, their whānau and hapū to improve the performance and productivity of their land. This Bill is currently awaiting its first reading. There are small pockets of Māori Land in the Napier City Council boundary, mainly in Bayview, which can be seen at the Māori Land Online website.



## Bills on the horizon

### Local Electoral Amendment Bill

The Government has signalled that further changes will be made to the Local Electoral Act to improve the mechanism for establishing Māori wards in future. These changes will:

- Further align the Māori ward processes and general ward processes as much as practicable and sequence them where appropriate; and
- Apply to the next term of local government (i.e., after the 2022 local elections).

Taituarā (Local Government Professionals Aotearoa) advise the introduction of this Bill is imminent.

### Self-Contained Vehicles Bill

This Bill would give effect to a package of changes to tighten what is categorized as a self-contained vehicle, and allow local authorities to better regulate where non-self-contained vehicles may stay overnight.

The Government is seeking to introduce legislation in the first half of 2022. Some of the new rules would come into place for the 2022/23 summer season, like the new rule requiring freedom camping in a vehicle on council land to be done in a certified self-contained vehicle, except at designated sites.

### Water Services Entities Bill

This is the first of three Bills to give effect to the government's Three Waters reforms. This Bill establishes the four proposed entities, determines their coverage, their powers, and aspects of the governance framework.

This Bill was originally tipped to be introduced before the end of 2021, however has been delayed to allow for a working group to give feedback about the government's preferred model. The Governance and Accountability working group reported back to Minister Mahuta on 8 March 2022. The Minister is currently considering the group's recommendations, and the Bill is expected to be introduced to the House in mid-2022.

The second of the three Bills is expected in September 2022. The second Bill will include links to land-use planning, economic regulation, powers, and implications for the 2024 Long Term Plans and the wider Local Government Act framework.

### Civil Defence and Emergency Management Amendment Bill

The National Emergency Management Agency (NEMA) has established a Regulatory Framework Review Programme (also known as the "Trifecta") to improve New Zealand's disaster resilience. This Bill, expected to be introduced in the third quarter of 2022, will give effect to any changes arising out of the Trifecta Review.

### Natural and Built Environment Bill

The first of two Bills giving effect to RMA reform. This Bill focuses the setting of environmental limits, environmental and land use planning, and the governance of those activities. Expected to be introduced into the House in the third quarter of 2022.

### Strategic Planning Bill

The second of two Bills giving effect to RMA reform. This Bill focuses on regional spatial strategies and the governance of these activities. Expected to be introduced into the House in the third quarter of 2022.





## Current Central Government Consultations

*The following Government initiatives (related to the local government sector) are currently open for public submissions:*

### Draft National Adaptation Plan (Climate Change)

#### Agency Engaging:

Manatū Mō Te Taiao: Ministry for the Environment

**Due Date:** 3/06/2022

**Description:** The Ministry for the Environment are consulting on a draft national plan to help Aotearoa adapt to and minimise the harmful impacts of climate change.

The plan (the first of its kind) will build the foundation for adaptation action so that all sectors and communities are able to live and thrive in a changing climate. The consultation also outlines proposals for flood insurance and managed retreat policies.

Officers have prepared a joint submission with Hawke's Bay Regional Council.

### New Zealand Freight & Supply Chain Issues Paper

**Agency Engaging:** Te Manatū Waka: Ministry of Transport

**Due Date:** 3/06/2022

**Description:** Over the next 30 years, New Zealand's freight and supply chain system will play a crucial role in the transport sector's transformation to a low carbon future. This issues paper aims to present a view of the big issues facing New Zealand's freight and supply chain system over the next 30 years. It will also lay out a strategic approach for responding collectively to these issues and taking advantage of opportunities.

## Regional Strategic Updates

### Clifton to Tangoio Coastal Hazards Strategy:

Following a funding review in 2021, Napier City Council, Hastings District Council and Hawke's Bay Regional Council (HBRC) working to implement recommendations which would see coastal hazards assets transferred to HBRC for centralised management.

All three councils have now endorsed a Memorandum of Transfer (MOT), which sets out the arrangements for councils. HBRC is now preparing for a public consultation process, given the transfer cannot take place without an amendment to HBRC's Long Term Plan (LTP). Napier City Council consulted on the proposal between April 7 and May 13, with 51% of submitters favouring the proposal, 30% remaining neutral, 4% disagreeing, and 15% not answering the question.

The actual transfer of assets will not happen until the 'Coastal Hazard Transfer Agreement' has been formalized, which can only take place after HBRC's LTP amendment process.

### Three Waters

After considering the recommendations from the Working Group on Representation, Governance and Accountability of New Water Services Entities, the Minister for Local Government confirmed that councils would be given non-financial shareholding interests in the four proposed water service entities. Minister Mahuta also confirmed the government accepted 44 of the Working Group's 47 recommendations, and is still working through the two outstanding recommendations (one regarding the establishment of a water ombudsman, and a second regarding the extension of Te Mana o Te Wai to all marine bodies). The two outstanding matters will likely be addressed in the second iteration of the Water Services Entities Bill, expected to be introduced shortly.

Mayors from the five Hawke's Bay councils have committed to helping ratepayers and community members understand how the changes are going to affect them, and how to have a say through the upcoming Select Committee process, the timing of which is yet to be announced.





### Regional Economic Development Agency

The primary focus of the Regional Economic Development Agency (REDA) Establishment Group is to ensure the inaugural board are appointed for the new entity. It will then be the responsibility of the Board to develop the Terms of Reference and appoint the Chief Executive. Since my last report, the Matariki Governance Group (MGG) have endorsed the Board appointment process for REDA and appointed a panel of members to undertake board appointments. Following the endorsement and commitment from MGG, progress towards the REDA has been reassessed. The MGG are currently considering a new timeline has the board appointed by the Matariki Governance Group in mid-July. The last two-weeks of July will allow for:

- Due diligence by board members before signing a Service Level/Funding agreement
- The shareholders to incorporate REDA and sign the constitution

By the end of July, REDA will be established and funded, allowing board members to start entering into contracts on behalf of REDA.

## Te Waka Rangapū

As we continue to progress our programme of work to strengthen Council's partnerships with Mana Whenua and Tangata Whenua, we also continue to build cultural capability internally. The directorate continues to build up capabilities through karakia and kapa haka, with participation from all parts of Council and some participants from neighbouring councils, and other external government organisations e.g Police.

In the policy space, Te Waka Rangapū and NCC's Te Reo Māori Champions have progressed our Te Reo Māori Policy past draft stage for decisions to be made by the Executive Leadership Team. The policy will be in workshop stages in June before moving onto Ngā Manukanuka o Te Iwi and whole of Council.

Te Waka Rangapū continue to advise programmes of work to build partnerships with Mana Whenua and Tangata Whenua.

Examples of some of these activities include:

- Station Street – Library and Civic Precinct
- Marine Parade - Cultural Narrative Building
- Puketitiri Road Realignment
- Restoring original names in accordance with post-settlement
- Advising Three Waters team
- Advising Dog Control Bylaw team
- Pānui ki te Marae – monthly pānui to Marae
- Mataruahou Pakiwaitara
- Preparing for post-Election induction
- Matariki celebrations
- Planning for Ngā Manukanuka o te Iwi – Membership for 22/25

Within Te Kupenga ā Huki, our Māori Partnership Managers rōpū across Te Matau a Maui, we have been assisting in the redevelopment of an internal Council app to provide guidance in mātauranga Māori for our officers. In this rōpū we will be arranging a launch of the app in June. In addition to this, Te Waka Rangapū alongside our neighbouring councils have been organising a hui for Te Pae Urungi with Minister Mahuta in the next month.

## Civil Defence Updates

The Emergency Mobile Alert (EMA) is a way of receiving information about local emergencies. If people's life, health, or property is in danger, Emergency Mobile Alerts can be sent to mobile phones by authorised emergency agencies, without needing to sign up or download an app.

A nationwide test of the system took place on Sunday May 22. These tests are necessary for making sure the system is working well.

More information about the system, including information about which phones receive alerts, and what to do if you didn't receive an alert, can be found at [www.getready.govt.nz](http://www.getready.govt.nz)

## Health & Safety Update

### COVID-19

As at 12 May, our COVID positive cases are 13, with an additional 8 staff listed as household contacts. To date 133 staff have recovered from COVID-19. This equates to 22.8% of our staff having contracted COVID-19-19.

We have been encouraging staff to return to the office, and back to normal with precautions in place. There is a mixture of staff working from home and returned to the office.

Weekly RAT surveillance testing continues for staff in critical roles.

### Wellbeing initiatives

Staff participated in the following health, safety and wellbeing initiatives between January and March:

- Sun Smart
- International Women's Day
- Flu jabs
- Mates for life
- Heart Health Awareness Month
- Aotearoa bike challenge
- Skin checks/Molemaps
- Positive wellbeing information for those fighting COVID-19
- World Cancer Day

## Reported Incidents

*Financial year to date as at April 2022*

Lost time injuries (LTIs):	2
Medically treated injuries (MTIs):	24
First aid	2
Near miss	65
Property damage	5

## Strategy / Policy Updates

*The following external Council Policies / Bylaws are currently undergoing review:*

- Water Supply Bylaw (consultation recently closed, submissions being analysed)
- Trade Waste and Wastewater Bylaw (consultation recently closed, submissions being analysed)
- Transportation Strategy (preparing for consultation)
- Waste Management and Minimisation Policy (in conjunction with Hastings District Council)
- Pressure Sewer Policy

## Financial Update

Anticipated total revenue 2021/22 (all income streams) **\$154.2m**

Revenue year to date as at April 2022 (all income streams) **\$113.9m**

Anticipated total operating expenditure 2021/22 **\$148m**

Operational spend year to date as at April 2022 **\$103.6m**

Anticipated total capital expenditure 2021/22 (Includes carry forwards) **\$54m**

Capital spend year to date as at April 2022 **\$32.2m**



# Upcoming Council Consultations

*Napier City Council is currently consulting on the following initiatives.*

- Dog Control Policy and Bylaw (submissions close 24 June 2022)
- City Wide Reserve Management Plan (submissions close 27 June 2022)
- Submarine Pipeline Protection (submissions close 7 June 2022)

## High Priority Projects

### Civic/Library Precinct

**Summary:** A draft business case and design brief were recently finalised for this project, and presented to Council in a workshop in May.

**Next Immediate Milestones:** The business case and design brief will be brought to Council for adoption in June/July. The target contract start date for the pre-demolition and deconstruction work on the Civic Building on Hastings/Station Streets is in June.

#### PROJECT STATUS:



### District Plan Review

**Summary:** Engagement with mana whenua has resumed on Sites of Significance to Maori and Structure Plans. Officers have made necessary amendments to the chapters after receiving technical reports on noise, high traffic generating activities and commercial areas in Wharerangi Rd and Pirimai.

**Next Immediate Milestones:** Council workshop 19 July to cover structure plans, changes to character areas and non-regulatory methods for achieving the Plan outcomes

#### PROJECT STATUS:



*District plan to be notified after elections (May 2023) due to delays in the RMA reform and delays with the Three Waters structure plan work programme.*

### Mataruahou Development

**Summary:** Council's engineers are currently working through the volumetric sizing of reservoirs to develop site layout options.

**Next Immediate Milestones:** The indicative date for finalising the volumetric sizing of the reservoirs is June, although the work is complex and involves multiple Council teams and consultants.

#### PROJECT STATUS:



### Napier Aquatic Centre

**Summary:** Consultation with the community on the location of a new Aquatic facility is on hold, due to recently completed work on updating costs of other projects. These include Council's community housing and the new Library and Civic building.

**Next Immediate Milestones:** Council wishes to understand the impact these projects will have on overall budgets, to help with decision-making on what is an affordable amount to spend on a new aquatic facility. A new aquatic facility is needed by our community – we just need to ensure that provision fits in with our other financial priorities and is affordable for Napier.

#### PROJECT STATUS:



### War Memorial Restoration:

**Summary:** The tender submissions from the plaque restoration tender have been reviewed, and while no contract will be awarded given tenders were not what was hoped for, a revised approach is being taken. One of the tender invitees will be engaged to restore a sample of the plaques, and may be engaged to complete the others depending on results. The quantity surveyor estimate on the detailed design has come out higher than anticipated, with reviews underway to understand the cause of the increase and potential solutions. The tender documents for the build contract are currently being reviewed.

**Next Immediate Milestones:** Complete and release the tender documents for the build. Sample restoration of plaques. Continuing review of naming on plaques.

#### PROJECT STATUS:



*Concerns about budget and high cost of quantity survey. Some schedule slippage has resulted in a need to reduce the contraction period by 15 days.*

## City Assist Implementation:

**Summary:** The Dunvegan site office fit-out is nearly complete. The first round of recruitment for Napier Assist roles is its final stages. Council will sufficient staffing to meet the 1st July deadline for CCTV controlled in-house. The team is still awaiting IT hardware from USA, but have the ability to operate the CCTV with the existing hardware.

**Next Key Milestones:** Collaborating with Hastings District Council to design a training/induction package for the new Napier Assist / Āwhina Tāngata staff. This will involve HDC and NCC staff working alongside each other in each district to draw on the experience of the Hastings City Assist staff.

### PROJECT STATUS:



## Ahuriri Regional Park

**Summary:** The Working Group, supported by senior staff from both the HBRC and NCC, met with five Mana Ahuriri Board members on Friday 6th May to discuss the relationship between Te Komiti Muriwai o te Whanga and the Ahuriri Regional Park project, the options for governance structures for the project, and the Terms of Reference (ToR) for what will become the Joint Committee for the project. There was further discussion that the Joint Committee should be supported by a Technical Advisory Group (TAG) made up of both staff and external consultants, as well as specialist cultural advisors appointed by Mana Ahuriri.

The hui was positive, with Mana Ahuriri expressing excitement both for the outcomes that could be achieved through this project, and for the opportunity to partner with these two Councils.

**Next Immediate Milestones:** Feedback on the draft ToR was sought from participants in May, after which staff are collating the changes preparing the draft ToR for the Joint Committee to be circulated to the members. Adoption of the final agreed-upon ToR by each participating organisation will follow, and will be the basis for how this project is delivered.

### PROJECT STATUS



## Risk Update

### Emerging Risks

The following emerging risks have been identified by Council officers in the last six weeks:

**Inflation:** The consumers price index increased 6.9 percent in the March 2022 quarter compared with the March 2021 quarter, the largest movement since a 7.6 percent annual increase in the year to the June 1990 quarter. The main driver for the 6.9 percent annual inflation to the March 2022 quarter was the housing and household utilities group, influenced by rising prices for construction and rentals for housing.

**COVID-19:** On Tuesday 10 May, New Zealand surpassed a million cases since the pandemic began more than two years ago. University of Canterbury modeller and professor Michael Plank has stated that given that there was an increase in infections during the months of February and March, New Zealand could be hit with a second wave as immunity wanes.

**Construction supplies:** Building costs have increased at their fastest rate on record following a surge in new building consents. Property research firm Core Logic's Cordell Housing Index Price, which measures the rate of change in construction costs, rose to a record 2.4 percent in the three months ended March, compared with 0.9 percent increase in the prior quarter.

**Cost of food:** Stats NZ data has shown food prices were 6.4 percent higher in April 2022 compared with April 2021. On a monthly basis, food prices were up 0.1 percent in April compared to March.





## Service Requests

The following table shows a snapshot of the service requests received by Council in March and April 2022:

	April 2022	March 2022
Service requests year-to-date (financial year)	16,599	15,337
Number of new service requests received during the month	1,262	1,803
Number of service requests resolved during the month	413	1,621
Number of service requests pending resolution at months end	1797	948
Top 5 recurring matters	<ol style="list-style-type: none"> <li>1. Building maintenance</li> <li>2. Housing queries</li> <li>3. Roaming dogs</li> <li>4. Contractor rubbish complaints</li> <li>5. Roadside drainage</li> </ol>	<ol style="list-style-type: none"> <li>1. Building maintenance</li> <li>2. Housing queries</li> <li>3. Roadside drainage</li> <li>4. Contractor rubbish complaints</li> <li>5. Water clarity (water supply)</li> </ol>

## Complaints / Requests Escalated to the Mayor / Chief Executive

Complaints and requests are, from time to time, directed to the Mayor and/or Chief Executive. The below captures high level data about the management of these complaints.

	April 2022	March 2022
Number of new complaints/requests raised during calendar month	15	64
Number of complaints/requests resolved during calendar month	11	57
Number of complaints/requests pending resolution as at end of calendar month	26	18
Themes (if relevant)	Pedestrian crossing and road safety, noise complaints.	CVC sites (vaccine passes), footpath repairs, speedbumps

## Grants Funding

Community Development Grant	
Total funding available (financial year)	\$84,000
Number of applications year to date (financial year)	21
Number of new applications in January 2022	4
Funding allocated year to date (financial year)	\$49,600
Community Services Grant	
2022-23 round opened 18 March 2022 and closed 8 April 2022. Payments will be made in August 2022 after a Council resolution.	
Creative Communities Scheme	
Contestable fund for art projects - funded by Creative New Zealand. The March funding round saw \$18,817 distributed to local initiatives.	

## Consenting Activity

Key Statistics	2021/22 (year to date as at end of March)	2020/21 (year to date as at end of March)
Total Land Use Consents issued	123	98
Total Subdivision Consents issued	112	78
<b>Total Resource Consents issued</b>	<b>235</b>	<b>176</b>
<b>Total Building Consents issued</b>	<b>977</b>	<b>872</b>
Total Estimated Value	\$238,535,636	\$199,673,487
Total New Dwellings	294	244



## LGOIMA Requests

	April 2022	Comment
<b>Requests received year to date</b>	163	
<b>Requests received in calendar month</b>	12	
<b>Responses completed in calendar month</b>	10	
<b>Responses within statutory timeframe</b>	10/10	
<b>Extensions requested in calendar month</b>	0	
<b>% of requests where charging was proposed</b>	0%	
<b>% of responses where:</b>		
• Information released in full	6	
• Information partially released	4	2 responses subject to redactions to protect the privacy of natural persons. One response subject to redactions to protect legal professional privilege. One response subject to redactions to allow commercial activities to be carried out without prejudice or disadvantage
• Request refused in full	0	
<b>Active Ombudsman investigations</b>	0	One request concerning trade waste currently with the Ombudsman.
<b>Ombudsman determinations received</b>	0	
<b>Themes</b>	Property files, Drinking water data, Vaccine passes, Mini-library, Flats and units, Resource consents	

## Documents Executed Under Seal

(period 4 April to 13 May)

Date	Document Title	Approving Officer
6.4.22	Warrant Cards Dylan Kingi	Alexandra Shrubsall
11.4.22	Easement Instrument – 6 James Foley Avenue	Colin Hunt
21.4.22	Partial Surrender of Easement New Easement for 66 Franklin Road	Colin Hunt
26.4.22	Easement Instrument – 9 Barton Avenue	Sara Parlato
28.4.22	Consent to transfer lessees' interest in lease 5853241.1 – 6 Cadbury Road, Napier	Jenny Martin
11.5.22	Partial Surrender of Easement and Easement Instrument – 3 Riverbend Road	Ellen Gowan

Te Kaunihera o Ahuriri

Napier City Council

215 Hastings Street, Napier 4110 | Private Bag 6010, Napier 4142

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**NAPIER**  
CITY COUNCIL

*Te Kaunihera o Ahuriri*



# REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

Note: The Māori Committee Recommendations in relation to the Standing Committees items are recorded with each specific item.

## REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 28 APRIL 2022

### 1. VISITOR INFORMATION CENTRE S17A REVIEW

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	1423323
Reporting Officer/s & Unit:	Steve Gregory, Manager Business & Tourism

#### 1.1 Purpose of Report

The purpose of this report is to receive the recommendations of the S17A service delivery review of the Napier Visitor Information Centre and Par2 Mini Golf, and to approve to proceed with the development of a business case investigating development options for a Tier 1 Visitor Information Centre and Tourism Hub for consideration in the 2024/25 Long Term Plan.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Acting Director of Community Services and the iSite and Par2 Manager spoke to the report noting, there has been an announcement made in the last few days by the Government about a visitor levy. NCC should know in next week if it will get some of this funding.

In response to questions from the Committee it was clarified:

- The model for the new tourism hub is a regional approach with the main tourism centre being within the central city.
- The Manager Business & Tourism and Council's Chief Executive have been contacting Liz Munroe, Chief Executive of Mana Ahuriri, about Conservation House. Conservation House was not with Mana Ahuriri when this review was first started.

- Council's preferred site is the current iSite location, however Conservation House is another option put before stakeholders. A business case will challenge which is the best location for the intended purpose.

### **Ngā Mānukanuka o te Iwi (Māori Committee) recommendation**

RTK Hawaikirangi / W Greeks

That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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#### **At the meeting**

The Officer spoke to the report, noting that Liz Munroe from Mana Ahuriri is aware that Conservation House, the Department Conservation building owned by Mana Ahuriri, was included in the review.

In response to questions from the Committee it was clarified:

- Up to nine locations around Napier CBD were assessed for suitability in the review, and projected tourism numbers were taken into account.
- The Marine Parade is an ideal location for a Visitor Information Centre as it is the main route for tour operators and cruise operations. It also lends itself to picking up pedestrian traffic. This location may also encourage people to visit the Marine Parade and in so doing support other businesses along there.
- All stakeholders, Mana Ahuriri included, will be part of the discussion moving forward in this project. A tier 1 facility will enable local stories to be told in more detail.
- NCC has indicated it would like to operate as a Tier 1 facility but is waiting for a central Government decision on funding before that can be confirmed. This decision should come in the near future.
- The budget for the remedial work on the current facility is included in the Long Term Plan's renewal budget.
- Tourism Hawke's Bay has been kept up to date with the details of this review. Their board is supportive of the Visitor Information Centre upgrade as they realise how important it is for the region.
- Iwi have not been included in the preliminary discussions, but will be if the business case development is approved.
- The business case will include business location, design and model. The aim will be to come up with the most affordable model achievable for the desired service delivery. The aim is for Par2 Mini Golf and the i-SITE to be profitable businesses.
- The budget for a business case has not been finalised as yet, but will be funded through the Chief Executive's Strategic Fund.
- Cruise operations are increasing around the world and the demand for future cruises is the highest it has ever been. At this stage the New Zealand Maritime border has not reopened yet, but it is understood

this will be opening soon. There are placeholder bookings at Napier Port for 93 cruise ships for next year.

- The building assessment of the current facility was very thorough, however until work is begun the full extent of damage to the existing wood will not be known. Council is aware that the cost may be higher than the current estimated cost.
- If the current location needs to be evacuated for remedial work to proceed there is a backup site identified for an eight week period.
- If a new site was constructed it may be possible to utilise space for tenants to lease. This concept has not been discussed with potential tenants as it is not appropriate until approval to move forward with this project is given.

**ACTION:** Officers to speak to Liz Munroe, Chief Executive of Mana Ahuriri Trust, prior to the 2 June 2022 Council meeting.

**COMMITTEE** Mayor Wise / Councillor Simpson

**RESOLUTION**

The Napier People and Places Committee:

- Approve the S17A i-SITE service delivery review and recommendations
- Approve the development of a business case for a Tier 1 Visitor Information Centre for consideration in the 2024/25 Long Term Plan
- Approve investigation of building options to accommodate a Tier 1 Visitor Information Centre (remediate, redevelop or new build) for consideration in the 2024/25 Long Term Plan.

Carried

## 2. WELCOMING COMMUNITIES ACCREDITATION APPLICATION

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1448861
Reporting Officer/s & Unit:	Rebecca Peterson, Senior Advisor Policy

### 2.1 Purpose of Report

To seek Council agreement to proceed with the Welcoming Communities - Te Waharoa ki ngā Hapori accreditation application.

### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Committee gave its support to the Decision of Council made at the Napier People and Places Committee held on 28 April 2022.

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#### At the meeting

The Manager Community Strategies spoke to the report and displayed a video, aimed at those seeking accreditation, about Welcoming Communities (<https://www.youtube.com/watch?v=ABKh060COdg>)

In response to questions from the Committee it was noted:

- There has been a gap in immigrant settlement support after the disestablishment of the Hawke's Bay Settlement Forum; participating in the Welcoming Communities programme will acknowledge that Napier is a multicultural city.
- Although NCC has been involved in the Advisory Committee for Welcoming Communities since 2017 this is the first time NCC has applied for membership due to priorities on the work programme.
- Being accredited as a region may come later, Hastings District has just gained their accreditation.
- The part-time resource for this programme would be employed on a fixed term basis initially and the wider team would support it. This will allow for strategy development and the progression of projects. As the strategy develops there may be an opportunity to gain further external funding and make the role permanent.
- The Social Monitor survey has been running for a decade, and the questions pertaining to diversity and inclusion will be repeated in the next survey to see how Napier is tracking compared to this year's results.
- The programme encourages a local response and NCC will have the ability to work with relevant local stakeholders and mana whenua in the application of the strategy.

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#### COMMITTEE Councillors Brosnan / Tapine

#### RESOLUTION

The Napier People and Places Committee:

- a. Make a **DECISION OF COUNCIL** under delegated authority to meet the Welcoming Communities application deadline.
- b. Approve that an application is made to the Welcoming Communities - Te Waharoa ki ngā Hapori accreditation programme.

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Carried

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### 3. NAPIER WAR MEMORIAL RESTORATION PROJECT UPDATE

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1453973

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*Reporting Officer/s & Unit:* Drew Brown, Senior Project Manager

#### 3.1 Purpose of Report

This report is to provide an update on progress made, and next steps for the Napier War Memorial restoration project.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read and there was no discussion by the Committee on this item.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Councillor Boag / Councillor Price

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That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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#### At the meeting

The Officer spoke to the report and showed a Powerpoint presentation (*Doc ID: 1461412*). In response to questions from the Committee it was noted:

- The most desired contractors to carry out the restoration works have very full workloads and are experiencing staff impacts due to the effects of Covid-19.
  - Officers will be reviewing a detailed cost estimate for the restoration work, which will indicate the final budget required for the project.
  - The tenders for the Roll of Honour work are being evaluated currently, and the successful tenderer will be implementing the recommendations of Council in this work.
  - The team have been approached by people on an ad hoc basis about missing names for the Roll of Honour, and the team has then researched the name to confirm it should be added and in what section. Work has started on making this process less ad hoc, which is being supported by Te Waka Rangapū team. There is space for new plaques and new names to be added in the design.
  - The Council team have looked at how they can condense the work programme to make it more likely to meet the timeline for the project.
-

- The detailed final design looks the same as the concept design.
- Council has been working with the Returned Services Association (RSA) around the artworks which will be included in the final build. These include a mauri stone, a Waharoa, where the different service plaques will be hung, where the flag poles will stand, and the delineation of a footpath created with brick-work and etchings. These additions will move straight to tender.
- The main entrance to the War Memorial Centre will remain where it is.

**ACTION:** At the June Council meeting the financials will be available as part of the agenda.

**COMMITTEE** Mayor Wise / Councillor Crown

**RESOLUTION**

The Napier People and Places Committee:

- Receive the update provided on the Napier War Memorial restoration project

Carried

#### 4. UPDATE ON CIVIC BUILDING DEMOLITION

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1442072
<i>Reporting Officer/s &amp; Unit:</i>	Darran Gillies, Community Services Programme Manager

##### 4.1 Purpose of Report

To inform the Council of the progress on the Civic building demolition ahead of the development of the new library and community spaces in accordance with the Library and Civic Area Plan.

##### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

This report was taken as read. In response to questions from the Committee it was clarified:

- The Chair of this Committee has been part of the discussions on the Civic Precinct and this is a part of that project.
- There will be display boards around the construction site to tell the story of the concept of the new build, and also any other stories from the same area. The purpose of the boards will be to bring the Community along on the journey of the project.
- There was a lot of interest in the demolition work when the tender went out. Tenders close 5pm today and the team are expecting five to six tenderers. There will be a two week period of tender assessment, independently chaired by a representative of the Ministry of Business, Innovation and Employment. A decision should be made on the preferred tender in about three weeks.

- Council is looking for a new temporary home for the mural on the side of the existing Civic Building. It needs to face east and have a sea view.

It was noted that an idea for mana whenua to tell their story as part of the boards was in keeping with the co-design approach of the project. Mana whenua will also be asked to do a karakia before the project begins.

### **Ngā Mānukanuka o te Iwi (Māori Committee) Amended Recommendation**

RTK Hawaikirangi / Dep. Mayor Brosnan

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The Ngā Mānukanuka o te Iwi Committee:

- a) Recommend that the Council resolve that the Napier People and Places Committee recommendation be adopted, and
- b) Recommend that the Council project team make space on the temporary fencing around the Civic Precinct construction site for mana whenua to tell their story.

Kua Mana

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#### **At the meeting**

The Officer spoke to the report and in response to questions from the Committee it was noted:

- Work had been carried out to find an alternative location for the Civic Building's large artwork. A suitable building was not found as it would need to have a large suitable wall facing east. The art work will be put in storage.
- Hoardings around the site will display a story of the project, and will be made as attractive as possible. Hoardings need to be put in place during the build to keep the location secure, however officers are looking at opportunities the site may be utilised for prior to construction starting.

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### **COMMITTEE Councillors Chrystal / Brosnan**

#### **RESOLUTION**

The Napier People and Places Committee:

- a. **Receive** the report titled "Update on Civic Building Demolition".

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Carried

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## 5. NAPIER LIBRARIES WINTER AND SUMMER READING PROGRAMMES 2022-23

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1444047
<i>Reporting Officer/s &amp; Unit:</i>	Belinda McLeod, Community Funding Advisor

### 5.1 Purpose of Report

To seek approval to apply for external funding from Eastern & Central Community Trust (ECCT), to support the Napier Libraries 2022/23 Winter and Summer Reading Programme.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. The Acting Director of Community Services, Mr Gillies was not aware of a response to the application being received yet but would follow up with Libraries Manager.

#### At the meeting

Council Officers spoke to the report, noting the update that the winter reading programme will have a Matariki theme.

It was also noted that provision for this service to continue has been made in Council's Long Term Plan for when the Eastern & Central Community Trust funding is no longer available.

**COMMITTEE** Councillors Crown / McGrath

#### RESOLUTION

The Napier People and Places Committee:

- a. **Make a DECISION OF COUNCIL** under delegated authority to enable the funding application to Eastern & Central Community Trust be submitted and processed this financial year.
- b. **Approve** the external funding application of \$19,000 to Eastern & Central Community Trust for the Napier Libraries 2022/23 Winter and Summer Reading Programmes

Carried



## REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 28 APRIL 2022

### 1. HEALTH AND SAFETY REPORT - QUARTER 2 YTD

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1457871
Reporting Officer/s & Unit:	Adele Henderson, Director Corporate Services Michelle Warren, Health and Safety Lead

#### 1.1 Purpose of Report

The purpose of this paper is to provide Council with an overview of Health & Safety activity for the period Quarter 2 FY22.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer spoke to this report noting that these reports have been moved from the Audit & Risk Committee to the Prosperous Napier Committee to provide greater visibility of their content for the community.

There has been a second wave of Covid cases over the last week.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

RTK Hawaikirangi / Councillor Price

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

#### At the meeting

The Director Corporate Services, Ms Henderson advised that the Health and Safety Report would now be a regular item on the Prosperous Napier Committee Agenda. The Health and Safety report had previously been presented to the Audit and Risk Committee as a risk area however, Council also had responsibilities in ensuring good health and safety plans were in place and that resources were available.

As at today's date 134 staff have had Covid, with 122 recovered and 12 current positive cases. During this period the Business Continuity Plans have accommodated for quite a significant impact to the organisation and predominately only the recycling services through suppliers had been impacted.

It was noted that Sitewise was a prequalification assessing other health and safety systems and not restricted to the construction area. However, this would

be looked at to ensure it covered the market with respect to the organisation's objectives.

**COMMITTEE** Councillors Chrystal / Mawson  
**RESOLUTION**

The Prosperous Napier Committee:

- a. **Receive** the Health and Safety report.

Carried

## 2. HAWKE'S BAY MUSEUMS TRUST DRAFT STATEMENT OF INTENT AND FINANCIAL REPORTING

*Type of Report:* Operational

*Legal Reference:* Local Government Act 2002

*Document ID:* 1442352

*Reporting Officer/s & Unit:* Jaimie McIvor, Finance Accountant

### 2.1 Purpose of Report

To receive the Hawke's Bay Museums Trust Financial Report for the six months ended 31 December 2021 and draft Statement of Intent 2022/23.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Director corporate Services, Ms Henderson spoke to the report. In response to questions from the Committee it was noted:

Funding for the move of museum pieces is still being applied for, once this is confirmed a timeline for the move can be put in place. The team are working through some value engineering at the moment to bring the cost of the move down.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

W Greeks / Dep. Mayor Brosnan

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

#### At the meeting

The Chief Financial Officer, Ms Thomson advised that the Financial Report and Statement of Intent were legislative requirements under the Local Government Act 2002 and took the paper as read.

The Director Corporate Services, Ms Henderson noted the point of difference for this draft Statement of Intent was the inclusion of commentary on work

undertaken for the storage and governance structure which is being peer reviewed and will come back to Council for any further recommendations.

*Officers to provide confirmation for the Council meeting on 2 June 2022 whether the Te Rōpū Kaiawhina Taonga group still exists and if not who was currently providing oversight and guidance to the Hawke's Bay Museum Trust.*

## COMMITTEE RESOLUTION

Councillors Tapine / Chrystal

The Prosperous Napier Committee:

- a. **Receive** the Hawke's Bay Museums Trust Financial Report for the six months ended 31 December 2021.
- b. **Receive** the Hawke's Bay Museums Trust draft Statement of Intent 2022/23 and provide any feedback to the Trust prior to the Statement of Intent being brought back to Council for adoption.

Carried

## 1. FINANCIAL FORECAST TO 30 JUNE 2022

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1449843

Reporting Officer/s & Unit: Caroline Thomson, Chief Financial Officer  
Talía Foster, Accounting Manager

### 1.1 Purpose of Report

To provide the Committee with Council's financial forecast to 30 June 2022.

### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Director of Corporate Services, Ms Henderson spoke to the report. There was no discussion by the Committee.

It was noted by the Committee that the Pou Tokomanawa was returned to Waiohiki Marae where it will be looked after well. They have Jane Hadfield who is a specialist in caring for taonga there.

### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / M Boag

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

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### At the meeting

The Chief Financial Officer, Ms Thomson spoke to the report highlighting the following points:

- The whole of Council year end forecast notes an overall operating surplus of \$2m versus the \$4.6m budgeted surplus and a capital expenditure forecast of \$54m versus \$89m budgeted.
- Ongoing impacts from Covid and also the rephasing of Parklands Stages 2 and 3 has resulted in a reduction of revenue.
- The overall rates forecast year end position differs from the operating position as any loans or reserve funded items are not included in the review.
- The rates forecast note a \$1.2m deficit with \$446,000 being attributed to parking.
- The capital forecast of \$54m versus \$89m budgeted has been impacted by a number of constraints around supply chain, labour market, sector to capacity and Covid.

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

- Traditionally the parking activity was ring fenced and went into the parking account. As part of the Long Term Plan it was moved away from this and put back into rates.
- It was noted that funding the parking deficit from the parking reserve was only recommended for this year.
- Noting key drivers of deficit with regard to Parklands the phasing is a timing issue with 10.8m of revenue being pushed out and \$7.6m of reduced development costs. A net impact of \$3.2m. Parklands is set up so that funds go into the Parklands Reserve.
- Rates funding is determined from the Revenue and Financing Policy and this is the first time a rates deficit has been forecast.
- There are other options if necessary with the use of reserves available if Council requires. However, currently under the Revenue and Financing Policy Council are required to effectively fund either through loans, rates or through fees and charges in the financial statements.

With other options available the consensus of the meeting was to remove wording *“with any deficit to be loan funded”* from Part (d) of the recommendation.

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### COMMITTEE RESOLUTION

Mayor Wise / Councillor Crown

That the Committee:

- a. **Receive** the financial forecast to 30 June 2022.
  - b. **Approve** the 2021/22 financial forecast to 30 June 2022.
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- c. **Approve** funding the year end deficit for the Parking activity from the Parking reserve.
- d. **Note** the forecast deficit rates position will be finalised at year end.
- e. **Note** that the full list of timing impacted projects for 2021/22 will be brought back to Council in a separate report for inclusion in the 2022/23 final Annual Plan.

Carried

#### 4. HAWKE'S BAY MUSEUMS TRUST ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2021

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	1421308
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer Talía Foster, Accounting Manager

##### 4.1 Purpose of Report

To provide Napier City Council with the Hawke's Bay Museums Trust Annual Report for the year ended 30 June 2021.

##### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. There was no discussion by the Committee on this item.

##### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / W Greeks

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

##### At the meeting

The Chief Financial Officer, Ms Thomson advised that this report was later than normal due to Covid and Audit capacity. The Annual Report is recording an operating surplus of \$108,000 for the financial year, which is up \$38,000 on the previous year.

The non-current assets of \$28m versus \$86m for the previous year was due to the Taonga Māori collection of four pou being restored back to the Waiohiki Marae after several decades of being on loan.

It was noted that reports had to be adopted by 31 October of each year but last year a legislative change was made so they could be adopted by 31 December. However Audit New Zealand were still challenged in terms of their resourcing so prioritised the larger organisations and pushed the audits out for the smaller organisations.

## COMMITTEE RESOLUTION

Councillors Brosnan / Chrystal

The Prosperous Napier Committee:

- a. **Receive** the 30 June 2021 Annual Report of the Hawke's Bay Museums Trust.

Carried

## REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 5 MAY 2022

### 1. DISSOLUTION OF THE NAPIER ROTARY PATHWAYS TRUST

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1455707
<i>Reporting Officer/s &amp; Unit:</i>	Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

#### 1.1 Purpose of Report

Acknowledgement of the substantial and enduring contribution that the Napier Rotary Pathway Trusts has delivered to the City of Napier

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. The Committee acknowledged the work the Rotary Pathways Trust accomplished for the residents of Napier, and thanked them for it.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Councillor Price / Dep. Mayor Brosnan

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

### At the meeting

The officer took the report as read, making note of a correction to the report; the Napier Rotary Pathway Trust have provided the city with approximately 50km of walkways and cycleways, rather than the 28km stated in the report.

In response to questions from the Committee it was noted:

- Through the District Plan review there is a new chapter proposed for the District Plan which identifies the Napier trails. There are some trails planned for by Hawke's Bay Regional Council, and a large trail planned through the Mission Estate development linking the western hills of Taradale.
- There is work being done by the Napier Rotary Pathway Trust to document a history of the Trust which will then be provided to NCC for archival purposes.
- One of the principle links to connect all pathways circumnavigating the city is the western hills of Taradale. This will be addressed through Council's District Plan and through the Resource Management Act process. There are also other links which could have been made, for example around the Dolbel reserve area, but which include private land which Council cannot bring to fruition. These links are now part of a longer term strategic plan. There are also some plans to link to Whirinaki.

### COMMITTEE Councillors Boag / Chrystal RESOLUTION

The Sustainable Napier Committee:

- a. That the Council acknowledge and thank the Napier Rotary Pathways Trust for the significant and enduring work they have undertaken in establishing the Rotary Pathways walkway and cycleway network throughout Napier.

Carried

## 2. CENTRAL FOOTBALL RELOCATION OF PROPOSED ARTIFICIAL TURF AT PARK ISLAND

Type of Report:	Procedural
Legal Reference:	Reserves Act 1977
Document ID:	1455857
Reporting Officer/s & Unit:	Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

### 2.1 Purpose of Report

To seek approval for *Central Football Incorporated* and Napier City Council to undertake an investigation and consultation regarding the possible relocation of the proposed artificial

soccer turf in a location contrary to the endorsed location in the Park Island Masterplan Plan and Plan Change 11.

#### **At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting**

That the report was taken as read and there was no discussion by the Committee on this item.

#### **Ngā Mānukanuka o te Iwi (Māori Committee) recommendation**

C Tareha / Councillor Price

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That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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#### **At the meeting**

The Officer spoke to the report and in response to questions from the Committee it was noted:

- Approval by the Committee of the officer's recommendation will enable investigation of the power lines over Bond Field impact on users, and options for alleviating those impacts. It will also allow officers to investigate wider impacts from increased use of the Park Island area and the infrastructure, such as the changing rooms and parking.
- The artificial turf will mean a higher use of the area which will have an impact. The resource consent process should iron out some of those issues, such as lighting and increased traffic.
- The Park Island Masterplan was approved by Council. This particular project would investigate options outside of that Masterplan.
- The Masterplan was cognisant of the power lines, and through previous iterations of the Long Term Plan (LTP) there was funding to underground them, however priorities have changed and the funding was reallocated.

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**COMMITTEE** Councillors McGrath / Mawson

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#### **RESOLUTION**

The Sustainable Napier Committee:

- a) **Approve** that Central Football Incorporated and Napier City Council advance investigations and consultation regarding the possible relocation of their proposed artificial soccer turf in a location contrary to the proposed location in the Park Island Masterplan and Plan Change 11.
- b) **Report** back to Council the outcome and recommendation of these investigations and consultation for decision prior to any Resource Management Act 1991 and Reserves Act 1977 processes being progressed.

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Carried

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### 3. PROPOSED MACRAE FIELD TOILET

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Type of Report:	Operational and Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1454528
Reporting Officer/s & Unit:	Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

#### 3.1 Purpose of Report

Request for additional capital and operational funding for a public toilet facility at the Park Island Northern Sports Hub extension (MacRae Field).

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

This report was taken as read and there was no discussion by the Committee on this item. discussion by the Committee on this item.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / Mayor Wise

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That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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#### At the meeting

The Officer took the report as read. In response to questions from the Committee it was clarified that:

- The Park Island Structure Plan provides for five to six fields and for clubs relocating to this location, but there are no immediate plans or funding for this in place for this. As such a toilet block should suffice for the time being and in the future a changing facility could be built if funds are allocated for it in a future LTP.
  - The work on this project will get underway shortly if approved, and will be carried out by City Services staff. A geotech report and building consent will need to be obtained, and the Depot staff will refurbish the toilet block.
  - Drinking fountains will be installed in suitable locations.
  - The location for this toilet block was identified in the Park Island Masterplan in 2017 and approved by the Council.
  - Infrastructure such as sewer and water services were installed in this area as part of the Hawke's Bay Rugby Union headquarters development.
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**COMMITTEE** Councillors Taylor / McGrath  
**RESOLUTION**

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The Sustainable Napier Committee:

- a. **Approve** the proposed installation of a toilet facility at the MacRae Field to facilitate the growth and development of Park Island (Northern Sports Hub).
- b. **Approve \$83,640** of capital funding from the *Financial Contributions fund* for this proposed public toilet facility.
- c. **Approve** additional annual operational budget of **\$4,950** for this increased level of service for the proposed public toilet facility.

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Carried

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#### 4. REPORT ON NAPIER WATER SUPPLY STATUS END OF Q3 2021-2022

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*Type of Report:* Operational

*Legal Reference:* N/A

*Document ID:* 1455019

*Reporting Officer/s & Unit:* Anze Lencek, Water Quality Lead

##### 4.1 Purpose of Report

To inform the Council on:

- the status of Napier Water Supply (NAP001) at the end of the third quarter (Q3) of 2021-2022 compliance year

##### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read and there was no discussion by the Committee on this item.

##### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

RTK Hawaikirangi / Councillor Price

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That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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##### At the meeting

The Manager Water Strategy took the report as read and there were no questions on the report from the Committee.

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**COMMITTEE** Councillors Simpson / Mawson

**RESOLUTION**

The Sustainable Napier Committee:

- a. **Endorse** the report on Napier Water Supply Status end of Q3 2021-2022

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Carried

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## 5. REPORT ON THREE WATERS REFORM PROGRAMME

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*Type of Report:* Information

*Legal Reference:* N/A

*Document ID:* 1456775

*Reporting Officer/s & Unit:* Rebecca Huckle, Three Waters Reform Programme Manager

### 5.1 Purpose of Report

To inform the Council on the progress of the Three Waters Reform Programme within Napier.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read. The Mayor gave an update in regards to the 3 waters reform programme. All of the funding that was given to NCC has now been committed so none of it will need to be paid back to Central Government.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / Mayor Wise

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That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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#### At the meeting

Officer took the report as read. In response to questions from the Committee it was clarified:

- The Regional Collaboration Projects Funding has been placed against the Low Manganese Water Project and removed some of the co-funding in order to ensure the reform money is committed.
  - It is favourable that Council will spend the \$12.5 million it was allocated for the three waters reform projects.
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**COMMITTEE** Councillor Simpson / Mayor Wise

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**RESOLUTION**

The Sustainable Napier Committee:

- a. **Endorse** the report on the Three Waters Reform Programme.

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Carried

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## 6. ADOPTION OF THE CODE OF PRACTICE FOR LAND DEVELOPMENT AND SUBDIVISION INFRASTRUCTURE

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<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	1456794
<i>Reporting Officer/s &amp; Unit:</i>	Retha du Preez, Team Leader Development and Standards

### 6.1 Purpose of Report

For Council to:

- Note the key changes to the Code of Practice for Land Development and Subdivision Infrastructure.
- Adopt the proofread Code for Practice for Land Development and Subdivision Infrastructure, March 2022.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

Water quality is light and biodiversity in this doc. It would have been good to add some of that in there.

The report was taken as read. In response to questions from the Committee it was clarified:

- The Code of Practice is a document which sits under the District Plan. Cultural aspects, such as cultural impact assessments and sites of significance are covered off in the District Plan. An application to Council for a project would have to pass the District Plan approval process first and then would go through the Code of Practice process at the more detailed design phase.
- The Code is reviewed annually so is able to be updated regularly.

The Committee noted the Code is light on such things as water quality, native species and biodiversity. These comments will be taken back to the Council Officers who update the Code. It was noted that the separate Hawke's Bay Regional Council process applicants have to go through picks up on a lot of those things.

It was also noted that mana whenua were upset with NCC and land owners because of a development in Ahuriri which found middens but did not consult with mana whenua about them. Nothing appeared to get triggered in the District Plan about this.

The Chair is happy to be part of a further discussion around these issues.

## Ngā Mānukanuka o te Iwi (Māori Committee) Amended Recommendation

C Tareha / RTK Hawaikirangi

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That Ngā Mānukanuka o te Iwi (Māori Committee):

- a) Note the key changes to the Code of Practice for Land Development and Subdivision Infrastructure.
  - b) Recommends that Council Officers investigate incorporating water quality and biodiversity outcomes into The Code of Practice for Land Development and Subdivision Infrastructure prior to the adoption of the proofread document by Council.
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Kua Mana

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### At the meeting

The Officer spoke to report and in response to questions from the Committee it was clarified:

- Regulating private lighting installations sit outside of this Code of Practice. It is something that is controlled via the resource consenting process and the District Plan.
- Similarly, for new innovations in housing, where a dwelling may be independent of Council infrastructure, these structures will be dealt with under the District Plan and in the consenting phase.
- This code will be updated annually to accommodate issues such as climate change, meeting its challenges with newly developed technology and climate friendly products.
- There are some provisions in the Code for inundation, but further investigation is still required.

a.

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### COMMITTEE RESOLUTION

Councillors Simpson / Browne

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The Sustainable Napier Committee:

- a. **Note** the key changes to the Code of Practice for Land Development and Subdivision Infrastructure.
  - a. **Adopt** the proofread Code of Practice for Land Development and Subdivision Infrastructure, March 2022.
- 

Carried

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## 7. CAPITAL PROGRAMME DELIVERY

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1453428
Reporting Officer/s & Unit:	Jon Kingsford, Director Programme Delivery

### 1.1 Purpose of Report

To provide Council with information on the 2021 Long Term Plan (LTP) Capital Programme and initiatives underway to improve Capital Programme Delivery.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer took the report as read noting there were no updates to projects since this paper was presented at the Sustainable Napier Committee. It was also noted that due to delivery, supply chain, and contractor constraints NCC will not be able to deliver the full Capital Programme for the year. Council officers are currently investigating which projects can be reprioritised and they will bring a report back through the Committee and Council meetings for consideration. The Officer had no updates since this paper was presented at the Sustainable Committee.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / Councillor Price

That the Council resolve that the Committee's recommendation be adopted.

Carried

#### At the meeting

The Officer spoke to the report and in response to questions it was noted:

- There is a possibility the scope for the Ellison St to Marine Parade Walking and Cycling improvements project may need to be reduced. There have been timing delays as a result of weather and Covid-19 related delays. Extra time spent on a project pushes the costs up, and this project already had a very tight budget. Officers are considering taking out part of the work on the Marine Parade to keep the project to budget and to meet deadline. The Ministry of Business, Innovation and Employment are aware of the current impacts on the construction industry and are in discussion with Council about the funding conditions on this project.

- The Maraenui Splash Pad project is an integrated project where funding is coming from several sources and which involves several areas of Council. It is currently on track to be completed at the end of June. Council will review the traffic management plan in light of feedback that the community are finding the current situation confusing.
- Officers are looking at combining the Poraiti Road Corridor Improvement project with the Puketitiri Road Safety Improvement project to get the best outcome for the intersection of the roads. The Council transport and project teams are in contact with the Emerald Hills developer to get the best and most timely outcome for the intersection.

#### COMMITTEE RESOLUTION

Councillors Simpson / Chrystal

The Sustainable Napier Committee:

- Receive** the report titled "Capital Programme Delivery".

Carried

## 8. BETTER OFF FUNDING

*Type of Report:* Contractual

*Legal Reference:* Local Government Act 2002

*Document ID:* 1459320

*Reporting Officer/s & Unit:* Adele Henderson, Director Corporate Services

### 8.1 Purpose of Report

The Minister of Local Government has announced that councils are now able to put forward proposals for the first \$500 million of Crown funding from the Three Waters reform 'Better off' support package. The funding is for local government to invest in local community wellbeing and can be used for capital or operating initiatives. The remaining \$1.5 billion is available from 1 July 2024. Council will need to determine whether it will apply for funding.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer spoke to the report. In response to questions from the Committee it was clarified:

- Council has opened a conversation with the Department of Internal Affairs (DIA) about the conditions on the Better Off funding. A verbal reply has been received from the DIA indicating that NCC can still apply for the funding despite it challenging the Central Government 3 waters proposal. Council officers will continue looking at what projects



this funding could be utilised for until NCC receives written confirmation of DIA's stance.

- The Council's 4 Local Democracy group also has the same concern and is looking at engaging with the DIA about it.
- Mana whenua engagement will be part of any NCC application process or funding agreement with the DIA.
- The allocation of the Better Off funding is based on the areas demographics and deprivation index.

### **Ngā Mānukanuka o te Iwi (Māori Committee) recommendation**

C Tareha / Councillor Price

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That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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#### **At the meeting**

The Officer and Chief Executive spoke to this report and in response to questions from the Committee it was clarified:

- The tranche 1 funding allocated to NCC is government allocated funding. The tranche 2 funding is subject to the water service entities making it available. The Crown allocated funding may be subject to the current government being re-elected.
  - Tranche 1 funding agreements need to be signed by 30 September 2022, but the funding is available from 30 June 2022 if an agreement is reached earlier.
  - If the funding was applied for Officers would look at current projects first for the application.
  - If the Council decide to approve option b in the Officer's Recommendation it would not prevent Officers moving forward to prepare a funding application. The Council will need to make a decision soon as to whether it will sign a funding agreement, and a clear position would be needed by the end of August to allow Officers time to liaise with the Department of Internal Affairs (DIA) and complete the application documentation.
  - Currently the funding agreement contracts would be the same for every Council that is awarded funding; b in the recommendation is proposing is that NCC request the DIA allows Napier specific clauses be added to the contract. If this is not successful Officers would need to seek some advice for the Council on how to proceed.
  - The local election period will only impact with the funding timeline if Council wanted the funding allocated to a new project rather than ones already underway and considered usual business, which the current Council can continue in the election period.
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- If there were a change in government NCC would not have to pay back any money that was already committed.

a.

**Officers Recommendation:**

The Sustainable Napier Committee:

- a. Approve Napier City Council to prepare an application for the Tranche 1 'Better off' support package available as part of the Three Waters Reform up to \$6.46m; **OR**
- b. Approve Napier City Council to prepare an application for the Tranche 1 'Better off' support package available as part of the Three Waters Reform up to \$6.46m, subject to Crown agreement that Napier City Council can continue to exercise its democratic right to oppose and/or voice concerns and/or question the legitimacy of the Three Waters Reform proposal; **OR**
- c. Do not approve Napier City Council to apply for the Tranche 1 'Better off' support package available as part of the Three Waters Reform of \$6.46m; **AND**
- d. Note that, subject to the decision above, the Funding Agreement and Funding Proposal will be brought back to Council for approval.
- e. Note any application to the Better off support package would need to be subject to the Chief Executive confirming this will not affect council's ability to deliver our existing water works programme, capital and operational.

**ACTION:** The Chief Executive to present a timeline of significant decisions required for this process at the 2 June Ordinary Council meeting.

**COMMITTEE  
RESOLUTION**

Mayor Wise / Councillor Simpson

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The Sustainable Napier Committee:

- a. Approve Napier City Council to prepare an application for the Tranche 1 'Better off' support package available as part of the Three Waters Reform up to \$6.46m, subject to Crown agreement that Napier City Council can continue to exercise its democratic right to oppose and/or voice concerns and/or question the legitimacy of the Three Waters Reform proposal;
- b. Note that, subject to the decision above, the Funding Agreement and Funding Proposal will be brought back to Council for approval.
- c. Note any application to the Better off support package would need to be subject to the Chief Executive confirming this will not affect council's ability to deliver our existing water works programme, capital and operational.

*Councillor Boag voted against the motion.*

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Carried

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## 9. ROAD STOPPING AND GRANTING OF EASEMENT OVER VESTED RESERVE - AWATOTO

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reserves Act 1977 and Public Works Act 1981
<i>Document ID:</i>	1455014
<i>Reporting Officer/s &amp; Unit:</i>	Bryan Faulknor, Manager Property

### 9.1 Purpose of Report

To obtain Council's approval to actions required to provide appropriate land legalisation actions to accommodate a new drinking water bore field and associated equipment at Awatoto.

In particular, to seek Council consent to road stopping of part of the unformed road between Eriksen Road and Awatoto Road and separately to consent to the granting of an easement over Vested Reserve land for water supply infrastructure.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The report was taken as read and it was noted that this report and agenda item 11 are linked to NCC's new bore fields and the resolution of Napier's dirty water issues. ok the report as read.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Dep. Mayor Brosnan / Councillor Price

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

#### At the meeting

The Officer spoke to the report. There were no questions from the Committee.

#### COMMITTEE RESOLUTION

Councillors Mawson / Chrystal

The Sustainable Napier Committee:

- Consents to road stopping under Section 116 of the Public Works Act 1981 of approximately 2,187m<sup>2</sup> of legal road adjoining Section 112 Block VIII Heretaunga Survey District, and the retention of the land in fee simple for water supply purposes.

- 
- b) Authorises the Chief Executive to make an application to LINZ for the above road stopping under Section 116 of the Public Works Act 1981.
  - c) Approves, as administering body, under section 48(1)(e) of the Reserves Act 1977, the grant of easements for the right to drain water over part of the local purpose (arboretum) reserve described as Section 112 Block VIII Heretaunga Survey District.
  - d) Approves, in exercise of the Ministerial consent (under delegation from the Minister of Conservation), the granting of the above easement.
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Carried

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## 10. LEASE OF RESERVE AT ANDERSON PARK TO THE BUZZY BEE TRUST

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*Type of Report:* Legal and Operational

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*Legal Reference:* Reserves Act 1977

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*Document ID:* 1447530

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*Reporting Officer/s & Unit:* Bryan Faulknor, Manager Property  
Jenny Martin, Property and Facilities Officer  
Debra Stewart, Director Infrastructure Services

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### 10.1 Purpose of Report

To obtain approval to grant a new ground lease to the Buzzy Bee Trust for the land occupied by the Mahoe Hall on the Anderson Park Reserve for a term of 15 years with one 15 year right of renewal.

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

No discussion by the Committee on this item.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

C Tareha / W Greeks

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That the Council resolve that the Committee's recommendation be adopted.

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Kua Mana

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#### At the meeting

The Officer spoke to the report and in response to questions from the Committee it was clarified:

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- The Buzy Bee Trust is a newly formed not-for-profit charitable trust which has been set up to take over the ground lease for Mahoe Hall.
- Council will enter a new lease with the Trust and the lease will specify that the activities in the building will have to be related to the recreation purpose of the reserve

## COMMITTEE RESOLUTION

Councillors Browne / Wright

The Sustainable Napier Committee:

- Recommend** that Council agree to a new lease, under Section 54(1)(b) of the Reserves Act 1977, for the Buzzy Bee Trust for the land occupied by the Mahoe Hall at the southern end of Anderson Park Reserve for a term of 15 years plus one 15 year right of renewal.
- Note** that Council is acting under delegated authority from the Minister of Conservation in granting this lease.

Carried

## 11. INITIATION OF PROCESS TO CHANGE RESERVE PURPOSE

*Type of Report:* Legal and Operational

*Legal Reference:* Reserves Act 1977

*Document ID:* 1455595

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

### 11.1 Purpose of Report

To obtain Council's approval to initiate the process to change the purpose of part of the vested local purpose reserve at 274 Guppy Road, Taradale situated between the Expressway and Tareha Park. This process is required to provide an appropriate reserve purpose to accommodate a new drinking water bore field and associated equipment.

### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

That the Council resolve that the Committee's recommendation be adopted.

### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / Councillor Price

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

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**At the meeting**

The Officer spoke to the report and there was no discussion on this item.

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**COMMITTEE  
RESOLUTION**

Mayor Wise / Councillor Simpson

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The Sustainable Napier Committee:

- a) Approves the initiation of the process, pursuant to Section 24A of the Reserves Act 1977, to change the purpose of part of an existing reserve as shown as area A in Scheme plan titled Guppy Road Reclassification Drawing No. TK 364-02. The reserve is situated at 274 Guppy Road with the legal description being Section 2 Survey Office Plan 457705 (held in record of title 646173).

The change of purpose is from Local Purpose (sport and recreation buildings) reserve to Local Purpose (Water Supply) Reserve.

- b) Authorises the Chief Executive to publically notify the proposed change of purpose under Section 24A (2) of the Reserves Act 1977.
- c) Notes that the reasons for the change of purpose is to accommodate a new drinking water bore field, treatment plant and associated equipment and pipes. This is to ensure Council's priority for a clean, safe and sustainable drinking water supply for Napier.

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Carried

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## REPORTS FROM FUTURE NAPIER COMMITTEE HELD 5 MAY 2022

### 1. RESOURCE CONSENT ACTIVITY UPDATE

Type of Report:	Enter Significance of Report
Legal Reference:	Enter Legal Reference
Document ID:	1454220
Reporting Officer/s & Unit:	Luke Johnson, Team Leader Planning and Compliance

#### 1.1 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 Ngā Mānukanuka o te Iwi (Māori Committee) meeting

The Officer spoke to the report noting an update on the newly formed key account managers team. This team is an initial point of contact for proposed substantial developments and will ensure advice and feedback can be given reasonably quickly to the developers. TWR will be involved in this process and will liaise with mana whenua as part of the process.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Dep. Mayor Brosnan / RTK Hawaikirangi

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

#### At the meeting

The Team Leader Planning and Compliance, Mr Johnson spoke to the report noting that there had been a steady increase in resource consent applications of 32 during the last six week period which was consistent with the same time last year.

Mr Johnson provided an update on the following two applications since writing the report.

**42 Marine Parade, Napier – Redevelopment of the Napier War Memorial** – A Section 92 information request had been issued to the applicant addressing matters in relation to the activity status, title, structure, infrastructure and design aspects. Once a response has been received from the applicant a determination on the application will be made in due course. The Section 95 report could not be issued until the Section 92 information request was received.



**156 Gloucester Street, Taradale – Extension of a non-residential activity** – A Section 92 information request had been issued to the applicant with respect to landscaping, transport noise and lighting matters. A response to the information request has not yet been received from the applicant.

<b>COMMITTEE</b>	Councillors Crown / Chrystal
<b>RESOLUTION</b>	The Future Napier Committee:
	a. <b>Note</b> the resource consent activity update for period 21 October 2021 to 18 January 2022

Carried

## 2. PROPOSAL FROM ART DECO TRUST - WOMEN'S REST ROOMS MEMORIAL SQUARE

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reserves Act 1977, Napier Borough Endowments Act 1876, Napier District Plan.
<i>Document ID:</i>	1455858
<i>Reporting Officer/s &amp; Unit:</i>	Bryan Faulknor, Manager Property

### 2.1 Purpose of Report

To consider the Art Deco Trust's proposal to partner with Council to strengthen, restore and lease the Memorial Square Community Rooms (Women's Rest).

#### At the Ngā Mānukanuka o te Iwi (Māori Committee) meeting

This report was taken as read and it was noted by the Mayor that the Art Deco Trust are highly motivated to move this project forward. The Committee will be kept up-to-date on the partnership development and the Memorandum of Understanding will be shared once it is ready, prior to it going through a Council meeting for consideration.

#### Ngā Mānukanuka o te Iwi (Māori Committee) recommendation

Mayor Wise / RTK Hawaikirangi

That the Council resolve that the Committee's recommendation be adopted.

Kua Mana

#### At the meeting

It was noted that Councillor Wright was the appointed Council representative on the Art Deco Trust.

The Property Manager, Mr Faulknor advised that the Art Deco Trust wished to enter into a Memorandum of Understanding with Council to work collaboratively together in the restoration and upgrade of the Women's Restrooms, Memorial Square. The proposal for the Women's Restrooms is dependent on all regulatory consents and District Plan provisions and any legal issues being met.

The Trust would be involved in the preparation of the Memorandum of Understanding in conjunction with Council solicitors and would be expedited as soon as possible. The draft Memorandum of Understanding would then be brought to Council for final approval.

Mr Faulknor advised that the Art Deco Trust would be responsible for the preparation of the feasibility study.

#### COMMITTEE RESOLUTION

Mayor Wise / Councillor Wright

The Future Napier Committee:

- a. **Resolve** to agree in principle to partner with the Art Deco Trust to restore, strengthen, refurbish and lease to the Trust the Memorial Square Community Rooms (Women's Rest).
- b. **Resolve** to enter into a Memorandum of Understanding, which will set out the terms and requirements of how the parties will work collaboratively and in good faith towards the above initiative and negotiate lease terms acceptable to both parties.
- c. **Resolve** that a draft Memorandum of Understanding be brought back to Council for final approval on 2 June 2022.

Carried

## REPORTS UNDER DELEGATED AUTHORITY

### 1. TENDERS LET

Type of Report:	Information
Legal Reference:	Enter Legal Reference
Document ID:	1422913
Reporting Officer/s & Unit:	Debbie Beamish, Executive Assistant to the Chief Executive

#### 1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 4 April – 13 May 2022.

### **Officer's Recommendation**

That Council:

- a. **Receive** the Tenders Let for the period 4 April – 13 May 2022.

Period - 04 April 2022 to 13 May 2022

For Council Agenda:

CONTRACTS OVER \$100,000 LET UNDER CHIEF EXECUTIVE/DIRECTOR  
INFRASTRUCTURE DISCRETION

#### **Contract 2213 Pandora Industrial Pipeline Remediation**

Three tenders were received.

It was recommended that the contract be awarded to Davies Waste in the sum of \$753,752.47.

This recommendation was approved.

### **1.2 Attachments**

Nil

# PUBLIC EXCLUDED ITEMS

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

## Reports from Sustainable Napier Committee held 24 March 2022

1. Surplus land sale
2. Lease of Subsoil of Road

## Reports from Napier People and Places Committee held 28 April 2022

1. Creative Communities Funding March 2022

## Reports from Sustainable Napier Committee held 5 May 2022

1. Land purchase

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.
<b>Reports from Sustainable Napier Committee held 24 March 2022</b>		
1. Surplus land sale	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. Lease of Subsoil of Road	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for

		withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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### Reports from Napier People and Places Committee held 28 April 20222

1. Creative Communities Funding March 2022	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 Sustainable Napier Committee held 5 May 2022

1. Land 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 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

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Meeting Date: Thursday 21 April 2022

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Time: 9.00am – 9.40am (*Open*)  
9.41am – 9.50am (*Public Excluded*)

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Venue Via Zoom Audio Visual Link

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*Livestreamed via Council's Facebook site*

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Present **Chair:** Mayor Wise  
**Members:** Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine and Wright

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In Attendance Chief Executive (Steph Rotarangi)  
Director City Services (Lance Titter)  
Director City Strategy (Richard Munneke)  
Acting Director Community Services (Darran Gillies)  
Director Corporate Services (Adele Henderson)  
Director Infrastructure Services, (Debra Stewart)  
Manager Communications and Marketing (Julia Atkinson)  
Pou Whakarae (Mōrehu Te Tomo)  
Team Leader Governance (Helen Barbier)  
Team Leader Transportation (Robin Malley)  
Senior Advisor Policy (Michele Grigg)  
Māori Partnership Manager - Te Kaiwhakahaere Hononga  
Māori (Hiliary Prentice)

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Administration Governance Advisor (Carolyn Hunt)

### Karakia

Mayor Wise gave the opening karakia.

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## Apologies

### COUNCIL RESOLUTION

Councillors Crown / Boag

That the apology from Councillor Taylor be accepted.

Carried

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## Conflicts of interest

Nil

## Public forum

Nil

## Announcements by the Mayor

**Anzac Day Commemorations** to be held on Monday 25 April 2022 and look forward to seeing many of you at the various ceremonies that will be held.

**Congratulations** and thank you to the Tamatea and Taradale High Schools for the incredible Taradale and District Schools Spirit of Anzac Commemoration that was held at the Taradale Town clock last week. This was supported by the Greendale Services Association but was organised by the students including the speeches and the commemoration service. Councillor Tapine's son Rhys Tapine was the Master of Ceremonies and did a fantastic job at running the whole commemoration service honouring our service people past and present ensuring their stories are passed on to future generations.

## Minor Matters

Nil

## Announcements by the management

Nil

## Confirmation of minutes

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### COUNCIL RESOLUTION

Councillors McGrath / Price

That the Draft Minutes of the Ordinary meeting held on 10 March 2022 be confirmed as a true and accurate record of the meeting.

Carried

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### COUNCIL RESOLUTION

Councillors Chrystal / Tapine

That the Draft Minutes of the Extraordinary meeting held on 31 March 2022 be confirmed as a true and accurate record of the meeting.

Carried

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# AGENDA ITEMS

## 1. CHIEF EXECUTIVE'S REPORT

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1449446
Reporting Officer/s & Unit:	Steph Rotarangi, Chief Executive

### 1.1 Purpose of Report

The Chief Executive's Report is brought to Council, for your information, every six weeks.

#### At the meeting

The Chief Executive, Dr Rotarangi took the paper as read however drew attention to the following points:

- In last two months there had been 433mm of rainfall with the annual rainfall being approximately 800mm.
- There have been improvements made to Council's systems and a better understanding that the roadways are part of the stormwater network and during rainwater events hold stormwater. The community responded well by driving cautiously during these events.
- Notification is due at the end of this month whether Council has been successful in its application for \$12m from the Infrastructure Acceleration Fund to improve the stormwater around Maraenui.

The numbers of people affected or impacted by Covid at Council is dropping and business continuity has managed well.

It was noted that a report and update on progress made, and next steps for the Napier War Memorial restoration project would be presented to the Napier People and Places Committee meeting on 28 April 2022. This report was also available on Council's website.

**COUNCIL** Councillors Boag / Wright

#### RESOLUTION

That Council:

- Receive** and note the Chief Executive's report for April 2022.

Carried

## 2. AMENDMENTS TO THE 2022 COUNCIL/COMMITTEE MEETING SCHEDULE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1446926
<i>Reporting Officer/s &amp; Unit:</i>	Helen Barbier, Team Leader Governance

### 2.1 Purpose of Report

The purpose of this report is to consider amendments to the schedule of Council and Committee meetings for the 2022 Meetings Calendar, which was originally adopted by Council on 28 October 2021.

It is proposed that the meeting schedule be amended as follows:

- Modify Council and Standing Committee meeting start times from 9am to 9.30am.

#### At the meeting

The report was taken as read.

#### COUNCIL RESOLUTION

Councillors Price / Crown

That Council:

- Adopt** the following amendment to the schedule of meetings for 2022 effective from 1 May 2022 as below:

- |   |                |                             |
|---|----------------|-----------------------------|
| • Modify Council and Standing Committee meeting start times | Change of time | Meetings to start at 9.30am |
|---|----------------|-----------------------------|

Carried

## 3. RETIREMENT OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT POLICY

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1449450
<i>Reporting Officer/s &amp; Unit:</i>	Helen Barbier, Team Leader Governance

### 3.1 Purpose of Report

The purpose of this report is to formally retire the Local Government Information and Meetings Act (LGOIMA) Policy which was due for review in March 2022.

### At the meeting

The Team Leader Governance, Ms Barbier spoke to report which related to eliminating one level of administration that is not actually required in our processes. The organisation follows the Local Government Official Information and Meetings Act and uses the support documents from the Office of the Ombudsman for the guidelines, templates etc.

The Policy itself did not add any additional information and appeared unnecessary to retain it and therefore sought approval to retire this policy.

### COUNCIL RESOLUTION

Dep. Mayor Brosnan / Councillor Chrystal

That Council:

- a. **Approve** retirement of the Local Government Official Information and Meetings Act Policy.
- b. **Instruct** Officers to retire the policy, including removing it from the Council website.

Carried

## 4. UPDATE ON ACTIONS ARISING FROM LONG TERM PLAN 2021-31 DELIBERATIONS

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1449461
Reporting Officer/s & Unit:	Adele Henderson, Director Corporate Services

### 4.1 Purpose of Report

The Hearings for the Long Term Plan 2021-31 were held from 8 June 2021. During Hearings, a number of actions were captured in the minutes and delegated to Council officers. This report updates Council on progress with these actions.

### At the meeting

The Director Corporate Services, Ms Henderson advised that there were a number of actions captured as part of the Long Term Plan and delegated to officers to progress. The report provided an update on where Council officers were at on the various actions.

In response to questions the following was clarified:

- In regard to the time taken to progress a Memorandum of Understanding the Te Taiwhenua o Te Whanganui a Orotū have indicated they do not believe a MoU is needed.
- Other arrangements are in place, particularly in respect to working together and how resource can be provided to Te Taiwhenua o Te Whanganui a Orotū to assist Council in work programmes.
- This action will be formally reported on in the future.

- In regard to identified Traffic Management Plans named in programmes and consideration given to in the Long Term Plan officers were currently working with Waka Kotahi to identify the most suitable areas and obtain joint funding from them through their Road to Zero banner and then work with the community.
- There were some areas where there is more budget than work identified for that particular year and Douglas McLean Avenue would be transitioned next year.

**ACTION:** *Officers to provide a Traffic Safety Management Plans priority list to elected members.*

- In regard to infill lighting and tree removal this work was ongoing and has been an issue for sometime. Much of the lighting in Maraenui is mounted on Unison power poles and not installed at a spacing designed for street lighting.
- Full assessment was unable to be completed until the rollout of LED luminaires was complete on the affected streets. The LED roll out began in 2018 – 2021 and Maraenui was first in the roll out for LEDs however, there were two categories of street lights so there was a staggered approach.
- The programme that is being compiled will have to come back to council before the financial year as it will require additional budget for filling in the gaps where removal and trimming of trees or improved luminaires has not had the desired effect.
- Some trees removed have been replaced with tall narrow trees called Hornbys.
- Budget requirements relating to continued work to remaining trees highlighted for removal will be included in a report to the Sustainable Napier Committee meeting on 5 May 2022.

**ACTION:** *Officers to report back to elected members on progress made on developing a framework for Community Plans for various ward communities and when the timeframe will be completed.*

**COUNCIL** Councillors Tapine / Mawson

**RESOLUTION**

That Council:

- Note** the progress made with actions arising from the 2021 Long Term Plan Hearings, as detailed in this report.

Carried

## 5. REGIONAL TRANSPORT COMMITTEE UPDATE - 11 MARCH 2022

*Type of Report:* Operational

*Legal Reference:* Enter Legal Reference

*Document ID:* 1451544

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

### 5.1 Purpose of Report

To provide a summary of the Regional Transport Committee meeting held on 11 March 2022.

### At the meeting

The report was taken as read and the Team Leader Transportation, Mr Malley responded to questions.

- It was noted that the Regional Transport Committee were continuing to pressure Waka Kotahi at every meeting for them to demonstrate that they are progressing and delivering.
- In regard to the active transport walking and cycling brief the Regional Transport Committee were proposing that a member of the Regional Cycling Group be appointed to the Committee with voting rights.
- The RTC have held a number of workshops to determine what form that representation could take. The RTC does not have any boundaries in regard to modes of transport it represents or funds.

**ACTION:** *Officers to provide an update on the Safety Feasibility Study for State Highway 5 which was to have been completed in March 2022.*

The Mayor on behalf of the meeting thanked staff for compiling a very clear and concise submission on road user charges which was currently underway.

**COUNCIL** Councillors Price / Mawson

### RESOLUTION

That Council:

- Receive** the update report on the proceedings of the Regional Transport Committee meeting of 11 March 2022.

Carried

## 6. MEETING SUMMARY - CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY JOINT COMMITTEE

Type of Report:	Operational
Legal Reference:	Local Government Official Information and Meetings Act 1987
Document ID:	1451781
Reporting Officer/s & Unit:	Debra Stewart, Director Infrastructure Services

### 6.1 Purpose of Report

To provide Council with the notes summarizing the Clifton to Tangoio Coastal Hazards Strategy Joint Committee meeting held on 22 February 2022 (*Doc Id 1447060*) and the presentation by Dr Shane Kelly (*Doc Id 1447061*).

### At the meeting

It was highlighted that Council are currently consulting as part of the draft Annual Plan on Coastal Hazards and the proposal is that the management of Coastal Hazards going forward is transferred to the Hawke's Bay Regional Council from Napier City and Hastings District Council. It is considered that they are better placed to be able to manage the Strategy and implementation along the coastline which straddles both Napier and



Hastings. This particular item is cost neutral and means the Hawke's Bay Regional Council will starting rating for what has previously been rated individually by each Council.

**COUNCIL** Dep. Mayor Brosnan / Councillor Simpson

**RESOLUTION** That Council:

- a. **Receive** the summary notes from the Clifton to Tangoio Coastal Hazards Strategy Joint Committee meeting held on 22 February 2022.

Carried

## REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

Note: The Māori Committee Recommendations in relation to the Standing Committees items are recorded with each specific item.

### REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 17 MARCH 2022

#### 1. THE MEKE METER INITIATIVE - FUNDING SUPPORT

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1431458
Reporting Officer/s & Unit:	Belinda McLeod, Community Funding Advisor

##### 1.1 Purpose of Report

To seek approval for Council to apply for funding from the Eastern and Central Community Trust (ECCT) on behalf of L W Confederation Ltd who operate the mobile fitness POD under the Meke Initiative project.

##### At the meeting

A Decision of Council had been resolved at the Napier People and Places Committee meeting on 17 March 2022.

**COMMITTEE** The Napier People and Places Committee:

**RESOLUTION** a) Make a **DECISION OF COUNCIL** under delegated authority to enable the funding application to Eastern & Central Community Trust to be submitted and processed this financial year.

- b) Approve an external funding application of \$25,000, to Eastern & Central Community Trust on behalf of L W Confederation Ltd to assist with the lease of the mobile fitness container and trainer costs.

Carried

## 2. NAPIER SOCIAL MONITOR REPORT 2021

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1385225
Reporting Officer/s & Unit:	Michele Grigg, Senior Advisor Policy

### 2.1 Purpose of Report

To provide an overview of the findings from the 2021 Napier Social Monitor report.

#### At the meeting

It was noted that the Social Monitor Report would also be included in a report on "Welcoming Communities" being presented at the Napier People and Places Committee meeting on 28 April 2022.

**COMMITTEE** Councillors Boag / Wright

#### RESOLUTION

That Council:

- a. **Receive** the Napier Social Monitor report 2021.

Carried

## REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 17 MARCH 2022

### 1. QUARTERLY REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1421309
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

### 1.1 Purpose of Report

To consider the Quarterly Report for the six months (*Doc Id 1439805*) ended 31 December 2021.

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#### At the meeting

There was no discussion at the meeting

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**COMMITTEE** Councillors Crown / Simpson

**RESOLUTION**

That Council:

- a. **Receive** the Quarterly Report for the six months ended 31 December 2021.

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Carried

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## 2. HAWKE'S BAY AIRPORT LIMITED INTERIM REPORT FOR THE SIX MONTHS ENDED 31 DECEMBER 2021

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*Type of Report:* Legal and Operational

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 1436783

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

### 2.1 Purpose of Report

To receive the interim report for the six months ended 31 December 2021 from Hawke's Bay Airport Limited.

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#### At the meeting

Recommendations for the three reports were taken altogether, including the Public Excluded Shareholders report which was brought into the Open Session.

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**COMMITTEE** Councillors Crown / Simpson

**RESOLUTION**

That Council:

- a. **Receive** the Hawke's Bay Airport Limited interim report for the six months ended 31 December 2021 (*Doc Id 1439100*).
- b. **Receive** the Hawke's Bay Airport Limited Draft Statement of Intent for the 2022/23 year (*Doc Id 1442854*)
- c. **Receive** the Hawke's Bay Airport Limited half year report to shareholders, to December 2021 (*Doc Id 1439102*).

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Carried

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### 3. HAWKE'S BAY AIRPORT LIMITED - DRAFT STATEMENT OF INTENT 2022/23

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1442532
Reporting Officer/s & Unit:	Adele Henderson, Director Corporate Services

#### 3.1 Purpose of Report

To present the Hawke's Bay Airport Limited Draft Statement of Intent for the 2022/23 year.

##### At the meeting

The recommendation to receive the report was included in the above recommendation for Item 2.

### 4. HAWKE'S BAY AIRPORT LTD HALF YEAR REPORT TO SHAREHOLDERS TO 31 DECEMBER 2021

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	1421310
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer
Reason for Exclusion	<i>Section 7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</i>

#### 4.1 Purpose of Report

To receive the half year report to shareholders from Hawke's Bay Airport Limited to 31 December 2021.

##### At the Meeting

As confirmed in the Open Section of the Prosperous Napier Committee meeting the Shareholders Report was addressed in the presentation by Wendie Harvey and Stephanie Murphy from the Hawke's Bay Airport Limited. It was noted that the Hastings District Council had included this report in the Open section of their Agenda and details had been released in the media.

The recommendation to receive the report was included in the above recommendation for Item 2.

## REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 24 MARCH 2022

### 1. INTEGRATED TRADE WASTE AND WASTEWATER BYLAW: CONSULTATION PROPOSAL

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1417631
Reporting Officer/s & Unit:	Caitlin Egan, Environmental Compliance Officer

#### 1.1 Purpose of Report

The purpose of this report is to outline a proposal to promulgate a new Integrated Trade Waste and Wastewater Bylaw under ss146 (1)(a)(iii) and 146(1)(b)(iii) of the Local Government Act 2002 (LGA).

#### At the meeting

A Decision of Council had been resolved at the Sustainable Napier Committee meeting on 24 March 2022.

<b>COMMITTEE</b>	The Sustainable Napier Committee:
<b>RESOLUTION</b>	The Sustainable Napier Committee make a <b>DECISION OF COUNCIL</b> under delegated authority to: <ul style="list-style-type: none"> <li>a. <b>Endorse</b> the content of this report including <i>Attachment 1 Statement of Proposal (Doc Id 1458369)</i>.</li> <li>b. <b>Agree</b> that pursuant to s155(2)(b) and 155(3) of the LGA, the proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).</li> <li>c. <b>Adopt</b> the proposal and the draft Integrated Trade Waste and Wastewater Bylaw for the purposes of public consultation <i>Attachment 2 (Doc Id 1458375)</i></li> <li>d. <b>Approve</b> the commencement of the special consultative procedure in accordance with s83(1) of the LGA in relation to the proposal.</li> </ul>

### 2. WATER SUPPLY BYLAW STATEMENT OF PROPOSAL

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1441447
Reporting Officer/s & Unit:	Russell Bond, Manager Water Strategy Lance Groves, Water Planning Lead



## 2.1 Purpose of Report

The purpose of this report is to:

- 1) Outline a proposal to re-promulgate the Napier City Water Supply Bylaw that was revoked pursuant to s 160A of the Local Government Act 2002 (LGA) on 26 June 2019 (the proposal); and
- 2) To recommend that the Napier City Council (the Council) commence the special consultative procedure in accordance with s 83(1) of the LGA in relation to the proposal.

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### At the meeting

A Decision of Council had been resolved at the Sustainable Napier Committee meeting on 24 March 2022.

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**COMMITTEE** The Sustainable Napier Committee:

- RESOLUTION**
- a. **Make** a **DECISION OF COUNCIL** under delegated authority to enable public consultation to occur at the same time as the Trade Waste and Wastewater Bylaw public consultation.
  - b. **Endorse** the content of this report (including Attachment 1 *Statement of Proposal*).
  - c. **Endorse** that pursuant to ss 155(2)(b) and 155(3) of the LGA, the proposed Bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
  - d. **Adopt** the proposal and the proposed Water Supply Bylaw for the purposes of public consultation.
  - e. **Approve** the commencement of the special consultative procedure in accordance with s 83(1) of the LGA in relation to the proposal.
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## 3. REPORT ON THREE WATERS REFORM PROGRAMME

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1442095
<i>Reporting Officer/s &amp; Unit:</i>	Rebecca Huckle, Three Waters Reform Programme Manager Russell Bond, Manager Water Strategy

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### 3.1 Purpose of Report

To inform the Council on the progress of the Three Waters Reform Programme within Napier.

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### At the meeting

There was no discussion at the meeting.

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**COMMITTEE** Councillors Price / Chrystal

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### RESOLUTION

That Council:

- a. **Endorse** the report on the Three Waters Reform Programme.
- 

Carried

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## 4. DECORATIVE PAVING SHOP ENTRANCE POLICY

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*Type of Report:* Procedural

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 1431134

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

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### 4.1 Purpose of Report

To seek approval to withdraw the *Decorative Paving Shop Entrances Policy* which is considered by Officers to be surplus to requirements.

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### At the meeting

There was no discussion at the meeting.

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**COMMITTEE** Councillors Price / Chrystal

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### RESOLUTION

That Council:

- a. **Approve** the withdrawal of the Decorative Paving Shop Entrances Policy.
- 

Carried

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## 5. CAPITAL PROGRAMME DELIVERY

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1440069

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*Reporting Officer/s & Unit:* Jon Kingsford, Director Programme Delivery

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### 1.1 Purpose of Report

To provide Council with information on the 2021 Long Term Plan Capital Programme and initiatives underway to improve Capital Programme Delivery.

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**At the meeting**

There was no discussion at the meeting.

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**COMMITTEE** Councillors Price / Chrystal  
**RESOLUTION**

That Council:

- a. Receive the report titled "Capital Programme Delivery".
- 

Carried

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## 6. LEASE OF RESERVE - DANISH DELIGHT

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*Type of Report:* Legal

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*Legal Reference:* Reserves Act 1977

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*Document ID:* 1440552

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

### 6.1 Purpose of Report

To obtain approval to grant a new lease to Danish Delight HB Limited in the mid to southern end of the Marine Parade Foreshore Reserve for a three year term plus two rights of renewal of two years.

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**At the meeting**

There was no discussion at the meeting.

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**COMMITTEE** Councillors Price / Chrystal  
**RESOLUTION**

That Council:

- a. **Agrees** to grant a new lease, under Section 54(1)(d) of the Reserves Act 1977, for Danish Delight HB Limited to continue to occupy an area in the mid to southern end of the Marine Parade Foreshore for a three year term plus two rights of renewal of two years.
  - b. **Notes** that Council is acting under delegated authority from the Minister of Conservation in granting this lease.
- 

Carried

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## REPORTS FROM FUTURE NAPIER COMMITTEE HELD 24 MARCH 2022

### 1. RESOURCE CONSENT ACTIVITY UPDATE

Type of Report:	Enter Significance of Report
Legal Reference:	Enter Legal Reference
Document ID:	1438421
Reporting Officer/s & Unit:	Luke Johnson, Team Leader Planning and Compliance

#### 1.1 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 at the meeting.

**COMMITTEE** Dep. Mayor Brosnan / Councillor Mawson  
**RESOLUTION**

That Council:

- a) **Note** the resource consent activity update for period 18 January 2022 to 27 February 2022.
- b) **Note** the change to a Key Account Manager (KAM) model for managing significant consenting projects.

Carried

### 2. DOG CONTROL BYLAW AND POLICY STATEMENT OF PROPOSAL

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1439107
Reporting Officer/s & Unit:	Paulina Wilhelm, Manager City Development

#### 2.1 Purpose of Report

The purpose of this report is to:

1. Present a revised Dog Control Bylaw and Policy, including associated Statement of Proposal (**the proposal**); and
2. Recommend that the Napier City Council (**the Council**) commence public consultation in accordance with sections 83 and 156(1)(b) of the Local Government Act 2002 in respect of the proposal.

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### At the meeting

It was noted that the Statement of Proposal had been updated with revised maps for Lagoon Farm and Ahuriri Estuary.

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**COMMITTEE** Dep. Mayor Brosnan / Councillor Mawson

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### RESOLUTION

That Council:

- a. **Confirm** that pursuant to sections 155(2)(b) and 155(3) of the Local Government Act 2002 (LGA), the proposed bylaw and policy are not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).
  - b. **Adopt** the Statement of Proposal and Proposed Dog Control Bylaw and Policy (*Doc ID 1457298*) for the purposes of public consultation.
  - c. **Authorise** public consultation in respect of the proposal in accordance with sections 83 and 156(1)(b) of the LGA.
  - d. **Note** the timeframe for consultation release to be in the next twelve months at the discretion of the Chief Executive Officer to allow flexibility in working with the existing consultation schedule.
  - e. **Note** minor amendments to the Lagoon Farm and Ahuriri Estuary maps following Committee's discussion.
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Carried

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### Attachments

- 1 Statement of Proposal and Proposed Dog Control Bylaw and Policy (*Doc ID 1457298*)
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## REPORTS FROM AUDIT AND RISK COMMITTEE HELD 25 MARCH 2022

### 1. HEALTH AND SAFETY REPORT

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 1439109

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

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#### 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 period Quarter 2 FY22.

### At the meeting

Staff were acknowledged and thanked for performing exceptionally well during a rapidly evolving time during the last 18 months with Covid, external and internal threats and continual reviews of policies that had been through the Audit and Risk Committee for governance oversight.

**COMMITTEE** Mayor Wise / Councillor Simpson

### RESOLUTION

That Council

- a. **Receive** the Health and Safety report for the period October 2021 to March 2022.

Carried

## 2. RISK MANAGEMENT

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1439033
Reporting Officer/s & Unit:	Jane Klingender, Manager Business Excellence & Transformation Adele Henderson, Director Corporate Services

### 2.1 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 at the meeting.

**COMMITTEE** Mayor Wise / Councillor Simpson

### RESOLUTION

That Council:

- a. **Receive** the Risk Management Report dated 25 March 2022;
- b. **Note** the progress against the agreed action plan to progress towards organisational risk maturity and to review statutory compliance at least annually, including identifying progress against the top five risks agreed by Council;
- c. **Note** the business continuity planning actions in response to the threat of COVID-19 Delta and Omicron variants; and
- d. **Note** the emerging risks.

Carried



### 3. BUSINESS CONTINUITY PLANNING IN RESPONSE TO COVID-19

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1444463
Reporting Officer/s & Unit:	Jane Klingender, Manager Business Excellence & Transformation Adele Henderson, Director Corporate Services

#### 3.1 Purpose of Report

To provide a summary of the Audit and Risk Committee workshop on Business Continuity Planning for Covid-19 held 15 March 2022.

##### At the meeting

There was no discussion at the meeting.

#### COMMITTEE Mayor Wise / Councillor Simpson RESOLUTION

The Council:

- a. **Receive** the Business Continuity Planning in Response to Covid-19 report dated 25 March 2022.
- b. **Note** the actions taken for business continuity planning.

Carried

### 4. SENSITIVE EXPENDITURE - MAYOR AND CHIEF EXECUTIVE

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1439112
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

#### 4.1 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

There was no discussion at the meeting.

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**COMMITTEE** Mayor Wise / Councillor Simpson  
**RESOLUTION**

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That Council:

- a. **Receive** the 31 December 2021 quarterly report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.
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Carried

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## 5. INTERNAL AUDIT: BUILDING & RESOURCE CONSENTS REVIEW

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*Type of Report:* Operational

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 1440724

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

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### 5.1 Purpose of Report

To table to the Committee the internal audit on Building and Resource Consents undertaken by Council's internal auditors, Crowe.

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#### At the meeting

There was no discussion at the meeting

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**COMMITTEE** Mayor Wise / Councillor Simpson  
**RESOLUTION**

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That Council:

- a. **Receive** the report from Crowe titled "Building & Resource Consents Review".
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Carried

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## 6. EXTERNAL ACCOUNTABILITY: ANNUAL PLAN 2022/23 UNDERLYING DOCUMENTS

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*Type of Report:* Operational

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 1441854

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

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### 6.1 Purpose of Report

That the Committee review and provide feedback to Council on the Annual Plan 2022/23 underlying financial information prior to the final adoption of the reports.

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### At the meeting

There was no discussion at the meeting.

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**COMMITTEE** The Audit and Risk Committee:

- RESOLUTION** a. **Receive** the underlying information as the basis for the Annual Plan consultation document 2022/23:
- i. Capital plan changes
  - ii. 10 year revised capital plan
  - iii. Financial information
  - iv. Fees and charges
- b. **Provided** no feedback from the review of the draft Annual Plan 2022/23 underlying financial information to the Council meeting on 31 March 2022.
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## REPORTS UNDER DELEGATED AUTHORITY

### 1. TENDERS LET

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Type of Report:	Information
Legal Reference:	N/A
Document ID:	1422901
Reporting Officer/s & Unit:	Debbie Beamish, Executive Assistant to the Chief Executive

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#### 1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 18 February – 1 April 2022.

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### At the meeting

There was no discussion at the meeting.

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**COUNCIL** Councillor Simpson / Dep. Mayor Brosnan

**RESOLUTION**

That Council:

- a. **Receive** the Tenders Let for the period 18 February – 1 April 2022.
- 

Carried

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# PUBLIC EXCLUDED ITEMS

## COUNCIL RESOLUTION

Councillors Chrystal / Boag

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

Carried

## Reports from Prosperous Napier Committee held 17 March 2022

1. Hawke's Bay Airport Ltd Half Year Report to Shareholders to 31 December 2021  
(This item had been taken out of Public Excluded and addressed in the Open Session of the Prosperous Napier Committee meeting)
2. Doubtful Debt

## Reports from Audit and Risk Committee held 25 March 2022

1. HRIS & Payroll Project

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 Prosperous Napier Committee held 17 March 2022

1. Hawke's Bay Airport Ltd Half Year Report to Shareholders to 31 December 2021	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)(ii)) of the Local Government Official Information and Meetings Act 1987.
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2. Doubtful Debt	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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### Reports from Audit and Risk Committee held 25 March 2022

1. HRIS & Payroll Project	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  7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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*The Open meeting adjourned at 9.40am and would reconvened in the Public Excluded session at 9.41am.*

*The meeting closed with a karakia at 9.50am*

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

Chairperson .....

Date of approval .....