



ORDINARY MEETING OF COUNCIL

Open Minutes (Adopt A/P - Set Rates)

Meeting Date: Thursday 30 June 2022

Time: 9.30am – 11.08am (*Open*)
11.10am – 12.20pm (*Public Excluded*)

Venue The Ocean Suite
East Pier Hotel
50 Nelson Quay
Ahuriri
Napier

Livestreamed via Council's Facebook site

Present **Chair:** Mayor Wise
Members: Deputy Mayor Brosnan, Councillors Boag, Chrystal, Mawson, McGrath, Price, Simpson [*Zoom*], Tapine, Taylor [*Zoom*] and Wright

In Attendance Chief Executive (Steph Rotarangi)
Deputy Chief Executive/ Executive Director Corporate Services (Adele Henderson)
Executive Director City Services (Lance Titter)
Executive Director City Strategy (Richard Munneke)
Executive Director Infrastructure Services, (Debra Stewart)
Acting Executive Director Community Services (Darran Gillies)
Acting Director Programme Delivery (Jamie Goodsir)
Manager Communications and Marketing (Julia Atkinson)
Pou Whakarae (Mōrehu Te Tomo)
Chief Financial Officer (Caroline Thomson)
Investment and Funding Manager (Garry Hrustinsky)

| | |
|----------------|---|
| | Accounting Manager (Talia Foster) Manager Business and Tourism (Steve Gregory) Senior Project Manager (Drew Brown) MTG Director (Laura Vodanovich) |
| Via Zoom Link | Team Leader Governance (Helen Barbier) Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori (Beverley Kemp-Harmer) Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori (Hilary Prentice) |
| Administration | Governance Advisors (Carolyn Hunt and Anna Eady) |

Karakia

The elected members opened the meeting with a karakia.

Apologies

COUNCIL RESOLUTION

Dep. Mayor Brosnan / Councillor Mawson

That apologies for absence from Councillors Browne and Crown and an apology for lateness from Councillor Tapine be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Matariki Celebrations – Mayor Wise acknowledged and thanked those responsible for hosting and participating in the Matariki Celebrations held from 18-25 June 2022. The free whānau events were enjoyed by the public and Matariki was a very successful and fun event.

World Cup of New Zealand Cities – Today FM are looking for the Best City in New Zealand with 16 cities competing. The competition will be run as a round robin and Napier is facing Whangarei first. The winning city will be the one with the most votes on the final day. Everyone was encouraged to go online or text 3920 and vote for Napier as the best city.

Announcements by the management

Nil

AGENDA ITEMS

1. ADOPTION OF THE 2022/23 ANNUAL PLAN

| | |
|--|---|
| <i>Type of Report:</i> | Legal |
| <i>Legal Reference:</i> | Local Government Act 2002 |
| <i>Document ID:</i> | 1474873 |
| <i>Reporting Officer/s & Unit:</i> | Adele Henderson, Deputy Chief Executive / Director Corporate Services Caroline Thomson, Chief Financial Officer |

1.1 Purpose of Report

To adopt the 2022/23 Annual Plan in accordance with section 95 of the Local Government Act 2002, noting the changes to budgets since Council last considered the development of the Annual Plan on 30 May 2022.

At the meeting

The Chief Financial Officer, Ms Thomson spoke to the report advising that the Annual Plan included an average increase in rates of 9.8% for 2022/23, which is under the cap of 10.4% set out in the Long Term Plan.

As a result of the submission process and subsequent Council hearings the Council Project Fund was increased by \$100,000 and a one off grant increase of \$50,000 was made to the Mitre10 Sports Park Trust.

The Capital Plan was adjusted to bring in \$29m of unspent capital budget from 2021, \$20.3m was rephased from 2022/23 into the following two years, bringing the total capital plan for 2022/23 to \$99.4m compared to \$72.3m projected in the Long Term Plan.

The Annual Plan will not meet Section 100 of the Local Government Act 2002, which is to provide a balanced budget and this is mainly due to the impact of COVID-19 on revenue received through tourism facilities. It is also in line with the projected unbalanced budget profile set out in the Long Term Plan. All other financial benchmarks have been met.

Risks for the delivery of the Annual Plan included:

- the Capital Plan may not be delivered in full given COVID-19 and global supply chain issues.
- the inflation on costs will be higher than budgeted.
- There are a number of unbudgeted items that have been identified that may arise in the coming year; and
- a risk of unknown infrastructure issues that have not been factored into the budgets.

The Annual Plan document did not include the Statement of Cash Flows and a revised copy was tabled at the meeting.

Councillor Tapine joined the meeting at 9.38am

In response to questions it was noted:

- There are a number of reform programmes occurring in New Zealand at the moment (Three Waters Reform, Resource Management Act and Local Government reforms) and these are deemed to be reform portfolios in the Annual Plan.
- In relation to unbudgeted items and forecasting costs over the next ten years there are a number of unfunded items that are quite varied in their approach making it difficult to quantify the values at this time.
- Note that Council has ways of managing risk and officers will continue to bring items back with forecasts, however in regard to producing a report at this time multiple variables would need to be considered.
- Final documentation for the Infrastructure Acceleration Fund of \$12.35m for Maraenui is near completion and the documentation will come back to Council.
- Council has received acknowledgement that it has been successful in its \$700,000 application to the Tourism Infrastructure Fund however, the paperwork has yet to be completed.

The Chair suspended Standing Orders 21.5 and 21.6 to enable all members to speak to the motion.

At the meeting Councillors reluctantly agreed to approve the 9.8% rate increase although there was concern that rate rises of this size in the future would not be sustainable for many in the community and would likely cause significant hardship.

The Chair agreed to put Parts a, c, d and e of the recommendation and Part b separately.

COUNCIL Mayor Wise / Dep. Mayor Brosnan

RESOLUTION

That Council:

- a. **Note** that the Annual Plan 2022/23 has been developed in accordance with the requirements of the Local Government Act 2002, but does not meet the requirements of section 100(i) (balanced budget).
- c. **Adopt** the Annual Plan 2022/23 (*Doc Id 1476689*)
- d. **Delegate** responsibility to the Chief Financial Officer to approve any final edits required to the Annual Plan and supporting information in order to finalise the documents for uploading online and physical distribution.
- e. **Direct** Officers to comply with section 95 (7) of the Local Government Act 2002 and make the Annual Plan publicly available.

Carried

COUNCIL RESOLUTION Mayor Wise / Dep. Mayor Brosnan

- b. **Adopt** the Schedule of Fees and Charges for 2022/23 (Doc Id 1473209) to take effect from 1 July 2022.

Carried

Councillor McGrath voted AGAINST Part b.

Attachments

- 1 Update Annual Plan with Statement of Cash Flow included (Doc Id 1476689)
-

2. 2022/23 RATES RESOLUTION

Type of Report: Legal

Legal Reference: Local Government (Rating) Act 2002

Document ID: 1471768

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

2.1 Purpose of Report

To set rates for 2022/23 in accordance with the Local Government (Rating) Act 2002 and with the Funding Impact Statement.

At the meeting

The Investment and Funding Manager, Mr Hrustinsky advised that this was an administrative process to set rates for the 2022/23 year required under Section 23 of the Local Government Rating Act 2002 and follows on from the adoption of the Council's Annual Plan.

COUNCIL RESOLUTION Dep. Mayor Brosnan / Councillor Mawson

That Council:

- a. **Resolve** that the Napier City Council set the following rates under the Local Government (Rating) Act 2002, on rating units in the city for the financial year commencing on 1 July 2022 and ending on 30 June 2023, and that all such rates shall be inclusive of Goods and Services Tax (GST).

(A) GENERAL RATE

A general rate set under Section 13 of the Local Government (Rating) Act 2002 made on every rating unit, assessed on a differential basis on the rateable land value to apply to the Differential Groups as follows:

| Differentials | Group / Code | Differential Rate | General rate-cents in the dollar on Land Value |
|--|--------------|-------------------|--|
| Residential / Other former Residential | 11 | 100% | 0.40332 |
| Residential / Other former Commercial | 12 | 100% | 0.40332 |
| Residential / Other former Miscellaneous | 13 | 100% | 0.40332 |
| Residential / Other former Ex City Rural | 14 | 87.82% | 0.35421 |
| Residential / Other former Other Rural | 15 | 87.82% | 0.35421 |
| Residential / Other former Bay View | 16 | 90.93% | 0.36675 |
| Commercial & Industrial former Residential | 21 | 260% | 1.04862 |
| Commercial & Industrial | 22 | 262.70% | 1.05950 |
| Commercial & Industrial former Miscellaneous | 23 | 206.67% | 0.83352 |
| Commercial & Industrial former Other Rural | 25 | 194.49% | 0.78441 |
| Commercial & Industrial former Bay View | 26 | 197.60% | 0.79695 |
| | | | |
| Rural former Miscellaneous | 33 | 90% | 0.36299 |
| Rural former Ex City Rural | 34 | 77.82% | 0.31387 |
| Rural former Other Rural | 35 | 77.82% | 0.31387 |
| | | | |

| | | | |
|---|----|--------|---------|
| Rural Residential former Residential | 41 | 93.33% | 0.37643 |
| Rural Residential former Miscellaneous | 43 | 93.33% | 0.37643 |
| Rural Residential former Ex City Rural | 44 | 81.16% | 0.32732 |
| Rural Residential former Other Rural | 45 | 81.16% | 0.32732 |
| Rural Residential former Bay View | 46 | 84.27% | 0.33986 |

(B) UNIFORM ANNUAL GENERAL CHARGE

A Uniform Annual General Charge of \$433.00 per separately used or inhabited part of a rating unit for all rateable land set under Section 15 of the Local Government (Rating) Act 2002.

(C) WATER RATES

1. Fire Protection Rate

A targeted rate for fire protection, set under Section 16 of the Local Government (Rating) Act 2002 on a differential basis and on the rateable capital value on every rating unit connected to or able to be connected and within 100 metres of either the City Water Supply System, or the Bay View Water Supply System. This rate will apply to the Differential Groups and Categories as follows:

| Fire Protection Rate Differential Description (cents per dollar of Capital Value) | Connected to water Supply System | Not connected but within 100m of water Supply System |
|---|---|---|
| Central Business District and Fringe Area | 0.01796 | 0.00898 |
| Suburban Shopping Centres, Hotels and Motels and Industrial rating units outside of the CBD | 0.00898 | 0.00449 |
| Other rating units connected to or able to be connected to the water supply systems | 0.00449 | 0.00225 |

2. Water Rate

A targeted rate for Water Supply, set on a differential basis under Section 16 & 17 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit connected to or able to be connected to and within 100 metres of the City water supply system. This such rate will apply as follows:

| Description | Amount |
|--|----------|
| Rating units connected to the City Water Supply System | \$217.00 |
| Rating units not connected but able to be connected to and within 100m of the City Water Supply System | \$108.50 |

3. Water by Meter Rate

A targeted rate for water supply, set under Section 19 of the Local Government (Rating) Act 2002, on a differential basis per cubic metre of water consumed after the first 300m³ per annum, to all metered rating units as follows:

| | Water Meter Rate per cubic metre |
|--|----------------------------------|
| Non-Domestic Supplies Napier City(\$/m ³) | \$0.67327 |
| Metered Domestic and Other Supplies (\$/m ³) | \$1.20711 |

4. Stormwater Rate

This rate recovers the net cost of the stormwater activity. A targeted rate for stormwater is set on a differential basis under Sections 16 & 17 of the Local Government (Rating) Act 2002 on a differential basis on the rateable capital value on every rating unit within the service area.

Rural properties are exempted.

The differential categories for Stormwater Rates are:

| Differentials | Cents per dollar of Capital Value |
|-------------------------|-----------------------------------|
| Residential / Other | 0.02623 |
| Commercial & Industrial | 0.06819 |
| Rural Residential | 0.02623 |

5. Sewerage Rate

This rate recovers the net cost of the waste water activity. A targeted rate for sewerage treatment and disposal, is set on a differential basis under Section 16 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis.

The rate is applied to each separately used or inhabited part of a rating unit connected or able to be connected and within 30 metres of the City Sewerage system. This rate will apply as follows:

| Differentials | Connected | Not connected but within 30m |
|--|-----------|------------------------------|
| Rating units connected to or able to be connected to the Sewerage System | \$333.00 | \$166.50 |

6. Bay View Connection Rate

The Bay View Sewerage Scheme involves reticulation and pipeline connection to the City Sewerage System. Prior to 1 November 2005, property owners could elect to connect either under a lump sum payment option, or by way of a targeted rate payable over 20 years.

A targeted rate for Bay View Sewerage Connection, set under Section 16 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit connected to the Bay View Sewerage Scheme, where the lump sum payment option was not elected.

The rate applies from 1 July following the date of connection for a period of 20 years, or until such time as a lump sum payment for the cost of connection is made.

The category of rateable land for setting the targeted rate is defined as the provision of a service to those properties that are connected to the sewerage system, but have not paid the lump sum connection fee.

The rate to apply for 2022/23 is \$941.35

(D) REFUSE & RECYCLING

1. Refuse Collection and Disposal Rate

A targeted rate for refuse collection and disposal, set under Section 16 of the Local Government (Rating) Act 2002 as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit, for which a weekly rubbish collection service is available, with the rate being 2 or 3 times the base rate for those units where 2 or 3 collections per week respectively is available. This rate will apply as follows:

| RATE | | |
|---------------------|----------------------|----------------------|
| 1 | 2 | 3 |
| COLLECTION PER WEEK | COLLECTIONS PER WEEK | COLLECTIONS PER WEEK |
| \$170.00 | \$340.00 | \$510.00 |

Rating units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will be charged the waste service charge that excludes the approved alternative service.

2. Kerbside Recycling Rate

A targeted rate for Kerbside Recycling, set under Section 16 of the Local Government (Rating) Act 2002, as a fixed amount on a uniform basis, applied to each separately used or inhabited part of a rating unit for which the Kerbside recycling collection service is available. This rate will apply as follows:

| | |
|---|---------|
| Charge per separately used or inhabited part of a rating unit | \$94.00 |
|---|---------|

Rating Units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will be charged the recycling service charge that excludes the approved alternative service.

(E) VEHICLE LEVY

1. Inner City Vehicle Levy

A targeted rate, previously known as the CBD Off Street Parking Rate, provides funding for additional off street car parking in the Central Business District set under Sections 16 &17 of the Local Government (Rating) Act 2002 on a differential basis on the rateable land value, to apply to rating units in the Central Business District. The rate to apply to the Differential Groups is as follows:

| Description | Cents in the dollar on Land Value |
|---|-----------------------------------|
| Properties where council provides additional parking due to the property receiving a 100% levy. | 0.05241 |
| Properties where council provides additional parking due to the property receiving a 50% levy. | 0.02621 |

2. Taradale Vehicle Levy

A targeted rate, previously known as the Taradale Off Street Parking Rate, provides funding for additional off street car parking in the Taradale Shopping and commercial area and to maintain existing off street parking areas in Taradale, set under Section 16 of the Local

Government (Rating) Act 2002 as a rate in the dollar on Land Value on rating units in the Taradale Commercial and Shopping Area as follows:

| Description | Cents in the dollar on Land Value |
|-----------------------|-----------------------------------|
| Taradale Vehicle Levy | 0.06380 |

3) Suburban Vehicle Levy

A targeted rate, previously known as the Suburban Off Street Parking Rate, provides funding for additional off street car parking in Suburban Shopping and commercial areas and to maintain existing off street parking areas in suburban shopping and commercial areas, set under Section 16 of the Local Government (Rating) Act 2002 as a rate in the dollar on Land Value on all rating units in Suburban Shopping and Commercial Areas as follows:

| Description | Cents in the dollar on Land Value |
|-----------------------|-----------------------------------|
| Suburban Vehicle Levy | 0.06380 |

(F) PROMOTION RATES

1. CBD Promotion Rate

A targeted rate to fund at least 70% of the cost of the promotional activities run by the Napier City Business Inc, set under Section 16 of the Local Government (Rating) Act 2002, and applied uniformly on the rateable land value of all rating units in the area defined as the Central Business District, such rate to apply to applicable properties within the Differential Groups and Differential Codes as follows:

| Description | Cents in the dollar on Land Value |
|---|-----------------------------------|
| Properties in the CBD Promotion Rate area | 0.12290 |

2. Taradale Promotion Rate

A targeted rate to fund the cost of the Taradale Marketing Association's promotional activities, set under Section 16 of the Local Government (Rating) Act 2002 and applied uniformly on the rateable land value of all rating units in the Taradale Suburban Commercial area, such rate to apply to the Differential Groups and Differential Codes as follows:

| Description | Cents in the dollar on Land Value |
|--|-----------------------------------|
| Properties in the Taradale Promotion Rate area | 0.12939 |

(G) OTHER RATES AND CHARGES

1. Swimming Pool Safety Rate

A targeted rate to fund the cost of pool inspections and related costs, set under Section 16 of the Local Government (Rating) Act 2002, as a fixed amount on every rating unit where a swimming pool or small heated pool (within the meaning of the Building (Pools) Amendment Act 2016) is located, of \$65 per rating unit.

2. Due Dates for Payment and Penalty Dates (For Rates other than Water by Meter Rates)

That rates other than water by meter charges are due and payable in four equal instalments. A 10% penalty will be added to any portion of rates (except for Water by Meter) assessed for the 2022/23 rating year that remains unpaid after the relevant instalment date. The respective penalty dates are shown in the following table as provided for in section 57 and 58(1)(a) of the Local Government (Rating) act 2002

| Instalment | Due date | Penalty Date |
|-------------------|------------------|---------------------|
| 1 | 17 August 2022 | 17 August 2022 |
| 2 | 16 November 2022 | 16 November 2022 |
| 3 | 15 February 2023 | 15 February 2023 |
| 4 | 17 May 2023 | 17 May 2023 |

Any portion of rates assessed in previous years (including previously applied penalties) which remains unpaid on 30 July 2022 will have a further 10% added, firstly on 31 July 2022, and if still unpaid, again on 31 January 2023.

3. Water Rates

Targeted rates for metered water supply will be separately invoiced from other rates invoices. Metered water supply for commercial properties is invoiced quarterly and metered water for domestic (residential) water supply is invoiced annually. A 10% penalty will be added to any part of the water rates that remain unpaid by the due date as shown in the table below as provided for in section 57 and 58(1)(a) of the Local Government (Rating) Act 2002.

Metered Water Supply rates are due for payment as follows:

| Instalment | 3 monthly invoicing Due Date | Penalty date |
|----------------------|-------------------------------------|---------------------|
| 1 | 20 July 2022 | 26 July 2022 |
| 2 | 20 October 2022 | 26 October 2022 |
| 3 | 20 January 2023 | 26 January 2023 |
| 4 | 20 April 2023 | 26 April 2023 |
| Period Ending | Annual invoicing Due Date | Penalty date |

| | | |
|--------------|--------------|--------------|
| 30 June 2022 | 20 July 2022 | 21 July 2022 |
| 30 June 2023 | 20 July 2023 | 21 July 2023 |

A penalty of 10% will be added to any portion of water supplied by meter, assessed in the current year, which remains unpaid by the relevant instalment due date, on the respective penalty date above.

Any portion of water rates assessed in previous years (including previously applied penalties) which are unpaid by 30 July 2022 will have a further 10% added, firstly on 31 July 2021, and if still unpaid, again on 31 January 2023.

Any water payments made will be allocated to the oldest debt.

Carried

3. NOTICE OF MOTION - REVOCATION OF AQUATIC REDEVELOPMENT RESOLUTIONS

| | |
|--|--|
| <i>Type of Report:</i> | Legal and Operational |
| <i>Legal Reference:</i> | Local Government Act 2002 |
| <i>Document ID:</i> | 1475037 |
| <i>Reporting Officer/s & Unit:</i> | Adele Henderson, Deputy Chief Executive / Director Corporate Services Darran Gillies, Acting Executive Director Community Services Steph Rotarangi, Chief Executive |

3.1 Purpose of Report

A Notice of Motion (NOM) has been received to revoke the Aquatic Redevelopment resolutions that were adopted at the Council meeting on 10 March 2022. The NOM includes new proposed replacement resolutions. The purpose of this report is to provide further information to assess the NOM against requirements and allow for further debate.

At the meeting

The Chief Executive, Dr Rotarangi took the report as read and advised that officers agree that new resolutions are required as there is no ability to complete the previous resolutions within the timeframe. It is also noted that the Notice of Motion was required to be assessed against the provisions of the Local Government Act 2002 Sections 77-82 and the Notice of Motion did not strictly meet all of those requirements. There are future decision points that can be covered off when further information has been provided.

Officers recommended some changes to the Notice of Motion recommendations with respect to finding cost efficiencies and requesting that design be included as this will be the key to assessing costs.

The following recommendations contained in the Notice of Motion were replaced with alternative recommendations:

- a) *Note Council views the current cost estimates of the new Aquatic Centre as prohibitive and wishes to explore options to reduce costs*
- b) *Direct Council Officers to establish a procurement pathway to move quickly to avoid escalating costs and construction delays*
- c) *Note that an LTP amendment will be required to make progress ahead of 2024*
- d) *Direct Council Officers to present a timeline to construction including procurement pathway and consultation milestones to council*
- e) *Note the importance of developing an appropriate and robust consultation process covering cost and location*

The alternative recommendations were displayed on the screen.

Any amendments to the recommendations must comply with Council's Standing Orders, in particular SO 27.4 which would require the mover of the motion to make any changes.

Councillor and officer comments included:

- This Council could not make a commitment for an incoming Council but note that this project is a priority but no specific timelines can be included for a future Council.
- Officers will come back with an estimate on what the cost for this replacement resolution would be.
- This resolution would not have any additional costs as it is similar to the original pathway resolved in March. The two phase process and programming are relatively similar overall.
- The Aquatic Centre was removed from the Long Term Plan and the implications for the LTP and ability to meet a balanced budget over the next ten years requires that revenue equals expenditure. If Council determines it would like to include an Aquatic Centre as part of the Long Term Plan it will need to increase rates to service the loans to meet balanced budget requirements.
- The resolution does not commit Council to including the Aquatic Centre redevelopment in the Long Term Plan, that can only be achieved through a Long Term Plan or amendment process.
- A Councillor commented that an itemised list of expenditure amounting to \$2m has been made on a project that has not started and this does not include the \$4-\$8m that has been put into maintaining the current facility due to the delays.
- A second report has been received on the Onekawa site to ensure that the issues were known. The report received clearly set out problems and issues with that site.

The Chair suspended Standing Orders 21.5 and 21.6 to enable all members to speak to the motion.

It was acknowledged that this had been a long drawn out process and everyone was frustrated, however this was an important asset and investment for the community and Council needed to get it right. The Aquatic Centre redevelopment is a priority for Council but balance must be maintained against prudent spending and ensure the project is affordable for the community.

*The meeting adjourned at 10.44am and
reconvened at 10.55am*

Due to a procedural issue regarding Standing Order 27.4 Mayor Wise as the mover of the Motion, withdrew the original Motion and substituted it with the Motion below which included the additional words “for both locations” in Part (e)ii. This modification was to acknowledge the debate t in regard to location.

COUNCIL Mayor Wise / Dep. Mayor Brosnan

RESOLUTION That Council:

- a) **Receives** the Notice of Motion dated 14 June 2022 which seeks to revoke and replace the existing Aquatic Redevelopment resolutions of the full Council dated 10 March 2022;
- b) **Agrees** to revoke the existing Aquatic Redevelopment resolutions of the full Council dated 10 March 2022;
- c) **Rejects** the Proposed Replacement Resolutions set out in the Notice of Motion dated 14 June 2022;
- d) **Agrees** to make modified replacement resolutions for the revoked 10 March 2022 resolutions
- e) **Note** Council’s concerns in relation to the current cost estimates of the new Aquatic Centre2.
- f) **Direct** Officers to explore options to reduce costs including new design options for both locations (Onekawa and Prebensen Drive) and report back as part of developing an updated procurement pathway.
- g) **Note** that an LTP amendment will be required to make progress ahead of 2024.
- h) **Direct** Council Officers to present a timeline to construction including procurement pathway and consultation milestones to council.

Note the importance of developing an appropriate and robust consultation process covering cost and location.

Carried

Councillor Wright voted AGAINST the Motion.

4. QUARTERLY REPORT FOR THE 9 MONTHS ENDED 31 MARCH 2022

Type of Report: Enter Significance of Report

Legal Reference: Enter Legal Reference

Document ID: 1467618

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

4.1 Purpose of Report

To consider the Quarterly Report for the nine months (*Doc Id 1473297*) ended 31 March 2022.

At the meeting

The Chief Financial Officer, Ms Thomson spoke to the report advising that the year to date net operating deficit of \$1.7m for the year ended 31 March 2022 was \$5.4m favourable to the budgeted deficit of \$7m. The key points to note are that revenue from financial and development contributions is higher than budget by \$2m, subsidies and grants above budget by \$2.5m, other revenue is \$2.5m lower than budget due to the impact of COVID-19 on the tourism and parking activities and the depreciation expense is \$1.9m lower than budget year to date.

Recent advice has been received of a delay in the Parklands Development due to some supply chain issues around asphalt and street lighting components which has resulted in the sale of all three stages that were scheduled for 2021/22 being moved now into 2022/23.

A year end forecast was presented to the Prosperous Napier Committee on 15 June 2022 which forecasted a rates deficit of approximately \$815,000 and a net operating deficit of approximately \$1.5m.

COUNCIL Councillors Wright / Tapine

RESOLUTION

That Council:

- a. **Receive** the Quarterly Report for the nine months ended 31 March 2022.

Carried

5. ELECTION HOARDING POLICY 2022

Type of Report: Operational and Procedural

Legal Reference: Local Electoral Act 2001

Document ID: 1469725

Reporting Officer/s & Unit: Helen Barbier, Team Leader Governance

5.1 Purpose of Report

The purpose of this report is to present the new Election Hoarding Policy for adoption.

At the meeting

The Team Leader Governance, Ms Barbier spoke to the report and advised that an amendment to the Local Electoral (Advertising) Amendment Bill regarding concerns around candidate safety has resulted in the Local Electoral Act 2001 being amended. The amendment enabled candidates to now include email addresses, PO Box or phone numbers, or links to an internet page to be used instead of their residential or business address to electoral advertising and

COUNCIL Councillors Mawson / Chrystal

RESOLUTION

That Council:

- a. **Adopt** the Election Hoarding Policy 2022, with modifications as required by the amended Local Electoral Act 2001.

Carried

PUBLIC EXCLUDED ITEMS

COUNCIL Councillors Mawson / Boag

RESOLUTION

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

Carried

Agenda Items

1. Hawkes Bay Museum Trust - Joint Working Group Recommendation

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

| General subject of each matter to be considered. | Reason for passing this resolution in relation to each matter. | Ground(s) under section 48(1) to the passing of this resolution. |
|--|--|--|
| | That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to: | 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: |

Agenda Items

| | | |
|---|---|---|
| 1. Hawkes Bay Museum Trust - Joint Working Group Recommendation | 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 |
|---|---|---|

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

The meeting adjourned at 11.08am and reconvened in Public Excluded at 11.10am

The meeting closed with a karakia at 12.20pm

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

Chairperson

Date of approval