



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 14 July 2022

Time: 9.30am - 9.45am (*Open*)
9.49am - 10.11am (*Public Excluded*)

Venue Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook site

Present **Chair:** Mayor Wise
Members: Deputy Mayor Brosnan, Councillors Boag,
Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine,
Taylor 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)
Pou Whakarae (Mōrehu Te Tomo) [Zoom]
Manager Environmental Solutions (Cameron Burton)
Manager Water Strategy (Russell Bond)
Water Planning Lead (Lance Groves)
Māori Partnership Manager - Te Kaiwhakahaere Hononga
Māori (Beverley Kemp-Harmer)
Māori Partnership Manager - Te Kaiwhakahaere Hononga
Māori (Hilary Prentice) [Zoom]

Strategic Planning Lead (Fleur Lincoln)
Senior Policy Analyst - Climate Resilience (Heather Bosselmann)
Environmental Compliance Officer (Caitlin Egan) [Zoom]
Water Planning Lead (Lance Groves)
Team Leader Governance (Helen Barbier)
Te Waka Rangapū Kaiāwhina (Wai Tupaea) [Zoom]

Administration Governance Advisors (Carolyn Hunt and Anna Eady)

Karakia

The meeting was opened with a karakia

Apologies

COUNCIL Councillors Mawson / Chrystal

RESOLUTION

That the apology from Councillor Browne be accepted.

Carried

Conflicts of interest

Councillors Boag and McGrath declared a conflict of interest in *Item 1 - Council Support for the Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill (Private Members' Bill)* of the Napier People and Places Committee meeting held on 9 June 2022.

It was noted that due to an oversight Councillor McGrath had not declared a conflict of interest when this item was first heard as part of the Napier People and Places Committee agenda.

Public forum

Nil

Announcements by the Mayor

Water Services Bill – Submissions could be made up until 22 July 2022 on the Water Services Bill which related to the Three Waters Reform. Information to assist anyone in making a submission was available on Council's website.

Announcements by the management

Nil

Minor Matters not on the agenda (if any)

Nil

Confirmation of minutes

**COUNCIL
RESOLUTION**

Councillors Price / Wright

That the Draft Minutes of the Ordinary meeting held on Thursday, 2 June 2022 be confirmed as a true and accurate record of the meeting.

Carried

**COUNCIL
RESOLUTION**

Councillors Price / Wright

That the Draft Minutes of the Ordinary meeting held on Wednesday, 22 June 2022 be confirmed as a true and accurate record of the meeting.

Carried

**COUNCIL
RESOLUTION**

Councillors Price / Wright

That the Draft Minutes of the Ordinary meeting held on Thursday, 30 June 2022 be confirmed as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. ADOPTION OF WATER SUPPLY BYLAW REVIEW 2022

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1475593

Reporting Officer/s & Unit: Lance Groves, Water Planning Lead
Caroline Thomson, Chief Financial Officer
Garry Hrustinsky, Investment and Funding Manager

1.1 Purpose of Report

For Council to adopt the Napier City Council Water Supply Bylaw 2022 following the Bylaw submission hearings held on 22 June 2022.

At the meeting

The Manager Water Strategy, Mr Bond together with the Water Planning Lead, Mr Groves took the report as read and advised that the recommendation was to adopt the Water Supply Bylaw 2022 effective from 1 August 2022.

COUNCIL Councillors Price / Simpson

RESOLUTION

That Council:

- a) **Approved** for adoption the Napier City Council Proposed Water Supply Bylaw 2022 effective from 1 August 2022 (*Doc Id 1475938*).
- b) **Directed** Officers to notify submitters and the public that the Proposed Bylaws have been adopted and will become operative from 1 August 2022.

Carried

2. ADOPTION OF TRADEWASTE AND WASTEWATER BYLAW REVIEW 2022

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1476191
<i>Reporting Officer/s & Unit:</i>	Cameron Burton, Manager Environmental Solutions

2.1 Purpose of Report

For Council to adopt the Napier City Council Trade Waste and Wastewater Bylaw 2022 following the Bylaw submission hearings held on 22 June 2022.

At the meeting

The Manager Environmental Solutions, Mr Burton provided a brief summary of some very minor changes made subsequent to receiving the letter from the Associate Minister of Health. Amendments were noted in the Background Summary of the Agenda report (*Doc Id 1476191*).

The amendments recommended have been implemented into the Trade Waste and Wastewater Bylaw (*Doc Id 1478732*) and supporting Administration Manual (*Doc Id 1478733*), and were circulated with the Agenda under Separate Cover.

COUNCIL Councillors Simpson / Tapine
RESOLUTION

That Council:

- a) **Endorse** Council officers' approach to the amendments to the Bylaw that the Associate Minister of Health has proposed which are listed below.
- i. The Bylaw reserves Council's right to refuse a discharge of Trade Waste, through Bylaw subsections B.2.1 clause (j) and B.3.2, therefore no amendment is made;
 - ii. No amendment is made due to aligned restrictions of Health Care wastes specified in Administration Manual subsection S.B2 Prohibited Characteristics, clause (e);
 - iii. No amendment is made as pharmaceutical wastes are specified in Administration Manual subsection S.B2 Prohibited Characteristics, clause (e);
 - iv. Three amendments are made in Administration Manual subsection S.B2 Prohibited Characteristics, clause (d, roman numeral v.), and two in the Radioactivity section of Table 2.
- b) **Approve** for adoption, the Napier City Council Proposed Trade Waste and Wastewater Bylaw Review 2022 effective from 1 August 2022 (*Doc Id 1478732*).
- c) **Direct** Officers to notify submitters and the public that the Proposed Bylaws have been adopted and will become operative from 1 August 2022.

Carried

3. CHIEF EXECUTIVE'S REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1478573
<i>Reporting Officer/s & Unit:</i>	Lauren Sye, Corporate Planning Analyst Steph Rotarangi, Chief Executive

3.1 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 information report as read and noted that finalisation of the \$12m Infrastructure Acceleration Fund for Maraenui was near completion and that Council's application for a Government grant of \$700,000 from the Tourism Infrastructure Fund had been successful and will be used to revitalise the inner harbour.

It was anticipated that in the next few months there would be a number of Central Government Bills that Council would be responding to on a case by case basis in regard to relevance.

It was noted that tenders for the War Memorial restoration would commence on Tuesday, 19 July 2022 and close one month later.

The traffic light system used in the report was to provide visibility on how projects were tracking and that amber meant a project was behind on its targets not that it was put on hold. There was the potential to remove the traffic lights and refer to only narrative to avoid confusion.

COUNCIL Councillors Price / Boag

RESOLUTION

That Council:

a. **Receive** and note the Chief Executive's report for July 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 9 JUNE 2022

Having previously declared a conflict of interest Councillors Boag and McGrath did not participate in discussion or decision making in Item 1.

1. COUNCIL SUPPORT FOR THE SALE AND SUPPLY OF ALCOHOL (HARM MINIMISATION) AMENDMENT BILL (PRIVATE MEMBERS' BILL)

Type of Report: Procedural

Legal Reference: N/A

Document ID: 1465021

Reporting Officer/s & Unit: Rebecca Peterson, Senior Advisor Policy

1.1 Purpose of Report

To seek endorsement from Council to publicly support the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill.

At the meeting

It was noted at the original debate additional clarification had been sought in regard to the lack of clarity around the advertising portion of the Private Members' Bill. Unfortunately, this information had not been received. During the debate it was felt that advertising alcohol was not within Council's mandate to make recommendations whereas the Local Alcohol Policy being within Council's mandate it could be challenged.

COUNCIL Councillor Wright / Dep. Mayor Brosnan

RESOLUTION

That Council:

- a. Endorse the proposed Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill, which aims to:
 - i. Remove the special appeal process through Local Alcohol Policies.
 - ii. Wind down alcohol advertising and sponsorship of sport.

- b. Note Council's support for the bill is primarily in response to the matter of the Local Alcohol Policy special appeals process. Council notes no view on the support or otherwise of the advertising provisions in the Private Members Bill: Sale and Supply of Alcohol (Harm Minimisation) Amendment Bill.

Councillors Mawson and Taylor voted against the motion

Carried

2. HAWKE'S BAY MUSEUMS TRUST COLLECTION MANAGEMENT AGREEMENT

Type of Report: Contractual

Legal Reference: N/A

Document ID: 1455136

Reporting Officer/s & Unit: Darran Gillies, Acting Director Community Services

2.1 Purpose of Report

To seek Council approval to enter into a new Management Agreement with the Hawke's Bay Museums Trust (HBMT) expiring 30 June 2023 while the Hawke's Bay Regional Collection Joint Working Group conducts its review of governance and operational arrangements of how the collection is to be maintained and governed.

At the meeting

There was no discussion on this item.

COUNCIL Councillors Boag / Crown

RESOLUTION

That Council:

- a. **Approve** that Napier City Council enter into a Management Agreement with the Hawke's Bay Museums Trust expiring 30 June 2023.

.Carried

REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 9 JUNE 2022

1. HEALTH AND SAFETY REPORT - Q3

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1465765
<i>Reporting Officer/s & Unit:</i>	Michelle Warren, Health and Safety Lead Adele Henderson, Director Corporate Services

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 3 FY22.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillors Chrystal / Mawson

RESOLUTION

That Council:

- a. **Receive** the Quarter 3 Health and Safety report.
-

Carried

2. LOAN GUARANTEE

<i>Type of Report:</i>	Enter Significance of Report
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1457973
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services Caroline Thomson, Chief Financial Officer Garry Hrustinsky, Investment and Funding Manager Talia Foster, Accounting Manager

2.1 Purpose of Report

To seek Council approval to provide a loan guarantee to the Regional Indoor Sports and Events Centre Trust (RISEC Trust), who own and operate Pettigrew Green Arena (PGA).

At the meeting

There was no discussion at the meeting.

COUNCIL Councillors Chrystal / Mawson

RESOLUTION

That Council:

- a. **Receive** the report titled 'Loan Guarantee'
 - b. **Approve** providing a loan guarantee up to \$2,000,000 to the Regional Indoor Sports and Events Centre Trust (RISEC Trust) for a period of up to 10 years
-

Carried

3. PROJECTS IN DEVELOPMENT

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1459309

Reporting Officer/s & Unit: Adele Henderson, Deputy Chief Executive / Director
Corporate Services

3.1 Purpose of Report

The purpose of this report is to provide visibility of major unfunded or partially funded projects so that financial risk and implications are noted in advance of future decisions.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillors Chrystal / Mawson

RESOLUTION

That Council:

- a. **Note** the following projects of Council are currently not fully funded in the Long Term Plan 2021-31 with pre-work and scoping currently underway:
 - i. New Aquatic Facility
 - ii. Civic Building – it is unlikely the current funding can service both a new library (including Council Chambers) as well as Civic accommodation for Council officers
 - iii. Significant upgrade/new National Aquarium – recommendation to further discussions with Central Government on funding
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- iv. Housing - long term plan amendment proposed for consultation to include rates funding gap, based on community feedback to continue with social housing
 - v. Inner Harbour – the Ahuriri Masterplan is currently not fully funded
 - vi. Three Waters Transition – there are a number of work streams that have been set up that require Councils input and contribution. There may be some potential funding from Central Government to support this initiative, but will require Council approval to access this.
 - vii. Resource Management Act Reform – there is transitional funding required to support this both internally, regionally and nationally. No funded has currently been provided
 - viii. Regional Spatial Plan – currently no funding for this national initiative
 - ix. HB Museum Storage – budgets yet to be finalised
 - x. Climate Change funding – noting the national requirements moving forward
 - xi. i-Site building requirements – noting that this may form part of the new Library location
 - xii. City Vision Initiatives – funding was removed from the 2021-31 Long Term Plan, with requests coming from developers to support changes within the CBD for their projects
 - xiii. Inflation above Long Term Plan projections provided by BERL for the assumption development
 - xiv. Long Term Plan Amendment funding – audit and engagement (\$150,000).
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Carried

4. LONG TERM PLAN AMENDMENT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1459319
<i>Reporting Officer/s & Unit:</i>	Adele Henderson, Director Corporate Services

4.1 Purpose of Report

To provide Council with background information around the requirements for the preparation of a Long-Term Plan Amendment.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillors Chrystal / Mawson

RESOLUTION

That Council:

- a. **Note** the process that is required under the Local Government Act, Section 93D for the preparation for a Long-Term Plan Amendment
-

Carried

5. INVESTMENT AND DEBT REPORT

Type of Report: Enter Significance of Report

Legal Reference: Enter Legal Reference

Document ID: 1467615

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

5.1 Purpose of Report

To consider the snapshot report on Napier City Council's Investment and Debt as at 30 April 2022.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillors Chrystal / Mawson

RESOLUTION

That Council:

- a. **Receive** the snapshot report on Napier City Council's Investment and Debt as at 30 April 2022.
-

Carried

6. PROPOSED AMENDMENT TO 2022 MEETING SCHEDULE

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 1468788

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

6.1 Purpose of Report

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

At the meeting

This item had been a Decision of Council at the Prosperous Napier Committee held on 9 June 2022 and therefore was not discussed.

COUNCIL Councillors Wright / Crown

RESOLUTION

That Council:

- a. **Make** a Decision of Council under delegated authority for the reason that the schedule change needs to be adopted prior to the next scheduled Council meeting.
- b. **Receive** the report titled "Proposed Amendment to the 2022 Meeting Schedule".
- c. **Adopt** the change to the schedule of meetings 2022 as follows:

Audit and Risk Committee	Rescheduled	From: 17 June 2022, 1pm To: Wednesday, 29 June 2022, 1pm
Napier People and Places Committee followed by Prosperous Napier Committee	Rescheduled	From: 21 July 2022, 9.30am To: 26 July 2022, 9.30am
Hearings Committee (for the consideration of Tenders)	Rescheduled	From: 12 July 2022, 1.00pm To: 28 June 2022, 1.00pm

Carried

REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 16 JUNE 2022

1. KERBSIDE RECYCLING - INCREASED LEVEL OF SERVICE - TYPE 5 PLASTICS

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1467994
<i>Reporting Officer/s & Unit:</i>	Cameron Burton, Manager Environmental Solutions

1.1 Purpose of Report

The purpose of this report is to outline an increase to the level of service to Napier's kerbside recycling service through the introduction of the acceptance of type 5 plastics for collection and recycling.

At the meeting

This item was a Decision of Council at the Sustainable Napier Committee meeting held on 16 June 2022 and therefore was not discussed at the meeting.

COUNCIL Dep. Mayor Brosnan / Councillor Taylor
RESOLUTION

That Council:

- a. **Endorse** an increase to the level of service to Napier's kerbside recycling service through the introduction of the acceptance of type 5 plastics for collection and recycling.
- b. Make a **Decision of Council** under delegated authority for the reason that this service is available to Napier with a short turnaround time, and a delay in approvals will result in type 5 plastics going to landfill until an endorsement is made.

Carried

2. CAPITAL PROGRAMME DELIVERY

Type of Report: Information

Legal Reference: N/A

Document ID: 1467632

Reporting Officer/s & Unit: Jamie Goodsir, Acting 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 meeting

There was no discussion at the meeting.

COUNCIL Councillors Price / Simpson

RESOLUTION

That Council:

- a. **Receive** the report titled “Capital Programme Delivery”.
-

Carried

3. THREE WATERS OPERATIONAL UPDATE

Type of Report: Operational

Legal Reference: N/A

Document ID: 1468002

Reporting Officer/s & Unit: Russell Bond, Manager Water Strategy
Philip Kelsen, Team Leader 3 Waters Operations Planning

3.1 Purpose of Report

Regular reports are provided in relation to Three Waters capital works, including Reform programme of works. Given the priority Council has placed on Three Waters it is considered appropriate to provide a brief update on Three Waters operations planning activities, key findings and status of remedial actions for information.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillors Price / Simpson

RESOLUTION

That Council:

- a. **Receive** the Three Waters Operational Update report
-

Carried

4. JOINT SOLID WASTE BYLAW REVIEW UPDATE

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 1468418

Reporting Officer/s & Unit: Cameron Burton, Manager Environmental Solutions

4.1 Purpose of Report

The purpose of this report is to update the Sustainable Napier Committee on the Joint (Hastings District and Napier City Councils) Solid Waste Bylaw Review

At the meeting

There was no discussion at the meeting

COUNCIL Councillors Price / Simpson

RESOLUTION

That Council:

- a. **Receive** the report entitled Joint Solid Waste Bylaw Review Update
 - b. **Endorse** the approach outlined in Option 1; slow down the pace of the Solid Waste Bylaw review in order for alignment of that Bylaw with national policy, strategy and legislation changes which are currently underway
-

Carried

5. INITIATION OF PROCESS TO CHANGE RESERVE PURPOSE

Type of Report: Legal and Operational

Legal Reference: Reserves Act 1977

Document ID: 1468780

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

5.1 Purpose of Report

To obtain Council's approval to initiate the process to change the purpose of part of the vested local purpose recreation reserve on Marine Parade. This process is required to provide an appropriate reserve purpose to accommodate the restoration of the War Memorial attached to the Napier War Memorial Centre on Marine Parade.

At the meeting

This item was a Decision of Council at the Sustainable Napier Committee meeting held on 16 June 2022 and therefore was not discussed at the meeting.

COUNCIL Councillors Chrystal / Taylor
RESOLUTION

That Council:

- 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 Marine Parade reserve as shown as area B and described as Pt Sec 3 SO396199 in the attached Scheme Plan.
The change of purpose is from Local Purpose Passive Recreation Reserve to Local Purpose Community Building 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 reason for the change of purpose is to accommodate the restoration of the War Memorial attached to the Napier War Memorial Centre on Marine Parade.
- d. Make a **Decision of Council** under delegated authority for the reason that public notification of the proposed change of purpose is required urgently to enable the process to commence.

Carried

6. LEASE OF SUBSOIL OF ROAD

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1466626

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

6.1 Purpose of Report

To obtain Council approval to an initial Agreement to Grant a lease of Subsoil of the Road and the actual formal Lease of Subsoil of Road to Pernot Ricard Winemakers Pty Limited trading as Church Road Winery.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillors Price / Simpson

RESOLUTION

That Council:

- a. **Approve** for the installation, operation and maintenance of two pipelines in part of the sub soil beneath Tironui Road, Taradale to Pernot Ricard Winemakers Pty Limited trading as Church Road Winery the following:
 - i. An Agreement to Grant a Lease of Subsoil of Road; and
 - ii. A Lease of Subsoil of Road pursuant to Section 341 of the Local Government Act 1974.

Carried

REPORTS FROM FUTURE NAPIER COMMITTEE HELD 16 JUNE 2022

1. AHURIRI REGIONAL PARK - JOINT COMMITTEE TERMS OF REFERENCE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1469734
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Strategic Planning Lead

1.1 Purpose of Report

To approve the establishment of a Joint Committee with Hawke's Bay Regional Council and Mana Ahuriri Trust that will provide governance to the Ahuriri Regional Park project; to endorse the Terms of Reference for the Ahuriri Regional Park Joint Committee; and to appoint the Napier City Council Ahuriri Regional Park Joint Committee members.

At the meeting

There was no discussion at the meeting.

COUNCIL Dep. Mayor Brosnan / Councillor Crown
RESOLUTION

That Council:

- a. **Approve** the establishment of a Joint Committee with Hawke's Bay Regional Council and Mana Ahuriri Trust under clause 30(1)(b) of the Local Government Act 2002.
- b. **Approve** in principle the Terms of Reference for the Ahuriri Regional Park Joint Committee (Doc Id 1471630), allowing for minor inconsequential changes being made by each partner as required.
- c. **Approve** the nomination of Napier City Council's two Ahuriri Regional Park Joint Committee members as Deputy Mayor Annette Brosnan and Councillor Keith Price, and the one alternate as Councillor Hayley Browne
- d. **Note** that the Hawke's Bay Regional Council will take a similar paper to their Environment and Integrated Catchment Committee on 6 July 2022, and to their Full Council on 27 July 2022. Mana Ahuriri Trust will also be taking a similar paper to adopt the Terms of Reference to their Board on 30 June 2022.

Carried

2. DESIGN BRIEF AND BUSINESS CASE FOR STATION STREET COMMUNITY FACILITY

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1460735
<i>Reporting Officer/s & Unit:</i>	Darran Gillies, Acting Executive Director Community Services

2.1 Purpose of Report

The purpose of this report is to seek Council endorsement of the Design Brief and Business Case for the Station Street Community Facility (Library), as part of delivering stage one of the Library and Civic Area Plan, and to seek approval of the next steps in procuring a team to lead the project through to the completion of the Concept Design stage.

At the meeting

There was no discussion at the meeting.

COUNCIL Dep. Mayor Brosnan / Councillor Crown

RESOLUTION

That Council:

- a. **Endorse** the Design Brief and Business Case for the Station Street Community Facility.
- b. **Approve** the procurement of a design team to execute Concept Design for the Station Street Community Facility.

Carried

3. CLIMATE CHANGE POSITION STATEMENT

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1467299
<i>Reporting Officer/s & Unit:</i>	Heather Bosselmann, Senior Policy Analyst - Climate Resilience

3.1 Purpose of Report

To have a position statement on climate change endorsed.

At the meeting

It was noted that the Climate Change Position Statement (*Doc Id 1473225*) had been amended as recommended at the Future Napier Committee meeting on 16 June 2022.

COUNCIL Dep. Mayor Brosnan / Councillor Crown

RESOLUTION

That Council:

- a) **Endorse** the Climate Change Position Statement (*Doc Id 1473225*) with the amended Objectives 3 and 4 below:
1. *Napier City Council will lead Napier into a resilient future where we work with key stakeholders to take action and adapt to the impacts of climate change.*
 2. *Napier City Council will create a climate change strategy to ensure that Napier is able to focus on the key challenges from climate change that will affect our city and enable the community to prioritise its efforts in these areas.*
 3. *Napier City Council will collaborate with the community to ensure just and equitable solutions.*
 4. *Napier City Council will work with their Māori partners to ensure Te Tiriti o Waitangi obligations are met.*
 5. Napier City Council will commit to an emissions reduction target in its next Long Term Plan and will support the community to reduce emissions across the city.
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Carried

4. NAPIER INNER HARBOUR DEVELOPMENT PLAN

Type of Report: Procedural

Legal Reference: Local Government Act 2002

Document ID: 1467305

Reporting Officer/s & Unit: Fleur Lincoln, Strategic Planning Lead

4.1 Purpose of Report

The purpose of this report is to seek a resolution of Council to adopt the Napier Inner Harbour Development Plan, and to note the priorities identified for the delivery phase of this Plan.

At the meeting

There was no discussion at the meeting.

COUNCIL Dep. Mayor Brosnan / Councillor Crown
RESOLUTION

That Council:

- a. **Adopt** the Napier Inner Harbour Development Plan.
- b. **Note** the work programme and funding priorities.
- c. **Note** the memo dated 8 June 2022 (*Doc Id 1473475*) which sets out the options and recommendations for both the priority projects and Te Matau-a-Maui security concerns.
- d. **Endorse Option 1 and Option 3** – That Officers work alongside the Waka Trust to provide and install secure fencing panels along the edge of the wharf where the waka abuts ensuring this fence does not prevent the reasonable access to, and maintenance and enjoyment of the vessel. Prioritise the waka hub development at Iron Pot to deliver long-term secure mooring.

Carried

5. RESOURCE CONSENT ACTIVITY UPDATE

Type of Report: Enter Significance of Report

Legal Reference: Enter Legal Reference

Document ID: 1467576

Reporting Officer/s & Unit: Luke Johnson, Team Leader Planning and Compliance

5.1 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.

COUNCIL Dep. Mayor Brosnan / Councillor Crown
RESOLUTION

That Council:

- a. **Note** the resource consent activity update for period 6 May 2022 to 24 May 2022.

Carried

6. PROPOSED DISTRICT PLAN NOTIFICATION

Type of Report: Operational and Procedural

Legal Reference: Resource Management Act 1991

Document ID: 1467624

Reporting Officer/s & Unit: Paulina Wilhelm, Manager City Development

6.1 Purpose of Report

For Council to confirm the new notification date of the Proposed District Plan.

To endorse the proposed notification date of May 2023, noting some delays in the work programme necessary to support the notification.

To inform Council on how NCC is meeting the legal requirements of the National Policy Statement Urban Development (NPSUD) for intensification (Policy 5).

At the meeting

There was no discussion at the meeting.

COUNCIL Dep. Mayor Brosnan / Councillor Crown

RESOLUTION

That Council:

- a. **Endorse** the public notification date of May 2023 of the Proposed District Plan under Schedule 1, Part 1 section 5 of the Resource Management Act 1991.
- b. **Note** the update on how Napier is giving effect to the National Policy Statement Urban Development (NPSUD), specifically Policy 5.

Carried

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 29 JUNE 2022

1. SENSITIVE EXPENDITURE - MAYOR AND CHIEF EXECUTIVE

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1452457
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

1.1 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.

COUNCIL Councillor Simpson / Mayor Wise **RESOLUTION**

That Council:

- a. **Receive** the 31 March 2022 quarterly report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.

Carried

2. HEALTH AND SAFETY REPORT - Q3

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1467610
<i>Reporting Officer/s & Unit:</i>	Michelle Warren, Health and Safety Lead Adele Henderson, Deputy Chief Executive / Director Corporate Services

2.1 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 3 FY22.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillor Simpson / Mayor Wise
RESOLUTION

That Council:

- a. **Receive** the Quarter 3 Health and Safety report from January to March 2022.
-

Carried

3. INVESTMENT PROPERTY PORTFOLIO REVIEW

Type of Report: Information

Legal Reference: N/A

Document ID: 1473140

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

3.1 Purpose of Report

To update the Committee on the performance of the Napier City Council's Investment Property Portfolio (Leasehold Land).

At the meeting

There was no discussion at the meeting.

COUNCIL Councillor Simpson / Mayor Wise
RESOLUTION

That Council:

- a) **Receive** the report prepared by PwC reviewing the Napier City Council's Investment Property Portfolio (*Doc Id 1473267*)
-

Carried

4. INVESTMENT POLICY REVIEW

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 1467612

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

4.1 Purpose of Report

The purpose of this report is to highlight and explain key proposed changes to the Investment Policy and to introduce the draft Statement of Investment Policies and Objectives (SIPO).

At the meeting

There was no discussion at the meeting.

COUNCIL Councillor Simpson / Mayor Wise

RESOLUTION

That Council:

- a. **Endorse** the amended Investment Policy as presented.
 - b. **Receive** a draft copy of the Statement of Investment Policies and Objectives.
-

Carried

5. RISK MANAGEMENT REPORT

Type of Report: Operational

Legal Reference: N/A

Document ID: 1467692

Reporting Officer/s & Unit: Jane Klingender, Manager Business Excellence & Transformation
Adele Henderson, Deputy Chief Executive / Director Corporate Services

5.1 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.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillor Simpson / Mayor Wise

RESOLUTION

That Council:

- a. **Receive** the Risk Management Report dated May 2022;
 - b. **Receive** the report from PWC called “NCC Risk Workshop Output” outlining outcomes of workshops on strategic risks and risk appetite with Council and the Executive Leadership Team;
 - c. **Endorse** the recommended list of strategic risks, noting that there may be some changes as a result of further analysis;
 - d. **Endorse** the revised Risk Management Policy for Council approval; and
 - e. **Note** the emerging risks
-

Carried

6. EXTERNAL ACCOUNTABILITY: AUDIT NEW ZEALAND MANAGEMENT REPORT

Type of Report: Information

Legal Reference: Local Government Act 2002

Document ID: 1460999

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

6.1 Purpose of Report

To consider the Audit NZ management report to the Council on the audit of Napier City Council for the year ended 30 June 2021.

At the meeting

There was no discussion at the meeting.

COUNCIL Councillor Simpson / Mayor Wise

RESOLUTION

That Council:

- a. **Receive** the Audit NZ management report to the Council on the audit of Napier City Council for the year ended 30 June 2021.
-

Carried

REPORTS FROM NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) HELD 1 JULY 2022

1. TE REO MĀORI POLICY

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1472552
<i>Reporting Officer/s & Unit:</i>	Beverley Kemp-Harmer, Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori

1.1 Purpose of Report

The purpose of this report is to present a new Te Kaunihere o Ahuriri/Napier City Council Te Reo Māori Policy for adoption to Ngā Mānuknuka o te Iwi.

At the meeting

There was no discussion at the meeting.

COUNCIL Mayor Wise / Councillor Crown

RESOLUTION

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Endorse** the Te Kaunihera o Ahuriri/Napier City Council Te Reo Māori Policy.
- b. **Approve** that Council Officers commence the preparation of a Te Reo Māori Strategy or Action Plan that will work to deliver on the principles and objectives established by the Te Kaunihera o Ahuriri/Napier City Council Te Reo Māori Policy.

Carried

2. WASTE MANAGEMENT AND MINIMISATION UPDATE

Type of Report: Information

Legal Reference: N/A

Document ID: 1472727

Reporting Officer/s & Unit: Cameron Burton, Manager Environmental Solutions
Alix Burke, Environmental Solutions Coordinator

2.1 Purpose of Report

This report is to provide an update on the implementation of the Joint Waste Management and Minimisation Plan (WMMP) and recent activities undertaken by Napier City Council's Waste Minimisation Team.

At the meeting

There was no discussion at the meeting.

COMMITTEE Mayor Wise / Councillor Crown

RESOLUTION

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. **Receive** the report titled Waste Management and Minimisation Update dated 1 July 2022

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1422922
<i>Reporting Officer/s & Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 16 May – 1 July 2022.

At the meeting

There was no discussion at the meeting.

COUNCIL Dep. Mayor Brosnan / Councillor Taylor

RESOLUTION

That Council:

- a. **Receive** the Tenders Let for the period 16 May – 1 July 2022.

Carried

PUBLIC EXCLUDED ITEMS

COUNCIL RESOLUTION

Councillors Mawson / Taylor

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

Carried

Agenda Items

1. Napier Civic Awards 2022
2. Napier City Flag (Heraldic) Permission Request

Reports from Prosperous Napier Committee held 9 June 2022

1. Request for Rates Remission for Special Circumstances (1)
2. Request for Rates Remission for Special Circumstances (2)
3. Hawke's Bay Airport Ltd Report to Shareholders to 31 March 2022
4. Appointment - Audit and Risk Committee

Reports from Sustainable Napier Committee held 16 June 2022

1. Land Acquisition

Reports from Audit and Risk Committee held 29 June 2022

1. Tender process update
2. Appointment - Audit and Risk Committee
3. HRIS & Payroll Project
2. Delegation Review

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	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

	withholding of the information is necessary to:	which good reason for withholding would exist:
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Agenda Items

1. Napier Civic Awards 2022	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.
2. Napier City Flag (Heraldic) Permission Request	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.

Reports from Prosperous Napier Committee held 9 June 2022

1. Request for Rates Remission for Special Circumstances 1	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
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		7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Request for Rates Remission for Special Circumstances (2)	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.
3. Hawke's Bay Airport Ltd Report to Shareholders to 31 March 2022	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
4. Appointment - Audit and Risk Committee	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 Sustainable Napier Committee held 16 June 2022

1. Land Acquisition	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 Audit and Risk Committee held 29 June 2022

1. Tender process update	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Appointment - Audit and Risk Committee	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.
3. HRIS & Payroll Project	<p>7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:</p> <p>(i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>
2. Delegation Review	7(2)(g) Maintain legal professional privilege	<p>48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:</p> <p>(i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.</p>

The meeting closed with a karakia at 10.11am

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

Chairperson

Date of approval