

Strategy and Infrastructure Committee

OPEN AGENDA

Meeting Date: **Wednesday 11 October 2017**
Time: **3pm**
Venue: **Small Exhibition Hall
Napier Conference Centre
Marine Parade
Napier**

Council Members The Mayor, Councillor Price (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Tapine, Taylor, White, Wise and Wright
Officer Responsible Director City Strategy, Director Infrastructure
Administration Governance Team

Next Strategy and Infrastructure Committee Meeting
Wednesday 22 November 2017

ORDER OF BUSINESS

APOLOGIES

Nil

CONFLICTS OF INTEREST

PUBLIC FORUM

Nil

ANNOUNCEMENTS BY THE MAYOR

ANNOUNCEMENTS BY THE CHAIRPERSON

ANNOUNCEMENTS BY THE MANAGEMENT

CONFIRMATION OF MINUTES – *PAGE 15 REFERS*

That the Minutes of the Strategy and Infrastructure Committee meeting held on Wednesday, 30 August 2017 be taken as a true and accurate record of the meeting.

NOTIFICATION AND JUSTIFICATION OF MATTERS OF EXTRAORDINARY BUSINESS

(Strictly for information and/or referral purposes only).

AGENDA ITEMS

1	20 & 21 Chambers Street, land legalisation - land to be declared road.....	3
2	Kaiangaroa Place land legalisation.....	7
3	Property Purchases - Gloucester Street	11

PUBLIC EXCLUDED

Nil

AGENDA ITEMS

1. 20 & 21 CHAMBERS STREET, LAND LEGALISATION - LAND TO BE DECLARED ROAD

Type of Report: Legal
Legal Reference: Public Works Act 1981
Document ID: 387052
Reporting Officer/s & Unit: Bryan Faulknor, Manager Property
 Jenny Martin, Property and Facilities Officer

1.1 Purpose of Report

To obtain a formal declaration from Council as required under the Public Works Act that the land in question be declared road.

Officer's Recommendation

That Council

- a. Resolve that pursuant to Section 115 of the Public Works Act 1981 to declare the land in the schedule below to be road.

SCHEDULE

Hawke's Bay Land District – Napier City

Area	Legal Description	Part of Certificate of Title
0.0053 ha	Section 1 SO Plan 511878	HB A3/562
0.0122 ha	Section 3 SO Plan 511878	Proc 179673, HB W3/362

MAYOR'S/CHAIRPERSON'S RECOMMENDATION

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

1.2 Background Summary

Early in 2017 it was revealed that an historical anomaly exists to the front of 20 and 21 Chambers Street in that some of the formed road and footpath falls within the legal

boundary of the two privately owned properties. The owners of both properties have agreed that Council remedy the situation by redefining the boundaries to reflect the current physical situation.

1.3 Issues

To legalise the situation Council is required to purchase those small slithers of land which encroach onto the formed road and vest them as road.

Agreement exists between Council and the land owners as to all matters including compensation.

Attached is an aerial map and SO Plan showing the two areas.

1.4 Significance and Consultation

Both property owners have been consulted.

1.5 Implications

Financial

Funding for the compensation and land legalisation is to be provided from existing roading budgets.

Social & Policy

Not applicable.

Risk

Not applicable.

1.6 Options

The options available to Council are as follows:

1. (Preferred Option): That Council approve the resolution required under the Public Works Act to enable matters to be finalised.
2. That Council decline the proposed land legalisation.

1.7 Development of Preferred Option

As the road formation encroaches on private land it is only fair that the owners be compensated and that the legal boundaries are redefined.

1.8 Attachments

- A Chambers Street land legalisation [↓](#)



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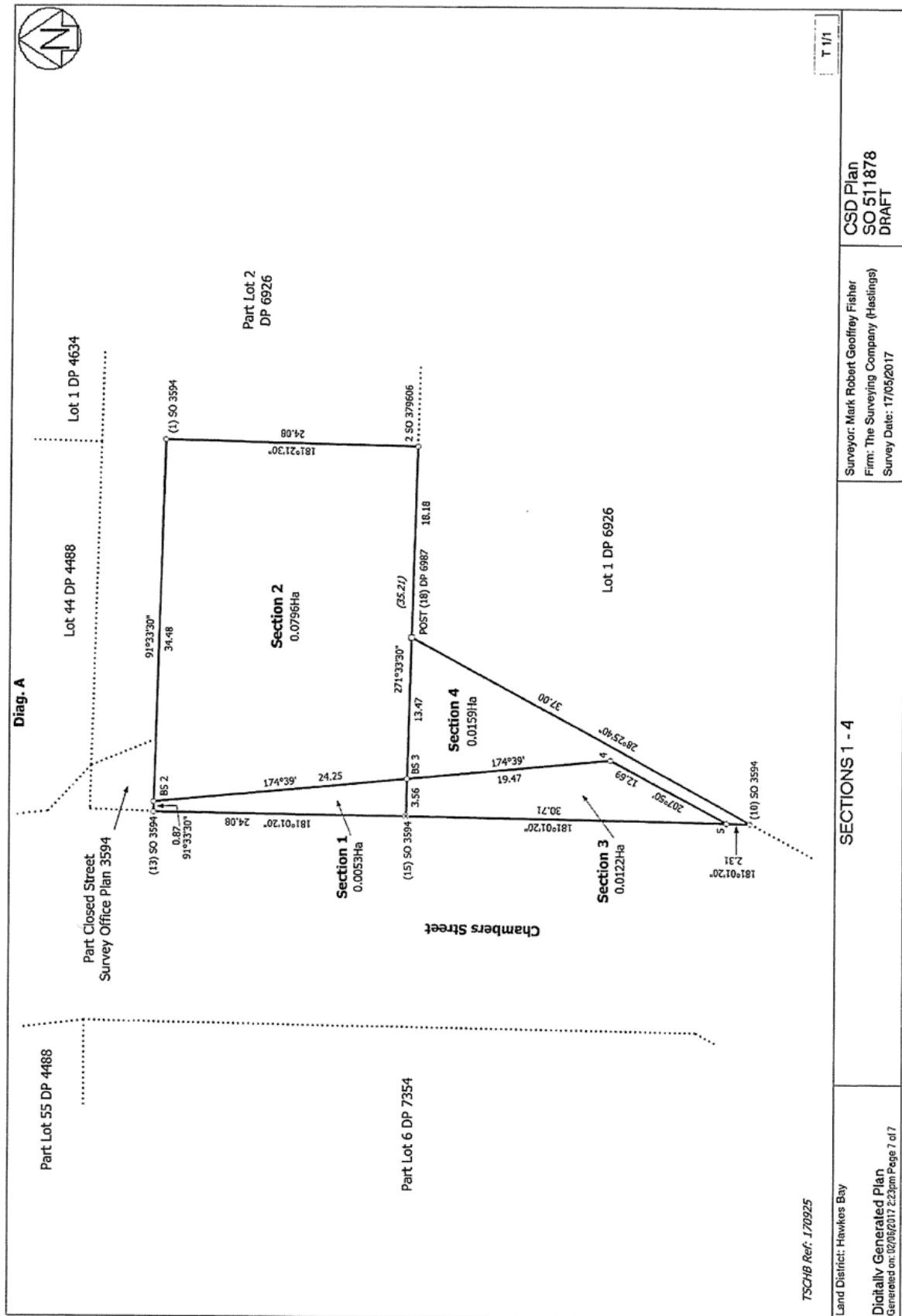
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2. KAIANGAROA PLACE LAND LEGALISATION

Type of Report:	<i>Legal</i>
Legal Reference:	<i>Public Works Act 1981</i>
Document ID:	<i>387429</i>
Reporting Officer/s & Unit:	<i>Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer</i>

Item 2

2.1 Purpose of Report

To seek Council's approval pursuant to Section 114 of the Public Works Act 1981, to declare the land in the Schedule to this report to be road.

Officer's Recommendation

That Council

- a. Resolves, pursuant to Section 114 of the Public Works Act 1981, to declare the land in the Schedule below to be road.

SCHEDULE

Hawke's Bay Land District – Napier City

Area (ha)	Legal Description	Certificate of Title
0.0008	Lot 11 DP 314817	58488
0.0008	Lot 12 DP 314817	58489

CHAIRPERSON'S RECOMMENDATION

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

2.2 Background Summary

When the Kaiangaroa Place subdivision in Bay View took place, a condition of Council's consent was the creation of two segregation strips between the balance of the land and the road. Segregation Strips are to prevent vehicular road access to/from properties for public safety.

The owner of the land at 2 & 3 Kaiangaroa Place, Best View Company Limited, has asked the Council to acquire the strips for road. The strips are shown on the attached aerial maps in red.

No compensation is payable.

The need for segregation strips no longer exists.

Council's Transportation Team has agreed to accept the Company's offer of the land for road and the owner has formally given consent as the owner of Lots 11 and 12 and as the Grantee of a right of way easement to declaring each Lot to be road.

The Declaration is now required.

2.3 Issues

There are no issues.

2.4 Significance and Consultation

Not applicable.

2.5 Implications

Financial

Not applicable.

Social & Policy

Not applicable.

Risk

Not applicable.

2.6 Options

The options available to Council are as follows:

1. (Preferred option): That Council resolves pursuant to Section 114 of the Public Works Act 1981 to declare the land to be road.
2. That Council does not declare the land to be road.

2.7 Development of Preferred Option

As mentioned above the segregation strips created at the time of subdivision are no longer needed and it is now appropriate to tidy up the current situation by declaring the two strips to be road.

2.8 Attachments

- A 2 & 3 Kaiangaroa Place [↓](#)



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3. PROPERTY PURCHASES - GLOUCESTER STREET

Type of Report:	<i>Operational</i>
Legal Reference:	<i>Enter Legal Reference</i>
Document ID:	<i>390966</i>
Reporting Officer/s & Unit:	<i>Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer</i>

Item 3

3.1 Purpose of Report

To obtain Council approval to purchase portions of residential property on Gloucester Street, Taradale affected by Planning Designation 153.

Officer's Recommendation

That Council

- a. Approve the purchase of portions of residential property on Gloucester Street, Taradale affected by Planning Designation 153.

CHAIRPERSON'S RECOMMENDATION

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

3.2 Background Summary

Gloucester Street between EIT and the Taradale Shopping Centre does not provide an appropriate level of service for a high volume arterial road due to the carriageway not having sufficient width to provide a flush medium strip, adequate width cycle lanes and parking lanes. This provides the need to upgrade this section of Gloucester Street at some stage in the future.

Most of Gloucester Street in this area has an existing road reserve with adequate width to cater for a road upgrade. The section of Gloucester Street with inadequate road reserve is between 405 and 409 Gloucester Street.

This prompted a designation to be placed over the front portion of the properties, which stops private development within the designated area and provides Council the opportunity to acquire these portions when they become available.

After a request from one of the property owners for Council to purchase the designated land Council officers approached the adjoining owners. All have agreed to sell the designated land to Council at valuation.

The remaining areas involved in the designation and purchase are shown on the attached SO Plan as Sections 1 to 4. An aerial plan showing these areas is also attached.

3.3 Issues

If Council does not elect to purchase the designated land the private owners could apply to have the designation removed. If the designation was removed this would have a detrimental effect on Council's long term plan to upgrade Gloucester Street.

3.4 Significance and Consultation

All owners have had the opportunity to consult with their lawyers and consider the valuations.

3.5 Implications

Financial

The properties have been valued by Council's Valuers, and the compensation has been agreed. Funding is available from existing Roadway Budgets.

Social & Policy

Not applicable.

Risk

Should the purchase not be approved there is a risk that the long term plan to upgrade Gloucester Street may not be able to proceed in the future.

3.6 Options

The options available to Council are as follows:

1. Approve the purchase of the designated land on Gloucester Street.
2. Decline the purchase of the designated land on Gloucester Street.

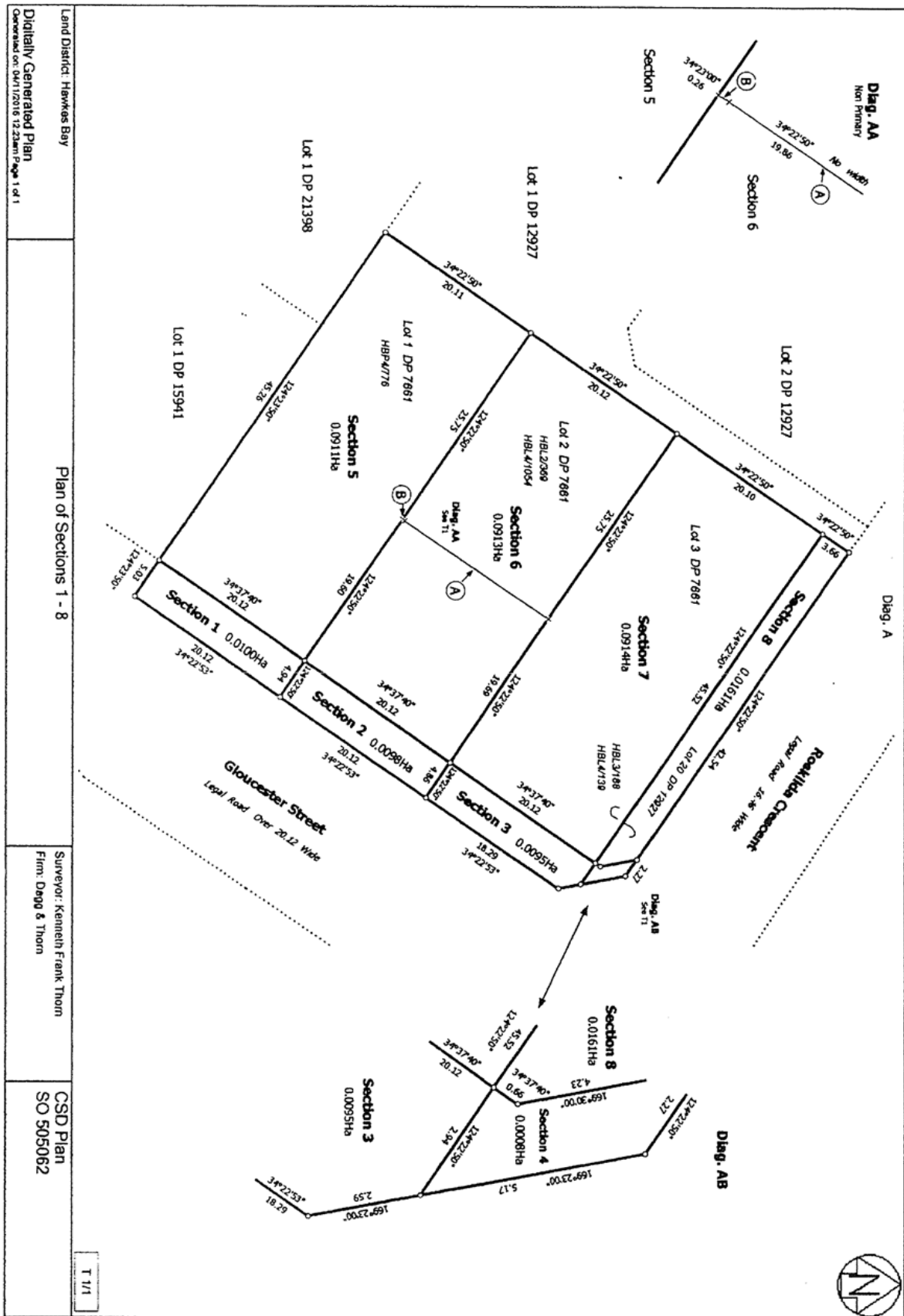
3.7 Development of Preferred Option

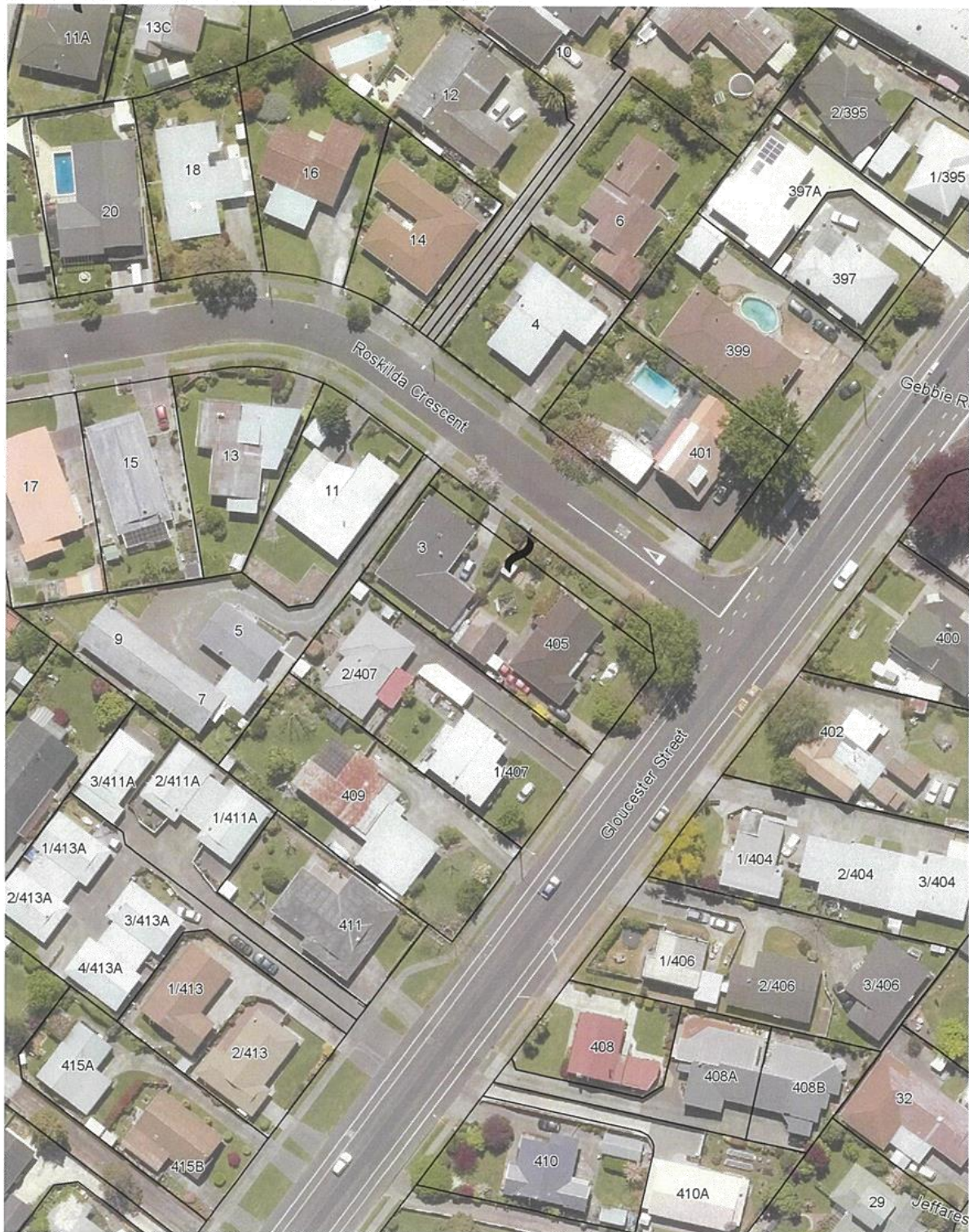
A lot of time and money has been used to purchase all the other nearby designated portions of land. The land between 405 and 409 Gloucester Street are the last remaining properties in Gloucester Street where Council needs to acquire the designated portions of land.

3.8 Attachments

- A Gloucester Street SO Plan [↓](#)
- B Gloucester Street aerial map [↓](#)

Item 3 Attachment A





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Strategy and Infrastructure Committee

OPEN MINUTES

Meeting Date: **Wednesday 30 August 2017**
Time: **3pm-3.53pm**
Venue: **Taradale Town Hall
Lee Road
Taradale**

Present: Councillor Price (In the Chair), the Mayor, Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Tapine, Wise and Wright

In Attendance: Chief Executive, Director City Strategy, Director Infrastructure Services, Director Corporate Services, Director Community Services, Manager Communications and Marketing, Manager Business Transformation and Excellence, Manager Regulatory Solutions, Manager City Development, Team Leader Transportation, Senior Roding Engineer, Policy Planner

Administration: Governance Team

APOLOGIES

APOLOGIES

COMMITTEE'S RECOMMENDATION

Councillors Brosnan/ Wright

That the apology from Deputy Mayor Faye White and Cr Graeme Taylor be accepted.

CARRIED

CONFLICTS OF INTEREST

Nil

PUBLIC FORUM

Amelia Otto – Item 1, Pedestrian Facility on Gloucester Street

Amelia, who attends Taradale Intermediate School, shared the findings of a statistical project she had undertaken earlier in the year relating to time taken to cross the road on Gloucester Street, as well as a survey of fellow students on their perceptions of safety in doing so. She asked Council to approve the installation of a traffic island or preferably a fully signaled crossing to improve safety in the area, and thanked them for considering the matter at its meeting today.

Clare Plug – Item 5, National Aquarium of New Zealand Expansion Project

Clare expressed her concern at the location for the National Aquarium Expansion Project; while recognising that a geotechnical assessment is yet to be done, she asked whether the following questions had been asked in relation to the project to date:

- What is the anticipated life span of the proposed extension, noting that sea levels are rising?
- Has a preliminary report been received from the Clifton to Tangoio Coastal Hazards Committee in regards to building on the Marine Parade site?
- How many times/how often has a storm surge over topped the current Aquarium carpark?
- What is the height of the site?
- How does this (site height) link with the report currently sitting with Hon. Paula Bennett proposing that no consents be granted for major infrastructure projects lower than 1.9m below high tide level?

She asked if it was prudent to continue with the project from a financial and risk-assessment perspective.

In response to questions from Councillors, Clare confirmed that she would be happy to receive responses to her questions via an Official Information response if that was deemed the best path to follow, as long as her questions and the responses were made public.

Cr Jeffery, as one of Council's representatives on the Clifton to Tangoio Coastal Hazards Committee remarked that the project evaluation panel is using a multi-criteria assessment. At this point Council is only indicating any initial support in principle, and a detailed business case would be required if this support is given.

ANNOUNCEMENTS BY THE MAYOR

Nil

ANNOUNCEMENTS BY THE CHAIRPERSON

Nil

ANNOUNCEMENTS BY THE MANAGEMENT

The Director Infrastructure Services advised that the chlorine free tap will be relocated from Pettigrew Arena to Tareha Park, due to health and safety concerns with people parking on yellow lines when accessing the current site. The exact location of the tap will be circulated in due course.

CONFIRMATION OF MINUTES

Councillors Wise / Hague

That the Minutes of the meeting held on 19 July 2017 were taken as a true and accurate record of the meeting.

CARRIED

NOTIFICATION AND JUSTIFICATION OF MATTERS OF EXTRAORDINARY BUSINESS

(Strictly for information and/or referral purposes only).

AGENDA ITEMS

1. PEDESTRIAN SAFETY ON GLOUCESTER STREET ADJACENT TO ATAWHAI RETIREMENT VILLAGE

Type of Report:	<i>Operational</i>
Legal Reference:	<i>Local Government Act 2002</i>
Document ID:	<i>380677</i>
Reporting Officer/s & Unit:	<i>Tony Mills, Senior Roading Engineer</i>

1.1 Purpose of Report

The purpose of this report is to identify the different options considered for the provision of a safe pedestrian crossing facility on Gloucester Street adjacent to Atawhai Retirement Village, and to obtain a decision supporting the provision of a central refuge and additional road markings and signage.

This proposal arises from the community concern around the safety of the existing crossing facility.

At the Meeting

In response to questions from Councillors it was clarified:

- The matter of a pedestrian facility in this area has come to Council previously; at

that time it was left on the table to allow recruitment into the Transportation Team to be completed. The new expertise within the Team has led to fresh options being considered, as presented in this report.

It was noted that the options are intended to significantly improve safety on Gloucester Street for school children and elderly in the area.

At the meeting it was proposed by Councillors that a review of the installation be undertaken after 6 months to assess its effectiveness.

COMMITTEE'S RECOMMENDATION

Councillors Wright / Wise

That Council

- a. Approve the installation of an upgrade to the existing crossing facility to include a central pedestrian refuge.
- b. Direct Officers to undertake a review of the installation after 6 months to assess its effectiveness.

CARRIED

2. REVOCATION OF MEEANEE QUAY - DECLARATION OF PREBENSEN DRIVE

Type of Report:	<i>Information</i>
Legal Reference:	<i>Enter Legal Reference</i>
Document ID:	<i>380678</i>
Reporting Officer/s & Unit:	<i>Tony Mills, Senior Roading Engineer</i>

2.1 Purpose of Report

The purpose of this report is:

- To update Council on the intended declaration of Prebensen Drive from the expressway to Hyderabad Road as State Highway and the revocation of SH2 from Watchman Road to Hyderabad Road to Napier City Council control.
- To seek delegated authority for the Director of Infrastructure to negotiate a final agreement with NZTA.

At the Meeting

In response to questions from Councillors the following was clarified:

- This proposal does not include traffic calming measures. Signage options have been discussed with NZTA – each party will take responsibility for the signage in the areas for which they are the Road Controlling Authority.
- With regards to the future bridge renewal, seismic strengthening work has already been undertaken by NZTA, which is as much as can be done without a full rebuild. It is reasonable to state that this would not have been undertaken by NZTA if they believed the asset's expected life to be particularly short. NZTA would remain involved should there be any future issues with the bridge; they have a special work category which covers funding for instances where an inheriting authority finds unexpected defects after the asset transfer.

COMMITTEE'S RECOMMENDATION

Councillors Jeffery / Dallimore

That Council

- a. receives this report for information; and
- b. Delegates authority to the Director of Infrastructure to finalise an agreement with NZTA in relation to the State Highway declaration and revocation processes identified in this report.

CARRIED

3. ELECTORAL SYSTEMS FOR ELECTION 2019

Type of Report:	<i>Legal</i>
Legal Reference:	<i>Local Electoral Act 1991</i>
Document ID:	<i>378902</i>
Reporting Officer/s & Unit:	<i>Jane McLoughlin, Team Leader Governance</i>

3.1 Purpose of Report

To outline the feedback received from the community consultation on the electoral systems and seek a decision from Council on which electoral system to use for the 2019 election.

At the Meeting

Officers were congratulated on the breadth of consultation undertaken on this topic.

It was proposed that First Past the Post be retained as the electoral system for the 2019 elections as it was simpler, and it was likely that keeping the system easier to use and understand would encourage voter turnout.

COMMITTEE'S RECOMMENDATION

Councillors Brosnan/ Wright

That Council:

- a. Retain First Past the Post as the electoral system for the 2019 elections.
- b. Note that a **DECISION OF COUNCIL** is required to meet the 12 September 2017 deadline to make a decision on the electoral system and notify the public by 19 September 2017. This will require the following resolution to be passed before the decision of Council is taken:

Agree that, in terms of Section 82 (3) of the Local Government Act 2002, that the principles of consultation set out in that section have been observed in such manner that the Napier City Council considers, in its discretion, is appropriate to make decisions on the recommendation.

CARRIED

DECISION OF COUNCIL

Councillors Brosnan/ Wise

That, in terms of Section 82 (3) of the Local Government Act 2002, that the principles set out in that section have been observed in such manner that the Napier City Council considers, in its discretion, is appropriate to make decisions on the recommendation.

CARRIED

COUNCIL RESOLUTION

Councillors Wright / Hague

That Council

Retain First Past the Post as the electoral system for the 2019 elections.

CARRIED

4. REPRESENTATION REVIEW

Type of Report:	<i>Information</i>
Legal Reference:	<i>Local Electoral Act 2001</i>
Document ID:	<i>383447</i>
Reporting Officer/s & Unit:	<i>Jane McLoughlin, Team Leader Governance</i>

4.1 Purpose of Report

To introduce the key legislative requirements for undertaking a representation review and outline the process for the review of Napier City's representation arrangements for 2018.

At the Meeting

In response to questions from Councillors, it was clarified that:

- Up-to-date population statistics will be received by Council via an economic report later this calendar year. These, along with agreed Ward boundaries, will contribute towards the number of Councillors for each Ward (which are allocated on a population-based quota).

COMMITTEE'S RECOMMENDATION

Councillors Hague / McGrath

That Council

- Receive the report titled *Representation Review*.
- Note that pre-consultation will be undertaken with the public to help inform the Council of local issues and needs. Pre-consultation will occur prior to a representation model being developed, and then formal consultation will occur with the public on the model.

- c. Note that Council will be asked to make a decision on the representation model in March 2018, which is then put through the statutory process of consultation.

CARRIED

5. NATIONAL AQUARIUM OF NEW ZEALAND EXPANSION PROJECT

Type of Report:	<i>Enter Significance of Report</i>
Legal Reference:	<i>Enter Legal Reference</i>
Document ID:	383013
Reporting Officer/s & Unit:	Sally Jackson, Manager Visitor Experience

5.1 Purpose of Report

To request that Council accept the Indicative Business Case for the Expansion project of the National Aquarium of New Zealand and to instruct Council officers to proceed with the next steps of the project.

At the Meeting

The Chair advised that an amendment had been made to recommendation b(ii), which now read: *“Include funding in the Long Term Plan of \$7,000,000 to be spread across two financial years with timings to be determined.”*

Councillors made the following points in their discussion on this item:

- The Indicative Business Case has had a lot of stakeholder involvement in the process.
- Significant support from other agencies will be required to progress the project but the funding in the Long Term Plan is important as a signal to Government of Council’s desire to proceed with what has the potential to be an exciting facility on both a national and international stage. It has the potential to generate revenue that could be allocated towards other development for the City.
- It should be noted that the deferred maintenance costs are likely to be substantial, and it will be important to clearly quantify these prior to consultation. The implications are that ‘status quo’ will not necessarily be a cheap option and development may actually provide the better value for money.
- There are extremely exciting links to organisations such as Weta Design, Air New Zealand and Government as a primary sponsor that have already been indicated for the project.
- The development is expected to offer great scope for tertiary study enhancement in the region, and will provide a prime opportunity to engage youth, particularly Māori and Pasifika youth.

Concerns raised included:

- It is possible that Government funding may not eventuate, for example if there is a change of Government at the end of this year. In response it was noted that the project would not proceed if the required funding was not provided.
- There are many in the community that already cannot afford existing facilities such as the Museum, pool complexes and the Aquarium. Council needs to look at ways it can meet the needs of its residents and not just provide tourist focused attractions.
- The possible impact on rates from the development, and what the annual

operating costs are likely to be with such a large complex.

- The potential for coastal erosion and inundation in the area needed to be assessed. A report from Tonkin-Taylor, advisor to the Clifton to Tangoio Coastal Hazards Committee, had advised that details of the floor levels are reviewed carefully as part of any progress forward with the project.

COMMITTEE'S RECOMMENDATION

Councillor Wise / Councillor Brosnan

That Council:

- a. *Accept the Indicative Business Case for the Expansion project for the National Aquarium of New Zealand.*
- b. *Instruct officers to proceed with the next steps of the project, specifically*
 - i. *Present the final indicative business case to Central Government agencies and seek their feedback and endorsement.*
 - ii. *Include funding in the Long Term Plan of \$7,000,000 to be spread across two financial years with timings to be determined.*
 - iii. *Report back to Council on the development of the next stage of the business case following endorsement from Central Government.*

CARRIED

Councillors Boag and Tapine against

6. MULTI-USE SPORTS FACILITY BUSINESS CASE

Type of Report:	<i>Enter Significance of Report</i>
Legal Reference:	<i>Enter Legal Reference</i>
Document ID:	383123
Reporting Officer/s & Unit:	Antoinette Campbell, Director Community Services

6.1 Purpose of Report

To seek a decision from Council to suspend further progress on the Detailed Business Case for the Multi-Use Sports Facility and that the information developed in the draft business case is provided to the Regional Indoor Sports and Events Centre (RISEC) Trust for the purpose of developing an independent Detailed Business Case for Indoor Courts.

At the Meeting

The Chair advised that the Chief Executive had confirmed the 'ring fencing' of \$4Million for an indoor facility in the Long Term Plan.

Councillors made the following points in their discussion on this item:

- It was disappointing that this project had not progressed to a Detailed Business Case being brought to Council, but there had been clear feedback from the community that they were not happy with the proposal as it stood and it was important to represent and respect this.
- The work that was undertaken clearly identified that more indoor courts are required. The information brought together by Council during the Draft Business Case process will make a significant contribution towards a possible alternative that these be provided via Pettigrew Arena.

- While the provision of any further indoor courts will now be the responsibility of the Regional Indoor Sports and Events Centre Trust, Council will clearly demonstrate its commitment to the project through funding and the provision of the information it holds from the Draft Business Case.
- It is anticipated that the Trust will be able to present Council with a Business Case for the Pettigrew Arena option reasonably quickly.
- It was hoped that in future that engaging with third parties will be undertaken differently and the difficulties experienced in this process will be avoided.

COMMITTEE'S RECOMMENDATION

Councillors Wise / Wright

- a. That the progress on the Multi-Use Sports Facility Business Case is suspended until such a time that national community recreation projects are prioritised and sequenced in the future by Sport New Zealand.
- b. That funding allocated for the Multi-Use Sports Facility be reallocated through the Long Term Plan 2018-28 process to other projects that support community well-being.
- c. That Council officers work with the Regional Indoor Sports and Events Centre (RISEC) Trust in the development of a detailed business case for additional indoor court space at Pettigrew Green Arena.

CARRIED

7. OMARUNUI REFUSE LANDFILL JOINT COMMITTEE - DRAFT MINUTES 28 JULY 2017

Type of Report:	Information
Legal Reference:	N/A
Document ID:	382394
Reporting Officer/s & Unit:	Deborah Smith, Governance Advisor

7.1 Purpose of Report

To present to Council the draft minutes of the Omarunui Refuse Landfill Joint Committee meeting of 28 July 2017.

At the Meeting

There was no discussion on this item.

COMMITTEE'S RECOMMENDATION

Councillors Tapine / Wright

That Council

- a. Receive the draft minutes of the Omarunui Refuse Landfill Joint Committee meeting of 28 July 2017.

CARRIED

The meeting concluded at 3.53pm.