



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

Napier Civic Building
231 Hastings Street
t +64 6 835 7579
e info@napier.govt.nz
www.napier.govt.nz

ORDINARY MEETING OF COUNCIL

Open Agenda

| | |
|---------------|---------------------------|
| Meeting Date: | Wednesday 8 November 2017 |
|---------------|---------------------------|

| | |
|-------|-----|
| Time: | 3pm |
|-------|-----|

| | |
|--------|--|
| Venue: | Large Exhibition Hall Napier Conference Centre Marine Parade Napier |
|--------|--|

| | |
|-----------------|--|
| Council Members | The Mayor (In the Chair), Councillors Boag, Brosnan, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise and Wright |
|-----------------|--|

| | |
|---------------------|-----------------|
| Officer Responsible | Chief Executive |
|---------------------|-----------------|

| | |
|----------------|-----------------|
| Administration | Governance Team |
|----------------|-----------------|

Next Council Meeting
Wednesday 20 December 2017

ORDER OF BUSINESS

Apologies

Nil

Conflicts of interest

Public forum

Richard Catley – Pirimai Residents Assn, Allen Berry Reserve and former Pirimai School site
Margret Habib and Jan Daffern speaking on Sunday Market location

Announcements by the Mayor

Announcements by management

Confirmation of minutes – pages 52 and 82 refer

That the Draft Minutes of the Ordinary Meeting of Council held on Wednesday, 27 September 2017 be confirmed as a true and accurate record of the meeting.

That the Draft Minutes of the Extraordinary Meeting of Council held on Thursday, 26 October 2017 be confirmed as a true and accurate record of the meeting.

Local Government Act 2002

The Council resolves, 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 consider, in its discretion, is appropriate to make decisions on the recommendations set out in this agenda (including the Public Excluded section).

Agenda items

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AGENDA ITEMS

1. RATING OUTTURN SURPLUS 2016-17

| | |
|--|--|
| Type of Report: | <i>Operational and Procedural</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>393607</i> |
| Reporting Officer/s & Unit: | <i>Adele Henderson, Director Corporate Services Ian Condon, Revenue and Treasury Manager Caroline Thomson, Chief Financial Officer</i> |

1.1 Purpose of Report

To report on the Rating Account to 30 June 2017, and to approve allocations from the Rating Surplus.

Officer's Recommendation

- a. That the 2016/17 net rating surplus of \$1,238,100 be transferred to the Capital Reserve Account where it is available for future commitments.
- b. That \$300,000 is allocated from the Capital reserve to fund IT projects that have been bought forward as a result of the office relocation requirements.

MAYOR'S RECOMMENDATION

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

1.2 Background Summary

An integral part of preparing the Annual Report is establishing the year end outturn position of the Rating Account. It has been Council's practice to apply year-end surpluses to fund one-off items committed against the surplus, with any remaining surplus transferred to the Capital Reserve Account for allocation by Council.

1.3 Issues

Rating Summary to 30 June 2017

Net Rating Surplus (After allowing for committed carry-forwards) is \$1,238,100.

In arriving at the above surplus, interest income has been allocated to special funds in line with Council's policy for allocating interest; however, similar to recent years, there has been no allocation of interest to the Infrastructural Renewals or Financial Contribution Accounts.

The rating surplus arises primarily from additional interest income from general treasury funds (approximately \$0.9m), additional rates penalties and savings in loan servicing costs.

1.4 Significance and Consultation

N/A

1.5 Implications

Financial

With contingency funding now provided within the Long Term Plan / Annual plan, the rating surplus is available to transfer to the Capital Reserve Account for future allocation.

The balance of the Capital Reserve at 30 June 2017 was \$3,019,462 (prior to adding the rating surplus and existing approved commitments).

Commitments currently identified and approved against the Capital Reserve include:

| | |
|--------------------------------------|--------------------|
| <u>2017/18</u> | |
| Events Promotion | 140,000 |
| Anderson Park Upgrade | 772,000 |
| Coastal Hazard Strategy | 100,000 |
| Aquatic development provision | 1,500,000 |
| Bay Skate Ramps | 200,000 |
| Total 2017/18 | 2,712,000 |
| | |
| <u>2018/19</u> | |
| Memorial Square Building Development | 300,000 |
| Hockey Turf | 500,000 |
| Walkway/Cycleway development | 253,000 |
| Total 2018/19 | 1,053,000 |
| | |
| TOTAL CAPITAL COMMITMENTS | \$3,765,000 |

IT projects that were to be included in Council's 2018-28 Long Term Plan are now required due to the relocation of Council offices. These costs are outside the building upgrade project costs already budgeted.

Approval is sought to allocate \$300,000 from the Capital Reserve Account to fund the IT project costs required as a result of office moves including moving to the cloud, and phone system requirements. This would increase the total capital commitments to \$4,065,000 leaving a balance in the Capital Reserve Account (after the rating surplus is added) of \$192,562.

Social & Policy

N/A

Risk

N/A

1.6 Options

The options available to Council are as follows:

1. Transfer the rating surplus to the Capital Reserve Account and approve the allocation of \$300,000 to fund IT projects that have been bought forward as a result of the office relocation.
2. Allocate the rating surplus directly for one-off items with any remaining surplus transferred to the Capital Reserve Account.

1.7 Development of Preferred Option

Transferring the surplus to the Capital Reserve for allocation is more transparent and consistent with recent practice. Option 1 is the preferred option.

1.8 Attachments

Nil

2. JOINT COUNCIL WASTE FUTURES PROJECT STEERING GROUP COMMITTEE - MINUTES 14 SEPTEMBER 2017

| | |
|--|-------------------------------------|
| Type of Report: | <i>Enter Significance of Report</i> |
| Legal Reference: | <i>Enter Legal Reference</i> |
| Document ID: | 397233 |
| Reporting Officer/s & Unit: | Deborah Smith, Governance Advisor |

2.1 Purpose of Report

To present to Council the open minutes of the Joint Council Waste Futures Project Steering Group Committee September meeting.

Officer's Recommendation

That Council

- a. Receive the minutes of the Joint Council Waste Futures Project Steering Group Committee meeting on 14 September 2017.

MAYOR'S RECOMMENDATION

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

2.2 Background Summary

The minutes of the Joint Council Waste Futures Project Steering Group Committee meeting on 14 September 2017 are shown at **Attachment A**.

2.3 Issues

No issues

2.4 Significance and Consultation

N/A

2.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

2.6 Attachments

- A Minutes Joint Council Waste - 14 September 2017 [↓](#)



OPEN MINUTES

JOINT COUNCIL WASTE FUTURES PROJECT STEERING COMMITTEE

Meeting Date: **Thursday, 14 September 2017**

CG-14-36-00011

1

**Minutes of a Meeting of the Joint Council Waste Futures Project Steering
Committee held on Thursday, 14 September 2017 at 10.00am**

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CG-14-36-00011

1

HASTINGS DISTRICT COUNCIL

MINUTES OF A MEETING OF THE JOINT COUNCIL WASTE FUTURES PROJECT STEERING COMMITTEE HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC ADMINISTRATION BUILDING, LYNDON ROAD EAST, HASTINGS ON THURSDAY, 14 SEPTEMBER 2017 AT 10.00AM

PRESENT: Chair: Councillor Kerr
Councillors Heaps and Lyons (HDC)
Councillors Brosnan (Deputy Chair) and Dallimore (NCC)

IN ATTENDANCE: Waste and Data Services Manager (Mr M Jarvis) (HDC)
Waste Minimisation Officer (Mrs A Atkins) (HDC)
Waste Minimisation Planner (Ms H Ludlow) (HDC)
Solid Waste Engineer (Mr P Doolan) (HDC)
Waste Minimisation Lead (Mr R van Veldhuizen) (NCC)
Committee Secretary (Mrs C Hilton)

1. APOLOGIES

Councillor Kerr/Councillor Dallimore

That an Apology for absence from Councillor Tapine be accepted.

CARRIED

Councillor Kerr noted that Cr Tapine (NCC) had been unable to attend this meeting. She felt it was necessary to follow up and identify which days of the week may suit Cr Tapine for meetings so that as many members as possible were able to attend future meetings.

2. CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

3. CONSIDERATION OF GENERAL BUSINESS ITEMS

There were no items of General Business.

4. CONFIRMATION OF MINUTES

Councillor Lyons/Councillor Heaps

That the minutes of the Joint Council Waste Futures Project Steering Committee held Wednesday 2 August 2017 be confirmed as a true and correct record and be adopted.

CARRIED

CG-14-36-00011

2

At this point the meeting agreed to go into Public Excluded Session to address Item 7 "Kerbside Collection Options" as Officers felt this contains information that needs to be considered prior to addressing Open Item 5 "Waste Assessment". The remaining Public Excluded Item 8 "Waste Management and Minimisation Plan" would then be addressed later in the meeting.

6. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 7 AND 8

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Heaps/Councillor Brosnan

THAT the public now be excluded from the following parts of the meeting, namely;

7 Kerbside Collection Options

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the 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 is as follows:

| <i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i> | <i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i> | <i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i> |
|--|--|--|
| 7 Kerbside Collection Options | <p>Section 7 (2) (h)</p> <p>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>The information contained in the report is commercially sensitive.</p> | <p>Section 48(1)(a)(i)</p> <p>Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.</p> |

CARRIED

After the meeting addressed Item 7, it then continued in Open Session to address Item 5.

5. WASTE ASSESSMENT

(Document 17/880)

Officers addressed the Agenda report and noted the extensive attachments. The

CG-14-36-00011

3

Waste Minimisation Lead, Mr R van Veldhuizen (NCC), spoke to his Supplementary Waste Assessment Paper which had been circulated under separate cover, as Attachment 5 to this item.

It was noted that there were three organisations (Hawk Packaging, BioRich Ltd and Pan Pac) that would benefit from local recovered materials.

Councillor Dallimore/Councillor Lyons

A) That the report of the Waste Minimisation Officer titled "Waste Assessment" dated 14/09/2017 be received.

B) That the documents comprising the Waste Assessment, as set out in Attachments 1 to 5 of the report in "A" above, be received.

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for good quality local infrastructure and local public services in a way that is most cost-effective for households and business by:

i) **Providing fit for purpose solid waste services and facilities.**

CARRIED

As had been agreed earlier in the meeting, Public Excluded Item 8 was then addressed.

**6. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 7 AND 8
CONTINUED**

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Heaps/Councillor Brosnan

THAT the public now be excluded from the following parts of the meeting, namely;

8 Waste Management and Minimisation Plan

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the 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 is as follows:

| <i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i> | <i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i> | <i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i> |
|--|--|---|
|--|--|---|

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4

**8 Waste Management and
Minimisation Plan**

Section 7 (2) (h)

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

The information in the report is in draft form for the consideration of the Steering Committee.

Section 48(1)(a)(i)

Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

CARRIED

The meeting closed at 10.38am

Confirmed:

Chairman:

Date:

REPORT / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 1 November 2017

Māori Consultative Committee Recommendation

That the Māori Consultative Committee recommendations be adopted.

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

REPORTS FROM STRATEGY AND INFRASTRUCTURE COMMITTEE HELD 11 OCTOBER 2017

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

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

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.

At the Māori Consultative Committee meeting

No discussion was held on this item.

Māori Consultative Committee's recommendation

Mayor Dalton / T Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Mayor Dalton / Councillor Tapine

That Council

- a. Resolves 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 |

CARRIED

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> |

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.

At the Māori Consultative Committee meeting

No discussion was held on this item.

Māori Consultative Committee's recommendation

Mayor Dalton / T Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Taylor / Wise

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 |

CARRIED

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> |

3.1 Purpose of Report

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

At the Māori Consultative Committee meeting

No discussion was held on this item.

Māori Consultative Committee's recommendation

Mayor Dalton / T Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Dallimore / Wise

That Council

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

CARRIED

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 25 OCTOBER 2017

1. MĀORI WARDS

| | |
|--|--|
| Type of Report: | <i>Legal</i> |
| Legal Reference: | <i>Local Electoral Act 2001</i> |
| Document ID: | <i>387769</i> |
| Reporting Officer/s & Unit: | <i>Jane McLoughlin, Team Leader Governance</i> |

1.1 Purpose of Report

To outline the feedback received from the community engagement on Māori Wards and seek a decision from Council on whether to establish Māori Wards for the 2019 election.

At the Māori Consultative Committee meeting

On Māori representation, the Committee spoke on the following points:

- The key question is whether there is adequate representation on the Council for Māori representation – do Māori have a voice. This point was made considering whether there are Māori wards or whether there is another mechanism to achieve it.
- The work that Council is undertaking on its Māori strategies was seen as very positive and a way of ensuring there is adequate representation and a voice.
- It is important to encourage more Māori to stand as candidates in the local government elections. However it was noted that even if there were more Māori elected onto Council, this would not replace council's obligations to rangatiratanga.
- The greatest value may be in involving Māori early on in what Council is developing. An example of this is already in motion in the work being undertaken on the Aquarium, where Māori have been engaged from the conception stage, rather than towards the end of the design of a project.

Māori Consultative Committee's recommendation

L Ratima / T Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Wright / Brosnan

That Council

- Do not establish Māori Wards in Napier City for the 2019 and 2022 local elections.

CARRIED

Boag against

2. NAPIER AQUATIC CENTRE EXPANSION

| | |
|--|--|
| Type of Report: | <i>Operational and Procedural</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>394789</i> |
| Reporting Officer/s & Unit: | <i>Glenn Lucas, Manager Sport & Recreation</i> |

2.1 Purpose of Report

To present the results of the community engagement and consultation, and to proceed with design, schedule and costings on the basis that Option 3 is the preferred option. The preferred option will be considered during the 2018-28 Long Term Plan (LTP) process.

At the Māori Consultative Committee meeting

The Director Community Services spoke to the report.

Māori Consultative Committee's recommendation

L Ratima / T Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Taylor / Price

That Council

- a. Receive the summary of community engagement.
- b. Support the development of designs, schedule and costings for Option 3 to be considered during the 2018-28 LTP process.

CARRIED

3. NRB SURVEY 2017

| | |
|--|---|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>391673</i> |
| Reporting Officer/s & Unit: | <i>Elaine Cooper, Corporate Planner</i> |

3.1 Purpose of Report

To advise Council on the results of the NRB survey carried out in 2017.

At the Māori Consultative Committee meeting

The Chief Executive and the Mayor spoke to the survey and noted the survey is very useful as it gives a broad public opinion on the Council.

Māori Consultative Committee's recommendation

L Ratima / T Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Hague / Wise

That the Council

- a. Receive the results of the NRB survey 2017.

CARRIED

4. CREATIVE COMMUNITIES SCHEME MEETING SEPTEMBER 2017

| | |
|--|--|
| Type of Report: | <i>Operational</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>393626</i> |
| Reporting Officer/s & Unit: | <i>Belinda McLeod, Community Funding Advisor</i> |

4.1 Purpose of Report

- a) To note the Creative Communities funding decisions made on 28 September 2017.
Council administers this scheme on behalf of Creative NZ. Funding decisions do not require ratification from Council.
- b) To receive the minutes from the meeting held on 28 September 2017, as shown as **Attachment A**.
- c) The decision meeting for September 2017 allocated \$21,673 to 13 projects. We received 14 applications seeking a funding total of \$34,747.67. Shown as **Attachment B**.

At the Māori Consultative Committee meeting

As a member of the Creative Communities Committee, the Chair invited Councillor Boag to speak to the paper.

Māori Consultative Committee's recommendation

L Ratima / T Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Wright / Boag

That Council

- a. Note the Creative Communities funding decisions report from 28 September 2017
- b. Receive the minutes from the Creative Communities meeting held on 28 September 2017

CARRIED

REPORTS FROM MĀORI CONSULTATIVE COMMITTEE HELD 1 NOVEMBER 2017

1. UPDATE ON REVIEW OF TERMS OF REFERENCE FOR MĀORI CONSULTATIVE COMMITTEE

| | |
|--|--|
| Type of Report: | <i>Enter Significance of Report</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>399951</i> |
| Reporting Officer/s & Unit: | <i>Jane McLoughlin, Team Leader Governance</i> |

1.1 Purpose of Report

To update the Committee on discussions to review the TOR of the Māori Consultative Committee which have occurred since the last meeting.

At the Meeting

The Māori Strategic Advisor delivered a verbal update, including:

- Relevant examples of Māori representation from around the country have been collected.
- Council is developing wider Māori strategies such as a Māori responsiveness plan, Māori engagement framework, cultural competency framework, and development plan. The review of the TOR of this Committee will fall out of the wider strategies, including the structure of the committee.
- There is a need to have the right 'line of sight' into Māori communities and understand the aspirations of the communities.
- The Māori Strategic Advisor will be engaging with the Committee members shortly.

Māori Consultative Committee's recommendation

L Ratima / T Aranui

That the Committee

- a. Receive the verbal update provided by the Strategic Māori Advisor on the review of the TOR of the Māori Consultative Committee.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. REQUESTS FOR OFFICIAL INFORMATION

| | |
|--|---|
| <i>Type of Report:</i> | Information |
| <i>Legal Reference:</i> | Local Government Official Information and Meetings Act 1987 |
| <i>Document ID:</i> | 401541 |
| <i>Reporting Officer/s & Unit:</i> | Sarah Ashworth, PA to Chief Executive |

1.1 Purpose of Report

To report on requests for information received to 27 October 2017.

Officer's Recommendation

That Council:

- a. Receive the report Local Government Official Information Requests to 27 October 2017.

MAYOR'S/CHAIRPERSON'S RECOMMENDATION

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

1.2 Attachments

- A LGOIMA Report [↓](#)

**REPORT: For period ending 27 October 2017
Requests made under the Local Government Official
Information and Meetings Act 1987**





Report data as of 27 October 2017:

| | Requests Received | Responses to requests | Responses with information fully released | Responses with information partially withheld | Responses with information fully withheld | Average number of working days to respond | Requests resulting in a complaint to Ombudsman |
|---------------|-------------------|-------------------------------|---|--|---|---|---|
| January 2017 | 11 | 5 *One request transferred | 4 | 1 *Outlined that charges will apply to fully answer one of the questions. Requestor did not respond. | Nil | 15.8 | Nil (Complaint received on historical LGOIMA response, partial response provided and complaint withdrawn, no further action required). |
| February 2017 | 11 | 8 | 7 | 1 *One of the requests was partially answered and then transferred to HBRC, as all questions did not fit under council's purview. | Nil | 15.1 | Nil (Notice of outstanding historical complaint received. Council working with complainant to resolve). |
| March 2017 | 19 | 15 | 14 | 1 *Information partially withheld as public release anticipated. | Nil | 10.43 | Nil (Complaint received on historical LGOIMA response, partial response provided. No further action required). |



| | Requests Received | Responses to requests | Responses with information fully released | Responses with information partially withheld | Responses with information fully withheld | Average number of working days to respond | Requests resulting in a complaint to Ombudsman |
|------------|-------------------|------------------------------------|---|--|---|---|--|
| April 2017 | 17 | 16 *One request transferred | 13 | 2 *One response where charging was requested to cover detailed records cross-referencing. Requestor did not respond. *One response partially withheld due to section 7(2)(h) – that the local authority holding the information may carry out commercial activities without prejudice or disadvantage. | Nil | 12.06 | Nil |



| | Requests Received | Responses to requests | Responses with information fully released | Responses with information partially withheld | Responses with information fully withheld | Average number of working days to respond | Requests resulting in a complaint to Ombudsman |
|----------|-------------------|---|---|--|--|---|--|
| May 2017 | 24 | 18.5 *One response sent in 2 parts, part b sent in June 2017 | 15.5 *One response sent in 2 parts, part b sent in June 2017 | 2 *One response partially withheld under section 7(h)(i) – that the local authority holding the information may carry out negotiations (including but not limited to commercial and industrial negotiations). *One response partially withheld under section 7(2)(a) – that the privacy of natural persons, including the deceased, should be protected. | 1 *One response fully withheld under section 17(d) – that the information is or soon will be publicly available; requestor advised to contact official directly to discuss. | 11.5 | Nil |



| | Requests Received | Responses to requests | Responses with information fully released | Responses with information partially withheld | Responses with information fully withheld | Average number of working days to respond | Requests resulting in a complaint to Ombudsman |
|-----------|-------------------|---|---|--|---|---|--|
| June 2017 | 8 | 6.5 *One response sent in 2 parts, part a sent in May 2017 | 5.5 *One response sent in 2 parts, part a sent in May 2017 | 1 *One response partially withheld under section 7(2)(a) – that the privacy of natural persons, including the deceased, should be protected AND section 7(2)(f) – that the effective conduct of public affairs through the free and frank expressions of opinions of members or officers or employees of any local authority may be maintained (Portions of PX papers not relevant to request withheld) | Nil | 19.38 | Nil |



| | Requests Received | Responses to requests | Responses with information fully released | Responses with information partially withheld | Responses with information fully withheld | Average number of working days to respond | Requests resulting in a complaint to Ombudsman |
|-------------|-------------------|-----------------------|---|--|---|---|--|
| July 2017 | 10 | 11.5 | 7.5 *Parts b and c of response sent. Part a pending payment of charges or scope change | 3 *Two responses partially withheld under section 7(2)(a) – that the privacy of natural persons, including the deceased, should be protected *One response partially withheld under Employment Act | (1) *One response transferred to Hawke's Bay Regional Council | 17.87 | Nil |
| August 2017 | 10 | 9 | 4 | 3.5 *s7(2)(a) x 2, 7(2)(i) x 1, 17(e) x 1, multiple x 1/2 | 0.5 (1) *Multiple x 1/2 *One response transferred to Hawke's Bay Civil Defence | 14.78 | 1 *Ombudsman reviewed, no investigation proceeded |



| | Requests Received | Responses to requests | Responses with information fully released | Responses with information partially withheld | Responses with information fully withheld | Average number of working days to respond | Requests resulting in a complaint to Ombudsman |
|----------------|-------------------|-----------------------|---|---|---|---|--|
| September 2017 | 10 | 13 | 7 | 4 *All responses partially withheld under section 7(2)(a) – that the privacy of natural persons, including the deceased, should be protected | 2 *One response withheld 7(2)(b)(ii) – that the commercial position of supplier is protected *One response withheld 17(e) – that the information does not exist | 9.9 | Nil |
| October 2017 | 10 | 5 | 4 | 0 | 1 *One transferred to NZ Police | 6.8 | Nil |
| YTD Total | 130 | 107.5 | 81.5 | 18.5 | 3.5 – W 3 – T | 13.36 | 1 |

Requests received in 2017:

| Types of requests received | January | February | March | April | May | June | July | August | September | Oct | N o v | D e c | TOTAL RECEIVED YTD |
|--------------------------------------|---|--|---|---|--|---|---|---|------------------------|---|-------------|-------------|--------------------|
| Finance and Commercial | - Expense Cards | - Council's financial record keeping - Financial systems and time extension calculation | - Hotel feasibility study | - All Blacks v Argentina financials - Spending on tourism and economic production - Comms and governance - Average residential costs | - Review of council contract (request from lawyer) | | - Spend on Giblin Group - Spend on ATTNI marketing | | | - Fines revenue - Legal costs - Restructure costs | | | 14 |
| The Council | - LGNZ and EQUIP training spend - Old and new council structure - Council gift register | - Council's decision on Emerson Street road stopping | - Council workshops | | - Council's decision on removing war memorial function - Spend on council lunches - War Memorial upgrade decision of council | - Personal grievances - Staff count - Comms NCC & Heritage NZ re war memorial | - LGEP information - War memorial | | - Police investigation | | | | 14 |
| Planning, Policy and Strategy | | - Multi-use sports facility | - Prelim report, McLean Park (2) - Multi-use sports facility spend - Conference centre earthquake assessment - Staff that have left council - Council restructure - Civic building review - Comms docs - Council employees and pay | - Civic building, strata engagement - Multi-use sports facility | - Pandora Pond redev. | | - Listed trees - Building consents | - Disaster preparedness (transferred to HBCM) - Multi-use sports facility x2 | | | | | 16 |



| Types of requests received | January | February | March | April | May | June | July | August | September | Oct | N o v | D e c | TOTAL RECEIVED YTD |
|--------------------------------------|--|--|--------------------------------------|---|--|--|--|---|--|--------------------------------|-------------|-------------|--------------------|
| Culture, Community and Events | | | - Park Island Sports Hub | | | | - Begging & homelessness - Outreach centre metrics - Park Island sports area | - Park Island redesign bylaw lobbying x 2 - Bay Skate costs - National Aquarium x 2 | - Maraenui programs | - Social housing stock | | | 9 |
| Environment Parks and Gardens | - Drinking water quality - Commercial piggeries - Environmental reporting/water quality (transferred to HBRC) | - Water taking and selling (Transfer to HBRC) | - Product Stewardship schemes | | - Press release July 2012 | | - Funeral/ cemetery stats | | - Bluff hill | | | | 8 |
| Consenting and Compliance | - Parklands covenants - Lindis Place (request on own property) - Grounds for service charges - Colony egg resource consents - Rates request (own property) | - District valuation roll - Complaint to Ombudsman, wild pig - Lindis Place x2 (Request on own property) - Rubble dumping, poraiti road property (related to Ombudsman complaint) - Registered hairdressers - Te Awa Structure Plan (plan change 6) hearing documentation | - Food and alcohol licenced premises | - Lindis Place (request on own property) - Swimming installation consents - One Pure Land Use Consent - Section 33 RMA transfers - Caged chicken farms - Dog owner details - Parking ticket challenges - Hammond road (own property request) - Fire and emergency nz - Caged chicken farms | - Disability assist dog survey - Property information (Request on own property), Kensington Drive - Building Consents (Quin buildings) | - Copy of complaint re shed - Street appeal & occupancy permits | | - Noise complaints | - DLC decisions - Housing NZ x2 - Deceased pets policy | - Private swimming pool owners | | | 27 |



| Types of requests received | January | February | March | April | May | June | July | August | September | Oct | N o v | D e c | TOTAL RECEIVED YTD |
|--|---------|----------|--|--|--|--|------|---|--|--|-------------|-------------|--------------------|
| Animal Management | | | <ul style="list-style-type: none"> - 2015 pig incident - Annual dog control report - Dog pound investigation correspondence | <ul style="list-style-type: none"> - Stock complaints | <ul style="list-style-type: none"> - Dog file notes and LGOIMA release | | | <ul style="list-style-type: none"> - Dog investigation results | <ul style="list-style-type: none"> - Dog owner file | <ul style="list-style-type: none"> - Dog euthanasiation | | | 8 |
| Infrastructure Services and Transport | | | <ul style="list-style-type: none"> - Fire hydrant checks | | <ul style="list-style-type: none"> - Wastewater discharge event - Napier City water supply - Drinking Water | <ul style="list-style-type: none"> - Drinking water pesticide testing - Water supplies - Stop banks (transferred) | | | <ul style="list-style-type: none"> - Water bores | <ul style="list-style-type: none"> - Sewage discharge - Landfill report - Creek management plan | | | 11 |

2. TENDERS LET

| | |
|--|---------------------------------------|
| <i>Type of Report:</i> | Information |
| <i>Legal Reference:</i> | Enter Legal Reference |
| <i>Document ID:</i> | 401542 |
| <i>Reporting Officer/s & Unit:</i> | Sarah Ashworth, PA to Chief Executive |

2.1 Purpose of Report

To report on Tenders Let under delegated authority to 31 October 2017

Officer's Recommendation

That Council:

- a. Receive the report of Tenders Let to 31 October 2017.

MAYOR'S/CHAIRPERSON'S RECOMMENDATION

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

Contracts over \$100,000 let under Chief Executive/Director Infrastructure Services discretion:

Contract 1168 – Awatoto Trunk Main Directional Drilling

Two tenders were received.

The Engineer's estimate was \$286,320.00

It was recommended that the tender from Te Aratika Drilling Ltd be accepted in the sum of \$355,385.33. This recommendation was approved.

2.2 Attachments

Nil

3. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

| | |
|--|---------------------------------------|
| <i>Type of Report:</i> | Information |
| <i>Legal Reference:</i> | Enter Legal Reference |
| <i>Document ID:</i> | 401548 |
| <i>Reporting Officer/s & Unit:</i> | Sarah Ashworth, PA to Chief Executive |

3.1 Purpose of Report

To report on documents executed under seal from 15 September 2017 to 27 October 2017.

Officer's Recommendation

That Council:

- a. Receive the report Schedule of Documents Executed Under Seal from 15 September 2017 to 27 October 2017.

MAYOR'S/CHAIRPERSON'S RECOMMENDATION

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

| Date | Document | Presenting Officer |
|----------|--|------------------------------|
| 29.09.17 | Deed of Surrender & A&I Form - 3 Lever St | Jenny Martin |
| 29.09.17 | Deed of Lease – Blokhart | Jenny Martin |
| 11.10.17 | Warrant of the Resource Management Act sec 38 (5) | Eric Le roux |
| 17.10.17 | Kenny Road - Easement instrument to partially surrender land | Colin Hunt |
| 17.10.17 | Kenny Road - Easement instrument to create covenant | Colin Hunt |
| 26.10.17 | Memorandum of Lease – 101 Battery Rd | Jenny Martin |
| 26.10.17 | Client A&I Form & Consent Form | Jenny Martin |

3.2 Attachments

Nil

4. RESOURCE CONSENTS

Type of Report: Information

Legal Reference: Resource Management Act 1991

Document ID: 401552

Reporting Officer/s & Unit: Sarah Ashworth, PA to Chief Executive

4.1 Purpose of Report

To present the Resource Consents issued under delegated authority for 20 September to 31 October 2017.

Officer's Recommendation

That Council:

- a. Receive the report Resource Consents issued under delegated authority for 20 September to 31 October 2017.

MAYOR'S/CHAIRPERSON'S RECOMMENDATION

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

4.2 Attachments

- A Council Issued Consents Report [↓](#)

Resource Consents (Subdivision & Land Use) Issued between 20 September 2017 – 31 October 2017

| Consent Number | Site Location | Applicant | Proposal | Activity Status | Decision Date |
|-----------------------|-------------------------------|------------------------------------|---|--------------------------|----------------------|
| 170130 | 259 Church Road | H & E Green | Construct a garage infringing the 5m front yard | Restricted Discretionary | 20 September 2017 |
| 170116 | 73, 77, 79 & 81 Dalton Street | Lot Nine Limited | Multi-unit development creating a total of five commercial units involving alterations and seismic strengthening of a group 1 heritage building | Discretionary | 20 September 2017 |
| 170113 | 111 Main North Road | Hawkes Bay Airport Limited | Expansion of the Hawkes Bay Airport terminal involving works upon a HAIL site (NES Contaminated Soils) | Controlled | 20 September 2017 |
| 170120 | 2 Tennyson Street | Anca Properties Limited | Alterations to a Group 1 heritage item to create an additional commercial tenancy | Discretionary | 26 September 2017 |
| 170127 | 5/274 Te Awa Avenue | D Watt | Reposition existing garage out of an area of significance to Māori (Group 4 heritage item) | Variation | 29 September 2017 |
| 170126 | 7 Tu Atu Street | KiwiRail | Change to outline plan to include the construction of modular staff area, workshop and storage facilities | Outline Plan | 29 September 2017 |
| 170125 | 78 Niven Street | San Niven Limited | Main Industrial zone multi-unit industrial development creating two commercial/industrial units and four storage units | Controlled | 29 September 2017 |
| 170124 | 165 Kaimata Road | DR Monrad | Construct a dwelling within an area of significance to Māori (Group 4 Heritage item) | Restricted Discretionary | 2 October 2017 |
| 170131 | 12 Aspiring Drive | Stonewood Homes Hawkes Bay Limited | Construct a garage within the 5m front yard within the Main Residential zone | Restricted Discretionary | 3 October 2017 |

| | | | | | |
|--------|---------------------|----------------------------|---|--------------------------|-----------------|
| S17078 | 230 Puketitiri Road | East Coast Gardens Limited | Rural Residential subdivision to create an additional lot (two in total) | Controlled | 6 October 2017 |
| S17077 | 91 Puketapu Road | WDC Hawkes Bay Limited | Main Residential zone subdivision creating two additional lots (three in total) | Controlled | 6 October 2017 |
| 170128 | 21 Creagh Street | J Lundberg & C Gardner | Construction of a double garage and studio within the Te Awa Bungalow Character zone | Restricted Discretionary | 6 October 2017 |
| 170133 | 39A Te Awa Avenue | A1 Homes | Waiver of vehicle manoeuvring requirements | Restricted Discretionary | 9 October 2017 |
| 170132 | 68 McElwee Street | CW Miller | Earthworks exceeding permitted threshold within the Jervoistown zone | Restricted Discretionary | 10 October 2017 |
| 170136 | 11A Avenue Road | Stan Holdings Limited | Erect single story dwelling which infringes site coverage rule | Restricted Discretionary | 10 October 2017 |
| S17079 | 28 Anzac Avenue | MF Hugo | Main Residential zone subdivision of site to create one additional lot (two in total) | Controlled | 10 October 2017 |
| S17074 | 240 Guppy Road | 240 Guppy Limited | Main Residential zone subdivision to create 42 residential lots, one access lot and one lot to vest as legal road | Controlled | 9 October 2017 |
| S17075 | 240 Guppy Road | 240 Guppy Limited | Main Residential zone subdivision to create 31 residential lots, one access lot and one lot to vest as legal road | Controlled | 9 October 2017 |
| S17076 | 113 Fryer Road | Neil & Diana Kirton | Rural Residential subdivision creating one additional lot and a balance lot amalgamated with adjoining title | Controlled | 13 October 2017 |
| 170141 | 7A Coverdale Street | DM Nicholas | Request for a waiver for the onsite provision of a vehicle manoeuvring space for a proposed new dwelling | Restricted Discretionary | 10 October 2017 |
| 170045 | 126 Puketitiri Road | S Cormack & W Pirie | Establish and day care centre within the Rural Residential zone | Restricted Discretionary | 9 October 2017 |

| | | | | | |
|--------|---------------------|-------------------------------------|--|--------------------------|-----------------|
| 170139 | 40 Hurunui Drive | The Pemberley trust | Construct a dwelling which infringes the site coverage provision within the Main Residential zone | Restricted Discretionary | 18 October 2017 |
| 170121 | 401 Prebensen Drive | Blokart HB | Develop a Blokarting stabilised track and gravel car park within the Rural Conservation zone | Non-complying | 18 October 2017 |
| 170112 | 192 Hastings Street | HB Land Development Company Limited | Multi-unit development involving seismic strengthening and alterations to a Group 1 heritage building | Discretionary | 9 October 2017 |
| S17081 | 27 Franklin Road | DM Smith | Subdivision of Main Rural site to adjust boundaries | Controlled | 12 October 2017 |
| 170134 | 3 Bowen Place | E & C Jaritz | Addition to garage and first floor bedroom which infringes front yard and height to front boundary rule | Restricted Discretionary | 13 October 2017 |
| 170140 | 58 Ferguson Street | MA Pittar | Additions to dwelling which infringe height plane | Restricted Discretionary | 17 October 2017 |
| 170152 | 3A Ossian Street | Bish Wines Limited | Section 127 variation to approved Resource Consent RM160157 to facilitate a bar/restaurant within the Mixed Use zone | Variation | 19 October 2017 |
| 170142 | 45 Guys Hill Road | Taheke Trust | Construct a retaining wall exceeding a height of 1.5m within the 3m front yard within the Napier Hill Character zone | Restricted Discretionary | 25 October 2017 |
| 170151 | 6/15 Hardinge Road | CE Woodman | Extension to an existing licensed premise (bar/restaurant) within the Mixed Use zone | Variation | 27 October 2017 |
| S17082 | 82 Meeanee Quay | Harrison Bentley Limited | Subdivide site to create an additional lot (two in total) | Restricted Discretionary | 30 October 2017 |
| 170146 | 7 Ridgeway Terrace | GL Hume | Construct a dwelling within the 7.5m front yard within the Lifestyle Character zone | Restricted Discretionary | 31 October 2017 |

PUBLIC EXCLUDED ITEMS

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

Agenda Items

1. Hawke's Bay Airport Ltd Annual Report 2017
2. Hawke's Bay Airport Ltd report - June Quarter 2016/17
3. Hawke's Bay Airport Ltd Report - September Quarter 2016/17
4. Joint Council Waste Futures Project Steering Group - Public Excluded Minutes - 14 September 2017

Reports from Audit and Risk Committee held 12 October 2017

1. Update on Water Supply- Drinking Water Quality Improvements
2. Napier City Council Internal Audit
3. Transfer Station Cash Handling Review
4. Internal Audit Cash Handling Reviews
5. LTP Update from Audit New Zealand
6. Audit Long Term Plan Self Assessment
7. Letters of Representation
8. Draft 2016/17 Annual Report
9. Risk Management Report October 2017
10. Napier City Council Deloitte Report Update
11. Tax Risk Governance Framework
12. Napier City Council Investment and Debt Report
13. Health and Safety Report 30 September 2017
14. Review of Audit and Risk Committee

Reports from Community Services Committee held 25 October 2017

1. Recycling Contract Renewal
2. CBD Security Patrols - Initial 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 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. Hawke's Bay Airport Ltd Annual Report 2017 | 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. Hawke's Bay Airport Ltd report - June Quarter 2016/17 | 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. |
| 3. Hawke's Bay Airport Ltd Report - September Quarter 2016/17 | 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. Joint Council Waste | 7(2)(h) Enable the local | 48(1)A That the public conduct of the whole or the |

| | | |
|--|---|--|
| Futures Project Steering Group - Public Excluded Minutes - 14 September 2017 | <p>authority to carry out, without prejudice or disadvantage, commercial activities</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> | <p>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)(ii)) of the Local Government Official Information and Meetings Act 1987.</p> |
|--|---|--|

Reports from Audit and Risk Committee held 12 October 2017

| | | |
|--|--|---|
| 1. Update on Water Supply- Drinking Water Quality Improvements | <p>7(2)(f)(ii) Maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment</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)(ii)) of the Local Government Official Information and Meetings Act 1987.</p> |
| 2. Napier City Council Internal Audit | <p>7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied</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)(ii)) of the Local Government Official Information and Meetings Act 1987.</p> |
| 3. Transfer Station Cash | <p>7(2)(a) Protect the privacy of</p> | <p>48(1)A That the public conduct of the whole or the</p> |

| | | |
|---|---|---|
| Handling Review | natural persons, including that of a deceased person | 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. Internal Audit Cash Handling Reviews | 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. |
| 5. LTP Update from Audit New Zealand | 7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied | 48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987. |
| 6. Audit Long Term Plan Self Assessment | 7(2)(c)(i) Protect information which is subject to an obligation of confidence or | 48(1)A That the public conduct of the whole or the relevant part of the |

| | | |
|--------------------------------|--|--|
| | <p>which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied</p> | <p>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> |
| 7. Letters of Representation | <p>7(2)(a) Protect the privacy of natural persons, including that of a deceased person</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> |
| 8. Draft 2016/17 Annual Report | <p>7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied</p> <p>7(2)(c)(ii) Protect information which is subject to an obligation of confidence or which any person has been</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> |

| | | |
|---|--|---|
| | or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest | |
| 9. Risk Management Report October 2017 | 7(2)(e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public | 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. |
| 10. Napier City Council Deloitte Report Update | 7(2)(a) Protect the privacy of natural persons, including that of a deceased person 7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied | 48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987. |
| 11. Tax Risk Governance Framework | 7(2)(e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public | 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. |
| 12. Napier City Council Investment and Debt Report | 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 | 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. |
| 13. Health and Safety Report 30 September 2017 | 7(2)(d) Avoid prejudice to measures protecting the health and safety of members of the public | 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. |
| 14. Review of Audit and Risk Committee | 7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to | 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 |

| | | |
|--|---|--|
| | prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied | 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 Community Services Committee held 25 October 2017

| | | |
|--|---|---|
| 1. Recycling Contract Renewal | 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. CBD Security Patrols - Initial Review | 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. |

Ordinary Meeting of Council

OPEN MINUTES

Meeting Date: **Wednesday 27 September 2017**
Time: **3.30pm-4.22pm**
Venue: **School Hall,
Napier Girls' High School,
Clyde Road, Bluff Hill,
Napier**

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

In Attendance: Chief Executive, Director Community Services, Director City Services, Director Infrastructure Services, Director Finance, Director City Strategy, Manager Communications, Manager Regulatory Solutions, Policy Planner, Strategic Planning Lead, Manager Business Transformation and Excellence, Manager City Development

Apologies

Nil

CONFLICTS OF INTEREST

Nil

Public forum

Mr Selwyn Hawthorne spoke to his petition on the Re-instatement of the War Memorial and Eternal Flame and presented a written submission that he tabled with Councillors. He also noted the apology of Peter Grant of the Taradale RSA and following his submission recited the Ode. In particular he spoke regarding:

- Public unease of consultation on the original decision to remove the War Memorial aspects out of the building and change the name.
- The importance of War Memorials; they are a place of respect and mana and exist in perpetuity.
- The History of the War Memorial Hall.
- Napier's War Memorial Hall was a place of respect to all those who lost their lives.
- That there should be open and meaningful consultation with the public on design and on the name.

There were no questions from Councillors.

Dr Robin Gwynn, and Mike McNab from First Union, spoke to their petition on Easter Sunday Trading. In particular, Dr Gwynn spoke regarding:

- That the process Council undertook to reach their decision was unfair and Council did not fully consult with all key stakeholders, in particular the churches, and the retail workers. The timing of the consultation, at a very busy time for churches, made it difficult for churches to be involved.
- Council should reconsider their decision by undertaking a new process, in particular, which is a fair and balanced process – in which the key stakeholders are all consulted with, and in a way that they can fully participate.

Mr McNab, from First Union spoke regarding:

- His organisation had received no contact from Council despite Council advising that they had in fact emailed the organisation.
- Retail workers want a fair say.

In response to questions raised by Councillors, it was clarified by the petitioners that:

- Any new consultation should be undertaken away from December, which is a busy time for churches, but in time to meet legislative deadlines for the decision to take effect next Easter.
- It was unknown how many retail workers were represented by the Union, but the Union representative would find this information out and provide it to Council.

Announcements by the Mayor

Nil

Announcements by the Management

Nil

Confirmation of Minutes

COUNCIL RESOLUTION

Councillors Brosnan / Wright

That the Draft Minutes of the Ordinary meeting head on 16 August 2017 be confirmed as a true and accurate record of the meeting.

CARRIED

COUNCIL RESOLUTION

Councillors Hague / Dallimore

That the Draft Minutes of the Ordinary meeting head on 4 September 2017 be confirmed as a true and accurate record of the meeting.

CARRIED

COUNCIL RESOLUTION

Councillors Taylor / Wright

That the Draft Minutes of the Ordinary meeting head on 8 September 2017 be confirmed as a true and accurate record of the meeting.

CARRIED

LOCAL GOVERNMENT ACT 2002

COUNCIL RESOLUTION

Councillors Brosnan / Boag

The Council resolves, 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 consider, in its discretion, is appropriate to make decisions on the recommendations set out in this agenda (including the Public Excluded section).

CARRIED

NEW REPORTS

1. WAR MEMORIAL AND ROLL OF HONOUR

| | |
|--|---|
| Type of Report: | <i>Enter Significance of Report</i> |
| Legal Reference: | <i>Enter Legal Reference</i> |
| Document ID: | 391117 |
| Reporting Officer/s & Unit: | Sally Jackson, Manager Visitor Experience |

1.1 Purpose of Report

To update the Napier City Council on the preferred location of Napier's War Memorial.

At the meeting

An amendment to the Officer's recommendation was raised straight away by Councillor Wise, for reasons that:

- the community in Napier has demonstrated their passion about the War Memorial Hall, in particular, across all demographics, and whether they have a connection with the military or not.
- the community has told Council they are unhappy with previous decisions that Council has made on the War Memorial.
- in order to listen to the community and provide an opportunity to consult with them on future decisions on the War Memorial.
- at the public meeting held recently, there was a promise made to the community that Council will consult fully with them on the design concept and name.

Other comments raised by Councillors included:

- Council must restore mana and memories and undo the mistakes of previous decisions.
- Council must ensure consultation will take place on the plaques, and separate the War Memorial aspects from the conversation on commercialism, and redefine the War Memorial as a special place, respecting the words, 'lest we forget'.
- Memorials are in perpetuity, the hall will always be the War Memorial, and any new place of remembrance will be in addition to that.
- Once the design concept has been decided upon over the upcoming months, consultation should occur on that and the name.

COUNCIL RESOLUTION

Councillors Wise / White

That Council:

- i. Approve that the current Floral Clock site is the new

- location for the War Memorial incorporating the Eternal Flame and updated Roll of Honour with the Floral Clock to be relocated to the Sunken Gardens.
- ii. Note that the existing Roll of Honour plaques be retained in storage until consultation is undertaken with the community to decide how they could be incorporated into the new War Memorial.
- iii. Note Council Officers will report back to Council with detailed design concepts and project costs for the War Memorial and that the original architect Guy Natusch will be consulted on the design.
- iv. Note that additional funding will be allocated to the project upon completion of the decision concepts and associated costings.
- v. Agree that community consultation is undertaken on the future of the existing Roll of Honour plaques, the design concept and the name of the centre.

CARRIED

2. MTG FEES AND CHARGES REVIEW

| | |
|--|---|
| Type of Report: | <i>Procedural</i> |
| Legal Reference: | <i>Enter Legal Reference</i> |
| Document ID: | <i>387748</i> |
| Reporting Officer/s & Unit: | <i>Antoinette Campbell, Director Community Services</i> |

2.1 Purpose of Report

To revise the 2017-18 schedule of fees and charges set for MTG Hawke's Bay.

At the meeting

In response to a question from Councillors, it was clarified that staff had not explored a tourist charge because logistically that would be difficult to implement. Staff advised that they could explore a local discount in the future.

COUNCIL RESOLUTION

Councillors White / Price

That Council

- a. Remove the current general admission fee from Monday 2nd October 2017 and amend this to "No Charge" for the following admissions:
 - i. Adults
 - ii. Student (15 years plus with Student ID)

- iii. Senior Citizens (65+) and Community Services Card holders
- iv. Group – 10 or more Adults
- b. Add the following admission charge:
 - i. Touring exhibition Price to be determined.

CARRIED

3. GROUND LEASE - BLOKART HAWKES BAY INCORPORATED

Type of Report: *Legal and Operational*

Legal Reference: *N/A*

Document ID: *387051*

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

3.1 Purpose of Report

To obtain Council approval to a ground lease to Blokart Hawkes Bay Incorporated for part of Council's property known as Lagoon Farm for a term of five years with one five-year right of renewal.

COUNCIL RESOLUTION

Councillors Wise / McGrath

That Council

- a. Approve a ground lease to Blokart Hawkes Bay Incorporated for part of Council's property known as Lagoon Farm for a term of five years with one five-year right of renewal.
- b. That the terms and conditions of the lease be as per Council's standard terms for leases to community groups.

CARRIED

4. COUNCIL MEETING SCHEDULE 2018

Type of Report: *Procedural*

Legal Reference: *Local Government Act 2002*

4.1 Purpose of Report

To provide an updated schedule for Standing Committees and Council meetings for Napier City Council for 2018.

At the meeting

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

- the meeting schedule could be amended to accommodate a new time for the Maori Consultative Committee meetings, should that occur.
- Council staff would look into the value proposition of live-streaming Council meetings given the new venue at the Hawke's Bay Regional Council has the facilities.

COUNCIL RESOLUTION

Councillors Tapine / Boag

That Council

- a. Endorse the schedule of Standing Committees and Council meetings for Napier City Council for 2018.
- b. Note that additional ordinary, extraordinary and multi-day meetings may be scheduled from time to time in consultation with the Mayor and Chief Executive.
- c. Note that meeting times for other committees and subcommittees will be formally notified when they are required in accordance with the Local Government Official Information and Meetings Act 1987 and Local Government Act 2002.

CARRIED

REPORT / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MAORI CONSULTATIVE COMMITTEE MEETING - 20 SEPTEMBER 2017

**COUNCIL
RESOLUTION**

Councillors Tapine / Hague

That the Maori Consultative Committee Minutes be received.

CARRIED

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

REPORTS FROM STRATEGY AND INFRASTRUCTURE COMMITTEE HELD 30 AUGUST 2017

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.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / T Aranui

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

CARRIED

**COUNCIL
RESOLUTION**

Councillors Price / Hague

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: *Information*
Legal Reference: *Enter Legal Reference*
Document ID: *380678*
Reporting Officer/s & Unit: *Tony Mills, Senior Roading Engineer*

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.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / T Aranui

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

CARRIED

**COUNCIL
RESOLUTION**

Councillors Price / Hague

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

| | |
|--|--|
| <i>Type of Report:</i> | <i>Legal</i> |
| <i>Legal Reference:</i> | <i>Local Electoral Act 1991</i> |
| <i>Document ID:</i> | <i>378902</i> |
| <i>Reporting Officer/s & Unit:</i> | <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.

This was already a decision of Council at the Strategy and Infrastructure Committee on 30 August 2017.

4. REPRESENTATION REVIEW

| | |
|--|--|
| <i>Type of Report:</i> | <i>Information</i> |
| <i>Legal Reference:</i> | <i>Local Electoral Act 2001</i> |
| <i>Document ID:</i> | <i>383447</i> |
| <i>Reporting Officer/s & Unit:</i> | <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.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / T Aranui

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

CARRIED

COUNCIL
RESOLUTION

Councillors Price / Hague

That Council

- a. Receive the report titled *Representation Review*.**
- b. 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

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

- Securing funding from central government is essential for the viability of the project.
- The resolution on the table today is not requesting Councillors to approve a second business case.
- Council staff have approached Hawke's Bay Regional Council who have been very receptive and supportive of the project, particularly due to the focus on the environment and marine science.
- Council will present the project to other Territorial Local Authorities however they are unlikely to be key funders of the project.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / T Aranui

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

CARRIED

COUNCIL RESOLUTION

Councillors Wright / Taylor

That Council:

- Accept the Indicative Business Case for the Expansion project for the National Aquarium of New Zealand.**
- Instruct officers to proceed with the next steps of the project, specifically**
 - 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.

Councillor Boag abstained

CARRIED

6. MULTI-USE SPORTS FACILITY BUSINESS CASE

Type of Report: *Enter Significance of Report*
Legal Reference: *Enter Legal Reference*
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.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / T Aranui

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

CARRIED

COUNCIL RESOLUTION

Councillors Price / Hague

- 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: | <i>Information</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>382394</i> |
| Reporting Officer/s & Unit: | <i>Deborah Smith, Governance Advisor</i> |

7.1 Purpose of Report

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

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / T Aranui

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

CARRIED

COUNCIL RESOLUTION

Councillors Price / Hague

That Council

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

CARRIED

REPORTS FROM REGULATORY COMMITTEE HELD 30 AUGUST 2017

1. FREEDOM CAMPING WORKING GROUP RECOMMENDATIONS

| | |
|--|---|
| Type of Report: | <i>Legal and Operational</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>382371</i> |
| Reporting Officer/s & Unit: | <i>Kim Anstey, Planner Policy/Analyst</i> <i>Paulina Wilhelm, Manager City Development</i> |

1.1 Purpose of Report

The purpose of this report is to recommend that Council adopt the Napier City Council Freedom Camping Working Group recommendations to manage freedom camping in Napier.

AT THE MEETING

Councillors Price and Wright declared their interest in the foreshore reserve site.

Speaking against the resolution, Councillor Price commented that although he is not opposed to freedom camping, Council should ensure first and foremost that it should not impact on Napier residents.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

T Aranui / Mayor Dalton

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

CARRIED

COUNCIL RESOLUTION

Councillors Brosnan / Hague

That the Council

- a. Adopt the following working group recommendations:**
 - i. That the current provision of freedom camping sites for self-contained vehicles be confirmed.**
 - ii. That the foreshore reserve site for non-self-contained vehicles be reduced from 35 spaces to 8 clearly marked spaces from 1 November 2017.**
 - iii. That officers report back to Council on the monitoring outcomes for the foreshore reserve non-self-contained**

site by May 2018.

- b. That the revised programme of non-regulatory and regulatory methods and tools to manage freedom camping over the coming summer be undertaken and monitored.

Councillors Price and McGrath against
Councillor Dallimore abstained

CARRIED

2. SET TIME RESTRICTIONS FOR RIVERSIDE PARK PARKING

Type of Report: Legal and Operational
Legal Reference: Traffic Regulations
Document ID: 380071
Reporting Officer/s & Unit: Hayleigh Brereton, Manager Regulatory Solutions

2.1 Purpose of Report

To consider enforcing P120 time restriction for parking at the recreational facilities at Riverside Park.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

T Aranui / Mayor Dalton

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

CARRIED

COUNCIL RESOLUTION

Councillors Brosnan / Boag

- a. That a P120 time restriction apply to the Riverside Park parking area accessed from Gloucester Street.

CARRIED

3. ANNUAL DOG CONTROL REPORT 2016/17

Type of Report: Legal
Legal Reference: Dog Control Act 1996
Document ID: 380169

3.1 Purpose of Report

To present the territorial authority report on dog control policies and practices for the dog control registration year 1 July 2016 – 30 June 2017, for adoption by Council as required under Section 10A of the Dog Control Act 1996, prior to being submitted to the Secretary for Local Government and being made publically available.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

T Aranui / Mayor Dalton

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

CARRIED

COUNCIL RESOLUTION

Councillors Brosnan / Boag

- a. That the Napier City Council Annual Dog Control Report 2016/17 be adopted by Council, submitted to the Secretary for Local Government, and published in accordance with the Dog Control Act 1996.

CARRIED

4. CITY STRATEGY REGULATORY ACTIVITY REPORTS

Type of Report: *Information*

Legal Reference: *N/A*

Document ID: *374549*

Reporting Officer/s & Unit: *Hayleigh Brereton, Manager Regulatory Solutions*

Malcolm Smith, Manager Building Consents

Paul O'Shaughnessy, Team Leader Resource Consents

4.1 Purpose of Report

To provide an information update on regulatory activity in the city in each quarter. The attached reports covers cover the quarters from 1 January until 31 March 2017 and 1 April until 30 June 2017.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

T Aranui / Mayor Dalton

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

CARRIED

**COUNCIL
RESOLUTION**

Councillors Brosnan / Boag

That Council

- a. Receive the Quarterly City Strategy Regulatory Activity Report for the period 1 January 2017 to 31 March 2017.**
- b. Receive the Quarterly City Strategy Regulatory Activity Report for the period 1 April 2017 to 30 June 2017.**

CARRIED

REPORTS FROM FINANCE COMMITTEE

HELD 13 SEPTEMBER 2017

1. STATEMENT OF PROPOSAL - CIVIC SITE OPTIMISATION

| | |
|--|---|
| Type of Report: | <i>Procedural</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>383441</i> |
| Reporting Officer/s & Unit: | <i>Fleur Lincoln, Strategic Planning Lead</i> |

1.1 Purpose of Report

The purpose of this report is to approve the Statement of Proposal that provides Council with the option to divest, by way of sale or long-term lease, the site currently occupied by the Civic Administration Building to a private developer for commercial development. The Statement of Proposal contains an outline of what is proposed; the reasons for the proposal; the options being considered their advantages and disadvantages; and the feasibility of the preferred option.

The Business Case contains the detailed information and analysis supporting the option put forward in the Statement of Proposal.

An Engagement Plan summary and methodology is also provided for Council approval.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Councillor Tapine / T Aranui

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

CARRIED

COUNCIL RESOLUTION

Councillors Taylor / Wright

- a. That the Statement of Proposal – Civic Site Optimisation be approved for consultation in accordance with the Engagement Plan Summary.
- b. That the Statement of Proposal is notified to the public on the 4th October 2017, with submissions closing 3 November 2017.

CARRIED

2. LOAN RAISING 2017/18

| | |
|--|---|
| Type of Report: | <i>Procedural</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>371199</i> |
| Reporting Officer/s & Unit: | <i>Ian Condon, Revenue and Treasury Manager</i> |

2.1 Purpose of Report

To approve new loan authorities and loan raising for 2017/18.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Councillor Tapine / T Aranui

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

CARRIED

COUNCIL RESOLUTION

Councillors Taylor / Wright

That the Council resolve as follows:

- a. That Council borrow such amounts and enter into such incidental arrangements on such terms and conditions as any of the Authorised Persons named in Resolution d. below may determine from time to time.
- b. That every borrowing or incidental arrangement incurred or entered into by the Council on the terms and conditions determined by any of the Authorised Persons shall:
 - i. Be for the purposes specified below, or for general working capital purposes of the Council, subject, in each case, to the financial limitations contained in the Liability Management Policy.

| NAME | PURPOSE | AMOUNT |
|---------------------------|------------------------|-----------|
| Roading Loan 2017 | Embankment Road Bridge | 1,050,000 |
| CBD Development Loan 2017 | CBD Development | 833,000 |
| Whakarire Loan 2017 | Whakarire Ave Groyne | 500,000 |

| | | |
|---------------------------------------|-------------------------------------|--------------------|
| Park Island Loan 2017 | Park Island Expansion | 1,260,000 |
| Sportsgrounds Loan 2017 | Sportsgrounds Infrastructure | 2,268,000 |
| Sportsgrounds Growth Loan 2017 | Sportsgrounds Development | 657,000 |
| City General Loan 2017 | General Borrowing | 400,000 |
| CBD Stormwater Loan 2017 | CBD Stormwater Upgrade | 355,000 |
| Taradale Stormwater Loan 2017 | Taradale Stormwater Upgrade | 350,000 |
| Conference Centre Loan 2017 | Conference Centre Upgrade | 1,115,000 |
| | | \$8,788,000 |

- ii. Be secured by and have the benefit of a Debenture Trust Deed, creating a charge over rates.
- c. That the Council considers that the financial limitations contained in the Ten Year Plan and Liability Management Policy address the risks and benefits of the proposed loan and security to be given by the Council.
- d. That the persons holding the following offices with the Council be designated as “Authorised Persons”:
 - i. Director Corporate Services
 - ii. Chief Financial Officer
 - iii. Revenue and Treasury Manager
- e. That any of the Authorised Persons are hereby authorised, empowered and appointed, on behalf of the Council, (but subject to Resolutions a. and b. above) to:
 - i. Negotiate and approve the specific terms and conditions of the borrowing in accordance with the financial limitations contained in the Liability Management Policy;
 - ii. Negotiate, execute and deliver such documents and take all actions as any of the Authorised Persons may

consider necessary for the purpose of giving effect to the borrowing and the security which may be given in respect thereof; and

- iii. Sign, despatch, any letter, acknowledgement, notice, certificate, authority, approval, payment, or other document on behalf of the Council as any of the Authorised Persons may consider necessary or desirable in connection with, or incidental to, the matters referred to or authorised in paragraphs i or ii above.
- f. That all further actions, documents, agreements, authorities, letters, payments, approvals or notices required in connection with the matters approved and authorised by these Resolutions be from time to time undertaken, executed, entered into, or given on behalf of the Council by any Authorised Persons, such further matters to be in the form and/or on the terms and conditions approved by an Authorised Person and the execution of any document/s relating to such matters by an Authorised Person shall be conclusive evidence of the agreement to and authorisation, approval and confirmation of that matter by the Council and the Authorised Persons.
- g. That the authorisations set out in Resolutions d. to f. inclusive above shall remain in full force and effect until written notice of their revocation by resolution of the Council has been received by the Authorised Persons, provided that any person dealing with the Authorised Persons shall be entitled to assume that the Authorisations have not been revoked and remain in full force and effect and, in so assuming, shall be protected unless and until he or she has actual notice of such revocation
- h. That the Council provides for the repayment of loans through the establishment of Redemption Funds or by such other mechanisms that are in accordance with the Liability Management Policy.
- i. That copies of this resolution and all other resolutions, orders and documents relating to the said loans, certified by the Mayor and Chief Executive as correct extracts from the minutes of all proceedings of the Council may from time to time be sealed with the Common Seal of the Council as evidence of the same and issued as required.

CARRIED

3. BUDGETS TO BE CARRIED FORWARD TO 2017/18

Type of Report: *Enter Significance of Report*
Legal Reference: *Enter Legal Reference*
Document ID: 384406
Reporting Officer/s & Unit: *Mary Quinn, Senior Management Accountant*
Caroline Thomson, Chief Financial Officer

3.1 Purpose of Report

To seek Council approval to carry forward budgets into 2017/18.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Councillor Tapine / T Aranui

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

CARRIED

COUNCIL RESOLUTION

Councillors Taylor / Wright

That Council

- a. **Approve carrying forward budgeted expenditure of \$1,499,000 from 2016/17 into 2017/18.**
- b. **Approve the release of additional budget of \$200,000 for the skate ramps at Bay Skate funded from the capital reserve.**
- c. **Approve unbudgeted expenditure of \$35,000 for street lighting for safety purposes at the Dickens Street West carpark, funded from the parking fund.**

CARRIED

4. CHRISTMAS CHEER FUNDING APPLICATIONS

| | |
|--|--|
| Type of Report: | <i>Operational</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>382414</i> |
| Reporting Officer/s & Unit: | <i>Belinda McLeod, Community Funding Advisor</i> |

4.1 Purpose of Report

To seek approval to apply for external funding to support the Christmas Cheer Appeal for 2017.

This was already a decision of Council at the Finance Committee meeting held on 13 September 2017.

REPORTS FROM MAORI CONSULTATIVE COMMITTEE HELD 20 SEPTEMBER 2017

1. CONSULTATION ON MAORI WARDS UPDATE

| | |
|--|--|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>387578</i> |
| Reporting Officer/s & Unit: | <i>Jane McLoughlin, Team Leader Governance</i> |

1.1 Purpose of Report

To update the Māori Consultative Committee on community feedback on the survey on whether to establish Māori Wards in Napier City.

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / Councillor Tapine

That the Māori Consultative Committee

- a. Receive the update on engagement with the public on Māori Wards to date.
- b. Note that Council has approached leaders of Māori Organisations to discuss Māori

Wards.

- c. Note that Council will report back to the Māori Consultative Committee on 1 November 2017 with any further feedback received from Māori Organisations, and at that point, the Committee will be asked to make a recommendation to Council.
- d. Note that Council's decision on Māori Wards will be put to Council for decision on 8 November 2017.

CARRIED

**COUNCIL
RESOLUTION**

Councillors Tapine / Boag

Mayor Dalton / Councillor Tapine

That the Māori Consultative Committee

- a. **Receive the update on engagement with the public on Māori Wards to date.**
- b. **Note that Council has approached leaders of Māori Organisations to discuss Māori Wards.**
- c. **Note that Council will report back to the Māori Consultative Committee on 1 November 2017 with any further feedback received from Māori Organisations, and at that point, the Committee will be asked to make a recommendation to Council.**
- d. **Note that Council's decision on Māori Wards will be put to Council for decision on 8 November 2017.**

CARRIED

2. UPDATE ON REVIEW OF MĀORI CONSULTATIVE COMMITTEE TOR

| | |
|--|--|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>390365</i> |
| Reporting Officer/s & Unit: | <i>Charles Ropitini, Strategic Maori Advisor</i> |

2.1 Purpose of Report

To outline progress since the last update on the review of the Māori Consultative Committee's Terms of Reference (TOR).

MAORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Mayor Dalton / Councillor Tapine

That the Māori Consultative Committee:

- a. Receive a verbal update on progress of the review of the Māori Consultative Committee.

CARRIED

COUNCIL RESOLUTION

Councillors Tapine / Boag

Mayor Dalton / Councillor Tapine

That the Māori Consultative Committee:

- a. **Receive a verbal update on progress of the review of the Māori Consultative Committee.**

CARRIED

REPORTS UNDER DELEGATED AUTHORITY

1. REQUESTS FOR OFFICIAL INFORMATION

| | |
|--|--|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>Local Government Official Information and Meetings Act 1987</i> |
| Document ID: | <i>391501</i> |
| Reporting Officer/s & Unit: | <i>Sarah Ashworth, PA to Chief Executive</i> |

1.1 Purpose of Report

To report on written requests for official information received to 15 September 2017.

COUNCIL RESOLUTION

Councillors Jeffery / Price

That Council:

Receives the report.

CARRIED

2. TENDERS LET

| | |
|--|--|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>Enter Legal Reference</i> |
| Document ID: | <i>391504</i> |
| Reporting Officer/s & Unit: | <i>Sarah Ashworth, PA to Chief Executive</i> |

2.1 Purpose of Report

To report on Tenders Let under delegated authority from 1 August to 15 September.

COUNCIL RESOLUTION

Councillors Jeffery / Price
That Council:
Receives the report.

CARRIED

3. RESOURCE CONSENTS

| | |
|--|--|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>Resource Management Act 1991</i> |
| Document ID: | <i>391507</i> |
| Reporting Officer/s & Unit: | <i>Sarah Ashworth, PA to Chief Executive</i> |

3.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority from 2 August to 19 September.

COUNCIL RESOLUTION

Councillors Jeffery / Price
That Council:
Receives the report.

CARRIED

4. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

| | |
|--|--|
| Type of Report: | <i>Information</i> |
| Legal Reference: | <i>N/A</i> |
| Document ID: | <i>391511</i> |
| Reporting Officer/s & Unit: | <i>Sarah Ashworth, PA to Chief Executive</i> |

4.1 Purpose of Report

To report Documents Executed Under Seal from 1 August to 15 September.

COUNCIL RESOLUTION

Councillors Jeffery / Price

That Council:

Receives the report.

CARRIED

PUBLIC EXCLUDED ITEMS

COUNCIL RESOLUTION

Councillors Wise / Tapine

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

CARRIED

Reports from Finance Committee held 13 September 2017

1. Service Delivery Review (17A) for Transport
2. Service Delivery Review for Waste Minimisation
3. Council Projects Fund - Applications

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

| GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED | REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER | GROUND(S) UNDER SECTION 48(1) TO THE PASSING OF THIS RESOLUTION |
|--|--|---|
| | That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to: | 48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: |
| Reports from Finance Committee held 13 September 2017 | | |
| 1. Service Delivery Review (17A) for Transport | <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</p> |

Extraordinary Meeting of Council

OPEN MINUTES

Meeting Date: **Thursday 26 October 2017**
Time: **4.00pm – 4.07pm**
Venue: **Large Exhibition Hall
Napier Conference Centre
Marine Parade
Napier**

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

In Attendance: Chief Executive, Director Corporate Services, Director City Strategy, Chief Financial Officer, Corporate Planner, Senior Management Accountant, Corporate Accountant

Administration: Governance Team

Apologies

Mayor Dalton / Councillor Wise

That the apology from Cr Annette Brosnan be accepted.

CARRIED

CONFLICTS OF INTEREST

Nil

Public forum

Nil

Announcements by the Mayor

The Mayor advised that he will be away from 27 October to the evening of 31 October 2017.

Announcements by the Management

Nil

LOCAL GOVERNMENT ACT 2002

COUNCIL RESOLUTION

Councillors Wise / Hague

The Council resolves, 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 consider, in its discretion, is appropriate to make decisions on the recommendations set out in this agenda (including the Public Excluded section).

CARRIED

AGENDA ITEMS

1. ADOPTION OF ANNUAL REPORT 2016/17

| | |
|--|--|
| Type of Report: | <i>Legal and Operational</i> |
| Legal Reference: | <i>Local Government Act 2002</i> |
| Document ID: | <i>398191</i> |
| Reporting Officer/s & Unit: | <i>Caroline Thomson, Chief Financial Officer</i> |

1.1 Purpose of Report

To present the Napier City Council Annual Report 2016/17 for adoption by Council.

At the Meeting

The Chief Financial Officer tabled the minor changes made to the Annual Report subsequent to the Agenda for this meeting being published (see appended document).

The Director Corporate Services advised that an unqualified opinion had been received from Audit New Zealand on the Annual Report. The Report captures information correct at end of June 2017.

In reflection on the Report the following points were noted:

- Another strong financial result has been achieved for the year, with careful management of loans.
- Napier continues to hold the lowest average rates across councils of similar size.
- Particular highlights for the year have included:
 - Being the first Council to receive an 'A' rating through the Local Government Excellence Programme
 - Receiving a Local Government Excellence Award for the City Vision project
 - The opening of Bayskate
 - The completion of and strongly positive community engagement with the Marine Parade development
 - The re-opening of the Napier Conference Centre following expansion and refurbishment to become a destination events and conference facility
 - The refurbishment of the Ivan Wilson Pools
 - The launch of Matariki Regional Economic Development Strategy
 - Design work and equipment purchasing for a destination playground at Anderson Park
 - A continuing focus on maintaining Napier's standing as an events destination, including the highly successful Seawalls collaboration with the Pangeaseed Foundation
 - The commitment to engaging with the community on a range of projects, concerns and opportunities including ways that demand for freedom camping can best be addressed.

Thanks were extended to the Annual Report project team for the significant levels of work required to produce the document, and more generally to all staff for their contributions to an extremely busy work programme.

**COUNCIL
RESOLUTION**

Councillors Wise / Hague

That Council

- a. Adopt the Annual Report for Napier City Council for 2016/17 subject to any grammatical and minor changes and any changes due to the requirements of the audit process.**

CARRIED

The meeting closed at 4.07pm

APPROVED AND ADOPTED AS A TRUE AND ACCURATE RECORD OF THE MEETING

CHAIRPERSON:_____

DATE OF APPROVAL:_____

Appendix One: Tabled changes made to Annual Report subsequent to Agenda circulation

Summary of Changes

Summary of changes to Napier City Council Annual Report 2016/17 (since Agenda was published)

| Page | Heading | Change |
|----------------|---|---|
| Cover | 2016/17 Annual Report | 'Draft' has been deleted from cover |
| Page 2 | Overview from the Mayor and Chief Executive | Second paragraph relating to the LGNZ Excellence Programme has been re-worded |
| Page 41 | Note 17a: Replacement Cost of Core Infrastructural Assets | Replacement costs for sewerage, water and drainage have increased to reflect the reclassification of some assets and also includes adjustments resulting from the final asset revaluation audit |
| Page 48 | Note 24: Provisions | Formatting of first paragraph amended to include '30 June 2017 financial year' |
| Page 78 | Graph 11: Operations Control Benchmark | Graph amended to 59% for 2016/17 to correctly reflect the operating cash flows |
| Page 91 | Performance Results – Solid Waste | Compliance with Resource Consent amended to reflect that the water permit consent at the transfer station was unable to be assessed as the bore headworks were not sealed (this is currently being investigated and a new bore will be installed by March 2018) |

Copy of amended pages attached with changes marked in yellow

Overview from the Mayor and the Chief Executive



Bill Dalton
Mayor

Wayne Jack
Chief Executive

We are a third of the way through this term of Council and already it has been one of contrasts: testing times and great opportunities, awards and major announcements. Staff have continued to work hard, throughout the realignment process, which has now concluded, and the challenges keep coming. We are very proud of what they have achieved and know they strive to do the very best they can for this city of ours.

In the past year, NCC signed up as a foundation Council in the Local Government New Zealand (LGNZ) Excellence Programme, in which independent assessors examined our strategic plans and values, and awarded an A rating **of which we are very proud to have achieved this.**

The City Vision - Small City, Big Ideas project was also recognised, winning the Creative New Zealand EXCELLENCE Award for Best Creative Place.

We also had positive results come through in the service delivery survey earlier this year, which concluded our sports fields, public libraries, parks, reserves and pathways were most popular with the public.

Our new central skate park, Bay Skate was opened, Napier Conference Centre was reopened, and we hosted some wonderful events, such as Toasted!, our quarterly Business Breakfasts, and the Summer Cycling Carnival. We have also been a supporter of other successful events such as the Hawke's Bay Arts Festival, Horse of the Year, and Seawalls: Murals for Oceans Festival, and we have been one of the drivers of Matariki REDS, the Hawke's Bay Regional Economic Development Strategy, launched last July.

We have a significant capital works programme, focused on the three waters (drinking water, stormwater and wastewater). We were just starting to look at how we could develop our wonderful Napier Library further, when we received news we didn't expect to hear - that the new assessment standards under the Building Act's Earthquake Prone Building legislation, our Civic and Library buildings were deemed structurally deficient.

At the same time, the Havelock North Water Inquiry has forced many Councils - not just ours - to reassess the way their drinking water infrastructure networks operate. Things will continue to change, and challenge us as a Council over the next few years as we have major decisions to make, and major projects to complete.

We will be based in several different buildings for some time, there will be changes to the libraries, and we have exciting changes coming to the Napier Aquatic Centre. What has happened in the past year, and what we expect will happen in the short to medium-term future, will help feed into the formation of the Long Term Plan 2018-28 next year. We hope this is something you, the community, will help us with.

17. Property, plant and equipment continues

The following amounts of works under construction valued at cost are included in Property Plant and Equipment as at 30 June

| | 2016/17 \$000 | 2015/16 \$000 |
|---------------------------------------|------------------|------------------|
| Land | - | 264 |
| Buildings | 535 | 1,916 |
| Plant and equipment | 467 | 355 |
| Sewerage system other assets | 580 | 651 |
| Water system | 2,774 | 4,898 |
| Drainage network | 2,477 | 5,903 |
| Roading network | 2,801 | 7,678 |
| Sportsgrounds | 7,476 | 3,334 |
| Buildings on reserves | 7 | - |
| Inner Harbour | - | 74 |
| Software | 287 | 40 |
| Total works under construction | 17,404 | 25,113 |

17.a Replacement Cost of Core Infrastructural Assets

| | 2016/17 \$000 | 2015/16 \$000 |
|-------------------------------------|------------------|------------------|
| Council infrastructural assets | | |
| Sewerage system treatment plant | 42,419 | 40,747 |
| Sewerage system other assets | 268,672 | 210,637 |
| Water system | 181,269 | 132,801 |
| Drainage network | 192,531 | 167,563 |
| Roading network | 354,110 | 329,890 |
| Total infrastructural assets | 1,019,001 | 881,638 |

Council's water supply is drawn from the Heretaunga Plains aquifer, so Council does not own a water treatment plant.

17.b Depreciation and Amortisation Expense by Group of Activity

| | Actual 2016/17 \$000 | Actual 2015/16 \$000 |
|---|----------------------------|----------------------------|
| Roading | 5,317 | 5,266 |
| Solid Waste | 623 | 745 |
| Stormwater | 1,980 | 1,951 |
| Sewerage | 3,993 | 4,067 |
| Water Supply | 1,710 | 1,508 |
| Recreation | 2,096 | 2,051 |
| Social and Cultural | 2,278 | 2,320 |
| City Activities | 914 | 892 |
| Planning and Regulatory | 316 | 315 |
| Property Assets | 425 | 416 |
| Support Services | 1,595 | 1,408 |
| Total directly attributable depreciation and amortisation by group of activity | 21,247 | 20,939 |

24. Provisions continue

Provision for Weathertightness

Two claims have been lodged as at 30 June 2017 (2016: Two). These claims relate to building defects/ weather tightness issues of flats in the Napier district and name the Council as well as other parties. A provision for claims lodged at balance date has been established based on legal advice and the council's estimate of the likely financial settlement, including likely costs and disbursements. Riskpool, a mutual liability trust fund created by New Zealand local authorities to provide long-term professional indemnity and public liability protection, which the Council is a party of, has declined cover on the basis of a weathertight exclusion. **Mediation of both claims is expected to take place in the 30 June 2018 financial year.** The significant assumptions used in the estimation of the liability to the Council are explained below.

Settlement amount:

As one of the claimants is still undertaking work to investigate the defects and the extent and scope of repairs, if the estimated repair costs increase, the council's exposure to the claims will increase. The provision made by the Council is the Council's expected contribution to the settlement, and assumes the other parties subject to the claims have the ability to meet their portion of the claims. If they prove unable, the Council's exposure, and therefore estimate, will increase.

Provision for Landfill Aftercare

The Omarunui Landfill is owned jointly by the Hastings District Council (63.68%) and Napier City Council (36.32%). The landfill is operated by the Hastings District Council on behalf of a joint committee (comprising elected representatives from the two councils). The joint Landfill Committee gained a resource consent in 1985 to operate the Omarunui Landfill. The Councils have responsibility under the resource consent to provide ongoing maintenance and monitoring of the landfill after the site is closed. There are closure and post-closure responsibilities such as the following:

Closure responsibilities:

- Final cover application and vegetation
- Incremental drainage control features
- Completing facilities for leachate collection and monitoring
- Completing facilities for monitoring and recovery of gas

Post-closure responsibilities:

- Treatment and monitoring of leachate
- Ground water and surface monitoring
- Gas monitoring and recovery
- Implementation of remedial measures such as needed for cover, and control systems
- Ongoing site maintenance for drainage systems, final cover and vegetation

The management of the landfill will influence the timing of recognition of some liabilities - for example, the current landfill will operate in four stages. A liability relating to stages three and four will only be created when the stage is commissioned and when refuse begins to accumulate in these stages.

Capacity of the Site:

| The landfill is divided into four valleys as below: | Total Capacity (million) | Useful Life of Valley | Remaining Useful Life |
|---|--------------------------|-----------------------|-----------------------|
| Valley A - opened in December 1998, closed 2006 | 2.6m³ | 17 years | closed |
| Valley D - opened in December 2006 and currently in operation | 1.8m³ | 17 years | 7.4 years |
| Valleys B & C - not yet in operation | | | |

Estimates of the life have been made by Hastings District Council's engineers based on historical volume information.

The cash outflows for landfill post-closure are expected to occur in 2024 for Valley D and began in 2007 for Valley A. The long term nature of the liability means that there are inherent uncertainties in estimating costs that will be incurred. The provision has been estimated taking into account existing technology and is discounted using a discount rate of 7.5%.

The following major assumptions have been made in the calculation of the provision:

- Aftercare will be required for 30 years after the closure of each stage.
- The annual cost of aftercare for Valley A and D is \$76,800
- The provision reported is for the Napier City Council's share only (36.32%).

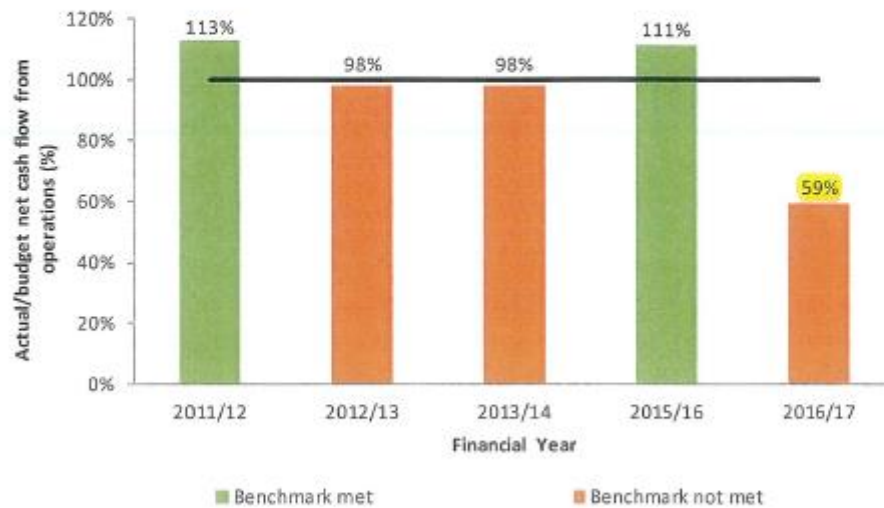
Provision for Tertiary Education Grant

Council has formed an agreement with Eastern Institute of Technology (EIT) to provide education grants until 2024.

Operations Control Benchmark

The following graph displays the Council's actual net cash flow from operations as a proportion of its planned net cash flow from operations. The Council meets the operations control benchmark if its actual net cash flow from operations equals or is greater than its planned net cash flow from operations.

Graph 11: Operations Control Benchmark - Actual Net Operating Cash Flow to Planned Net Operating Cash Flow, 2012/13 to 2016/17



Additional information or comment

Council did not meet the Operations Control Benchmark in 2016/17 due to higher than planned payments to suppliers and employees.

Performance Results 2016/17 (Solid Waste)

| | | | | | |
|-------------|---|---|-----------------------|------------------------|----------------|
| Solid Waste | Council provides a kerbside refuse collection service weekly to City residents to ensure City household waste is removed from the kerbside. This activity also provides a user pays facility at the Transfer Station for disposal of non-household refuse | A weekly kerbside refuse collection service is provided 52 weeks per year to City residents | 100% | 100% | 100% |
| | | Transfer Station open for 362 days | 100% | 100% | 100% |
| | A fortnightly kerbside recycling collection service to reduce the quantity of waste to landfill. Promotion of waste minimization activities and responsible solid waste management through education initiatives and a hazardous waste collection programme. Council also provides green waste and recycling facilities at the Redclyffe Transfer Station | Waste to Landfill per capita | 278 kg/capita | Decreasing trend | 266 kg/capita |
| | | Compliance with Resource Consent conditions | Unable to be assessed | 100% | 100% |
| | | Education and waste reduction promotion programmes in place | 1,848 students | 750 students per annum | 1,963 students |
| | | Percentage of residents satisfied with Refuse Collection in the NRB Public Opinion Survey | 95% | 92% | 94% |
| | | Percentage of residents satisfied with Control of Litter, Graffiti and Vandalism in the NRB Public Opinion Survey | 91% | 92% | 91% |

Capital Expenditure (Solid Waste)

| | Actual 2016/17 \$000 | AP 2016/17 \$000 | Actual 2015/16 \$000 |
|--|----------------------------|------------------------|----------------------------|
| Omarunui Development - Valley D | 182 | 617 | 356 |
| Omarunui Development - Plant | - | 46 | 233 |
| Omarunui Development - Forestry | - | - | - |
| Omarunui Development - Valleys B and C | 6 | 106 | 7 |
| Solid Waste I.A.R. | 100 | 235 | 77 |
| Minor Capital Items | 1 | - | - |
| | 289 | 1,004 | 673 |