



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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ORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date:	Tuesday 20 February 2018
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Time:	3.00pm
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Venue:	Council Chamber Hawke's Bay Regional Council 159 Dalton Street Napier
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Council Members	Mayor Dalton (In the Chair), Councillors Boag, Dallimore, Hague, Jeffery, McGrath, Price, Tapine, Taylor, White, Wise and Wright
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Officer Responsible	Chief Executive
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Administrator	Governance Team
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Next Council Meeting
Tuesday 3 April 2018

ORDER OF BUSINESS

Apologies

Councillor Brosnan

Conflicts of interest

Public forum

Announcements by the Mayor

Announcements by the management

Confirmation of minutes

That the Draft Minutes of the Ordinary Meeting of Council held on Wednesday, 20 December 2017 be confirmed as a true and accurate record of the meeting (*page 30 refers*).

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AGENDA ITEMS

1. PROVISION OF DE-CHLORINATED WATER

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	440735
<i>Reporting Officer/s & Unit:</i>	Chris Dolley, Manager Asset Strategy

1.1 Purpose of Report

To provide information in order for Council to give direction on:

- Whether de-chlorinated water taps should be provided.
- How many water taps should be provided, and where, if this option is favoured.
- Any other advice on the matter that Council feels is necessary.

Officer's Recommendation

That Council

- a. Provide direction on whether de-chlorinated water taps should be provided in the Napier City water supply.

Mayor's Recommendation

That Council discuss the issue of de-chlorinated water taps and provide direction.

1.2 Background Summary

In 2017 Council commenced chlorination of the Napier City Water Supply following removal of secure bore status. In addition, the Havelock North Water Inquiry stage 2 report recommended universal treatment be mandated, which has resulted in the water supply now being permanently chlorinated.

Some residents of Napier have expressed a desire to consume water free from residual chlorine post treatment.

The provision of de-chlorinated water stations is not a common practice and does come with financial costs and risks in regards to its operation. The neighbouring city of Hastings has provided 5 de-chlorinated water stations which are used by residents who prefer this water for drinking purposes. It should be noted that Hastings de-chlorinated taps were initiated as fluoride free taps that have subsequently been converted.

Prior to the entire city supply's chlorination, Napier provided a chlorine free water station. Demand was approximately 1000L per day which would indicate filling containers of up to 20L volume and approximately 50-100 residents using the tap daily.

1.3 Issues

The provision of de-chlorinated water stations is of significant interest to a portion of the community. It is an important decision as once such infrastructure is installed it will be challenging to remove.

1.4 Significance and Consultation

The provision of de-chlorinated water stations is a sensitive issue to part of the community and as such this issue has been referred to Council for their consideration and input. To date there has been no specific consultation with the community on the provision for de-chlorinated water stations.

1.5 Implications

Financial

The draft LTP capital and operating budgets do not include a provision for de-chlorinated taps. Each de-chlorinated tap facility incurs the following costs:

- Capital cost to manufacture and install- \$33k per unit
- Annual operating and maintenance cost - \$15k per unit

The cost for water from a de-chlorinated water station has been calculated to be just under \$20 per 1000L (based on NPV calculation over 10 years and 6% discount rate). Costings have been based on a 2 tap facility.

As a comparison the current metered rate for a residential property is \$0.77 per 1000L. From a financial perspective only it is not considered prudent to provide such expensive drinking water.

1.5 Social & Policy

Between July 2017 and December 2017 Napier City Council provided a single chlorine free tap located at Pettigrew Green Arena and then at Tareha Park. This facility was different to the current proposal of de-chlorinated water in that it was connected to the unchlorinated supply, which we no longer have in Napier.

The chlorine free tap proved to be popular with an average daily demand of around 1000L per day. This represents 0.004% of the average water production and around 0.002% of peak day production.

The press has reported that some Napier residents go to Hastings to fill up containers with de-chlorinated water.

The provision of chlorine free or de-chlorinated is not common practice in either the water industry or across New Zealand. We are aware of the following special taps:

- Hamilton has a fluoride free tap facility
- Hastings has five de-chlorinated tap facilities
- Wellington Water provides a number of chlorine free water station sites

There is no regulatory requirement to provide water free from chlorine residual. In fact, the Inquiry recommends that public water supplies maintain a chlorine residual. That recommendation would preclude a chlorine-free tap.

1.6 Risk

The issue of de-chlorinated taps was discussed during the Havelock North Drinking Water Inquiry Part 2 and documented. The Inquiry found that while such taps did not negatively impact on health, a robust maintenance and monitoring program should be in place at all times for these facilities.

There is also the known risk of some people using contaminated containers to collect water. For example, old milk containers reused as water containers if not properly washed and disinfected can provide a risk to the consumer.

It is possible that the provision of de-chlorinated water stations reinforces a minority view that chlorinated water is not safe to drink. This is not the case and an area that would require appropriate communication should de-chlorinated drinking water stations move ahead.

1.7 Options

The options available to Council are as follows:

- a. Do nothing. The water supply meets all health and water quality parameters. There is no regulatory requirement to provide de-chlorinated water for drinking.
- b. Provide a single de-chlorinated water station at a central CBD location
- c. Provide four de-chlorinated water stations at strategic locations around Napier being Taradale/Greenmeadows, Marenui, Napier CBD, Westshore/Bayview
- d. Determine and alternate number and/or location of de-chlorinated water stations.
- e. Provide a true chlorine free supply from a dedicated bore(s). This option is considered high risk and would clearly not be consistent with the findings of the Havelock North Inquiry Part 2 and is unlikely to be approved by the regulator.

1.8 Development of Preferred Option

There is no regulatory requirement to provide de-chlorinated water. Napier's water supply meets all health and aesthetic requirements of the New Zealand Drinking Water Standard.

There is a misconception amongst some commentators that taps (eg Hastings) are providing "pure untreated water". This is not the case. All water is treated via chlorination and for the purposes of a de-chlorinated water station, the chlorine is removed via a carbon filter. Because of the risk of micro-organisms including pathogens, breeding in the carbon filter the water is then further treated with Ultra Violet light (UV) prior to being drawn at the tap.

The Inquiry discussed treatment and chlorination at length and determined at (Paragraph 146 of the Part 2 report) "A number of submitters noted that some communities were opposed to treatment, particularly chlorination which is perceived to produce adverse taste and odour effects. On this question, the Inquiry has concluded that ...there is no compelling or credible evidence that chlorination poses any risk to consumers. By contrast, the "natural" pathogens found in drinking water undoubtedly pose a significant risk to human health".

Provision of a true chlorine free bore has a number of challenges including:

- Providing untreated water, or water without a treatment residual, is counter to the Inquiry findings.
- The demand compared to an existing bore production would provide complexity with regards to a requirement to store untreated water
- The use of a percentage of production of an existing bore prior to treatment would pose operational constraints and continuous supply could not be guaranteed.
- It unlikely that such a scheme would be approved by the regulator.

In Hawke's Bay there is a level of support from a vocal sector of the community for the provision of de-chlorinated water. This exists, in part, to having untreated water for an extended period of time and the recent first time chlorination of the network. The challenge is to determine the relative level of support and whether this justifies this discretionary activity.

1.6 Attachments

- A Typical treatment facility for de-chlorinated tap [↓](#)
- B Typical arrangement for 4 tap facility [↓](#)





REPORT / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 13 February 2018

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 30 JANUARY 2018

1. LEASEHOLD LAND POLICY REVIEW

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	430497
<i>Reporting Officer/s & Unit:</i>	Richard Munneke, Director City Strategy Kim Anstey, Planner Policy/Analyst Bryan Faulknor, Manager Property

1.1 Purpose of Report

The purpose of this report is for Council to consider a review of the Investment Property Portfolio policy through the long term plan process.

At the Māori Consultative Committee meeting

The Mayor spoke to the report and explained that the Council owns a considerable amount of leasehold land, predominantly commercial leasehold land. This paper has been brought to Council to give them the option to freehold specified non-strategic leasehold land where alternative suitable investments are preferred.

In response to questions from the committee the following points were clarified:

- The income from the leasehold land is required to be used for the upkeep of the foreshore and inner harbour.
- The land must be identified as non-strategic land before a sale can be considered.
- Councillor Apiata Tapine noted that he could not see that any of the land referred to in this report would be near any sites of cultural significance.
- The previous policy remains in place for residential leasehold land.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Brosnan / Taylor

That Council

- a. Direct officers to consult on the proposed Investment Property Portfolio policy changes as part of the Long Term Plan process, including the following amendments:
 - To allow freeholding of specific land identified in the June 2016 Boffa Miskell report "*Napier City Investment Portfolio: Urban Landscape Strategic review*" as non-strategic, on a case by case basis and only when alternative and suitable investments can be found.
 - That recommendations on the freeholding of all identified non- strategic land be considered by the Audit and Risk Committee in the first instance for recommendation to Council.
 - That the sale of leasehold land be a delegation of Council.
 - That a divestment procedure be established and approved by Council resolution prior to the release of any leasehold land, should the policy be adopted.

Carried

2. SUMMER STREET PARTY - SALE OF FOOD

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 440277

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

2.1 Purpose of Report

To obtain a Council resolution to allow food trucks to operate within Emerson Street at the upcoming Summer Street Party on 17 March 2018 in accordance with the Trading in Public Places Bylaw 2014.

At the Māori Consultative Committee meeting

The Mayor and Chief Executive spoke to the report and advised the Committee that the Summer Street Party was originally planned to coincide with the Mission Concert on 17 March. Even though the concert has been cancelled, Council and Hawkes Bay Tourism are still proposing to go ahead with this event to encourage people to continue with their plans to visit Hawke's Bay for the weekend. Council staff have consulted with retailers in relation to the Street Party and have confirmed with food vendors that competing trucks will not be positioned in front of their businesses.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Wise / Brosnan

That Council

- a. Allow mobile food vendors to operate within the public spaces of Emerson Street on the 17th March 2018 as part of the Summer Street Party event, and as approved by Council's events team.

Carried

3. TEMPORARY LIQUOR BAN - MISSION CONCERT

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 429442

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

Due to cancellation of the Mission Concert, the New Zealand Police have officially withdrawn their request for a temporary liquor ban.
This item is therefore not required to proceed.

4. HERSCHELL AND BYRON STREET PARKING RECONFIGURATION

Type of Report: Legal and Operational

Legal Reference: Traffic Regulations

Document ID: 433679

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

4.1 Purpose of Report

To formalise the Herschell Street off street car parking reconfiguration and the Byron Street on street parking charge resulting from the relocation of the Napier Public Library.

At the Māori Consultative Committee meeting

The Mayor spoke to the report noting that as a result of relocating the library into the temporary premises at the MTG there is now a need to reconfigure the parking in the surrounding area to accommodate visitors to the library.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Wright / Boag

That Council

- a. Convert the Herschell Street car park from a leased car park to a pay and display car park.
- b. Convert the on street car parking on Byron Street to pay and display
- c. Set the tariff for car parking at \$1.00 per hour for both the car park and on street parking.

5. GROUND LEASE - ESKVIEW AND DISTRICTS RUGBY FOOTBALL CLUB INCORPORATED

Type of Report: Legal

Legal Reference: Reserves Act 1977

Document ID: 434200

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

5.1 Purpose of Report

To obtain Council approval to grant a new ground lease to the Eskview and Districts Rugby Football Club Incorporated for the land occupied by the Club's building on Petane War Memorial Domain for a term of 15 years with one 15 year right of renewal.

At the Māori Consultative Committee meeting

The Mayor noted that Council are simply agreeing to renew a long-standing ground lease arrangement with the Eskview and Districts Rugby Football Club.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Taylor / White

That Council:

- a. Approve a new ground lease be granted to the Eskview and Districts Rugby Football Club Incorporated for the land occupied by the Club's building on Petane War Memorial Domain for a term of 15 years with one 15 year right of renewal.
- b. Approve that the terms and conditions of the lease will be as per Council's standard terms and conditions for leases of Reserve land to community groups. The initial ground rental will be a nominal rental of \$200.00 plus GST per annum, reviewed annually according to the method laid out in the standard terms described above.

Carried

6. 15 CRAVEN TERRACE, LAND LEGALISATION - LAND TO BE DECLARED ROAD

Type of Report:	Legal
Legal Reference:	Public Works Act 1981
Document ID:	434199
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

6.1 Purpose of Report

To seek Council's approval pursuant to Section 114 of the Public Works Act 1981 that the land in question be declared road.

At the Māori Consultative Committee meeting

The Mayor clarified that this report is requesting to redefine the boundaries where part of a road currently falls within the boundary of another property owner.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Mayor Dalton / Councillor Wright

That Council

- Declare that, pursuant to Section 114 of the Public Works Act 1981, 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
0.0068 ha	Section 1 SO Plan 518661	HB E4/507

Carried

7. JOINT COUNCIL WASTE FUTURES PROJECT STEERING COMMITTEE - MINUTES - 23 NOVEMBER 2017

Type of Report:	Procedural
Legal Reference:	Local Government Act 2002
Document ID:	430450
Reporting Officer/s & Unit:	Deborah Smith, Governance Advisor

7.1 Purpose of Report

To present to Council the draft Minutes of the Joint Council Waste Futures Project Steering Committee from 23 November 2017.

At the Māori Consultative Committee meeting

There was no discussion on this item.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

COMMITTEE'S RECOMMENDATION

Councillors Brosnan / Tapine

That Council

- a. Receive the draft Minutes of the Joint Council Waste Futures Project Steering Committee from 23 November 2017.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. OFFICIAL INFORMATION REQUESTS - 9 DECEMBER 2017 TO 2 FEBRUARY 2018

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	446162
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Governance Advisor

1.1 Purpose of Report

To present the year to date Official Information Request statistics.

Officer's Recommendation

That Council

- a. Receives the report Official Information requests 1 January to 2 February 2018.

MAYOR'S RECOMMENDATION

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

Attached are the statistics on Official Information requests for the year to date.

1.2 Attachments

- A LGOIMA report 9 December 2017 to 2 February 2018 [↓](#)

**REPORT: For the period 9 Dec 2017 to 2 Feb 2018
Requests made under the Local Government Official
Information and Meetings Act 1987**





	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	Ombudsman complaints
December 2017 (9 th – 22 nd)	10	10	8	2 7(2)(a) – 2	0	5.8	0
January 2018	24	19	15	3 7(2)(a) – 2 7(2)(f)(i)/ 17(d) – 1	1 17(c)(i) Food Act	6.11	0
February 2018	2	3	2	1 7(2)(a)	0	11.33	1 Water item in PX section of Audit and Risk agenda - Under investigation
YTD Total	36	32	25	6	1	7.75	1

Requests received 9-22 Dec 2017/ 2018 to date:

Types of requests received	January	February	TOTAL RECEIVED YTD
Finance and Commercial	<ul style="list-style-type: none"> - Average residential costs - Ratepayer numbers - CEO remuneration - Chamber of commerce subscription - Council owned housing - Entertainment, catering and gift expenditure - Average residential rates (Regional councils) - Membership to external groups - Peer review of seismic assessments - Mileage payments 	<ul style="list-style-type: none"> - Alcohol inspectors training budgets 	11
The Council	<ul style="list-style-type: none"> - Register of pecuniary interests - Staff numbers - Code of conduct - Mayoral staff - Audit and Risk oversight - Absenteeism elected members and staff - Correspondence with MP Nanaia Mahuta 	-	7
Planning, Policy and Strategy	<ul style="list-style-type: none"> - Medium density housing RC data 	-	1
Culture, Community and Events	<ul style="list-style-type: none"> - War memorial - War memorial 		2
Environment Parks and Gardens	<ul style="list-style-type: none"> - Pest control operations - Street and park tree inventories 	-	2
Consenting and Compliance	<ul style="list-style-type: none"> - Café audit report - Freedom camping - Freedom camping monitoring - Westshore infringements Dec 2017 	<ul style="list-style-type: none"> - Licensed hairdressers/ barbers 	5
Animal Management	<ul style="list-style-type: none"> - Complaint file 170341 - Dog data - Dog file letter 		3
Infrastructure Services and Transport	<ul style="list-style-type: none"> - Water statistics - Existence of asbestos in water infra - Water fluoridation - Bayskate contract documents 		4

2. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Resource Management Act 1991
<i>Document ID:</i>	446817
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

2.1 Purpose of Report

To report Tenders Let under delegated authority to 07 February 2018

Officer's Recommendation

That Council

- a. Receive the report Tenders Let under delegated to 7 February 2018

MAYOR'S RECOMMENDATION

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

CONTRACTS OVER \$100,000

LET UNDER CHIEF EXECUTIVE/ DIRECTOR INFRASTRUCTURE DISCRETION

Contract 1171 – Clyde Jeffery Drive Pathway

Three tenders were received.

The Engineer's estimate was \$137,500.00

It was recommended that the tender from Ian Dick Concrete Contractors be accepted in the sum of \$110,985.00.

This recommendation was approved.

Contract 1172 – Swan Memorial Structural Repairs

Two tenders were received.

The Consultant's estimate was \$65,700.00

It was recommended that the tender from Dodge Contracting be accepted in the sum of \$110,305.00.

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>	N/A
<i>Document ID:</i>	446822
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

3.1 Purpose of Report

To report of documents executed under seal from 08 December 2017 to 07 February 2018

Officer's Recommendation

That Council

- a. Receive the Report of document executed under seal from 08 December 2017 to 07 February 2018.

MAYOR'S RECOMMENDATION

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

Date	Document	Presenting Officer
15/12/17	Warrant issued – Noise Control	Hayleigh Brereton
18/12/17	Consent to Transfer Lessees Interest – 29 Austin St	Jenny Martin
11/01/18	Consent to Transfer Lessee's Lever St	Jenny Martin
11/01/18	Consent to Transfer Lessee's – 9B, 9D, 9E Riddle St	Jenny Martin
11/01/18	Easement in Gross – Anzac Ave	Colin Hunt
12/01/18	Consent to Transfer Lessee's Interest 388991.1	Jenny Martin
19/01/18	2 X Transfer Instrument – 102 Taradale Rd	Jenny Martin
22/01/18	Freedom Camping Warrant and Resource management Act warrant	Hayleigh Brereton

3.2 Attachments

Nil

4. RESOURCE CONSENTS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Building Act 2004
<i>Document ID:</i>	446832
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

4.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period 08 December 2017 – 01 February 2018

Officer's Recommendation

That Council

- a. Receive the report on Resource Consents issued under delegated authority for the period 08 December 2017 – 01 February 2018

MAYOR'S RECOMMENDATION

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

4.2 Attachments

- A Resource Consents Issued Between 8 December - 1 February [↓](#)

Resource Consents (Subdivision & Land Use) Issued between 8 December 2017 – 1 February 2018

Consent Number	Site Location	Applicant	Proposal	Activity Status	Decision Date
170172	135 Gloucester Street	Greendale Family Health Centre Limited	Expand an existing medical centre (additional GP, no physical works), resulting in a car parking shortfall within the Main Residential zone	Discretionary	13 December 2017
170167	56 West Quay	Shed 2 On the Quay Limited	Additions and alterations to a Group 1 heritage item creating an office tenancy and licensed premise and resulting in a vehicle parking shortfall within the West Quay Waterfront zone	Discretionary	13 December 2017
S17098	43 Seddon Crescent	DE Price	Main Residential zone subdivision to create one additional lot (two in total)	Controlled	14 December 2017
S17096	49 Williams Street	G Flamis & J Angeli	Main Residential zone subdivision creating one additional lot (two in total)	Restricted Discretionary	14 December 2017
170169	69 Battery Road	L T Steed	Construct a Pilates Studio (home occupation) with front yard and height to boundary infringements and an extension to the existing dwelling within the front yard within the Northern Residential zone	Restricted Discretionary	15 December 2017
PB170003	52 Charles Street	Java family Trust	Construct a new dwelling on the side boundary and outside the height recession plane	Deemed Permitted Boundary Activity	15 December 2017
170171	68-82 Ford Road	CST Holdings Limited	Multi-unit development entailing the construction of seven storage units within the Large Format Retail zone	Discretionary	15 December 2017
170182	144 Taradale Road	B J Senior	Addition to existing building within the Main Industrial zone resulting in front yard and landscaping infringements	Restricted Discretionary	20 December 2017

170178	1 & 3 Creagh Street	JGJ & Sons Limited	Multi-unit development entailing one additional dwelling (three in total) within the Te Awa Bungalow Character zone	Non-complying	20 December 2017
170174	10 Hales Street	J & K Family Trust	Extensions to an existing pack house/rural processing activity and loadout canopy which exceeds the site coverage and yards set backs within the Main Rural zone	Restricted Discretionary	20 December 2017
S17097	1 & 3 Creagh Street	JGJ & Sons Limited	Residential subdivision of two residential sites to create one additional lot (three in total)	Non-complying	20 December 2017
170168	150 Guppy Road	Meadowdale Land Company Limited	Six residential dwellings with yard and height in relation to boundary infringements within the Main Residential zone	Restricted Discretionary	20 December 2017
PB170004	105 Thompson Road	PR Lowes	Addition to dwelling with yard and height in relation to boundary infringements	Deemed Permitted Boundary Activity	20 December 2017
PB170005	104 Churchill Drive	AM Coombe	Build inground swimming pool within the 6m side boundary set back rule in the Rural Residential zone	Deemed Permitted Boundary Activity	15 January 2018
S17091	43, 61, 63 & 67 Oak Road & 126 Puketitiri Road	Silverhills Trustees Limited	Section 127 variation to approved resource consent RMS12022 to incorporate five additional lots, change bulk and location controls, additional earthworks and amendments to water supply	Variation	16 January 2018
PB180001	150 Ballantyne Road	Riverside Trust	Build new dwelling which infringes the 6m side boundary rule	Deemed Permitted Boundary Activity	17 January 2018
S17099	59 Bill Hercock Street	BA Carr	Main Residential zone subdivision to create one additional lot (two in total)	Controlled	17 January 2018

170179	39 Guppy Road	Establish ECE Limited	Section 127 variation to approved resource consent RM060134 to extend operating hours	Variation	17 January 2018
S17101	105 Taradale Road	C Lung & S Lim	Main Residential zone subdivision creating one additional lot (two in total)	Restricted Discretionary	19 January 2018
170193	24 Golding Road	Stan Holdings Limited	Multi-unit residential development including one additional dwelling infringing site coverage and open space provisions within the Main Residential zone	Restricted Discretionary	22 January 2018
180007	86 The Esplanade	G & S Sullivan	Extension to existing first floor deck which infringes site coverage and open space rules	Restricted Discretionary	22 January 2018
PB180003	28 Parade Street	Witherview Estate Trust	Construction of new mono-pitch roof	Deemed Permitted Boundary Activity	24 January 2018
170186	37 Neal Crescent	Housing New Zealand Corporation	Construction of a two-bedroom supplementary unit within the Main Residential zone	Discretionary	24 January 2018
180003	14 Plowman Crescent	Housing New Zealand Corporation	Construct a two bedroom supplementary unit	Discretionary	24 January 2018
170187	13 Curling Crescent	Housing New Zealand Corporation	Construction of a two-bedroom supplementary dwelling within the Main Residential zone	Discretionary	24 January 2018
180008	123 Carlyle Street	Carlyle Medical Enterprises Limited	Construct a 20sqm addition to medical centre staffroom on first floor	Restricted Discretionary	26 January 2018
170190	15 Cathedral Lane	W Benson	Alterations to a Group 1 heritage building encompassing a residential unit	Discretionary	26 January 2018
180001	17 Creagh Street	C & B Lomax	Addition to dwelling which infringes the 1.0metre side yard requirement	Restricted Discretionary	30 January 2018
170181	445 Marine Parade & 510 Hastings Street	Pebble Beach Motor Inn Limited	Extension of an existing motel complex (five additional accommodation units)	Restricted Discretionary	30 January 2018

			located within the Marine Parade Residential Character zone		
170183	62 West Quay	Thirsty Whale Bar & Restaurant Limited	Variation to approved Resource Consent RM030214 seeking to reduce on-site car parking numbers by six	Variation	31 January 2018
170185	29 Cottrell Crescent	Housing New Zealand Corporation	Construction of a two-bedroom supplementary unit within the Main Residential zone	Discretionary	31 January 2018
170189	19 Wynyard Crescent	Housing New Zealand Corporation	Construction of a two-bedroom supplementary unit within the Main Residential zone	Discretionary	1 February 2018
170191	41 Norwich Crescent	Housing New Zealand Corporation	Construction of a two-bedroom supplementary unit within the Main Residential zone	Discretionary	1 February 2018
180002	50 Nelson Quay	Eat Pier Holdings Limited	Section 127 variation to split one existing unit into 2 1-bedroom units	Variation	24 January 2018



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Wednesday 20 December 2017

Time: 3pm – 4.13pm

Venue Small Exhibition Hall
Napier Conference Centre
Marine Parade
Napier

Present: The Mayor (In the Chair), Councillors Boag [from 3.50pm],
Brosnan, Dallimore, Hague, Jeffery, McGrath, Tapine [from
3.50pm], Taylor, White, Wise and Wright

In Attendance: Chief Executive, Director Corporate Services, Director
Community Services, Director Infrastructure Services, Director
City Services, Director City Strategy, Manager Communications
and Marketing, Manager Asset Strategy, Manager Business
Excellence and Transformation, Manager Community
Strategies, Team Leader Policy Planning, Waste Minimisation
Lead, Senior Advisor Policy

Administration: Governance Team

Apologies

APOLOGIES

Councillors Dallimore / Wright

That the apology from Cr Keith Price be accepted.

Carried

APOLOGIES

Councillors White/ Brosnan

That the apologies for lateness from Cr Maxine Boag and Cr Api Tapine be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the management

Nil

Confirmation of minutes

Council resolution Councillors Wise / Taylor

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

Carried

Council resolution Councillors Hague / McGrath

That the Draft Minutes of the Extraordinary meeting held on 22 November 2017 be confirmed as a true and accurate record of the meeting.

Carried

Local Government Act 2002

Council resolution Councillors Dallimore/ Wright

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. MARIST HOLDINGS LIMITED - PRIVATE PLAN CHANGE REQUEST

Type of Report: Legal and Operational

Legal Reference: Resource Management Act 1991

Document ID: 428559

Reporting Officer/s & Unit: Dean Moriarity, Team Leader Policy Planning

1.1 Purpose of Report

The purpose of this report is to recommend that Council adopt (as its own) a private plan change lodged by Marist Holdings (Greenmeadows) Limited ("MHL"), seeking to rezone 288.6 hectares of land at Church Road and Puketitiri Road, Poraiti, Napier, from Western Hills Residential Zone, Rural Residential Zone and Main Rural Zone to a new Mission Special Character Zone. The full Mission Special Character Private Plan Change request is included as separate attachments under separate cover.

This report has been prepared in relation to Council's statutory obligation to consider the plan change request under clause 25 of Part 2 of Schedule 1 to the Resource Management Act 1991 (RMA).

The initial process for considering private plan change requests under clause 25 of the RMA is procedural: the Council should not consider the detailed merits of the request, as that is something that should primarily be done at the hearing of submissions received on the plan change after it has been publicly notified. However, it must determine how the plan change request should be addressed and thereby the way it is processed.

At the Meeting

In response to questions from councillors it was advised that:

- Officers have a good level of comfort with the significant changes proposed; early issues have been worked through with Marist Holdings.
- The Structure Plan is in place to ensure development takes place in the manner agreed, and the clarity of intent will be further protected by the consents process that each stage will be required to undertake.

In discussing the matter, councillors made the points that:

- The process undertaken to get to this point has been extremely robust with considerable consultation.
- Important factors including protection of the landscape, maintaining walkways and aesthetics of the development have all been taken into consideration.
- There has already been a positive response from Taradale residents regarding the option to carefully extend development into the hills.

Council resolution Councillors Jeffery / White

That Council

- a. Adopt the private plan change request made by MHL, to rezone 288.6 hectares of land at Church Road and Puketitiri Road, Poraiti, Napier, from Western Hills Residential Zone, Rural Residential Zone and Main Rural Zone to a new Mission Special Character Zone, in accordance with clause 25(2)(a), Part 2, Schedule 1, of the RMA , for the following reasons:
 - That the Plan Change has significant public good elements such as the protection of the visual amenity of the Mission landscape as a backdrop to the city; development of a public walkway network that links with other existing Napier City walkways on the Western Hills; and the opportunity to provide a different style of significant residential development in an area free from the risks of known natural hazards;
 - There is sufficient information to proceed to publicly notify the plan change;
 - There are no reasonable grounds on which to reject the request;
 - The Plan Change request addresses valid resource management issues;
 - It is not appropriate for the request to be dealt with as a resource consent application; and
 - The merits of the Plan Change will be examined following submissions through the hearing process
- b. That within 10 working days of the date of this decision, MHL is notified of the decision and the reasons for it.
- c. That the private plan change request is publicly notified in accordance with clause 25(2)(a)(i), Part 2, Schedule 1 of the RMA as soon as is reasonably practicable.
- d. That the Council note that adopting the Plan Change request and deciding to proceed to notification is procedural only and does not affect the Council's ability to consider the merits of the Plan Change request at a later stage.

Carried

2. ADOPTION OF DRAFT JOINT WASTE MANAGEMENT AND MINIMISATION PLAN FOR CONSULTATION

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	428859
Reporting Officer/s & Unit:	Jon Kingsford, Director Infrastructure Services

2.1 Purpose of Report

- a. The purpose of this report is to obtain a decision from the Council to adopt the Draft Joint Waste Management and Minimisation Plan 2018-2024 in accordance with the relevant provisions of the Waste Minimisation Act 2008 and the Local Government Act 2002.
- b. This request arises from The Waste Minimisation Act 2008 (WMA) giving councils the responsibility to promote effective and efficient waste management and minimisation within their territory. The WMA requires councils to adopt a waste management and minimisation plan (WMMP), which must be reviewed every six years.
- c. The objective of this decision relevant to the purpose of Local Government is to enable community participation in Council decision making processes as set out in section 95 (5) of the Local Government Act 2002.

At the Meeting

In response to questions from councillors it was clarified that:

- It is expected that the consultation period will elicit a range of opinions from the community. While the approaches of other councils may be reviewed for good practice, each community will have different needs and preferences and this is what will ultimately drive the decision made.
- The consultation documentation will be targeted at a variety of literacy levels (through imagery etc.) to ensure a wide cross-section of the community have equal chance to have their say on the options.

Council resolution Councillors Brosnan / Wright

That Council

- a. Adopt the Statement of Proposal 2018-2024 draft Joint Waste Management and Minimisation Plan for consultation in accordance with Section 83 of the Local Government Act 2002
- b. Adopt the Summary of the Statement of Proposal for Community Consultation in accordance with Section 83 and 83AA of the Local Government Act 2002.

Carried

3. OMARUNUI JOINT REFUSE LANDFILL COMMITTEE MINUTES - 24 NOVEMBER 2017

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	427895
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Governance Advisor

3.1 Purpose of Report

To present the open minutes of the Omarunui Joint Refuse Landfill Committee from 24 November 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Dallimore / McGrath

That Council

- a. Receive the open minutes of the Omarunui Joint Refuse Landfill Committee from 24 November 2017.

Carried

4. CLIFTON TO TANGOIO COASTAL HAZARDS JOINT COMMITTEE - MINUTES - 5 DECEMBER 2017

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	428421
<i>Reporting Officer/s & Unit:</i>	Deborah Smith, Governance Advisor

4.1 Purpose of Report

To present to Council the Clifton to Tangoio Coastal Hazards Joint Committee minutes from 5 December 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Jeffery / Dallimore

That Council

- a. Receive the minutes of the Clifton to Tangoio Coastal Hazards Joint Committee from 5 December 2017.

Carried

5. UPDATE ON DRINKING WATER QUALITY

Type of Report: Operational

Legal Reference: Local Government Act 2002

Document ID: 430578

Reporting Officer/s & Unit: Chris Dolley, Manager Asset Strategy

5.1 Purpose of Report

To provide an update to Council on:

- Program of work to improve security of source
- Progress of Water Safety Plan Improvement Plan.

At the Meeting

The Manager Asset Strategy spoke to the item, noting:

- Following a gap analysis on the bore headworks, works were undertaken to address the issues identified at the time; these have now been completed.
 - In their assessment of the bore headworks the Drinking Water Assessor noted some remaining legacy issues which are now being addressed and are expected to be complete about mid-2018.
 - Every Council is required to have a Water Safety Plan in place; Napier has a very ambitious Plan with 28 actions. Eleven of these are now complete, 8 are on track for completion within their timeframe and 9 have experienced delays. The delays have in large part been due to the lack of resource in the team and the competing demands of acute operational works from the network transgressions and demands of manually chlorinating.
 - With the recent recruitment of the Drinking Water Lead, the team now only has one vacancy. There is a general shortage of water engineers and it has been a slow process filling the positions.
 - It has now been confirmed that there is capacity to provide enough chlorinated water to meet the summer peak; however in order to do so all bores must be online and working. It is intended to build appropriate redundancy into the network to protect the system and supply.
 - Water is a precious resource and it is important to use it wisely. Council will be looking at ways that water use can be done differently and better, both in its own activities and encouraging water conservation efforts in the community – for example by
-

watering gardens in the evening when it is most effective.

- Following the Havelock North incident testing requirements have become significantly more stringent. The incident was of international interest as a case study and the results of the inquiry have impacted on councils across the country. Everyone is or will be addressing matters of water safety and supply as a matter of priority.
- Seismic assessment of the reservoirs is currently programmed for next year. A full cost/benefit prioritisation process has been applied across the over 500 projects within the Infrastructure space.
- Knowledge and technologies are always changing; the team are putting contemporary best practice principles in place now with the expectation that this will better position Council to meet future updates.
- Early work had been undertaken to ensure the Long Term Plan funding forecast was as accurate as possible. While some work will need to be undertaken earlier than anticipated in general Council is in a good position to fund this.
- The discolouration experienced by some suburbs has been caused in part by changes in speed and direction of flow created when the T1 bore was brought online. The team are currently assessing the most appropriate time for works on the network. In the meantime some scouring has been undertaken on behalf of commercial premises and flushing the mains for 20 minutes has been advised.
- The water supply has been assessed as safe by the Drinking Water Assessor and the District Health Board.
- Grey water use could be investigated as one of many options, but there can be challenges with maintaining the systems and ensuring that cross-contamination does to occur (where a greywater system is unintentionally plumbed into).

Council resolution Mayor Dalton/ Councillor Wright

That Council

- a. Receive the update on security of headworks
- b. Note the work being undertaken on the Water Safety Improvement Plan.

Carried

6. RESPONSE TO HAVELOCK NORTH INQUIRY PART 2 REPORT

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	429886
Reporting Officer/s & Unit:	Chris Dolley, Manager Asset Strategy

6.1 Purpose of Report

To provide an update on the Havelock North Stage 2 Inquiry report and its impact on the Napier City Council Water Supply.

To note the adoption of the “urgent and early recommendations” from the Inquiry.

The report notes accelerating the following capital works that have already been included in the draft LTP program to configure the water network to optimise water quality outcomes as early as practicable:

- Replace 4 existing below ground bores.
- Consolidate treatment from 10 incident to 2 permanent treatment plants.
- Install dedicated trunk main from bores to reservoirs.
- Install dedicated inlet outlets to reservoirs.
- Suspend the \$400k project J084626 Interim Chlorination Facility designed to upgrade the existing chlorination sites with a 5 year life.

At the Meeting

Cr Boag and Cr Tapine joined the meeting at 3.50pm.

The Manager Asset Strategy spoke to the report noting:

- The Director-General of the Ministry of Health has just today issued a statement following the completion of the Havelock North inquiry (see **Appendix One**).
- The report from the inquiry is a publicly available document.
- A number of recommendations were made in the report, including some for “urgent and early” action. The report affects all councils in New Zealand and each will be required to ensure that they are managing water safety and supply as diligently as possible.
- Napier has already initiated many of the recommendations of the inquiry, albeit for other reasons; for example chlorination has been in place since July 2017 in response to low level transgressions identified through our testing regime.
- The current chlorination was instigated as an emergency temporary measure, it is resource heavy due to the manual operation and monitoring required. Restructuring the network to meet modern requirements with the inclusion of chlorination will create significant efficiencies.
- It is expected that chlorine taste/ odour will reduce as the network is fully chlorinated and the appropriate residual level is established.

- Should the District Health Board later enforce fluoridation of water the updated network would allow for this; currently this would be financially and operationally untenable.
- Some flexibility for chlorine free taps has been left, however the inquiry is clear that the water would be considered inferior to chlorinated town supply. They would not meet the recommendations of the report.

Council resolution Mayor Dalton/ Councillor Wright

That Council

- Note the Chief Executive's decision to adopt relevant "**urgent and early recommendations**" from Havelock Inquiry Stage 2 immediately by:
 - Maintain incident chlorination of the Napier water supply
 - Do not recognise secure bore status for Napier as a barrier to pathogens
 - Continue to fully participate in the Joint Working Group
- Note that an accelerated water quality program will be considered as part of the 2018-2028 LTP as per Table below, all projects commencing in year 1 of the LTP. (yellow highlight denotes projects brought forward in draft LTP)

Project Number	Project Name	Priority	Total project Cost (000's)
102	District Metering	258	\$1,000
106	New Bores Awatoto	234	\$1,050
107	Improve bores	224	\$250
108	New Treatment Plants	172	\$1,700
109	Dedicated water takes from hydrants	160	\$95
114	New Taradale bore field and dedicated pipe	114	\$4,600
116	Reservoir Inlets and Outlet Improvements	83	\$880

- Note that a report on the provision of chlorine free taps will be presented at the next Council meeting for a decision.

- Note that in the event that they wish to consider further options, a

report for decision can be brought to the next Council meeting.

Carried

REPORT / RECOMMENDATIONS FROM THE STANDING COMMITTEES

MĀORI CONSULTATIVE COMMITTEE MEETING - 13 December 2017

Council resolution Councillors Tapine / Wright

That the Māori Consultative Committee recommendations be adopted.

Carried

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 22 NOVEMBER 2017

1. HAWKE'S BAY DRINKING WATER JOINT COMMITTEE TERMS OF REFERENCE

Type of Report: Operational and Procedural

Legal Reference: Local Government Act 2002

Document ID: 416006

Reporting Officer/s & Unit: Deborah Smith, Governance Advisor

1.1 Purpose of Report

To present to Council the minutes of the inaugural meeting of the Hawke's Bay Drinking Water Joint Committee and the ensuing Terms of Reference for adoption.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Councillor Tapine

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Hague / McGrath

That Council

- a. Receive the minutes of the inaugural meeting of the Hawke's Bay Drinking Water Joint Committee, held on 24 October 2017.
- b. Adopt the Terms of Reference for the Hawke's Bay Drinking Water Joint Committee.
- c. Agree the Mayor will be appointed as an alternate representative for Napier City Council on the Hawke's Bay Drinking Water Joint Committee.

Carried

REPORTS FROM REGULATORY COMMITTEE HELD 22 NOVEMBER 2017

1. ADOPTION AND NOTIFICATION OF PLAN CHANGE 11 - PARK ISLAND RECONFIGURATION

Type of Report:	<i>Operational and Procedural</i>
Legal Reference:	<i>Resource Management Act 1991</i>
Document ID:	<i>399787</i>
Reporting Officer/s & Unit:	<i>Dean Moriarity, Team Leader Policy Planning</i>

1.1 Purpose of Report

The purpose of this report is for Council to adopt Plan Change 11 - Park Island Reconfiguration, its accompanying Section 32 report and authorise officers to publicly notify the change for public submissions. This plan change is to give effect to the newly adopted Park Island Master Plan (May 2017).

DECISION OF COUNCIL

Councillors White / Brosnan

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

Carried

At the Regulatory Committee meeting held on Wednesday, 22 November 2017 the following committee recommendation was ratified as a DECISION OF COUNCIL.

Councillors Wright / Taylor

- a. That the Council resolve:
- b. That Council adopt Plan Change 11, its accompanying Section 32 report and authorise officers to publicly notify the change for public submissions.
- c. That the closing date for submissions be an extended period no less than 1.5x the statutory minimum of 20 working days after the date of public notification (to recognise and provide for the holiday period).

Carried

2. TEMPORARY LIQUOR BAN - CHRISTMAS IN THE PARK

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 400881

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

2.1 Purpose of Report

To consider the request from the New Zealand Police for a temporary liquor ban at Anderson Park and the surrounding roads during 2017 Christmas in the Park event.

DECISION OF COUNCIL

Mayor Dalton / Councillor Price

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

Carried

At the Regulatory Committee meeting held on Wednesday, 22 November 2017 the following committee recommendation was ratified as a DECISION OF COUNCIL.

Councillors Hague / Wise

- a. That pursuant to section 147 of the Local Government Act 2002 and the Napier City Council Public Places Liquor Control Bylaw 2014. Council approve the following areas as a "Specified Public Place" where consumption, possession and bringing of alcohol into is prohibited from 1200 hours on the 9th December 2017 to 2359 hours on the 9th December 2017.
 - b. That the following areas be designated as "Specified Public Place" are all those public, places, reserves, roads and footpaths on both sides of the road within the area described as;
 - Auckland Road *from Lannie Place to York Avenue*
 - Freyberg Avenue *from York Avenue to Islington Place*
 - Islington Place *full length*
 - Kennedy Road *from Auckland Road to Taradale Road and 424 Kennedy Road*
 - Taradale Road *from Kennedy Road to adjacent to the boundary of 362 & 360 Taradale Road*
 - York Avenue *from Auckland Road to Freyberg Avenue*
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Carried

REPORTS FROM FINANCE COMMITTEE HELD 6 DECEMBER 2017

1. REVALUATION OF NAPIER CITY 2017

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 415248

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

1.1 Purpose of Report

Quotable Value NZ (QV), Council's contractor for rating valuation services, will make a presentation to Council on the triennial revaluation of Napier City recently undertaken.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

a. Receive the presentation.

Carried

2. SETTING GENERAL RATES - OVERVIEW

Type of Report: Legal

Legal Reference: Local Government (Rating) Act 2002

Document ID: 412497

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

2.1 Purpose of Report

To provide background information on the underlying basis and process for applying general rate differentials. The information will enable a better understanding of the purpose of other rating related items on the agenda, and how each relates to the rate setting process.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

a. Receive the report titled *Setting General Rates – Overview*.

Carried

3. RATING - 2017 REVALUATION OF NAPIER CITY

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 412911

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

3.1 Purpose of Report

To summarise the changes in rateable value resulting from the triennial revaluation of Napier City in 2017, and to outline the rating effect of the revaluation on broad property categories, and on a range of selected residential, commercial and industrial properties.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

a. Receive the report titled *Rating – 2017 Revaluation of Napier City*.

Carried

4. ALLOCATION OF GENERAL RATE-FUNDED COSTS

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 412969

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

4.1 Purpose of Report

To review the allocation of general rate-funded costs between residential and non residential properties as part of the process of establishing the differential to apply to general rates following the 2017 revaluation of Napier City.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Approve the allocation of general rate funded costs on the basis of 70% residential / 30% non-residential, to apply from 1 July 2018.

Carried

5. COST OF COUNCIL SERVICES SUPPLIED TO BAYVIEW

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 414420

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

5.1 Purpose of Report

To review the assessed cost of general rates funded services provided to Bay View as part of the process of establishing the differential to apply to general rates following the 2017 revaluation of Napier City.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Approve that the differential applying to the Bay View Rating Area be adjusted for 2018/19 to enable the assessed cost of supplying general rate funded services to Bay View properties be fully recovered collectively from these properties.
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Carried

6. COST OF COUNCIL SERVICES SUPPLIED TO RURAL PROPERTIES

Type of Report: Procedural

Legal Reference: Local Government (Rating) Act 2002

Document ID: 414427

Reporting Officer/s & Unit: Ian Condon, Revenue and Treasury Manager

6.1 Purpose of Report

To review the assessed cost of general rates funded services provided to rural properties as part of the process of establishing the differential to apply to general rates following the 2017 revaluation of Napier City.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council

- a. Approve that the differentials applying to rural properties be adjusted for 2018/19 to enable the assessed costs of supplying general rate funded services to rural property to be recovered collectively from these properties.
-

Carried

7. REPRESENTATION REVIEW: ENGAGEMENT UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	406865
<i>Reporting Officer/s & Unit:</i>	Jane McLoughlin, Team Leader Governance

7.1 Purpose of Report

To provide an update on the Representation Review project, data-gathering and pre-consultation phase.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council:

- a. Receive the report titled 'Napier City Council Representation Review Survey' prepared by SIL Research.
 - b. Note the summary report from Officers on the engagement undertaken during the pre-consultation phase of the Representation Review project.
 - c. Note that Officers will next report to Council early next year once modelling options have been prepared for consideration.
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Carried

8. QUARTERLY REPORT FOR SEPTEMBER 2017

Type of Report:	<i>Procedural</i>
Legal Reference:	<i>Local Government Act 2002</i>
Document ID:	<i>423027</i>
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

8.1 Purpose of Report

To consider the Quarterly Report on performance by Activity Group for the period 1 July 2017 to 30 September 2017.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That the Committee

- a. Receive the Quarterly Report for the period 1 July 2017 to 30 September 2017.

Carried

9. SIGNIFICANCE AND ENGAGEMENT POLICY

Type of Report: Legal

Legal Reference: Local Government Act 2002

Document ID: 426034

Reporting Officer/s & Unit: Adele Henderson, Director Corporate Services
Natasha Carswell, Manager Community Strategies

9.1 Purpose of Report

1.1. The Local Government Act 2002, Section 76AA requires every local authority to adopt a policy setting out how the local authorities determine significance of proposals and decisions in relation to issues, assets and other matters. The policy determines how the criteria or procedure are applied and how the community engagement and/or consultation will be carried out.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Liz Ratima / Tiwana Aranui

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors Boag / Taylor

That Council:

- a. approve and adopt the Significance and Engagement Policy as attached.

Carried

REPORTS FROM COMMUNITY SERVICES COMMITTEE HELD 6 DECEMBER 2017

1. HOURS OF OPERATION - MTG HAWKE'S BAY AND NAPIER LIBRARIES

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	420487
<i>Reporting Officer/s & Unit:</i>	Sally Jackson, Manager Visitor Experience

1.1 Purpose of Report

To review the MTG Hawke's Bay and the Napier Libraries hours of operation to better meet the needs of the community during the temporary co-location of the two facilities.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Tiwana Aranui / Liz Ratima

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

Carried

At the Meeting

There was no discussion on this item.

Council resolution Councillors White / Wright

That Council:

- a. Approve that commencing 7 February 2018, the MTG Hawke's Bay and Napier City Library and the Taradale Library change its hours of operation to be open to the general public as follows:
 - The MTG Hawke's Bay and temporary Napier City Library open Monday to Sunday 9.30am – 5.00pm, and
 - The Taradale Library open Monday to Friday 9.30am – 5.30pm and Saturday & Sunday from 10.00am – 4pm.
- b. Approve that the hours of operation for both the MTG Hawke's Bay and the Napier Libraries are reviewed at the end of the temporary co-location period.

Carried

2. LIBRARY FEES AND CHARGES

Type of Report: Operational and Procedural

Legal Reference: N/A

Document ID: 421204

Reporting Officer/s & Unit: Antoinette Campbell, Director Community Services

2.1 Purpose of Report

To seek approval to remove the Reservations Fees in place for the Napier Libraries.

DECISION OF COUNCIL

Councillors Wright / Wise

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

Carried

At the Community Services Committee meeting held on Wednesday, 6 December 2017 the following committee recommendation was ratified as a DECISION OF COUNCIL.

Councillors Taylor / Hague

That Council:

- a) Approve that the Reservations Fees be removed from the Napier City Council Fees and Charges schedule effective immediately;
- b) Review the removal of this fee at the end of the temporary transition period.

Carried

3. JOINT ALCOHOL STRATEGY REVIEW

Type of Report: Operational

Legal Reference: N/A

Document ID: 422034

Reporting Officer/s & Unit: Michele Grigg, Senior Advisor Policy

3.1 Purpose of Report

To update Council on the feedback process for the revised Joint Alcohol Strategy, and to request adoption of the revised Strategy.

MĀORI CONSULTATIVE COMMITTEE'S RECOMMENDATION

Tiwana Aranui / Liz Ratima

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

Carried

At the Meeting

It was noted that the Strategy had been adopted by Hastings District Council, with recommendations to engage with school principals and discuss with Local Government New Zealand.

Council resolution Councillors White / Wright

That Council

- a. adopts the revised Joint Alcohol Strategy 2017.
-

Carried

REPORTS FROM MĀORI CONSULTATIVE COMMITTEE HELD 13 DECEMBER 2017

1. UPDATE ON REVIEW OF MĀORI CONSULTATIVE COMMITTEE

Type of Report: Enter Significance of Report

Legal Reference: Local Government Act 2002

Document ID: 428400

Reporting Officer/s & Unit: Jane McLoughlin, Team Leader Governance

1.1 Purpose of Report

To update the Committee on progress made of the review of the Māori Consultative Committee which has occurred since the last meeting.

At the meeting

There was no discussion on this item.

Council resolution Councillors Tapine / Boag

That Council

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

Carried

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 7 DECEMBER 2017

2. HEALTH AND SAFETY REPORT 31 OCTOBER 2017

Type of Report:	<i>Information</i>
Legal Reference:	<i>N/A</i>
Document ID:	<i>340075</i>
Reporting Officer/s & Unit:	<i>Adele Henderson, Director Corporate Services</i>
Reason for Exclusion	<i>Section 7(2)(d) Avoid prejudice to measures protecting the health and safety of members of the public.</i>

2.1 Purpose of Report

To table to the Committee the Napier City Council Health & Safety report as at 31 October 2017 for their review.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

That the Committee

- a. Receive the Napier City Council Health and Safety report as at 31 October 2017.

Carried

3. AUDIT AND RISK MEETING SCHEDULE 2017-18

Type of Report:	<i>Operational and Procedural</i>
Legal Reference:	<i>N/A</i>
Document ID:	<i>424601</i>
Reporting Officer/s & Unit:	<i>Adele Henderson, Director Corporate Services</i>
Reason for Exclusion	<i>Section 7(2)(g) Maintain legal professional privilege.</i>

3.1 Purpose of Report

To consider the proposed timetable of meetings for the Audit and Risk Committee in 2018, as detailed below.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

That the Committee

- a. Receive the proposed timetable of meetings for the Audit and Risk Committee for 2018.

Carried

6. NAPIER CITY COUNCIL INVESTMENT AND DEBT REPORT

Type of Report:	<i>Information</i>
Legal Reference:	<i>N/A</i>
Document ID:	<i>340069</i>
Reporting Officer/s & Unit:	<i>Adele Henderson, Director Corporate Services</i>
Reason for Exclusion	<i>Section 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.</i>

6.1 Purpose of Report

To consider the snapshot report on Napier City Council's Investment and Debt as at 31 October 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

That the Committee

- a. Receive the snapshot report on Napier City Council's Investment and Debt as at 31 October 2017.

Carried

9. AUDIT AND RISK CHARTER REVIEW

Type of Report:	<i>Information</i>
Legal Reference:	<i>N/A</i>
Document ID:	<i>426002</i>
Reporting Officer/s & Unit:	<i>Adele Henderson, Director Corporate Services</i>
Reason for Exclusion	<i>Section 7(2)(g) Maintain legal professional privilege.</i>

9.1 Purpose of Report

To present and make recommendations on amendments to the Audit and Risk Committee Charter and Terms of Reference.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wise / Taylor

- a. That the report titled Audit and Risk Charter Review be received.
- b. That the amendments to the Audit and Risk Committee Charter and Terms of Reference are recommended to Council for approval.

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>	429415
<i>Reporting Officer/s & Unit:</i>	Jane McLoughlin, Team Leader Governance

1.1 Purpose of Report

To report on written requests for official information received to 8 December 2017 and provide an overview of key statistics for the year.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council:

- a. Receive the report on requests for official information to 8 December 2017.
- b. Note the yearly statistics provided.

Carried

2. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	427454
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

2.1 Purpose of Report

To report Tenders Let under delegated authority from 31 October to 8 December 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council

- a. Receive the report Tenders Let under delegated authority from 31 October to 8 December 2017.

Carried

3. SCHEDULE OF DOCUMENTS EXECUTED UNDER SEAL

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	427460
<i>Reporting Officer/s & Unit:</i>	Sarah Ashworth, PA to Chief Executive

3.1 Purpose of Report

To report documents executed under seal from 27 October 2017 to 8 December 2017.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council

- a. Receive the Report of document executed under seal from 27 October 2017 to 8 December 2017.

Carried

4. RESOURCE CONSENTS

Type of Report: Enter Significance of Report

Legal Reference: Enter Legal Reference

Document ID: 427463

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

4.1 Purpose of Report

To present the report on Resource Consents issued under delegated authority for the period 1 November to 7 December.

At the Meeting

There was no discussion on this item.

Council resolution Councillors Wright / Dallimore

That Council

- a. Receive the report on Resource Consents issued under delegated authority for the period 1 November to 7 December.

Carried

PUBLIC EXCLUDED ITEMS

Council resolution Councillors Wise / Taylor

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

Carried

Agenda Items

1. Sportsground commercial considerations
2. Omarunui Joint Refuse Landfill Committee Public Excluded Minutes - 24 November 2017

Reports from Strategy and Infrastructure Committee held 22 November 2017

1. Battery Road Development Options
2. Trade Waste Charges Write-off

Reports from Regulatory Committee held 22 November 2017

1. Property Acquisition - 286 Hastings Street, Napier

Reports from Finance Committee held 6 December 2017

1. Re-appointment of independent members to the Audit and Risk Committee

Reports from Audit and Risk Committee held 7 December 2017

1. Update on Water Supply- Drinking Water Quality Improvements
4. Audit NZ - Management Letter 2016/17
5. Risk Management Report December 2017
7. Internal Audit Data Analytics
8. Tax Risk Governance Framework

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. Sportsground commercial considerations	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage,	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting
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	negotiations (including commercial and industrial negotiations)	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. Omarunui Joint Refuse Landfill Committee Public Excluded Minutes - 24 November 2017	<p>7(2)(h) Enable the local 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>	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

Reports from Strategy and Infrastructure Committee held 22 November 2017

1. Battery Road Development Options	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. Trade Waste Charges Write-off	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage,	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting

	commercial activities	would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(ii)) of the Local Government Official Information and Meetings Act 1987.
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Reports from Regulatory Committee held 22 November 2017

1. Property Acquisition - 286 Hastings Street, Napier	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(ii)) of the Local Government Official Information and Meetings Act 1987.
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Reports from Finance Committee held 6 December 2017

1. Re-appointment of independent members to the Audit and Risk Committee	7(2)(g) Maintain legal professional privilege	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(ii)) of the Local Government Official Information and Meetings Act 1987.
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Reports from Audit and Risk Committee held 7 December 2017

1. Update on Water Supply- Drinking Water Quality	7(2)(f)(ii) Maintain the effective conduct of public	48(1)A That the public conduct of the whole or the
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Improvements	affairs through the protection of such members, officers, employees and persons from improper pressure or harassment	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. Audit NZ - Management Letter 2016/17	7(2)(g) Maintain legal professional privilege	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. Risk Management Report December 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.
7. Internal Audit Data Analytics	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.
8. 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.

The meeting moved into committee at 4.13pm