



PROSPEROUS NAPIER COMMITTEE

Open Minutes

Meeting Date: Thursday 2 July 2020

Time: 10.16am – 10.26am

Venue Large Exhibition Hall
Napier War Memorial Centre
Marine Parade
Napier

Present Mayor Wise, Councillor Taylor (In the Chair), Deputy Mayor
Brosnan, Councillors Boag, Browne, Chrystal, Mawson,
McGrath, Price, Simpson, Tapine and Wright

In Attendance Interim Chief Executive, Director Corporate Services, Director
Community Services, Director City Strategy
Chief Financial Officer
Manager Property
Manager Community Strategies
Manager Investments and Funding
Senior Māori Advisor

Administration Governance Team

Apologies

Councillors Wright/ McGrath

That the apology from Councillor Crown be accepted.

Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Nil

Announcements by the Chairperson

Nil

Announcements by the management

Nil

Confirmation of minutes

Councillor Brosnan/ Tapine

That the Minutes of the meeting held on 27 February 2020 were taken as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. LICENCE TO OCCUPY RECREATION RESERVE - SUNDAY MARKET

Type of Report: Operational

Legal Reference: Reserves Act 1977

Document ID: 938617

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

1.1 Purpose of Report

To confirm the granting of a Licence to Occupy to Margaret Habib for the carpark on Marine Parade immediately north of Ocean Spa and an alternative site at Anderson Park if the Marine Parade site is unavailable, for the operation of the Sunday Market for a term of three years.

At the Meeting

The Manager Property spoke to the report, noting that it is a largely procedural matter. Council had approved the licence in principle, the matter has been advertised with no submissions, and has been considered by the Māori Committee.

In response to questions from councillors it was clarified that:

- There is very little difference in the terms of the licence from previous iterations.
- Regarding section 7.3 *Notice for altered venue* where more than 24 hours' notice is possible it will be given. The alternate venue is booked at the same time as the notification is given.

Committee's recommendation

Councillors Boag / Simpson

The Prosperous Napier Committee:

- a. Recommend that Council approve the granting of a Licence to Occupy to Margaret Habib for the carpark on Marine Parade immediately north of Ocean Spa and an alternative site at Anderson Park if the Marine Parade site is unavailable, for the operation of the Sunday Market for a term of three years.

Carried

2. HAWKE'S BAY DISASTER RELIEF TRUST - COUNCIL CONTROLLED ORGANISATION EXEMPTION

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	936362
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

2.1 Purpose of Report

To obtain a decision from the Council to exempt the Hawke's Bay Disaster Relief Trust from the requirements imposed on Council Controlled Organisations (CCO) under the Local Government Act 2002 (LGA). The exemption will allow a reduced reporting requirement for the Trust under the LGA.

At the Meeting

The Chief Financial Officer spoke to the report noting that Council's approval is being sought to exempt the Trust from CCO status to help reduce reporting requirements. The requirements are disproportionate to the size of the Trust's functions. This report has sought approval from all five Councils; Napier is the last Council to consider the matter. All other Councils have approved the exemption.

In response to questions from councillors it was clarified that:

- Where the Trust is required, CCO status is able to be reapplied
- The Trust has not offered up any other model as to its status than CCO

ACTION The Trust will be asked to report annually through the CDEM annual report .

Committee's recommendation

Councillors Simpson / Tapine

The Prosperous Napier Committee:

- a. Receive the report titled 'Hawke's Bay Disaster Relief Trust – Council Controlled Organisation Exemption'.
- b. Recommend that Council resolve that as provided for in sections 6 and 7 of the Local Government Act 2002, the Council grants the Hawke's Bay Disaster Relief Trust an exemption from being a Council Controlled Organisation, as defined by section 6 of the Local Government Act 2002 for a period of three years to 30 June 2023.

Carried

PUBLIC EXCLUDED ITEMS

Councillors Simpson / Mawson

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

1. Bad Debt Write Off
2. Loan Agreement

Carried

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.
1. Bad Debt Write Off	7(2)(a) Protect the privacy of natural persons, including that of a deceased person	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Loan Agreement	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:

	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities	(i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
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The meeting moved into committee at 10.26am

The meeting was adjourned at 10.26am and reconvened at 11.51am

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

Chairperson

Date of approval