



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

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PROSPEROUS NAPIER COMMITTEE

Open Agenda

Meeting Date:	Thursday 5 November 2020
Time:	Following the Napier People and Places Committee
Venue:	Council Chambers Hawke's Bay Regional Council 159 Dalton Street Napier

Committee Members	Mayor Wise, Councillor Taylor (In the Chair), Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine and Wright
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Officer Responsible	Director Corporate Services
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Administration	Governance Team
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**Next Prosperous Napier Committee Meeting
2021**

ORDER OF BUSINESS

Apologies

Nil

Conflicts of interest

Public forum

Nil

Announcements by the Mayor

Announcements by the Chairperson including notification of minor matters not on the agenda

Note: re minor matters only - refer LGOIMA s46A(7A) and Standing Orders s9.13

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

Announcements by the management

Confirmation of minutes

That the Minutes of the Prosperous Napier Committee meeting held on Thursday, 24 September 2020 be taken as a true and accurate record of the meeting.8

Agenda items

1 Lease of Reserve - Napier City Rovers Association Football Club Inc. - Park Island3

Minor matters not on the agenda – discussion (if any)

Public excluded7

AGENDA ITEMS

1. LEASE OF RESERVE - NAPIER CITY ROVERS ASSOCIATION FOOTBALL CLUB INC. - PARK ISLAND

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	964468
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Debra Stewart, Team Leader Parks, Reserves, Sportsgrounds

1.1 Purpose of Report

To seek Council's approval to enter into a new ground lease with Napier City Rovers Association Football Club Inc. for the area of land occupied by the organisations clubrooms, changing rooms and grandstand.

Officer's Recommendation

The Prosperous Napier Committee:

Resolve:

- i. That pursuant to Section 54(1)(b) of the Reserves Act 1977, to grant a lease to Napier City Rovers Association Football Club Inc. for an area of land at Park Island Reserve occupied by the Club's clubhouse, changing rooms and grandstand.
- ii. That the term of the lease be for a period of 15 years, with one right of renewal.

1.2 Background Summary

Napier City Rovers is a long –standing respected incumbent lessee for the Land at Park Island.

The land at Park Island is a recreation reserve vested in Council pursuant to the Reserves Act 1977.

The current lease has expired and has rolled over on a month- by- month basis. It is important that a new lease now be entered into.

The proposed lease area is shown in the attached plan outlined in orange.

Council has delegated authority pursuant to Section 54 of the Reserves Act to approve the proposed lease of the land occupied by the clubrooms, changing rooms and grandstand.

Section 54(1) (b) of the Reserves Act allows Council to grant a lease of the land that these buildings and structures are erected on.

1.3 Issues

The playing field is maintained at Council's cost and for clarity, the field is not leased or Licenced to Napier City Rovers under this Lease. The Reserves Act does not allow Council to grant exclusive use of the area of land forming the playing field to one organisation.

It is proposed that all bookings of the field are made through Council with fees payable to be in accordance with the Council's Schedule of Fees and Charges applicable at the time of the booking.

Council will have absolute discretion as to whether to accept any booking for the Field.

However, the proposed lease will include a term acknowledging that where the lessee requests the field for the purposes of a Napier City Rovers team playing a football match, the Council will give preference to such request unless the Council considers it not to be in the best interests of the sporting code of football.

Under the terms of the lease, Napier City Rovers will make available the changing rooms, showers, grandstands and public toilets to other hirers on request.

Napier City Council will remain responsible for the maintenance and upkeep of the field and outer fence surrounding the field.

Napier City Rovers will be responsible for the maintenance and upkeep of the clubhouse, changing rooms, public toilets and main grandstand. These are an integral part of the main building and part of the lease footprint.

In addition, Napier City Rovers will be responsible for the maintenance and upkeep of the temporary grandstand, the crowd control barrier surrounding the playing pitch, scoreboard, ticket boxes, lighting and goal posts. These will be allowed to remain on the Field.

The general conditions of the lease are in accordance with Council's standard Lease of Reserves.

1.4 Significance and Engagement

N/A

1.5 Implications

Financial

The club will be charged ground rental, for the land subject to this lease, in line with Council's current practice with regards Community Groups occupying Council Reserve land.

As mentioned above, the fee payable to Council for booking the Field will be in accordance with the Council's Schedule of Fees and Charges applicable at the time of the booking.

Social & Policy

Council support of Sport contributes to community wellbeing and recognises the social good that arises from having our community active in their local sports clubs and organisations.

Risk

N/A

1.6 Options

The options available to Council are as follows:

- a. To enter into a new lease outlined above.
- b. To not enter into a new lease.

1.7 Development of Preferred Option

The preferred option is option a.

It is important for both the Club and Council that legal tenure of the land be formalised in a new lease.

1.8 Attachments

- A Napier City Rovers proposed lease area outlined in orange [!\[\]\(e548a391c65118ac2476924cdb5db38c_img.jpg\)](#)



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Original Sheet Size A4
Print Date: 15/10/2020

NAPIER CITY ROVERS LEASE AREA

Digital map data sourced from Land Information New Zealand. CROWN COPYRIGHT RESERVED. The information displayed in the GIS has been taken from Napier City Council's databases and maps. It is made available in good faith but its accuracy or completeness is not guaranteed. If the information is relied on in support of a resource consent it should be verified independently.



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PUBLIC EXCLUDED ITEMS

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

AGENDA ITEMS

1. Land acquisition & Road Stopping - McLeod Road

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. Land acquisition & Road Stopping - McLeod Road	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.

PROSPEROUS NAPIER COMMITTEE

Open Minutes

Meeting Date:	Thursday 24 September 2020
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Time:	10.10am-10.48am
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Venue	Large Exhibition Hall Napier War Memorial Centre Marine Parade Napier
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Livestreamed via Zoom on Council's Facebook page

Present	Mayor Wise, Councillor Taylor (In the Chair), Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Mawson, McGrath, Price, Simpson, Tapine and Wright
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In Attendance	Interim Chief Executive, Director Corporate Services, Director Community Services, Director City Strategy, Manager Communications and Marketing, Manager Community Strategies, Manager Business & Tourism, Manager Asset Strategy, Team Leader Parks, Reserves, Sportsgrounds
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Administration	Governance Team
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Apologies

Nil

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

Councillors Price / Browne

That the Minutes of the meeting held on 2 July 2020 were taken as a true and accurate record of the meeting.

Carried

AGENDA ITEMS

1. GLOUCESTER STREET LEGALISATION

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Public Works Act 1981
<i>Document ID:</i>	960267
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

1.1 Purpose of Report

To seek Council approval to declare portions of residential land in Gloucester Street to be road and vested in Napier City Council.

At the Meeting

The Director Corporate Services provided a brief overview of the report. There was no further discussion, or questions, from Councillors.

Committee's recommendation

Councillors Price / Wright

The Prosperous Napier Committee:

- Recommend that Council resolve pursuant to Section 114 of the Public Works Act 1981 to consent to the land described in the Schedule below to be declared road and vested in the Napier City Council.

SCHEDULE

Hawkes Bay Land District – Napier City

Area (ha)	Legal Description	Record of Title
0.0095	½ share of Section 3 SO Plan 505062	HBL3/188
0.0008	½ share of Section 4 SO Plan 505062	HBL3/188
0.0098	½ share of Section 2 SO Plan 505062	HBL4/1054
0.0098	½ share of Section 2 SO Plan 505062	HBL2/369
0.0100	Section 1 SO Plan 505062	HBP4/776

Carried

2. PROCUREMENT UPDATE - HOW STRATEGIC PROCUREMENT CAN HELP ACHIEVE “BROADER OUTCOMES” FOR COUNCIL.

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	962946
<i>Reporting Officer/s & Unit:</i>	Sharon OToole, Procurement Lead

2.1 Purpose of Report

With an annual procurement programme of approximately \$100 million per year (exclusive of internal staff costs), Council’s procurement can have a profound effect on the local economy.

The Procurement Lead role commenced at Council in May 2019 to lead the development of a procurement & contracts management framework to add value, reduce risks and align activities with strategic objectives.

This paper outlines the legislative and regulatory framework that applies to Council procurement, and socialises recent developments and planned improvements that will help support advances in outcomes, capability, probity and assurance at Council. The paper includes suggestions on how Council will take a strategic approach on the consideration and integration of the 4 local government “well beings” and central government “broader outcomes” into Council procurement activities.

At the Meeting

The Procurement Lead spoke to the report and provided a brief overview of the work undertaken to date in the procurement space.

In response to questions from Councillors, the following points were clarified:

- The reporting on procurement spend analysis referred to in the report is still being considered. Currently, the focus is on what suppliers Council is already using, who is using them and whether multiple suppliers are being used for the same thing across Council. The information being captured at present needs to be developed further before this would be considered useful to a wider audience.
- The letter from the Auditor General wasn’t the trigger for this work being undertaken. The Procurement Lead was employed around 14 months ago and this work was already underway at that point.
- The procurement strategy will assist Council with forward planning, in considering what can be done to support upcoming projects at an operational level.
- Measures of success will be imbedded in the contract creation and performance measurement will be supported by the individual contract managers.
- There will likely be financial implications due to the return of the four well-being’s and the consideration that must be given to these. Council will be looking at the broader outcomes i.e. assessing the cost across the life of an asset as opposed to just the upfront cost.

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- Council does not have a formal procurement policy at present (utilising the Contract policy as its basis). The purpose of this update is to note that this work is progressing in the background.

Committee's recommendation

Councillors Browne / Crown

The Prosperous Napier Committee:

- a. Note the update on procurement and contract management at Council with particular reference to broader outcomes.

Carried

3. LEASE OF RESERVE - HAWKE'S BAY HOCKEY ARTIFICIAL SURFACE TRUST - PARK ISLAND.

<i>Type of Report:</i>	Contractual
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	964207
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Debra Stewart, Team Leader Parks, Reserves, Sportsgrounds

3.1 Purpose of Report

To seek Council's approval to enter into a new ground lease with the Hawke's Bay Hockey Artificial Surface Trust for the Hockey Facility at Park Island. The proposed lease includes an additional area to accommodate the proposed third turf.

At the Meeting

The Team Leader Parks, Reserves, Sportsgrounds spoke to the report noting that this lease renewal and extension has been on Council's radar for some time, and the reason for including the extra space is to allow Hawke's Bay Hockey to apply for further funding.

In response to questions from Councillors, the following points were clarified:

- Conversations with Unison over the power lines will likely continue to be an ongoing issue, due to cost.
- It was noted that some of the proposed extra space previously formed part of Council's stormwater overflow area. Council officers confirmed that stormwater will be addressed as part of the proposal, but not a functional part.
- The Chair advised that following discussions earlier in the week, the Manager Property had followed up with Hawke's Bay Hockey and confirmed that the proposal is in line to meet their future demands.
- In terms of developing the area further, car parking extensions will be Council's responsibility.

Committee's recommendation

Councillors McGrath / Simpson

The Prosperous Napier Committee:

Resolve:

- That pursuant to Section 54(1)(c) of the Reserves Act 1977, to grant a lease to the Hawke's Bay Hockey Artificial Surface Trust for an area of land at Park Island Reserve accommodating the existing facility plus including provision for a proposed new turf.
- That the term of the lease be for a period of 15 years, with one right of renewal.

Carried

4. GRANTING OF EASEMENT - NELSON PARK SCHOOL

Type of Report:	Legal
Legal Reference:	Reserves Act 1977
Document ID:	964594
Reporting Officer/s & Unit:	Bryan Faulknor, Manager Property Debra Stewart, Team Leader Parks, Reserves, Sportsgrounds

4.1 Purpose of Report

To seek Councils approval, pursuant to Section 48 of the Reserves Act, to grant an easement and right of way over part of Nelson Park. This is required to allow a revised access way to Nelson Park School from the Park.

At the Meeting

The Team Leader Parks, Reserves, Sportsgrounds spoke to the report noting that Council has been working on this with Nelson Park School and Fairhaven School for some time, and that the revised access way is simply tidying up existing use.

A couple of the Nelson Park Ward Councillors advised that they had visited the site and met with the schools to discuss the plan. It was noted that 12 car parks, currently used by teachers, will be lost due to the revised access way. Concerns were expressed by the Ward Councillors around the lack of car parking in the area and asked whether Council officers had any plans to mitigate this issue.

In response to questions from Councillors, the following points were clarified:

- The tree that needs to be removed is not a significant tree and Council officers do not consider there to be any issue with its removal.
- Council has an agreement with the schools that part of Nelson Park be used as their school greenspace. With so many children moving across this area, the revised access way will address the current safety concerns by reducing traffic.

ACTION: Council officers were asked to provide further information around the car parking concerns raised by Nelson Park Ward Councillors, when the matter comes back to the full Council meeting. Specifically, in relation to the 12 car parking spaces that will be lost.

Committee's recommendation

Councillors Tapine / Boag

The Prosperous Napier Committee:

- Resolve pursuant to Section 48 of the Reserves Act 1977, to approve the granting to Her Majesty the Queen for a Public School ('the Grantee') an easement over an area of land in Nelson Park adjacent to the Nelson Park School. This is to allow a turning circle to be completed and to formalise a right of way over the access way already formed, incorporating the vehicle turning circle and running between the existing school entrance and Jull Street.

Carried

PUBLIC EXCLUDED ITEMS

Councillors Tapine / Crown

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

1. Rental Relief Update

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. Rental Relief Update	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.

The meeting moved into committee at 10.48am.

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

Chairperson



Date of approval