

ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 25 August 2022

Time: 9.30am – 12.29pm

Venue Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook site

Present **Chair:** Mayor Wise
Members: Councillors Boag, Browne, Chrystal, Crown,
Mawson, McGrath, Price, Simpson, Taylor and Wright

In Attendance Acting Chief Executive (Debra Stewart)
Deputy Chief Executive/ Executive Director Corporate Services
(Jessica Ellerm)
Executive Director City Services (Lance Titter)
Executive Director City Strategy (Richard Munneke)
Acting Executive Director Community Services (Darran Gillies)
Manager Communications and Marketing (Julia Atkinson)
Pou Whakarae (Mōrehu Te Tomo)
Chief Financial Officer (Caroline Thompsen)
Manager Regulatory Solutions (Rachael Bailey)
Investment and Funding Manager (Garry Hrustinsky)
Manager City Development (Paulina Wilhelm) [Zoom]
Manager Environmental Solutions (Cameron Burton)
Acting Manager Community Strategies (Emma Morgan) [Zoom]

Also in attendance John Palairt and Louise Palairt
Chief Executive Officer, Hawke's Bay Airport Limited, Rob
Stratford
Chair, Hawke's Bay Airport Limited, Wendie Harvey

Administration Governance Advisor (Anna Eady)

Karakia

The meeting opened with the Council karakia.

Apologies

COUNCIL RESOLUTION

Councillors Chrystal / Price

That the apologies from Deputy Mayor Brosnan and Councillor Tapine be accepted.

Carried

Conflicts of interest

Nil

Public forum

Acknowledgement of Service - John Palaret - Former Chair, Audit and Risk Committee, and Councillors Tapine & Wright

The Mayor acknowledged the service of John Palaret, who has been the Independent Chair of Napier City Council's (NCC) Audit & Risk Committee since its inauguration in 2015.

John Palaret responded to the Mayor's Acknowledgement with thanks, noting the Audit & Risk Committee has evolved a great deal since its inception, from the key focus being on financial matters to now where the key focus is risk, which has been an important evolution.

The Mayor then acknowledged and thanked Councillor Tania Wright, who has served six terms on Council, and who has been a great advocate for arts, culture and heritage.

Councillor Wright responded to the Mayor's thanks stating she is stepping away from the role undefeated and on her own terms, and that she will continue to serve Napier through community organisations.

The Mayor then acknowledged and thanked Councillor Apiata Tapine who has served two terms on Council. His key passions have been the environmental space and the development of Council's relationship with mana whenua. She noted Councillor Tapine is standing for the Wairoa General Seat on Hawke's Bay Regional Council and wished him well for the elections.

Announcements by the Mayor

Councillor Price and Acting Chief Executive Debra Stewart presented NCC's submission to the Select Committee on the Water Service's Entities Bill last week.

The Mayor then reflected on the triennium and NCC's achievements and challenges over the last three years. She thanked the staff and Elected Members for their hard work, and the community for their support, patience and engagement with Council.

Announcements by the management

The second item on the public excluded agenda, Executive Search and Recruitment Services, is withdrawn as it was not ready to be presented to the Council for consideration. It will be on the agenda of the Extraordinary meeting of Council on 1 September 2022.

Today James Karauria, also known as Bird, has been farewelled after 41 years with Napier City Council (NCC) in the City Services team.

Thank you to the Elected Members on behalf of the staff for your work over the triennium, and best wishes for the future.

Confirmation of minutes

**COUNCIL
RESOLUTION**

Councillors Taylor / Wright

That the Draft Minutes of the Ordinary meeting held on 14 July 2022 be confirmed as a true and accurate record of the meeting.

Carried

**COUNCIL
RESOLUTION**

Councillors Taylor / Wright

That the Draft Minutes of the Emergency meeting held on 11 August 2022 be confirmed as a true and accurate record of the meeting.

Carried

**COUNCIL
RESOLUTION**

Councillors Taylor / Wright

That the Draft Minutes (Limited Distribution) of the Emergency meeting held on 11 August 2022 be confirmed as a true and accurate record of the meeting.

Carried

Attachments

1 2022-08-25 HBAL Shareholder Presentation

AGENDA ITEMS

1. ACTING CHIEF EXECUTIVE'S REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1482233
<i>Reporting Officer/s & Unit:</i>	Lauren Sye, Corporate Planning Analyst Debra Stewart, Acting Chief Executive

1.1 Purpose of Report

The Chief Executive's Report is brought to Council, for your information, every six weeks.

At the meeting

The report was taken as read. In response to questions from the Council it was clarified:

- The Te Pihinga Community Space project has a red traffic light in the report as Council is waiting on final signatories on the sale and purchase agreement for the land identified for the project. Once complete Council will work through the governance model.
- Special voting will open on 16 September when general voting opens. Special votes can be made at any City or District Council in New Zealand. Council will be distributing bright orange vote collection bins to various locations around Napier, such as supermarkets. A list of those locations will be published on the NCC website prior to voting opening.
- Council Officers have made a formal submission on the Water Services Bill.

COUNCIL RESOLUTION

Mayor Wise / Councillor Price

That Council:

- a. **Receive** and note the Acting Chief Executive's Report for August 2022.

Carried

2. ADOPTION OF DOG CONTROL BYLAW REVIEW 2022

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1479362

Reporting Officer/s & Unit: Paulina Wilhelm, Manager City Development

2.1 Purpose of Report

For Council to adopt the Napier City Council Dog Control Policy 2022 and Dog Control Bylaw 2022, effective from 1 October 2022.

At the meeting

The Officer took the report as read and there were no questions on the item.

COUNCIL RESOLUTION

Councillors McGrath / Simpson

That Council:

- a) **Approve** for adoption, the Napier City Council Proposed Dog Control Bylaw Review 2022 effective from 1 October 2022.
- b) **Revokes** the Napier Dog Control Policy and Dog Control Bylaw 2014 upon the commencement of the Napier City Council Dog Control Policy 2022 and Dog Control Bylaw 2022.
- c) **Direct** Officers to notify submitters and the public that the Proposed Bylaw and Policy have been adopted and will become operative from 1 October 2022.
- d) **Delegates** authority to the Chief Executive to authorise Temporary Dog Exercise Areas under s.6 of the Napier City Council Dog Control Bylaw 2022 subject to consultation requirements under section 82 of the Local Government Act.
- e) **Direct** Officers to undertake a review of Dog Exercise Area signage and implement as appropriate.

Carried

3. INTERREGNUM PERIOD DELEGATION AND DISCHARGE OF COMMITTEES

Type of Report:	Operational and Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1483292
Reporting Officer/s & Unit:	Helen Barbier, Team Leader Governance

3.1 Purpose of Report

The purpose of this report is to request approval for a delegation of decision-making power to the Chief Executive during the interregnum period and to define which committees of Napier City Council (Council) will be discharged at the end of this triennium.

At the meeting

The Chief Financial Officer took the report as read and there were no questions on the item.

COUNCIL RESOLUTION

Councillors Taylor / Crown

That Council:

- a) **Authorise** the Chief Executive to make decisions in respect of urgent matters, in consultation with the mayor elect, from the day after the declaration of preliminary results by the electoral officer until the new council is sworn in.
- b) **Note** that any decisions made under this delegation will be reported to the first ordinary meeting of the new council.
- c) **Resolve** that the Audit and Risk Committee not be discharged at the end of the triennium to allow continuity in its objective assurance and assistance to Council.
- d) **Note** that Council's other committees will be discharged following the election of the new council with the exception of the following entities:
 - i. Te Komiti Muriwai o Te Whanga
 - ii. District Licensing Committee
- e) **Note** that membership of committees that have not been discharged will be updated as part of the adoption of the 2022-2025 governance structure.

Carried

4. UPDATE ON OMARUNUI JOINT REFUSE LANDFILL AND THE JOINT WASTE FUTURES MEETINGS HELD ON 17 JUNE 2022

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1483428
Reporting Officer/s & Unit:	Alix Burke, Environmental Solutions Coordinator Cameron Burton, Manager Environmental Solutions

4.1 Purpose of Report

The purpose of this report is to provide a summary of the meetings of the Ōmarunui Refuse Joint Landfill Committee and the Joint Waste Futures Project Steering Committee held on 17 June 2022.

At the meeting

The Council Officer spoke to the report. In response to questions from the Council it was noted:

- Approximately 100 to 150 people participated in the Council offered composting workshops. As the uptake was so successful Council will look to offer more of these workshops to the community.
- Sustainable is Attainable is a Hawke's bay wide initiative in relation to the industries which create food products. It aims to find clever ways to reduce waste within that industry, utilize waste products for other uses, and to reduce the amount of packaging going to landfill, that with some clever thinking may not need to.

COUNCIL RESOLUTION

Councillors Chrystal / Browne

That Council:

- a. **Receive** the update report on the Ōmarunui Joint Refuse Landfill Committee and the Joint Waste Futures Project Steering Committee meetings held on 17 June 2022.

Carried

5. REGIONAL TRANSPORT COMMITTEE UPDATE - 10 JUNE 2022

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1483534
<i>Reporting Officer/s & Unit:</i>	Tony Mills, Principal Transportation Engineer Debra Stewart, Executive Director Infrastructure Services

5.1 Purpose of Report

To provide a summary of the Regional Transport Committee meeting held on 10 June 2022.

At the meeting

The report was taken as read. Councillor Price was in attendance at the meeting and clarified:

- Councillor Williams has sent correspondence to Waka Kotahi in regards to state highway 5's speed limit of 80kms. If a state highway does not have a cheese grater down the middle of the road the speed limit cannot be more than 80kms. There is work planned for the road but it is unclear what that work entails and there will not be a change in the speed limit in the near future.
- The Regional Transport Committee are trying to get the speed limit changed back to 100kms, as Napier has a busy port which has been adversely affected by the lowered speed limit on state highway 5. There are a new set of rules coming out from Waka Kotahi which will prevent the Joint Committee from appealing the current situation.
- The remediation of the roads affected by the recent flooding in the Nelson area will be paid for in part by Waka Kotahi and in part by the local council. Central Government have also given money to the area for recovery activities.

It was noted by Councillor Taylor, who was present at the meeting, that the minutes record an inaccuracy, and the meeting agenda report did also. The minutes state the NCC has an Active Transport Committee but it does not. There was also a suggestion that Active Transport Committee members would be part of a Technical Advisory Group (TAG), but governors would not be part of the structure. The Regional Cycle Group, which Councillor Taylor Chairs, will continue to advocate that active transport should be part of the Regional Transport Committee due to its goal of reducing emissions, and one of the best ways to achieve that is to replace transport via car with active transport.

ACTIONS:

Governance Officers to follow up with the Hawke's Bay Regional Council about the minute inaccuracy.

Council Officers to look into the possibility of establishing an Active Transport Committee in the new triennium.

COUNCIL RESOLUTION	Councillors Price / Taylor
	That Council:
	a. Receive the update report on the proceedings of the Regional Transport Committee meeting of 10 June 2022.
	Carried

6. RESULTS OF THE 2021/22 RESIDENT SURVEY AND 2022 STAKEHOLDER CONSULTATION

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1486775
Reporting Officer/s & Unit:	Lauren Sye, Corporate Planning Analyst Jessica Ellerm, Deputy Chief Executive / Executive Director Corporate Services

6.1 Purpose of Report

This report provides Council with the results of Napier City Council's Annual Resident Survey for 2021/22 and 2022 Stakeholder Consultation.

At the meeting

The Officer spoke to the report and in response to questions it was clarified:

- Other councils have noted a downturn in resident satisfaction. Macro-environmental factors such as Covid and inflation increases should be taken into account when interpreting the survey's results.
- In benchmarking the results next to other councils there are identified areas where improvements could be made to lift the public's perceptions of service. The Executive Leadership Team will workshop the results and will workshop them with the incoming Council in order to inform priorities for the next Annual and Long Term Plans.

ACTION: Officers to check with SIL Research whether all participants are residents of Napier, or whether people outside of Napier could be participating.

COUNCIL RESOLUTION

Mayor Wise / Councillor Crown

That Council:

- Receive** the results of the Napier City Council Annual Resident Survey for the period 1 July 2021 to 30 June 2022 and the results of the Stakeholder Consultation 2022.
- Note** that satisfaction ratings from the Annual Resident Survey form part of Council's performance framework as outlined in the Long Term Plan, and are audited and reported publically as part of its Annual Report.
- Note** that officers will disseminate the results of the Annual Resident Survey and Stakeholder Consultation across the organisation, and that the Executive Leadership Team will workshop the results and share them with the incoming Council during the induction for the next triennium.

Carried

The meeting adjourned 10.30am and reconvened 11.00am.

With the agreement of the meeting the Hawke's Bay Airport Limited public forum presentation was taken out of order.

HAWKES BAY AIRPORT LIMITED (HBAL) PRESENTATION

A presentation was given (PowerPoint presentation attached) to the meeting by Chair Wendie Harvey and Chief Executive Officer Rob Stratford.

- The Auckland 2021 lockdown had an adverse effect on the Airport's numbers for the year.
- The terminal rebuild project has moved forward, but there have been constraints with contractor and material availability. Full completion is expected in October 2022.
- The passenger numbers this year have been 25% below the Statement of Intent (SOI).
- HBAL have entered a partnership with Manawa Energy on the Solar Farm project, and through talking with potential stakeholders there is strong interest in the project.
- There has been a reduction in bird strike.
- HBAL are continuing to work on level three accreditation in a sustainability programme.
- HBAL maintain a defend instead of relocate situation for the airport in terms of Climate Change.
- They are working with NCC on ground water testing of the airport site.
- HBAL entered into a lease contract with Bellatino's Food Lovers Market, and still have a contract with Bay Espresso.
- The net loss after tax (unaudited) is \$678,004. When there is one revenue stream coming from Air New Zealand there is not a lot can be done to manage that loss. The Management and Board stepped in to control the opex and capex spend.
- Air New Zealand has said they will reducing the number of jets going to the regions, however HBAL have just renegotiated the annual contract with them, securing a 36% increase in HBAL's fee.
- The diversification strategy is to have more than one carrier operating from the airport. New Airline services secured with Originair.
- A stronger approach to the development of air freight out of the region is being taken.
- The main rises in expenditure are recruitment costs, significant increase in insurance and electricity charges.
- It was anticipated there would be 800,000 passengers going through the terminal, but there have only been approximately 500,000, however numbers are tracking in the right direction and the financial outlook is positive.
- There is a focus on customer experience and ensuring the airport has a sense of place and gives people a reason for people to spend time there, rather than just picking up and dropping off people.
- There are improvements planned for the car park in the future.
- HBAL have revisited their sponsorship program and are looking at how they can support local projects, such as Biodiversity Hawke's Bay, and sponsor regional events like the Hawke's Bay Marathon.
- HBAL are continuing to push for a shuttle bus service to the airport with Hawke's Bay Regional Council. They are also going to install bike charging stations at the airport.
- There is good progress towards being carbon neutral by 2030. The aim is to be the first airport that is self-sufficient in New Zealand. The solar farm will help with this. HBAL's fleet policy is to swap airport vehicles for electric as they need replacing. This is not possible at the moment for the fire engine as the technology is not available yet.

- The solar farm could become a critical element of sustainability of Hawke's Bay electricity network. Currently the plan is based on support for 4000 houses, which can be accommodated by taking constructing a line back to the Tamatea Substation. If the project was expanded HBAL would need to have more discussions with Unison as the Tamatea Substation would not be able to support more. Unison are confident there would be other alternatives, but there would need to be demand prior to increasing the project.

7. SECTION 10A ANNUAL DOG CONTROL REPORT - 2021/2022

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Dog Control Act 1996
<i>Document ID:</i>	1487637
<i>Reporting Officer/s & Unit:</i>	Rachael Bailey, Manager Regulatory Solutions

7.1 Purpose of Report

To present the territorial authority report on dog control policies and practices for the dog control registration year 1 July 2021 – 30 June 2022 for adoption by Council as required under Section 10A of the Dog Control Act 1996, prior to being submitted to the Secretary of Local Government and being made publically available.

At the meeting

The Officer spoke to the report and in response to questions it was noted:

- The total number of menacing and dangerous dogs has increased as it is a cumulative total figure of how many of these dogs there are in Napier.

ACTION: Breakdown of Impounding and Rehoming Other category used in the Dog Control Statistics to be distributed to Council.

COUNCIL RESOLUTION	Councillors Wright / Price
	That Council:
	<ul style="list-style-type: none"> a. Adopt the Napier City Council Annual Dog Control Report 2021/22. <ul style="list-style-type: none"> i. That the report be submitted to the Secretary for Local Government and published in accordance with the Dog Control Act 1996.
	Carried

REPORTS / RECOMMENDATIONS FROM THE STANDING COMMITTEES

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

REPORTS FROM NAPIER PEOPLE AND PLACES COMMITTEE HELD 26 JULY 2022

1. HOMELESSNESS IN NAPIER REPORT

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1477169
Reporting Officer/s & Unit:	Natasha Mackie, Manager Community Strategies Rebecca Peterson, Senior Advisor Policy

1.1 Purpose of Report

To provide the Homelessness in Napier Report (**Attachment 1**) to Council and seek approval to progress the recommendations in the report.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION	Councillors Boag / Wright
	That Council:
	a. Receive the Homelessness in Napier Report, prepared for Napier City Council, dated May 2022.
	b. Approve to progress the recommendations within the Homelessness in Napier Report.
	Carried

2. REVISED NAPIER HASTINGS SMOKEFREE AND VAPEFREE POLICY

Type of Report:	Operational
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Legal Reference: N/A

Document ID: 1474822

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

2.1 Purpose of Report

To present the revised Napier Hastings Smokefree and Vapefree Policy for adoption by Council.

At the meeting

There was no discussion on this item.

COMMITTEE RESOLUTION

Councillors Boag / Wright

That Council:

- a. Note the review process undertaken to inform revision of the Napier Hastings Smokefree and Vapefree Policy.
 - b. Note Hastings District Council is proposing an addition to the laneways designated area in the Policy to include future developed Council managed pedestrian laneways, which will be confirmed at their meeting on 4 August 2022.
 - c. Adopt the revised Napier Hastings Smokefree and Vapefree Policy, including in principle the proposed Hastings District Council addition to the Policy in the event they adopt this on 4 August 2022.
 - d. Note implementation of the Napier Hastings Smokefree and Vapefree Policy will begin on 1 January 2023, subject to the adoption of the Policy by both Hastings District and Napier City Councils.
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Carried

3. MARINE PARADE POOLS: FUTURE DELIVERY MODEL

Type of Report: Operational and Procedural

Legal Reference: N/A

Document ID: 1481925

Reporting Officer/s & Unit: Glenn Lucas, Manager Sport & Recreation
Darran Gillies, Acting Executive Director Community Services

3.1 Purpose of Report

The purpose of this report is to approve the operational model for Marine Parade Pools after the completion of the current outsourced contract at 31 January 2022.

At the meeting

There was no discussion on this item.

**COUNCIL
RESOLUTION**

Councillors Boag / Wright

That Council:

- a. Approve the operations of Marine Parade Pools to be transitioned to a council-run facility from 1 February 2023.
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Carried

REPORTS FROM PROSPEROUS NAPIER COMMITTEE HELD 26 JULY 2022

1. INVESTMENT PROPERTY PORTFOLIO REVIEW

Type of Report: Operational

Legal Reference: N/A

Document ID: 1477991

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

1.1 Purpose of Report

To update the Committee on the performance of the Napier City Council's Investment Property Portfolio (Leasehold Land) and provide a recommendation on whether to continue to allow freeholding.

At the meeting

There was no discussion on this item.

**COUNCIL
RESOLUTION**

Councillors Taylor / Crown

That Council:

- a. **Resolve** to receive the report prepared by PricewaterhouseCoopers (*Doc Id 1478676*) reviewing the Napier City Council's Investment Property Portfolio.
 - b. **Resolve** that Council continue to allow the freeholding of non-strategic land on a case by case basis in accordance with the Investment Property Portfolio Policy.
 - c. **Noting** that Council's amended Investment Policy has now been completed and suitable alternative investment opportunities have been identified for Council's consideration.
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Carried

2. INVESTMENT POLICY REVIEW

Type of Report:	Operational
Legal Reference:	Local Government Act 2002
Document ID:	1477103
Reporting Officer/s & Unit:	Garry Hrustinsky, Investment and Funding Manager

2.1 Purpose of Report

The purpose of this report is to highlight and explain key proposed changes to the Investment Policy and to introduce the draft Statement of Investment Policies and Objectives (SIPO).

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Taylor / Crown

That Council:

- a. **Approve** the amended Investment Policy as presented (*Doc Id 1471211*)
- b. **Approve (in principle)** a draft copy of the Statement of Investment Policies and Objectives (*Doc Id 1471214*)
- c. **Note** that agreement on risk appetite for the Statement of Investment Policies and Objectives (the allocation to income and growth assets) and a portfolio distribution policy must be established by Council prior to adoption of the Statement of Investment Policies and Objectives.

Carried

REPORTS FROM SUSTAINABLE NAPIER COMMITTEE HELD 28 JULY 2022

1. NAPIER PIRATE RUGBY & SPORTS CLUB - PARK ISLAND PROPOSAL

Type of Report:	Procedural
Legal Reference:	N/A

Document ID: 1474757

Reporting Officer/s & Unit: Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

1.1 Purpose of Report

The purpose of the report is to seek approval in principle for the Napier Pirate Rugby & Sports Club to locate their clubrooms in the Park Island Northern Sports Hub, and identify the future Council infrastructure required to facilitate the relocation.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. Approve in principle that the Napier Pirate Rugby & Sports Club be allowed to locate their new facility to Park Island in accordance with the Park Island Masterplan, subject to;
 - i. Detailed building and field design in collaboration with Napier City Council Parks, Reserves and Sportsgrounds team
 - ii. Financial estimates being undertaken for the construction of the changing room facilities, rugby field and car parking and reported back to council with funding options
 - iii. A lease agreement being prepared and reported to Council for approval
 - iv. All appropriate Building and Resource Consents being granted
 - b. Agree that council officer's work with the Napier Pirate Rugby & Sports Club to finalise the details of this proposal and report back to council for decision.
 - c. Direct officers to prepare the information required to allow a funding decision by Council as part of Council's Annual Plan 2023/24.
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Carried

2. THREE WATERS REFORM PROGRAMME PROGRESS

Type of Report: Information

Legal Reference: N/A

Document ID: 1469296

Reporting Officer/s & Unit: Russell Bond, Manager Water Strategy

2.1 Purpose of Report

To inform the Council on the progress of the Three Waters Reform Programme within Napier.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. Receive the report on the Three Waters Reform Programme

Carried

3. THREE WATERS OPERATIONAL UPDATE

Type of Report: Operational

Legal Reference: N/A

Document ID: 1479402

Reporting Officer/s & Unit: Philip Kelsen, Team Leader 3 Waters Operations Planning

3.1 Purpose of Report

To give an update on Three Waters Operations Planning activities.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. Receive the Three Waters Operational Update report.

Carried

4. CAPITAL PROGRAMME DELIVERY

Type of Report: Information

Legal Reference: N/A

Document ID: 1475042

Reporting Officer/s & Unit: Jamie Goodsir, Acting Director Programme Delivery

1.1 Purpose of Report

To provide Council with information on the FY22/23 Capital Programme and initiatives underway to improve Capital Programme Delivery.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. Receive the report titled "Capital Programme Delivery".

Carried

5. PROPOSED NEW PLAYGROUND FOR SOUTH-WEST TARADALE

Type of Report: Procedural

Legal Reference: Reserves Act 1977

Document ID: 1475727

Reporting Officer/s & Unit: Tania Diack, Parks Policy Planner
Jason Tickner, Team Leader Parks, Reserves and
Sportsgrounds

5.1 Purpose of Report

To propose Trigg Crescent Reserve as the most suitable area for installing a new playground in south-west Taradale and to carry out public engagement on this basis.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. Endorse the recommendation to install a new playground on Trigg Crescent Reserve as per the 'New Playground Assessment - Taradale South-West' attached to this report
- b. Approve public consultation to be undertaken on the basis the installation of a new playground will be in Trigg Crescent Reserve and to assist with finalising design.

Carried

6. PROPOSED PROJECT DEFERRAL - PUKETITIRI ROAD UPGRADE

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1479199
<i>Reporting Officer/s & Unit:</i>	Robin Malley, Team Leader Transportation

6.1 Purpose of Report

To obtain Council approval for deferring physical construction of upgrades to Puketitiri Road until funding can be secured from the National Land Transport Programme.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION	Councillors Price / Simpson
	That Council:
	a. Direct Officers to progress with design, in partnership with key stakeholders, land acquisition planning and funding mechanisms to be considered as part of the Annual Plan 2023/2024.
	b. Direct the Chief Executive to continue with professional services to enable detailed estimates and work programmes to be developed, including any land purchases.
	Carried

7. LAND ADJACENT 18 SEALY ROAD - ROAD STOPPING

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1480379
<i>Reporting Officer/s & Unit:</i>	Robin Malley, Team Leader Transportation

7.1 Purpose of Report

To obtain Council approval to initiate the road stopping process in accordance with the 10th Schedule of the Local Government Act 1974, and the subsequent sale of approximately 65m² of current legal road to the adjoining owners at 18 Sealy Road.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION	Councillors Price / Simpson
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That Council:

- a. Pursuant to Section 342 of the Local Government Act 1974, initiate the stopping of approximately 65m² of legal road, adjacent to 18 Sealy Road, in accordance with the Tenth Schedule of the Local government Act 1974;
- b. Note that a condition of the Tenth Schedule is to publicly notify the proposed road stopping; and
- c. That upon completion of the Tenth Schedule stopping process, the stopped road is sold to the adjoining owners at 18 Sealy Road at valuation plus all associated legal, survey and advertising costs. Further, the land is to be amalgamated with the purchasers land and held in one record of title incorporating easements to protect access to Council and other utility provider's assets.

Carried

8. ALEXANDER PARK - UNISON EASEMENT

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1467839
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

8.1 Purpose of Report

To obtain Council approval for a power easement under Alexander Reserve.

At the meeting

Council agreed to add the extra line to the resolution recommended by the Ngā Mānukanuka o te Iwi Committee.

COMMITTEE The Sustainable Napier Committee:

- RECOMMENDATION**
- a. Recommend that Council approves, as administering body, under section 48(1) of the Reserves Act 1977, the grant of a power easement to allow a power cable be direct drilled under Alexander Reserve (being part Lot 3 DP7354).
 - b. Recommend that Council approves, in exercise of the Ministerial consent (under delegation from the Minister of Conservation), the granting of the above easement.

COUNCIL AMENDED RESOLUTION Councillors Taylor / Crown

That Council:

- a. Approves, as administering body, under section 48(1) of the Reserves Act 1977, the grant of a power easement to allow a

- power cable be direct drilled under Alexander Reserve (being part Lot 3 DP7354).
- b. Approves, in exercise of the Ministerial consent (under delegation from the Minister of Conservation), the granting of the above easement.
 - c. Direct Officers to request a representative of mana whenua say a karakia onsite prior to the start of works.

Carried

9. ROAD STOPPING - LAND ADJACENT TO 85 BOYD ROAD, PORAITI

Type of Report: Legal

Legal Reference: Local Government Act 2002

Document ID: 1472182

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

9.1 Purpose of Report

To obtain Council approval to initiate the road stopping process in accordance with the 10th Schedule of the Local Government Act 1974, and the subsequent sale of approximately 776m² of current legal road to the adjoining owners at 85 Boyd Road, Poraiti.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. Pursuant to Section 342 of the Local Government Act 1974, initiate the stopping of approximately 776m² of legal road, adjacent to 85 Boyd Road, Poraiti in accordance with the Tenth Schedule of the Local Government Act 1974;
- b. Note that a condition of the Tenth Schedule is to publicly notify the proposed road stopping; and
- c. That upon completion of the Tenth Schedule stopping process, the stopped road is sold to the adjoining owners at 85 Boyd Road at valuation plus all associated legal, survey and advertising costs. Further, the land is to be amalgamated with the purchasers land and held in one record of title.

Carried

10. LEASE OF RESERVE - NAPIER FRIVOLITY MINSTRELS (INCORPORATED)

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1473592
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jenny Martin, Property and Facilities Officer

10.1 Purpose of Report

To obtain approval to grant a new ground lease to the Napier Frivolity Minstrels (Incorporated) for the land and building at 104C Latham Street on the Latham Street Reserve for a term of 15 years with one 15 year right of renewal.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Price / Simpson

That Council:

- a. Approve, as administering body, a lease, under Section 73(3) of the Reserves Act 1977, for the Napier Frivolity Minstrels (Incorporated) for the land and building at 104C Latham Street on the Latham Street Reserve for a term of 15 years with a 15-year right of renewal.
- b. Approve, in exercise of the Ministerial consent (under delegation from the Minister of Conservation), the granting of the above lease.
- c. Note that pursuant to Section 73 of the Reserves Act, the proposed lease is required to be publically notified and should any objections or submissions be received then the matter will be required to be brought back to Council. Should no submissions or objections be received then the above resolution approving the lease stands.

Carried

11. LEASE OF RESERVE - BLEDISLOE PARK - HB INDOOR BOWLS ASSOC.

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Reserves Act 1977
<i>Document ID:</i>	1479805
<i>Reporting Officer/s & Unit:</i>	Bryan Faulknor, Manager Property Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

11.1 Purpose of Report

To seek Council's approval to grant a ground lease pursuant to Section 54 of the Reserves Act 1977 to the Hawke's Bay Indoor Bowls Association Incorporated, for land at Bledisloe Park, Taradale on which to construct their new Indoor Bowling Facility and associated car parking.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Taylor / Mayor Wise

That Council:

- a. Approve, as administering body, the granting of a ground lease, pursuant to Section 54 of the Reserves Act 1977, to the Hawke's Bay Indoor Bowls Association Incorporated for land at Bledisloe Park, Taradale on which to construct their new Indoor Bowling Facility and associated car parking.
- b. Approve, in exercise of the Ministerial consent (under delegation from the Minister of Conservation), the granting of the above lease.
- c. Note that pursuant to Section 54 of the Reserves Act, the proposed lease is required to be publically notified and should any objections or submissions be received then the matter will be required to be brought back to Council. Should no submissions or objections be received then the above resolution approving the lease stands.
- d. Resolve that the term of the proposed lease be for 15-years plus one right of renewal of 15-years.
- e. Note that in granting any lease Council is merely acting in its capacity as a lessor and as owner of the land. Any such approval shall not imply the consent of Council as a regulatory authority and thus the proposed building is subject to the club obtaining all required regulatory consents.
- f. That a **DECISION OF COUNCIL** is required urgently. The matter has already been approved in principle by Council and a Decision of Council will allow the public notification process to proceed and assist with the club obtaining their timelines with regards consents and construction.

Carried

REPORTS FROM FUTURE NAPIER COMMITTEE HELD 28 JULY 2022

1. RESOURCE CONSENT ACTIVITY UPDATE

Type of Report:

Enter Significance of Report

<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1477639
<i>Reporting Officer/s & Unit:</i>	Luke Johnson, Team Leader Planning and Compliance

1.1 Purpose of Report

This report provides an update on recent resource consenting activity. The report is provided for information purposes only, so that there is visibility of major projects and an opportunity for Elected Members to understand the process.

Applications are assessed by delegation through the Resource Management Act (RMA); it is not intended to have application outcome discussions as part of this paper.

This report only contains information which is lodged with Council and is publicly available.

At the meeting

There was no discussion on this item.

COMMITTEE RESOLUTION

Councillors Chrystal / Simpson

That Council:

- a. **Note** the resource consent activity update for period 5 May 2022 to 4 July 2022.

Carried

2. BETTER OFF FUNDING TRANCHE 1

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1477902
<i>Reporting Officer/s & Unit:</i>	Fleur Lincoln, Strategic Planning Lead Bill Roberts, Economic Development Manager

2.1 Purpose of Report

The purpose of this report is to present Council with a prioritised and costed list of eligible projects for Tranche 1 of central government's 'Better Off' Funding and to gain direction as to which projects to apply for funding.

At the meeting

Council discussed the proposed expenditure of this funding with Mana Ahuriri. They would like to see the \$200,000 proposed for the Regional Park Masterplan to be added to the \$500,000 proposed for iwi capability. Officers are in support of this suggestion. In response to questions from the Council it was noted:

- The total budget to deliver the Regional Park is a substantial amount spread over a long period. If the above suggestion is adopted the Masterplan can be funded from the overall allocated Regional Park budget.
- Council has committed to the Regional Park and would have had to find a way to fund the Master Plan regardless of the above proposal.
- Iwi are not resourced to participate in Council's required engagement. This funding will facilitate meaningful engagement with subject experts, who ideally will be professionals from the mana whenua groups.
- The original \$500,000 figure was arrived at without the full picture of what would be needed, but there was a requirement in accepting the Better Off funding that councils were required to consult with mana whenua.
- The costings for the projects put forward by Council for this funding are not fully costed, so there is some flexibility in will be delivered.
- It is a possibility that once capability is established it will continue to be funded by an ongoing revenue stream which will be established over time.
- The Department of Internal Affairs will take into account the evidence that NCC has consulted with mana whenua when they sign off on the funding.

COMMITTEE

The Future Napier Committee:

- RECOMMENDATION**
- Notes** that as part of Central Government's Three Waters Reforms it has made available Tranche 1 "Better Off" funding to invest in the future for local government, urban development, and the wellbeing of their communities.
 - Resolves** that Napier City Council applies to this fund to direct, in principle, towards the projects including the minor amendments as set out in option B below:

Option B (Library part-funded)

Ahuriri Waka Hub & Surrounds	\$2,200,000
Regional Park – Prepare masterplan	\$200,000
Library Public Realm Interface	\$1,040,000
CBD West Revitalisation – design and build	\$1,650,000
Iwi capability	\$500,000
Quick Wins Package 2	\$870,000
Total	\$6,460,000

Option B (Quick Wins Table)

Disability Strategy Quick Wins	\$270,000
Park Island Walkways	\$200,000
Coloured LED Lighting	\$100,000

Refurbish Anderson Hexagon toilets	\$50,000
Dog Lead Hooks	\$10,000
Pedestrian Pathway Lighting (Taradale and CBD)	\$240,000
Total	\$870,000.00

COUNCIL AMENDED Mayor Wise / Councillor Browne RESOLUTION

That Council:

- a. **Notes** that as part of Central Government's Three Waters Reforms it has made available Tranche 1 "Better Off" funding to invest in the future for local government, urban development, and the wellbeing of their communities.
- b. **Resolves** that Napier City Council applies to this fund to direct, in principle, towards the projects including the minor amendments as set out in option B below:

Option B (Library part-funded)

Ahuriri Waka Hub & Surrounds	\$2,200,000
Regional Park – Prepare masterplan	\$200,000
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Pedestrian Pathway Lighting (Taradale and CBD)	\$240,000
Total	\$870,000.00

- c. Resolve to transfer the \$200,000 funding for the Regional Park Master Plan to increase Iwi capability funding to \$700,000.

- d. Delegate authority to the Mayor and Acting Chief Executive to review the Communities for local Democracy Group's funding agreement amendments for potential inclusion in the signed agreement.

Carried

3. PROPOSED CHANGE TO FINANCIAL CONTRIBUTIONS POLICY

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1480160
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer Richard Munneke, Executive Director City Strategy Debra Stewart, Executive Director Infrastructure Services

3.1 Purpose of Report

To outline the proposed approach to update Napier City Council's policy on Financial Contributions as part of the 2022/23 Annual Plan.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Chrystal / Simpson

That Council:

- a. **Approve** Council Officers to proceed with a project to amend the Financial Contributions Policy (FCP) to a Financial and Development Contributions Policy via the 2022/23 Annual Plan process.

Carried

REPORTS FROM NGĀ MĀNUKANUKA O TE IWI (MĀORI COMMITTEE) HELD 12 AUGUST 2022

1. PUKEMOKIMOKI MARAE RESERVE REVOCATION UPDATE

Type of Report:	Procedural
Legal Reference:	Reserves Act 1977
Document ID:	1481445
Reporting Officer/s & Unit:	Natasha Mackie, Manager Community Strategies

Jason Tickner, Team Leader Parks, Reserves and Sportsgrounds

1.1 Purpose of Report

To update the Committee on the engagement the Pukemokimoki Marae Trust has undertaken with mana whenua entities at the request of the Committee, prior to the Pukemokimoki Marae Reserve Revocation report (attached) being provided to Council for consideration.

At the meeting

It was clarified that the incoming Council will make the final decision as to the revocation of the land's Recreational Reserve status, but the Crown will decide the land ownership.

COUNCIL RESOLUTION

Mayor Wise / Councillor Price

The Ngā Mānukanuka o te Iwi (Māori Committee):

- a. Note the outcome of the engagement undertaken, and
- b. Note the endorsement provided by the Māori Committee in 2020 for the original paper's recommendation that Council proceed with the process as set out in Section 24 of the Reserve Act 1977 to revoke the Recreational Reserve status of the land currently leased to Maraenui Marae Establishment Trust which would then allow for the land to be returned to the Crown, with the intention of it being vested as Marae Reservation.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1422923
<i>Reporting Officer/s & Unit:</i>	Debbie Beamish, Executive Assistant to the Chief Executive

1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 4 July – 12 August 2022.

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION

Councillors Simpson / Mawson

That Council:

- a. Receive the Tenders Let for the period 4 July – 12 August 2022.

Carried

PUBLIC EXCLUDED ITEMS

COUNCIL RESOLUTION

Councillors Crown / Simpson

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

Carried

Agenda Items

1. Contract settlement and chattels purchase
2. Executive Search and Recruitment Services

Reports from Napier People and Places Committee held 26 July 2022

1. 2022-2023 Grants Allocation Subcommittee Funding Decisions
2. Land Purchase

Reports from Prosperous Napier Committee held 26 July 2022

1. Delegation Review
2. Debt write off

Reports from Sustainable Napier Committee held 28 July 2022

1. Property Purchases

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. Contract settlement and chattels purchase	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
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	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	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. Executive Search and Recruitment Services	7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities 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.

Reports from Napier People and Places Committee held 26 July 2022

1. 2022-2023 Grants Allocation Subcommittee Funding Decisions	7(2)(c)(i) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied	48(1)A That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under Section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Land Purchase	7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including	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

	commercial and industrial negotiations)	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.
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Reports from Prosperous Napier Committee held 26 July 2022

1. Delegation Review	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.
2. 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.

Reports from Sustainable Napier Committee held 28 July 2022

1. Property Purchases	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
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	negotiations (including commercial and industrial negotiations)	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.
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The meeting moved into public excluded at 12.08pm

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

Chairperson

Date of approval