

ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Tuesday 15 November 2022

Time: 9.00am – 9.30am

Venue The Ocean Suite
East Pier Hotel
50 Nelson Quay
Ahuriri
Napier

Livestreamed via Council's Facebook site

Present **Chair:** Mayor Wise

Members: Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Greig, Mawson, McGrath, Price, Tareha and Taylor

In Attendance Acting Chief Executive (Richard Munneke)
Acting Deputy Chief Executive / Executive Director Corporate Services (Caroline Thomson)
Executive Director Infrastructure Services (Debra Stewart)
Acting Executive Director City Strategy (Rachael Bailey)
Executive Director Community Services (Thunes Cloete)
Manager Communications and Marketing (Julia Atkinson)
Pou Whakarae (Mōrehu Te Tomo)
Acting Team Leader Governance (Anna Eady)

Administration Governance Advisor (Carolyn Hunt)

Karakia

The meeting opened with the Council karakia.

Apologies

COUNCIL RESOLUTION	Councillors Price / Boag
	That the apology from Councillor Simpson be accepted.
	Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Black Ferns – Mayor Wise acknowledged and congratulated the New Zealand Black Ferns on winning the 2022 Rugby World Cup final against the English Rose Rugby Team on Saturday, 12 November 2022.

Announcements by the management

Nil

Confirmation of minutes

COUNCIL RESOLUTION	Councillors Chrystal / Mawson
	That the Draft Minutes of the Ordinary Council meeting held on 1 November 2022 be confirmed as a true and accurate record of the meeting.
	Carried

AGENDA ITEMS

1. COMMITTEE AND PORTFOLIO RESPONSIBILITIES FOR THE 2022-2025 TRIENNIUM

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1612227
<i>Reporting Officer/s & Unit:</i>	Jessica Ellerm, Deputy Chief Executive / Executive Director Corporate Services

1.1 Purpose of Report

To present the committee structure and appointments to Committees, Subcommittees, Joint Committees and External Organisations decided by the Mayor for approval.

At the meeting

- Mayor Wise noted an addition to the external appointments. This is for the addition of Waipureku Waitangi Charitable Trust, who organise the annual Waitangi Day celebrations. Councillor Boag will be the appointee for this organisation.
- Tabled at the meeting was a letter from the Waipureku Waitangi Charitable Trust (*Doc Id 1614382*) requesting a Napier City Council representative be appointed to their Trust. A letter of support from Council's Pou Whakarae supported this appointment.
- Mayor Wise advised that there were a number of factors to be considered when establishing the Committee and Portfolio responsibilities including the impacts on work load of the elected members and council officers. Appointments had been made to align with elected members interest and skill sets.
- A new Senior Chair role had been created to provide support to the Mayor and Deputy Mayor in the areas of growth, infrastructure and planning, as there is a significant amount of work ahead in these areas. Councillor Price has been appointed to the Senior Chair role.
- Mayor Wise confirmed that the governance structure for this triennium would retain the previous four Standing Committees, which aligned well to Council's directorates (Napier People and Places Committee, Prosperous Napier Committee, Sustainable Napier Committee and Future Napier Committee), with decision making delegations.
- Portfolios also remained the same except for the removal of Three Waters which was primarily internally focussed and no longer required.

- The role for the Portfolio Leads for this triennium is to focus on external relationships and develop networks and connections with relevant community groups and organisations.
- It was noted that representation on Ngā Mānukanuka o te Iwi has changed, following extensive consultation with key iwi partners and which has been endorsed by Council's Kaumatua, Piri Prentice, to include representatives from each of the seven marae, and two representatives from the Post Settlement Government Entities (Mana Ahuriri Trust and Mangahururu-Tangitū Trust). The Kaumatua, Mayor, and the four Chairs of the Standing Committees would also be on the Committee.
- Terms of Reference are currently being reviewed and finalised for Council/Committees and would be brought back to Council for adoption in the New Year.

COUNCIL Dep. Mayor Brosnan / Councillor Price

RESOLUTION That Council:

- Note** the governance structure and appointments for the 2022-2025 triennium, established by Mayor Wise in accordance with Section 41A of the Local Government Act 2002.
- Approve** the appointments to Committees, Subcommittees, Joint Committees and External Organisations included in the governance structure for the 2022-2025 triennium.
- Adopt** the recommendations of Her Worship the Mayor in respect of the appointments to Committees, Subcommittees, Joint Committees and External Organisations, as outlined in the table below:

APPOINTMENTS TO COMMITTEES / ORGANISATIONS		
Appointment/ committee/ organisation	Membership	Appointments
Mayor	Full voting member of all committees	Mayor Kirsten Wise
Deputy Mayor		Cr Annette Brosnan
Council	Mayor & All Councillors	Mayor Wise (Chair) Deputy Mayor (Deputy Chair) All Councillors
Standing Committees		
Napier People and Places	Mayor & All Councillors 2 Ngā Mānukanuka o te Iwi appointees	Chair: Cr McGrath Deputy Chair: Cr Boag

Prosperous Napier	Mayor & All Councillors 2 Ngā Mānukanuka o te Iwi appointees	Chair: Cr Crown Deputy Chair: Cr Taylor
Sustainable Napier	Mayor & All Councillors 2 Ngā Mānukanuka o te Iwi appointees	Chair: Cr Price Deputy Chair: Cr Mawson
Future Napier	Mayor & All Councillors 2 Ngā Mānukanuku o te Iwi appointees	Chair: Deputy Mayor Brosnan Deputy Chair: Cr Chrystal
Specialist Committees		
Ngā Mānukanuka o te Iwi (Māori Committee)	Mayor Chair Sustainable Napier Chair Napier People & Places Chair Prosperous Napier Chair Future Napier Kaumātua Petane Marae Representative Waiohiki Marae Representative Moteo Marae Representative Timikara Marae Representative Tangoio Marae Representative Wharerangi Marae Representative Pukemokimoki Marae Representative Mana Ahuriri Trust Representative Maungahururu-Tangitū Trust Representative	Mayor Wise Cr Price Cr McGrath Cr Crown Deputy Mayor Brosnan
Audit and Risk Committee	2 independent members appointed by Council Mayor Dep Chair, Sustainable Napier Chair, Prosperous Napier Dep Chair Hearings Committee 1 Ngā Mānukanuka o te Iwi appointee (Chair appointed by Council)	Bruce Robertson (external) (Chair) Cr Crown (Deputy Chair) Mayor Wise David Pearson (external) Cr Mawson Cr Browne
Chief Executive Contract Committee	Mayor 4 Committee Chairs (Chair appointed by Mayor)	Mayor Deputy Mayor Brosnan (Chair) Cr McGrath Cr Crown Cr Price

Regulatory		
Hearings Committee (Resource Consent and District Plan)	Mayor 5 Councillors (Chair and Deputy Chair to be appointed from membership)	Deputy Mayor Brosnan (Chair) Cr Browne (Deputy Chair) Mayor Wise Cr Taylor Cr Simpson Cr Tareha
Subcommittees And Advisory Panels		
Grants Allocation Subcommittee	2 Councillors 4 Community representatives	Cr Boag (Chair) Cr Taylor
Arts Advisory Panel	2 NCC Councillors 1 External representatives from: Art Deco Trust Napier Arts Community Practitioner Creative Arts Napier Inc Museum Theatre Gallery (MTG) Māori/Iwi	Cr Chrystal (Chair) Cr Greig
Joint Committees		
Ahuriri Regional Park Joint Committee	2 NCC Councillors 1 NCC alternate 2 HBRC Councillors 1 HBRC alternate 4 Mana Ahuriri Trust reps 1 Mana Ahuriri Trust alternate <i>Napier City Council is the administering body.</i>	NCC: Deputy Mayor Brosnan & Cr Price Cr Brown (alternate)
Clifton to Tangoio Coastal Hazards Strategy Joint Committee	3 NCC Councillors 3 HDC Councillors 3 HBRC Councillors (alternates recommended) <i>Hawke's Bay Regional Council is the administering body.</i>	Cr Browne Cr Price Cr Simpson Deputy Mayor Brosnan (alternate)
HB Civil Defence Emergency Management Joint Committee	Mayor and alternate <i>Required by statute under the Civil Defence Emergency Management Act 2002.</i>	Mayor Wise Cr Simpson (alternate)
HB Crematorium Committee	2 NCC Councillors 2 HDC Councillors 1 CHB Councillor	Cr Simpson Cr Greig

	(Chair and Deputy appointed by Committee) <i>Hastings District Council is the administering body.</i>	
Hawke's Bay Museum Storage Working Group	2 NCC Councillors 2 HDC Councillors 1 External (independent Chair) 3 NCC Officers 3 HDC Officers	Cr Crown Cr Chrystal
HB Regional Transport Committee	1 Councillor 1 alternate <i>Established in accordance with Section 105 of the Land Management Transport Act 2003 as soon as practicable after a triennial election.</i> <i>Hawke's Bay Regional Council is the administering body.</i>	Cr Price Mayor Wise (alternate)
Joint Waste Futures Project Steering Committee	3 NCC Councillors 3 HDC Councillors (Chair and deputy appointed by Committee) <i>Hastings District Council is the administering body.</i>	Cr McGrath Cr Browne Cr Tareha
Omarunui Joint Refuse Landfill Committee	2 NCC Councillors 1 NCC alternate 4 HDC Councillors 1 HDC alternate <i>Hastings District Council is the administering body.</i>	Cr McGrath Cr Tareha Cr Simpson (alternate)
Te Komiti Muriwai o Te Whanga	1 Councillor <i>This is a co-governance entity established through the passing of the Ahuriri Hapū Claims Settlement Bill.</i> <i>Napier City Council is the administering body.</i>	Deputy Mayor Brosnan
Internal Panels		
Napier Civic Awards Panel	Mayor (or nominee) 2 Councillors (Annual event first Wednesday in September)	Mayor Wise Cr Boag Cr Greig

External Appointments		
Name of Organisation	Appointee(s)	Process of Appointment
Ahuriri Business Association Incorporated	Required: 1 Elected member Cr Price	Mayor's nominee considered at AGM held end of May
Art Deco Trust	Required: 1 Elected member Cr Tareha	Board
Creative Arts Napier	Required: 1 Elected member Cr Chrystal	Mayor's nominee considered at AGM held mid-October
Creative Communities Committee	Required: 2 Elected members Cr Boag Cr Chrystal	Appointed by Mayor
Hawke's Bay Holt Planetarium Charitable Trust	Required: Mayor or nominee Cr Mawson	Trustees; ex officio by Mayor
Hawke's Bay Medical Research Foundation Incorporated	Required: Mayor or nominee Cr Taylor	AGM
Historic Places Hawke's Bay Incorporated	Required: 1 Elected member Cr Chrystal	Mayor's nominee considered at AGM held end September
Howard Estate Advisory Board	Required: 1 Trustee (not required to be elected member) Michelle Monteith	Open advertisement and section process three yearly
Mayor's Taskforce for Jobs	Required: Mayor	
Napier City Business Inc	Required: 1 Elected member Cr Crown	Appointment made by Council
Napier Pilot City Trust	Required: 1 Elected member Cr Greig	Nomination may be made by "eminent persons"
Napier Disability Advisory Group	Required: 1 Elected member Cr Mawson	Appointment by the Mayor

Port Noise Liaison Committee	Required: 1 Elected Member Cr Browne Cr Price (alternate)	Appointment made by Council
Positive Ageing Trust	Required: 1 Elected member Cr Mawson	Appointment made by Council
Pukemokimoki Marae Trust	Required: 1 Elected member Cr Price	Appointment made by Council
Sports Council	Required: 1 Elected member Cr Price	Appointed by Mayor
Taradale Business Association	Required: 1 Elected member Cr Simpson	Taradale Ward Councillor nominated, confirmed at AGM
Te Matau A Māui Trust	Required: 1 Trustee Barbara Arnott	Four Trustees appointed by HBDHB in consultation with all of the territorial authorities of the HB region. Three year terms
Waipureku Waitangi Charitable Trust	Required: 1 Elected Member Cr Boag	Appointed by Mayor
Council Controlled Organisation		
Hawke's Bay Museums Trust	Required: 1 member Tania Wright (external)	Appointed by Mayor
Omarunui Joint Refuse Landfill Committee	2 NCC Councillors 1 NCC alternate 4 HDC Councillors 1 HDC alternate <i>Hastings District Council is the administering body.</i>	Cr McGrath Cr Tareha Cr Simpson (alternate) (Appointed by Mayor)
Hawke's Bay Airport Limited	No appointees required	

- d) **Instruct** officers to review the Council and committee terms of reference and present them for approval at the first Council meeting of 2023.

Carried

Councillor Taylor abstained from voting on this Motion

Attachments

- 1 Letter from Waipureku Trust tabled at the meeting (*Doc Id 1614382*)

2. 2023 COUNCIL AND COMMITTEE MEETING SCHEDULE

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1608386
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Acting Team Leader Governance

2.1 Purpose of Report

To present to Council the proposed 2023 meeting schedule and amendments to the 2022 meeting schedule for adoption as per the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987.

It is proposed that the 2022 meeting schedule be amended as follows:

- Change the Audit and Risk Committee date from 2 December 2022 to 9 December 2022 commencing at 9.30am; and
- Include a new meeting date of 9 December 2022 for the Ahuriri Regional Park Joint Committee commencing 1.00pm.

At the meeting

The Acting Team Leader, Ms Eady, took the report as read.

COUNCIL Dep. Mayor Brosnan / Councillor Browne
RESOLUTION

That Council:

- a) **Adopt** the schedule of Standing Committees and Council meetings for Napier City Council for 2023.
- b) **Adopt** the following amendments to the 2022 meeting schedule as follows:

Audit & Risk Committee	Change of date	9 December 2022 at 9.30am
Ahuriri Regional Park Joint Committee	New date	9 December 2022 at 1.00pm

Carried

3. ELECTED MEMBERS' REMUNERATION UPDATE

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1486575
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

3.1 Purpose of Report

To present to Council the Mayor's proposed allocation of the 2022/2025 post-election remuneration partial pool set by the Remuneration Authority for Napier City Councillors.

At the meeting

The Chief Financial Officer, Ms Thomson presented the report which set out the proposed allocation of the 2022/2025 post-election remuneration pool set by the Remuneration Authority of \$802,034. The Remuneration Authority makes a new determination each financial year

The proposed remuneration allocation had been developed in line with the rules advised by the Remuneration Authority and reflected the roles and responsibilities of the different members of Council.

Ms Thomson explained that post-election remuneration partial pool meant that it did not cover the entire financial year which commenced on 1 July and elected members remuneration commenced from the day they were elected.

COUNCIL Councillors Chrystal / Crown

RESOLUTION That Council:

- a) **Endorse** the allocation of the 2022/2025 post-election remuneration partial pool set by the Remuneration Authority for Napier City Councillors (noting that the Mayoral remuneration is set directly by the Remuneration Authority).

Deputy Mayor; Chair Standing Committee	\$91,034
Senior Chair; Chair Standing Committee	\$71,000
Chair Standing Committee	\$71,000
Deputy Chair Standing Committee	\$64,000
Deputy Chair Hearing Committee	\$62,000
Portfolio Holder	\$60,000

- b) **Endorse** that the base rate for Councillors has been set at \$49,073.

Carried

4. ESTABLISHMENT OF A REGISTER OF PECUNIARY INTERESTS AND APPOINTMENT OF A REGISTRAR

<i>Type of Report:</i>	Legal
<i>Legal Reference:</i>	Local Government (Pecuniary Interests Register) Amendment Act 2022
<i>Document ID:</i>	1610990
<i>Reporting Officer/s & Unit:</i>	Jessica Ellerm, Deputy Chief Executive / Executive Director Corporate Services

4.1 Purpose of Report

To inform Council about the new requirements in the Local Government Act 2002 relating to members' pecuniary interests and to seek approval for the appointment of the Deputy Chief Executive/Executive Director Corporate Services as the registrar.

At the meeting

The Chief Financial Officer, Ms Thomson advised this is a new requirement in the Local Government Act 2002 for the appointment of a Registrar. It was noted the requirements to complete the pecuniary interest register only related to elected members.

There are two broad categories of information required from elected members relating to an elected member's position as a business owner, employee, trustee and information relating to elected member's as recipients of gifts or payments.

This is a more formalised process with a Register, that will be continually updated, and the appointment of a Registrar.

COUNCIL Dep. Mayor Brosnan / Councillor Taylor

RESOLUTION That Council:

- a. **Note** the new requirements in the Local Government Act 2002 in relation to members' pecuniary interests.
- b. **Approve** the appointment of the Deputy Chief Executive/Executive Director Corporate Services as the Registrar.

Carried

5. ACTING CHIEF EXECUTIVE'S REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1610474
<i>Reporting Officer/s & Unit:</i>	Richard Munneke, Acting Chief Executive

5.1 Purpose of Report

The Acting Chief Executive's Report will be brought to every second standard Council meeting (roughly every 12 weeks), for your information.

At the meeting

The Acting Chief Executive, Mr Munneke, presented the information report taking the report as read and noting the Council team have done a really good job over the last quarter.

It was noted that in regards to submissions to Central Government these were responded to on a case by case basis. Due to Council cycles and responses required quickly these would be forwarded to the Portfolio holders.

Local Government will be impacted by major reforms in regard to the Resource Management Act and Water, and these high level issues will require participation from elected members for a meaningful submission process.

The current process of elected member consultation on submissions is highly visibility for elected members, with them being presented through the Acting Chief Executive's report. However, if submissions are technical and operational in nature it is not necessarily appropriate for elected members to have input, but is still important they have visibility, and a process will be formulated to enable this to happen.

COUNCIL	Councillors Tareha / Mawson
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RESOLUTION	That Council:
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| a. | Receive and note the Acting Chief Executive's Report for November 2022. |
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Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

Type of Report:	Information
Legal Reference:	Enter Legal Reference
Document ID:	1422924
Reporting Officer/s & Unit:	Debbie Beamish, Executive Assistant to the Chief Executive

1.1 Purpose of Report

To report the Tenders let under delegated authority for the period 15 August – 28 October 2022.

At the meeting

It was noted that the Napier War Memorial Restoration Project tender has been let and Atkins Construction were now on site and moving at pace. The community will be kept up-to-date as the project progresses.

It was pleasing to see that across the range of tenders let over the last few months there has been a number of tenders made for individual projects, indicating good interest from the construction and service industry.

Action:

The Executive Director Infrastructure Services to provide information on the number of actual buildings that relate to the Building Warrant of Fitness Contract 2247.

COUNCIL RESOLUTION

Councillors Price / Crown

That Council:

- a. **Receive** the Tenders Let for the period 15 August – 28 October 2022.

Carried

The meeting closed with a karakia at 9.30am

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

Chairperson

Date of approval