



# ORDINARY MEETING OF COUNCIL

## Open Minutes

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Meeting Date: Thursday 1 February 2024

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Time: 9.30am - 9.55am (*Open*)  
10.00am – 10.11am (*Public Excluded*)

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Venue Large Exhibition Hall  
War Memorial Centre  
Marine Parade  
Napier

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*Livestreamed via Council's Facebook page*

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Present **Chair:** Mayor Wise  
**Members:** Deputy Mayor Brosnan, Councillors Browne, Chrystal, Crown, Greig, Mawson, McGrath, Price, Simpson and Taylor

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In Attendance Chief Executive (Louise Miller)  
Executive Director City Services (Lance Titter)  
Chief Financial Officer (Caroline Thomson)  
Manager Communications and Marketing (Julia Atkinson)  
Pou Whakarae (Mōrehu Te Tomo)  
Strategic Programmes Manager (Darran Gillies)  
Manager 3 Waters Transition (Lauren Sye)  
Team Leader Governance (Anna Eady)

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Administration Governance Advisor (Carolyn Hunt)

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## ORDINARY MEETING OF COUNCIL – Open Minutes

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## ORDER OF BUSINESS

### Karakia

The meeting opened with the Council karakia.

### Apologies

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#### COUNCIL RESOLUTION

Councillors Mawson / Price

That the apology for absence from Councillor Boag and apology for lateness from Councillor Tareha be accepted.

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Carried

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### Conflicts of interest

Nil

### Public forum

Nil

### Announcements by the Mayor

**Earthquake Commemoration** – A service will be held at midday on **Saturday, 3 February 2024** at the Waiapu (St John's) Cathedral, Browning Street, Napier to commemorate the 93rd anniversary of the 1931 Hawke's Bay earthquake.

**Waipureku Waitangi Commemoration 2024** – **Tuesday, 6 February 2023** a Hikoi (Walk of Unity) commencing at 7.45am from Ātea a Rangi, Waitangi Regional Park, Awatoto along the riverside to Farndon Park, followed by speeches ending at 10.30am.

**Waitangi Day Family Celebrations** - Napier City Council, Hastings District Council, Central Hawke's Bay District Council, Hawke's Bay Regional Council and Ngāti Kahungunu Iwi Incorporated are holding a free family-friendly event on **Tuesday, 6 February 2024** from 9.00am to 3.30pm at the Mitre 10 Sports Park, Percival Road, Hastings for Waitangi Day celebrations.

**Cyclone Gabrielle Anniversary** - To mark the one-year anniversary of Cyclone Gabrielle, a community service will be held at the Napier Soundshell, Marine Parade at 11.45am on **Wednesday, 14 February 2024** with a minute's silence at 12.00pm.

The service is for everyone impacted by the Cyclone, whether in a catastrophic or a small way and will be an opportunity for the community to reflect on what happened and what was lost. Everyone will be invited to drop a stone into a vessel of water as a symbol of remembrance. This small gesture is a way of cleansing and signifying a fresh start.

### Announcements by the management

Nil

## Confirmation of minutes

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**COUNCIL  
RESOLUTION**

Councillor Greig / Brosnan

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That the Draft Minutes of the Ordinary meeting held on 14 December 2023 be confirmed, with the following amendment, as a true and accurate record of the meeting:

**ACTION:** War Memorial Centre - Direct officers to prepare and present a report to Council detailing the minor defects outstanding **as at the end of the Council meeting held on 14 December 2023** ~~at the end of the 2023~~, including an estimated completion date prior to handing over to the Council team.

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Carried

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# AGENDA ITEMS

## 1. UPDATE ON WATER SERVICES REFORMS POST-ELECTION

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*Type of Report:* Information

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*Legal Reference:* N/A

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*Document ID:* 1719255

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*Reporting Officer/s & Unit:* Lauren Sye, Manager 3 Waters Transition

### 1.1. Purpose of Report

This report updates Council on the post-election landscape for the water services reforms and outlines likely next steps from the new government.

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#### At the meeting

The Chief Executive, Ms Miller advised that further work had been undertaken on the Hawke's Bay Water Model and a small project team would be set up to explore how the Model could be progressed.

The Manager 3Waters Transition, Ms Sye provided a brief summary to the report advising that news had been received that the National Transition Unit will be dissolved by the end of May 2024. The repeal process, which involves legislation to Parliament is expected to be completed by the end of March 2024.

Ms Sye advised that the Government's approach to water reform is outlined in the Local Water Done Well Policy (Doc Id 1724447), and is part of the Government's 100-day plan. The Local Water Done Well Policy does not require Councils to move their water activities to new water services entities.

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Council has received transition support funding of approximately \$659,500 out of a promised \$988,500 from the Department of Internal Affairs. There has been no indication whether this funding can be retained or will be recalled.

The five Hawke's Bay Councils have taken the opportunity to revisit the regional model scoped in 2019/2020 for a Council Controlled Organisation, which remains the preferred option for Hawke's Bay communities.

Ms Sye also advised that the Council website was currently being upgraded and although the National Party "Local Water Done Well" document was already publicly available, would ensure a link to the document was included on the Council website.

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**COUNCIL** Councillors Mawson / Price

**RESOLUTION** That Council:

- a. **Receive** and note the contents of this report intended to provide a high-level summary of signalled changes to the water reforms programme.

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Carried

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## 2. TE AKA PRELIMINARY DESIGN APPROVAL

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*Type of Report:* Operational

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*Legal Reference:* N/A

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*Document ID:* 1710264

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*Reporting Officer/s & Unit:* Darran Gillies, Strategic Programmes Manager  
Hilary Prentice, Māori Partnership Manager - Te Kaiwhakahaere Hononga Māori  
Alix Burke, Strategic Programme Coordinator

### 2.1 Purpose of Report

This report seeks endorsement of the Te Aka Preliminary Design, the second of four formal stages of architecture for the design of buildings of this nature.

Further, it seeks approval to proceed to the next stage of the architectural design process, Developed Design. This will lead to detailed design as we move towards the resource and building consent process and ultimately the construction of Te Aka.

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#### At the meeting

The Strategic Programmes Manager, Mr Gillies spoke to the report seeking endorsement of the preliminary designs for Te Aka (Council Chambers and Library on the corner of Station and Hastings Streets).

Mr Gillies advised that the established wananga process, to bring the right experts and stakeholders together to have input into the design would continue through the detailed design phase.

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**COUNCIL** Deputy Mayor Brosnan / Councillor Chrystal

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**RESOLUTION**

That Council:

- a) **Endorse** The Preliminary Design for Te Aka.
- b) **Approve** to proceed into the next stages of the Architectural Design process.

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Carried

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### 3. AMENDMENT TO THE 2024 SCHEDULE OF STANDING COMMITTEES AND COUNCIL MEETINGS

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*Type of Report:* Procedural

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*Legal Reference:* Local Government Act 2002

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*Document ID:* 1724678

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*Reporting Officer/s & Unit:* Anna Eady, Team Leader Governance

#### 3.1 Purpose of Report

The purpose of this report is to consider an amendment to the schedule of Standing Committees and Council meetings for 2024, which was adopted on 12 October 2023.

It is proposed that the meeting schedule be amended as outlined in the recommendations of this report.

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#### At the meeting

The Team Leader Governance, Mrs Eady advised this was a procedural matter requiring a change of date for the Long Term Plan hearing of submissions.

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**COUNCIL** Councillors Taylor / McGrath

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**RESOLUTION**

That Council:

- a) **Adopt** the following amendment to the 2024 Napier City Council meeting schedule:

Council (LTP Hearings)	Date change	Previously 13 and 14 May 2024 Proposed 27 and 28 May 2024
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Carried

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## INFORMATION - MINUTES OF JOINT COMMITTEES

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1727256
<i>Reporting Officer/s &amp; Unit:</i>	Anna Eady, Team Leader Governance

### 1.1 Purpose of Report

The purpose of this report is to receive unconfirmed minutes from various Joint Committee meetings for the period 26 August 2023 to 3 November 2023.

To view the full agendas relating to these minutes please refer to the Hawke's Bay District Council website at <https://www.hbrc.govt.nz/our-council/meetings> or the Hastings District Council website at <https://hastings.infocouncil.biz>

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### At the meeting

The Team Leader Governance, Mrs Eady took the report as read.

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**COUNCIL** Councillors Simpson / Mawson

### RESOLUTION

That Council:

- a. **Receive** for information the unconfirmed minutes of the following Joint Committees:
  - 26 August 2023 - Civil Defence Emergency Management Group Joint Committee (Doc Id 1718032)
  - 3 November 2023 - Omarunui Refuse Landfill Joint Committee (Doc Id 1726282)

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Carried

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## REPORTS FROM AUDIT AND RISK COMMITTEE HELD 13 DECEMBER 2023

### 1. HEALTH AND SAFETY REPORT - SEPTEMBER TO NOVEMBER 2023

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1722163
<i>Reporting Officer/s &amp; Unit:</i>	Adam McDonald, Health, Safety and Wellbeing Lead

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#### 1.1 Purpose of Report

The purpose of this report is to provide the Audit & Risk Committee (ARC) an overview of Health Safety & Wellbeing (HSW) activity, inform on the progress of initiatives underway to improve health, safety, and wellbeing, as well as key performance indicators covering the period September 2023 through to November 2023 (as of 25 November 2023). The report enables the ARC to provide assurance to Council for the capability and functioning of Council's health, safety and wellbeing hazard and risk management system and associated programmes.

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#### At the meeting

There was no discussion on this item.

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**COUNCIL** Mayor Wise / Councillor Crown

#### RESOLUTION

That Council **noted** the recommendation from the Audit and Risk Committee to:

- a. **Receive** the September – November 2023 Health and Safety report.

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Carried

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### 2. ASSET MANAGEMENT ROADMAP PROGRESS

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1718956
<i>Reporting Officer/s &amp; Unit:</i>	Kate Ivicheva, Manager Asset Strategy

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#### 2.1 Purpose of Report

This report presents the Asset Management Roadmap designed as an improvement plan to elevate asset management maturity within our organisation. By detailing specific phases (0-5) for the next two and a half years, the roadmap aims to enhance our asset



management practices, ensuring alignment with the recently adopted Asset Management Policy and contributing to the broader organisational goals.

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**At the meeting**

There was no discussion on this item.

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**COUNCIL** Mayor Wise / Councillor Crown

**RESOLUTION**

That Council **noted** the recommendation from the Audit and Risk Committee to:

- a. **Endorse** the progress of the Asset Management Roadmap (Doc Id 1722443).

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Carried

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### 3. SENSITIVE EXPENDITURE - MAYOR AND CHIEF EXECUTIVE

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*Type of Report:* Procedural

*Legal Reference:* N/A

*Document ID:* 1716420

*Reporting Officer/s & Unit:* Raewyn Fowler, Internal Audit Lead  
Talia Foster, Financial Controller

#### 3.1 Purpose of Report

To provide the information required for the Committee to review Sensitive Expenditure of the Mayor and Chief Executive for compliance with Council's Sensitive Expenditure Policy.

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**At the meeting**

There was no discussion on this item.

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**COMMITTEE** Mayor Wise / Councillor Crown

**RESOLUTION**

That Council **noted** the recommendation from the Audit and Risk Committee to:

- a. **Receive** the 30 September 2023 quarterly report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.

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Carried

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## 4. INTERNAL AUDIT RECOMMENDATIONS PROGRESS REPORT

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1717363
<i>Reporting Officer/s &amp; Unit:</i>	Raewyn Fowler, Internal Audit Lead

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### 4.1 Purpose of Report

The purpose of this report is to provide the Committee with a summary of the internal audit recommendations progress to date.

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#### At the meeting

There was no discussion on this item.

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**COUNCIL** Mayor Wise / Councillor Crown

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#### RESOLUTION

That Council **noted** the recommendation from the Audit and Risk Committee to:

a) **Receive** the Internal Audit Recommendations Progress Report.

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Carried

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## 5. ANNUAL TAX UPDATE YEAR TO 30 JUNE 2023

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<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1708817
<i>Reporting Officer/s &amp; Unit:</i>	Talia Foster, Financial Controller Heather Sharp, Accounting Manager

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### 5.1 Purpose of Report

To provide the Audit and Risk Committee with the annual tax update on progress made during the period up to 30 June 2023.

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#### At the meeting

There was no discussion on this item.

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**COUNCIL** Mayor Wise / Councillor Crown

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#### RESOLUTION

That Council **noted** the recommendation from the Audit and Risk Committee to:

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- a. **Receive** the report from PwC titled 'Napier City Council Annual Tax Update year to 30 June 2023' (Doc Id 1722437).

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Carried

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## 6. PAYE / WHT COMPLIANCE EVALUATION

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*Type of Report:* Operational

*Legal Reference:* N/A

*Document ID:* 1709564

*Reporting Officer/s & Unit:* Talia Foster, Financial Controller

### 6.1 Purpose of Report

To provide the Audit and Risk Committee with the PAYE / WHT Compliance Evaluation Report completed by PwC.

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#### At the meeting

There was no discussion on this item.

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**COUNCIL** Mayor Wise / Councillor Crown

#### RESOLUTION

That Council **noted** the recommendation from the Audit and Risk Committee to:

- a) **Receive** the PAYE / WHT Compliance Evaluation Report (Doc Id 1719506) and direct officers to report back on progress of the actions outlined in the report in the Internal Audit Recommendations Update regularly.

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Carried

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# REPORTS UNDER DELEGATED AUTHORITY

## 1. TENDERS LET

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<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1730159
<i>Reporting Officer/s &amp; 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 13 November 2023 – 19 January 2024

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#### At the meeting

There was no discussion on this item.

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#### COUNCIL RESOLUTION

Councillors Taylor / Greig

That Council:

- a) **Receive** the Tenders let for the period 13 November 2023 – 19 January 2024 as below:
  - **Contract 2612 Gleeson Park Playground – Civil Works** be awarded to Topline Contracting Ltd in the sum of \$130,497.67.
  - **Contract 2635 West Quay Road Reconstruction** be awarded to Downer New Zealand Limited in the sum of \$390,068.94.
  - **Contract 2656 Awatoto Silt Remediation** be awarded to Tūpore Infrastructure in the sum of \$1,470,293.71.

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Carried

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#### Minor matters

There were no Minor Matters.

# RESOLUTION TO EXCLUDE THE PUBLIC

Councillors Mawson / Chrystal

**COUNCIL RESOLUTION**

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

Carried

## Agenda Items

1. Napier City Flag (Heraldic) Permission Request
2. Information - Public Excluded Minutes of the Omarunui Refuse Landfill Joint Committee - 3 November 2023

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. Napier City Flag (Heraldic) Permission Request	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
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		section 6 or 7 (except 7(2)(f)(i)) of the Local Government Official Information and Meetings Act 1987.
2. Information - Public Excluded Minutes of the Omarunui Refuse Landfill Joint Committee - 3 November 2023	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.

*The meeting adjourned at 9.55am and reconvened in Public Excluded at 10.00am*

*The meeting closed with a karakia at 10.11am*

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

Chairperson .....

Date of approval .....