



NAPIER
CITY COUNCIL

Te Kaunihera o Ahuriri

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ORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date: Thursday 18 April 2024

Time: 9.30am

Venue: Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook page

Council Members **Chair:** Mayor Wise

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

Officer Responsible Chief Executive

Administrator Governance Team

Next Council Meeting
Thursday 23 May 2024

2022-2025 TERM OF REFERENCE - COUNCIL

<i>Chairperson</i>	<i>Her Worship Mayor Kirsten Wise</i>
<i>Deputy Chairperson</i>	<i>Deputy Mayor Annette Brosnan</i>
<i>Membership</i>	<i>All elected members</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>At least 6 weekly and as required</i>
<i>Executive</i>	<i>Chief Executive</i>

Purpose

The Council is responsible for:

1. Providing leadership to and advocacy on behalf of the people of Napier.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

Terms of Reference

The Council is responsible for the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body¹:

1. The power to make a rate
2. The power to make a bylaw
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
4. The power to adopt a long-term plan, annual plan, or annual report
5. The power to appoint a chief executive
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement, including the 30-Year Infrastructure Strategy
7. The power to adopt a remuneration and employment policy.
8. The power to establish a joint committee with another local authority or other public body².
9. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
10. The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
11. The power to make a final decision whether to adopt, amend, revoke, or replace a local Easter Sunday shop trading policy, or to continue a local Easter Sunday shop trading policy without amendment following a review.³

1 Schedule 7, clause 32. Local Government Act 2002.

2 Schedule 7, clause 30A

3 Shop Trading Hours Act 1990, section 5D.

Delegated Power to Act

The Council retains all decision making authority, and will consider recommendations of its committees prior to resolving a position.

Specific matters that will be considered directly by Council include without limitation unless by statute:

1. Direction and guidance in relation to all stages of the preparation of Long Term Plans and Annual Plans
2. Approval or amendment of the Council's Standing Orders⁴.
3. Approval or amendment the Code of Conduct for Elected Members⁵.
4. Appointment and discharging of committees, subcommittees, and any other subordinate decision-making bodies⁶.
5. Approval of any changes to the nature and delegations of any Committees.
6. Appointment and discharging of members of committees (as required and in line with legislation in relation to the role and powers of the Mayor) ⁷.
7. Approval of governance level strategies, plans and policies which advance council's vision and strategic goals.
8. Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer.
9. Reviewing of representation arrangements, at least six yearly⁸.
10. Approval of any changes to city boundaries under the Resource Management Act.
11. Appointment or removal of trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (COs) and to other external bodies.
12. Approval the Local Governance Statement as required under the Local Government Act 2002.
13. Approval of the Triennial Agreement as required under the Local Government Act 2002.
14. Allocation of the remuneration pool set by the Remuneration Authority for the remuneration of elected members.
15. To consider and decide tenders for the supply of goods and services, where tenders exceed the Chief Executive's delegated authority, or where projects are formally identified by Council to be of particular interest. In addition, in the case of the latter, milestone reporting to Council will commence prior to the procurement process.

4 Schedule 7, clause 27,

5 Schedule 7, clause 15,

6 Schedule 7, clause 30,

7 Schedule 7, clause 30,

8 Local Electoral Act 2001, section 19H.

ORDER OF BUSINESS

Karakia

Apologies

Nil

Conflicts of interest

Public forum

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

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

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

Announcements by the management

Confirmation of minutes

That the Draft Minutes of the Ordinary Meeting of Council held on Thursday, 14 March 2024 be confirmed as a true and accurate record of the meeting.63

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AGENDA ITEMS

1. ANIMAL CONTROL FEES AND CHARGES 2024/2025

<i>Type of Report:</i>	Enter Significance of Report
<i>Legal Reference:</i>	Enter Legal Reference
<i>Document ID:</i>	1750801
<i>Reporting Officer/s & Unit:</i>	Luke Johnson, Manager Regulatory Solutions Alister Edie, Business Improvement Manager

1.1 Purpose of Report

To consider the amended Animal Control fees and charges for the year commencing 1 July 2024, as a separate process to the current Three Year Plan public consultation for fees and charges.

Officer’s Recommendation

That Council:

- a. **Approve** the minor amendments to Animal Control Fees and Charges for 2024/25 as set out in the table (Doc Id 1751398) of the agenda report
- b. **Note** the changes, if approved, are effective from 1 July 2024

1.2 Background Summary

Officers have reviewed Council’s schedule of fees and charges applicable to Animal Control and have recommended a series of changes. These changes are to maintain the cost recovery of Animal Control services provided by Council, in compliance with our Revenue and Financing Policy.

The amended schedule of Animal Control Fees and Charges for 2024-25 is included as an attachment to this report for adoption.

The Dog Control Act 1996 requires dog registration fees to be publicly advertised the month preceding the start of the dog registration year. This report is seeking approval for the dog registration fees to be applied from the start of the 2024/25 registration year.

1.3 Issues

The proposed changes to Council’s Animal Control fees and charges support the maintenance of cost recovery and the proposed 2024-25 Three Year Plan revenue amounts. The cost of providing services has increased and the proposed changes maximise user funding as opposed to subsidisation from ratepayers, in line with the proposed Revenue and Financing Policy amendment.

The default inflation increase applied to all 2024-25 fees and charges is the Consumer Price Index (CPI) at 5.6%. A 7.5% base price increase has been generally proposed across the Animal Control Fees and Charges to reflect the costs of delivering the service increasing above inflation. This increase will address the added costs associated with food,

afterhours assistance, maintaining and upgrading the dog shelter (with the inclusion of a puppy facility) along with provision for heating/cooling and aligning with Hastings District Council for more consistency within the region.

1.4 Significance and Engagement

This report has been assessed under the Council's Significance and Engagement Policy and does not trigger the threshold of that Policy.

In line with the Councils Three Year Plan process, the public is currently being consulted on the proposed changes to all 2024-25 fees and charges. Animal Control fees and charges have been separated because the public needs to be notified earlier, being the month preceding the start of the dog registration year.

Note, the fees and charges presented here do not align with those noted in the fees and charges schedule included as a supporting document for the Three Year Plan consultation.

1.5 Implications

Financial

The proposed changes to Animal Control fees and charges are intended to maintain cost recovery of delivering the service, and make up the proposed 2024-25 Three Year Plan revenue when combined with volumes. Fees and charges cost recovery is budgeted at 50% for 2024-25, in line with proposed amendments to the Revenue and Financing Policy.

Social & Policy

Fees and charges are used to fund both operating and capital expenditure as set out in the Revenue and Financing Policy.

As part of the 2024-25 Three Year Plan process, we are specifically consulting on proposed amendments to the Revenue and Financing Policy. For Animal Control, we are proposing to reduce Fees & Charges funding from 65%-70% to 50%-60%, with the balance being an increase to general rates. This change has been driven by additional cost pressures (as described above) along with the need to ensure the delivery of the service is completed to a high standard. Service delivery within a regulatory context is complex and, in many situations, requires additional legal support to make certain that processes have been undertaken appropriately and in a manner that is sufficiently robust if legally challenged.

Risk

There is a risk that the revenue received from fees and charges does not meet the private good funding guidelines set out in the Revenue and Financing Policy for each activity. Council's revenue is closely monitored throughout the year and any variances to budget are reported to Council on a quarterly basis.

1.6 Options

The options available to Council are as follows:

- a. Approve the Animal Control fees and charges for 2024/25
- b. Not approve the Animal Control fees and charges for 2024/25
- c. Council can make changes to the Animal Control fees and charges for 2024/25

1.7 Attachments

- 1 Animal Control Fees and Charges 2024/2025 (Doc Id 1751398) [↓](#)

2. DRAFT ELECTED MEMBERS' ALLOWANCES AND EXPENSES POLICY

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1746435
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

2.1 Purpose of Report

To present a draft Elected Members' Allowances and Expenses Policy for consideration.

Officer's Recommendation

That Council:

- a. **Receives** the report titled 'Draft Elected Members' Allowances and Expenses Policy'.
- b. **Adopts** the draft Elected Members' Allowances and Expenses Policy (Doc Id 1748302).
- c. **Notes** the Policy will be published on the Napier City Council website in line with the requirements of the Remuneration Authority.
- d. **Notes** the withdrawal of the Elected Members' Childcare Allowance Policy 2019 (Doc Id 883855).

2.2 Background Summary

The Remuneration Authority (the Authority) is the national body responsible under the Local Government Act 2002 for assessing and setting the remuneration for elected members across the country. Each annual remuneration determination becomes legislated in its own right once finalised.

Local government members are entitled to a range of allowances on top of their annual remuneration that reimburse them for expenditure required in undertaking their duties. All allowances are paid at the discretion of the council, within the limits set by the Authority.

The Authority requires that a council's approved allowances for elected members be included in a council policy and published on its website.

From time-to-time members incur expenses on the council's behalf which need to be reimbursed. This reimbursement and the use of council supplied resources apply only to members personally, and only while they are acting in their official capacity as elected members.

Costs for expenses must have a justifiable business purpose, be moderate and conservative, and be appropriate in all respects.

Councils do not need the Authority's agreement for changes to their members' allowances and expenses policy so long as their policy remains within the limits of the current remuneration and allowances determination.

As elected member allowances and expense reimbursement are rates funded, councils must weigh up affordability as an important consideration when assessing options in relation to any allowance or expense setting.

2.3 Issues

The current remuneration determination will expire 30 June 2024 and a new determination will take its place. At that time the Team Leader Governance will review the new determination for any significant changes and update the Policy to reflect amendments to allowance rates set by the Authority.

An Elected Members' Childcare Allowance Policy was created in 2019. The draft Elected Members' Allowances and Expenses Policy incorporates the details of childcare allowance elected members are entitled too and as such the Elected Members' Childcare Allowance Policy will be withdrawn.

2.4 Significance and Engagement

This matter was raised through the Authority and does not trigger Council's Significance and Engagement Policy or other specific consultation requirements.

2.5 Implications

Financial

As noted above and is currently the practice, any allowance or expense payment will be rates funded.

Social & Policy

The Authority created the opportunity for councils to adopt specific allowances and expense reimbursement for elected members believing it may contribute to a wider variety of people choosing to stand for councils across the country.

When considering their position on allowances and expense reimbursement a number of factors should be thought about by councils, including:

- Balancing the demands of the roles held by elected members with the remuneration already provided for by the Authority and allocated by council,
- Overall affordability to council of any allowance or expense reimbursement, and
- The potential contribution allowances and expense reimbursement may make to encouraging diversity in local government election candidates.

Risk

There is a risk of the community seeing parts, or all, of this draft Policy as discriminatory, as it applies to only a small segment of people within council. This risk is countered by the intention that it will make the role of an elected member more affordable for people interested in performing it.

There is a risk the full cost of allowances and expense claims may not be budgeted for. However, where budgeting is possible this risk has been mitigated.

2.6 Options

The options available to Council are as follows:

- a. Adopt the draft Elected Members' Allowances and Expenses Policy, noting it will be published on the Napier City Council website and the Elected Member Childcare Allowance Policy will be withdrawn, or

- b. Suggest amendments to the draft Elected Members' Allowances and Expenses Policy.

2.7 Development of Preferred Option

Once the draft Policy is adopted it will be formatted in line with other public facing policies and published on the Napier City Council website.

The Remuneration Authority will also be notified of the Policy once it is published.

2.8 Attachments

- 1 DRAFT Elected Members' Allowances and Expenses Policy (Doc Id 1748302) [↓](#)
- 2 Elected Members' Childcare Allowance Policy 2019 (Doc Id 883855) [↓](#)

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

Type of Report:	Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1750073
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 recommendation of this report.

Officer’s Recommendation

That Council:

- a. **Adopt** the following amendment to the schedule of Standing Committees and Council meetings for 2024:
 - Ahuriri Regional Park New date 1 May 2024 – 9.30am
Joint Committee

3.2 Background Summary

The Local Government Act 2002, Schedule 7, Clause 19 states:

- ...
- (4) *A local authority must hold meetings at the times and places that it appoints.*
 - (5) ...
 - (6) *If a local authority adopts a schedule of meetings -*
 - a) *the schedule-*
 - i) *may cover any future period that the local authority considers appropriate,*
and
 - ii) *may be amended; and*
 - b) *notification of the schedule or of any amendment to that schedule constitutes a notification of every meeting to the schedule or amendment.*

Council must hold the ordinary meetings as scheduled but may amend the meetings schedule to enable business to be managed in an effective way.

Although staff attempt to meet Council’s needs in planning the schedule, it is inevitable that Council will need to amend the schedule from time to time. If approved, the proposed amendment will be notified to elected members via the Councillor diary.

While the schedule serves to give elected members notice of the upcoming meetings, there is still a requirement under the Local Government Official Information and Meetings

Act 1987 for the public to be advised on a regular basis of the meetings scheduled for the next month.

The schedule includes the meetings of all committees not only so that members can plan ahead, but also to ensure that meeting days are in fact available. If a scheduled meeting is not required, officers will advise members of the cancellation as early as possible.

3.3 Issues

No issues have been identified with this report.

3.4 Significance and Engagement

The amendment to the meeting schedule does not trigger the Significance and Engagement Policy or any other consultative requirements.

3.5 Implications

Financial

There will be additional costs for venue hire.

Social & Policy

There are no social or policy implications in relation to this report.

Risk

Changes to the meeting schedule can result in difficulty finding a suitable venue and increased costs.

3.6 Options

The options available to Council are as follows:

- a. To amend the 2024 meeting schedule as proposed.
- b. Not to amend the 2024 meeting schedule as proposed.

3.7 Development of Preferred Option

It is recommended that the amendment to the 2024 meeting schedule be adopted as proposed.

3.8 Attachments

Nil

4. ACTION POINTS REGISTER AS AT 8 APRIL 2024

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1748252
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

4.1 Purpose of Report

The Action Points Register (Register) records the actions requested of Council officials in Council and Committee meetings. This report provides an extract from the Register as at 8 April 2024, for Council to note. It does not include action points that were requested in public excluded Council or Committee meetings.

Officer's Recommendation

That Council:

- a. **Note** the extract from the Action Points Register as at 8 April 2024 (Doc Id 1748261).

4.2 Background Summary

Officers have prepared the Action Points Register (Register) to keep track of action points raised at Council and Committee meetings in this triennium.

4.3 Issues

The Register includes action points from all Council and Committee meetings, including public excluded sessions of those meetings. The attached extract from the Register includes all action points of this triennium, other than those that were requested in a public excluded Council or Committee meeting. Action points from public excluded meetings are provided to Council for noting in the public excluded session.

The Register does not include actions that flow from Council and Committee meetings if those actions are part of Council's 'business as usual'. For example, if Council agrees to increase an application fee, it does not include the action that Council staff would need to implement that increase. However, if staff, for example, agree to arrange a further meeting or make additional information publicly available after a meeting, those actions would be included in the Register.

Once an action point has been completed, it will only be included in the Register for Council's consideration once. Once Council has noted that an action point has been completed, it will be removed from the Register. Action points that have not been completed will continue to be provided to Council until they have been completed.

4.4 Significance and Engagement

N/A

4.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

4.6 Options

N/A

4.7 Development of Preferred Option

N/A

4.8 Attachments

- 1 Open Action Point Register (Doc 1748261) [↓](#)

5. INFORMATION - MINUTES OF JOINT COMMITTEES

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1750590
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

1.1 Purpose of Report

The purpose of this report is to receive the unconfirmed minutes of the various Joint Committee meetings during March 2024.

To view the full agenda relating to these minutes please refer to the Hawke’s Bay District Council website at <https://www.hbrc.govt.nz/our-council/meetings>.

Officer’s Recommendation

That Council:

- a) **Receive** for information the unconfirmed minutes of the following Joint Committee meetings held:
 - 15 March 2024 - Hawke’s Regional Transport Committee (Doc Id 1750591)
 - 25 March 2024 - Civil Defence Emergency Management Group Joint Committee (Doc Id 1751401)

2.2 Background Summary

The following Committees met as follows:

- 15 March 2024 - Hawke’s Bay Regional Transport Committee
- 25 March 2024 - Civil Defence Emergency Management Group Joint Committee

3.3 Issues

N/A

4.4 Significance and Engagement

N/A

5.5 Implications

Financial

N/A

Social & Policy

N/A

Risk

N/A

6.6 Options

The options available to Council are as follows:

- To receive the unconfirmed minutes of the Joint Committees.
- Not to receive the unconfirmed minutes of the Joint Committees but instead request amendments from the relevant administering council.

7.7 Development of Preferred Option

N/A

5.8 Attachments

- 1 Hawke's Bay Regional Transport Committee minutes - 15 March 2024 (Doc Id 1750591) [↓](#)
- 2 Civil Defence Emergency Management Group Joint Committee - 25 March 2024 (Doc Id 1751401) [↓](#)

6. PROPOSED LEGISLATION - REINSTATEMENT OF THE PRE-2021 BINDING POLL PROVISIONS FOR MĀORI WARDS

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Electoral Act 2001
<i>Document ID:</i>	1750742
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

6.1 Purpose of Report

To inform the Council of the proposed legislation to reinstate the pre-2021 binding poll provision for the establishment of Māori wards, and what the options are for Napier City Council (NCC) once the legislation is enacted at the end of July 2024.

Officer's Recommendation

That Council:

- a. **Receive** the report for information: Proposed legislation – Reinstatement of the pre-2021 binding poll provisions for Māori Wards.

6.2 Background Summary

Reinstatement of the pre-2021 binding poll provisions

In 2021, the government of the day amended the Local Electoral Act 2001 to remove all mechanisms for binding polls to be held on whether Māori wards would be established by a local authority. In light of this change in legislation, and in consultation with the community, NCC resolved to establish Māori wards for the 2025 local elections.

It has just been announced by the current government that they will introduce a Bill in the next few months to restore binding polls on the establishment of Māori wards. It is expected the changes will be enacted by the end of July 2024. NCC will have an opportunity to make a submission to the select committee on this Bill.

This change means councils will be able to initiate binding polls on Māori wards and electors will be able to petition their council to hold a binding poll. Petitions will need to meet the 5% of residents in support threshold to be successful.

Napier City Council's options

The Bill will provide some transitional arrangements and options for councils like NCC which resolved to establish Māori wards in 2025 without a binding poll being conducted.

- Option A – resolve to rescind the decision to create the Māori wards by council resolution (to take effect at the 2025 election). The Department of Internal Affairs (DIA) has anticipated these decisions will be able to be made in August and early September this year.
- Option B – hold a binding poll on the question of Māori wards at the 2025 local election (to take effect at the 2028 local election).

Local elections timeframes

The Bill will also make changes to some of the statutory timeframes for the 2025 local elections in response to advice from New Zealand Post. The voting period will extend from 22.5 days to 32.5 days and the postal delivery period for voting papers will increase to 14 days.

6.3 Issues

Option A

If NCC resolved to rescind its decision on Māori wards there are two options in terms of a representation review process. We can either complete a shortened representation review by the beginning of April 2025, which the Bill will provide for, or there is an alternative option if officers can show this option is too challenging. NCC can continue with the representation arrangements currently in place for the purpose of the 2025 local elections, despite not having conducted a representation review for two terms. Both options would require a full representation review prior to the 2028 local elections.

The DIA will provide further advice about the shortened representation review process once details are known.

The Local Government Commission advises a decision to rescind the decision to establish Māori wards is likely to bind NCC to that position for two triennial elections, however that will not be totally clear until the legislation is enacted.

Option B

If NCC decides not to rescind its decision on Māori wards officers would continue with the representation review that is currently underway and it would establish Māori wards for the 2025 election. It would also have to hold a binding poll at the 2025 election on Māori wards.

If the result of the binding poll was to retain Māori wards, nothing else would be required from the Council.

If the result of the binding poll was to disestablish Māori wards, then officers would need to conduct another full representation review prior to the 2028 local elections.

It is important to note that as the proposed Bill is currently being drafted and will then have to go through a Select Committee process, there may be changes in the enacted legislation from what has been announced on 4 April 2024. Councils cannot make any decisions in regards to this proposed legislation or take any actions under the transitional arrangements until the legislation is passed.

6.4 Significance and Engagement

NCC previously undertook a comprehensive exercise to consult with the community on Māori wards in 2021. It received 1,314 submissions, with 20% of those submitters identifying as being on the Māori electoral roll. 45% of the total submissions were in favour of establishment of Māori wards. Of those on the Māori electoral roll 95.1% were in favour. 54.4% of total submissions were against the establishment of Māori wards. 0.6% answered 'Don't know'. In the context of consultation, this is considered a relatively even split.

The Māori Wards Hearing Council meeting was spread across three days. 32 individuals and groups attended the Hearings to speak to their submissions and they all spoke in favour of establishing Māori wards.

6.5 Implications

Financial

The current representation review has an estimated total cost of \$85,000 including GST. The cost for Officer time on the project is in addition. If NCC is required to conduct another representation review in the 2025-2028 triennium it will be a similar cost again, although it is possible we will not need to carry out as much pre-engagement education with the community having just been through the process relatively recently.

The cost of a binding poll at the 2025 local election is unknown at the publication of this report, but an estimate is being calculated by our external Electoral Officer currently and will be shared with elected members once known.

Social & Policy

Nil

Risk

The enactment of this Bill will coincide with NCC's formal consultation on its representation review initial proposal. This may create a lot of confusion in the community about whether NCC is able to establish Māori wards. Officers will endeavour to clarify the situation in community messaging.

As the Bill is still being drafted there is a possibility that the final legislation may be changed through the Select Committee process from what was announced. As such, the full implications for NCC cannot be known until the legislation is enacted.

If NCC did decide to rescind the decision to establish Māori wards for the 2025 election, it is likely it would significantly undermine NCC's credibility with mana whenua and tangata whenua stakeholders, who participated actively in the decision-making process for establishing Māori wards.

6.6 Options

The options available to Council are as follows:

- a. Receive the report for information: Proposed legislation – Reinstatement of the pre-2021 binding poll provisions for Māori Wards.

6.7 Development of Preferred Option

Officers will keep Elected Members up-to-date with the progress of the proposed legislation.

6.8 Attachments

- 1 DIA - local election Bill timeline - April 2024 (Doc Id 1751173) [↓](#)

REPORTS / RECOMMENDATIONS FROM COMMITTEES

REPORTS FROM AUDIT AND RISK COMMITTEE HELD 4 APRIL 2024

1. OMBUDSMAN REPORT - COUNCIL MEETING AND WORKSHOP SETTING AMENDMENTS

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1745863
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

1.1 Purpose of Report

In October 2023 the Ombudsman released a report “Open for Business”, which followed an investigation into local council meetings and workshops. This report will set out our proposed improvement programme and the Council direction to meet the Ombudsman’s key recommendations.

At the meeting

The Team Leader Governance, Ms Eady spoke to the report and highlighted to the Committee whether it considered that Napier City Council (NCC) should have an indemnity and liability Policy in regard to making public recordings of workshops on the NCC website.

In response to questions the following was clarified:

- The Ombudsman’s request that a plain English explanation in reasonable detail to exclude the public will require some adjustment to Council’s agenda creation system (Infocouncil). Currently officers can select an Act and reason for exclusion and it is intended that plain English reasons also be included.
- Officers will need to provide Governance good reason to withhold information and weigh it against public interest.
- Ombudsman virtual training for staff and elected members will be held on 9 April 2024 which will assist officers and elected members in the understanding of valid reasons for withholding information.
- A dedicated page on the Council website is to be created that will list the workshops, whether they are public excluded and the reason, or if they are open to the public.
- Workshop guidelines are currently being drafted to assist Chairs on how to manage workshops and it is anticipated they will be available as soon as possible, with the

Ombudsman training supporting this work. Minutes of workshops would be a summary of key points and actions rather than detailed meeting minutes.

- Audio-visual recordings of workshops would be uploaded to a YouTube channel.
- Full costs of the activity are hard to predict. John Norris, Engage Video, who livestreams Council/Committee meetings advised that running workshops following meetings did not increase the cost.
- The cost for his services would be the same for transcripts as the cost relates to licenses for Teams or Zoom links and microphone set up required to capture conversation.
- Ideally workshops would be scheduled after Council/Committee meetings to keep costs down. However, on the days that were not meeting days officers would record through a zoom link, and upload the recording to the workshop page on Council's website.
- There are tools already in use to provide a solution around the release of public excluded information, for example through the Action Register reported to Council
- It was noted that the timetable for implementation had been adopted by Council at its meeting on 14 March 2024.

COMMITTEE David Pearson / Councillor Browne

RESOLUTION

The Audit and Risk Committee:

- a) **Receive** the report titled Ombudsman Report – Council Meeting and Workshop setting amendments.
- b) **Note** officers have undertaken an assessment of Napier City Council's current practices in relation to the Ombudsman's *Open for Business* report and will make improvements to these practices.
- c) **Note** open Audit and Risk Committee meetings will be recorded and published on the Napier City Council website.

Carried

2. HEALTH AND SAFETY REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1722342
<i>Reporting Officer/s & Unit:</i>	Adam McDonald, Health, Safety and Wellbeing Lead

2.1 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 December 2023 through to February 2024. 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.

At the meeting

The Health, Safety and Wellbeing Lead, Mr McDonald spoke to the report, providing a brief summary and overview of Health and Safety activity risks, progress of initiatives underway to improve health, safety, and wellbeing, as well as current key performance indicators covering the period December 2023 to February 2024.

In response to questions the following was clarified:

- The Employee Assistance Programme (EAP) reports seeing pressures, outside of work impacting on the workplace. Work specific issues were not identified as a reason for staff engaging with the EAP.
- Well-being programme developed going forward as the organisation supports staff, no matter the origin of the stress or anxiety, so they can be the best version of themselves at work.
- Future reporting on EAP will not be through numbers it will be how to effect organisational change and focus more on wellbeing. Work is being undertaken on what challenges people are facing so programmes can target what is needed to improve their well-being..
- A Health and Safety Improvement Plan had now been developed and approved by the Executive Leadership Team (ELT). The Health and Safety Team, together with the People and Capability Team, are working on culture change management and promoting the changes.
- The actions integrated into the Implementation Plan will require a programme to monitor the results.

COMMITTEE Mayor Wise / Councillor Crown

RESOLUTION

The Audit and Risk Committee:

- Receive** the Health and Safety Report for the period December 2023 to February 2024.

Carried

3. RISK MANAGEMENT REPORT

Type of Report: Operational

Legal Reference: N/A

Document ID: 1744348

Reporting Officer/s & Unit: Dave Jordison, Risk and Assurance Lead
Alister Edie, Business Improvement Manager

3.1 Purpose of Report

To update the Committee on current developments and workstreams within the risk management framework and inform on the status of Council's strategic and operational risk profile and any emerging risks.

At the meeting

The Business Improvement Manager, Mr Edie spoke to the revised report that was circulated, which included minor updates in the summary section and the inclusion of a table of revised operational risks. Mr Edie provided a brief summary of the current risk management framework, some developments and workstreams underway.

In response to questions the following was clarified:

- A review of the strategic risks is to be undertaken and will align to the Long Term Plan (LTP). Council's strategic priorities have been reset by elected members and consultation on the 3 year LTP is underway and to be reported back at the next meeting.
- Asbestos risk is extreme and does not comply with the Act. An urgent project is underway to address this, and will be completed within two weeks. The programme needs to be in place to reduce the risk rating.
- Introduction of a housekeeping programme to regularise and formalise how the organisation is addressing risks and to understand the systems that management are using to monitor risks.
- A review of the system is currently underway through an internal audit. It was noted at the meeting that it would be beneficial for the Committee to meet with internal auditors Crowe.

COMMITTEE David Pearson / Councillor Browne

RESOLUTION

The Audit and Risk Committee:

- a) **Receive** the report titled "Risk Management Report" dated 4 April 2024.

Carried

4. SENSITIVE EXPENDITURE - MAYOR AND CHIEF EXECUTIVE

Type of Report: Procedural

Legal Reference: N/A

Document ID: 1742723

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

4.1 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.

At the meeting

The Internal Audit Lead, Ms Fowler took the report as read and confirmed that items identified in the report for this quarter complied with Council's Sensitive Expenditure Policy.

COMMITTEE Councillor Mawson / Joe Tareha

RESOLUTION

The Audit and Risk Committee:

- a) **Receive** the 31 December 2023 quarterly report of Sensitive Expenditure for the Mayor and Chief Executive and review for compliance with the Sensitive Expenditure Policy.
-

Carried

5. INTERNAL AUDIT RECOMMENDATIONS PROGRESS REPORT

Type of Report: Information

Legal Reference: N/A

Document ID: 1742724

Reporting Officer/s & Unit: Raewyn Fowler, Internal Audit Lead

5.1 Purpose of Report

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

At the meeting

The Internal Audit Lead, Mrs Fowler spoke to the report which was an update on internal progress, and noted that another internal audit had been undertaken during that period for PAYE and withholding tax which was also included in the report.

The Financial Controller, Ms Foster spoke to the PWC report advising there were issues identified in actioning some items due to lack of resource in payroll, People and Capability and Procurement teams.

In response to questions the following was clarified:

- In regards to the records management that dates back to 2021, with 13 outstanding recommendations it is understood that once the SharePoint system and learning management system are up and running well these may be ticked off.
- A conscious pause has been implemented in the transition to new technology planned for in Council’s digital transformation Strategy. The Digital Strategy priorities have been reviewed and over the next 3-5 years a learning management tool will be implemented first, followed by a Human Resources tool.
- The outstanding recommendations have been reviewed and slowing implementing the recommendations has a low risk level.
- When considering the recommendations officers can explore whether they can be addressed through other strategies or if they can be achieved through other control mechanisms. Recommendations made by the Auditor can be challenged and if agreed with, ranked in order of priority .
- The risk that Council are not complying with PAYE is considered low, however withholding tax is more problematic. There is not considered to be a financial liability but processes do need to be reviewed.

COMMITTEE Bruce Robertson / Councillor Crown

RESOLUTION

The Audit and Risk Committee:

- a) **Receive** the Internal Audit Recommendations Progress Report dated 4 April 2024.

Carried

6. POLICY REVIEW PROCESS UPDATE

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1701124
<i>Reporting Officer/s & Unit:</i>	Talia Foster, Financial Controller Caroline Thomson, Chief Financial Officer

6.1 Purpose of Report

To update the committee on the progress made to date with the policy review project.

At the meeting

The Financial Controller, Ms Foster spoke to the report which was a result of some recommendations from internal and external auditors and there was some concern from the Committee that some policies were not up-to-date.

In response to questions the following was clarified:

- Although the majority of policies were out of date, even though recently, the fact that they had not been reviewed did not mean they were no longer relevant. The process in place currently is that policies are going to the ELT monthly, with 3-5 being addressed at each meeting.
- It was noted that other policies (Code of Conduct for Employees Policy, Confidentiality Policy, Drug and Alcohol Policy and Workplace Bullying Policy) which were considered high importance or high risk were not included in the upcoming quarter. The important thing to note is whether they were still adequate even if they were out-of-date.
- The Workplace Bullying Policy was currently under development by the People and Capabilities Team.
- The policies that are crucial for audit are in People and Capability and Finance. This puts a lot of work on those two teams to get the policies reviewed and completed, which is why they cannot all be finalised within the timeframe.
- An Acting Chief People Officer has been appointed and Ms Ellerm will work with her to try and progress these policies.
- For future reporting the policy review dates are to be included for reference.

COMMITTEE Councillor Mawson / Mayor Wise

RESOLUTIONThe Audit and Risk Committee:

- a) **Receive** the report titled “Policy Review Process Update” dated 4 April 2024.

Carried

7. EXTERNAL AUDIT ACTIONS STATUS UPDATE

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1742734
<i>Reporting Officer/s & Unit:</i>	Talia Foster, Financial Controller

7.1 Purpose of Report

The purpose of this paper is to summarise the actions taken by management from recommendations made via our external audit process to provide assurance to the Audit and Risk Committee that these have been addressed.

At the meeting

The Financial Controller, Ms Foster spoke to the report on what progress had been made on actions.

In response to questions the following was clarified:

- Ms Foster confirmed that the \$1m figure referred to in the actions to approve operating expenditure in excess of \$1m was now out-of-date. While a process is in

place to ensure Council have approved spend over the CE delegation before payments are made, this needs to be put in writing.

It was noted that there were some high leave balances and staff would be encouraged to take leave as a preference or cash it up.

Councillor Browne rejoined the meeting at 11.45am

COMMITTEE Councillor Crown / David Pearson

RESOLUTION The Audit and Risk Committee:

- a) **Receive** the report titled “External Audit Status Update” dated 4 October 2024.

Carried

8. AUDIT PLAN FOR 2023/24 ANNUAL REPORT

Type of Report: Enter Significance of Report

Legal Reference: Enter Legal Reference

Document ID: 1742735

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

8.1 Purpose of Report

To provide delegation to the Chair to approve the Audit Plan for the 2023/24 Annual Report in consultation with the Chief Executive.

At the meeting

The Financial Controller, Ms Foster spoke to the Audit Plan for the upcoming Annual Report for the year end 30 June 2024. There are auditors on site currently for an interim audit with nothing unusual or unexpected in the Audit Plan.

The Chair invited auditor Karen Young’s comments. Ms Young confirmed that everyone worked well together last year with really good co-operation and assistance with good headway made in the revaluations.

In response to questions the following was clarified:

- In regard to the attendance and resolution times, the qualification will remain due to the comparatives, officers are confident that a lot of work has been done in this area but it is still to be verified.
- Ms Young confirmed that if systems and processes were only put in place midway through the year they would not be cleared. Processes implemented from 1 July would be clear going forward. Updates undertaken for the IT system were done by 1 July so the system has been in place for a year. Training took place throughout the year and QA processes have gone back to the beginning of the year.
- Council’s materiality worked to before draft accounts are provided to audit typically for year end is \$5,000-\$10,000 for accruals on a transaction level while exercising professional judgement. Where aware of any errors or adjustments required at that

level they will be corrected or advise audit of the issue. The workload required versus the value add needs to be balanced.

- Ms Foster confirmed that she was very comfortable that 30 October 2024 was achievable for the Annual Report and did not anticipate any issues.
- Ms Young advised the reason the audit letter was in draft was in regard to performance measures. Audit have received some guidance around the Drinking Water Performance Measures from the Auditor General’s Office which the Department of Internal Affairs have communicated to them and the letter will be able to finalised in the very near future.

COMMITTEE Bruce Robertson / David Pearson

RESOLUTION The Audit and Risk Committee:

- Receive** the report titled “Audit Plan for 2023/24 Annual Report” dated 4 April 2024.
- Delegate** authority to the Chair and the Chief Executive to approve the Audit Plan for the 2023/24 Annual Report on behalf of the Audit and Risk Committee (Doc Id 1746445).

Carried

9. AUDIT NEW ZEALAND MANAGEMENT REPORT

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1742736
<i>Reporting Officer/s & Unit:</i>	Talia Foster, Financial Controller

9.1 Purpose of Report

To consider the Audit NZ management report to the Council on the audit of Napier City Council for the year ended 30 June 2023.

At the meeting

The Financial Controller, Ms Foster spoke to the Audit New Zealand Management report for the year ended 30 June 2023 that was adopted at the end of last year. Council received a Qualified Opinion and the report provides some further recommendations and actions that will be reported back to the Committee in the future.

Ms Young commented that it was a very busy and challenging year for the Council and there was only one new recommendation to ensure the good condition of above ground water assets , and that the register is complete and has integrity. Otherwise it was a very good result and Council management and staff should be very proud of what they achieved last year.

The Committee confirmed that they were comfortable with the recommendations, management responses and timelines for completion.

COMMITTEE Bruce Robertson / Councillor Crown

RESOLUTION

The Audit and Risk Committee:

- a) **Receive** the Audit NZ management report to the Council on the audit of Napier City Council for the year ended 30 June 2023 (Doc Id 1745793).

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1750099
<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 14 March to 5 April 2024. There were no Tenders Let during this period.

Officer's Recommendation

That Council:

That Council:

- a) **Receive** the Tenders Let for the period 4 March – 5 April 2024. There were no tenders let during this period.

1.2 Attachments

Nil

RECOMMENDATION TO EXCLUDE THE PUBLIC

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

Agenda Items

1. Action Points Register (Public Excluded) as at 8 April 2024

Reports from Audit and Risk Committee held 4 April 2024

1. Verbal Update Chief Executive

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.
Agenda Items		
1. Action Points Register (Public Excluded) as at 8 April 2024	7(2)(a) Protect the privacy of natural persons, including that of a deceased person 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 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 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.

	<p>commercial and industrial negotiations)</p> <p>7(2)(j) Prevent the disclosure or use of official information for improper gain or improper advantage</p>	
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Reports from Audit and Risk Committee held 4 April 2024

<p>1. Verbal Update Chief Executive</p>	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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.</p>
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ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 14 March 2024

Time: 9.30am – 12.25pm (*Open*)
12.30pm – 1.40pm (*Public Excluded*)

Venue Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook page

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

In Attendance Chief Executive (Louise Miller)
Deputy Chief Executive/ Executive Director Corporate Services (Jessica Ellerm)
Executive Director City Services (Lance Titter)
Executive Director City Strategies (Rachael Bailey)
Acting Executive Director Infrastructure Services (Jamie Goodsir)
Executive Director Community Services (Thunes Cloete)
Acting Manager Communications and Marketing (Jessica Soutar-Barron)
Pou Whakarae (Mōrehu Te Tomo)
Chief Financial Officer (Caroline Thomson)
Corporate Finance Manager (Garry Hrustinsky)
Business Improvement Manager (Alister Edie)
Manager Community Strategies (Anne Bradbury)
Financial Controller (Talia Foster)
Procurement Manager (Sharon O'Toole)
Manager City Development (Paulina Wilhelm)

	<p>Senior Advisor Corporate Planning (Danica Rio) Programme Manager – Long Term Planning (Stephanie Murphy) Team Leader Transportation (Robin Malley) Team Leader Governance (Anna Eady) Governance Advisor (Jemma McDade)</p>
Also in Attendance	<p>Wendie Harvey, Chair and Rochelle Ham, Chief Financial Officer, Hawke’s Bay Airport Limited Greg Tims, HR Consultant, Greg Tims and Associate (<i>Public Excluded Item 1</i>)</p>
Administration	<p>Governance Advisor (Carolyn Hunt)</p>

ORDINARY MEETING OF COUNCIL – Open Minutes

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ORDER OF BUSINESS

Karakia

The meeting opened with the Council karakia.

Apologies

COUNCIL	Councillors Chrystal / Browne
RESOLUTION	That the apology from Councillor Mawson be accepted.
	Carried

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Additional Public Excluded Item - As per Standing Order 9.12 (Items of business not on the agenda which cannot be delayed) the following item be included on the agenda and addressed in Public Excluded

- Agreement with Hawke's Bay Regional Council for the Supply and Transportation of Silt

Announcements by the management

Nil

Confirmation of minutes

COUNCIL	Councillors Price / Taylor
RESOLUTION	That the Draft Minutes of the Ordinary meeting held on 1 February 2024 be confirmed as a true and accurate record of the meeting.
	Carried

AGENDA ITEMS

1. HAWKE'S BAY AIRPORT LTD HALF YEAR REPORT TO SHAREHOLDERS TO 31 DECEMBER 2023

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1741173
<i>Reporting Officer/s & Unit:</i>	Caroline Thomson, Chief Financial Officer

1.1 Purpose of Report

To receive the half-year report to shareholders from Hawke's Bay Airport Limited to 31 December 2023.

At the meeting

Ms Harvey, Chair, Hawke's Bay Airport Board advised that the airport had celebrated its 60th anniversary on Saturday, 8 March 2024 and as part of the celebrations had included the unveiling of two significant displays that were at the airport and provided an opportunity for the community to visit and familiarise themselves with the district and history:

- a new historical timeline on the mezzanine floor of unique stories of the airport, prepared with the assistance of local historian Michael Fowler; and
- a pre-earthquake map of Te Whanganui-a-Orotū, created with the assistance of the Mana Ahuriri Trust.

Ms Harvey also advised that the resignation of the Chief Executive, Rob Stratford had been received and recruitment was underway with applications closing 14 March 2024. However, it could be some months before the successful applicant commences.

Ms Harvey, together with Ms Ham displayed a PowerPoint presentation (Doc Id 1744037) providing an overview of the airport's half yearly performance and the Statement of Intent indicating that the airport was doing very well.

In response to questions the following was clarified:

- Air New Zealand additional flights are included in the schedule, however they do not have the capacity to operate them. If the planes are available they are struggling to find trained crew. Over the next couple of years some aircraft require maintenance which will mean ATR planes that currently service the Auckland route for other routes.
 - The additional flights have been built into the Statement of Intent as the information is not in the flight schedules.
 - Ms Harvey explained the Board's decision for issuing dividends was based on solvency and operations, and that the three shareholders would discuss the dividend amount, in light of performance, and the decision would be reflected through the Statement of Intent.
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- The last dividend issued was in approximately 2018 when the airport was in the rebuild stage and the decision had been made not to seek a dividend but invest into the terminal project instead, then COVID and then paying down debt.
 - With the resignation of the CEO the Senior Leadership Team are working together with Director, Darin Cusack in the interim and this has been working well.
 - Negotiation and written agreement with the landlord and Airport in terms of shareholding are preventing the solar farm consent being lodged.

It was noted that the Statement of Intent had been circulated to all shareholders for feedback and if changes were suggested for the draft the Airport would engage further with the respective shareholder.

It was agreed that the reports relating to the Airport be contained in one recommendation.

COUNCIL Councillors Taylor / Crown

RESOLUTION

That Council:

- a) **Receive** the Hawke's Bay Airport Limited half year report to shareholders, to December 2023.
- b) **Receive** the Hawke's Bay Airport Limited Draft Statement of Intent for the 2024/25 (Doc Id 1741570) year and provide comment and feedback from Napier City Council.

ACTION: Council to provide any feedback on the circulated Hawke's Bay Airport Limited Statement of Intent (Doc Id 1741570) by the end of March 2024.

Carried

Attachments

- 1 HB Airport presentation (Doc Id 1744039)
-

2. HAWKE'S BAY AIRPORT LIMITED DRAFT STATEMENT OF INTENT 2024/25

Type of Report:	Legal and Operational
Legal Reference:	Local Government Act 2002
Document ID:	1741209
Reporting Officer/s & Unit:	Caroline Thomson, Chief Financial Officer

2.1 Purpose of Report

To present the Hawke's Bay Airport Limited Draft Statement of Intent for the 2024/25 year.

At the meeting

This item was discussed together with the previous item Hawke's Bay Airport Ltd Half Year Report to Shareholders to 31 December 2023.

3. DRAFT HOUSING STRATEGY AND HOUSING REVIEW

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1741276
<i>Reporting Officer/s & Unit:</i>	Anne Bradbury, Manager Community Strategies

3.1 Purpose of Report

This report discusses the Draft Housing Strategy and the 2024 Housing Review. The report looks back to the 2022 housing review and outlines the work done since then to meet the Council resolutions from 18 May 2022 and the external pressures that have led to the 2024 Housing Review being undertaken.

At the meeting

The Manager Community Strategies, Ms Bradbury spoke to the report and provided a summary of work undertaken in the Housing Review and Strategy. If the review and three year plan consultation document is approved today, officers will be hand delivering the housing consultation part of the document to the tenants on Friday, 15 March 2024, including a hardcopy submission form.

Ms Bradbury advised that there was an error in the Housing Review which indicated that only tenants had been consulted on housing, however the community was also consulted and this would be amended in the final document.

In response to questions the following was noted:

- Officers in the housing team are working on the Homelessness Report recommendations approved by Council in July 2022, including working with Hastings District Council. It was considered including too much in the over-arching Housing Strategy may complicate it and the Regional Action Plan is a good place for the homelessness recommendations.
- In the Housing Review the names of the villages will be specified so tenants can see the appropriate name is used for their Village.
- Ms Bradbury agreed that the following five principles that were used to guide elected members' decision making could be incorporated into the Housing Review document:
 1. We will honour our current tenants and make sure they have a home.
 2. We want to make sure there is as little financial pressure as possible on our community, ratepayers and on our tenants.
 3. Over time move away from social housing.
 4. Keep and potentially increase our retirement housing.
 5. Enable further investment into retirement housing including healthy homes for tenants.
- Option 2 in the consultation document involves selling the three social villages, but continuing to operate them in the same way which will ease financial pressure in the short term but will still lead to an unsustainable financial position in the long term. .
- Option 3 is selling the three social villages and investing that money back into the portfolio which is a more financially sustainable option.
- The consultation document had to be quite specific and provided a preferred option, with financial implications supporting the options. The implementation of the Housing

Review will be a long process and will be dependent on submissions and Council’s decision, which may require more consultation in the future.

- Ms Bradbury confirmed that alternative modes of divestment and delivery can be considered as part of the consultation, however if it strayed too much from the preferred option, further consultation may be required as the housing villages are significant assets.

COUNCIL RESOLUTION	Councillors Crown / Boag
	That Council:
	a) Note the Draft Housing Strategy (Doc Id 1742977) and recommend Officers continue to work on the strategy through submissions from the Three Year Plan and continued work with key stakeholders.
	b) Direct Officers bring the draft Housing Strategy back to Council for adoption in October 2024.
	c) Receive the 2024 Housing Review (Doc Id 1741576) with the inclusion of the following five principals: <ul style="list-style-type: none"> i. We will honour our current tenants and make sure they have a home. ii. We want to make sure there is as little financial pressure as possible on our community, ratepayers and on our tenants. iii. Over time move away from social housing. iv. Keep and potentially increase our retirement housing. v. Enable further investment into retirement housing including healthy homes for tenants.
	d) Proceed with consultation on Option 3 of the 2024 Housing Review which is to move away from social housing, maintain control of our retirement housing and look at other approaches as our preferred option as part of our Three Year Plan consultation.
	Carried

4. DRAFT FINANCIAL CONTRIBUTIONS POLICY

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1740421
<i>Reporting Officer/s & Unit:</i>	Paulina Wilhelm, Manager City Development Caroline Thomson, Chief Financial Officer Danica Rio, Senior Advisor Corporate Planning

4.1 Purpose of Report

A review of the Financial Contributions Policy has recently been undertaken. This report outlines the recommended changes and reasoning that resulted from the review. The recommended consultation approach is stipulated in the Council paper titled “Adoption of Draft Significance and Engagement Policy and Approach to Consultation” which will be presented at this Council meeting and aligned with the Council’s Three-Year Plan 2024-

27 (Consultation to begin 25 March 2024). Once consultation is complete, officers will bring the feedback received to Council for consideration before a final version of the policy is adopted.

At the meeting

The Manager City Development, Ms Wilhelm presented the report.

All financial impacts of the Long Term Plan have been included within the final document, including impacts on rates, debt and levels of service.

The Chief Financial Officer, Ms Thomson advised that changes to the draft Financial Contribution Policy and the Revenue and Finance Policy require separate public consultation, however they will be consulted on in tandem with the Financial Contributions Policy and the Long Term Plan.

In response to questions the following was clarified:

- The formal practise is to review and consult on financial policies together with the Long Term Plan.
- Developers will not be contacted independently for their input however, everyone in the community will be targeted during the consultation.

COUNCIL Councillors Greig / Tareha

RESOLUTION That Council:

- a. **Adopt** the amended Financial Contributions Policy (Doc Id 1742936) as a draft for public consultation.
- b. **Adopt** the proposed consultation approach detailed in the agenda report (Doc Id 1740421) to allow consultation on the Financial Contributions Policy to begin on 25 March 2024 (noting consultation will be concurrent with the Three-Year Plan 2024-27).
- c. **Note** that the final policy will be brought back to Council for adoption in line with the timeframes for the adoption of the Long Term Plan 2024-2027.

Carried

5. REVENUE AND FINANCING POLICY REVIEW

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1739595

Reporting Officer/s & Unit: Alister Edie, Business Improvement Manager
Garry Hrustinsky, Corporate Finance Manager

5.1 Purpose of Report

To recommend the proposed amendments to the Revenue and Financing Policy for adoption by Council and subsequent consultation with the community.

At the meeting

The Business Improvement Manager, Mr Edie took the report as read.

In response to questions it was clarified:

- Animal Control, the Aquarium, i-site and Municipal Theatre will all require more ratepayer contribution.
- The i-site has struggled to meet funding targets set by the Revenue and Finance Policy over time, having achieved much less fees and charges cost recovery versus the policy. These activities signal there is more of a public good aspect supported by decreasing fees and charges cost recovery over time.
- There is a balance between setting a challenging fees and charges cost recovery target and what can realistically be achieved. Animal Control is a good example where it is assumed the public good aspect has increased, but the fees and charges target range has increased to drive cost recovery.
- Widespread changes to activity funding policies have not been proposed and most of the targets remain the same. Changes have been made only to those activities not achieving funding targets.
- Dog owners can only fund a certain amount of activity. The Animal Control team report that the amount of work they undertake in regard to public safety is increasing year-by-year with increased dangerous dogs roaming the streets.
- In terms of the Policy, Council is required to review it at least every three years, however if there is a material change it would be brought to Council sooner.

**COUNCIL
RESOLUTION**

Deputy Mayor Brosnan / Councillor Crown

That Council:

- a. **Approve** the draft Revenue & Financing Policy (Doc Id 1741513).
- b. **Approve** Revenue & Financing Policy consultation plan (Doc Id 1742651).

Carried

6. RATES REMISSION, RATES POSTPONEMENT, REMISSION & POSTPONEMENT OF MAORI FREEHOLD LAND, AND LIABILITY MANAGEMENT POLICIES REVIEW

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1739062

Reporting Officer/s & Unit: Garry Hrustinsky, Corporate Finance Manager

6.1 Purpose of Report

The purpose of this report is to review the Rates Remission Policy, Rates Postponement Policy, Rates Remission & Postponement on Māori Freehold Land Policy, and Liability Management Policy.

At the meeting

The Corporate Finance Manager, Mr Hrustinsky took the report as read.

In response to questions the following was clarified:

- No changes are being made to the policies therefore consultation is not required.
- The Rates Postponement Policy provides a mechanism to delay the payment of rates.
- The Postponement for Older Persons allows for ratepayers who are old enough to qualify for NZ Superannuation, and are on a fixed income ie NZ Superannuation, experiencing financial hardship to apply to Council to postpone their rates.
 - Ratepayers using the postponement would be required to pay approximately the first \$500.00 of rates every year and then postpone the balance. There is an annual fee of \$49.00, and interest charges on the outstanding balance. Each year the liability will increase.
 - Council takes a charge over the property.
 - Repayment would be required if the property was sold, the owner moves, or dies.
 - Council would expect applicants to speak to a specialist and/or family members to discuss the postponement prior to application.
 - The eligibility threshold would include not owning any other properties or investments providing an income to the property owner; any such income is taken into consideration as part of the application process.
- People on lower incomes are also able to make application for a rates rebate, which is funded through Government but administered by Council.
- Reference in the Policy to postponement provisions approved prior to July 2009 is a “grandfathering” clause, with no ratepayers on it and could be removed from the Policy

COUNCIL Councillors Boag / Chrystal

RESOLUTION That Council:

- a. **Approve** the existing Rates Remission Policy (Doc Id 1739327) with no changes.
- b. **Approve** the existing Rates Postponement Policy (Doc Id 1739329) with no changes.
- c. **Approve** the existing Rates Remission & Postponement on Māori Freehold Land Policy (Doc Id 1739326) with no changes.
- d. **Approve** the existing Liability Management Policy (Doc Id 1739328) with no changes.

Carried

7. ADOPTION OF DRAFT SIGNIFICANCE & ENGAGEMENT POLICY AND APPROACH TO CONSULTATION

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1739235
<i>Reporting Officer/s & Unit:</i>	Danica Rio, Senior Advisor Corporate Planning Anne Bradbury, Manager Community Strategies

7.1 Purpose of Report

A review of the Significance and Engagement Policy has recently been undertaken. This report outlines the recommended policy changes and associated reasoning that resulted from the review. It details the recommended consultation approach that is aligned with Council's Three-Year Plan 2024-27 Consultation (to begin 25 March 2024).

At the meeting

The Manager Community Strategies, Ms Bradbury took the report as read advising that the reference to the Iwi Engagement Policy has not yet been adopted by Council.

It is a legislative requirement that all Councils have a Significance and Engagement Policy. Council does not currently have an Engagement Policy which specifies how council will engage with the community, but follow best practise.

In the second half of this year officers will be looking at creating an Engagement Policy for Council which will work with the Iwi Engagement Policy and will come back to Council for adoption.

COUNCIL Councillor Greig / Deputy Mayor Brosnan

RESOLUTION

That Council:

- a. **Adopt** the amended Significance and Engagement Policy (Doc Id 1741520) as a draft for community consultation.
- b. **Adopt** the proposed consultation approach detailed in the agenda report (Doc Id 1739235) to allow consultation on the Significance and Engagement Policy to begin on 25 March 2024 (noting consultation will be concurrent with the Three-Year Plan 2024-27).

Carried

8. ADOPTION OF THE THREE-YEAR PLAN 2024-27 CONSULTATION DOCUMENT

<i>Type of Report:</i>	Legal and Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1738692
<i>Reporting Officer/s & Unit:</i>	Danica Rio, Senior Advisor Corporate Planning Stephanie Murphy, Programme Manager- Long Term Planning Jessica Ellerm, Deputy Chief Executive / Executive Director Corporate Services

8.1 Purpose of Report

To present the Consultation Document and supporting information for consultation on Napier City Council's Three-Year Plan 2024-27 (TYP).

At the meeting

The Senior Advisor Corporate Planning, Ms Rio presented the report and displayed a PowerPoint presentation (Doc Id 1744337) highlighting key points.

Ms Rio noted an error on page 327 of the Open Attachments (Under separate cover 1). The error relates to the "Financial Information" attachment. The Rangatira Revetment Rate should be \$348.86 (not \$14); 14 properties will be charged that rate. This was a design error and does not impact any other figures. An updated version of the document that reflects the correct information will be used for consultation.

In response to questions the following was noted:

- The Resilient Rate would be included as an ongoing fund and used for resilience planning for infrastructure in the event of another disaster. Any unspent funds would go into a reserve and be ring-fenced for items only relating to resilience.
- Consistency in the consultation document in regards to the War Memorial Centre or Napier Conferences Events facility will be checked.

COUNCIL Mayor Wise / Councillor Price

RESOLUTION

That Council:

- Adopt** the following documents as supporting information for consultation on Napier City Council's Three-Year Plan 2024-27:
 - High Level Consultation Plan TYP 24-27 (Doc Id 1741039)
 - Draft Combined Financial and Infrastructure Strategy (Doc Id 1741040)
 - Schedule of Fees and Charges (Doc Id 1742431)
 - Financial Information (Doc Id 1741089)
- Note** that these supporting documents are subject to minor corrections and any changes arising from the consultation process.

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- c. **Adopt** the Consultation Document (Doc Id 1742617) for Napier City Council's Three-Year Plan 2024-27 for public consultation, subject to any grammatical and minor changes.
 - d. **Note** that due to the Severe Weather Emergency Recovery Legislation Act 2023, there is no requirement to include an audit report in the Consultation Document.

Carried

Attachments

- 1 Summary slide of 3 year plan (Doc Id 1744337)
-

9. MAYORAL RELIEF FUND - DISTRIBUTIONS

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1734865
<i>Reporting Officer/s & Unit:</i>	Talia Foster, Financial Controller

9.1 Purpose of Report

To report back to Council on the expenditure so far from the Napier City Council Mayoral Relief Fund and provide an update on the available balance.

At the meeting

The Financial Controller, Ms Foster spoke to the report. Since the beginning of March two enquiries had been received from the public suggesting they would like to make further donations for Cyclone Gabrielle relief. Any donations made for that purpose should be used for that purpose only.

Ms Foster suggested that in light of possible additional donations being made that Council consider the following additional recommendation:

That Council approve the Napier City Council Cyclone Gabrielle Event – February 2023 Mayoral Fund remains open for donations for Cyclone Gabrielle relief. Any donations received for this purpose will still be eligible for tax credit, subject to Inland Revenue requirements, and funds will be distributed in the same manner as previously.

COUNCIL Councillors Boag / Chrystal

RESOLUTION

That Council:

- a) **Receive** this report regarding donations and distributions, and note The Napier City Council Cyclone Gabrielle Event – February 2023 Mayoral Fund has now been fully utilised.
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- b) **Approve** the Napier City Council Cyclone Gabrielle Event – February 2023 Mayoral Fund remains open for donations for Cyclone Gabrielle relief. Any donations received for this purpose will still be eligible for tax credit, subject to Inland Revenue requirements, and funds will be distributed in the same manner as previously.

Carried

10. QUARTERLY REPORT

Type of Report: Legal and Operational

Legal Reference: Local Government Act 2002

Document ID: 1738789

Reporting Officer/s & Unit: Talia Foster, Financial Controller
Caroline Thomson, Chief Financial Officer

10.1 Purpose of Report

To consider the Quarterly Report for the three months ended 31 December 2023.

At the meeting

The Financial Controller, Ms Foster advised a forecast is currently being prepared to project out to 30 June 2024 which shows that the employee benefit line should be met. However, the revenue and offsetting expenditure that was intended to cover that additional budget may not be achieved.

COUNCIL Councillors Greig / McGrath

RESOLUTION

That Council:

- a. **Receive** the Quarterly Report (Doc Id 1740669) for the three months ended 31 December 2023.

Carried

The meeting briefly adjourned at 11.26am and reconvened at 11.35am

11. OMBUDSMAN REPORT - COUNCIL MEETING AND WORKSHOP RECOMMENDATIONS

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Official Information and Meetings Act 1987
<i>Document ID:</i>	1724506
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance Jane McLoughlin, Corporate Planning Lead

11.1 Purpose of Report

In October 2023 the Ombudsman released a report “Open for Business”, which followed an investigation into local council meetings and workshops. This report will set out our proposed improvement programme to meet the Ombudsman’s key findings.

At the meeting

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

In response to questions it was clarified:

- Workshop guidelines are being drafted and it is anticipated they will be available as soon as possible, with the Ombudsman training, supporting this work. Minutes of workshops would be a summary of key points and actions rather than detailed meeting minutes.
- Full costs of the activity are hard to predict.
- Audio-visual recordings of workshops would be uploaded to a YouTube channel.
- Currently meetings are set up by a technical person and it is ideal to have workshops after meetings, which means there is only one cost to set up and also the venue hire.
- The extra benefit from audio-visual recording rather than audio is the ability for the public to view who is speaking at the time rather than trying to distinguish voices.
- LGNZ organised a webinar with Simpson Grierson who advised that the Ombudsman recommendations are just “recommendations”. However, if Councils do not comply it would not be viewed favourably by the Ombudsman. It was important to show that Council are trying to work with what the Ombudsman is recommending.
- Ombudsman virtual training for staff and elected members will be held on 9 April 2024.
- Guidelines will be similar to Standing Orders for meetings, and if public wish to record the meeting permission would be required from the Chair.
- An option is to initially produce a transcript of the workshop discussion which would be available through an official information request for the community. The setting could be reviewed in twelve months and possibly then release audio-visual recording.
- The definition of a workshop which would be impacted by these changes is a topic put forward by officers that has gone through the established workshop approval process, which is reviewed by an Executive Director, Chief Executive and the Mayor prior to a workshop being booked. Reasons for public exclusion will be considered as part of this process, if required.

-
- It is not mandatory to record workshops, but best endeavours, so if there is a technical glitch and a workshop cannot be recorded it would not require cancellation of the workshop.
 - A dedicated page on the Council website is to be created that will list the workshops, whether they are public excluded and the reason, or if they are open to the public.

Following considerable discussion Text and Audio were included in the recommendations with the three modes of media being reviewed after twelve months.

COUNCIL Mayor Wise / Councillor Browne

RESOLUTION

That Council:

- a. **Note** officers have undertaken an assessment of Napier City Council's current practices in relation to the Ombudsman's *Open for Business* report and will make improvements to these practices.
- b. **Approve** all Council workshops are held in public unless they are covered by one of the relevant grounds in section 6 or 7 of the LGOIMA. This includes:
 - i. Advertising a monthly list of workshops on the Napier City Council website; and
 - ii. Text, audio or audio-visual recording and publication of Council workshops on the Napier City Council website; and
 - iii. Publication of workshop material on the Napier City Council website; and
 - iv. Facilitating public attendance at Council workshops.
- c. **Approve** audio-visual recording and publication on the Napier City Council website of open Audit and Risk Committee meetings.
- d. **Note** workshop guidelines will be developed to provide support to elected members and staff.
- e. **Note** a standardised template will be developed for workshop notes which are going to be published publicly after a workshop.
- f. **Note** the proposed process change to documenting staff advice given to elected members for holding a meeting or workshop in public excluded.
- g. **Note** training from the Ombudsman's Office will be made available to elected members and relevant staff on the fundamentals of the LGOIMA.
- h. **Note** once training is provided, public excluded material will include release statements.

*Councillor Tareha abstained from voting
Deputy Mayor Brosnan, Councillors Boag and Greig voted AGAINST the
Motion*

Carried

12. INFORMATION - MINUTES OF JOINT COMMITTEES

<i>Type of Report:</i>	Operational
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1739368
<i>Reporting Officer/s & 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 from 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> .

At the meeting

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

COUNCIL Councillors Price / Tareha RESOLUTION

That Council:

- a. **Receive** for information the unconfirmed minutes of the following Joint Committees:
 - Hawke's Bay Regional Transport Committee meeting held on 3 November 2023 (Doc Id 1739343)
 - Omarunui Refuse Landfill Joint Committee meeting held on 20 February 2024 (Doc Id 1740656)

Carried

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

<i>Type of Report:</i>	Procedural
<i>Legal Reference:</i>	Local Government Act 2002
<i>Document ID:</i>	1736235
<i>Reporting Officer/s & Unit:</i>	Anna Eady, Team Leader Governance

13.1 Purpose of Report

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

At the meeting

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

COUNCIL Deputy Mayor Brosnan / Councillor Browne

RESOLUTION

That Council:

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

- | | | |
|--|-------------|---|
| • Audit and Risk Committee | Date Change | Previously 5 April 2024
Proposed 4 April 2024 |
| • Council | Date change | Previously 30 May 2024
Proposed 23 May 2024 |
| • Council (Reserve Management Plan Hearings) | Date Change | Previously 22-24 July 2024
Proposed 16-18 September 2024 |
| • Council (Representation Review Hearings) | New date | 9,10 and 11 September 2024 |
| • District Plan Hearings Committee | Date change | Previously 1-3 October 2024
Proposed 25-27 November 2024 |

b) **Approve** formal Ngā Mānukanuka o te Iwi Komiti hui begin at 11.00am in future.

Carried

14. CLIMATE ACTION JOINT COMMITTEE - REPLACEMENT ALTERNATE

Type of Report: Procedural

Legal Reference: N/A

Document ID: 1739806

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

14.1 Purpose of Report

The purpose of this report seeks Council approval to appoint a new alternate representative for the Climate Action Joint Committee as required in the Terms of Reference.

At the meeting

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

COUNCIL Mayor Wise / Councillor Browne

RESOLUTION

That Council:

- a) **Approve** the appointment of Councillor Greig as the alternate representative on the Climate Action Joint Committee.

Carried

15. ACTION POINTS REGISTER AS AT 27 FEBRUARY 2024

Type of Report: Operational

Legal Reference: N/A

Document ID: 1736553

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

15.1 Purpose of Report

The Action Points Register (Register) records the actions requested of Council officials in Council and Committee meetings. This report provides an extract from the Register as at 27 February 2024, for Council to note. It does not include action points that were requested in public excluded Council or Committee meetings.

At the meeting

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

COUNCIL Deputy May Brosnan / Councillor Tareha

RESOLUTION

That Council:

- a. **Note** the extract from the Action Points Register (Doc Id 1740484) as at 27 February 2024.

Carried

REPORTS UNDER DELEGATED AUTHORITY

1. TENDERS LET

<i>Type of Report:</i>	Information
<i>Legal Reference:</i>	N/A
<i>Document ID:</i>	1742258
<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 22 January – 1 March 2024

At the meeting

There was no discussion on this item.

COUNCIL RESOLUTION Councillors McGrath / Crown

That Council:

- a) **Receive** the Tenders Let for the period 22 January – 1 March 2024 as below:
- Contract 2650 Anderson Park Stage 2 – Playground Design & Construction be awarded to Playground Centre Limited in the sum of \$200,000.00.

Carried

Minor matters

There were no minor matters to discuss.

RESOLUTION TO EXCLUDE THE PUBLIC

COUNCIL RESOLUTION

Deputy Mayor Brosnan / Councillor Crown

- a) That the public be excluded from the following parts of the proceedings of this meeting.
 1. Extraordinary Chief Executive Contract Committee Recommendations
 2. Variation to Contract C1215 Road Maintenance and Renewal
 3. Art Deco Trust Loan - Confirming terms
 4. Action Points Register (Public Excluded) as at 27 February 2024
 5. Agreement with HBRC for the supply and Transportation of Silt

- b) That Greg Tims, HR Consultant of Greg Tims and Associate - Item 1 – Extraordinary Chief Executive Contract Committee Recommendations be permitted to remain in the Public Excluded session for his expertise on this matter.

Carried

Agenda Items

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

<p>1. Extraordinary Chief Executive Contract Committee Recommendations</p>	<p>7(2)(a) Protect the privacy of natural persons, including that of a deceased person</p>	<p>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.</p>
<p>2. Variation to Contract C1215 Road Maintenance and Renewal</p>	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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.</p>
<p>3. Art Deco Trust Loan - Confirming terms</p>	<p>7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities</p>	<p>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</p>

		Local Government Official Information and Meetings Act 1987.
4. Action Points Register (Public Excluded) as at 27 February 2024	<p>7(2)(a) Protect the privacy of natural persons, including that of a deceased person</p> <p>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</p> <p>7(2)(g) Maintain legal professional privilege</p> <p>7(2)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p>7(2)(j) Prevent the disclosure or use of official information for improper gain or improper advantage</p>	<p>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:</p> <p>(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.</p>
5. Agreement with Hawke's Bay Regional Council for the Supply and Transportation of Silt.	<p>7(2)(b)(ii) Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>	<p>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:</p> <p>(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</p>

		Information and Meetings Act 1987.
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*The meeting adjourned at 12.25pm and reconvened
in Public Excluded at 12.30pm*

The meeting closed with a karakia at 1.40pm

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

Chairperson

Date of approval