



ORDINARY MEETING OF COUNCIL

Open Minutes

Meeting Date: Thursday 15 August 2024

Time: 9.30am – 9.32am (*Open*)
9.33am – 10.32am (*Public Excluded*)
10.40am – 11.36 (*Open*)

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 [via Zoom until 10.32am], Chrystal, Crown, Greig, Mawson, McGrath, Price, Simpson, Tareha and Taylor

In Attendance Chief Executive (Louise Miller)
Deputy Chief Executive/ Executive Director Corporate Services (Jessica Ellerm)
Executive Director Community Services (Thunes Cloete)
Communications Specialist (Kate Penny)
Strategic Programmes Manager (Darran Gillies)
Senior Advisor Corporate Planning (Danica Rio)
Manager Strategy and Transformation (Stephanie Murphy)
Programme Manager – Transformation (Emma Alexander)
Team Leader Governance (Anna Eady)

HR Consultant Greg Tims of Greg Tims and Associates [via Zoom]
Dr Virgil Troy, SIL Research

Administration Governance Advisors (Carolyn Hunt and Jemma McDade)

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ORDER OF BUSINESS

Karakia

The meeting opened with the Council karakia.

Apologies

Nil

Conflicts of interest

Nil

Public forum

Nil

Announcements by the Mayor

Tribute and acknowledgement – Mayor Wise acknowledged the passing of Hamilton Logan on 8 August 2024 at 99 years old. Mr Logan had set himself a goal on 1 January 2024 of walking 100 kilometres in his 100th year to fundraise for local charities offering young and old a second chance. Unfortunately, Mr Logan did not make his 100th birthday (21 November 2024) but would be missed and remembered by his family and the community.

Public Excluded – Mayor Wise advised that the meeting would address Public Excluded items first due to time constraints of the external presenter and would then reconvene in Open to address the remainder of the agenda.

Announcements by the management

Nil

Confirmation of minutes

COUNCIL RESOLUTION	<hr/> Councillors Mawson / Crown <hr/>
	That the Draft Minutes of the Ordinary Council meeting held on 1 August 2024 be confirmed as a true and accurate record of the meeting.
	<hr/> Carried <hr/>

RESOLUTION TO EXCLUDE THE PUBLIC

Councillors Tareha / Mawson

- a) That the public be excluded from the following parts of the proceedings of this meeting.
 1. Chief Executive KPIs - LIMITED DISTRIBUTION
 2. Action Points Register (Public Excluded) as at 2 August 2024
- b) That Greg Tims, HR Consultant of Greg Tims and Associate be permitted to remain in the Public Excluded session for Item 1 – Chief Executive KPIs – LIMITED DISTRIBUTION for his expertise on this matter.

Carried

The general subject of each matter to be considered while the public was excluded, the reasons for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution were as follows:

General subject of each matter to be considered.	Reason for passing this resolution in relation to each matter.	Ground(s) under section 48(1) to the passing of this resolution.
	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist:

Agenda Items

1. Chief Executive KPIs - LIMITED DISTRIBUTION	7(2)(a) Protect the privacy of natural persons, including that of a deceased person	48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: (i) Where the local authority is named or specified in Schedule 1 of this Act, under section 6 or 7 (except 7(2)(f)(i)) of the Local
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		Government Official Information and Meetings Act 1987.
2. Action Points Register (Public Excluded) as at 2 August 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)(i) Enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</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>

Councillor Browne left the meeting at 10.32am while in Public Excluded

The meeting moved into Public Excluded session at 9.33am and reconvened in Open Session at 10.40am.

AGENDA ITEMS

1. CIVIC PRECINCT DESIGN APPROVALS

Type of Report: Operational

Legal Reference: N/A

Document ID: 1779275

Reporting Officer/s & Unit: Darran Gillies, Strategic Programmes Manager

1.1 Purpose of Report

This report seeks the endorsement of the latest architectural design stages for the Civic Precinct, and to seek approval to progress to the design documentation stages which would enable the Building Consent applications and the release of the main contractor tender to market.

At the meeting

The Strategic Programmes Manager, Mr Gillies provided a brief summary of the report highlighting the main points and update on progress. The Civic Precinct project is 7500m² of land, 10,000m² of building comprising three buildings, the library, the old library tower which will become officer accommodation and Council Chambers.

The procurement process will be presented to the Audit and Risk Committee on 5 September 2024 for final approval prior to the documentation being released to the market for Requests of Interest.

On 12 September 2024 a workshop was planned to provide an opportunity to view the existing site prior to demolition works commencing and to provide a Concept and Preliminary Design Update to elected members.

Mr Gillies also displayed an online 3D model of the Civic Precinct design.

In response to questions the following was clarified:

- Acoustics in the building need to be right and the choice of material for the ceiling will be vital in ensuring dampening and containing sounds.
 - Window tinting will be used to manage the sun glare on the front façade glass of the building.
 - A refresh of the current hoardings will be required when the demolition contractor goes on site in October and discussion is underway with the Communications Team for the imagery to provide the right impression.
 - There will be some covered bike stands for end-of-trip provided around the building.
 - An independent Engineer would administer the contract and manage variations. Variations are usually in response to change of design, so a more detailed preliminary design mitigates variations being required. Variations within budget would be approved by the Project Team. Variations over budget will come back to Council for approval.
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- Members of the Programme Advisory Board consist of independents from Finance, Governance, Mana Whenua, Construction and Community Representation.
- An archaeological authority application has been shared with mana whenua partners for feedback and is currently in the process of being submitted to Heritage New Zealand.
- An iwi monitor will work with the project archaeologist during the key stages of the demolition.
- The Civic Precinct and Officer Accommodation projects have been combined, which was unconfirmed at the time of writing the report. Consequently the tender can go out as planned.
- It is expected that the contract would be awarded in March 2025 and breaking ground would ideally commence May/June 2025.
- Within the broader outcomes of the procurement process Council would support a local company contracting for the work. A national contractor would need to show good evidence how it would use the local market. This project can generate a great economic benefit to the community.

COUNCIL RESOLUTION

Deputy Mayor Brosnan / Councillor Tareha

That Council:

- Endorse** the latest architectural design stages for the Civic Precinct
- Approve** to progress to the design documentation stages to enable the Building Consent application process and the release of the main contractor tender to market.

Carried

2. RESULTS OF THE 2023/24 RESIDENT SURVEY

Type of Report:	Information
Legal Reference:	Local Government Act 2002
Document ID:	1774972
Reporting Officer/s & Unit:	Danica Rio, Senior Advisor Corporate Planning

2.1 Purpose of Report

This report provides Council with the results of the Napier City Council's annual Resident Survey for 2023/24.

At the meeting

The Senior Advisor Corporate Planning Ms Rio displayed a PowerPoint presentation (Doc Id 1784322) accompanied by Dr Virgil Troy, Sil Research. Ms Rio advised that:

- 61% of respondents were satisfied with Council's overall performance which was a significant improvement compared to the 2023 of 54%.

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- 15 out of 30 assessed services experienced a positive increase of more than 5%.
 - Noise control, two of the water services, and keeping people informed showed the most significant improvements.
 - The significant improvements to drinking water and sewerage mean residents are the most satisfied they have been with drinking water since 2017, and sewerage since 2019.
 - Freedom camping was the only service in 2024 to show a decline in satisfaction of greater than 5%. Work on reviewing the Freedom Camping bylaw is currently underway.

In response to questions the following was clarified:

- The survey indicates that 64% of people do not realise there is Freedom camping in Napier. Dr Troy advised a high percentage of people did not have an opinion regarding freedom camping and therefore it reduced the satisfaction ratings.
- The report indicated that those under 65 were generally dissatisfied with no known cause and it was noted that those over 65 generally had a positive overall experience.
- Information that has been collected and analysed is available if required through SIL Research.

**COUNCIL
RESOLUTION**

Mayor Wise / Councillor Chrystal

That Council:

- a. **Receive** the results of the Napier City Council annual Resident Survey for the period 1 July 2023 to 30 June 2024.
- b. **Note** that satisfaction ratings from the annual Resident Survey form part of Council's performance framework and are audited and reported publicly as part of the Annual Report.

ACTION: *Dr Troy would check data and provide feedback (via Council staff) in relation to homeless people, living in cars which has been increasing over the past couple of years.*

Carried

Attachments

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- 1 PowerPoint presentation on Resident Survey (Doc Id 1784322)
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3. AMENDMENT TO THE 2024 MEETING SCHEDULE

Type of Report:	Procedural
Legal Reference:	Local Government Act 2002
Document ID:	1776599
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 2024 meeting schedule, which was adopted on 12 October 2023.

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

At the meeting

The Team Leader Governance, Ms Eady spoke to the report advising that an additional meeting date was required for the Hearings Committee (District Plan) for the appointment of a Māori Commissioner.

COUNCIL RESOLUTION	Deputy Mayor Brosnan / Councillor Mawson		
	That Council:		
	a) Adopt the following amendment to the 2024 meeting schedule:		
	• Ngā Mānukanuka o te Iwi Committee	Rescheduled	29 August 2024 – 1.30pm (Rescheduled from 26 July 2024)
	• Council	New Date	5 September 2024 – 1.30pm
	• Hearings Committee (District Plan)	New Date	11 September 2024 – 9.30am
	• Ahuriri Regional Park Joint Committee	New Dates	21 October and 9 December 2024 – 9.30am
	Carried		

4. INFORMATION - MINUTES OF JOINT COMMITTEES

Type of Report:	Information
Legal Reference:	N/A
Document ID:	1774152
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

4.1 Purpose of Report

The purpose of this report is to receive unconfirmed minutes from various Joint Committee meetings.

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

It was noted that the Hawke's Bay Regional Transport Committee meetings were livestreamed and that the Ahuriri Regional Park Joint Committee administered by Napier City Council was not recorded or livestreamed, unless requested.

COUNCIL RESOLUTION

Councillors Greig / Price

That Council:

- a) **Receive** for information the minutes of the following Joint Committee meetings held:

- 3 May 2024 Hawke's Bay Regional Transport Committee (Doc Id 1774143)
- 24 May 2024 Hawke's Bay Regional Transport Committee (Doc Id 1774142)
- 14 June 2024 Clifton to Tangoio Coastal Hazards Strategy Joint Committee (Doc Id 1774273 & Doc Id 1771304)
- 24 June 2024 Ahuriri Regional Park Joint Committee (Doc Id 1774195)

ACTION: **Direct** officers to provide information on livestreaming and recording of Joint Committees

Carried

5. ACTION POINTS REGISTER AS AT 2 AUGUST 2024

Type of Report:	Operational
Legal Reference:	N/A
Document ID:	1778133
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

5.1 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 2 August 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 and noted that Action Point 127 in relation to the background summary of the Ahuriri Regional Park would be circulated to all elected members when completed.

COUNCIL RESOLUTION	Councillors Tareha / Mawson
	That Council:
	a. Note the extract from the Action Points Register as at 2 August 2024
	Carried

6. 2024 LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING REMITS

Type of Report:	Procedural
Legal Reference:	N/A
Document ID:	1778380
Reporting Officer/s & Unit:	Anna Eady, Team Leader Governance

6.1 Purpose of Report

For elected members to consider the remits going forward to the Local Government New Zealand Annual General Meeting, and to discuss how Napier City Council should vote on them.

At the meeting

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

Delegates attending the Local Government New Zealand (LGNZ) Annual General Meeting (AGM) on 21 August 2024 were to request clarity on the definition of a “derelict building” whether commercial or residential in relation to Remit 6 on unoccupied buildings.

LGNZ requested the remits be ranked in order of priority so their resources can be allocated accordingly, It was agreed the ranking of the Remits be delegated to the members attending the AGM.

Members attending are Mayor Wise, Councillors Browne, Crown and Boag.

COUNCIL RESOLUTION

Deputy Mayor Brosnan / Taylor

That Council:

- a) **Receive** the report titled 2024 Local Government New Zealand Annual General Meeting Remits.
- b) **Approve** the following list of remits, to be supported at the Annual General Meeting:
 - 1. Representation Reviews
 - 2. Community Services Card
 - 3. Local government constituencies & wards should not be subject to referendum
 - 4. Entrenchment of Māori wards seats for Local Government
 - 5. Graduated diver licensing system
 - 6. Proactive lever to mitigate the deterioration of unoccupied buildings
 - 7. Appropriate funding models for central government initiatives
 - 8. Goods and services tax (GST) revenue sharing with local government.
- c) **Approve** authority be granted to the LGNZ Annual General Meeting delegates (Mayor Wise, Councillors Browne, Crown and Boag) to establish the order of priority at the Conference in support of the Remits.

Carried

7. TENDERS LET

Type of Report:	Information
Legal Reference:	Enter Legal Reference
Document ID:	1781630
Reporting Officer/s & Unit:	Debbie Beamish, Executive Assistant to the Chief Executive

7.1 Purpose of Report

To report the Tenders let under delegated authority for the period 24 June – 2 August 2024.

At the meeting

The report was taken as read. The Chief Executive, Ms Miller confirmed that Council had a clear Procurement Strategy for tenders to comply with, and there had been no issues escalated that required addressing. Ms Miller advised if anyone had concerns in regard to the process she would be happy to discuss.

COUNCIL
RESOLUTION

Councillors Chrystal / Crown
That Council:
a) Receive the Tenders Let for the period 24 June – 2 August 2024 as below:
<ul style="list-style-type: none">Contract 2682 Veronica Sunbay Remediation be awarded to Hawkins Limited in the sum of \$936,888.14.Contract 2384 Petane Domain Carpark be awarded to Vestigia Holdings Limited T/A SCL Civil Works in the sum of \$444,907.20.
Carried

Minor matters

There were no minor matters to discuss.

The meeting closed with a karakia at 11.36am

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

Chairperson

Date of approval