



Hastings District Council

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OPEN MINUTES

COUNCIL

Meeting Date: **Thursday, 23 August 2012**

**Minutes of a Meeting of the Council held on
23 August 2012 at 2.00pm**

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HASTINGS DISTRICT COUNCIL

MINUTES OF A MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, CIVIC ADMINISTRATION BUILDING, LYNDON ROAD EAST, HASTINGS ON THURSDAY, 23 AUGUST 2012 AT 2.00PM

PRESENT: Mayor Yule (Chair)
Councillors Bradshaw, Collin, Hazlehurst, Heaps, Henderson
(from 2.47pm), Kerr, Lester, Nixon, O'Keefe, Poulain, Roil,
Twigg and Watkins.

IN ATTENDANCE: Chief Executive (Mr R McLeod)
Group Manager: Asset Management (Mr D Fraser)
Group Manager: Community Facilities & Programmes (Ms T Winter)
Group Manager: Corporate and Customer Services (Mr M Maguire)
Group Manager: Planning and Regulatory Services (Mr J
O'Shaughnessy)
Group Manager: Strategy and Development (Mr D Morgan)
Chief Financial Officer (Mr T Gray)
Acting Human Resources Manager (Mrs A Damen)
Principal Advisor : Infrastructure (Ms C Thew)
Parks Planning and Development Manager (Ms R Stuart)
Electoral Officer (Mr P Woodroffe)
Democratic Support Manager (Mrs J Pani)

Regional Council Chairman Fenton Wilson and Councillor Kevin
Rose were in attendance for Item 7

1. PRAYER

The opening prayer was given by Reverend Paul Loveday, St John's Church.

2. APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence had previously been granted to Deputy Mayor Bowers.

Mayor Yule/Councillor Hazlehurst

**That an apology for lateness from Councillor Henderson be received and
leave of absence be granted as follows:**

Councillor Watkins from 5 – 18 October 2012.

Councillor O'Keefe 6, 7, 12, 13 and 20 September 2012

CARRIED

3. CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

4. MINUTES OF COUNCIL MEETINGS FOR CONFIRMATION

Councillor Kerr/Councillor Twigg

That the minutes of the Council Meeting held 19 July 2012 be confirmed as a true and correct record and be adopted.

CARRIED

Councillor Bradshaw and Councillor Nixon joined the meeting at 2:05pm

5. REPORTS OF COUNCIL REPRESENTATIVES ON OUTSIDE ORGANISATIONS

Councillor Hazlehurst provided a report on Te Mata Park Trust and Positive Aging Trust and also on the activities of HB Tourism.

Councillor Heaps provided background on the Hawke's Bay Branch of NZ Historic Places Trust being replaced with an interim committee.

Councillor Lester briefed the meeting on his role as Chair of the Community Board Executive Committee.

Mayor Yule/Councillor Watkins

That the verbal reports of Council representatives on outside organisations be received.

CARRIED

6. REQUEST TO NAME CBD SKATE+PARK

Councillor Roil/Councillor Hazlehurst

A) That the report of the Parks Planning and Development Manager titled "Request to name CBD Skate+Park" dated 23/08/2012 be received.

B) That the land shown as Lot 1 DP 450723, and purchased for the purposes of a public park be formally named 'William Nelson Park'.

With the reasons for this decision being that the objective of the decision will contribute to the Council's Strategic Objectives by:

The naming of the new CBD Park as a lasting legacy, to recognise William Nelson, and his contribution to Hawke's Bay.

CARRIED

With the agreement of the meeting, the remaining agenda items were taken out of order.

9. REVIEW OF DIRECTORS FEES COUNCIL CONTROLLED ORGANISATIONS

Councillor Lester/Councillor Kerr

A) That the report of the Chief Financial Officer titled "Review of Directors Fees Council Controlled Organisations" dated 23/08/2012 be received.

B) That the level of fees payable to remunerated Independent Directors and Chairs of Hastings District Council's Council Controlled Organisations, effective from 1 July 2012 as set out below be approved;

Company	Director (\$)	Chair (\$)
Hastings District Holdings Limited	8,000	-
Hawke's Bay Opera House Limited	11,000	16,000
Hastings District Properties Limited	12,000	23,000

With the reasons for this decision being that the objective of the decision will contribute to the Council's Strategic Objectives by:

Ensuring that Directors of Council Controlled Organisations are appropriately remunerated.

CARRIED

10. ADDITIONAL BUSINESS ITEMS

(a) COUNCIL APPOINTMENT TO THE HAWKE'S BAY MUSEUMS TRUST

Councillor Hazlehurst/Councillor Kerr

A) That the report of the Group Manager: Corporate and Customer Services titled "Council Appointment to the Hawke's Bay Museums Trust" dated 23/08/2012 be received.

B) That Councillor Collin be appointed as the Hastings District Council representative to the Hawke's Bay Museums Trust.

CARRIED

11. EXTRAORDINARY BUSINESS ITEMS

There were no extraordinary business items.

The meeting moved into public excluded session from 2.15 until 2.25pm

12. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEM 13

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Mayor Yule/Councillor Roil

THAT the public now be excluded from the following parts of the meeting, namely;

13 Deed of Variation to Presbyterian Support East Coast Lease of Premises in Heretaunga House

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the 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 is as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION
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13 Deed of Variation to Presbyterian Support East Coast Lease of Premises in Heretaunga House

Section 7 (2) (h)

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

The paper contains details relating to a commercial lease of office space in Heretaunga House.

Section 48(1)(a)(i)

Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

CARRIED

8. HAWKES BAY OPERA HOUSE LIMITED 2012-2015 FUNDING AGREEMENT

Councillor Hazlehurst/Councillor Twigg

- A) That the report of the Strategic Financial Advisor titled "Hawkes Bay Opera House Limited 2012-2015 Funding Agreement" dated 23/08/2012 be received.
- B) That the 2012-2015 Hawkes Bay Opera House Ltd Funding Agreement be approved.
- C) That the Board of the Hawkes Bay Opera House Ltd be advised of the Council's desire to discuss:
 - (i) Impacts of ticketing contractual arrangements on community use, and
 - (ii) The progress in renewing sponsorship arrangements and the potential impact on income.

With the reasons for this decision being that the objective of the decision will contribute to the Council's Strategic Objectives by:

Developing a strong Opera House precinct that contributes to the appeal of the CBD and district.

CARRIED

Councillor Bradshaw requested that his vote against the Motion be recorded.

*The meeting adjourned at 2:35pm
and reconvened at 2.45pm*

7. REVIEW OF REPRESENTATION ARRANGEMENTS FOR THE HASTINGS DISTRICT - FURTHER REPORT

Councillor Henderson joined the meeting at 2:47pm.

Following introduction of this item, representation arrangements based on the status quo were moved by Councillor Heaps, seconded by Councillor Watkins. The wording of this Motion, based on the status quo, was circulated at the meeting. (CG-05-04-12-24)

Councillors spoke for and against the Motion, with some Councillors in support of the Motion expressing the view that the current arrangements were providing their communities with effective representation and therefore there was no community drive to change current representation arrangements for a governance arrangement of fewer councillors and increased numbers of community boards.

A contrary view expressed supported the position as presented by the Representation Review Subcommittee of representation arrangements that reduced the number of councillors and addressed any potential gaps in community representation by the creation of community boards.

A motion, based on the Representation Review Subcommittee's recommendation as presented in the officer report, was foreshadowed by Councillor Roil.

The Councillor Heaps/Councillor Watkins Motion was then PUT and declared CARRIED on a Show of Hands, 8 votes FOR the Motion and 6 votes AGAINST the Motion.

Councillor Heaps/Councillor Watkins

- A) That the report of the Group Manager: Corporate and Customer Services titled "Review of Representation Arrangements for the Hastings District - Further Report" dated 23 August 2012 be received.**
- B) That the Hastings District Council establish the following representation arrangements for the triennial election of the Hastings District Council to be held on Saturday 12 October 2013:**
 - 1) That Hastings District as delineated on SO Plan 10297 be divided into six wards.**
 - 2) That those six wards shall be –**
 - a) The Hastings Ward comprising the area delineated on SO Plan 10303 with the following additional meshblocks:
1471202 Lyndhurst Block
1471300 Gracelands Block
1471401 Northwood Block
1473200 Summerset – Ada Street Block**
 - b) The Havelock North Ward, comprising the area delineated on SO Plan 10304.**
 - c) The Flaxmere Ward, comprising the area delineated on SO Plan 10302.**
 - d) The Heretaunga Ward, comprising the area delineated on SO Plan 386134 less the meshblocks transferred to the Hastings Ward**

- described in 2(a) above.
- e) The Mohaka Ward, comprising the area delineated on SO Plan 386135.
 - f) The Kahuranaki Ward, comprising the area delineated on SO Plan 386136.
- 3) That the Council comprise the Mayor and fourteen Councillors elected as follows:
- a) Six councillors elected by the electors of the Hastings Ward.
 - b) Two councillors elected by the electors of the Havelock North Ward.
 - c) Two councillors elected by the electors of the Flaxmere Ward.
 - d) Two councillors elected by the electors of the Heretaunga Ward.
 - e) One councillor elected by the electors of the Mohaka Ward.
 - f) One councillor elected by the electors of the Kahuranaki Ward.
- 4) That there be a Hastings District Rural Community as delineated on SO Plan 386137 comprising the area of the Mohaka and Kahuranaki Wards.
- 5) That the Hastings District Rural Community be subdivided into four for electoral purposes.
- 6) That those four subdivisions be –
- a) The Tutira Subdivision comprising the area delineated on SO Plan 386138.
 - b) The Kaweka Subdivision comprising the area delineated on SO Plan 386139.
 - c) The Maraekakaho Subdivision comprising the area delineated on SO Plan 386140.
 - d) The Poukawa Subdivision comprising the area delineated on SO Plan 386141.
- 7) That the Hastings District Rural Community Board comprise six members as follows:
- a) One member elected by the electors of the Tutira Subdivision.
 - b) One member elected by the electors of the Kaweka Subdivision.
 - c) One member elected by the electors of the Maraekakaho Subdivision.
 - d) One member elected by the electors of the Poukawa Subdivision.
 - e) The members of the Council representing the Mohaka and Kahuranaki Wards.
- 8) That, as required by section 19T(b) and 19W(c) of the Local Electoral Act 2001, the boundaries of the above wards, communities and subdivisions coincide with the boundaries of current statistical meshblock areas determined by Statistics New Zealand.
- 9) That, as the ward boundaries coincide with community boundaries, the requirements of section 19T(c) of the Local Electoral Act 2001 are accordingly met.
- 10) That, as required by sections 19T(a) and 19W(b) of the Local Electoral Act 2001, the six wards and one community being created and the number of

members of each ward and community and subdivision will provide effective representation of communities of interest within Hastings District because:

The six wards represent the current significant and distinct communities of interest that the Council has identified within Hastings District, namely-

Hastings
Havelock North
Flaxmere

Heretaunga Plains
Rural area north of the Ngaruroro River
Rural area south of the Ngaruroro River

- 11) That the requirement for “fair representation” set out in section 19V of the Local Electoral Act is met in respect of all wards and subdivisions, except Havelock North Ward, where the variation is 15.9% for the Council member, and except for the Poukawa Subdivision where the variation is 15.7%.
- 12) That the Council considers there is still fair representation for Havelock North as
 - i. Havelock North is a distinct urban area with clear separation from the Heretaunga Plains and the rural area of Kahuranaki Ward and the removal of urban meshblocks from Havelock North Ward would completely undermine the existing community of interest.
 - ii. The variation is statistically minor and reflects the population growth of Havelock North Ward within its community of interest.
- 13) That the Council consider there is still fair representation for the Poukawa Subdivision as
 - i. The existing community of interest is retained.
 - ii. The variation is statistically minor and reflects the population growth of Waimarama and the Havelock Hills within its community of interest.

CARRIED

The Motion was CARRIED on a Show of Hands, 8 votes FOR and 6 votes AGAINST.

The meeting closed at 3.55pm

Confirmed:

Chairman:

Date: