



Hastings District Council

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OPEN MINUTES

COUNCIL

Meeting Date: Thursday, 19 September 2013

**Minutes of a Meeting of the Council held on
19 September 2013 at 1.00pm**

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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, 19 SEPTEMBER 2013 AT 1.00PM

PRESENT: Mayor Yule (Chair)
Councillors Bowers (Deputy Mayor), Bradshaw, Collin,
Hazlehurst, Heaps, Henderson, Kerr, Lester, Nixon,
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
A Heather)
Group Manager: Corporate and Customer Services (Mr M
Maguire)
Group Manager: Human Resources (Mrs B Bayliss)
Group Manager: Planning and Regulatory Services (Mr J
O'Shaughnessy)
Group Manager: Strategy and Development (Mr D
Morgan)
Chief Financial Officer (Mr T Gray)
Democratic Support Manager (Mr R Palmer)

1. PRAYER

The opening prayer was given by Pastor Hugh Heenan Seventh Day Adventist.

2. APOLOGIES AND LEAVE OF ABSENCE

Mayor Yule/Councillor Watkins

That the apology for absence from Councillor O'Keefe be accepted and the leave of absence requested by Councillor Poulain for the period 10-13 October be approved.

CARRIED 13/31

3. CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

4. MINUTES OF COUNCIL MEETINGS FOR CONFIRMATION

Document number CG-10-1-458

Councillor Twigg/Councillor Heaps

That the minutes of the Council Meeting held 22 August 2013 be confirmed as a true and correct record and be adopted.

CARRIED 13/32

5. REPORTS OF COUNCIL REPRESENTATIVES ON OUTSIDE ORGANISATIONS

Cr Collin reported on the recent opening of the new MTG (Museum, Theatre, Gallery) in Napier, noting his appreciation of the gratitude which Mayor Arnott expressed for the support which the facility had received from the Hastings District Council.

Cr Twigg drew the meeting's attention to the report from Hastings District Heritage Trails Society AGM (pages 2 and 3 of the agenda) explaining that the Hastings and Napier groups were looking at combining now that the Napier Society no longer charged for its brochures.

Cr Hazlehurst advised the meeting that the Hastings Business Association AGM would be held on Tuesday 24 September in the Opera House.

Mayor Yule/Councillor Watkins

That the report of the Democratic Support Manager titled "Reports of Council Representatives on Outside Organisations" dated 19/09/2013, and the reports from Council representatives be received.

CARRIED 13/33

6. PARKING CONTROLS- EASTBOURNE STREET WEST

Document number 13/446

Philip Evans, Community Safety Manager presented the report

Councillor Watkins/Councillor Heaps

- A) **That the report of the Community Safety Manager titled "Parking Controls- Eastbourne Street West" dated 19/09/2013 be received.**
- B) **That pursuant to the Traffic and Parking Enforcement Bylaw Part 19, Section 4.1(a) of the Hastings District Council Bylaws 2007, the carparks on the northern side of Eastbourne Street West, commencing at a point approximately 24.8 metres from the intersecting kerb line with Southland Road and extending in a westerly direction for 96.9 metres be resolved to have a 120 minute time limit.**
- C) **That pursuant to the Traffic and Parking Enforcement Bylaw Part 19, Section 4.1(a) of the Hastings District Council Bylaws 2007, the carparks on the southern side of Eastbourne Street West, commencing at a point approximately 27.9 metres from the intersecting kerb line with Southland Road and extending in a westerly direction for 88.5 metres be resolved to have a 120 minute time limit.**

With the reasons for this decision being that the objective of the decision will contribute to the performance of regulatory functions in a way that is efficient and effective and appropriate to present and anticipated future circumstances by:

- **Providing parking spaces in relevant places within the district that are safe and readily available for motorists.**

CARRIED 13/34**7. CONSULTATION HASTINGS PARKING STUDY 2013***Document number 13/445*

Philip Evans, Community Safety manager presented the report

Councillor Hazlehurst/Councillor Roil

- A) That the report of the Community Safety Manager titled “Consultation Hastings Parking Study 2013” dated 19/09/2013 be received.**
- B) That Council receive the feedback from Hastings City Business Association.**
- C) That Officers be requested to investigate and report back to Council with recommendations on the specific operational items raised in the Traffic Design Group Report.**
- D) That Council adopt the Hastings City Centre Parking Strategy Report February 2013.**

With the reasons for this decision being that the objective of the decision will contribute to the good quality local infrastructure in a way that is most cost-effective for households and businesses by:

- i) Ensuring that there is a strategy in place to manage the parking resource in the Hastings CBD that is aligned to the future Central City Plan.**

CARRIED 13/35**8. COUNCIL FIRE PLAN***Document number 13/475*

Councillor Roil/Councillor Bowers

- A) That the report of the Team Leader Emergency Management titled “Council Fire Plan ” dated 19/09/2013 be received.**
- B) That the Council approve the amendments to the Hastings District Council Fire Plan as tabled.**
- C) Pursuant to Section 10 of the Forest & Rural Fires Act 1977 the Hastings District Rural Fire Authority Rural Fire Plan as tabled is adopted.**

CARRIED 13/36**9. PRESENTATION - HAWKE'S BAY FOUNDATION**

Rebecca Turner, Chairperson of the Foundation and Jules Nowell-Usticke made a presentation to the Council on the status and aspirations of the Foundation.

Councillor Roil/Councillor Lester

That the report and the presentation from the Hawke's Bay Foundation be received.

CARRIED 13/37

10. JOINT LOCAL ALCOHOL POLICY

Document number 13/451

Catherine Boulton, Senior Environmental Planner presented the report

Councillor Kerr/Councillor Lester

- A) That the report of the Senior Environmental Planner titled “Joint Local Alcohol Policy” dated 19/09/2013 be received.**
- B) That the Statement of Proposal for the Draft Hastings District and Napier City Councils Joint Local Alcohol Policy (and its attachments) be adopted for the Special Consultative Procedure in accordance with Section 83 of the Local Government Act 2002.**
- C) That the consultation period shall run from 5 October to 8 November 2013.**

With the reasons for this decision being that the objective of the decision will contribute to the performance of regulatory functions by:

- i) Minimising the potential for alcohol related harm through the careful management of the sale, supply and consumption of alcohol within the Hastings and Napier territorial areas and by providing a policy which seeks to provide a framework for the District Licensing Committee to guide decisions on liquor licensing applications, to promote transparency and provide clarity for the public about liquor licensing and to reflect community views on maximum trading hours, location and number of licensed premises and discretionary conditions.**

CARRIED 13/38

11. PSYCHOACTIVE SUBSTANCES

Document number 13/513

Philip Evans, Community Safety Manager and Catherine Boulton, Senior Environmental Planner presented the report

As a result of concerns expressed by Councillors regarding the legislation and a general wish to see the sale of such products banned in the Hastings District the meeting was advised that while the Council could adopt a policy which regulated where such substances could be sold it had no legal power to ban its sale.

Councillor Kerr/Councillor Bowers

- A) That the report of the Senior Environmental Planner titled “Psychoactive Substances ” dated 19/09/2013 be received.**

- B) That the Statement of Proposal for the Draft Local Approved Psychoactive Products Policy (and its attachments) be adopted for the Special Consultative Procedure in accordance with Section 83 of the Local Government Act 2002.**
- C) That the consultation period shall run from 5 October to 8 November 2013.**
- D) That the Chief Executive write to the Prime Minister, the Minister responsible for the Department applying the legislation, and the local members of parliament, expressing the Council's opinion that the legislation was a waste of time and achieves nothing in the way of addressing the issues and the community's concerns regarding the substances. In addition he advise that the Council would urge the Government to impose an immediate moratorium on the sale of these substances pending a review of the legislation.**

With the reasons for this decision being that the objective of the decision will contribute to the performance of regulatory functions by:

- i) Minimising the potential for harm caused by psychoactive substances through the careful management of retail locations in the District and by providing a policy which seeks to reduce the opportunity for purchasing "legal highs" while accepting that the Council cannot completely ban these substances within its District.**

CARRIED 13/39

Councillor Heaps recorded his vote against the motion

12. ADOPTION OF THE PROPOSED HASTINGS DISTRICT PLAN

Document number 13/491

Philip McKay, Environmental Policy Planner presented the report

Councillor Twigg/Councillor Kerr

- A) That the report of the Environmental Policy Manager titled "Adoption of the Proposed Hastings District Plan" dated 19/09/2013 be received.**
- B) That the 'Proposed Hastings District Plan 2013' tabled with this report, with any necessary minor corrections, is adopted for public notification pursuant to Schedule 1 of the Resource Management Act 1991.**

With the reasons for this decision being that the objective of the decision will contribute to the performance of regulatory functions by:

- i) Progressing the review of the district plan to ensure that as Council's primary regulatory tool for managing land use and subdivision, that it is consistent with Council's strategic direction and with best practice.**

CARRIED 13/40

Councillor Heaps recorded his vote against the motion.

Councillor Lester, as Chairman of the Working Party thanked his fellow members and staff for their efforts in getting the reviewed plan to this stage.

13. ASSESSMENT OF SMOKEFREE HAWKE'S BAY 2025 STRATEGY IMPLICATIONS

Document number 13/460

Cherie Flintoff, Strategic Planner: Community presented the report

Councillor Heaps left the meeting at 2.42 pm

Councillor Lester/Councillor Henderson

A) That the report of the Strategic Planner: Community titled "Assessment of Smokefree Hawke's Bay 2025 Strategy Implications" dated 19/09/2013 be received.

B) That Council become a signatory to the Smokefree Hawke's Bay 2025 Strategy, subject to the proposed amendments being incorporated:

Smokefree staff support measures

Contractor obligations to respect councils' smokefree policy

Responses to future government smokefree legislative measures as those are introduced

~~Identify all licensed (alcohol) retailers to restrict tobacco use through special licensing"~~

~~Work with local government and iwi to reduce the number of tobacco retailers in Hawke's Bay~~

C) That Council explore a joint Smokefree Policy across both Napier and Hastings for consultation.

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future infrastructure needs of the community and that the decision is appropriate to Council's general duty to promote public health under the Health Act 1956.

CARRIED 13/41

14. ADOPTION OF HASTINGS CITY CENTRE STRATEGY

Document number 13/461

Raoul Oosterkamp, Strategic Projects Manager presented the report

Councillor Collin/Mayor Yule

A) That the report of the Strategic Projects Manager titled "Adoption of Hastings City Centre Strategy" dated 19/09/2013 be received.

B) That the Hastings City Centre Strategy is adopted.

With the reasons for this decision being that the objective of the decision will

contribute to all the purposes of the Local Government Act 2002 by:

- i) Developing and implementing a Central City Centre Strategy that provides a holistic and coordinated view of the central city to guide its long-term development.

CARRIED 13/42

15. SUMMARY OF RECOMMENDATIONS FROM THE AUDIT AND RISK SUBCOMMITTEE MEETING HELD 21 AUGUST 2013

Document number 13/474

Councillor Bowers/Councillor Lester

- A) That the report of the Group Manager: Corporate and Customer Services titled "Summary of Recommendations from the Audit and Risk Subcommittee meeting held 21 August 2013" dated 19/09/2013 be received.
- B) That the following recommendations of the Audit and Risk Subcommittee meeting held 21 August 2013 be ratified.

5. ANNUAL REVIEW OF TREASURY MANAGEMENT POLICY AND TREASURY PERFORMANCE

That Council approve changes to the Treasury Management Policy as shown in Attachment 1 of the Business Analyst's report titled "Annual Review of Treasury Management Policy and Treasury Performance" dated 21 August 2013.

CARRIED 13/43

16. SUMMARY OF RECOMMENDATIONS OF THE RURAL COMMUNITY BOARD MEETING HELD 2 SEPTEMBER 2013

Document number 13/510

Councillor Lester/Councillor Kerr

- A) That the report of the Group Manager: Corporate & Customer Services titled "Summary of Recommendations of the Rural Community Board Meeting held 2 September 2013" dated 19/09/2013 be received.
- B) That the following recommendations of the Rural Community Board meeting held 4 June 2013 be ratified.

5. SUMMARY OF YEAR END RESULT FOR RATING AREA 2 AS AT 30 JUNE 2013

- A) That the report of the Accounting Manager titled "Summary of Year End Result for Rating Area 2 as at 30 June 2013" dated 2/09/2013 be received.
- B) That the Rural Community Board recommend to Council that they establish a Target level for the Rural Flood and Emergency Event

Reserve of up to \$1,000,000.

- C) That the Rural Community Board recommend to the Council that any Rating Area 2 surplus for the 2012/13 financial year be allocated as follows:**

	\$
Surplus on General Rate	309,209
<u>Allocation of Surplus:</u>	
Clifton Coastal Protection Structure	17,490
Relocation of the Race Course - Feasibility Study	2,915
Splash Planet Re-investment reserve	6,720
Remaining Surplus	282,084

- D) That the Rural Community Board recommend to the Council that the remaining surplus be allocated to the Rural Flood and Emergency Event reserve.**

CARRIED 13/44

17. ADDITIONAL BUSINESS ITEMS

There were no additional business items.

18. EXTRAORDINARY BUSINESS ITEMS

There were no extraordinary business items.

19. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 20 AND 21

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Watkins/Councillor Bowers

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

20 Confirmation of the Minutes of Council held 22 August 2013 while the Public were Excluded

21 Stock Pound, Brookvale Road, Havelock North

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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20 **Confirmation of the Minutes of Council held 22 August 2013 while the Public were Excluded**

As stated in the minutes

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.

21 **Stock Pound, Brookvale Road, Havelock North**

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.

To enable negotiations to be undertaken..

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 13/45

The meeting closed at 3.08pm

Confirmed:

Chairman:

Date: