



Hastings District Council

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OPEN MINUTES

COUNCIL

Meeting Date: Thursday, 17 December 2015

**Minutes of a Meeting of the Council held on
17 December 2015 at 12.45pm**

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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, 17 DECEMBER 2015 AT 12.45PM

- PRESENT:** Mayor Yule (Chair)
Councillors Bowers (Deputy Mayor), Bradshaw, Dixon, Heaps, Kerr, Lester, Lyons, Nixon, O'Keefe, Pierce, Poulain, Roil and Watkins.
- IN ATTENDANCE:** Chief Executive (Mr R McLeod)
Group Manager: Asset Management (Mr C Thew)
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)
Acting Chief Financial Officer (Mr B Allan)
Strategy Manager (Mr L Verhoeven)
Strategic Projects Manager (Mr R Oosterkamp)
Accounting Manager (Ms J Guilford)
Libraries Manager (Ms P Murdoch)
Economic Development Manager (Mr C Cameron)
Economic Development Project Manager (Mr L Neville)
Building Consents Manager (Mr M Hart)
Building Accreditation Manager (Ms H McGregor)
Committee Secretary (Mrs C Hunt)
- AS REQUIRED:** Richard Kirby and Peter Snelling, Andy Coltart, Ngahiwi Tomoana (Independent Working Party)
Susan McDade, General Manager, Hastings City Business Association
Mr John Latimer, Managing Director of Community Leisure Management
Mr Tony Gray
Members of the public present in the gallery for Items 5 and 6
- 1. PRAYER**
The opening prayer was given by Rev Helen Wilderspin of St Matthews.
- 2. APOLOGIES**
There were no apologies.

LEAVE OF ABSENCE

Mayor Yule/Councillor Watkins

That leave of absence be granted to Councillor Heaps 6-18 February 2016.

CARRIED

Leave of Absence had previously been granted to Councillor Hazlehurst.

3. CONFLICTS OF INTEREST

The following conflicts of interest were noted:

- **Mayor Yule and Councillor O’Keefe:** Item 6 – Governance and Management Review Flaxmere Community Centre
- **Councillors Bradshaw, Heaps, Kerr and Roil:** Item 9 – Proposed Plan Appeals Update
- **Councillor Bowers:** Item 10 – Draft 2015/16 Statement of Intent – Horse of the Year (Hawke’s Bay) Limited –
- **Mayor Yule and Councillor Roil:** Item 18 (Public Excluded) – Festival of Hockey Funding –

4. CONFIRMATION OF MINUTES

Mayor Yule/Councillor Lester

That the minutes of the Council Meeting held Thursday 26 November 2015 be confirmed as a true and correct record and be adopted.

CARRIED

5. HAWKES BAY OPERA HOUSE PROJECT

(Document 15/1296)

Circulated at the meeting was a report from the Independent Working Party titled “Hawke’s Bay Opera House and CBD Investment Project” (PRJ15-17-0042) together with a copy of a document titled “Review of IWP Options” (PRJ15-17-0042). The report included recommendations from the Independent Working Party (IWP).

Mr Kirby gave a powerpoint presentation (PRJ15-17-0044) providing an overview of the Independent Working Party (IWP) deliberations and the conclusions the Group had reached.

Mr Kirby also outlined the vision of Tihei Heretaunga and how it would work.

The IWP agreed that there are really only two choices for the earthquake-prone Hawke’s Bay Opera House; strengthen it or demolish it.

For the Municipal Building the IWP recommended more work be undertaken on determining an optimal use for the building before any investment decision was made.

In respect of Civic Square the IWP recommended that the concept plans developed to date be revisited in light of the Tihei Heretaunga vision.

Full public consultation would be held in February 2016 on the detailed plan for

the work on the Opera House, also outlining a longer term vision for a culturemercial hub, linking the opera house, Municipal Buildings and Civic Square.

Officers to prepare a report and special consultative documents for the Council meeting to be held on 28 January 2016.

Revised recommendations were circulated at the meeting (CG-13-1-01070).

Mayor Yule/Councillor Bowers

- A) That the update report from Holmes Consulting Group entitled “The Hawkes Bay Opera House and Municipal Building Strengthening – Outline Preliminary Design Report” be received.**
- B) That the report from the Chair of the Independent Working Party (Mr R Kirby) titled “Hawkes Bay Opera House and CBD Investment Project – Independent Working Party Report” be received.**
- C) That Council recommend, as part of its Statement of Proposal, to strengthen the Hawke’s Bay Opera House as Stage One of the Culturalmercial Precinct and that the final decision be made in March 2016 following the Special Consultative process.**
- D) That officers are instructed to report back to the Council meeting dated 28 January 2016 with draft consultation material containing:**
 - I. An outline of the Tihei Heretaunga vision for the Hastings City Centre Culturemercial Precinct;**
 - II. An outline of the options and costs for strengthening the Opera House Theatre and the Council’s preferred proposal (based on the Holmes Consulting Group 70-75% strengthening schema) as the first anchor development project for the revitalisation of the Hastings City Centre Culturemercial Precinct;**
 - III. An outline of the options and costs for the permanent covering of the Opera House Plaza area;**
 - IV. An update on work to date on options for the Municipal Building, and the Council’s intention to further investigate suitable uses for the building and their viability before presenting these to the community;**
 - V. The Council’s intention to reassess previous concept planning for Civic Square as a multi-purpose cultural hub to align with the broadened scope of the Tihei Heretaunga vision, with the proviso that no decision as to implementation is made at this time;**
 - VI. The Council’s own funding limit on its contribution to the Tihei Heretaunga vision be contained within the current capital and operational budgetary provisions within the**

Councils 2015-2025 Long Term Plan (i.e. no more than \$20 million capex on all projects).

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

- i) Meeting the community's aspirations in a way which is efficient and effective and appropriate to present and anticipated future circumstances**

CARRIED

COUNCILLOR BRADSHAW RECORDED HIS VOTE AGAINST THE MOTION

With the agreement of the meeting Item 8 was taken out of order.

8. PRESENTATION HASTINGS CITY BUSINESS ASSOCIATION - 2015/16 NIGHT MARKET SEASON UPDATE
(Document 15/1391)

Ms McDade gave a powerpoint presentation (CG-13-23-01225) providing an update on the 2015 CBD vibrancy and the Hastings City Night Markets.

Councillor Nixon/Councillor Kerr

That the report of the Strategic Projects Manager titled "Presentation – Hastings City Business Association – 2015/16 Night Market Season Update" be received.

CARRIED

Mayor Yule and Councillor O'Keefe having declared an interest in Item 6 withdrew from the meeting table.

Councillor Bowers assumed the role of Chair for Item 6 at 2.30pm.

6. GOVERNANCE & MANAGEMENT REVIEW FLAXMERE COMMUNITY CENTRE
(Document 15/1332)

The Group Manager: Community Facilities and Programmes, Ms Heather advised that consultant, John Latimer, Managing Director of Community Leisure Management, had been engaged to undertake an independent review of the governance and management options for the Flaxmere Community Centre.

The current Centre team had received good support and endorsement from the community through the consultation process and Council appeared to be viewed as the neutral option.

Councillor Heaps/Councillor Bradshaw

- A) That the report of the Group Manager: Community Facilities and Programmes titled "Governance & Management Review Flaxmere**

Community Centre” dated 17/12/2015 be received.

B) That Council adopt option two and

- **Confirm Council’s ongoing governance of the Centre, with support and input from an Advisory Committee.**
- **Create a reconstituted Advisory Committee that is more fully representative of the Flaxmere community.**
- **Establish clear terms of reference for the Advisory Committee that include:**
 - **Providing support and a sounding board to the Centre Manager and team.**
 - **Contributing to and supporting the business plan and programmes.**
 - **Advocating for facility development and funding.**
 - **Making an active contribution to events and programmes run by the Centre.**
- **Direct the Advisory Committee and officers to jointly develop a statement of strategic direction for the Centre.**
- **Following a competitive tender process, contract out the management of the Centre to a third party.**
- **Invite U Turn Trust and Innov8 alongside other tenderers to participate in the tender process and submit a request for proposal alongside other tenderers.**
- **That each year the contractor provide an end of year report and an annual plan developed in consultation and agreement with the Advisory Committee.**

C) That if the tender process does not yield a suitably skilled operator then management of the Centre will remain with Council.

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for good quality local public services that are responsive to the needs of the Flaxmere community.

CARRIED

*Meeting adjourned for afternoon tea at 3.05pm
and reconvened at 3.25pm*

Mayor Yule assumed the role of Chair and Councillor O’Keefe rejoined the meeting.

7. HAWKE'S BAY AIRPORT LIMITED - REMUNERATION OF DIRECTORS
(Document 15/1344)

Councillor Lester/Councillor Roil

- A. That the report of the Acting Chief Financial Officer titled Hawke's Bay Airport Limited - Remuneration of Directors dated 17 December 2015 be received.**
- B. That Council, as 24% shareholder of Hawke's Bay Airport Limited, agrees with the recommended increase in the total governance fee pool from \$70,000 to \$105,000 effective from 1 January 2016 and for it to be allocated as follows;**

	Current		Proposed	
Chair	\$28,000		\$40,400	
Chair of Audit Committee	0		\$24,200	
Directors	\$14,000	x3	\$20,200	x2
Total Pool	\$70,000		\$105,000	

CARRIED
*COUNCILLORS BRADSHAW, DIXON, NIXON, PIERCE AND HEAPS
RECORDED THEIR VOTES AGAINST THE MOTION*

Councillors Bradshaw, Heaps, Kerr and Roil having declared an interest in Item 9 withdrew from the meeting table.

9. PROPOSED PLAN APPEALS UPDATE
(Document 15/1323)

Councillor Lester/Councillor Dixon

- A) That the report of the Senior Environmental Planner (Policy) titled "Proposed Plan Appeals Update" dated 17/12/2015 be received for information purposes.**

CARRIED

Councillor Bradshaw, Heaps, Kerr and Roil rejoined the meeting.

Councillors Bowers having declared an interest in Item 10 withdrew from the meeting table.

10. DRAFT 2015/16 STATEMENT OF INTENT - HORSE OF THE YEAR (HAWKE'S BAY) LIMITED
(Document 15/1295)

Councillor Lester/Councillor Kerr

- A) That the report of the Acting Chief Financial Officer titled "Draft 2015/16 Statement of Intent - Horse of the Year (Hawke's Bay) Limited" dated 17/12/2015 be received.
- B) That the Draft 2015/16 Statement of Intent for Horse of the Year (Hawke's Bay) Limited (HOYHB) be received with any feedback passed on to the directors of Horse of the Year (Hawke's Bay) Limited for consideration.
- C) That Council recommend to the other Horse of the Year (Hawke's Bay) Limited shareholders that the shareholders agreement be modified to require a draft Statement of Intent to be received by the shareholders by 31 May each year.

CARRIED

Councillor Bowers rejoined the meeting.

11. OMARUNUI LFG GENERATION LIMITED PARTNERSHIP - HALF YEAR REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2015
(Document 15/1358)

Councillor Heaps/Councillor Bradshaw

That the report of the Strategic Financial Advisor titled "Omarunui LFG Generation Limited Partnership - Half Year Report for the period ending 30 September 2015" dated 17/12/2015 be received.

CARRIED

Councillor Bradshaw having previously declared a conflict of interest in Item 12 withdrew from the meeting table.

12. TE MATA PARK TRUST BOARD - APPOINTMENT OF TRUSTEES
(Document 15/1365)

Councillor Bowers/Councillor Pierce

- A) That the report of the Group Manager: Corporate and Customer Services titled "Te Mata Park Trust Board - Appointment of Trustees" dated 17/12/2015 be received
- B) That Councillor Bradshaw and Councillor Lester be appointed as the Councillor members of the Te Mata Park Trust Board Appointments Committee.
- C) That Bruno Chambers, as recommended by the Te Mata Park Trust Board, be appointed as the third member of Te Mata Park Trust Board Appointments Committee.
- D) That Councillor Lester be appointed as Chairman of the Te Mata Park Trust Board Appointments Committee.

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

Ensuring that the most appropriate persons are appointed to Te Mata Park Trust Board to manage this unique facility.

CARRIED

Councillor Bradshaw rejoined the meeting.

13. BUILDING ACCREDITATION ASSESSMENT UPDATE

(Document 15/1381)

The Building Consents Manager, Mr Hart gave a brief powerpoint presentation (REG-2-14-15-393) of minor corrective actions required to main Council's accreditation.

Mayor Yule/Councillor Kerr

That the report of the Building Consents Manager titled "Building Accreditation Assessment Update" dated 17/12/2015 be received.

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

- i) Ensuring compliance with statutory processes and maintaining accreditation and registration as a Building Consent Authority.**

CARRIED

14. SUMMARY OF RECOMMENDATIONS OF THE HASTINGS DISTRICT RURAL COMMUNITY BOARD MEETING 7 DECEMBER 2015

(Document 15/1394)

Councillor Kerr/Councillor Roil

A) That the report of the Committee Secretary titled "Summary of Recommendations of the Hastings District Rural Community Board meeting 7 December 2015" be received.

B) The following recommendations of the Hastings Rural Community Board meeting held on 7 December 2015 be ratified:

"4. DOG CONTROL FEES

- a) That the report of the Change Manager - Animal Control titled "Dog Control Fees" dated 7/12/2015 be received.**
- b) That the Hastings District Rural Community Board support the existing Dog Control fee calculation model.**

8. PROPOSED PURCHASE OF PORTION OF ESK RAILWAY LAND

- a) *That the report of the Parks and Property Services Manager titled "Proposed Purchase of portion of Esk Railway Land" dated 7/12/2015 be received for information and feedback purposes only.*
- b) *That the Hastings District Rural Community Board support in principle the concept of securing land located on the corner of State Highway 5 and Shaw Road, subject to the Crown's processes being successfully carried out.*
- c) *That the Hastings District Rural Community Board recommend to Council that the property be developed as a heritage site, and that the purchase be secured by funds set aside from the previous rural reserve land sales".*

CARRIED

15. ADDITIONAL BUSINESS ITEMS

There were no additional business items.

16. EXTRAORDINARY BUSINESS ITEMS

Staff Leaving

Group Manager: Strategic and Development, Mr Dennis Morgan - Mayor Yule acknowledged and thanked the Group Manager: Strategic and Development, Mr Morgan for his contribution to the organisation during his six years of employment. Mr Morgan had transformed the Strategy Group and was held in high regard.

During the Waimarama floods Mayor Yule said that Mr Morgan had been exceptionally well organised and had done a fantastic job. On behalf of the Councillors, Mayor Yule wished Dennis all the very best for the future.

Group Manager: Community Facilities and Programmes, Ms Alice Heather - Mayor Yule acknowledged Ms Heather's work in regard to the district's swimming pools during her 2.5 years at Council. It had not been an easy task to disband two community trusts which also involved political opinion.

There had been a lot of staff changes and Ms Heather had brought a dynamic to the role and not been afraid of making and implementing the tough decisions.

Mayor Yule also acknowledged Ms Heather's husband, Pitsch Leiser for his contribution in securing an Arts Festival that was held in the Famous Spiegeltent at the Havelock North Domain.

On behalf of the Councillors, Mayor Yule wished Alice, Pitsch and family all the very best for the future.

17. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 18, 19, 20 AND 21

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Mayor Yule/Councillor Bowers

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

- 18. Festival of Hockey Funding**
- 19. Surplus NAR Land - St Georges Road**
- 20. Proposed Purchase of a portion of Eskdale Railway Land**
- 21. Sale of Excess Land - Lowe's Pit, Omahu Rd.**

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:

<i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i>	<i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i>	<i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i>
18. Festival of Hockey Funding	<p>Section 7 (2) (h)</p> <p>The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>Information disclosed in this report is commercially sensitive..</p>	<p>Section 48(1)(a)(i)</p> <p>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.</p>
19. Surplus NAR Land - St Georges Road	<p>Section 7 (2) (a)</p> <p>The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>Section 7 (2) (g)</p> <p>The withholding of the information is necessary to maintain legal professional privilege.</p> <p>To maintain the privacy of the persons involved and that of the deceased.</p>	<p>Section 48(1)(a)(i)</p> <p>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.</p>

20. Proposed Purchase of a portion of Eskdale Railway Land**Section 7 (2) (i)**

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

To enable Council to continue negotiations.

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. Sale of Excess Land - Lowe's Pit, Omahu Rd.**Section 7 (2) (i)**

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

To enable Council to undertake negotiations.

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.

And that Messrs Bruce McTaggart (Secretary) and David Nancarrow (Event/Director, Hawke's Bay Sports Events and Education Consortium Incorporated (HBSEEC), be permitted to remain in the meeting after the public have been excluded, for Item 18 (Festival of Hockey Funding) because of their specialist knowledge of the matter under consideration.

CARRIED

CONCLUSION

His Worship the Mayor thanked the Councillors and staff for their work during the past 12 months which had been unsettling at times, especially during the amalgamation debate.

Councillor Bowers responded on behalf of the Councillors thanking the Mayor for his leadership and guidance to the Council over the past year and acknowledging all the work he did on their behalf.

The meeting closed at 4.50pm

Confirmed:

Chairman:

Date: