



Hastings District Council

*Civic Administration Building
Lyndon Road East, Hastings 4156*

Phone: (06) 871 5000

Fax: (06) 871 5100

www.hastingsdc.govt.nz

OPEN MINUTES

COUNCIL

Meeting Date: **Thursday, 26 April 2018**

**Minutes of a Meeting of the Council held on
26 April 2018 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, 26 APRIL 2018 AT 1.00PM

PRESENT: Mayor Hazlehurst (Chair)
Councillors Barber, Dixon, Harvey, Heaps, Kerr, Lawson,
Lyons, Nixon, O'Keefe, Poulain, Redstone, Travers and
Watkins.

IN ATTENDANCE: Chief Executive (Mr R McLeod)
Group Manager: Asset Management (Mr C Thew)
Group Manager: Planning and Regulatory Services (Mr J
O'Shaughnessy)
Group Manager: Economic Growth and Organisation
Improvement (Mr C Cameron)
Acting Group Manager: Human Resources (Ms J
Kuzman)
Chief Financial Officer (Mr B Allan)
Group Manager: Community Facilities & Programmes
(Mrs A Banks)
Waste Services Manager (Mr B Chapman)
Manager Strategic Finance (Mr B Chamberlain)
Building Consents Project Officer (Mr G van Veen)
Parks and Property Services Manager (Mr C Hosford)
Parks Planning and Development Manager (Mrs R Stuart)
Executive Advisor (Mr N Taylor)
General Counsel (Mr S Smith)
Democratic Support Manager (Mrs J Evans)
Committee Secretary (Mrs C Hunt)

AS REQUIRED: Kaumatua: Jerry Hapuku
Ruiha Woodward

Mr Jock Mackintosh, Chief Executive, Hawke's Bay
Regional Sports Park Trust – Item 7

Lead Petitioners: Dianne Vesty, Barry Jones and Graeme
Putt – Item 8

Ms R McKenzie, Property Group – Item 8

Family and friends of Councillor Lawson were present for
her swearing in

Approximately 20 members of the public were also
present in the gallery for Item 8 – Havelock North Booster
Pump Station.

6. MAKING AND ATTESTING OF COUNCILLOR DECLARATION
(Document 18/293)

Councillors Lyons and Redstone led newly elected Councillor Lawson, family and friends into the Chamber to the call by Ruhia Woodward.

Mayor Hazlehurst and the Chief Executive Officer then received and witnessed the oral declaration of Eileen Rose Lawson as the newly elected member to the Hastings District Council.

Mayor Hazlehurst welcomed Councillors, staff, family and friends to the meeting and especially Councillor Lawson on behalf of Council and presented her with a Hastings District Coat of Arms.

Councillor Lawson responded and said she was privileged and honoured to be elected. She thanked the people of Hastings for their support during the election campaign and said she was looking forward to making a difference.

Councillor Kerr/Councillor Travers

A) That the report of the Democratic Support Manager titled “Making and Attesting of Councillor Declaration” dated 26/04/2018 be received.

CARRIED

Following the closing karakia by Kaumatua Hapuka, Mayor Hazlehurst led Councillor Eileen Lawson to her place at the Council table for the remainder of the meeting.

1. PRAYER

The opening prayer was given by Reverend Duncan Leighton of New Hope Church.

2. APOLOGIES

There were no apologies

LEAVE OF ABSENCE

Councillor Kerr/Councillor Redstone

That leave of absence be granted for

Councillor Harvey	1-16 July 2018
Councillor Dixon	18-21 June 2018

CARRIED

Leave of Absence had previously been granted to Councillor Schollum.

3. SEAL REGISTER

Mayor Hazlehurst/Councillor Watkins

That the seal register lie on the table.

CARRIED

4. CONFLICTS OF INTEREST

Councillor Kerr - Item 7 – Hawke’s Bay Regional Sports Park Trust Draft Half Year Report to 31 December 2017

5. CONFIRMATION OF MINUTES

Mayor Hazlehurst/Councillor Dixon

That the minutes of the Council Meeting held Thursday 22 March 2018, including minutes while the public were excluded, be confirmed as a true and correct record and be adopted.

CARRIED

Councillor Kerr having previously declared a conflict of interest withdrew from the meeting table.

7. HAWKE'S BAY REGIONAL SPORTS PARK TRUST DRAFT HALF YEAR REPORT TO 31 DECEMBER 2017

(Document 18/199)

The Chief Executive, Hawke’s Bay Regional Sports Park Trust, Mr Mackintosh displayed a powerpoint presentation (CG-14-1-00734) providing an overview of the Trust’s half year results to 31 December 2017.

Councillor Watkins/Councillor Harvey

A) That the report of the Manager Strategic Finance titled “Hawke's Bay Regional Sports Park Trust Draft Half Year Report to 31 December 2017” dated 26/04/2018 be received.

B) That the Hawke’s Bay Regional Sports Park Trust Half Year Report to 31 December 2017 be received.

CARRIED

8. HAVELOCK NORTH BOOSTER PUMP STATION

(Document 18/170)

Mayor Hazlehurst welcomed Lead Petitioners Dianne Vesty, Barry Jones and Graeme Putt to speak to their petition, which had been formally received at the Council meeting held on 1 February 2018.

Ms Vesty tabled a further 309 signatories in support of the original petition received and also tabled comments from Russell Mohi (CG-14-1-00737).

Ms Vesty spoke to the petition and tabled additional information (CG-14-1-00738). She considered that this was a big community issue. She felt there had been poor consultation and the cumulative effects on the environment had not been considered. Ms Vesty concluded by asking that the pump station be moved to an area which did not have such an adverse impact on local residents and the local community.

Mr Jones also spoke to the petition advising that people were against proposed position of the pump station. He also referred to the Havelock North Central Kindergarten information (CG-14-1-00719), which was circulated to Councillors on 23 April 2018.

Circulated at the meeting was a redacted email conversation (CG-14-1-0733) received in regard to the site of the pump station.

It was noted that additional valuation information in regard to the proposed site, had been received by Council. Following the presentation from the petitioners the meeting agreed to adjourn to Public Excluded session to consider this valuation information, which was commercially sensitive.

The meeting adjourned at 2.15pm and reconvened in Public Excluded Session

Mayor Hazlehurst/Councillor Nixon

THAT the public now be excluded from the following part of the meeting, namely:

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
8.	Havelock Booster Station North Pump	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 receive and consider valuation information.	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 Ms Rebecca McKenzie, (Regional Business Manager, The Property Group (Item 8) be permitted to remain in the meeting after the public have been excluded, because of her knowledge of the matter under consideration.

CARRIED

The meeting later resumed in Open Session at 2.45pm

8. HAVELOCK NORTH BOOSTER PUMP STATION (CONTD..)
(Document 18/170)

The Chief Executive reported that although a preliminary assessment and cost had been provided, confirmed figures were not available, Therefore, Councillors agreed to defer making a decision until a final purchase price for the 15

Karanema Drive site had been negotiated.

Mayor Hazlehurst/Councillor Nixon

- A) That the report of the Water Services Manager titled "Havelock North Booster Pump Station" dated 26/04/2018 be received.
- B) That Item 8 Havelock North Booster Pump Station be further considered at a subsequent Council or Standing Committee meeting once a purchase price for the 15 Karanema Drive site has been negotiated.

CARRIED

9. THE BUILDING (EARTHQUAKE-PRONE BUILDINGS) AMENDMENT ACT 2016 AND PRIORITY BUILDINGS
(Document 18/136)

The Building Consents Projects Officer, Mr van Veen displayed a powerpoint presentation (REG-2-9-18-3129) providing an overview of managing earthquake prone buildings and whether to proceed to community consultation.

Councillor Heaps/Councillor Kerr

- A) That the report of the Building Consents Projects Officer titled "The Building (Earthquake-prone Buildings) Amendment Act 2016 and Priority Buildings" dated 26/04/2018 be received.
- B) That the Council approves Option 1 as its preferred option for consultation as below:
 - "Proceed to community consultation in accordance with the Special Consultative Procedure on:*
 - a) *parts of a roads, footpaths, or other thoroughfares that warrant prioritisation (because they have parts of unreinforced masonry (URM) buildings that could fall in an earthquake and have sufficient vehicle or pedestrian traffic)".*
- C) That the Council approves for public consultation the draft "Statement of Proposal".
- D) That the Council proceeds to community consultation in accordance with the Special Consultative Procedure.

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

- Ensuring that earthquake-prone buildings are remediated within requirements of the Building Act 2004.

CARRIED

*The meeting adjourned for afternoon tea at 3.00pm
and reconvened at 3.20pm*

10. HEALTH AND SAFETY MONTHLY REPORTS - JANUARY AND FEBRUARY 2018

(Document 18/105)

Councillor Kerr/Councillor Lyons

- A) That the report of the Health and Safety Advisor titled "Health and Safety Monthly Reports - January and February 2018" dated 26/04/2018 be received.
- B) That the updated Health and Safety Policy dated 31/3/2018 be re-endorsed by Elected members.

CARRIED

11. APPOINTMENT OF COMMISSIONERS FOR DISTRICT PLAN VARIATION 4 "IONA RESIDENTIAL REZONING"

(Document 18/330)

Councillor Lyons/Councillor Travers

- A) That the report of the Senior Environmental Planner Policy (Special Projects) titled "Appointment of Commissioners for District Plan Variation 4 'Iona Residential Rezoning'" dated 26/04/2018 be received.
- B) That pursuant to Section 34A(1) of the Resource Management Act 1991, Mr Paul Cooney (Chair), Mr Ian Mayhew and Julia Williams are hereby appointed as Hearing Commissioners to hear and make recommendations on submissions to the Environment Minister on Variation 4 "Iona Residential Rezoning" on behalf of Council.

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

- i) Progressing Variation 4 – Iona Residential Rezoning for the Proposed Hastings District Plan to ensure adequate supply of residential land for the Havelock North community; and
- ii) Ensuring that the timeframe set under the Streamlined Planning Process Direction is able to be met and that appropriate ongoing specialist technical input is part of the variation process.

CARRIED

12. REQUESTS RECEIVED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT (LGOIMA) MONTHLY UPDATE

(Document 18/287)

Councillor Dixon/Councillor Watkins

- A) That the report of the Democratic Support Manager titled “Requests Received under the Local Government Official Information and Meetings Act (LGOIMA) Monthly Update” dated 26/04/2018 be received.**
- B) That the LGOIMA requests received in March 2018 as set out in Attachment 1 (IRB-2-01-18-1153) of the report in (A) above be noted.**

CARRIED

13. REMITS

(Document 18/300)

Councillor Dixon/Councillor Redstone

- A) That the report of the Democratic Support Manager titled “Remits” dated 26/04/2018 be received.**
- B) That the Chief Executive be given delegated authority support for those remits that have been provided at the LGNZ Zone 3 meeting so that it can be supported through to the remit screening process.**
- C) That Council support the Napier City Council Local Alcohol Policy Remit (CG-14-1-00713).**
- D) That Council endorse the action in respect of Maori Wards (CG-14-1-00714) by the President of Local Government New Zealand for the removal of the relevant Clauses of the Local Electoral Act 2001 that allow for polls of electors on whether a territorial authority can establish Māori Wards and constituencies and therefore withdraw Council’s remit.**
- E) That Council support Local Government New Zealand’s Waste Manifesto to go forward as a remit and withdraw the remit on Plastic Packaging and Fireworks.**

CARRIED

14. REVISED GOVERNANCE STRUCTURE

(Document 18/60)

Mayor Hazlehurst/Councillor Kerr

- A) That the report of the Democratic Support Manager titled “Revised**

Governance Structure” dated 26 April 18 be received.

- B) That the Council adopt in principle the Portfolio Lead and Committee Structure listed below to be implemented from 1 June 2018, or the date of the Remuneration Authority on the allowance payments, whichever is the later.**

Parent Committee	Portfolio	Fields of Activity
Community Development	Ambassador for Hastings	Ambassador, Citizenship, Civic Honours, historic Commemorations, Hastings Proud, Local and community events and celebrations, Community Liaison
Community Development	Community Engagement	Marketing and Promotion, Community Engagement Events, Culture and Heritage including the Hastings City Art Gallery, Tourism
Community Development	Our Places	Opera House and Art Precinct, Housing for the elderly, Cemeteries (including physical works), Library operations, Recreation Facilities other than Parks & Reserves, Landmark Activities
Community Development	Our People	Social Development and Wellbeing programmes, Youth Liaison and Engagements, Youth Development and Employment, Positive Ageing, Community Plans
Community Development	Our Economy	Economic & Business Development Programmes, Economic Development, Growth Management and Urban Development; Hastings City Centre Development, Regional Development, Urban Design and Development (including CBD planning)
Finance and Risk	Safeguarding Our Money	Audit and Accountability Requirements, Business Units/ CCO/CCTO Ownership Overview, Monitoring and Compliance with LTP/AP and Budget Implementation, Performance Management, Taxation, Tenders and Procurement

Parent Committee	Portfolio	Fields of Activity
Finance and Risk	Long Term Financial Planning	Establishing the Strategic Direction of the Council's Business Units Council Controlled Organisations (CCOs) and Council Controlled Trading Organisations, Rating matters including Rating Sale proceedings, Overview of Financial Risk Management Policies required under legislation, Risk Management Strategy
Strategic Planning and Partnerships	Protecting Our Communities	District Plan, Alcohol, Animal and pest control, Building Control including the Building Act 2004 and the New Zealand Building Code, Bylaws, Parking Control, Public Health and Safety, Hearings, Miscellaneous RMA and other Regulatory Acts
Strategic Planning and Partnerships	Partnerships and uplifting our communities	District Development and Land Use Planning (high level strategy), Strategic Planning, Maori/Multi cultural relationships, Rural Communities, Regional Relationships
Works and Services	Our Water	Water, wastewater and stormwater (including public drainage and watercourses), Three Waters Infrastructure (Water, Wastewater, Stormwater), Drinking Water Safety.
Works and Services	Planning Our Assets for Tomorrow	Transport Strategy (including, public transport, cars, walking and bridges), Regional Transport, Coastal Hazards, Parks and Reserves Strategic Planning (Reserve Management Plans), Emergency Management.

Parent Committee	Portfolio	Fields of Activity
Works and Services	Moving Around and Operations	CBD Upgrades physical works, Infrastructure service provision, Model Communities Project (i-way), Property Ownership, Management, Renewals, Upgrades, Developments, Rooding and Transport Operations, Parks and Reserves maintenance
Works and Services	Our Environment	Sustainability Programmes and Projects, Climate Change projects and Partnerships for the delivery of and measuring sustainability, Solid Waste Operations (including refuse, landfill, recycling disposal and recycled materials), Havelock North Streams

With the reasons for this decision being that the it will enable the Council to give effect to the purposes of local government and to its responsibilities and obligations under the Local Government Act 2002 and any other legislation in the most effective and efficient manner.

CARRIED

15. REMUNERATION AUTHORITY - COMMITTEE AND GOVERNANCE STRUCTURE - SPECIAL RESPONSIBILITY ALLOWANCES
(Document 18/98)

Councillor Kerr/Councillor Lyons

- A) That the report of the Democratic Support Manager titled “Remuneration Authority – Governance and Committee Structure – Special Responsibility Allowances” dated 26 April 2018 be received.
- B) That the Council recommend the following remuneration allowances, as the model for consideration by the Remuneration Authority:-

POSITION		SALARY
Deputy Mayor	1	\$61,565
Chair and Portfolio Leader – B and A	4	\$49,255
Portfolio Leader – B and A	3	\$ 46,255
Portfolio Leader – B and B	6	\$ 45,255

- C) That it be noted that the new governance structure and payment of allowances will come into effect from 1 June 2018, or the date of the

remuneration authority determination, whichever is the later.

A HAND VOTE RESULTED IN 8 FOR AND 6 AGAINST

THE MOTION WAS **CARRIED**

COUNCILLORS HEAPS, NIXON AND BARBER RECORDED THEIR VOTES AGAINST THE MOTION

16. ADDITIONAL BUSINESS ITEMS

There were no additional business items.

17. EXTRAORDINARY BUSINESS ITEMS

There were no extraordinary business items.

18. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 8, 19, 20, 21, 22 AND 23

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Mayor Hazlehurst/Councillor Lyons

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

- 19. Summary of Recommendations of the Civic Honours Awards Subcommittee meeting held 16 April 2018 while the Public were Excluded**
- 20. Heretaunga House Review**
- 21. Oceania Group offer to lease space in Heretaunga House**
- 22. Chief Executive Staffing Matters**
- 23. Chief Executive Mid Year Performance Review**

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
19. Summary of Recommendations of the Civic Honours Awards Subcommittee meeting held 16 April 2018 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.

20. Heretaunga House Review	<p>Section 7 (2) (i)</p> <p>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).</p> <p>Potential Sales Prices are 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>
21. Oceania Group offer to lease space in Heretaunga House	<p>Section 7 (2) (i)</p> <p>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).</p> <p>The paper contains details regarding negotiations to lease Council owned office space.</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>
22. Chief Executive Staffing Matters	<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>The matter at this stage is between the Council and the staff concerned.</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>
23. Chief Executive Mid Year Performance Review	<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>The protect the privacy of the incumbent.</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>

CARRIED

The meeting closed at 4.40pm

Confirmed:

Chairman:

Date: