



# *Hastings District Council*

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## **OPEN MINUTES**

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## **COUNCIL**

Meeting Date: **Thursday, 2 May 2019**

**Minutes of a Meeting of the Council held on  
2 May 2019 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, 2 MAY 2019 AT 1.00PM

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- PRESENT:** Mayor Hazlehurst (Chair)  
Councillors Barber, Dixon, Harvey (*left 4.00pm*), Heaps, Kerr, Lawson, Lyons, Nixon, O'Keefe, Redstone, Schollum and Watkins.
- IN ATTENDANCE:** Chief Executive (Mr N Bickle)  
Group Manager: Asset Management (Mr C Thew)  
Group Manager: Economic Growth and Organisation Improvement (Mr C Cameron)  
Group Manager: Human Resources (Mrs B Bayliss)  
Chief Financial Officer (Mr B Allan)  
Group Manager: Community Facilities & Programmes (Mrs A Banks)  
Project Advisor (Ms A Hilton)  
Team Leader Environmental Consents/Subdivision (Mr C Sutton)  
Social & Youth Development Manager (Ms D Elers)  
Acting Transportation Engineer (Mr G O'Connor)  
Traffic Engineering Officer (Mr L Crawford)  
Cemetery Manager (Mr I Bester)  
Parking Transportation Officer (Mr M England)  
Strategic Transport Engineer (Mr E Phillips)  
Health & Safety Manager (Ms J Kuzman)  
General Counsel (Mr S Smith)  
Manager: Democracy and Governance Services (Mrs J Evans)  
Committee Secretary (Mrs C Hunt)
- AS REQUIRED:** St John's College Students: Brad Selwood (College Captain) Year 13 and Alex Findlayson (Year 11) accompanied by David Ivory (Teacher), Paul Melloy, Principal and Caroline Lampp (General Manager, Whatever it Takes Trust) (Item 6)  
Diane and Paul Ward (Item 7)  
Principal, Brendon White, Lucknow School, Havelock North (Item 8)  
Principal, Matt O'Dowda, Kimi Ora Community School (Item 14)  
Mr Denis Pilkington, Historic Places Hawke's Bay

#### 1. PRAYER

The opening prayer was given by Reverend Paul Loveday, St Johns Church, Hastings.

**2. APOLOGIES**

Councillor Dixon/Councillor Redstone

**That apologies for absence from Councillor Poulain and Councillor Travers be accepted.**

**CARRIED**

**3. SEAL REGISTER**

Mayor Hazlehurst/Councillor Watkins

**That the Seal Register lie on the table for the duration of the meeting.**

**CARRIED**

**4. CONFLICTS OF INTEREST**

There were no declarations of conflicts of interest.

**5. CONFIRMATION OF MINUTES**

Councillor Watkins/Mayor Hazlehurst

**That the minutes of the Council Meeting held Thursday 28 March 2019, including, minutes while the public were excluded be confirmed as a true and correct record and be adopted.**

**CARRIED**

**6. PRESENTATION BY ST JOHN'S COLLEGE, HASTINGS**

(Document 19/217)

Brad Selwood (Year 13, College Captain), accompanied with Paul Melloy (Principal), St John's College and Caroline Lampp, General Manager (Whatever it Takes Trust) spoke to the meeting on the award winning device they had created in relation to low cost rain and flood warning device known as GEORGE.

Alex Findlayson (Year 11 student) spoke to the meeting on the development of concrete pavers using recycled plastic and coconut fibre and producing a sellable prototype paver.

Mayor Hazlehurst/Councillor Nixon

**A) That the report of the Project Advisor titled "Presentation by St John's College, Hastings" dated 2/05/2019 be received.**

**CARRIED**

**7. PILCHER ROAD RENAMING**

(Document 18/845)

Mrs Diane Ward (Wedd) spoke on behalf of the Giles family and reaffirmed their support and reasoning that Giles name was an appropriate choice for the renaming of the relevant part of Pilcher Road. The Giles family would celebrate

100 years farming in 2020 and this would be an appropriate means to recognise their contribution to the community. The piece of road to be renamed was 300metres and was an off chute of Pilcher Road.

Councillor Redstone/Councillor Watkins

- A) That the report of the Team Leader Environmental Consents/ Subdivision titled “Pilcher Road Renaming” dated 2/05/2019 be received.
- B) That pursuant to Section 319 of the Local Government Act 1974, a section of Pilcher Road as shown as a red dashed line in Figure 1 be renamed to Giles Lane.



Figure 1 – Aerial photo (showing existing section of Pilcher Road to be renamed coloured red and new section of Pilcher Road shown green)

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) by:

- i) Road names reflecting the identity of the local area as well as ensuring ease of identification for the Council, emergency services and others.

A HAND VOTE WAS TAKEN WITH 8 FOR AND 5 AGAINST  
THE MOTION WAS **CARRIED**

## 8. ANDERSON PARK COMMUNITY PLAN (Document 19/322)

Mr Brendon White, Principal, Lucknow School presented the draft Anderson Park Community Plan and sought endorsement of the Plan.

Councillor Schollum/Councillor Harvey

- A) That the report of the Community Connector titled “Anderson Park Community Plan” dated 2/05/2019 be received.
- B) That the Council endorse the Anderson Park Community Plan 2018 – 2021 (COP-03-14-19-117) noting that the actions within the plan requiring new Council funding will be requested through the appropriate council processes.

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) Working collaboratively with the Anderson Park Community and its stakeholders to achieve real outcomes identified by the Anderson Park Community.

**CARRIED**

## **9. LAND TRANSPORT RULE - SPEED LIMIT REVIEW**

(Document 19/417)

Consultation for the speed bylaws in regard to East Road, Kereru Road, Irongate Road East, Maraekakaho Road, Te Ara Kahikatea and Te Aute Road would open on 23 May 2019 with submissions closing on 27 June 2019.

Councillor Kerr/Councillor Nixon

- A) That the report of the Acting Transportation Engineer titled “Land Transport Rule - Speed Limit Review” dated 2/05/2019 be received.
- B) That the Council determine:
  - i. That a bylaw is the most appropriate way of addressing the setting of safe and appropriate speed limits as it is the only method mandated by the Land Transport Rule: Setting of Speed Limits 2017,
  - ii. That the bylaw as proposed to be amended is the most appropriate form of bylaw,
  - iii. That the right to control speed limits is granted by Parliament to territorial authorities and the limitations proposed are justified limitations in terms of section 5 of the New Zealand Bill of Rights Act 1990 and that there is accordingly no breach of the New Zealand Bill of Rights Act.
- C) That the Council adopt the attached Statement of Proposal (LEG-02-34-19-534), subject to minor amendments, to go out for public consultation in accordance with the special consultative procedure under the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2017.

**D) With the reasons for this decision being:**

- i. That the consultation on the speed limits will allow affected parties and the wider community to fully consider the proposed bylaw amendments that have been proposed having regard to the requirements of the Rule 4.2(2) of the Land Transport Rule: Setting of Speed Limits 2017.

**CARRIED**

**10. CEMETERIES AND CREMATORIUM - FEES & CHARGES**

(Document 19/393)

Councillor Dixon/Councillor Nixon

- A) That the report of the Cemetery Manager titled "Cemeteries and Crematorium - Fees & Charges" dated 2/05/2019 be received.
- B) That Council approve the new schedule included in the report at (A) above which increases fees and charges by 10% across the board for the Crematorium (CG-14-11-00010) as recommended by the Hawke's Bay Crematorium Committee, effective from 1 July 2019, and includes the following change:
  - a. That no charges be made for the cremation of pre-term and stillborn infants or children 0-11 years of age (also effective from 1 July 2019).
- C) That Council adopt the new schedule included in the report at (A) above, which increases by 10% across the board fees and charges for Cemeteries (CG-14-1-01263), effective from 1 July 2019.

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 and local public services in regards to cemeteries and crematoria.

**CARRIED**

**11. PARKING CONTROLS**

(Document 19/289)

Councillor O'Keefe/Councillor Schollum

- A) That the report of the Parking Transportation Officer titled "Parking Controls" dated 2/05/2019 be received.
- B) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the parking space on the eastern side of Eastbourne Street, outside of St Joseph's School commencing approximately 136 metres from the intersecting kerblines of Hastings Street South and extending 6 metres be resolved to have P5 time limit as set out in Attachment 1 (REG-22-10-19-3111) of the report in (A) above.

- C) Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing parking space on the eastern side of Joll road located approximately 79 metres from the intersecting kerbline of Porter Drive be resolved to have P5 time limit as set out in Attachment 2 (REG-22-10-19-3112) of the report in (A) above.
- D) Council resolve pursuant to Clause 5.3.1(a)(iv) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing parking space at the end of Cooper Street, located at the rear entrance of the Havelock North Play Centre be resolved to have P5 time limit as set out in Attachment 3 (REG-22-10-19-3115) of the report in (A) above.
- E) Council resolve pursuant to Clause 5.3.1(a)(iv) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the southern side of James Rochfort Place, commencing approximately 25 metres south of the intersecting kerbline of Omahu Road and extending 52 metres south be resolved to have a limited Clearway as set out in Attachment 4 (REG-22-10-19-3119) of the report in (A) above.

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

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

**CARRIED**

## 12. **NAPIER ROAD CYCLEWAY** (Document 19/358)

### **Action Points**

- That the iWays Strategy, its principles, the outcomes sought, and the subsequent priorities be reviewed in early 2020.
- That the Napier Road crash statistics be reviewed and brought back to council (with appropriate safety enhancements - as relevant).

Councillor Redstone/Councillor Lyons

- A) That the report of the Strategic Transport Engineer titled “Napier Road Cycleway” dated 2/05/2019 be received.
- B) That the preferred Option for Napier Road of on-road cycle lanes with wide buffer, colour, and separators, plus two-way shared path on the east side between Romanes Drive and Thompson Road be approved to proceed and request that officers actively pursue an enhanced NZTA’s Targeted Enhanced Funding Assistance rate.



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:

- Providing accessible transport options.

**CARRIED**

**13. HEALTH & SAFETY QUARTERLY REPORT**

(Document 18/1180)

Councillor Heaps/Councillor Barber

- A) That the report of the Health and Safety Manager titled "Health & Safety Quarterly Report" dated 2/05/2019 be received.

**CARRIED**

*With the agreement of the meeting Items 15 and 16 were taken out of order.*

**15. HAWKE'S BAY OPERA HOUSE STRATEGIC PLAN**

(Document 19/94)

Councillor Dixon/Councillor Schollum

- A) That the report of the Chief Financial Officer titled "Hawke's Bay Opera House Strategic Plan" dated 2/05/2019 be received.
- B) That the Hawkes Bay Opera House Arts and Events Precinct Strategic Plan 2019-2021 (PRJ17-7-0489) be adopted.

**CARRIED**

**16. CHIEF EXECUTIVE MONTHLY REPORT**

(Document 19/396)

Mayor Hazlehurst/Councillor Redstone

- A) That the report of the Chief Executive titled "Chief Executive Monthly Report" dated 2/05/2019 be received.

**CARRIED**

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

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*With the agreement of the meeting Item 24 was taken out of order.*

**23. RESOLUTION TO EXCLUDE THE PUBLIC FROM ITEM 24 AND 25**

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Heaps/Councillor Kerr

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

**24. CBD linkage**

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:

<b>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b>	<b>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</b>	<b>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</b>
24. CBD linkage	<p><b>Section 7 (2) (h)</b></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>To enable Council to continue negotiations.</p>	<p><b>Section 48(1)(a)(i)</b></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**


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*The meeting resumed in Open Session at 4.00pm  
Councillor Harvey left the meeting at 4.00pm.*

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**14. FLAXMERE WEST COMMUNITY PLAN**

(Document 19/325)

Mr Matt O'Dowda, Principal, Kimi Ora Community School presented the draft Flaxmere West Community Plan and sought endorsement of the Plan.

Councillor Lawson/Councillor Heaps

- A) That the report of the Community Connector and Manager Social & Youth Development titled "Flaxmere West Community Plan" dated 2/05/2019 be received.**
- B) That Council endorse the Flaxmere West Community Plan noting that the actions within the plan requiring new Council funding will be requested through the appropriate council processes.**

**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) Working collaboratively with the Flaxmere West Community and its stakeholders to achieve real outcomes for identified by the Flaxmere West Community.**

**CARRIED**

## 22. EXTRAORDINARY BUSINESS ITEMS

**206 Queen Street, Hastings** – Mr Denis Pilkington spoke on behalf of the Historic Places Hawke's Bay submission on the Hawke's Bay Farmers Co-op Garage Building (CG-14-1-01281) which supported the retention of the second 16 metre bay for the purpose of car parking.

## 17. COUNCIL CHAMBER AUDIO VISUAL PROJECT - PROTOCOLS FOR LIVE STREAMING - AMENDMENT TO STANDING ORDERS

(Document 19/265)

The Manager, Democracy and Governance Services, Ms Evans advised that 75% of elected members present was required to allow for any amendment to the Standing Orders.

### Action Points

- Develop a process when appropriate verbal notice is provided by the Chair before live streaming begins.
- Investigate and report back on appropriate procedures for moving presenters who are concerned about safety into Public Excluded.
- Investigate and report back on appropriate copyright notices to be included with live streamed content.
- Consideration as to whether Council can control the use permission around this content.

Councillor Lawson/Councillor Barber

- A) That the report of the Manager: Democracy and Governance Services titled "Council Chamber Audio Visual Project - Protocols for Live Streaming - Amendment to Standing orders" dated 2/05/2019 be received.
- B) That the Council's Standing Orders be amended to include the following protocols for livestreaming Council meetings to be included as Appendix 5 with the subsequent appendices to be renumbered accordingly:
1. The default shot will be on the Chairperson or a wide-angle shot of the meeting room.
  2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
  3. Generally interjections from other members or the public are not covered. However if the Chairperson engages with the interjector, the interjector's reaction can be filmed.
  4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
  5. Shots unrelated to the proceedings, or not in the public

interest, are not permitted.

6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chairperson.
  7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.
- C) That the Chief Executive be instructed to proceed with the project to livestream all full public Council meetings following the completion of testing to the satisfaction of Council on a date to be determined.

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 performance of regulatory functions in a way that is most cost-effective for households and business by the provision of open and accessible decision making processes.

**CARRIED**

## 18. AMENDMENTS TO THE DELEGATIONS TO THE CHIEF EXECUTIVE

(Document 19/357)

Review Policy

Councillor Kerr/Councillor Lyons

- A) That the report of the General Counsel and General Counsel titled “Amendments to the Delegations to the Chief Executive” dated 2/05/2019 be received.
- B) That current delegations to the Chief Executive (dated 25 June 2009) be amended, and a new set of delegations issued, as follows:
  - (i) the amount referenced as “the power to enter into contracts for the supply of goods and services” on page 3 of the current delegation (ADM-01-03-6-08-242) be increased from \$500,000 to \$5,000,000; and
  - (ii) clause (a) on page 4 of the present delegations (ADM-01-03-6-08-242) be deleted, and clauses (b) and (c) be renumbered accordingly.

That Delegations Policy be reviewed at each Long Term Plan.

With the reason for this decision being that the changes to the delegations will contribute to meeting the current and future needs of communities for good quality local infrastructure, local public services, and the performance of regulatory functions, in a way that is most cost-effective for households and business while maintaining appropriate oversight of financial transactions.

**CARRIED**

*Councillor Barber left 4.50pm*

**19. REQUESTS RECEIVED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT (LGOIMA) MONTHLY UPDATE**  
(Document 19/331)

Councillor Lawson/Councillor Kerr

- 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 2/05/2019 be received.**
- B) That the LGOIMA requests received in March 2019 as set out in Attachment 1 (IRB-2-01-19-1565) of the report in (A) above be noted.**

**CARRIED**

**20. UPDATED 2019 MEETING SCHEDULE CHANGES**  
(Document 19/291)

Due to the timeline for the Speed Bylaws submission the date was moved from 11 July to 15 August 2019.

Councillor Lawson/Councillor Kerr

- A) That the report of the Manager: Democracy and Governance Services titled “Updated 2019 Meeting Schedule Changes” dated 2/05/2019 be received.**
- B) That the 2019 Meeting Schedule be amended as follows:-**

Committee	Date	Time	Venue
Council (Speed bylaws)	15 August 2019	9.00am (prev 1.00pm)	Council Chamber

**CARRIED**

**21. ADDITIONAL BUSINESS ITEMS**

There were no additional business items.

**23. RESOLUTION TO EXCLUDE THE PUBLIC FROM ITEM 25**

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Heaps/Councillor Kerr

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

- 25. Summary of Recommendations of the Civic Honours Awards Subcommittee meeting held 15 April 2019 while the Public were Excluded**

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:

<b>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b>	<b>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</b>	<b>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</b>
25. Summary of Recommendations of the Civic Honours Awards Subcommittee meeting held 15 April 2019 while the Public were Excluded	As stated in the minutes	<b>Section 48(1)(a)(i)</b> 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**

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The meeting closed at 5.05pm

Confirmed:

Chairman:

Date: