



Hastings District Council

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OPEN MINUTES

COUNCIL

Meeting Date: **Thursday, 22 August 2019**

**Minutes of a Meeting of the Council held on
22 August 2019 at 10.30am**

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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, 22 AUGUST 2019 AT 10.30AM

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

IN ATTENDANCE: Chief Executive (Mr N Bickle)
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)
Group Manager: Human Resources (Mrs B Bayliss)
Chief Financial Officer (Mr B Allan)
Group Manager: Community Facilities & Programmes
(Mrs A Banks)
General Counsel (Mr S Smith)
Community Safety Manager (Mr J Payne)
Parking Transportation Officer (Mr M England)
Manager: Democracy and Governance Services (Mrs J
Evans)
Democracy & Governance Advisor (Mrs C Hunt)

AS REQUIRED: Rob Hay, Charlie Bayly and Cameron Joe,
Representatives of Lindisfarne Football Team
Kaumātua Jerry Hapuku
Peter Paku, Mrs Paku and Pohatu Paku
Family members representing Gordon Paku; Riria Paku
and Lindsay Ralph; Bridget Paku and Raven Pohatu;
Michael Paku; Marei Apatu

1. PRAYER

The opening prayer was given by Pastor David Connell of Bay City Church.

2. APOLOGIES

Leave of Absence had previously been granted to Councillor Watkins (to 11.30am) and Councillor Dixon.

3. SEAL REGISTER

Mayor Hazlehurst/Councillor Lawson

That the Seal Register remain lying on the table for the meeting.

CARRIED

4. CONFLICTS OF INTEREST

Councillor Lawson declared a conflict of interest in Public Excluded Item 19 – Howard Street Development Contribution Policy.

5. CONFIRMATION OF MINUTES

Mayor Hazlehurst/Councillor Travers

That the minutes of the Council Meeting held Thursday 15 August 2019 be confirmed as a true and correct record and be adopted.

CARRIED

6. PRESENTATION BY LINDISFARNE COLLEGE

(Document 19/856)

Charlie Bayly, (1st XV Football Captain) and Cameron Joe (Year 13 Prefect) were part of Lindisfarne College's football team that toured the UAE from 10 to 20 April 2019. During the tour the team had four wins and one draw.

They displayed a powerpoint presentation (CG-14-1-01488) of photos and spoke of their experience in Dubai and thanked the Mayor for the support of Council for the tour.

Councillor Nixon/Councillor Kerr

A) That Council receive the report titled Presentation by Lindisfarne College.

CARRIED

7. PARKING CONTROLS

(Document 19/801)

Councillor Kerr/Councillor Lyons

A) That Council receives the report titled Parking Controls.

B) That pursuant to Clause 5.3.1(a)(iii) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the existing parking space on the western side of King Street North commencing approximately 50.5 metres from the intersecting line with Heretaunga Street West and extend 4.5 metres in a northerly direction be resolved to become a mobility carpark as set out in Attachment 1 (REG-22-03-12-19-471):

C) That pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the existing parking spaces on the eastern side of King Street North commencing approximately 39 metres north of the intersecting kerbline with St Aubyn Street West and heading 41 metres in a northerly direction be resolved to have a 120 time limit as set out in Attachment 2 (REG-22-03-12-19-470):

- D) That pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the existing parking space on the eastern side of King Street North commencing approximately 86.5 metres north of the intersecting line with St Aubyn Street West be resolved to have a P5 time limit as set out in Attachment 2 (REG-22-03-12-19-470):**
- E) That pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the existing parking spaces on the eastern side of Frimley Avenue commencing approximately 16 metres north of the intersecting kerblines with Omahu Road and heading 43 metres in a northerly direction be resolved to have a P60 time limit between 8am and 5pm week days as set out in Attachment 3 (REG-22-03-12-19-473):**
- F) That pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the existing parking spaces on the western side of McLeod Street commencing approximately 107 metres south of the intersecting kerblines with Omahu Road and heading 26 metres in a southerly direction be resolved to have a P60 time limit between 8am and 5pm week days as set out in Attachment 4 (REG-22-03-12-19-472):**
- G) That pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the existing parking spaces on the western side of Karamu Road North commencing approximately 47 metres north of the intersecting kerblines with Duchess Crescent and heading 22 metres in a northerly direction be resolved to have a P5 time limit as set out in Attachment 5 (REG-22-03-12-19-474):**
- H) That pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, the existing 4 parking spaces on the northern side of Orchard Rd commencing approximately 140 metres east of the intersecting kerblines with Canning Road and heading 24 metres in a easterly direction be resolved to have a P5 time limit from 8-30am to 9-30am and 2-30pm to 3-30pm during school days as set out in Attachment 6 (REG-22-03-12-19-475):**
- I) That pursuant to Clause 5.3.1(a)(iii) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016 as set out in Attachment 7 (REG-22-03-12-19-478):**
- a. The parking space on the southern side of Lyndhurst Road, commencing approximately 483 metres west from the intersecting kerblines of Pakowhai Road be resolved to become a mobility carpark.**
 - b. The parking space on the southern side of Lyndhurst Road, commencing approximately 100 metres east from the intersecting kerblines of Hart Drive be resolved to become a mobility carpark.**
- J) That the Council considers a School Traffic Management Plan for the Heretaunga Intermediate School on Orchard Road.**

CARRIED

8. REQUESTS RECEIVED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT (LGOIMA) MONTHLY UPDATE
(Document 19/798)

Councillor Lyons/Councillor Lawson

- A) That the Council receives the report titled Requests Received Under the Local Government Official Information and Meetings Act (LGOIMA) Monthly Update**
- B) That the LGOIMA requests received in July 2019 as set out in Attachment 1 (IRB-2-01-19-1647) of the report be noted.**

CARRIED

9. GENERAL UPDATE REPORT AND STATUS OF ACTIONS
(Document 19/814)

ACTION POINT

- Update any potential to set “go live” date at next Council meeting.
- Live stream on all public meetings if possible.
- General direction to have signed off before the end of the triennium.
- Update on requirements for public records retention and protocols for Councillors and staff before “going live”.

Councillor Lyons/Councillor Kerr

- A) That Council receives the report titled General Update Report and Status of Actions.**
- B) That Officers report back to the 26 September 2019 Council meeting on the outcome of the testing of Live Streaming and confirm a date to “go live” and associated matters.**

CARRIED

Councillor Watkins joined the meeting at 11.30am

10. FINANCIAL SUMMARY FOR THE 12 MONTHS TO JUNE 2019
(Document 19/821)

Action Point

Update on Clifton Revetment

Councillor Lyons/Councillor Kerr

That the Council receives the report titled Financial Summary for the 12 months to June 2019.

CARRIED

11. SUMMARY OF RISK AND AUDIT SUBCOMMITTEE MEETING HELD 2 JULY 2019

(Document 19/813)

Councillor Nixon/Councillor Barber

A) That the Council receives the report titled "Summary of Risk and Audit Subcommittee meeting held 2 July 2019" dated 22 August 2019.

B) That the following recommendations of the Risk and Audit Subcommittee meeting held 2 July 2019 be ratified:

"7. UPDATED BOW TIE RISK ANALYSIS FOR CIVIL DEFENCE EMERGENCY STRATEGIC RISK

A) *That the report of the Risk and Corporate Services Manager titled "Updated Bow Tie Risk Analysis for Civil Defence Emergency Strategic Risk" dated 2/07/2019 be received.*

B) *That the revised risk analysis for Civil Defence Emergency is reported to Council.*

With the reasons for this decision being that the objective of the decision will contribute to enabling democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future by:

i) Providing comprehensive understanding of strategic risk.

CARRIED

12. UPDATED 2019 MEETING SCHEDULE CHANGES

(Document 19/837)

Councillor Kerr/Councillor Travers

A) That the Council receives the report titled Updated 2019 Meeting Schedule Changes dated 22 August 2019.

B) That the 2019 Meeting Schedule be amended as follows:-

Committee	Date	Time	Venue
Council	10 September 2019	10.30am	Council Chamber
HB Regional Sports Park Appointments Panel	2 September 2019	4.30pm	Guilin Room

CARRIED

The meeting adjourned at 11.45am
and reconvened at 12.00

13. PRESENTATION AND ACKNOWLEDGEMENT OF SERVICE AND SUMMARY OF RECOMMENDATIONS OF THE HDC : TANGATA WHENUA WASTEWATER JOINT COMMITTEE MEETING HELD 2 AUGUST 2019
(Document 19/837)

Mihi - Kaumātua Jerry Hapuku

Recognition of Gordon and Peter Paku - Mayor Hazlehurst on behalf of Council welcomed Peter and members of the Paku Family in recognition of the amazing work undertaken by Gordon (who sadly passed away in October 2018) and Peter who had tested, challenged and contributed greatly as members of the HDC : Tangata Whenua Wastewater Joint Committee and had amazing work for the whanau across the district.

Gordon would be remembered for his wonderful sense of humour and amazing spirit.

Mayor Hazlehurst on behalf of the people of Hastings presented a Coat of Arms badge and a Certificate of Service as a member of the HDC : Tangata Whenua Wastewater Joint Committee.

Councillor Heaps, Chair spoke on behalf of the HDC : Tangata Whenua Joint Wastewater and acknowledged Peter and Gordon's valuable contribution on the Committee.

Councillor Heaps/Councillor Watkins

- A) **That the Council/Committee receives the report titled Presentation and Acknowledgement of Service and Summary of Recommendations of the HDC : Tangata Whenua Wastewater Joint Committee meeting held 2 August 2019**
- B) **The following recommendations of the meeting held 2 August 2019 be ratified:**

"4. TANGATA WHENUA APPOINTMENT PROCESS TO THE HDC : TANGATA WHENUA WASTEWATER JOINT COMMITTEE

- A) ***That the report of the Pou Ahurea Matua - Principal Advisor: Relationships, Responsiveness and Heritage titled "Tangata Whenua Appointment Process to the HDC: Tangata Whenua Wastewater Joint Committee" dated 2/08/2019 be received.***
- B) ***That moving forward, the two Post-Settlement Governance Entities of Heretaunga Tamatea Settlement Trust and Mana Ahuriri Trust will be responsible for appointing their respective nominations to the Committee.***
- C) ***That Marei Apatu and Beverley Te Huia's nominations be accepted from Heretaunga Tamatea Development Trust as replacements for the two current Tangata Whenua vacancies on the HDC : Tangata Whenua Wastewater Joint Committee effective from 2 August 2019.***

RESIGNATION – PETER PAKU

- A) *That Mr Paku’s resignation as member on the HDC : Tangata Whenua Wastewater Joint Committee be accepted.*
- B) *That a nomination of a tangata whenua representative from the Heretaunga Tamatea Settlement Trust to replace Mr Paku will be considered at a future meeting”.*

CARRIED**14. ADDITIONAL BUSINESS ITEMS**

There were no additional business items.

15. EXTRAORDINARY BUSINESS ITEMS

There were no extraordinary business items.

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

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Mayor Hazlehurst/Councillor Kerr

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

17. **Hawke's Bay Opera House Branding**
18. **Municipal Building Future Use**
19. **Howard Street Development Contribution Policy**
20. **Summary of Recommendations of the Risk and Audit Subcommittee meeting held 2 July 2019 while the Public were Excluded**
21. **Chief Executive Performance Plan**

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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17. Hawke's Bay Opera House Branding	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 protect the commercial sensitivities of the new name and branding until they are finalised and secured.	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.
18. Municipal Building Future Use	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. Protect the commercial assumptions built into the Business Case and Council's negotiating position for future business ventures..	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.
19. Howard Street Development Contribution Policy	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). Protect potential land acquisition 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.
20. Summary of Recommendations of the Risk and Audit Subcommittee meeting held 2 July 2019 while the Public were Excluded	Section 7 (2) (a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. 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 protect named persons and for commercial sensitivity.	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. Chief Executive Performance Plan	Section 7 (2) (a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. To protect the privacy of an individual.	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 Jessica Soutar-Barron be permitted to remain in the Public Excluded Session for Items 17 and 18 as she was able to provide information that would assist Council in their Decision-making.

CARRIED

The meeting closed at 2.05pm

Confirmed:

Chairman:

Date: