



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, 22 February 2018
and Reconvened on
27 February 2018**

**Minutes of a Meeting of the Council held on
22 February 2018 at 1.00pm and Reconvened on 27 February 2018**

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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 FEBRUARY 2018 AT 1.00PM AND RECONVENED ON
TUESDAY, 27 FEBRUARY 2018**

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

IN ATTENDANCE: Chief Executive (Mr R McLeod)
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)
Manager Strategic Finance (Mr B Chamberlain)
Strategy Manager (Mr L Verhoeven)
Bridge Engineer (Ms A Ileperuma)
Transportation Manager (Mr J Pannu)
Parks and Property Services Manager (Mr C Hosford)
Health and Safety Advisor (Mr J Kuzman)
Democratic Support Manager (Mrs J Evans)
Committee Secretary (Mrs C Hunt)

ALSO IN ATTENDANCE: Jack and Bridgit Wilkinson
Members of the Hawke's Bay Special Olympics Athletes
Team
Mr Jock Mackintosh (Chief Executive) and Mr Rex
Graham (Chair), Hawke's Bay Regional Sports Park
Mr Bruce Greaves, Aranga Construction Limited
Mr Paul Evans on behalf of the Lead Petitioners and
Residents of Kirkwood Road
Ms Emma Horgan, Te Taiwhenua o Heretaunga
Approximately 35 people were present in the gallery for
Item 15.

1. PRAYER

The opening prayer was given by Pastor Matthew, Riverbend Bible Church.

2. APOLOGIES

LEAVE OF ABSENCE

Councillor Heaps/Councillor Dixon

That leave of absence be granted as follows:

Councillor Nixon 17 July to 12 August 2018

Councillor Kerr 27 February 2018 (morning only - Council Business)

CARRIED

3. SEAL REGISTER

Mayor Hazlehurst/Councillor Redstone

That the seal register lie on the table.

CARRIED

4. CONFLICTS OF INTEREST

Councillor Kerr declared a conflict of interest in Item 8 - 2018-28 Long Term Plan in regard to the Hawke's Bay Regional Sports Park.

5. CONFIRMATION OF MINUTES

Mayor Hazlehurst/Councillor Travers

That the minutes of the Council Meeting held Thursday 1 February 2018, including minutes while the public were excluded, be confirmed as a true and correct record and be adopted.

CARRIED

6. PRESENTATIONS: SPECIAL OLYMPICS TEAM AND JACK WILKINSON
(Document 18/87)

Mayor Sandra Hazlehurst introduced Jack Wilkinson and the Special Olympics Team to the Chamber to acknowledge and congratulate them on their recent outstanding sporting achievements and presented them with a framed Certificate on behalf of Council.

Jack, aged 14 years old displayed a photo powerpoint presentation (CG-14-1-00621) of the New Zealand 18 Canoe Racing Team. He was the youngest member of the New Zealand under 18 canoeing team to attend the Grand Prix 2 Canoe Racing Championships in Sydney in February 2018. He was placed third in the K4500 Team event and fifth in the B Final – Individual K1.

Jack thanked the Council for the sponsorship and support he had received through the Hastings District Council Mayoral Fund.

James Farrell spoke on behalf of the Special Olympics team and advised that they had brought home 46 medals and ribbons in six sports: swimming, golf, ten-pin bowling, soccer, indoor bowls and bocce. The Special Olympics had been held in Wellington from 26 November to 2 December 2017.

Mayor Hazlehurst said she was thrilled to hear that after four years of training, so many of the team had also attained a personal best in different events – living up to the motto of “Let me win but, if I cannot win let me be brave in the attempt.”

Mayor Hazlehurst/Councillor O'Keefe

That the report of the Democratic Support Manager titled "Presentations: Special Olympics Team and Jack Wilkinson" and dated 22 February 2018 be received.

CARRIED

7. STANDARD AND POORS EXTERNAL CREDIT RATING REPORT
(Document 18/94)

Councillor Kerr/Councillor Travers

A) That the report of the Manager Strategic Finance titled "Standard and Poors External Credit Rating Report" dated 22/02/2018 be received.

CARRIED

8. 2018-28 LONG TERM PLAN
(Document 17/385)

Councillor Kerr having previously declared a conflict of interest withdrew from the meeting table at 1.30pm.

The Chief Executive, Mr Macintosh displayed a powerpoint presentation (CG-14-1-00618) providing an overview on the potential development proposal for carparking and a canoe polo facility totalling \$500,000 at the Hawke's Bay Regional Sports Park.

Councillor Kerr rejoined the meeting at 1.50pm

The Parks Planning and Development Manager, Ms Stuart displayed a powerpoint presentation (CG-14-1-00622) on the proposed CBD Entertainment Precinct.

Councillor Nixon/Councillor Travers

A) That the report of the Strategy Manager titled "2018-28 Long Term Plan" dated 22/02/2018 be received.

B) That officers incorporate decisions made and feedback received from the meeting, into the final preparation of the Long Term Plan documentation for formal adoption on 22 March 2018.

With the reasons for this decision being that the objective of the decision will contribute to meeting the decision making and consultation requirements of the Local Government Act 2002.

CARRIED

Hawke's Bay Regional Sports Park

Councillor Dixon/Councillor Nixon

That the request for \$500,000 for the development of a Canoe Polo facility and Car Parking at the Hawke's Bay Regional Sports Park be included in the 2018-2028 Long Term Plan.

CARRIED

CBD Concept Plans

Councillor Travers/Councillor O'Keefe

That the concept plans for the CBD Mall and Entertainment Precinct, as presented (CG-14-1-00622) be included in the 2018-2028 Long Term Plan consultation document.

CARRIED

Councillor Harvey left the meeting at 2.20pm

9. APPROVAL TO PROCEED WITH ALLEYWAY CLOSURE (CAERNARVON DRIVE/SUNDERLAND DRIVE)

(Document 18/90)

Councillor Poulain/Councillor O'Keefe

- A) That the report of the Bridge Engineer titled "Approval to proceed with alleyway closure (Caernarvon Drive/Sunderland Drive)" dated 22/02/2018 be received.**
- B) That Council resolve to stop the access way and amalgamate the land with adjoining owner's land.**
- C) That the Chief Executive is delegated authority to complete the procedures stipulated in Schedule 10, section 319, Local Government Act 1974 as well as to dissolve and amalgamate the stopped Caernarvon Drive/Sunderland Drive access way to adjoining owners.**

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 by:

- i) Resolving anti-social behavior observed at the access way.**

CARRIED

10. RESERVE ENCROACHMENT - HAUMOANA MEMORIAL PARK, BEACH ROAD, HAUMOANA.

(Document 17/876)

The Parks and Property Services Manager, Mr Hosford displayed an aerial photo which included the Haumoana Memorial Park, the property of the Jurys and the drains.

Councillor Harvey rejoined the meeting at 2.40pm

The Motion that was addressed excluded Recommendation (C) contained in the officer's report and was renumbered as below.

Councillor Heaps/Councillor Redstone

- A) That the report of the Parks and Property Services Manager titled "Reserve Encroachment - Haumoana Memorial Park, Beach Road, Haumoana. " dated**

22/02/2018 be received.

- B) That Council adopt Option 3 and agree to fund the piping of 45 metres of the open Haumoana Drain adjacent to Beach Road Haumoana, with a contribution of \$10,000, detailed in a suitable contractual agreement from A and C Jury.
- C) That Council adopt Option 6 and agree to grant A and C Jury a Licence to Encroach to allow them to occupy some 200m² of reserve adjacent to their property at 30 Beach Road Haumoana, as shown on Attachment 3 (CG-14-1-00606) of the report in (A) above.
- D) That the Licence to Encroach shall be for a period of 20 years and A and C Jury shall pay Council the sum of \$1.00 per annum, on demand.
- E) That the Chief Executive be delegated authority to enter into negotiations and to issue A and C Jury with the Licence to Encroach.
- F) That subject to Council's decisions above, officers report to the Economic Development and Urban Affairs meeting 15 May 2018 on consequential amendments to decisions on Cape Coast Reserve Management Plan submissions.
- G) That the Chief Executive Officer enter into negotiation with the Hawke's Bay Regional Council for a contribution towards the drain.

The Motion was PUT and **LOST**

Councillor Lyons moved the foreshadowed motion below which did not include the Recommendations (D), (E) and (F) contained in the officer's report and was renumbered as below.

Councillor Lyons/Councillor Kerr

- A) That the report of the Parks and Property Services Manager titled "Reserve Encroachment - Haumoana Memorial Park, Beach Road, Haumoana. " dated 22/02/2018 be received.
- B) That Council adopt Option 3 and agree to fund the piping of 45 metres of the open Haumoana Drain adjacent to Beach Road Haumoana, with a contribution of \$10,000, detailed in a suitable contractual agreement from A and C Jury.
- C) That A and C Jury take out a bank bond for a period of five years, and that the bond shall be for \$15,000 in the first year reducing by \$3,000 annually.
- D) That subject to Council's decisions above, officers report to the Economic Development and Urban Affairs meeting 15 May 2018 on consequential amendments to decisions on Cape Coast Reserve Management Plan submissions.
- E) That the Chief Executive Officer enter into negotiation with the Hawke's Bay Regional Council for a contribution towards the drain.

The Motion Was **LOST**

A further foreshadowed motion moved by Councillor Redstone did not include Recommendations (C), (D), (E) and (F) contained in the officer's report was moved.

Councillor Redstone/Councillor Poulain

- A) That the report of the Parks and Property Services Manager titled "Reserve Encroachment - Haumoana Memorial Park, Beach Road, Haumoana." dated 22/02/2018 be received.**
- B) That Council adopt Option 3 and agree to fund the piping of 45 metres of the open Haumoana Drain adjacent to Beach Road Haumoana, with a contribution of \$10,000, detailed in a suitable contractual agreement from A and C Jury.**
- C) That subject to Council's decisions above, officers report to the Economic Development and Urban Affairs meeting 15 May 2018 on consequential amendments to decisions on Cape Coast Reserve Management Plan submissions.**
- D) That the Chief Executive Officer enter into negotiation with the Hawke's Bay Regional Council for a contribution towards the drain.**

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 local infrastructure that contributes to public health and safety and the delivery of community infrastructure for recreational opportunity.**

The Motion was PUT and **CARRIED**

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

With the agreement of the meeting Item 15 was taken out of order.

15. FLAXMERE WEST LAND DEVELOPMENT (Document 17/1208)

The Chief Financial Officer, Mr Allan displayed a powerpoint presentation (CG-14-1-00617) of the options available to Council to develop land in Kirkwood Road in Flaxmere West. Mr Allan also confirmed that at this stage no agreement had been made in regard to the covenants.

Mr Paul Evans spoke on behalf of the lead petitioners, Wendy and Wayne Cooze and residents of Kirkwood Road and highlighted the following points:

- Opposed to the proposed co-housing model.
- Advocated that the land adjoining Kirkwood Road be developed under existing Kirkwood Road covenants.
- Land be released for sale to the general public.
- Residents would not have bought there and built had they known about the co-housing concept.

- Were led to believe that a continuum of Kirkwood Road covenants would prevail.
- Lowering of property values a concern with co-housing.
- Proposed development is not just for Maori but open to all.
- Strong demand for sections and price is right.

Mr Bruce Greaves also spoke to the meeting in regard to his proposal (CG-14-1-00624) to develop good quality affordable housing in Kirkwood Road and highlighted the following points:

- Thought there was a verbal agreement that the covenants would apply to all the sections in Kirkwood Road.
- Council should consider releasing 16 more sections for development and Council undertake to put road services in.
- Council is proposing high risk development and if goes ahead there could be possible long term consequences.
- Vision is to enhance the profile of Flaxmere West by building quality housing and attracting a stable family culture.
- When asked if Mr Greaves opposed Te Taiwhenua undertaking a co-housing development in this area if Council sold the 16 sections to Mr Greaves, he confirmed that he would not be opposed to that.
- Included was a list of apologies from people who supported the development but were unable to attend the meeting (CG-14-1-00624).

Mr Greaves circulated photos of the proposed Kirkwood Road housing and development plans (CG-14-1-0625).

Mr Graham Hunt also spoke in support of Mr Greaves developing Kirkwood Road and considered that the best outcome would be to decline the co-housing development and continue to sell private sections.

Ms Emma Horgan, Te Taiwhenua o Heretaunga proposed that the petitioners meet with Te Taiwhenua and discuss the proposal.

Councillor Kerr/Councillor Schollum

A) That the report of the Group Manager: Community Facilities & Programmes titled “Flaxmere West Land Development” dated 22/02/2018 be received.

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 addressing Social and Affordable Housing issues in partnership with community and key stakeholders.

CARRIED

11. HEALTH AND SAFETY QUARTERLY REPORT (Document 18/30)

Councillor Nixon/Councillor Harvey

A) That the report of the Health and Safety Advisor titled “Health and Safety Quarterly Report” dated 22/02/2018 be received.

CARRIED

12. SUMMARY OF RECOMMENDATIONS OF THE TENDERS SUBCOMMITTEE MEETING HELD 8 FEBRUARY 2018

(Document 18/96)

Councillor Nixon/Councillor Watkins

- A) That the report of the Group Manager: Economic Growth and Organisation Improvements titled “Summary of Recommendations of the Tenders Subcommittee meeting held 8 February 2018” be received.
- B) That Council adopt the awarding of contract CON2017109 Havelock North Trunk Water Main to March Construction Limited for the following three tenders:
- Tender 1 for the Water Trunk Main
 - Tender 2 for the Wastewater Upgrade
 - Tender 3 for the Cycleway

bundled as Contract CON2017109 be noted and endorsed.

CARRIED

13. 2018 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE AND ANNUAL GENERAL MEETING

(Document 18/119)

The meeting agreed that this item be addressed later in the meeting.

14. UPDATED 2018 MEETING SCHEDULE CHANGES

(Document 18/25)

Councillor Nixon/Councillor Schollum

- A) That the report of the Democratic Support Manager titled “Updated 2018 Meeting Schedule Changes” dated 22/02/2018 be received.
- B) That the 2018 Meeting Schedule be amended as follows:-

Committee	Date	Time	Venue
Civic Honours Awards Subcommittee	16 April 2018	9.00am	Landmarks Room
Council (Speed Limit Submissions)	4 May 2018	9.00am	Council Chamber
Community Grants Subcommittee	17 May 2018	10.00am	Council Chamber
HDC : Maori Joint Committee	23 May 2018 (previously 28 May 2018)	1.00pm	Council Chamber

CARRIED

16. DIS-ESTABLISHMENT OF CHAIRMEN'S COMMITTEE

(Document 18/107)

Councillor Heaps left the meeting at 4.40pm and rejoined the meeting at 4.45pm.

Councillor Lyons/Councillor Schollum

- A) That the report of the Mayor titled "Dis-establishment of Chairmen's Committee" dated 22/02/2018 be received.
- B) That the Chairmen's Committee be formally discharged, and its terms of reference, delegations and procedures be removed from the Committees and Community Board Delegations Register 2016 with immediate effect.
- C) That the process provided in Attachment 1 (CG-14-1-00609) of the report as set out in A) above, be adopted and included in the Committees and Community Board Delegations Register 2016 with immediate effect.

THE MOTION WAS PUT AND **LOST**

MOTION

Councillor Dixon/Councillor Nixon

That a Workshop be organised regarding the Chief Executive Performance Review Process prior to addressing Item 16 – Dis-establishment of Chairmen's Committee at the reconvened Council meeting on 27 February 2018.

CARRIED

Councillor O'Keefe left the meeting at 4.45pm.

ADJOURNMENT OF MEETING

Mayor Hazlehurst/Councillor Nixon

That the meeting be adjourned and reconvene on Tuesday, 27 February 2018 at 3.00pm to address the following remaining items:

- **16 Disestablishment of the Chairmen's Committee**
- **20 Parks and Property Review and Business Case (Public Excluded)**
- **21 Flaxmere West Land Development (Public Excluded)**

CARRIED

*The meeting adjourned at 4.50pm
and would reconvene on
Tuesday, 27 February 2018 at 3.00pm*

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 FEBRUARY 2018 AND RECONVENED ON TUESDAY, 27
FEBRUARY 2018 AT 3.05PM**

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

IN ATTENDANCE: Chief Executive (Mr R McLeod)
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)
Democratic Support Manager (Mrs J Evans)
Committee Secretary (Mrs C Hunt)

Mayor Hazlehurst reconvened the Council meeting.

2. RECONVENED COUNCIL MEETING 27 FEBRUARY 2018 - APOLOGIES

There were no apologies.

13. 2018 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE AND ANNUAL GENERAL MEETING (Document 18/119)

Councillor Dixon/Councillor Lyons

- A) That the report of the Democratic Support Manager titled 2018 Local Government New Zealand Conference and Annual General Meeting dated 22 February 2018 be received.**
- B) That the Council's delegates to the 2018 Local Government New Zealand to be held in Christchurch be the Mayor, Chief Executive (or his nominee) and Councillors Kerr, Travers and Schollum.**
- C) That the Council's delegates to the Local Government New Zealand 2018 Annual General Meeting be:**
 - Chief Executive, Presiding Delegate**
 - Councillor Tania Kerr, Alternate Delegate**
 - The Chief Executive (or his nominee) Subsequent Alternate Delegate.**

CARRIED

16. DIS-ESTABLISHMENT OF CHAIRMEN'S COMMITTEE (contd..)
(Document 18/107)

Following a workshop which was the subject of a resolution at the Council meeting on 22 February 2018, a revised document on the "Chief Executive Performance Planning and Performance Review Process" was circulated and addressed at the meeting (CG-14-1-00627).

Councillor Heaps/Councillor Lyons

- A) That the report of the Mayor titled "Dis-establishment of Chairmen's Committee" dated 22/02/2018 be received.**
- B) That the Chairmen's Committee be formally discharged, and its terms of reference, delegations and procedures be removed from the Committees and Community Board Delegations Register 2016 (CG-08-9-16-245) with immediate effect.**
- C) That the Chief Executive Performance Planning and Performance Review Process, included in the revised circulated document (CG-14-1-00627), be adopted and included in the Committees and Rural Community Board Delegations Register 2016 (CG-08-9-16-245) with immediate effect.**

CARRIED UNANIMOUSLY

17. ADDITIONAL BUSINESS ITEMS

There were no additional business items.

18. EXTRAORDINARY BUSINESS ITEMS

SUBSTITUTE FOR HAWKE'S BAY REGIONAL TRANSPORT COMMITTEE
(Document 18/164)

This issue was dealt with as an Extraordinary Business Item as there was a Regional Transport Committee meeting scheduled for 2 March 2018. Councillor Heaps had advised he no longer wished to act as substitute on this Committee and a replacement was required.

Mayor Hazlehurst/Councillor Kerr

Councillor /Councillor

- A) That the report of the Democratic Support Manager titled "Substitute for Hawke's Bay Regional Transport Committee" dated 22/02/2018 be received.**
- B) That Councillor Redstone be appointed as the Hastings District Council's "substitute" to replace Councillor Heaps on the Hawke's Bay Regional Transport Committee, and the Schedule of Appointments for 2016–2019 (CG-08-9-17-272) be amended accordingly.**

CARRIED

19. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEM 20

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Mayor Hazlehurst/Councillor Watkins

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

20. Parks and Property Review and Business Case**21. Flaxmere West Land Development**

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>
20. Parks and Property Review and Business Case	<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>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>To protect the ability of Council to enter into commercial negotiations and consultation with affected staff should that be the decision of Council.</p>	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. Flaxmere West
Land
Development**

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.

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 protect Council's position to commercially negotiate potential sale prices.

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

The meeting closed at 5.25pm

Confirmed:

Chairman:

Date: