

Hastings District Council

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OPEN A G E N D A

COUNCIL MEETING

Meeting Date: Tuesday, 20 November 2018

Time: 9.00am

**Venue: Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Council Members	Chair: Mayor Hazlehurst Councillors Barber, Dixon, Harvey, Heaps, Kerr, Lawson, Lyons, Nixon, O'Keefe, Poulain, Redstone, Schollum, Travers and Watkins
Officer Responsible	Acting Chief Executive – Mr N Taylor
Council Secretary	Mrs C Hunt (Extn 5634)

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

TUESDAY, 20 NOVEMBER 2018

VENUE: Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings

TIME: 9.00am

A G E N D A

1. Prayer

2. Apologies & Leave of Absence

At the close of the agenda no apologies had been received.

Leave of Absence had previously been granted to Councillor Lawson

3. Seal Register

4. Conflict of Interest

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Democratic Support Manager (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

5. Confirmation of Minutes

Minutes of the Council Meeting held Thursday 25 October 2018.
(Previously circulated)

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REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: COMMUNITY GRANTS & PROJECTS ADVISOR
VICKI BERKAHN**

SUBJECT: REVIEW OF THE COMMUNITY GRANTS PORTFOLIO

1.0 SUMMARY

- 1.1 The purpose of this report is to inform Council that officers will be reviewing the Community Grants Portfolio.
- 1.2 This request arises from a workshop held by the Community Grants Subcommittee on 9 October 2018, to explore future plans for the 2019 Contestable Funding Round.
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 The objective of this decision relevant to the purpose of Local Government is to ensure the current community grants funding framework is still relevant to the current and future needs of the community.
- 1.5 This report concludes by informing Council that a cross Council review team of key staff will review the Community Grants Portfolio and report back to the Community Grants Subcommittee and Council on key findings and recommendations for change (if any).

2.0 BACKGROUND

- 2.1 In 2011, a Review of Community Grants was undertaken to address the growing commitment of funds to community organisations.
- 2.2 This resulted in a reallocation of grants funding already approved by Council as part of the LTP/AP process; identified three categories for community grants funding; and recommended actions for future management of these funds.
- 2.3 This funding model was implemented in the 2013/2014 financial year, and went on to deliver three contestable funding rounds through to 2015/2016 as listed below:-

- **Core Council Service** - Ongoing service required by Council that is not being delivered by another organisation/facility.
 - **Discretionary** – A Council required service able to be delivered by more than one provider, including internally and where Council has ability to decide/make judgement as to ongoing funding via LTP process.
 - **Contestable Grants** - Organisations compete for a finite annual allocation of funding which is awarded to projects or services which best align with Council's Strategic Objectives and Community Outcomes.
- 2.4 There has since been some changes made where significant events and services have been moved into Long Term Plan operational budgets.
- 2.5 At the District Development Committee 11 November 2014, it was resolved that:
- a. *"The current allocation of \$103,000, to the five high profile events of district significance, be transferred from the \$400,000 annual contestable grants budget, to the Events operational budget from 2015/2016, and that this money be administered in accordance with the process outlined below:*

i. Blossom Parade (Creative Hastings)	\$46,000
ii. Hawke's Bay Racing Spring Carnival	\$22,000
iii. International Cultures Day (Multicultural Assn HB)	\$10,000
iv. Fiesta of Lights (Public Dreams Trust)	\$10,000
v. Waiata Maori Awards	\$15,000
 - b. *For each event a contract for service will be drafted and agreed. The contracts will include a range of agreed performance related KPI's aligned to the Events strategy. If Council is able to reduce reliance on its funding, for example through in-kind support, resources or increased capability via sponsorship and additional funding, then any monies saved by the event will by agreement be taken off the Council cash input. The money saved by will then be available to leverage the event for the mutual benefit of the Council and the event.*
 - c. *Event owners will be required to submit a report which includes its performance against the agreed KPI's. Officers will report to the District Development Committee on the performance of the 5 supported events. This report will include identifying where agreed performance KPI's have not been met. In these instances the report may make recommendations as to adjustments to funding allocated for the coming year. Similarly Officers may take this opportunity to recommend any increased funding.*
 - d. *At the end of the three year funding period (2015/16) the funding of these events would be reviewed from the perspective of both:*

- i. *the case for continued funding in this manner;*
- ii. *the case for other events to be added or to replace the currently funded events;*
- iii. *the level of funding allocated to the selected events”.*

2.7 These changes left \$297,000 in the annual contestable fund for allocation.

2.8 In a subsequent Council resolution 26 November 2015, it was further resolved that:

- a. *“The following eight community organisations which have been supported with grants over \$10,000 for the past four years or more are transferred to the discretionary services category, along with their current budget allocation:*

Organisation	2015/2016 Grant
<i>Hastings Budget Advice</i>	<i>\$15,000</i>
<i>Citizens Advice Bureau</i>	<i>\$40,000</i>
<i>Hastings Foodbank Trust</i>	<i>\$10,000</i>
<i>U Turn Trust</i>	<i>\$30,000</i>
<i>Surf Life Saving NZ</i>	<i>\$13,000</i>
<i>Hastings Business Association</i>	<i>\$55,500</i>
<i>Havelock North Business Association</i>	<i>\$18,000</i>
<i>Sustaining Hawke’s Bay Trust</i>	<i>\$20,000</i>
<i>Total</i>	<i>\$201,500</i>

- b. *These organisations in the Discretionary category could opt to accept a 3 year contract for service, at the current grant level for three years, or they could decline the contract for service and apply to the annual contestable funding round”.*

2.9 The annual contestable grants budget was increased by up to \$200,000 per annum, from the 2016/17 financial year, through the 2016 Annual Plan process. All 8 organisations accepted a 3 year contract to 2019.

3.0 CURRENT SITUATION

3.1 The Community Grants Portfolio currently contains the following categories of “grants”:

- i. Annual grants allocated via the ‘contestable funding round’ (Attachment Two)
- ii. Service Agreements maintained on a 3 year contract for service
- iii. Events, also maintained on a 3 year contract for service

3.2 Grants to community organisations are also made via the Annual Plan and/or Long Term Plan process and result in financial support ranging from one-off projects to longer term support.

- 3.3 Annual Plan and Long term Plan funding allocations are outside the scope of the review process.
- 3.4 Table Two below lists the community organisations currently supported under a 3 year Service Agreement or Events contract for review:

Organisation	\$ Grant	Contract Expiry
Surf Life Saving	74,489 (year 1)	30 June 2021
Arts Inc Heretaunga:		30 June 2019
- Community Arts Development	178,000	
- Blossom Festival	46,000	
Hawke's Bay Racing Spring Carnival	25,000	30 June 2020
Multicultural Assn HB	11,500	30 June 2021
Waiata Music Awards	15,000	30 June 2020
Public Dreams Trust	10,000	30 June 2019
Budget First	15,000	30 June 2019
Citizens Advice Bureau	40,000	30 June 2019
Hastings Foodbank Trust	10,000	30 June 2019
Whariki Trust	30,000	30 June 2019
Hastings Business Association	55,500	30 June 2019
Havelock North Business Association	18,000	30 June 2019
Sustaining Hawke's Bay Trust	20,000	30 June 2019
Total	\$548,489	

- 3.5 The review of the community grants portfolio will be of benefit to Council because it may introduce opportunities for more innovative and relevant projects and services to be delivered through the community grants funding.
- 3.6 The aim of the review is to improve the accessibility and transparency of the steps along the process for grant applicants, making it easier for community groups to navigate through the grants framework.
- 3.7 The review will also provide opportunity for community organisations to better understand their alignment with Council's vision as articulated in the Long Term Plan 2018-2028.
- 3.8 The review will take place in two parts.
- 3.8.1 Part One will consider changes to categories of allocations via the annual contestable funding round.
- 3.8.2 Part Two will review the community grants currently being supported via a 3 year contract for service which are due to expire 30 June 2019 to 30 June 2021.
- 3.9 The aim of the review is to develop a Community Grants Framework that will better support Council's vision, will target investment where the need is greatest, as well as paying attention to meeting the changing social and economic climate and enable a way to measure outcomes and impacts through more innovative approaches to reporting on outcomes.

4.0 SIGNIFICANCE AND ENGAGEMENT

- 4.1 The matters within this report are of significance to the community grants community, in particular those groups with longer term contracts who will have an interest in the outcome of the proposed review and new Community Grants Framework.
- 4.2 Each current community grant recipient will be advised in writing that a review of the Community Grants portfolio is taking place and the timeframes for implementation.
- 4.3 Consultation with affected groups may be required as part of the review process.

5.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Community Grants & Projects Advisor titled "Review of the Community Grants Portfolio" dated 20/11/2018 be received.
- B) That it be noted that the Community Grants & Projects Advisor will form and lead a cross Council review team of key staff to review the Community Grants Portfolio
- C) That the Community Grants & Projects Advisor report back to the Community Grants Subcommittee and Council on key findings and recommendations for change (if any).

With the reasons for this decision being that this request arises from a workshop held by the Community Grants Subcommittee on 9 October 2018, to explore future plans for the 2019 Contestable Funding Round, and to contribute to ensuring the community grants funding framework is still relevant to the current and future needs of the community.

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: HEALTH AND SAFETY MANAGER
JENNIE KUZMAN**

SUBJECT: HEALTH & SAFETY ANNUAL REPORT 2017/2018

1.0 SUMMARY

- 1.1 The purpose of this report is to inform and update Council about Health and Safety at Hastings District Council.
- 1.2 The report provides information to enable Elected Members to undertake due diligence, by providing leading and lagging statistical information in relation to Health and Safety for the 2017/2018 financial year (covering the period 1 July 2017 to 30 June 2018).

2.0 BACKGROUND

- 2.1 The Health and Safety at Work Act 2015 (HSWA) requires HSWA Officers (Elected members and the Chief Executive) to exercise due diligence by taking reasonable steps to understand the organisation's operations and Health and Safety risks, and to ensure that they are managed so that Council meets its legal obligations.

3.0 CURRENT SITUATION

- 3.1 The attached report for the 2017/2018 financial year (**Attachment one**) provides information on leading and lagging statistical information in relation to health and safety reporting for the period of 1 July 2017 to 30 June 2018.
- 3.2 Detailed commentary has been provided within the attached report in relation to comparisons with the previous financial year.

4.0 SIGNIFICANCE AND ENGAGEMENT

- 4.1 This Report does not trigger Council's Significance and Engagement Policy and no consultation is required.

5.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Health and Safety Manager titled "Health & Safety Annual Report 2017/2018" dated 20/11/2018 be received.**

Attachments:

- | | | |
|---|---|------------------|
| 1 | Human Resources (NO PERSONAL INFORMATION) - Health and Safety - Injury Reporting & Recording - Information - Health and Safety Manager's Annual Health Safety Report to Council 2017-2018 Financial Year. | HR-03-8-2-18-141 |
|---|---|------------------|

HASTINGS DISTRICT COUNCIL ANNUAL HEALTH & SAFETY REPORT

For the period 1 July 2017- 30 June 2018

HPRM HR-03-8-2-18-141

GLOSSARY OF TERMS

Leading Indicators (Proactive Measures)

- Hazards Reported - reports of newly identified hazards (in HDC facilities/worksites).
- Health and Safety Risk Assessments - documented risk assessments for HDC tasks/projects.
- Health and Safety Observations - documented conversations/ or task observations undertaken by Managers/Supervisors with HDC employees or Contractors.
- Health and Safety Inspections - documented inspections (usually a check of a site or facility using set criteria) undertaken by Managers/Supervisors with HDC employees or Contractors.
- Health and Safety Audits - documented health and safety system or contract audits undertaken by Managers/Supervisors with HDC employees or Contractors.
- Health and Safety Meetings - documented meetings which HDC employees attend - not meetings with contractors. Including:
- Toolbox briefings - 5-10 minute planning meetings for operational staff
- Health and Safety Discussions - discussions as part of regular business meetings (often an agenda item in monthly team or project meetings)
- Health and Safety Committee / subcommittee meetings - regular meetings of HDC's Health and Safety representatives.
- Health and Safety Training - documented records of employees who have undertaken safety training for the month (both internal and external training).
- Health and Safety Recognition - documented recognition of excellence by HDC employees in regards to Health and Safety.

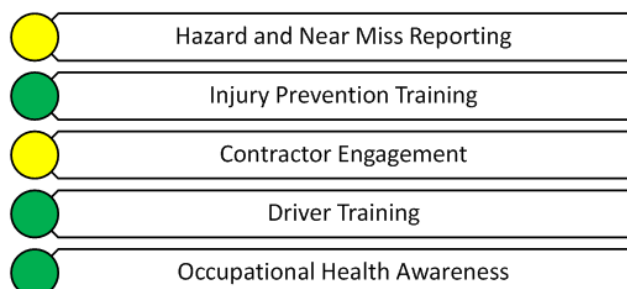
Lagging Indicators (Reactive Measures)

- Near Misses - Close call events - i.e. no injury or property damage sustained.
- Other Incidents - Non injury events which can't be classified as injury or property damage e.g. Chemical spill, Fire, or conflict situation with member of the public.
- Property Damages - reported damage to HDC property/plant/equipment.
- First Aid Injuries - Injuries treated onsite by HDC Employees and no further treatment required.
- Medical Treatment Injuries (MTI) - Injuries treated by Registered Medical Professionals e.g. nurse, doctor, physiotherapist, dentist.
- Lost Time Injuries (LTI) - Injuries resulting in time off work.
- WorkSafe Notifiable Events - Any incidents which were legally required to be reported to WorkSafe NZ.

1. EXECUTIVE SUMMARY

Achievement of Organisational Objectives

The majority of the organisational health and safety objectives were achieved for the 2017/2018 year.



- The objective to improve upon Hazard and Near miss reporting from the previous year was partially successful, with a significant increase in Near Miss reporting however Hazard Identification reporting was down from the previous year
- Injury prevention initiatives were also successful with a reduction in Manual Handling injuries.
- The objective to improve contractor engagement was partially achieved, a 6 monthly health and safety update newsletter to contractors was established and there was an increase in safety observations from the previous year but this was less than the target.
- Driver awareness training was successful with 80% of risk roles having completed the driver awareness training by October 2018
- Staff were provided regular information in relation to occupational health and well-being risks throughout the year and a staff engagement survey was completed.

Leading Indicators

A number of leading indicators are down from the previous financial year, in particular the number of safety inspections and audits. This is possibly due to the change in the way that information is captured and reported through the electronic Risk Manager system. It has been identified that some records have not been recorded within this system and therefore a programme to educate staff has been implemented to ensure that the information is recorded correctly and consistently throughout the organisation. The Risk manager system is a more secure system than that previously used and will be able to deliver accurate reporting going forward.

On a positive note, risk assessments and toolbox briefings have increased from the previous year's results, this indicates that this process has been integrated into 'business as usual' across the organisation and that staff have a good understanding of the need to communicate with each other to identify, create awareness and implement controls for the health and safety risks relating to the tasks that they undertake.

Lagging Indicators

There has been an overall increase in near miss reporting and a decrease in all reported injuries (including serious injuries) in comparison to the 2017/2018 year, this is a positive sign that the organisation's health and safety culture is maturing and having the desired effect of reducing potential harm. It is especially good to see that near miss reporting has increased, as there is significant research showing the benefits of placing importance upon identifying hazards and risks at an early stage in order to put measures in place to prevent significant injuries from occurring.

Interactions with the public remain the most prolific hazard type reported, these incidents are situations where there have been altercations with members of public at council facilities involving elements of aggression and/or harassment. The vast majority of these incidents are near misses which did not result in physical harm, although they can have an impact upon mental health and wellbeing. Considerable resources have been put in place to support staff and maintain safe facilities for public to access, including customer service and conflict resolution training for staff, security measures (including personnel, systems and devices) and mental wellbeing support.

Manual handling remains the most common factor relating to staff injuries, followed by surface conditions and tools and equipment. A programme has been running for the last two years to educate staff in injury prevention measures and has been successful in reducing injuries, however given the nature of the work tasks that staff undertake and the workforce demographics (aging workforce) manual handling tasks will remain a source of risk for Council.

Injury frequency rates have trended towards a decrease across the previous financial year. This is a very positive sign that the organisation's health and safety culture is maturing and having the desired effect of reducing potential harm. It is likely that this trend will stabilise in the next 12-24 months, after which frequency rates will no longer decrease. This is consistent with that of many other large organisations with mature health and safety cultures. What this means is that there will always be residual health and safety risks to Council workers and members of public which need to be proactively managed through an organisational focus on managing critical health and safety risks (those which could cause significant harm).

2. ORGANISATIONAL OBJECTIVES

Health and Safety Objectives for the 2017/2018 year were developed by the Health and Safety Committee and approved by the Leadership Management Team. These objectives were:

- Continue to promote and imbed the importance of 'Near Miss' and 'Hazard Identification' reporting throughout the organisation.
 - Target a 20% increase in hazard reporting and a 20% increase in near miss reporting from the 2016/2017 year.
- Continue to promote the injury prevention initiatives throughout the organisation in order to minimise the risk of significant incidents relating to manual handling from occurring.
 - Target a 10% reduction in injuries resulting from manual handling from the 2016/2017 year.
- Increase safety engagement with contractors to minimise the risk of significant incidents from occurring.
 - Target a 20% increase in safety observations / audits of contractors from the 2016/2017 year.
 - Introduce a 6 monthly health and safety update newsletter to contractors.
- Establish a driver training programme to minimise the risk of significant incidents from occurring and monitor uptake/effectiveness.
 - Target achievement of 50% at risk roles completed training by December 2018.
- Establish a programme to educate staff in relation to occupational health and well-being risks.
 - Measure staff understanding through a staff engagement survey by 30 May 2018

In addition to these objectives, further objectives were set for Council's four Health and Safety subcommittees and Group Managers also set specific objectives for their groups.

Achievement of Objectives

The majority of the organisational health and safety objectives were achieved for the 2017/2018 year:

- The objective to improve upon Hazard and Near miss reporting from the previous year was partially successful, there was a significant (160%) increase in Near Miss reporting however Hazard Identification reporting was down from the previous year (16% decrease).
- Injury prevention initiatives were also successful with a reduction in Manual Handling injuries.
- The objective to improve contractor engagement was partially achieved, a 6 monthly health and safety update newsletter to contractors was established and there was a slight increase (4%) in safety observations from the previous year but this was less than the target. This remains an area requiring further attention in 2017/2018.
- Driver awareness training was successful with 80% of risk roles having completed the driver awareness training by October 2018, with the remainder to complete this by the end of January 2019.
- Staff were provided regular information in relation to occupational health and well-being risks throughout the year and a staff engagement survey was completed.

3. LEADING INDICATORS

Annual Summary – Leading Indicators 1 July 2017- 30 June 2018

Lead Indicator	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total 2017/18	Total 2016/17	Trend
Hazards Reported	52	43	50	41	186	217	↓
Health & Safety Risk Assessments Undertaken	10,603	7,908	8,080	6,642	33,233	24,874	↑
Health & Safety Observations Completed	412	229	443	405	1489	1428	↑
Health & Safety Inspections Completed	273	39	33	36	381	1568	↓
Health & Safety Audits Completed	6	4	3	4	17	69	↓
Health & Safety Toolbox Briefings Held	2,060	1,818	1,882	1,736	7496	6977	↑
Health & Safety Discussions Held	278	67	82	97	524	1213	↓
Health & Safety Committee / subcommittee meetings held	4	7	6	11	28	35	↓
Health & Safety Recognition	10	1	2	2	15	30	↓

KEY: ↓ Decrease ↑ Increase → Static

Commentary

A number of leading indicators are down from the previous financial year, in particular the number of safety inspections and audits. This is possibly due to the change in the way that information is captured and reported through the electronic Risk Manager system. It has been identified that some records have not been recorded within this system and therefore a programme to educate staff has been implemented to ensure that the information is recorded correctly and consistently throughout the organisation. The Risk manager system is a more secure system than that previously used and will be able to deliver accurate reporting going forward.

Health and Safety inspections and audits have decreased from those reported within the previous year, which is not ideal. In order to improve in this area the 2018/2019 Objectives have a strong focus on leadership and engagement, there is a requirement to set targets for staff and monitor progress towards these targets through the year.

Health and Safety discussions have decreased however toolbox briefings have increased indicating that there are consistent and regular communications around Health and Safety throughout the organisation.

On a positive note, risk assessments have increased from the previous year's results, this indicates that this process has been integrated into 'business as usual' across the organisation and that staff have a good understanding of the need to communicate with each other to identify, create awareness and implement controls for the health and safety risks relating to the tasks that they undertake.

4. LAGGING INDICATORS

Annual Summary – Lagging Indicators – Employees - 1 July 2017- 30 June 2018

Lagging Indicator	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total 2017/18	Total 2016/17	Trend
Near Miss Reports	47	38	51	88	224	117	↑
Property Damages Reported	10	15	24	15	64	28	↑
All Injuries Reported	29	19	12	24	84	92	↓
First Aid Injuries	19	12	7	19	57	61	↓
Medical Treatment Injuries (MTI)	6	4	5	5	20	20	→
Lost Time Injuries (LTI)	4	3	0	0	7	11	↓
Occupational Illnesses	0	0	0	0	0	0	→
WorkSafe Notifiable Events	0	1	1	0	2	1	→

KEY: ↓ Decrease ↑ Increase → Static

Commentary

There has been an overall increase in near miss reporting and a decrease in reported injuries involving staff (including serious injuries) in comparison to the 2017/2018 year, this is a positive sign that the organisation's health and safety culture is maturing and having the desired effect of reducing potential harm. It is especially good to see that near miss reporting has increased, as there is significant research showing the benefits of placing importance upon identifying hazards and risks at an early stage in order to put measures in place to prevent significant injuries from occurring.

Annual Summary – Lagging Indicators – Contractors - 1 July 2017- 30 June 2018

Lagging Indicator	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total 2017/18	Total 2016/17	Trend
Near Miss Reports	4	6	5	6	21	28	↓
Property Damages Reported	5	6	5	3	19	6	↑
All Injuries Reported	4	1	4	1	10	24	↓
First Aid Injuries	2	0	4	1	7	6	→
Medical Treatment Injuries (MTI)	2	1	0	0	3	15	↓
Lost Time Injuries (LTI)	0	0	0	0	0	3	↓
Occupational Illnesses	0	0	0	0	0	0	↓
WorkSafe Notifiable Events	0	0	0	1	1	3	↓

KEY: ↓ Decrease ↑ Increase → Static

Commentary

It is pleasing to see a reduction in injuries relating to contractor workers, however it must be noted that information received in regards to contractor reporting has been limited so this information must be viewed conservatively. It is highly likely that a number of incidents have occurred involving contractor works which were not reported to Council.

It is important that Council meets its obligation under the Health and Safety at Work Act to manage Health and Safety risks for all of its workers (including contractors) undertaking work for Council. A campaign was launched during the 2017/2018 year to strengthen contractor engagement and this will continue into the 2018/2019 year. This campaign aims to increase engagement with contractors to promote good health and safety practices and encourage reporting of near misses and incidents.

Annual Summary – Lagging Indicators – Public - 1 July 2017- 30 June 2018

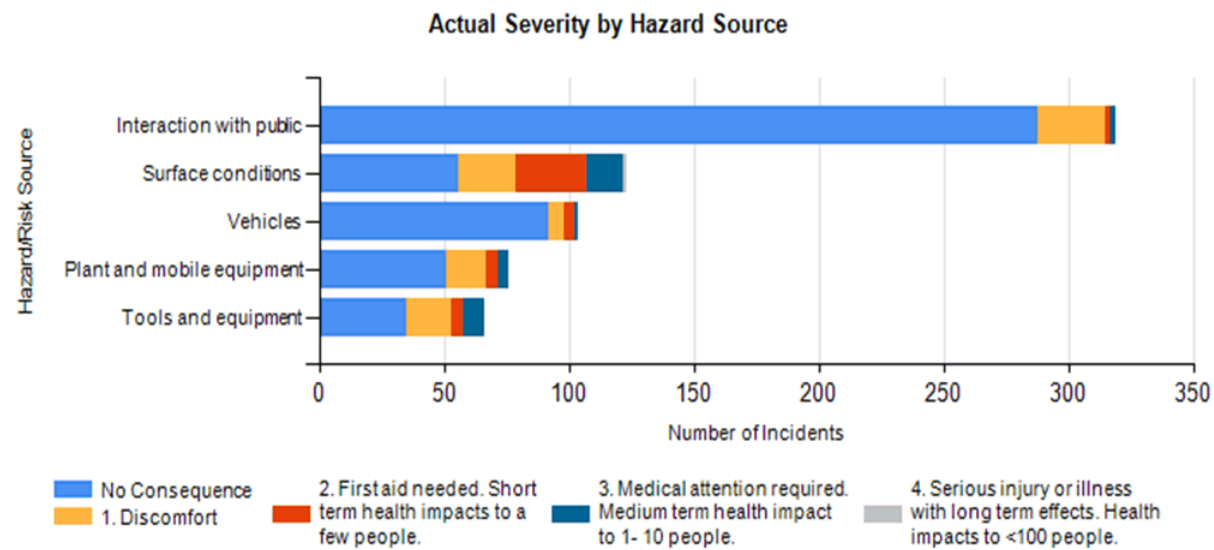
Lagging Indicator	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total 2017/18	Total 2016/17	Trend
Near Miss Reports	74	16	10	14	114	78	↑
Property Damages Reported	5	5	2	5	17	16	→
All Injuries Reported	21	48	47	17	133	198	↓
First Aid Injuries	17	41	31	17	106	175	↓
Medical Treatment Injuries (MTI)	4	7	16	0	27	23	↓
WorkSafe Notifiable Events	0	1	0	0	1	1	→

KEY: ↓ Decrease ↑ Increase → Static

Commentary

The number of injuries reported (including serious injuries) involving members of public has decreased significantly from the previous financial year and there has been an increase in near miss reporting. This is a very positive sign that organisation's health and safety culture is maturing and having the desired effect of reducing potential harm.

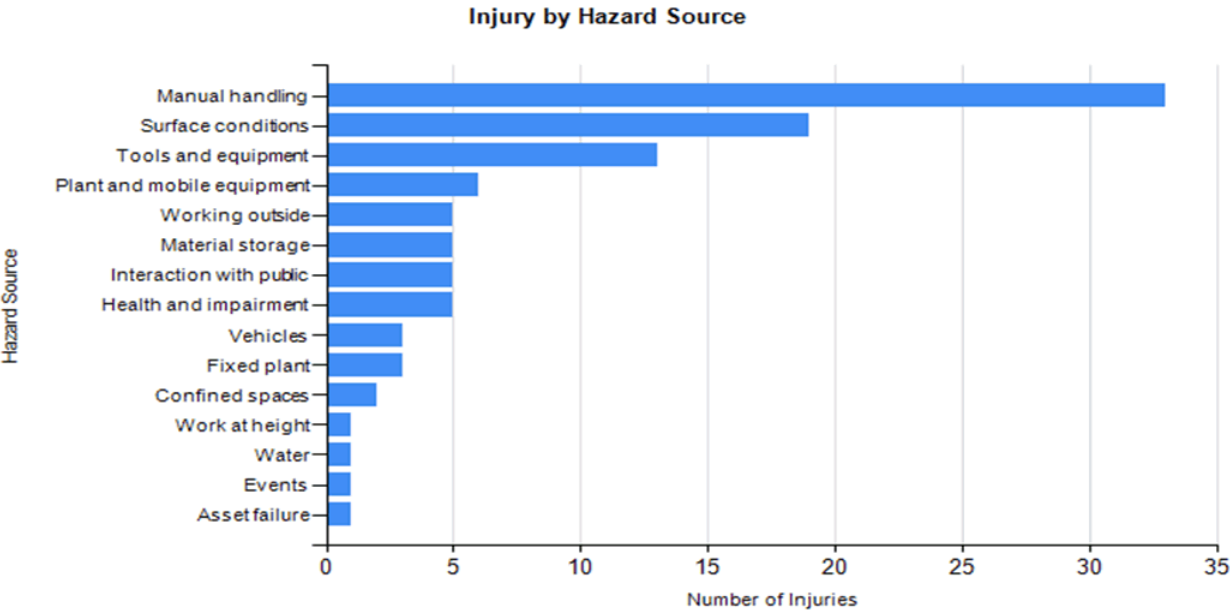
Annual Summary – Incident Analysis by Hazard Source – 1 July 2017- 30 June 2018
(Employees, Contractors & Public)



Commentary

Interactions with the public remain the most prolific hazard type reported, these incidents are situations where there have been altercations with members of public at council facilities involving elements of aggression and/or harassment. The vast majority of these incidents are near misses (recorded as “No Consequence”) which did not result in physical harm, although they can have an impact upon mental health and wellbeing. Considerable resources have been put in place to support staff and maintain safe facilities for public to access, including customer service and conflict resolution training for staff, security measures (including personnel, systems and devices) and mental wellbeing support.

Annual Summary – Injury Analysis – Employees - 1 July 2017- 30 June 2018



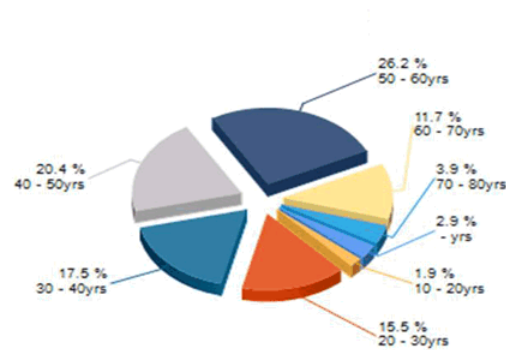
Commentary

Manual handling remains the most common factor relating to staff injuries, followed by surface conditions and tools and equipment. A programme has been running for the last two years to educate staff in injury prevention measures and has been successful in reducing injuries, however given the nature of the work tasks that staff undertake and the workforce demographics (aging workforce) manual handling tasks will remain a source of risk for Council.

Injury by Mechanism



Injury by Age Band

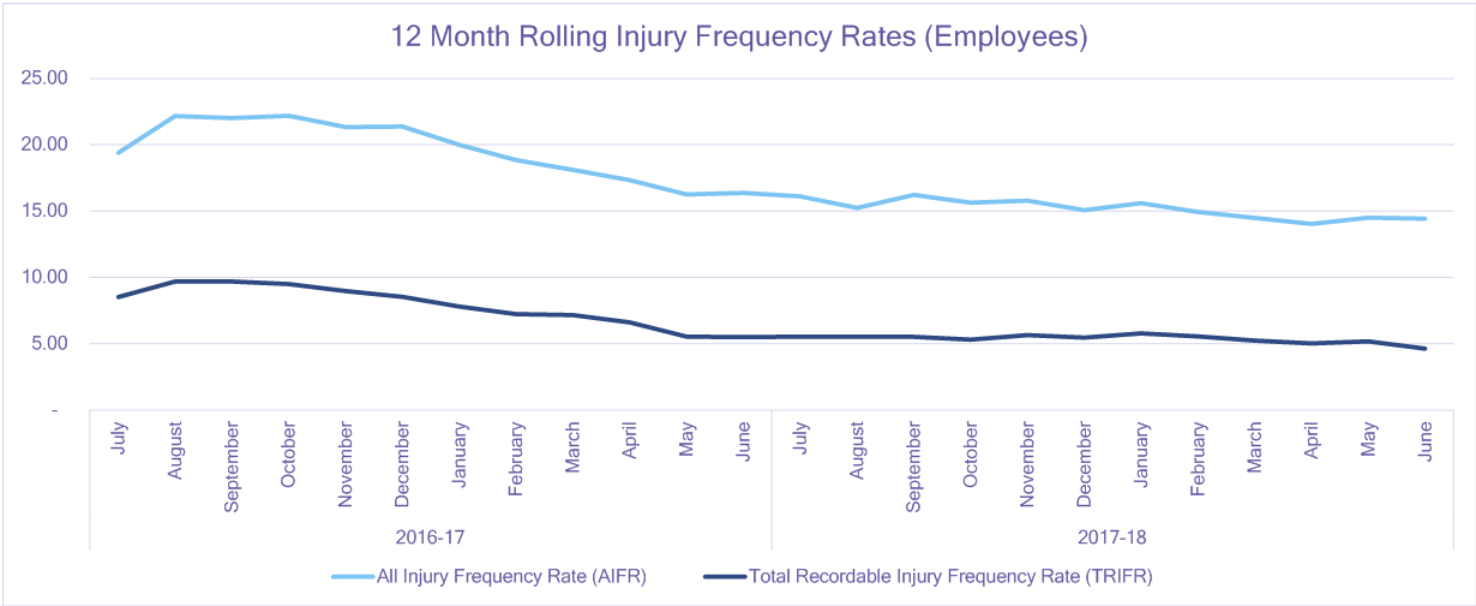


Commentary

Body stressing remains the most common mechanism of injury, followed by hitting objects with a part of the body and slips, trips and falls. This is clearly linked to the manual handling tasks prevalent across Council functions.

Staff demographics highlight that the majority of incidents (62%) occur in those staff aged over 40 years, with the most frequent age group represented being that of workers aged 50-60 years (26.2%) this is consistent with the increased susceptibility for muscular skeletal injuries which occurs with aging workers.

Annual Summary – Injury Frequency Rates – Employees - 1 July 2017- 30 June 2018



The above graph shows a decreasing trend in injury frequency rates across the previous financial year. This is a very positive sign that the organisation’s health and safety culture is maturing and having the desired effect of reducing potential harm. It is likely that this trend will stabilise in the next 12-24 months, after which frequency rates will no longer decrease. This is consistent with that of many other large organisations with mature health and safety cultures. What this means is that there will always be residual health and safety risks to Council workers and members of public which need to be proactively managed through an organisational focus on managing critical health and safety risks (those which could cause significant harm).

REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: PRINCIPAL ADVISOR: DISTRICT DEVELOPMENT
MARK CLEWS**

**SUBJECT: CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY
JOINT COMMITTEE TERMS OF REFERENCE AND
MEMBERSHIP**

1.0 SUMMARY

- 1.1 The purpose of this report is to obtain a decision from the Council endorsing revised Terms of Reference for the Clifton to Tangoio Coastal Hazard Strategy Joint Committee and the appointment of another member to the Joint Committee.
- 1.2 This request arises from the Joint Committees meeting in October 2018, the Joint Committee reviewed its terms of reference to better reflect the changes in its focus as it now moves into Stage Four of the process to further develop and test concepts, consultation and approval processes prior to implementation. As part of that review it is recommended that an additional member be appointed from each of the partner Councils.
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 The objective of this decision relevant to the purpose of Local Government is to prepare a strategy to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions so that they are resilient to coastal hazards and sea level rise.
- 1.5 This report concludes by recommending the Terms of Reference for the Joint Committee be endorsed and that the Council confirm Cr Dixon's appointment to the Joint Committee.

2.0 BACKGROUND

- 2.1 In 2014 a decision was made to form a Joint Committee made up of representatives of the Hawke's Bay Regional Council, Hastings District Council and Napier City Council, together with mana whenua members, to develop a long term strategy response to coastal hazards risks facing the coastline between Tangoio and Clifton over the period 2016-2120. Crs Kerr

and Redstone currently represent Council on the Joint Committee with Cr Heaps as the designated alternate.

- 2.2 Over the last few years the Joint Committee has overseen a robust scientific hazard assessment and community led planning process for developing a Coastal Hazard Strategy. The Community Panels engaged in that process have done good work drawing together proposals for addressing coastal hazards. In June the Council endorsed the Panel's recommendations in principle for the purposes of further development in accordance with an agreed Stage Four scope, and wider public consultation.
- 2.3 Stage Four will involve considerable investment in time and money from the three Councils before significant funding allocations are included in Long Term Plans and Thirty Year Infrastructure Strategies, particularly around funding strategies and mechanisms. In view of this the Joint Committee at its September meeting, considered its terms of reference and has recommended amendments for adoption by the three Councils. In addition, given Stage Four's emphasis on funding and strategic infrastructure, it has recommended that the number of Councillor appointments be increased to better position it to complete this work.

3.0 CURRENT SITUATION

- 3.1 The recommended changes to the Terms of Reference are shown as tracked in the attached document.
- 3.2 The first suggested change in Section 3 of the Terms of Reference is to increase the number of Partner Council appointees to the Joint Committee from two per Council to three.
- 3.3 Increasing the number of Councillors on the Joint Committee is considered to be desirable at this stage of Strategy development given that much of the work in Stage 4 has direct implications for Council expenditure. For example, in Stage 4 the Joint Committee will be asked to consider and form recommendations on:
 - The share of responsibilities for funding, consenting, construction and maintenance between the Partner Councils;
 - Detailed concept plans and costs for each of the recommended pathways;
 - The public / private apportionment of costs for each works programme.
 - Increased Councillor Participation in the Joint Committee will assist with the development and delivery of recommendations to each Partner Council.
- 3.4 It is noted that this suggested change was discussed informally with all the Joint Committee member organisations, prior to consideration by the Joint Committee and in fact the suggestion arose out of a workshop held by this Council on stage 3 of the process. Subsequently the Chair of the Joint Committee requested that an Urban Councillor be appointed to round out representation. The mayor subject to the ratification of the Council, indicated that Cr Dixon would be appointed to fill that role and accordingly the recommendations at the end of the report reflect that.

- 3.5 The second suggested change is the addition of a new Section 7.5. This change provides an explicit role for the Joint Committee to engage in various public processes that may have implications for Strategy implementation.
- 3.6 In the past, this role has not been clearly defined, and has been variously taken up by TAG, individual Partner Councils, or the Joint Committee itself. A submission from the Joint Committee may not always be appropriate, however the change to the Terms of Reference is intended to convey that the Joint Committee has this function and may, at its discretion, become involved in such processes to advocate for the outcomes sought by the Strategy. Importantly, this would include advocating for and/or advancing the objectives of the strategy by submitting on Central Government policy and legislation and investigating and securing additional sources of funding to support strategy implementation.
- 3.7 Finally the Joint Committee has requested changes to ensure timely feedback to the partner Councils elected members to ensure greater understanding and buy in to the Joint Committees ultimate recommendations.

4.0 OPTIONS

- 4.1 The options for Council are to:
1. Endorse the Terms of Reference and method of appointments as determined by the Joint Committee
 2. Not endorse the Terms of Reference and method of appointments.
 3. Request the HBRC and NCC to agree to any changes to the Terms of Reference of agreement the Council may wish to make.

5.0 SIGNIFICANCE AND ENGAGEMENT

- 5.1 The matter does not trigger Council's policy on significance, but in this case the Joint Committee will be undertaking considerable public consultation as part of the next stage of strategy development.

6.0 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 **Option 1** would be very simple and officers consider the changes recommended appropriate to the next phase of work.
- 6.2 **Option 2** could create some difficulty for the Joint Committee to work as effectively as it might as it would be limited to the current terms of reference approved by the three Councils. This would defeat the purpose of setting up the Joint Committee approach in the first place and could place its findings recommendations at unnecessary risk.
- 6.3 **Option 3's** appeal would depend upon what changes are sought, however, attempting to get resolutions for the other Councils could prove problematic and undermine the Committee's focus and progress.
- 6.4 In terms of the appointment of the additional member, this is a matter for Councillors alone, but it is noted that the current members are Councillor Tania Kerr and Councillor Ann Redstone, with Councillor Heaps as an alternate. Cr Kerr was appointed following the last election partly in recognition of the work relating to the northern coastline and the community

panel appointed to help with that, with Councillors Redstone and Heaps looking after the southern panel. This effectively gives representation associated with coastal communities and the wider rural hinterland, so it would seem to be an advantage to appoint a member having a close association with the main urban communities given the significance of funding matters in the Joint Committees work programme at this juncture and going forward.

7.0 PREFERRED OPTION/S AND REASONS

- 7.1 Option 1 is preferred as it is more efficient and will allow the Committee to continue its work without unnecessary difficulty or uncertainty and is therefore recommended.

8.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Principal Advisor: District Development titled “Clifton to Tangoio Coastal Hazards Strategy Joint Committee Terms of Reference and Membership” dated 20/11/2018 be received.**
- B) That the Council Endorse the Amended Terms of Reference as set out in Attachment 1 to the report.**
- C) That the Council confirm the Mayor’s appointment of Councillor Dixon to the Clifton to Tangoio Joint Committee as the third member, in accordance with a recommendation from the Chair of the Joint Committee to appoint an urban councillor.**

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, local public services and performance of regulatory functions, so that they are resilient to coastal hazards and sea level rise, by establishing appropriate governance relationship for the preparation of the strategy.

Attachments:

- | | | |
|---|---|------------------|
| 1 | Minutes of Joint Committee meeting 28 September 2018 | CG-14-1-01049 |
| 2 | Coastal Strategy Joint Committee 2018 Terms of Reference Recommended Amendments-Tracked Changes | CG-14-1-01050 |
| 3 | Clifton to Tangoio Coastal Hazard Strategy Joint Committee - Summary Report September 2018 | STR-14-07-18-562 |



Unconfirmed

MINUTES OF A MEETING OF THE CLIFTON TO TANGOIO COASTAL HAZARDS STRATEGY JOINT COMMITTEE

Date: Friday 28 September 2018

Time: 10.00am

Venue: Council Chamber
Hastings District Council
207 Lyndon Road East
HASTINGS

Present: Cr Peter Beaven – HBRC - Chair
Cr Paul Bailey – HBRC
Cr Tom Belford – HBRC
Cr Annette Brosnan – NCC
Cr Larry Dallimore – NCC
Cr Malcolm Dixon – HDC
Cr Rod Heaps – HDC
Cr Tania Kerr – HDC – Deputy Co-Chair
Cr Neil Kirton – HBRC
Tania Hopmans – Maungaharuru Tangitū Trust
Tania Huata – Mana Ahuriri Trust
Mayor Bill Dalton - NCC
Mayor Sandra Hazlehurst – *from 12:10pm*

Alternates: Cr A Redstone – HDC

In Attendance: Simon Bendall – Mitchell Daysh
Brent Chamberlain – HDC
Mark Clews – HDC
Chris Dolley – HBRC
Craig Goodier – HBRC
Dean Moriarity – NCC
Caroline Thomson – NCC
A Roets – Governance Administration Assistant

1. Welcome/Apologies/Notices

The Chair welcomed everyone to the meeting and Tania Huata offered a karakia. The Chair also welcomed the proposed three new members of the Committee, Cr Annette Brosnan (NCC), Cr Malcolm Dixon (HDC) and Cr Neil Kirton (HBRC) and acknowledged that they would have full voting rights for the purpose of this meeting. A special welcome to Chris Dolley, Group Manager Asset Management at HBRC who has replaced Graeme Hansen.

CLI88/18 Resolution:

That the apologies for Cr Tony Jeffery, Peter Paku and James Palmer be accepted.

**Kerr/Bailey
CARRIED**

2. Conflict of Interest Declarations

There were no Conflict of Interest Declarations.

3. Confirmation of Minutes of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee held on 20 February 2018**CLI89/18 Resolution:**

Minutes of the Clifton to Tangoio Coastal Hazards Strategy Joint Committee held on Tuesday, 20 February 2018, a copy having been circulated prior to the meeting, were taken as read and confirmed.

**Redstone/Kerr
CARRIED**

4. Actions from previous Clifton to Tangoio Coastal Hazards Strategy Joint Committee

Simon Bendall spoke to the actions and explained that most of the actions have been addressed and completed with highlighting on the following Items:

Item 1:

NKII/Taiwhenua/Marae – further consultation with tāngata whenua about the outcomes of Stage 3. TAG sent out a letter in December 2017 with a further follow up letter sent in August 2018. A meeting was subsequently held with Ngāti Kahungunu and it was agreed to meet again with a further update on progress within 6 months. A phone conversation was also held with Te Whanganui-a-Orotū and Kohupatiki Maraie in response to the August letter and they were both invited to attend the hui with Ngāti Kahungunu.

Item 4:

Opportunities to work with the Living at the Edge team on communications, noting a workshop is scheduled for 24 October 2018.

Recommendation

That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives and notes the ***“Actions from previous Clifton to Tangoio Coastal Hazards Strategy Joint Committee Meetings”*** report.

5. Call for Items of Business not on The Agenda

There were no Items of Business to discuss.

Recommendations

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee accepts

the following “Items of Business Not on the Agenda” for discussion as Item 13:

Item	Topic	Raised by
1.		

6. Joint Committee Membership and Delegations

The Chair invited Simon Bendall to speak to the item.

Discussions traversed:

- TAG regularly reviews the Joint Committee’s Terms of Reference (ToR) to ensure that the ToR continues to remain relevant as the work of the Strategy progresses and evolves. In a recent review, TAG have identified two recommended changes to the ToR for the Committee’s consideration being:
 - Increase in the number of Partner Council appointees to the Joint Committee from two per Council to three;
 - The addition of a new section 7.5. This change provides an explicit role for the Joint Committee to engage in various public processes that may have implications for Strategy implementation.
- It was recommended that under Section 7.5 “Central Government Policy and legislation **and funding**” be added as part of the sentence.
- Under Section 10.4 – it was agreed that the quorum required for a meeting should reflect that Councils are being asked to make key decisions in this stage. Update to reflect that at least one Partner Council Member must be present from each Partner Council.
- Section 13: To add a new 13.2 requiring that a one page summary report be circulated to all Joint Committee members and incorporated into each Council pack for the following meeting and that a TAG member be available to speak at that meeting
- TAG to amend the ToR and circulate the final version to the Joint Committee for any further feedback before seeking endorsement for the changes through each Partner Council.

CLI90/18

Resolution:

That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee:

1. Receives the report “**Joint Committee Membership and Delegations**”;
2. Approve the updated Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee dated 28 September 2018; and
3. Recommends the updated Terms of Reference be circulated to the Clifton to Tangoio Coastal Hazards Strategy Joint Committee for final approval prior to being submitted to Hastings District Council, Napier City Council and Hawke’s Bay Regional Council for adoption.

**Beaven/Hopmans
CARRIED**

7. Proposed Scope and Project Plan for Stage 4

Simon Bendall introduced the item and discussed the proposed scope of works and the project plan for Stage 4 of the Strategy, highlighting:

- A preliminary version of Stage 4 scope was developed and provided to the Committee earlier this year.
- Some minor changes have been made since the last version.
- Stage 4 is proposed to be developed in three phases being 1). Pathway concept development, testing and planning, 2). Community Consultation and approvals and 3). Pathway implementation projects.

- There is a consultative step in between confirming the final detail of these pathways and the implementation phase. It will likely be through special consultation under the LGA or combined with LTP consultation process.
- The scope of works and associated timeframes for delivery has been discussed and will be workshopped with Joint Committee members with a view to developing a final scope of works and project plan for approval at the December Joint Committee Meeting.
- Craig Goodier gave an update on the Design workstream (Phase 1) highlighting that HBRC were currently developing modelling information.
- Dean Moriarity gave an update on the Triggers Workstream which provides early warning signals and triggers will be developed in a collaborative way with community members.
- Brent Chamberlain reported that a presentation will be given on the Funding Workstream.
- Mark Clews gave an update on the Regulatory Workstream on the consenting process and key matters to consider in terms of the existing Resource Management Planning and regulatory framework. Further, the consentability of the pathways needs to be considered.

CLI91/18

Resolution:

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the **"Proposed Scope and Project Plan for Stage 4"** report.

Kerr/Huata
CARRIED

8.

Funding update

The Chairman invited Brent Chamberlain to deliver his presentation.

Discussions traversed:

- The Funding workstream continues the work of the TAG funding subgroup.
 - Key tasks include developing funding policies and structures to support any new rates collection for strategy implementation.
 - The Funding Workstream has further developed their thinking and is seeking feedback from the Joint Committee in order to further develop the approach
 - Public vs Private benefit was discussed around each asset.
 - The challenges with the LG Rating Act were noted in terms of establishing a Contributory Fund
 - Proposal that the sum total public good contribution for all works be consolidated and spread evenly over every property in the Napier and Hastings districts, over the life of the assets, and collected as part of general rates.
 - Possible contributions from other interested parties with assets in at risk areas, such as NZTA, Unison, Airport, PanPac, need to be considered.
 - Collection of rates could be by TA, Regional, or hybrid (e.g. TA collects private good and Regional collect public good).
 - Conversations with Central Government over funding have started.
 - A range of views were expressed around preferred options for collection and management of the funds and when collection should commence.
 - It was requested that the presentation be distributed to all Committee members.
- Cr Neil Kirton left the meeting at 12:00pm*
- TAG should report back to the Joint Committee with a recommendation for further discussion.

CLI92/18

Resolution:

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the **"Funding Update"** report.

Redstone/Bailey
CARRIED

9. **Partner Council Stage 3 decisions: Debrief**

Simon Bendall introduced the item and gave a brief summary on how each partner Council consider their recommendations around Stage 3, noting:

- Each Council has passed the resolution to move to stage 4, but had taken a slightly different approach to that consideration.
- The paper was taken as read.

CLI93/18 **Resolution:**

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the ***“Partner Council Stage 3 Decisions: Debrief”*** report.

Bailey/Dallimore
CARRIED

10. **Communications Plan for Stage 4**

With an apology from Drew Broadley, Simon Bendall responded and gave an update on the communication actions for Stage 4 of the Strategy, highlighting:

- An updated Communications Plan was sent out highlighting the purpose, strategy, budgets and communications activities through the early stages of Stage 4 work

CLI94/18 **Resolution:**

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the ***“Communications Plan for Stage 4”*** report.

Hopmans/Huata
CARRIED

11. **Project Manager’s Update**

Simon Bendall reported that most of the update has been covered under Item 7 Proposed Scope and Projects Plan for Stage 4.

Discussions traversed:

- Simon has been working with Ministry for the Environment to write up a case study on this for the OECD. When completed the Joint Committee will receive a copy of the report which will be distributed to all members of the committee.

Mayor Sandra Hazlehurst arrived at 12:10pm.

- Chris Dolley suggested that it would be useful to see progress against the milestones on the work areas and tracking of budgets in future Project Managers reports.

CLI95/18 **Resolution:**

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the ***“Project Manager’s Update”*** report.

Redstone/Bailey
CARRIED

12. **Current Coastal Projects Update**

- Caroline Thomson gave an update on the funding for Whakarire Ave revetment works: \$1.7m budgeted in year 2 of NCC LTP 2019-20 for the Whakarire revetment. A paper would be presented at their Finance Committee on 16 October around how this project would be funded.
- Mark Clews gave an update on the revetment works at Clifton & Haumoana: HDC had engaged a new Project Manager who has been assigned this task. All approvals had been obtained, contracts let and work had started with moving of the existing "temporary" rock structure.

CLI96/18 **Resolution:**

1. That the Clifton to Tangoio Coastal Hazards Strategy Joint Committee receives the "**Current Coastal Project Update**" report.

**Bailey/Hopmans
CARRIED**

13. Discussion of Items not on the Agenda

There were no Discussion of Items not on the Agenda.

Closure:

There being no further business the Chairman declared the meeting closed at 12.20pm on Friday, 28 September 2018.

Signed as a true and correct record.

DATE:

CHAIRMAN:

Terms of Reference for the Clifton to Tangoio Coastal Hazards Strategy Joint Committee

As at 28 September 2018

*As adopted by resolution by:
Hastings District Council 23 March 2017
Napier City Council 31 May 2017
Hawke's Bay Regional Council 28 June 2017*

1. Definitions

For the purpose of these Terms of Reference:

- **"Act"** means the Local Government Act 2002.
- **"Administering Authority"** means Hawke's Bay Regional Council.
- **"Coastal Hazards Strategy"** means the Coastal Hazards Strategy for the Hawke Bay coast between Clifton and Tangoio¹.
- **"Council Member"** means an elected representative appointed by a Partner Council.
- **"Hazards"** means natural hazards with the potential to affect the coast, coastal communities and infrastructure over the next 100 years, including, but not limited to, coastal erosion, storm surge, flooding or inundation of land from the sea, and tsunami; and includes any change in these hazards as a result of sea level rise.
- **"Joint Committee"** means the group known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee set up to recommend both draft and final strategies to each Partner Council.
- **"Member"** in relation to the Joint Committee means each Council Member and each Tangata Whenua Member.
- **"Partner Council"** means one of the following local authorities: Hastings District Council, Napier City Council and Hawke's Bay Regional Council.
- **"Tangata Whenua Appointer"** means:
 - The trustees of the Maungaharuru-Tangitū Trust, on behalf of the Maungaharuru-Tangitū Hapū;
 - Mana Ahuriri Incorporated, on behalf of Mana Ahuriri Hapū;
 - He Toa Takitini, on behalf of the hapū of Heretaunga and Tamatea.
- **"Tangata Whenua Member"** means a member of the Joint Committee appointed by a Tangata Whenua Appointer

2. Name and status of Joint Committee

¹ The Coastal Hazards Strategy is further defined in Appendix 1 to these Terms of Reference.

- 2.1 The Joint Committee shall be known as the Clifton to Tangoio Coastal Hazards Strategy Joint Committee.
- 2.2 The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Act.

3. Partner Council Members

- 3.1 Each Partner Council shall appoint ~~two~~ three Council Members and alternates to the Joint Committee. If not appointed directly as Council Members, the Mayors of Hastings District Council and Napier City Council and the Chairperson of Hawke's Bay Regional Council are ex officio Council Members.
- 3.2 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Council Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Partner Council that appointed the Member.

4. Tangata Whenua Members

- 4.1 Each Tangata Whenua Appointer may appoint one member to sit on the Joint Committee.
- 4.2 Each Tangata Whenua Appointer must make any appointment and notify all Tangata Whenua Appointers and Partner Councils in writing of the appointment.
- 4.3 The Tangata Whenua Members so appointed shall be entitled to vote.
- 4.4 Under clause 30(9) Schedule 7 of the Act, the power to discharge any Tangata Whenua Member on the Joint Committee and appoint his or her replacement shall be exercisable only by the Tangata Whenua Appointer that appointed the Member.

5. Purpose of Terms of Reference

- 5.1 The purpose of these Terms of Reference is to:
 - 5.1.1 Define the responsibilities of the Joint Committee as delegated by the Partner Councils under the Act.
 - 5.1.2 Provide for the administrative arrangements of the Coastal Hazards Strategy Joint Committee as detailed in Appendix 2.

6. Meetings

- 6.1 Members, or their confirmed alternates, will attend all Joint Committee meetings.

7. Delegated authority

The Joint Committee has the responsibility delegated by the Partner Councils for:

- 7.1 Guiding and providing oversight for the key components of the strategy including:

- The identification of coastal hazards extents and risks as informed by technical assessments;
 - A framework for making decisions about how to respond to those risks;
 - A model for determining how those responses shall be funded; and
 - A plan for implementing those responses when confirmed.
- 7.2 Considering and recommending a draft strategy to each of the Partner Councils for public notification;
- 7.3 Considering comments and submissions on the draft strategy and making appropriate recommendations to the Partner Councils;
- 7.4 Considering and recommending a final strategy to each of the Partner Councils for approval;
- 7.5 Advocating for and/or advancing the objectives of the strategy by submitting on and participating in processes, including but not limited to:
 - Council long term plans;
 - Council annual plans;
 - District and regional plan and policy changes;
 - Reserve management plans;
 - Asset management plans;
 - Notified resource consent applications;
 - Central Government policy and legislation.
- 7.6 Investigating and securing additional sources of funding to support strategy implementation.

8. Powers not delegated

The following powers are not delegated to the Joint Committee:

- 8.1 Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 8.2 The determination of funding for undertaking investigations, studies and/or projects to assess options for implementing the Coastal Hazards Strategy.

9. Remuneration

- 9.1 Each Partner Council shall be responsible for remunerating its representatives on the Joint Committee and for the cost of those persons' participation in the Joint Committee.
- 9.2 The Administering Authority shall be responsible for remunerating the Tangata Whenua Members.

10. Meetings

- 10.1 The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.
- 10.2 The Joint Committee shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference.

10.3 Notice of meetings will be given well in advance in writing to all Joint Committee Members, and not later than one month prior to the meeting.

10.4 The quorum shall be ~~65~~ Members, provided that at least one Partner Council Member is present from each Partner Council.

11. Voting

11.1 In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each Council Member has full authority to vote and make decisions within the delegations of this Terms of Reference on behalf of the Partner Council without further recourse to the Partner Council.

11.2 Where voting is required, all Members of the Joint Committee have full speaking rights.

11.3 Each Member has one vote.

11.4 Best endeavours will be made to achieve decisions on a consensus basis.

11.5 As per HBRC Standing Order 18.3: The Chairperson at any meeting does not have a deliberative vote and, in the case of equality of votes, has no casting vote.

12. Election of Chairperson and Deputy Chairperson

12.1 On the formation of the Joint Committee the members shall elect a Joint Committee Chairperson and may elect up to two Deputy Chairpersons. The Chairperson is to be selected from the group of Council Members.

12.2 The mandate of the appointed Chairperson or Deputy Chairperson ends if that person through resignation or otherwise ceases to be a member of the Joint Committee.

13. Reporting

13.1 All reports to the Committee shall be presented via the Technical Advisory Group² or from the Committee Chairperson.

~~13.2~~ Following each meeting of the Joint Committee, the Project Manager shall prepare a brief summary report of the business of the meeting and circulate that report, for information to each Member following each meeting. Such reports will be in addition to any formal minutes prepared by the Administering Authority which will be circulated to Joint Committee representatives.

~~13.2~~13.3 The Technical Advisory Group shall ensure that the summary report required by 13.2 is also provided to each Partner Council for inclusion in the agenda for the next available Council meeting. A Technical Advisory Group Member shall attend the relevant Council meeting to speak to the summary report if requested and respond to any questions.

14. Good faith

14.1 In the event of any circumstances arising that were unforeseen by the Partner Councils, the Tangata Whenua Appointers, or their respective

² A description of the Technical Advisory Group and its role is included as Appendix 2 to these Terms of Reference.

representatives at the time of adopting this Terms of Reference, the Partner Councils and the Tangata Whenua Appointers and their respective representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of the Partner Councils and the Tangata Whenua Appointers collectively.

15. Variations to these Terms of Reference

- 15.1 Any Member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee.
- 15.2 Amendments to the Terms of Reference may only be made with the approval of all Members.

16. Recommended for Adoption by

16.1 The Coastal Hazards Strategy Joint Committee made up of the following members recommends this Terms of Reference for adoption to the three Partner Councils:

Napier City Council represented by Cr Tony Jeffery, ~~and~~ Cr Larry Dallimore ~~and~~
~~Cr~~ _____

Appointed by NCC resolution 2 November 2016

Hastings District Council represented by Cr Tania Kerr, Cr Redstone ~~and~~ Cr
_____ with Cr Heaps as Alternate.

*Appointed by HDC resolution 8 November 2016, Amended by Council Resolution 24th
May 2018 and further amended by Council resolution dated 20th November 2018*

Hawke's Bay Regional Council represented by Cr Peter Beaven, ~~and~~ Cr Paul
Bailey ~~and~~ Cr _____

Appointed by HBRC resolution 9 November 2016

Maungaharuru-Tangitū Trust (MTT) represented by Mrs Tania Hopmans

Mana Ahuriri Inc represented by Ms Tania Huata

He Toa Takitini represented by Mr Peter Paku

Appendix 1 – Project Background

Project Goal

A Clifton to Tangoio Coastal Hazards Strategy is being developed in cooperation with the Hastings District Council (HDC), the Hawke's Bay Regional Council (HBRC), the Napier City Council (NCC), and groups representing Mana Whenua and/or Tangata Whenua. This strategy is being developed to provide a framework for assessing coastal hazards risks and options for the management of those risks for the next 105 years from 2015 to 2120.

The long term vision for the strategy is that coastal communities, businesses and critical infrastructure from Tangoio to Clifton are resilient to the effects of coastal hazards.

Project Assumptions

The Coastal Hazards Strategy will be based on and influenced by:

- The long term needs of the Hawke's Bay community
- Existing policies and plans for the management of the coast embedded in regional and district council plans and strategies.
- Predictions for the impact of climate change
- The National Coastal Policy Statement

Project Scope

The Coastal Hazards Strategy is primarily a framework for determining options for the long term management of the coast between Clifton and Tangoio. This includes:

- Taking into account sea level rise and the increased storminess predicted to occur as a result of climate change, an assessment of the risks posed by the natural hazards of coastal erosion, coastal inundation and tsunamis.
- The development of a framework to guide decision making processes that will result in a range of planned responses to these risks
- The development of a funding model to guide the share of costs, and mechanisms to cover those costs, of the identified responses.
- The development of an implementation plan to direct the implementation of the identified responses.
- Stakeholder involvement and participation.
- Protocols for expert advice and peer review.
- An action plan of ongoing activity assigned to various Members.

The Strategy will:

- Describe a broad vision for the coast in 2120, and how the Hawke's Bay community could respond to a range of possible scenarios which have the potential to impact the coast by 2120.
- Propose policies to guide any intervention to mitigate the impact of coastal processes and hazards through the following regulatory and non-regulatory instruments:
 - Regional Policy Statement
 - District Plans
 - Council long-term plans
 - Infrastructure Development Planning (including both policy and social infrastructure networks).

Appendix 2 - Administering Authority and Servicing

The administering authority for the Coastal Hazards Strategy Joint Committee is Hawke's Bay Regional Council.

The administrative and related services referred to in clause 16.1 of the conduct of the joint standing committee under clause 30 Schedule 7 of the Local Government Act 2002 apply.

Until otherwise agreed, Hawke's Bay Regional Council will cover the full administrative costs of servicing the Coastal Hazards Strategy Joint Committee.

A technical advisory group (TAG) will service the Coastal Hazards Strategy Joint Committee.

The TAG will provide for the management of the project mainly through a Project Manager. TAG will be chaired by the Project Manager, and will comprise senior staff representatives from each of the participating councils and other parties as TAG deems appropriate from time to time. TAG will rely significantly on input from coastal consultants and experts.

The Project Manager and appropriate members of the TAG shall work with stakeholders. Stakeholders may also present to or discuss issues directly with the Joint Committee.

Functions of the TAG include:

- Providing technical oversight for the study.
- Coordinating agency inputs particularly in the context of the forward work programmes of the respective councils.
- Ensuring council inputs are integrated.



Clifton to Tangoio Coastal Hazards Strategy Summary Notes of Meeting held 28 September 2018

1. PURPOSE

The Clifton to Tangoio Coastal Hazards Strategy (the Strategy) is being developed through a Joint Committee formed by elected representatives from the Hawke's Bay Regional Council, He Toa Takitini, the Napier City Council, Mana Ahuriri Incorporated, the Hastings District Council and the Maungaharuru-Tangitū Trust. More information on the Strategy can be found on the project website at www.hbcoast.co.nz.

This briefing note has been prepared for Partner Councils at the request of the Joint Committee following their meeting on 28 September 2018. In future, a similar briefing note will be prepared after each Joint Committee meeting and provided to Partner Councils to communicate the activity of the Joint Committee as it progresses with the Stage 4 of the Strategy.

2. JOINT COMMITTEE MEETING SUMMARY: 28 SEPTEMBER 2018

Key points from the Joint Committee meeting held 28 September 2018 are highlighted below. The full minutes of the meeting will be provided to each Partner Council in due course.

Joint Committee Membership and Delegations

- For Stage 4 of the Strategy, the Joint Committee has agreed to increase Partner Council representation from 2 members per Council to 3.
- Further updates to the Terms of Reference were also agreed, including that all Partner Councils are represented at each meeting in order for there to be quorum, and for additional communications to be provided to the Partner Councils in the form of a briefing note following each Joint Committee meeting.
- These changes have been proposed in recognition of the significant decisions required of Councils in Stage 4, including confirming funding policies, Council expenditure, collection of rates, and share of responsibilities between Councils.
- The updated Terms of Reference will be presented to each Partner Council for endorsement.

Proposed Scope and Project Plan for Stage 4

- The scope of works and proposed project timeline for Stage 4 of the Strategy was presented for discussion.
- In summary, the three consecutive steps in Stage 4 are:
 1. Developing further implementation detail on the pathways recommended from Stage 3;
 2. Consulting with the broader Napier and Hastings communities on the detail of the full suite of activity proposed under the Strategy, including costs; and
 3. Strategy implementation, including seeking resource consents, implementing capital works programmes and seeking changes to the Regional and District Plans.

Funding Update

- A presentation was given by the Technical Advisory Group (TAG) to outline progress under the “Funding Workstream” of Stage 4 of the Strategy.
- The presentation outlined the current thinking, and sought feedback from the Joint Committee on a range of points
- A key matter for discussion is which Council or Councils would assume responsibility for the collection of rates to fund works completed under the Strategy. Options include TA’s collecting all rates for their respective areas, the Hawke’s Bay Regional Council collecting rates across both districts, or a hybrid option. TAG agreed to develop the concept for further discussion at the next meeting. It is noted that any option put forward by the Joint Committee would require endorsement by all Partner Councils.
- Another matter for discussion was the challenges posed by the LG Rating Act in terms of establishing a Contributory Fund. It appears to be problematic to collect rates ahead of time as envisioned by the contributory fund concept. Further legal advice is being sought.
- A further presentation and discussion would be held at the next Joint Committee meeting.

3. NEXT MEETING

- The next meeting of the Joint Committee will be held on 10 December 2018.

REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: GROUP MANAGER: COMMUNITY FACILITIES & PROGRAMMES
ALISON BANKS
CHIEF FINANCIAL OFFICER
BRUCE ALLAN**

SUBJECT: OPERA HOUSE AND PRECINCT UPDATE

1.0 SUMMARY

- 1.1 The purpose of this report is to update Council on the Opera House and Precinct Project.
- 1.2 This request arises from a report presented to Council on the 6 September 2018 which outlined the need to keep Councillors informed/updated monthly at a formal Council meeting.
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 This report addresses the recommendation to report monthly on progress made with this project and concludes by recommending that the monthly financial report to Council will be the mechanism to identify risks and financial progress with a more detailed report on progress be presented to Council each month.

2.0 BACKGROUND

- 2.1 Council has made a number of interrelated decisions with the strengthening and upgrades of the Opera House Precinct. Council resolved that Officers are to provide monthly reports to Council on progress and when required hold workshops to ensure Council is well informed.
- 2.2 Officers have developed a strategic approach to deliver and monitor key milestones which will be overseen by a Project Control Group (PCG), chaired by the Chief Financial Officer, acknowledging the strategic importance of this project.
- 2.3 The PCG and support team meet regularly and are developing a work programme that identifies critical paths to enable the development of a strategic plan, business plan and business case for the Opera House and

Precinct. Consultation and subsequent funding applications which will lead to physical works also form part of this work. A senior Programme Manager has been appointed to manage the work programme.

- 2.4 An Officer has been appointed to manage all Government Funding applications and relationships and has carried out a stock take of funding sources/opportunities. A defined timeline for applications is in draft and will give Council a better understanding of the levels of funding available and will inform financial commitments and fundraising.
- 2.5 The Opera House Manager has completed the Project Plan which supports the development of the Opera House Precinct Strategic Plan. It is proposed that the plan will be completed by the end of December 2018. A process is in place to monitor progress and ensure enough resources and support is in place to meet this very tight timeline.

3.0 CURRENT SITUATION

Business Plan

- 3.1 A team is currently working on the Strategic Plan and is due for completion by the end of December 2018. The Strategic Plan will inform the Opera House and Precinct Business Plan which will be completed by the end of February 2019 with a detailed Business Case which will explore options available to deliver the outcomes identified in the Strategic Plan.

Consultation and Communication

- 3.2 A process for the consultation on the Municipal Buildings use has been identified and will be managed by Councils Strategy Manager, Lex Verhoeven. Outcomes from this consultation will be reported back to Council by April/May 2019.
- 3.3 Officers are aware that there is a number of projects requiring consultation early in 2019 and will ensure the timing does not interfere with these processes.
- 3.4 The Community Meeting for the Municipal Building Concept Designs was held at the Hastings Art Gallery on the 12th of September 2018. Approximately 70 people attended and 58 responses were collected on a message board on the night.
- 3.5 Filming of 12 attendees giving their views on the process and the concepts took place and have been posted on Councils Facebook page since September.
- 3.6 The opening was streamed live via Hawke's Bay Opera House Facebook page and the speeches were fantastic in regards to coverage of the past, the process and where we are going in the future.
- 3.7 An Opera House Precinct Newsletter is developed every second month capturing progress, what's coming and relevant news on the project. This

newsletter is distributed to 6,038 mail-chimp subscribers who registered through the website, Facebook or manually. The Newsletter is also hand delivered to the facilities neighbouring businesses etc which gives Council officers an opportunity to answer any questions, address any concerns and gain feedback on how things are going.

3.8 Key activities are captured below;

MEDIA RELEASE	OTHER MEDIA	WEB AND SOCIAL MEDIA
BIG PLANS FOR MUNICIPAL BUILDING (26 July)	5 PAGE ARTICLE BAY BUZZ (June 2018)	MUNICIPAL CONCEPT DESIGNS POSTED ON FACEBOOK 14-28 AUG REACHED 4,469 PEOPLE.
OUR HOUSE ONLINE CAMPAIGN (6 September–ongoing)	RADIO NZ – INTERVIEW WITH OPERA HOUSE MANAGER (13 August 2018)	MUNICIPAL CONCEPT DESIGNS POSTED ON HBOH WEBSITE 8 AUGUST VIEWS 976
HB TODAY ½ PAGE ON THE MUNICIPAL BUILDING CONCEPT PLANS (29 September 2018)	ARTICLE IN THE HERITAGE NZ MAGAZINE (20 August 2018)	
PLAZA REDEVELOPMENT (3 October 2018)	6 PAGE ARTICLE MY Hastings District Council (November issue)	
COUNCIL APPROVE MUNICIPAL EARTHQUAKE STRENGTHENING (15 October 2018)		

Fundraising/Funding

- 3.9 An expression of interest to Lotteries Significant Fund is in draft and will be submitted before 28 November 2018.
- 3.10 An application to the Lotteries Community and Facilities Fund for earthquake strengthening of the Municipal Building will be prepared before Christmas ready for submitting in late January 2019.
- 3.11 Officers have met with Provisional Growth Fund Regional Advisor, Cameron Osmond to discuss future use of the Municipal Building and potential funding.
- 3.12 Officers were advised to prepare a full application (not an EOI) for consideration. The Group Manager Community Facilities and Programmes (CF&P) will engage key stakeholders to seek support for the application in principal and once application is completed, support in writing.
- 3.13 An expression of interest (EOI) was developed to engage an external provider to develop and deliver community fundraising initiatives and was advertised nationally. Council did not receive any interest.

- 3.14 Officers will discuss with the Opera House and Arts Precinct Subcommittee on the 22 November 2018 an option to directly engage Brown Bread to develop a fundraising strategy, communication plan and action plan with the aim to engage the community (including corporate stakeholders) in fundraising activities.
- 3.15 The Group Manager CF&P will present outcomes and any request for Councils support/endorsement if required, at Council's December 2018 Council meeting.

Reporting

- 3.16 Officers are proposing that the Chief Financial Officer's monthly financial report that will highlight any "financial risk" be approved as the monthly reporting mechanism and that Officers bring a detailed report to Council quarterly or earlier, if required.
- 3.17 Officers are also proposing that the Group Manager CF&P give an informal update to Council at the end of each Council meeting (monthly) to ensure Councillors continue to be well informed and given an opportunity to address any issues or questions that may have arisen.

4.0 RECOMMENDATION

- A) That the report of the Group Manager: Community Facilities & Programmes and Chief Financial Officer titled "Opera House and Precinct Update" dated 20/11/2018 be received.**
- B) That the Chief Financial Officer's monthly financial report that will highlight any "financial risk" be approved as the monthly reporting mechanism.**
- C) That the Group Manager: Community Facilities and Programmes give an informal update to Council at the end of each Council meeting (monthly).**
- D) That Group Manager: Community Facilities & Programmes and Chief Financial Officer bring a detailed report to Council quarterly (or earlier if required).**

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: CHIEF FINANCIAL OFFICER
BRUCE ALLAN**

**SUBJECT: MONTHLY FINANCIAL SUMMARY FOR COUNCIL -
OCTOBER 2018**

1.0 INTRODUCTION

- 1.1 Attached as **Attachment 1** is the monthly financial report year to date October 2018.
- 1.2 The report provides Council with a direct link back to the Long Term Plan. The strategic framework of the 2018-28 Long Term Plan has 6 broad areas of focus and this new report is designed to link back to those 6 areas of focus which are:
1. Our Environment
 2. Moving Around
 3. Our Economy
 4. Where we Live
 5. Things to Do
 6. Our People

KEY AREAS OF FUTURE FOCUS AND INVESTMENT



- 1.3 The one page report on each area of focus concentrates on a programme of work rather than individual projects with each graph focussing on the current year expenditure. Included in the right hand column will be the opportunity to provide some high level commentary including what significant projects or programmes of work are outside of the current financial year and any areas of concern that need to be raised for Council.

2.0 RECOMMENDATION

That the report of the Chief Financial Officer titled “Financial Summary for Council” dated 20 November 2018 be received.

Attachments:

1 Financial Summary -

CG-14-1-01051

FINANCIAL SUMMARY - 31 OCTOBER 2018

Total Fees and Charges
Total Operational costs
Total Financing Costs
Total Capital

2018/19 Actual	2018/19 YTD Budget	2018/19 Revised Budget	Percent to Full Year Budget
7,879,517	7,976,203	23,718,006	33%
32,060,489	31,255,231	83,765,652	38%
1,470,817	1,873,818	5,621,453	26%
22,091,894	30,853,996	127,155,081	17%

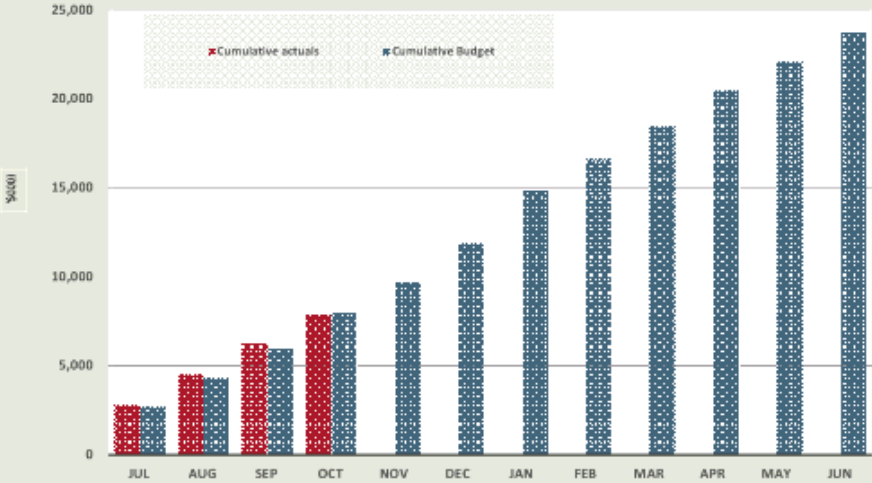
Key points

Key Driver for increased operational costs is depreciation on assets revalued at 30 June 2018

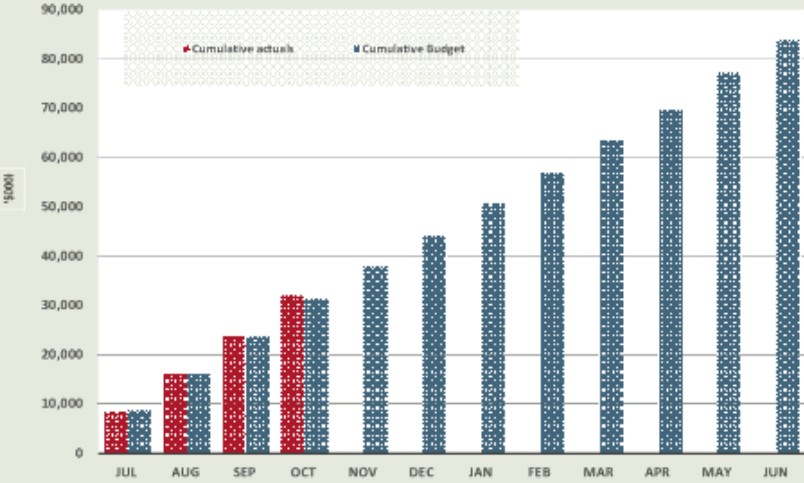
Risks

The delivery of the 2018-19 capital budget programme is likely to not be fully delivered.
The receipt of development contribution revenue does not reach budget, particularly with the Irongate development.

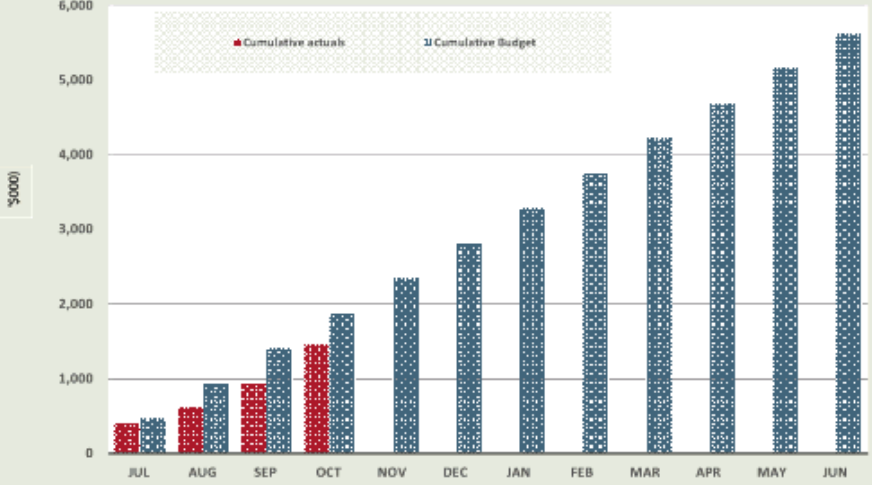
Whole of Council Fees and Charges Revenue
as at 30 September 2018



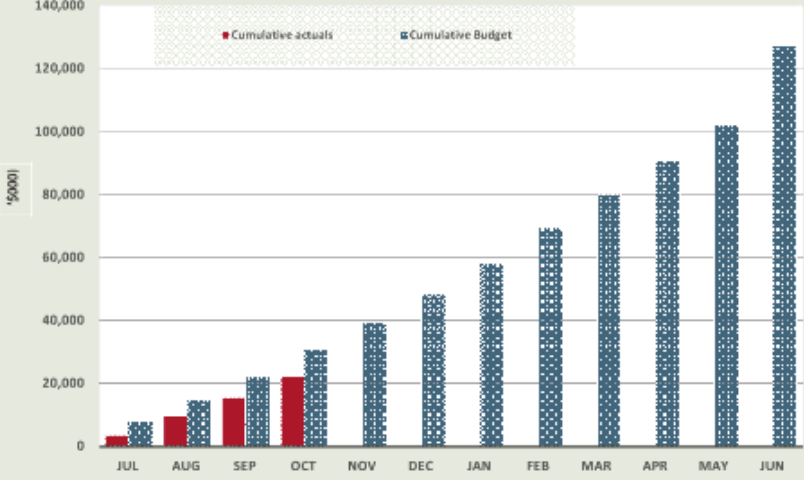
Whole of Council Operational Costs
as at 30 September 2018

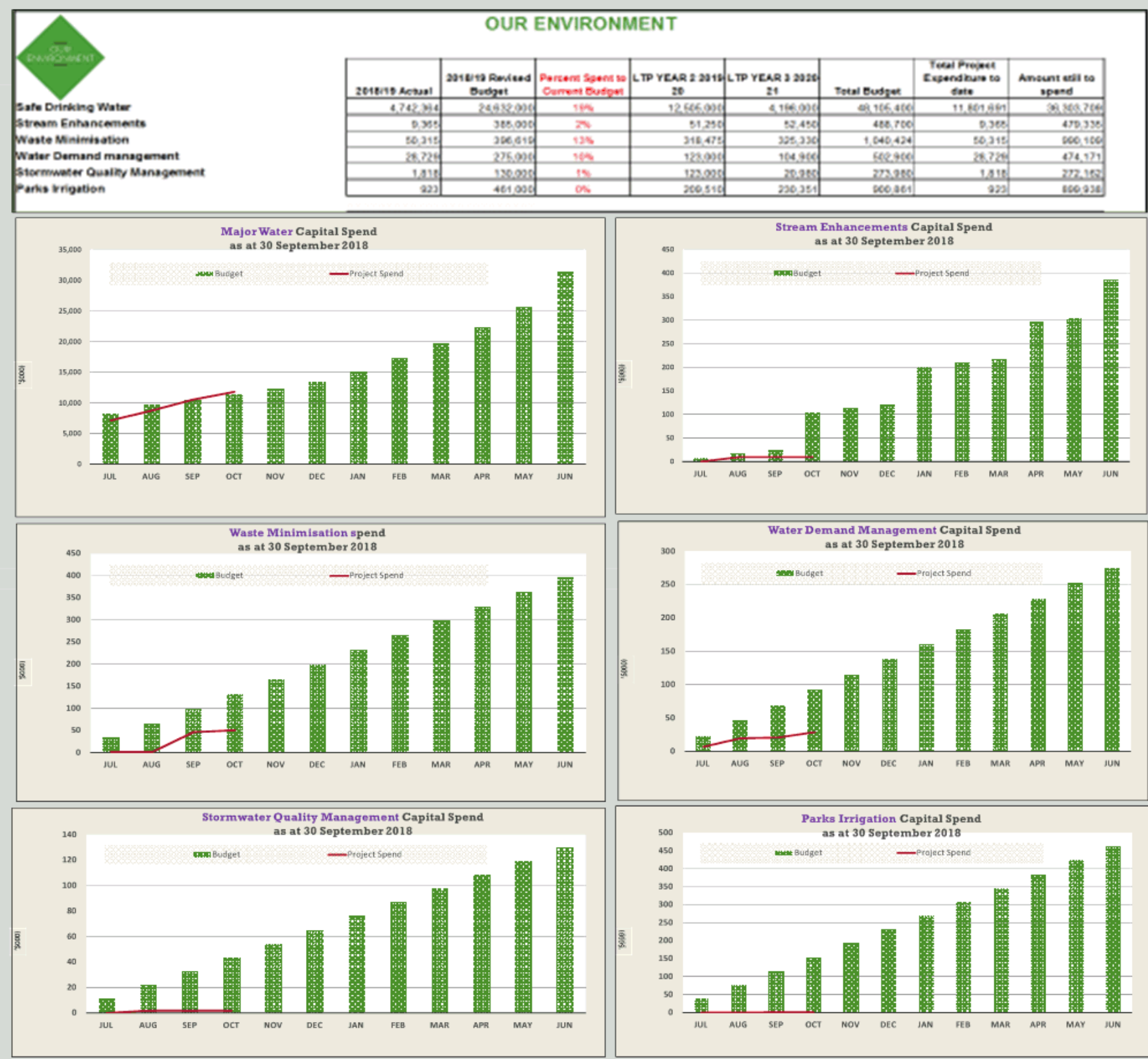


Whole of Council Financing Costs
as at 30 September 2018

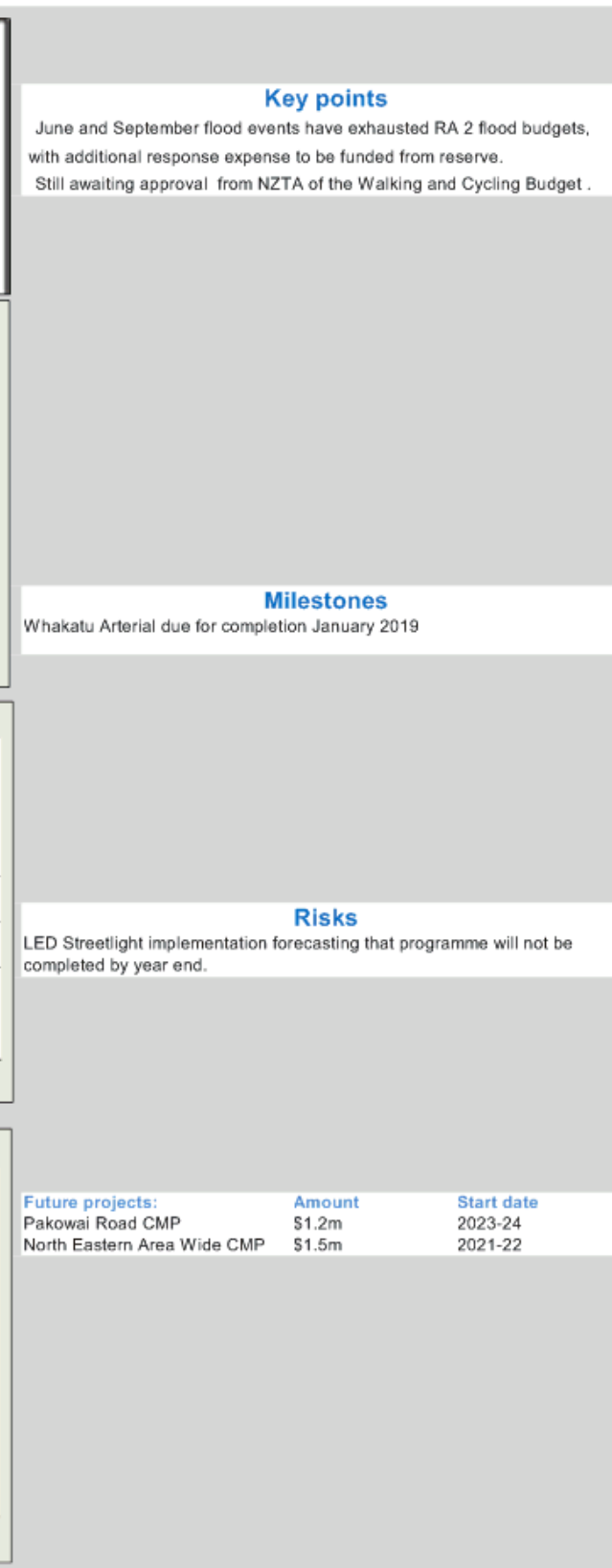


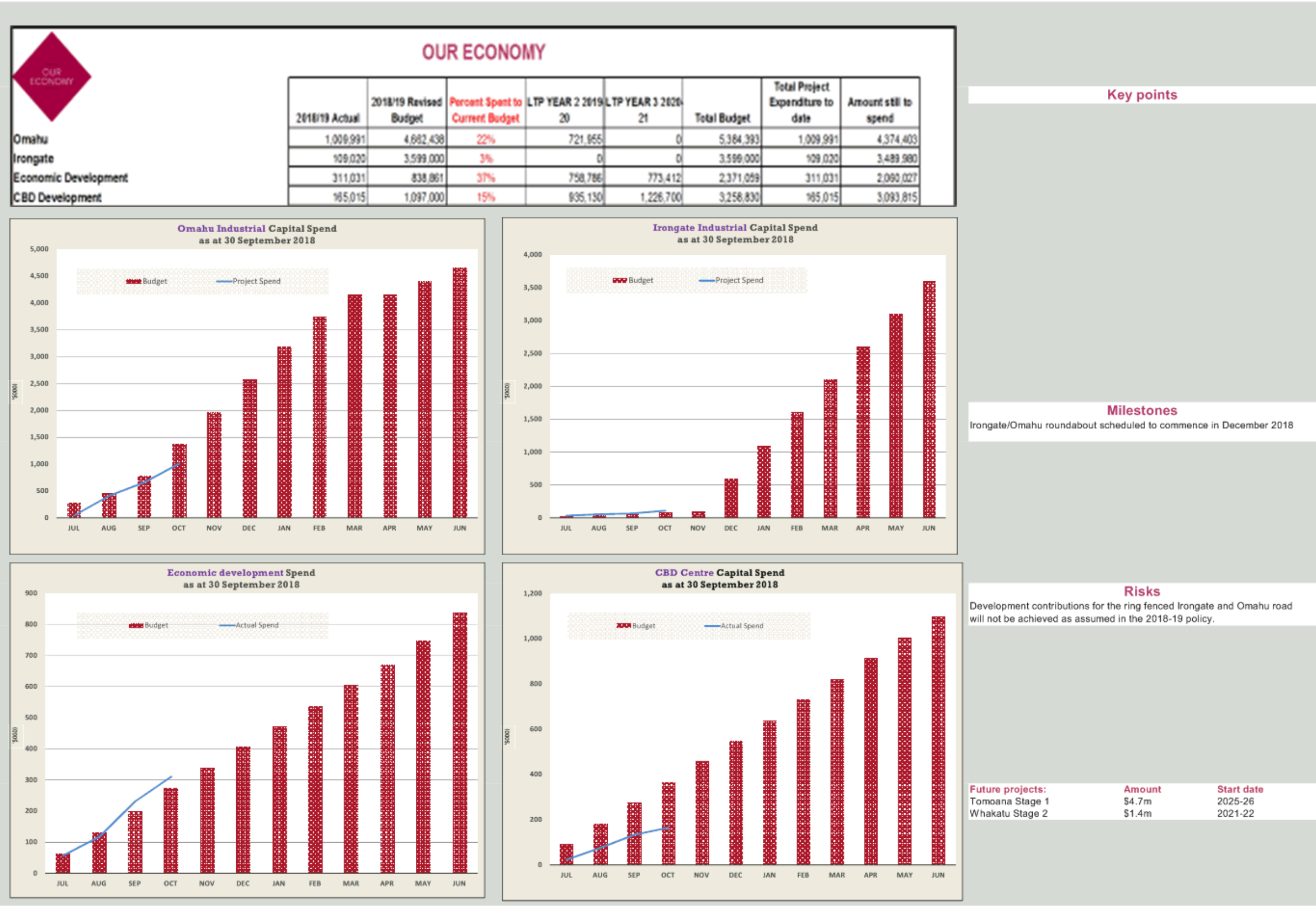
Whole of Council Capital Spend
as at 30 September 2018





Attachment 1





WHERE WE LIVE

Lyndhurst

Howard Street

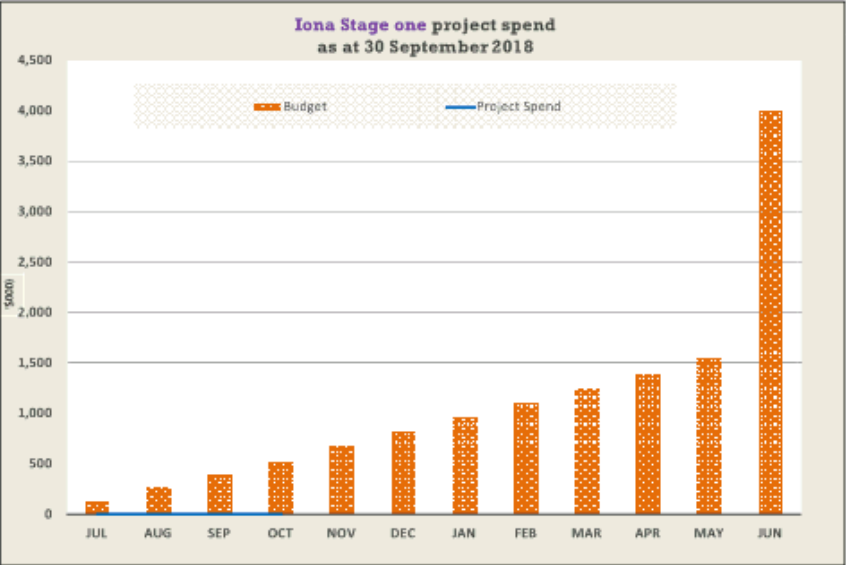
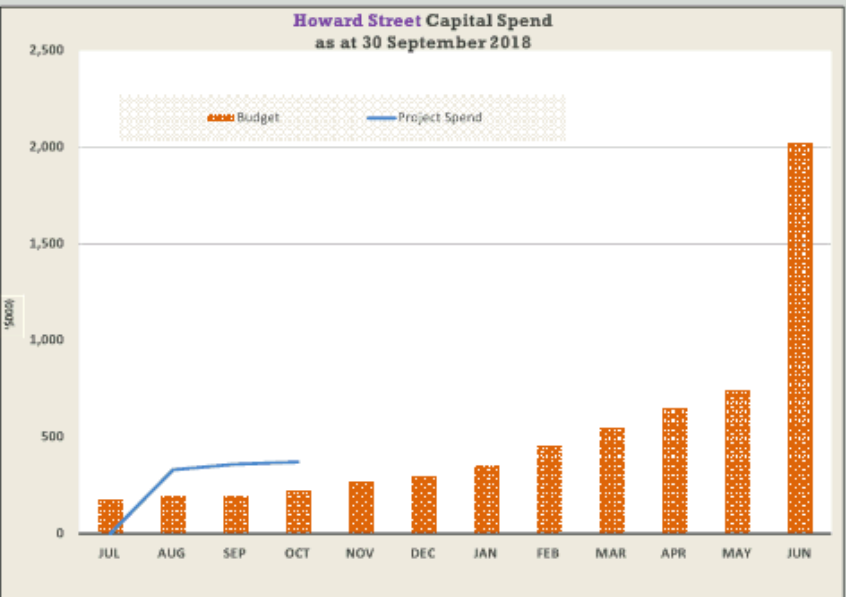
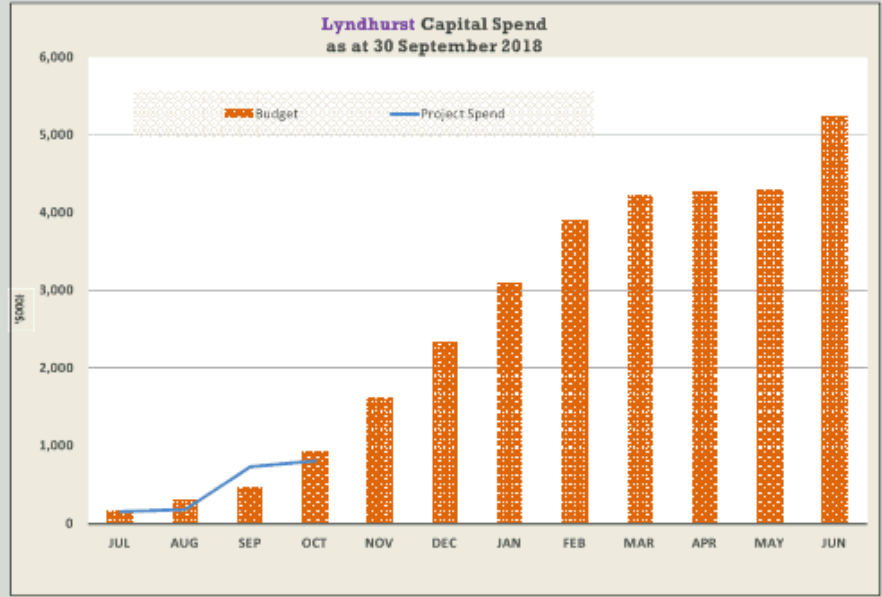
Iona Stage 1

Clifton Revetment

2018/19 Actual	2018/19 Revised Budget	Percent Spent to Current Budget	LTP YEAR 2 2019-20	LTP YEAR 3 2020-21	Total Budget	Total Project Expenditure to date	Amount still to spend
812,203	5,258,008	15%	0	158,600	5,396,608	812,203	4,583,405
371,035	2,018,000	18%	2,558,000	751,680	5,327,680	371,035	4,956,645
0	3,865,000	0%	614,100	1,069,780	5,678,880	0	5,678,880
461,184	1,140,000	40%	0	0	1,217,500	461,184	806,316

Key points

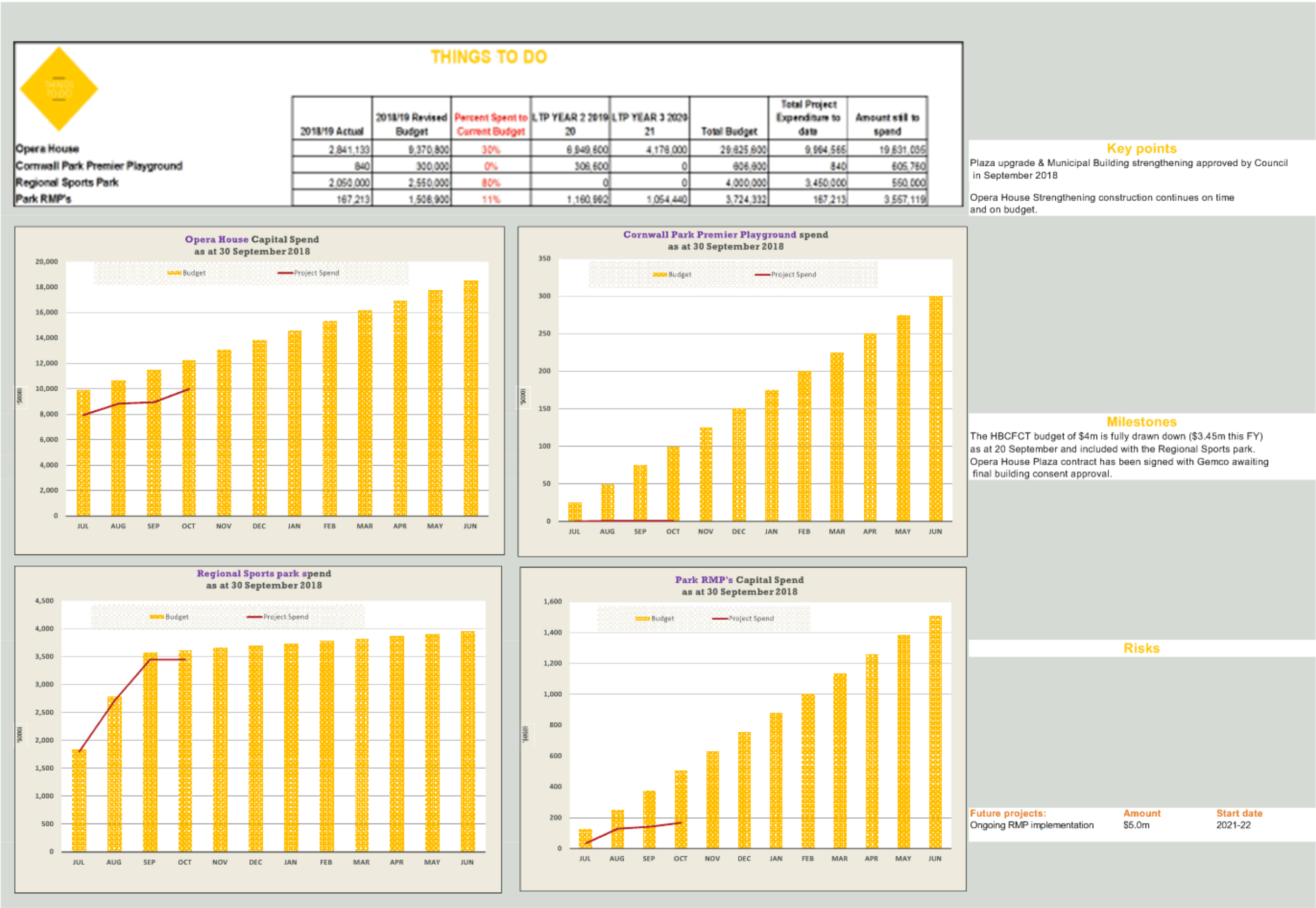
The budget indicated in June 2019 for Iona Stage 1 and Howard street reflects an expectation that there will be a carry forward to 2019-20.



Milestones

Risks

Future projects:	Amount	Start date
Brookvale Romanes stage 1	\$5.2m	2021-22
Lyndhurst Extension	\$3.3m	2023-24
Kaiapo Road stage 1	\$2.0m	2024-25
Havelock Hills	\$5.0m	2018-19
Iona Stage 2	\$1.0m	2026-27
Haumoana Coastal Infrastructure	\$3.2M	2026-27





REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: GENERAL COUNSEL
SCOTT SMITH**

**SUBJECT: POSITION OF CHIEF EXECUTIVE - APPOINTMENT OF
CHIEF EXECUTIVE**

1.0 SUMMARY

- 1.1 The purpose of this report is to confirm the appointment of Mr Nigel Andrew Bickle as Chief Executive with effect from Monday 11 February 2019.

2.0 BACKGROUND

- 2.1 Following a robust recruitment process, the Extraordinary Council meeting held on 31 October 2018 resolved to offer the position of Chief Executive to Mr Nigel Andrew Bickle.

3.0 CURRENT SITUATION

- 3.1 Mr Bickle has agreed terms and accepted the position and will commence employment as the Chief Executive of Hastings District Council with effect from 11 February 2019 for a fixed term of five years pursuant to Section 42 of the Local Government Act 2002.
- 3.2 It is recommended that the Council make Mr Bickle's appointment and delegated authority as the Council's Chief Executive clear, by passing the resolutions recommended in this report (or a variation thereof).

4.0 PREFERRED OPTION AND REASONS

- 4.1 The recommended option is to confirm the appointment of and delegated authority given to Mr Bickle by making the following resolutions.

5.0 RECOMMENDATIONS

- A) That the report of the General Counsel titled "Position of Chief Executive - Appointment of Chief Executive" dated 20/11/2018 be received.
- B) That the Council welcomes Mr Nigel Andrew Bickle to the Council in the position of Chief Executive, and confirms that:
- (i) That pursuant to Section 42 of the Local Government Act 2002 the Council appoints Nigel Andrew Bickle as Chief Executive from 8am on 11 February 2019 for a fixed term of five years pursuant to Section 42 of the Local Government

Act 2002;

- (ii) That Mr Neil Taylor's current role as the Acting Chief Executive will cease at 8.00am on 11 February 2019.**

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: CHIEF FINANCIAL OFFICER
BRUCE ALLAN**

**SUBJECT: SUMMARY OF RECOMMENDATIONS FROM RISK AND
AUDIT SUBCOMMITTEE MEETING HELD ON 5
NOVEMBER 2018**

1.0 SUMMARY

- 1.1 The purpose of this report is to advise that recommendations from the Risk and Audit Subcommittee meeting held on 5 November 2018 require ratification by Council.
- 1.2 The relevant Risk and Audit Subcommittee recommendations to be ratified are set out below:

2.0 RECOMMENDATIONS

- A) That the report of the Chief Financial Officer titled "Summary of Recommendations from Risk and Audit Subcommittee Meeting held on 5 November 2018" dated 20/11/2018 be received.
- B) That the following recommendations from the Risk and Audit Subcommittee meeting held on 5 November 2018 be adopted:

"Item 7 – Annual Review of Treasury Management Policy and Treasury Performance"

- A) ***That the report of the Manager Strategic Finance titled "Annual Review of Treasury Management Policy and Treasury Performance" dated 5/11/2018 be received.***
- B) ***That the Risk and Audit Subcommittee recommend that Council approves the Treasury Management Policy (PMD-02-06-03-18-37) as written".***

Attachments:

There are no attachments for this report.

REPORT TO: COUNCIL

MEETING DATE: TUESDAY 20 NOVEMBER 2018

**FROM: DEMOCRATIC SUPPORT MANAGER
JACKIE EVANS**

**SUBJECT: REQUESTS RECEIVED UNDER THE LOCAL
GOVERNMENT OFFICIAL INFORMATION AND MEETINGS
ACT (LGOIMA) MONTHLY UPDATE**

1.0 SUMMARY

- 1.1 The purpose of this report is to inform the Council of the number of requests under the local Government official Information Act (LGOIMA) 1987 received in October and November 2018.
- 1.2 This issue arises from the provision of accurate reporting information to enable effective governance
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 The objective of this decision relevant to the purpose of Local Government is to ensure that the Council is meeting its legislative obligations.
- 1.5 This report concludes by recommending that the report be noted.

2.0 BACKGROUND

- 2.1 The LGOIMA allows people to request official information held by local government agencies. It contains rules for how such requests should be handled, and provides a right to complain to the Ombudsman in certain situations. The LGOIMA also has provisions governing the conduct of meetings.

Principle of Availability

- 2.2 The principle of availability underpins the whole of the LGOIMA. The Act explicitly states that:

*The question whether any official information is to be made available ... shall be determined, except where this Act otherwise expressly requires, in accordance with the purposes of this Act and **the principle that the information shall be made available unless there is good reason for withholding it.***

Purpose of the Act

2.3 The key purposes of the LGOIMA are to:

- progressively increase the availability of official information held by agencies, and promote the open and public transaction of business at meetings, in order to:
 - enable more effective public participation in decision making; and
 - promote the accountability of members and officials; and
 - so enhance respect for the law and promote good local government; and
 - protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

2.4 City, district and regional councils, council controlled organisations and community boards are subject to LGOIMA and official information means any information held by an agency subject to the LGOIMA.

2.5 It is not limited to documentary material, and includes material held in any format such as:

- written documents, reports, memoranda, letters, notes, emails and draft documents;
- non-written documentary information, such as material stored on or generated by computers, including databases, video or tape recordings;
- information which is known to an agency, but which has not yet been recorded in writing or otherwise (including knowledge of a particular matter held by an officer, employee or member of an agency in their official capacity);
- documents and manuals which set out the policies, principles, rules or guidelines for decision making by an agency;
- the reasons for any decisions that have been made about a person.

2.6 It does not matter where the information originated, or where it is currently located, as long as it is held by the agency. For example, the information could have been created by a third party and sent to the agency. The information could be held in the memory of an employee of the agency.

What does a LGOIMA request look like?

2.7 There is no set way in which a request must be made. A LGOIMA request is made in any case when a person asks an agency for access to specified official information. In particular:

- a request can be made in any form and communicated by any means, including orally;
- the requester does not need to refer to the LGOIMA; and

- the request can be made to any person in the agency.

2.8 The Council deals with in excess of 14,000 service requests on average each month from written requests, telephone calls and face to face contact. The LGOIMA requests dealt with in this report are specific requests for information logged under formal LGOIMA procedure, which sometimes require collation of information from different sources and/or an assessment about the release of the information requested.

Key Timeframes

- 2.9 An agency must make a decision and communicate it to the requester 'as soon as reasonably practicable' and **no later than** 20 working days after the day on which the request was received.
- 2.10 The agency's primary legal obligation is to notify the requester of the decision on the request 'as soon as reasonably practicable' and without undue delay. The reference to 20 working days is not the de facto goal but the maximum unless it is extended appropriately in accordance with the Act. Failure to comply with time limit may be the subject of a complaint to the ombudsman.
- 2.11 The Act provides for timeframes and extensions as there is a recognition that organisations have their own work programmes and that official information requests should not unduly interfere with that programme.

3.0 CURRENT SITUATION

- 3.1 Council has requested that official information requests be notified via a monthly report.

4.0 RECOMMENDATIONS AND REASONS

- 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 20/11/2018 be received.**
- B) That the LGOIMA requests received in October and November 2018 as set out in Attachment 1 (IRB-2-1-18-1444) of the report in (A) above be noted.**

Attachments:

- | | | |
|---|---|------------------|
| 1 | Information Mgmt & Reporting - Information Requests - LGOIMA - Information Requests Monthly Report to Council October/November 2018 | IRB-2-01-18-1444 |
|---|---|------------------|

IRB-2-01-18-1444

**Local Government Official Information and Meetings Act 1987 (LGOIMA)
Monthly Report to Council – October/November 2018**

	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Requests resulting in a complaint to Ombudsman
October 2018	3	2	2	0	0	3.6	0

Requests - received since those last reported to Council

Completed			
Outstanding			
Month	From	Subject	Total
October	Stratford District Council	GIS Resources	3
	Robert Winchester	Removal of Tree	
	Individual	Noise complaint	
November	Proarch Consultants Ltd	Private Plan Change	1

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

TUESDAY, 20 NOVEMBER 2018

AMENDED RECOMMENDATION TO EXCLUDE THE PUBLIC

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

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

- 17. District Licensing Committee - Reappointment of List Members**
- 18. Hawke's Bay Opera House Precinct - Municipal Building Strengthening**

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>
17.	District Licensing Committee - Reappointment of List Members	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 natural persons.	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.	Hawke's Bay Opera House Precinct - Municipal Building Strengthening	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 negotiations yet to be completed.	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.