
Thursday, 3 September 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Ngā Minitī

Open Minutes

Te Rā Hui:
Meeting date: **Thursday, 3 September 2020**

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

Time start – end: **1.00pm – 2.45pm**

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HASTINGS DISTRICT COUNCIL
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TE KAUNIHERA Ā-ROHE O HERETAUNGA

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Te Rārangi Upoko
Table of Contents

Item	Page No.
1. Karakia	1
2. Apologies	1
3. Seal Register	2
4. Conflicts of Interest	2
5. Confirmation of Minutes	2
6. Petition - Eskdale Park	2
7. Petition - Cornwall Park Aviary	3
8. Chief Executive Update	3
9. Review of the Gambling Act - Recommendations from District Planning and Bylaws Subcommittee meeting on 5 August 2020	3
10. Hawkes Bay Community Fitness Centre Trust Lease Amendment	4
11. Parking Controls	5
12. Summary of Recommendations from Heretaunga Takoto Noa Māori Standing Committee 5 August 2020	7
13. Summary of Recommendations from the Risk and Assurance Committee meeting held on 27 July 2020	8
14. 2020 Meeting Schedule Changes	8
15. Minor Items	8
16. Urgent Items	9
17. Recommendation to exclude the public from item 18	9

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Kua Tae ā-tinana: **Chair - Tiamana:** Mayor Sandra Hazlehurst
Present: **Councillors - Ngā KaiKaunihera:** Councillors Bayden Barber, Alwyn Corban, Malcolm Dixon, Damon Harvey, Tania Kerr (Deputy Chair), Eileen Lawson, Simon Nixon, Peleti Oli, Ann Redstone, Wendy Schollum, Sophie Siers, Geraldine Travers and Kevin Watkins

Kua Tatū:
In attendance: Chief Executive - Nigel Bickle
Group Manager: Asset Management - Craig Thew
Group Manager: Planning & Regulatory Services - John O'Shaughnessy
Group Manager: Strategy & Development - Craig Cameron
Group Manager: Corporate - Bruce Allan
Acting Group Manager: Community Wellbeing & Services – Dennise Elers
Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage – Dr James Graham
General Counsel – Scott Smith
Environmental Policy Manager – Rowan Wallis
Director of Strategic Projects, Key Account Services & Council Investment Partnerships – Raoul Oosterkamp
Traffic Engineering Officer – Lachlan Crawford
Manager: Democracy & Governance - Jackie Evans
Democracy & Governance Advisor – Lynne Cox

1. KARAKIA

The opening prayer was given by Paul Davison from The Hastings Baptist Church.

2. APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence had previously been granted to Councillor O'Keefe.

LEAVE OF ABSENCE (granted at today's meeting)

Councillor Dixon/Councillor Schollum

That leave of absence be granted to:

Councillor Kerr for 17 to 23 September 2020

Councillor Lawson for 7 to 11 September 2020

CARRIED

3. SEAL REGISTER

That the Seal Register lie on the table during the meeting.

4. CONFLICTS OF INTEREST

Agenda item 9 – Review of the Gambling Act – Recommendations from District Planning and Bylaws Subcommittee meeting on 5 August 2020.

- Councillors Corban, Dixon, Harvey, Kerr, Lawson and Schollum declared a conflict of interest in regard to the above item 9:

Agenda item 10 – Hawke's Bay Community Fitness Centre Trust Lease Amendment.

- Councillors Corban and Kerr declared a conflict of interest in regard to the above item 10:

5. CONFIRMATION OF MINUTES

Mayor Hazlehurst/Councillor Barber

That the minutes of the Council Meeting held Tuesday 25 August 2020 be confirmed as a correct record.

CARRIED

6. PETITION - ESKDALE PARK

(Document 20/679)

Councillor Kerr/Councillor Nixon

- A) That the report of the Democracy and Governance Advisor titled "Petition - Eskdale Park" be received.
- B) That the tabled "Petition - Eskdale Park" be received.
- C) That the lead petitioner Trina Bergloff-Howes be invited to speak to the petition, as a submitter to the Eskdale Park Reserve Management Plan proposal.

CARRIED

7. PETITION - CORNWALL PARK AVIARY

(Document 20/651)

Councillor Kerr/Councillor Travers

- A) That the Council receives the petition titled “Let’s get the Parrots Out.”
- B) That Council uphold its 2020/21 Annual Plan and Reserve Management Plan commitments of retaining the birds in enlarged and enhanced cages.
- C) That should the SPCA find suitable temporary location for the two parrots, they can be temporarily given into the care of the SPCA, until the cage improvements are completed.

CARRIED

8. CHIEF EXECUTIVE UPDATE

(Document 20/716)

Mayor Hazlehurst/Councillor Dixon

- A) That Council receives the report titled Chief Executive’s Report to Council.

CARRIED

9. REVIEW OF THE GAMBLING ACT - RECOMMENDATIONS FROM DISTRICT PLANNING AND BYLAWS SUBCOMMITTEE MEETING ON 5 AUGUST 2020

(Document 20/616)

Having previously declared a conflict of interest in regards to this item, Councillors Corban, Dixon, Harvey, Kerr, Lawson and Schollum took no part in discussion or voting.

Councillor Watkins/Councillor Redstone

- A) That the report of the Environmental Policy Manager titled “Review of the Gambling Act - Recommendations from District Planning and Bylaws Subcommittee meeting on 5 August 2020” be received.
- B) That the Council adopt for consultation under the Special Consultative Procedure of the Local Government Act 2002, the Class 4 Gambling Venue Policy and TAB Venue Policy, and Statement of Proposal, appended to the report at (A) above as Attachments 1, 2, and 3.

CARRIED

Councillors Dixon, Harvey, Lawson and Schollum returned to the meeting table.

10. HAWKE'S BAY COMMUNITY FITNESS CENTRE TRUST LEASE AMENDMENT

(Document 20/639)

Having previously declared a conflict of interest in regards to this item, Councillors Corban and Kerr left the meeting table during consideration and voting on this item.

The Mayor invited the Chair of the Sports Park Trust, Tania Kerr to return to the meeting table to respond to questions raised on this report.

Councillor Dixon proposed an amendment to the resolution to include the following:

- E) That Hawke's Bay Community Fitness Centre Trust replace the carparking that is lost in its entirety due to the aquatic development to the benefit of the Regional Sports Park and in addition to providing the carparking that is required for the swimming complex with the location to be to the satisfaction of both Trusts.

The mover and seconder of the original motion agreed to the inclusion of this wording in the motion.

Councillor Harvey/Councillor Schollum

- A) That the Council receives the report titled Hawke's Bay Community Fitness Centre Trust Lease Amendment.
- B) That the Council provide their approval of the development of an aquatic facility, the northern extension of the main sports hall and the hostel to the Hawke's Bay Community Fitness Centre Trust.
- C) That Council amends the leases with the Hawke's Bay Community Fitness Centre Trust and the Hawke's Bay Regional Sports Park Trust to accurately reflect the areas each Trust occupies at the Regional Sports Park with the following map to be incorporated.



- D) That the Chief Executive be given delegated authority to make any other minor amendments to the leases, including the maps to enable this change to be made.
- E) That Hawke's Bay Community Fitness Centre Trust replace the carparking that is lost in its entirety due to the aquatic development to the benefit of the Regional Sports Park and in addition to providing the carparking that is required for the swimming complex with the location to be to the satisfaction of both Trusts.

CARRIED

Councillors Corban and Kerr returned to the table on completion of discussions and voting.

11. PARKING CONTROLS

(Document 20/510)

Councillor Schollum/Councillor Lawson

- A) That the Council receives the report titled Parking Controls.
- B) That Council resolve pursuant to Clause 5.3.1(a)(iv) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing bus stop located outside of 1112 Cunningham Crescent be revoked.
- C) That Council resolve pursuant to Clause 5.3.1(a)(iv) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing bus stop located outside of 1218 Cunningham Crescent be revoked.

- D) That Council resolve pursuant to Clause 5.3.1(a)(iv) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that a bus stop be established on the western side of Cunningham Crescent commencing 14 metres south of 1202 Cunningham Crescent and extending 20 metres south.
- E) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing spaces on the northern side of Frederick Street West commencing 17 metres east of the intersecting line with Konini Street and extending 27 metres east become a Drop Off and Pick up Zone. The times being 8-15am to 9am and 2-30pm to 3-15pm School Days Only.
- F) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing spaces on the southern side of Frederick Street West commencing 77 metres west of the intersecting line with Waipuna Street and extending 60 metres west become a Drop Off and Pick up Zone. The times being 8-15am to 9am and 2-30pm to 3-15pm School Days Only.
- G) That Council resolve pursuant to Clause 5.3.1(a) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing P5 time limits located on Frimley Road outside of Frimley Primary School be revoked.
- H) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing spaces on the southern side of Frimley Road commencing 65 metres west of the intersecting line with Pakowhai Road and heading 85 metres in a westerly direction be amended to become a Drop Off and Pick up Zone. The times being 8am to 9am and 2-30pm to 3-30pm School Days Only.
- I) That Council resolve pursuant to Clause 5.3.1(a) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing Loading Zone 5min Maximum Goods Vehicles Only located in the Hastings CBD area be revoked.
- J) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the previously revoked areas in (I) become P5 Loading Zones.
- K) That Council resolve pursuant to Clause 5.3.1(a)(iv) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that a time limited bus stop be established on the western side of Hastings Street South commencing 72 metres south of Akina Street and extending 15 metres south. The times being 8:00am to 8:20am, and 2:50pm to 3:15pm School Days Only.
- L) That Council resolve pursuant to Clause 5.3.1(a) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing P5 time limits located on Campbell Street outside of Havelock North Primary School be revoked.
- M) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing spaces on the eastern side of Campbell Street commencing 36 metres south of the intersecting line with Busby Hill and heading 37 metres in a southerly direction be amended to become a Drop Off and Pick up Zone. The times being 8am to 9am and 2-30pm to 3-30pm School Days Only.
- N) That Council resolve pursuant to Clause 5.3.1(a)(iv) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that another Electric Vehicle (EV) car park be established next to the existing EV park in the Northern Carpark as shown in section 4.7 of this report.

- O) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, revoke two parking spaces outside of Caltex Petrol Station on Omahu road, located 130 metres west of Wilson road and extending 12 metres.
- P) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the P5 time limited signs on the northern side of Orchard Road be changed from 8-30 – 9-30am to 8am – 9am.
- Q) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that a P5 Loading Zone be established on the northern side of Queen Street East commencing 48 metres east from the intersecting line with Russell Street North and extending 12 metres east.
- R) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that all vehicles are restricted from parking in the Warren Street South Leased Carpark from the hours of 5.30pm to 7.30am Monday to Friday, and at all time on weekends.

CARRIED

12. SUMMARY OF RECOMMENDATIONS FROM HERETAUNGA TAKOTO NOA MĀORI STANDING COMMITTEE 5 AUGUST 2020

(Document 20/655)

Pou Ahurea Matua – Principal Advisor: Relationships Responsiveness and Heritage, Dr James Graham presented his report and took questions from Council.

The Chair acknowledged officers involved for their hard work in bringing this plan and policy to the organisation for adoption and implementation.

Councillor Travers/Councillor Siers

- A) That the report of the Pou Ahurea Matua - Principal Advisor: Relationships Responsiveness and Heritage titled “Summary of Recommendations from Heretaunga Takoto Noa Māori Standing Committee 5 August 2020” be received.
- B) The following recommendation of the meeting held 5 August 2020 be ratified:
 - That the Council ratify the Heretaunga Ararau Te Reo Māori Action Plan for adoption and implementation.

CARRIED

13. SUMMARY OF RECOMMENDATIONS FROM THE RISK AND ASSURANCE COMMITTEE MEETING HELD ON 27 JULY 2020

(Document 20/601)

Councillor Watkins/Councillor Nixon

- A) That the report of the Group Manager: Corporate titled “Summary of Recommendations from the Risk and Assurance Committee meeting held on 27 July 2020” be received.
- B) The following recommendations of the Risk and Assurance Committee meeting held 27 July 2020 be ratified:

“5. Health and Safety Risk Management Update Report”

B) That the Council endorse the updated Health and Safety Policy (Policy document HR-03-02-2-20-40).

C) That the Council postpone the external ISO 45001:2018 Gap Analysis Assessment for 12 months.

D) That the Council support an internal assessment against the ISO 45001:2018 Gap Analysis being undertaken by the Health & Safety Manager and that regular progress reports be brought back to the Risk and Assurance Committee as sections of the internal assessment are completed.”

CARRIED

14. 2020 MEETING SCHEDULE CHANGES

(Document 20/619)

Councillor Kerr/Councillor Schollum

- A) That the Council receives the report titled 2020 Meeting Schedule Changes and notes the changes outlined as follows:
- 17 September 2020 – Operations and Monitoring Committee at 1.00 pm.
 - 4 November 2020 (from 11 November) Heretaunga Takoto Noa Maori Standing Committee at 1.00 pm.
 - 4 November 2020 (from 11 November) District Planning and Bylaws Subcommittee at 10.30 am.
 - 1 December 2020 – Council (Gambling Policy – Hearing of Submissions) at 9.00 am.

CARRIED

15. MINOR ITEMS

There were no additional business items.

16. URGENT ITEMS

There were no extraordinary business items.

17. RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEM 18

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Mayor Hazlehurst/Councillor Redstone

THAT the public now be excluded from the following parts of the meeting. Namely;

18 CBD Development Update

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>
18 CBD Development Update	<p>Section 7 (2) (b) (ii)</p> <p>The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>To protect third party commercial interests and negotiations.</p>	<p>Section 48(1)(a)(i)</p> <p>Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.</p>

CARRIED

The meeting closed at 2.45pm

Confirmed:

Chair:

Date: