

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA  
ON THURSDAY, 20 JUNE 2019 AT THE CONCLUSION OF THE PUBLIC FORUM WHICH  
COMMENCES AT 9AM**

**PRESENT:** Mayor Alex Walker  
Cr Ian Sharp (Deputy Mayor)  
Cr Shelley Burne-Field  
Cr Kelly Annand  
Cr Tim Aitken  
Cr Tim Chote  
Cr Gerard Minehan  
Cr Brent Muggeridge  
Cr David Tennent  
Dr Roger Maaka

**IN ATTENDANCE:** Monique Davidson (Chief Executive)  
Joshua Lloyd (Group Manager, Community Infrastructure and Development)  
Bronnda Smith (Group Manager, Corporate Support and Services)  
Doug Tate (Group Manager, Customer and Community Partnerships)  
Nicola Bousfield (People and Capability Manager)  
Leigh Collecutt (Governance and Support Officer)

3 members of the public were in attendance at the commencement of the meeting.

**1 PRAYER**

The meeting opened at 9.00 and Dr Maaka opened the meeting with a karakia.

**2 APOLOGIES**

**RESOLVED:**

Moved: Mayor Alex Walker

Seconded: Cr David Tennent

THAT a Leave of absence be granted to Cr Shelley Burne-Field from 1-29<sup>th</sup> August

**CARRIED**

**3 DECLARATIONS OF CONFLICTS OF INTEREST**

**NONE**

**4 STANDING ORDERS**

**RESOLVED: 19.47**

Moved: Cr Ian Sharp

Seconded: Cr Gerard Minehan

THAT the following standing orders are suspended for the duration of the meeting:

20.2 Time limits on speakers

20.5 Members may speak only once

20.6 Limits on number of speakers

And that Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

**CARRIED****5 CONFIRMATION OF MINUTES****RESOLVED: 19.48**

Moved: Cr Kelly Annand

Seconded: Cr Gerard Minehan

That the minutes of the Ordinary Council Meeting held on 23 May 2019 as circulated, be confirmed as true and correct.

**CARRIED****RESOLVED: 19.49**

Moved: Cr Kelly Annand

Seconded: Cr Brent Muggeridge

That the minutes of the extraordinary meeting held on 30 May 2019 as circulated, be confirmed as true and correct

**CARRIED**

Cr Sharp sought an amendment to the meeting minutes of the 23<sup>rd</sup> May around removing the word 'not' from his statement about the Council being exposed to legal action.

**6 REPORTS FROM COMMITTEES****6.1 MINUTES OF THE HAWKES BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE MEETING HELD ON 11 APRIL 2019****PURPOSE**

The purpose of this report is to present to Council the minutes from the Hawke's Bay Drinking Water Governance Joint Committee Meeting held 11 April 2019.

**RESOLVED: 19.50**

Moved: Cr Tim Chote

Seconded: Cr Tim Aitken

**That the minutes of the Hawke's Bay Drinking Water Governance Joint Committee held on 11 April 2019 be received.**

**CARRIED**

**6.2 MINUTES OF THE HB CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE MEETING HELD 3 DECEMBER 2018 AND THE GROUP ANNUAL REPORT 2017-2018****PURPOSE**

The purpose of this report is to present to Council the minutes of the Hawke's Bay Civil Defence Emergency Management Group Joint Committee meeting held on the 3 December 2018.

**RESOLVED: 19.51**

Moved: Cr Shelley Burne-Field

Seconded: Cr Gerard Minehan

**That the minutes of the Hawke's Bay Civil Defence Emergency Management Group Joint Committee meeting held on the 3 December 2018 be received.**

**CARRIED**

## 7 REPORT SECTION

### 7.1 ADOPTION OF THE ANNUAL PLAN 2019/20

#### PURPOSE

The matter for consideration by the Council is the adoption of the Annual Plan 2019-20.

#### RESOLVED: 19.52

Moved: Cr Ian Sharp

Seconded: Cr David Tennent

**That having considered all matters raised in the report:**

**In regards to the Annual Plan 2019/20 Council resolves to**

- a) Adopt the Annual Plan 2019/20 in accordance with section 95 of the Local Government Act 2002.**
- b) Delegate responsibility to the Chief Executive to approve the final edits required to the Annual Plan in order to finalise the documents for printing and distribution.**

**CARRIED**

Mayor Walker sought clarification about the definition of revaluation reserves.

It was confirmed that accounting policy requires the organisation to revalue assets regularly. The amount shown in the revaluation reserve is an accounting amount only and does not constitute cash in the organisation's bank.

Cr Sharp spoke to the motion and provided his congratulations about the way the Annual Plan document was presented. He noted that the Council could be proud of the document despite some of the funding challenges faced.

Cr Tennent concurred with Cr Sharp and highlighted that the big challenges would start in the next year's annual plan and following. He raised concern that this meant an 0.5% rates increase from the LTP last year. Cr Tennent highlighted that the Council was currently experiencing good will in the community which may be difficult to continue with ongoing affordability issues.

Cr Minehan highlighted the importance of major costs needing to come to elected members attention in a timely way to enable them to make considered decisions gv. Cr Minehan expressed that although the rates increase is higher than was initially planned for, he was comfortable overall with the increase of 4.59%.

Cr Aitken thanked staff for the work done on the plan. He outlined that although the rates increase was close to what was set out in the Long Term Plan, that rates rises are an ongoing concern in the community. Over time this had potential to create big affordability issues and raised the importance of Council giving thought to how rates are allocated overall.

Mayor Walker highlighted the big capital work programmes driving this increased investment and the importance of remaining committed to delivering on them in future. Mayor Walker raised the issue of the framework around water on a local, regional and national basis and suggested that the Council needed to work carefully with partners to see how it could get financial help regionally and nationally.

Mayor Walker also considered that a robust process had been followed to reach the rates increase level of 4.59% and that she was proud of the services being delivered. Although the increase was higher than planned for initially, the increase across the district is lower than most Hawke's Bay counterparts.

Cr Sharp raised that it was important to focus on all the improvements being made rather than the cost.

## **7.2 FEES AND CHARGES 2019/20**

### **PURPOSE**

The matter for consideration by the Council is the adoption of the Fees and Charges for 2018/19

### **RESOLVED: 19.53**

Moved: Cr Brent Muggeridge

Seconded: Cr Tim Aitken

**That having considered all matters raised in the report:**

- a) **That the Fees and Charges for the financial year dated 2019/20 as set out in Attachment A excluding Animal Control Fees be approved.**
- b) **That Council give notice pursuant to Section 103 of the Local Government Act 2002 of its intention to prescribe the fees payable for the period 1 July 2019 to 30 June 2020 in respect of certificates, authorities, approvals, consents, and services given or inspections made by the Council under the Local Government Act 2002, the Building Act 2004, the Building (Infringement Offences, Fees, and Forms) Regulations 2007, the Amusement Devices Regulations 1978, the Resource Management Act 1991, Health (Registration of Premises) Regulations 1966, Sale and Supply of Alcohol (Fees) Regulations 2013, the Gambling Act 2003, the Burial and Cremation Act 1964, and the Central Hawke's Bay District Council Bylaws as set out in the Fees and Charges Schedule 2019/20.**

**CARRIED**

Cr Muggeridge spoke in support of the motion. He noted that Council had spent a lot of time debating the fees and charges and raised that democracy has played its part and that he was pleased that users would pay for services.

Cr Burne-Field noted her objection to the increase in cemetery fees.

Cr Minehan highlighted the importance that in future Council needed to consider the direct benefit to community and distribution of those benefits and the ability for people to pay.

Mayor Walker agreed that these are tough decisions to make and highlighted that the fees and charges were set on the basis of the Revenue and Financing Policy in terms of the cost splits which dictate charges. Mayor Walker agreed with Councillor Minehan that people's ability to pay was an important consideration and highlighted the importance of the rating review.

Mayor Walker spoke about the need for developers to be responsible for their costs and highlighted that the public had been clear about this expectation.

### 7.3 SETTING OF RATES FOR 2019/20

#### PURPOSE

The matter for consideration by the Council is the setting of the rates for 2019/20.

#### RESOLVED: 19.54

Moved: Cr Kelly Annand

Seconded: Cr Ian Sharp

**That having considered all matters raised in the report:**

- a) Pursuant to Section 23(1) of the Local Government (Rating) Act 2002, the Central Hawke's Bay District Council resolves to set the rates, due dates and penalties regime for the 2019/20 year.**

#### 1. General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002 for the purposes of providing all or some of the cost of:

- Community leadership, including administration, cost of democracy, community voluntary support grants
- All regulatory activities, including district planning, land use and subdivision consent costs, building control, public health, animal control, and compliance.
- Solid waste
- Parks and reserves, public toilets, theatres and halls, cemeteries, and miscellaneous property costs

**For the 2019/20 year, this rate will be 0.10793 cents per dollar (including GST) based on the rateable capital value of all rateable land within the District.**

#### 2. Uniform Annual General Charge

A rate set under section 15 of the Local Government (Rating) Act 2002 on each separately used or inhabited part of a rating unit within the District. See definition below. This rate is for the purpose of providing:

- Economic and social development.
- A portion of the cost of solid waste
- Libraries and swimming facilities

**For the 2019/20 year, this rate will be \$278.26 (including GST).**

#### Targeted Rates

#### 3. District Land Transport Rate

A rate for the Council's land transport facilities set under section 16 of the Local Government (Rating) Act 2002. This rate is set for the purpose of funding the operation and maintenance of the land transport system.

**For the 2019/20 year this rate will be 0.21106 cents per dollar (including GST) based on the land value of all rateable land in the district.**

### **Separately Used or Inhabited Parts of a Rating Unit**

Definition – for the purposes of the Uniform Annual General Charge and the targeted rates above, a separately used or inhabited part of a rating unit is defined as –

A separately used or inhabited part of a rating unit includes any portion inhabited or used by [the owner/a person other than the owner], and who has the right to use or inhabit that portion by virtue of a tenancy, lease, licence, or other agreement.

This definition includes separately used parts, whether or not actually occupied at any time, which are used by the owner for occupation on an occasional or long term basis by someone other than the owner.

Examples of separately used or inhabited parts of a rating unit include:

- For residential rating units, each self-contained household unit is considered a separately used or inhabited part. Each situation is assessed on its merits, but factors considered in determining whether an area is self-contained would include the provision of independent facilities such as cooking/kitchen or bathroom, and its own separate entrance.
- Residential properties, where a separate area is used for the purpose of operating a business, such as a medical or dental practice. The business area is considered a separately used or inhabited part.

These examples are not considered inclusive of all situations.

### **5. Water Supply Rates**

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for water supply operations of a fixed amount per separately used or inhabited part of a rating unit. The purpose of this rate is to fund water supplies for Otane, Takapau, Waipukurau, Waipawa, Kairakau, Porangahau and Te Paerahi.

The purpose of this rate is to fund the maintenance, operation and capital upgrades of water supplies and treatment in those parts of the District where these systems are provided.

The rate is subject to differentials as follows:

- (a) a charge of per separately used or inhabited part of a rating unit connected in the Otane, Takapau, Waipukurau, Waipawa, Kairakau, Porangahau, and Te Paerahi Beach communities.
- (b) a half charge per separately used or inhabited part of a rating unit which is serviceable for the above locations.

For this rate:

- "Connected" means a rating unit to which water is supplied.
- "Serviceable" means a rating unit to which water is not being supplied, but the property it is situated within 100 metres of the water supply.

**For the 2019/20 year these rates will be:**

	<b>Charge</b>	<b>Water Rate ( incl GST)</b>
<b>a</b>	<b>Connected</b>	<b>\$721.67</b>
<b>b</b>	<b>Serviceable, not connected</b>	<b>\$360.83</b>

#### 6. Metered Water Rate

A targeted rate under section 19 of the Local Government (Rating) Act 2002 per cubic metre of water supplied, as measured by cubic metre, over 300 cubic metres per year. This is applied to water users deemed 'Extraordinary' where payment of the Water Supply rate above entitles extraordinary users to the first 300 cubic metres of water without additional charge.

The rate is subject to differentials as follows:

- (a) a rate per cubic metre of water, for users consuming below 40,000 cubic metres
- (b) A rate per cubic metre of water, for users above 40,000 cubic metres, and where the land use category in the valuation database is not 'industrial'
- (c) a rate of per cubic metre of water, for users consuming above 40,000 cubic metres, and where the land use category in the valuation database is 'industrial'

**For the 2019/20 year these rates will be:**

	<b>Volume of water (cubic metres)</b>	<b>Rate per cubic metre (incl GST)</b>
<b>a</b>	<b>Below 40,000</b>	<b>\$2.52</b>
<b>b</b>	<b>Above 40,000, non-industrial</b>	<b>\$2.52</b>
<b>c</b>	<b>Above 40,000, industrial</b>	<b>\$1.91</b>

## 7 Sewerage Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the Council's sewage disposal function of fixed amounts in relation to all land in the district to which the Council's sewage disposal service is provided or available, as follows:

- (a) a charge per rating unit connected.
- (b) a charge per pan within the rating unit, after the first one.
- (c) a charge per rating unit which is serviceable.

The rate is subject to differentials as follows:

- "Connected" means the rating unit is connected to a public sewerage system.
- "Serviceable" means the rating unit is not connected to a public sewerage drain but is within 30 metres of such a drain.
- A rating unit used primarily as a residence for one household is treated as not having more than one pan.
- For commercial accommodation providers, each subsequent pan will be rated at 50% of the charge.
- For those Clubs who qualify for a rebate of their General Rates under Council's Community Contribution and Club Rebate Remission Policy, and who are connected to the sewerage network, each subsequent pan will be rated at 50% of the Sewerage Charge.

The purpose of this rate is to fund the maintenance, operation and capital upgrades of sewerage collection, treatment and disposal systems in those parts of the District where these systems are provided.

**For the 2019/20 year these rates will be:**

	<b>Charge</b>	<b>Sewerage Rate (incl GST)</b>
<b>a</b>	<b>First charge per separately used or inhabited part of a rating unit connected</b>	<b>\$933.32</b>
<b>b</b>	<b>Additional charge per pan after the first</b>	<b>\$933.32</b>
<b>c</b>	<b>Serviceable, not connected, per separately used or inhabited part of a rating unit</b>	<b>\$466.66</b>

<b>d</b>	<b>Additional charge per pan after the first – commercial accommodation provider, qualifying club</b>	<b>\$466.66</b>
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#### 9. Stormwater Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the purpose of funding operations and maintenance, plus improvements and loan charges on the stormwater drainage network as follows:

A uniform targeted rate on the capital value of all rateable land in the Waipukurau and Waipawa Stormwater Catchment Areas.

**For the 2019/20 year this rate will be 0.08076 cents per dollar (including GST).**

#### 8. Kerbside Recycling Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the Council's collection of household recyclables for Waipukurau and Waipawa on each separately used or inhabited part of a rating unit to which the Council provides the service.

**For the 2019/20 year this rate will be \$84.69 (including GST).**

#### 9. Refuse Collection Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the collection of household and commercial refuse for Otane, Onga Onga, Takapau, Tikokino, Waipukurau, Waipawa, Porangahau, Te Paerahi, Blackhead Beach, Kairakau, Mangakuri, Aramoana and Purerere Beach on each separately used or inhabited part of a rating unit to which the Council provides the service.

**For the 2019/20 year this rate will be \$21.06 (including GST).**

#### 10. Te Aute Drainage Rate

Te Aute Drainage rates are set on all rateable area of rateable property within the designated area subject to a graduated scale for the purpose of funding the operations, loan charges and the repayment of loans for the Te Aute Drainage Scheme area.

The amount required and the classification is set by the Te Aute Drainage Committee.

Each hectare of land in each property is classified according to the susceptibility of that hectare to flooding as follows:

A (100 points), B (80 points), C (15 points), F (3 points), and G (0 points).

The total number of points is 73614. The total amount of funding required each year determines how much each of these points are worth. In this way, the total amount required is apportioned on a pro rata basis using the weightings on each hectare.

**The total amount of funding required for 2019/20 is \$17,250**

**The amount per point is 23.43304 cents including GST.**

The Te Aute drainage scheme area is defined by reference to the classification list establishing the graduated scale.

Valuation Number	Hectares in each classification				Total Points	Amount
	A (100pts)	B (80pts)	C (15pts)	F (3pts)		
1092000300	0	11.3	8.15	31.63	1,121	\$262.68
1092000800	0	32.83	74.69	23.42	3,817	\$894.44
1092000900	0	0	0.83	2.15	19	\$4.45
1092001001	77.96	16.65	11.94	17.95	9,361	\$2,193.57
1092001100	78.22	0	15.28	39.73	8,171	\$1,914.71
1092001107	0	0	18.02	68.04	474	\$111.17
1092001200	0	2.88	18.35	18.86	562	\$131.69
1092001201	0	20.25	19.15	12.31	1,944	\$455.54
1092001400	0	0	0	14.16	42	\$9.84
1092001600	0	0	0	10.12	30	\$7.03
1092001700	38.74	51.06	36.24	45.12	8,638	\$2,024.15
1092002100	188.81	0	0	23.93	18,953	\$4,441.26
1092002200	84.02	4.14	1.16	6.45	8,770	\$2,055.08
1092002300	41.02	5.2	20.43	22.8	4,893	\$1,146.58
1092002900	0	0	0	0.81	2	\$0.47
1092006100	0	84.44	0	20.77	6,817	\$1,597.43
<b>Total</b>	<b>508.77</b>	<b>228.75</b>	<b>224.24</b>	<b>358.25</b>	<b>73,614</b>	<b>\$17,250.00</b>

### Approach to Rating

Rates are set and assessed under the Local Government (Rating) Act 2002 on all rateable rating units on the value of the land and improvements as supplied by Quotable Value New Zealand Limited. . The last rating revaluation was carried out in September 2018 and is effective from 1 July 2019.

The objectives of the council's rating policy is to:

- (i) spread the incidence of rates as fairly as possible
- (ii) be consistent in charging rates
- (iii) ensure all ratepayers pay their fair share for council services
- (iv) provide the income needed to meet the council's goals.

The Central Hawke's Bay District Council rating system provides for all user charges and other income to be taken into account first, with the rates providing the balance needed to meet the council's objectives.

### Rating Base

The rating base will be the database determined by the contracted rating service provider. Because this database is constantly changing due to change of ownership, subdivision, regular revaluations, change of status from rateable to non-rateable (and reverse), the rating base is not described in detail in this policy.

### Due Dates for Rate Payments

Pursuant to Section 24 of the Local Government (Rating) Act 2002, the following dates are proposed to apply for assessing the amount of each instalment of rates excluding metered water rates for the year 1 July 2019 to 30 June 2020. Each instalment will be assessed in four equal amounts, rounded.

Instalment number	Instalment Start Date	Last day of payment without additional charge	Penalty date
1	1 July 2019	20 August 2019	21 August 2019
2	1 October 2019	20 November 2019	21 November 2019
3	1 January 2020	20 February 2020	21 February 2020
4	1 April 2020	20 May 2020	21 May 2020

### Due Dates for Metered Water Rates

Pursuant to Section 24 of the Local Government (Rating) Act 2002, the following dates are proposed to apply for assessing the amount of metered water rates for the year 1 July 2019 to 30 June 2020. The assessment is applied to water users after the first 300 cubic metres of water without additional charge has been used as part of the Water Supply Rate.

Area/Users	Water Meters read during	Last day of payment
High Users	Monthly	20th month following
Waipukurau Takapau	Sep-19	20-Oct-19
	Dec-19	20-Jan-20
	Mar-20	20-Apr-20
	Jun-20	20-Jul-20
Waipawa Otane Kairakau	Aug-19	20-Sep-19
	Nov-19	20-Dec-19
	Feb-20	20-Mar-20

<b>Porangahau/Te Paerahi</b>	<b>May-20</b>	<b>20-Jun-20</b>
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## **Penalty Charges**

### **(Additional Charges on Unpaid Rates)**

Pursuant to Section 58(1)(a) of the Local Government (Rating) Act 2002, an additional charge of 10% will be added on the penalty date above, to all amounts remaining unpaid for each instalment excluding metered water rates.

Pursuant to Section 58(1)(b) of the Local Government (Rating) Act, a further additional charge of 10% will be added on 1 July 2019 to the amount of rates assessed in previous financial years and remaining unpaid as at 30 June 2019 (Section 58(1)(b)) excluding metered water rates.

**CARRIED**

Mayor Walker went through each of the rates being struck.

Cr Sharp highlighted that the rates split showed the philosophy of the Council in terms of user pays. It also showed the importance of the rates review and how it will impact ratepayers, including the ability to pay, fairness and who pays for which service.

Cr Tennent agreed that the rates review was an important step going forward, particularly in terms of the Uniform Annual General Charge (UAGC). He noted that most rural districts are looking at spreading that cost over whole district particularly in relation to wastewater treatment.

Mayor Walker raised that the UAGC was significantly lower than last year based on the changes to the Revenue and Financing Policy. She highlighted that the changes were based on revaluations and the big shift in lower value residential properties. Because of this, Mayor Walker noted that she was unapologetic for the decision but noted that long term viability needed to be considered carefully.

## **7.4 ADOPTION OF WMMP FOR CONSULTATION**

### **PURPOSE**

The matter for consideration by the Council is to receive and adopt the waste minimisation and management plan to be released for community consultation.

### **RESOLVED: 19.55**

Moved: Cr Gerard Minehan

Seconded: Cr Kelly Annand

**That having considered all matters raised in the report:**

- a) **That the WMMP is adopted for consultation**

**CARRIED**

Cr Burne-Field congratulated officers on the document and raised that it was a great start for the community and would likely gather momentum as it continues. She also highlighted that it would be good to see that 'Waste Free CHB' was branded.

Cr Minehan thanked the Solid Waste Management Reference Group and staff involved. Cr Minehan also raised the need to consult with existing contractors to make it work effectively..

Cr Annand concurred with Cr Minehan that it was good to see community involvement and passion in the waste space.

Cr Sharp congratulated the Solid Waste Management Reference Group on the positive aspirations in the document. He highlighted that education was important and that the Council would need to invest in it, and that he looked forward to the community embracing the aspirations.

Mayor Walker reflected that the document showed a good balance of aspiration and action and ways that funding could be supported. She raised that community engagement needed to provide an opportunity for people to provide clear answers on the things that mattered most to them.

Cr Minehan acknowledged the input provided from Clint Deckard as part of the reference group. He noted that this document was a good first step to effective and affordable waste infrastructure for the community.

## **7.5 ENDORSEMENT OF WWTP ENVIRONMENT COURT RESPONSE**

### **PURPOSE**

The matter for consideration by the Council is to endorse the report responding to the supplementary enforcement order issued from HBRC through the environment court in 2018.

### **RESOLVED: 19.56**

Moved: Cr David Tennent

Seconded: Cr Gerard Minehan

**That having considered all matters raised in the report:**

- a) That Council endorses the report responding to the Environment Court in relation to the Waipawa Wastewater Treatment Plant.**

**CARRIED**

Mayor Walker highlighted that although the outcomes in the report were operational, that the report provided Council with the opportunity to lend support by endorsing it.

Cr Tennent noted his confidence that the Council had done their best to come up with some good options going forward. He noted clear direction from the community through Project Thrive that Wastewater should be disposed to land, rather than into the river.

Mayor Walker noted that this was a big step forward for an important priority project and that she looked forward to seeing the response from the Environment Court.

***The meeting was suspended at 10.04 for morning tea.  
The meeting reconvened at 10.29am***

## **7.6 REMITS FOR CONSIDERATION AT LGNZ 2019 CONFERENCE**

### **PURPOSE**

The purpose of this report is for Council to consider its position in relation to the 2019 LGNZ AGM Remits.

**RESOLVED: 19.57**

Moved: Cr Ian Sharp

Seconded: Cr Gerard Minehan

**That, having considered all matters raised in the report, the report be noted.**

**That Council confirm voting rights on behalf of Central Hawke's Bay District Council to Mayor Alex Walker and Councillor Tim Chote at the AGM.**

**That Council confirm Councillor Gerard Minehan and Chief Executive Monique Davidson also attend the AGM to represent Central Hawke's Bay District Council.**

**That Council support the following remits at the LGNZ AGM: (Note – delete those remits Council does not support)**

*" 1. That LGNZ calls on the government to include local government representation (as determined by local government) at all levels of policy development, technical risk and resilience assessment, and data acquisition on climate change response policies - with an emphasis on climate adaptation: policy; legal; planning; and financial compensation regimes."*

*"5. That LGNZ advocates for enabling legislation that would allow councils to require all guest accommodation providers to register with the council and that provides an efficient approach to imposing punitive action on operators who don't comply."*

*"6. That LGNZ recommend to the government the funding of additional research into the effects of nitrates in drinking water on human health, and/or partner with international public health organisations to promote such research, in order to determine whether the current drinking water standard for nitrate is still appropriate for the protection of human health."*

*"7. That LGNZ initiates a review of Local Government Official Information and Meetings Act (1987)(LGOIMA) request management nationally with a view to establishing clear and descriptive reporting for and by local authorities that will create a sector-wide picture of:*

- Trends in the volume and nature of LGOIMA requests over time.*
- Trends in users.*
- The impacts of technology in terms of accessing information sought and the amount of information now held by local authorities (and able to be requested).*
- The financial and resource impacts on local authorities in managing the LGOIMA function.*

*That LGNZ use the data obtained to:*

- Identify opportunities to streamline or simplify LGOIMA processes.*
- Share best practice between local authorities.*
- Assess the value of a common national local government framework of practice for LGOIMA requests.*
- Identify opportunities to advocate for legislation changes on behalf of the sector (where these are indicated)."*

*"8. That LGNZ encourages member councils to consider using environmentally friendly weed control methods."*

*"9. LGNZ calls on central government to take action as recommended by the Law Commission in its 2014 report on "Liability of Multiple Defendants" to introduce a cap on the liability of councils in New Zealand in relation to building defects claims whilst joint and several liability applies."*

*"10. That LGNZ, in conjunction with central government, urgently focus on the development and implementation of a broader range of funding and financing tools in respect of community/social*

*housing provision, than those which currently exist in the housing needs space. These should include funding to support the operation, upgrade and growth of council housing portfolios and, where a council chooses, access to Income Related Rents for eligible tenants."*

*"11. That LGNZ investigate the ability of the sector to collaborate in procuring open-source designs and plans for bulk infrastructure that are largely similar, with an initial approach to look at water and wastewater treatment facilities."*

*"12. That LGNZ advocates to the government to phase out single use polystyrene."*

*"13. That LGNZ pursue an amendment to the Local Government Act 2002 to:*

*a. Re-number sub-sections 181 (5) and (6) to sub-sections (6) and (7); and*

*b. Introduce a new sub-section (5) to read: For all purposes the term "any work" in subsection 4 means any works constructed before xx Month 20xx; and includes any works that were wholly or partly in existence, or work on the construction of which commenced, before xx Month 20xx."*

*"14. That LGNZ request the government to amend the Camping - Ground Regulations to allow councils to approve remote camp facilities on private property, subject to any such conditions as deemed required by a council, including the condition that any approved campground is x distance away from an existing campground, unless the existing campground operator agrees to waive this condition in writing."*

*"21. That central government funding be made available on an annual basis for museums and galleries operated by territorial authorities with nationally significant collections."*

**CARRIED**

- The Council considered each remit to determine whether representatives would endorse the remit at the Local Government New Zealand Annual General Meeting.
- In some instances, remits were not supported by the Council and were moved and seconded to establish the view of the table
- In other instances the remits were not supported but there was no mover for that remit

#### **RESOLVED: 19.58**

Moved: Cr David Tennent

Seconded: Cr Gerard Minehan

That Council supports the following remit:

*"1. That LGNZ calls on the government to include local government representation (as determined by local government) at all levels of policy development, technical risk and resilience assessment, and data acquisition on climate change response policies - with an emphasis on climate adaptation: policy; legal; planning; and financial compensation regimes."*

**CARRIED**

That Council does not support the following remit:

*"2. That LGNZ works with central government to introduce legislation to ban the sale of fireworks to the general public and end their private use."*

This remit was subsequently changed after the remit paper was written. The amended remit was:

*"That LGNZ work with Central Government to raise the issue (about the sale of fireworks) and advocate for legislative change."*

That Council does not support the following remit:

*“3. That LGNZ request the government to bring into line camera and officer-detected red light running offences with other traffic offences that incur demerit points.”*

**MOTION**

Moved: Cr Kelly Annand

Seconded: Cr Tim Chote

That Council supports the following remit:

*“4. To seek an amendment to clause 6.2 of the Land Transport (Road User) Rule 2004 to prohibit parking on urban berms.”*

**Motion lost**

For: Cr Annand, Cr Chote

Against: Cr Sharp, Cr Tennent, Cr Burne-Field, Cr Minehan, Cr Muggeridge, Cr Aitken, Mayor Walker

Therefore Council did not support the remit

**RESOLVED: 19.59**

Moved: Cr Tim Chote

Seconded: Cr Brent Muggeridge

That Council supports the following remit:

*“5. That LGNZ advocates for enabling legislation that would allow councils to require all guest accommodation providers to register with the council and that provides an efficient approach to imposing punitive action on operators who don't comply.”*

Councillors discussed the wider implications of the impact tourism could have on infrastructure and the potential need for larger Councils to regulate.

Cr Burne-Field was against this remit and felt that providers should be part of the conversation.

**CARRIED**

**RESOLVED: 19.60**

Moved: Cr David Tennent

Seconded: Mayor Alex Walker

*That Council supports the following remit:*

*“6. That LGNZ recommend to the government the funding of additional research into the effects of nitrates in drinking water on human health, and/or partner with international public health organisations to promote such research, in order to determine whether the current drinking water standard for nitrate is still appropriate for the protection of human health.”*

**CARRIED**

**RESOLVED: 19.61**

Moved: Cr Gerard Minehan

Seconded: Cr Tim Chote

That Council support the following remit:

*“7. That LGNZ initiates a review of Local Government Official Information and Meetings Act (1987)(LGOIMA) request management nationally with a view to establishing clear and descriptive reporting for and by local authorities that will create a sector-wide picture of:*

- Trends in the volume and nature of LGOIMA requests over time.*
- Trends in users.*
- The impacts of technology in terms of accessing information sought and the amount of information now held by local authorities (and able to be requested).*
- The financial and resource impacts on local authorities in managing the LGOIMA function.*

*That LGNZ use the data obtained to:*

- Identify opportunities to streamline or simplify LGOIMA processes.*
- Share best practice between local authorities.*
- Assess the value of a common national local government framework of practice for LGOIMA requests.*
- Identify opportunities to advocate for legislation changes on behalf of the sector (where these are indicated).”*

**CARRIED****RESOLVED: 19.62**

Moved: Cr Ian Sharp

Seconded: Cr Shelley Burne-Field

That Council supports the following remit:

*“8. That LGNZ encourages member councils to consider using environmentally friendly weed control methods.”*

Cr Tennent highlighted a concern about the vagueness of the remit and what might be considered to be safe. Cr Tennent subsequently abstained from the vote.

**CARRIED****RESOLVED: 19.63**

Moved: Cr Tim Chote

Seconded: Cr Tim Aitken

That Council supports the following remit:

*“9. LGNZ calls on central government to take action as recommended by the Law Commission in its 2014 report on “Liability of Multiple Defendants” to introduce a cap on the liability of councils in New Zealand in relation to building defects claims whilst joint and several liability applies.”*

**CARRIED****RESOLVED: 19.64**

Moved: Cr Kelly Annand

Seconded: Cr Tim Chote

That Council support the following remit:

*“10. That LGNZ, in conjunction with central government, urgently focus on the development and implementation of a broader range of funding and financing tools in respect of community/social housing provision, than those which currently exist in the housing needs space. These should include funding to support the operation, upgrade and growth of council housing portfolios and, where a council chooses, access to Income Related Rents for eligible tenants.”*

**CARRIED**

**RESOLVED: 19.65**

Moved: Cr Brent Muggeridge

Seconded: Cr Kelly Annand

That Council support the following remit:

*“11. That LGNZ investigate the ability of the sector to collaborate in procuring open-source designs and plans for bulk infrastructure that are largely similar, with an initial approach to look at water and wastewater treatment facilities.”*

**CARRIED**

**RESOLVED: 19.66**

Moved: Cr Tim Aitken

Seconded: Cr Kelly Annand

That Council support the following remit:

*“12. That LGNZ advocates to the government to phase out single use polystyrene.”*

Cr Aitken also sought clarification about whether polystyrene panels used in houses were considered single use and requested that this was clarified by the Council’s representatives at the AGM.

**CARRIED**

**RESOLVED: 19.67**

Moved: Cr Kelly Annand

Seconded: Cr Gerard Minehan

That Council support the following remit:

*“13. That LGNZ pursue an amendment to the Local Government Act 2002 to:*  
*a. Re-number sub-sections 181 (5) and (6) to sub-sections (6) and (7); and*  
*b. Introduce a new sub-section (5) to read: For all purposes the term “any work” in subsection 4 means any works constructed before xx Month 20xx; and includes any works that were wholly or partly in existence, or work on the construction of which commenced, before xx Month 20xx*

**CARRIED**

**RESOLVED: 19.68**

Moved: Cr David Tennent

Seconded: Cr Tim Chote

That Council support the following remit:

*“14. That LGNZ request the government to amend the Camping - Ground Regulations to allow councils to approve remote camp facilities on private property, subject to any such conditions as deemed required by a council, including the condition that any approved campground is x distance away from an existing campground, unless the existing campground operator agrees to waive this condition in writing.”*

**CARRIED**

Council did not support the following remit:

*“15. Wellington City Council asks that LGNZ members consider engaging with the Living Wage Aotearoa New Zealand Movement when developing policies on payment of the Living Wage.”*

Council did not support the following remit:

*“16. LGNZ, on behalf of its member councils ask for a review of the effectiveness of the Sale and Supply of Alcohol Act 2012 in reducing alcohol harm (eg price, advertising, purchase age and availability) and fully involve local government in that review.”*

Councillors discussed that there was overall support for the intentions of the remit, but not for the remit itself. Cr Burne-Field raised that although she agreed that alcohol causes harm in the community, there were other mechanisms for dealing with the issue.

**RESOLVED: 19.69**

Moved: Cr Shelley Burne-Field

Seconded: Cr Tim Aitken

That Council does not support the following remit:

*“17. Wellington City Council asks that LGNZ members collectively adopt the position that government should revise the Resource Management Act 1991 to adequately consider the impact of greenhouse gases when making decisions under that law and to ensure that the Resource Management Act 1991 is consistent with the Zero Carbon Bill.”*

- Cr Aitken raised concerns about potential future costs for the community if the RMA was revised to address greenhouse gases
- Cr Tennent agreed that it could potentially have an impact on a main source of income for Central Hawkes Bay.
- Cr Sharp considered that the RMA is a powerful document and consideration needed to be given to the long term effects of decisions.
- Cr Burne-Filed highlighted that this remit was divisive and clarified that not supporting remit does not mean Council does not support work regarding climate change.

**CARRIED**

Council did not support the following remit:

*“18. That LGNZ recommends to government that they establish an independent expert group to develop a new policy framework for adapting to climate change impacts as recommended by the*

*Climate Change Adaptation Technical Working Group (CCATWG). This new expert group would be supported by a secretariat and stakeholder advisory group.”*

Council did not support the following remit:

*“1. That LGNZ acknowledges that the New Zealand Transport Agency's (NZTA's), Code of Practice for Temporary Traffic Management (CoPTTM) is a comprehensive and robust document, and that NZTA ensures the CoPTTM system is regularly reviewed, refined and updated. However, in light of the recent road worker fatalities LGNZ requests NZTA, in partnership with Road Controlling Authorities (RCAs);*

*a. Review afresh its Code of Practice for Temporary Traffic Management (CoPTTM) to satisfy themselves that;*

*i. The document provides sufficient guidelines and procedures to ensure approaching traffic are given every possible opportunity to become aware of the worksite ahead and to respond appropriately and in a timely manner.*

*b. Review its CoPTTM Training System to ensure;*

*i. Trainers are sufficiently qualified and adequately covering the training syllabus.*

*ii. Site Traffic Management Supervisors (STMS's) and Traffic Controllers (TC's) are only certified when they can demonstrate competence in the application of CoPTTM.*

*ii. A robust refresher programme is in place to ensure those in charge of Traffic Management on worksites remain current in the required competencies.*

*c. Review its Site Auditing requirements to ensure the traffic management at worksites is independently audited at a sufficient frequency to ensure compliance, and that a significantly robust system is put in place to enable enforcement of compliance.*

*2. That LGNZ takes steps to remind its members of their duties with respect to their role as Road Controlling Authorities including;*

*a. Appointing and sufficiently training and resourcing a Traffic Management Coordinator to ensure their obligations under the Health and Safety Work Act 2015, with respect to traffic management, are being met.*

*b. Adequately resourcing and undertaking audits of road work sites to ensure compliance with CoPTTM.”*

Cr Tennent noted that there was concern where contractors in the region were not following guidelines for traffic management.

Cr Minehan raised that detailed traffic management plans should have these policies covered in them already. Cr Annand agreed that these issues should be being managed already and that this was not necessarily the right forum to address them.

Cr Muggeridge raised the point that the issue was something that should be managed by Worksafe

Council did not support the following remit:

*20. “That LGNZ requests that government investigate the introduction of strengthened rules to govern the safe use of mobility scooters, particularly in relation to speed limits and registration.”*

**RESOLVED: 19.70**

Moved: Cr Shelley Burne-Field

Seconded: Cr Tim Chote

That Council supports the following remit:

*“21. That central government funding be made available on an annual basis for museums and galleries operated by territorial authorities with nationally significant collections.”*

**CARRIED**

Council did not support the following remit:

*“22. That the selection of all independent commissioners for Resource Management Act hearings be centralised to improve independence and enhance the quality of decisions.”*

**RESOLVED: 19.71**

Moved: Mayor Alex Walker

Seconded: Cr Tim Chote

That Council does not support the following remit:

*“23. That LGNZ request the government to amend S.41A of the LGA2002 to give Mayors the same powers to appoint a deputy mayor as held by the Mayor of Auckland.”*

Cr Chote noted his opposition to this remit, as it was important for Councillors to have an opportunity to have input to this decision.

Mayor Walker agreed that the remit did not promote democracy.

**CARRIED**

Council did not support the following remit:

*“24. That LGNZ calls on the Government to develop and implement national guidelines, policy or regulations to achieve national consistency for the largely unregulated ‘health and beauty’ industry”*

## **7.7 LGNZ RULE AMENDMENTS AND REVIEW**

### **PURPOSE**

The purpose of this report is for Council to consider its position on the LGNZ Rules Review and to make recommendations to Councils representatives at the LGNZ AGM.

**RESOLVED: 19.72**

Moved: Cr Kelly Annand

Seconded: Cr Tim Chote

**That, having considered all matters raised in the report, the report be noted.**

**That Council support proposal one, two, three and four of the LGNZ Rules Review change**

**CARRIED**

***The meeting was suspended at 12.26pm for lunch***

***The meeting reconvened at 1.03pm***

## 7.8 QUARTERLY ACTIVITY REPORTING - JANUARY TO MARCH 2019

### PURPOSE

The purpose of this report is to provide Council with a summary of the organisation's quarterly activity reporting for the period January to March 2019.

**RESOLVED: 19.73**

Moved: Cr Shelley Burne-Field

Seconded: Cr Gerard Minehan

**That, having considered all matters raised in the report, the report be noted.**

**CARRIED**

Item 8.1 – The Chief Executive Report was considered prior to item 7.8 – Quarterly Activity Reporting

Cr Burne-Field sought an update on the progress of community housing initiatives. It was confirmed that opportunities were being explored regarding the investment in transitional and social housing in the district with relevant agencies.

Cr Tennent sought clarification about whether the Council was undertaking a review of its own housing portfolio. Officers confirmed that a review would commence in August.

Cr Aitken sought confirmation about why targets had not been met for consent processing times. Officers confirmed that the increase in demand for consents has meant that there has not been sufficient resourcing to manage it however this was likely to improve given new staff appointments.

## 8 CHIEF EXECUTIVE REPORT

### 8.1 CHIEF EXECUTIVE REPORT

#### PURPOSE

The purpose of this report is to present to Council, the six weekly organisation report for April/May 2019.

**RESOLVED: 19.74**

Moved: Mayor Alex Walker

Seconded: Cr Tim Chote

**That, having considered all matters raised in the report, the report be noted.**

**CARRIED**

Cr Tennent asked about how fundraising was progressing for the Waipawa Pool . Officers confirmed that the community fundraising was progressing well.

Mayor Walker acknowledged officers for the work that was put into the Provincial Growth Fund Announcement event on 12<sup>th</sup> June.

**9 PUBLIC EXCLUDED BUSINESS****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLVED: 19.75**

Moved: Cr Tim Chote  
 Seconded: Cr David Tennent

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>9.1 - Minutes of the Chief Executive Employment and Performance Committee Meeting held on 11 June 2019</b>	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED****RESOLVED: 19.76**

Moved: Cr Ian Sharp  
 Seconded: Cr Tim Aitken

That Council moves out of Closed Council into Open Council.

**CARRIED****10 DATE OF NEXT MEETING****RESOLVED: 19.77**

Moved: Cr David Tennent  
 Seconded: Cr Gerard Minehan

THAT the next meeting of the Central Hawke's Bay District Council be held on 29 August 2019.

**CARRIED**

**11 TIME OF CLOSURE**

**The Meeting closed at 2.29pm**

**The minutes of this meeting were confirmed at the Council Meeting held on 29 August 2019.**

.....  
**CHAIRPERSON**