

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA  
ON WEDNESDAY, 17 NOVEMBER 2021 AT 9.00AM**

**PRESENT:** Mayor Alex Walker  
Deputy Mayor Kelly Annand  
Cr Jerry Greer  
Cr Exham Wichman  
Cr Brent Muggeridge  
Cr Tim Aitken  
Cr Gerard Minehan  
Cr Kate Taylor  
Cr Pip Burne  
Kaiārahi Matua Roger Maaka

**IN ATTENDANCE:** Monique Davidson (Chief Executive)  
Brent Chamberlain (Chief Financial Officer)  
Nicola Bousfield (Group Manager, People and Business Enablement) - Zoom  
Doug Tate (Group Manager, Customer and Community Partnerships)  
Joshua Lloyd (Group Manager, Community Infrastructure and Development)  
Bridget Gibson (Governance and Support Lead)

**PUBLIC:** Vicki Berkahn of Te Rangihaeata Oranga Trust

**1 KARAKIA**

Introduced Brierley Brown

Introduced Melissa Wiggins

**2 APOLOGIES**

Apology from Cr. Annand for lateness was received. Cr. Annand joined the meeting at arrived at 9.35 am.

Apology from Cr. Aitken for lateness was received. Cr. Aitken joined the meeting at arrived at 9:06 am.

**3 DECLARATIONS OF CONFLICTS OF INTEREST**

Nil

**4 STANDING ORDERS**

**RESOLVED: 21.104**

Moved: Cr Kate Taylor

Seconded: Cr Pip Burne

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

21.2 Time limits on speakers

21.5 Members may speak only once

21.6 Limits on number of speakers

And that Option C under section 22 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: 21.105**

Moved: Cr Gerard Minehan

Seconded: Cr Kate Taylor

That the minutes of the Ordinary Council Meeting held on 23 September 2021 as circulated, be confirmed as true and correct.

**CARRIED**

## **6 REPORTS FROM COMMITTEES**

### **6.1 MINUTES OF THE STRATEGY AND WELLBEING COMMITTEE MEETING HELD ON 21 OCTOBER 2021**

#### **RESOLVED: 21.106**

Moved: Cr Brent Muggeridge

Seconded: Cr Pip Burne

1. That the minutes of the meeting of the Strategy and Wellbeing Committee held on 21 October 2021 be received.

**CARRIED**

### **6.2 MINUTES OF THE FINANCE AND INFRASTRUCTURE COMMITTEE MEETING HELD ON 7 OCTOBER 2021**

#### **RESOLVED: 21.107**

Moved: Cr Brent Muggeridge

Seconded: Cr Exham Wichman

1. That the minutes of the meeting of the Finance and Infrastructure Committee held on 7 October 2021 be received.

**CARRIED**

**RECOMMENDATION FROM COMMITTEE:****RESOLVED: 21.108**

Moved: Cr Kate Taylor

Seconded: Cr Jerry Greer

That the resolution of the Finance and Infrastructure Committee regarding report 6.7 *Review of Terms of Reference for the Hawkes Bay Drinking Water Governance Joint Committee*;

That having considered all matters raised in the report:

- a) That the Committee receives the "*Review of Terms of Reference for the Hawke's Bay Drinking Water Governance Joint Committee*" report.
- b) That the Committee Recommends to Council that:
  - a. The Hawke's Bay Drinking Water Governance Joint Committee be disestablished, having concluded the functions for which it was set up, and that governance oversight of drinking water safety be transferred to the Regional Leaders' Forum.
  - b. The Hawke's Bay Drinking Water Joint Working Group be retained and report directly to the Regional Leaders' Forum, with a report on its future institutional and administrative support to be prepared for consideration and approval by the Regional Leaders' Forum.

be received.

**CARRIED**

## 7 REPORT SECTION

### 7.1 RESOLUTION MONITORING REPORT

#### PURPOSE

The purpose of this report is to present to Council the Resolution Monitoring Report. This report seeks to ensure Council has visibility over work that is progressing, following resolutions from Council.

**RESOLVED: 21.109**

Moved: Cr Gerard Minehan

Seconded: Cr Exham Wichman

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

**CARRIED**

Monique Davidson presented the report.

<b>7.2 ADOPTION OF MEETING SCHEDULE 2021</b>
<b>PURPOSE</b> The purpose of this report is for Council to confirm the Council Meetings and Hearings Schedule for 2022. Also included in the Schedule are the 2022 District Plan hearings and deliberation dates for Councillor reference.
<b>RESOLVED: 21.110</b> Moved: Cr Brent Muggeridge Seconded: Cr Jerry Greer That having considered all matters raised in the report:  1. That the Council Meetings and Hearings Schedule for 2022, as amended, be adopted.  <b>CARRIED</b>

Requested that a Risk & Assurance Committee meeting be considered for addition to the schedule between May and September.

Noted that the Meeting Schedule 2022 has been amended as follows:

3rd March 2022 - Council Workshop - moved to 2<sup>nd</sup> March 2022.

7<sup>th</sup> April 2022 - Ordinary Council Meeting – moved to 6<sup>th</sup> April 2022.

24th November 2022 – Council Workshop – moved to 23<sup>rd</sup> November 2022.

<b>7.3 RETIREMENT HOUSING POLICY - REVIEW FOR ADOPTION</b>
<b>PURPOSE</b> The matter for consideration by the Council is the adoption of the Retirement Housing Policy.
<b>RESOLVED: 21.111</b> Moved: Cr Tim Aitken Seconded: Cr Exham Wichman That having considered all matters raised in the report:  a) The new Retirement Housing Policy be adopted, and the existing retirement housing policy be deleted.  <b>CARRIED</b>

Jennifer Leaf presented the report.

That amendment is made to the Policy to change the wording *to* “*consider*” *increasing the number of units over time*”.

<b>7.4 CREATION OF PUBLICLY CONTESTABLE PRIVATE WATER SUPPLY FUND</b>
<b>PURPOSE</b>
The matter for consideration by the Council is the adoption of a new policy (the Private Water Supply Fund Policy) for a publicly contestable fund to support Private Water Supplies (the Private Water Supply Fund).
<b>RESOLVED: 21.112</b>
Moved: Cr Kate Taylor Seconded: Cr Gerard Minehan
That having considered all matters raised in the report:
a) Council ADOPT the Private Water Supply Fund Policy as amended that ensures the criteria gives effect to prioritising funding to community groups, community service providers, and marae that fall within the Water Services Act.
b) Council NOTE the detail within the Private Water Supply Fund including the delegations for approving access to the fund, the eligibility criteria and the application process.
c) That Council give the Chief Executive delegations to finalise the detail of the criteria within the Private Water Supply Fund Policy.
Carried
<u>In Favour:</u> Crs Alex Walker, Kelly Annand, Jerry Greer, Exham Wichman, Tim Aitken, Gerard Minehan, Kate Taylor and Pip Burne
<u>Against:</u> Cr Brent Muggeridge
<b>CARRIED 8/1</b>

Josh Lloyd presented the report.

*The Council adjourned for a refreshment break at 10:33am.  
The Council reconvened at 10:50am.*

<b>7.5 WAIPUKURAU SECOND SUPPLY/ WAIPAWA LINK - PROJECT UPDATE</b>
<b>PURPOSE</b>
The matter for consideration by the Council is to receive a further update on the progress of the development of the investigation, design and construction for the Waipukurau Second Water Supply/ Waipawa Link project.
<b>RESOLVED: 21.113</b>
Moved: Deputy Mayor Kelly Annand Seconded: Cr Jerry Greer
That, having considered all matters raised in the report, the report be noted.
<b>CARRIED</b>

<b>7.6 REVIEW OF LOCAL ALCOHOL POLICY</b>
<b>PURPOSE</b> The matter for consideration by the Council is the review of the Local Alcohol Policy.
<b>RESOLVED: 21.114</b> Moved: Cr Gerard Minehan Seconded: Cr Pip Burne That having considered all matters raised in the report: a) That the current Local Alcohol Policy is retained, and that the Policy is not reviewed until 2023/2024.
<b>CARRIED</b>

Lisa Harrison presented the report.

<b>7.7 ADOPTION OF CLASS 4 GAMBLING AND BOARD VENUE POLICY</b>
<b>PURPOSE</b> The matter for consideration by the Council is to present received submissions to the Class 4 Gambling and Board Venue Policy Statement of Proposal for Councils consideration, as part of considering the adoption of a reviewed Class 4 Gambling and Board Venue Policy.
<b>RESOLVED: 21.115</b> Moved: Cr Kate Taylor Seconded: Cr Exham Wichman That having considered all matters raised in the report: a) That the submissions on the Class 4 Gambling and Board Venue Policy Statement of Proposal be received.
<b>CARRIED</b>
That having considered all matters raised in the report: b) That Council thank submitters for taking the time to provide feedback on the Class 4 Gambling and Board Venue Policy Statement of Proposal. c) That Option Two – the more restrictive option of the Class 4 Gambling and Board Venue Policy Statement of Proposal be adopted. <b>In Favour:</b> Cr Alex Walker, Kelly Annand, Jerry Greer, Exham Wichman, Kate Taylor and Pip Burne <b>Against:</b> Cr Brent Muggeridge and Gerard Minehan <b>Abstained:</b> Cr Tim Aitken
<b>CARRIED 6/2</b>

Lisa Harrison presented the report.

Vicki Berkahn of Te Rangihaeata Oranga Trust at 11:00am spoke to submission regarding report 7.7. *Adoption of Class 4 Gambling and Board Venue Policy.*

Cr Taylor requested that a representative of Te Rangihaeata Oranga Trust be invited to meetings of the Safer CHB group.

***Declarations of conflict of interest:***

Cr Tim Aitken declared a non-pecuniary conflict of interest regarding association with the Horse of the Year organisation and Cr. Tim Aitken abstained from voting.

Cr Kelly Annand declared a non-pecuniary conflict of interest that the Trust she is General Manager of receives funding.

<b>7.8 FINANCIAL REPORTING - FIRST QUARTER 2021/2022</b>
<p><b>PURPOSE</b></p> <p>The purpose of this report is to provide the Committee with a summary of Council's financial performance and highlight the key financials for the first three months of 2021/22 financial year.</p>
<p><b>RESOLVED: 21.116</b></p> <p>Moved: Cr Tim Aitken            Seconded: Cr Brent Muggeridge</p> <p>That, having considered all matters raised in the report, the report on Council's financial performance for the first three months of the 2021/22 financial year be noted.</p> <p style="text-align: right;"><b>CARRIED</b></p>

Brent Chamberlain presented the report.

<b>7.9 ANNUAL PLAN DIRECTION ENDORSEMENT</b>
<p><b>PURPOSE</b></p> <p>The purpose of this paper is to seek endorsement from Council on the direction of travel in regards to the preparation of the 2022/23 budget.</p>
<p><b>RESOLVED: 21.117</b></p> <p>Moved: Cr Tim Aitken            Seconded: Mayor Alex Walker</p> <p>a) That, having considered all matters raised in the report, the report be noted.</p> <p>b) That Council endorses the direction taken in preparing the Draft Annual Plan 2022-23, and endorse the Levels Services set out in the Long Term Plan 2021-2031.</p> <p>c) That in endorsing the direction, Council note that it is unlikely that the Draft Annual Plan 2022 – 2023 will trigger significance therefore formal consultation won't be recommended, however, community engagement will be recommended.</p> <p style="text-align: right;"><b>CARRIED</b></p>

**7.10 QUARTERLY NON-FINANCIAL PERFORMANCE REPORT JULY - SEPTEMBER 2021****PURPOSE**

The purpose of this report is to present to Council the Quarterly non-financial performance report for the period 1 July – 30 September 2021.

**RESOLVED: 21.118**

Moved: Cr Kate Taylor

Seconded: Cr Exham Wichman

That having considered all matters raised in the report:

That the Quarterly Non-Financial Performance Report 1 July – 30 September 2021 be received.

**CARRIED**

**7.11 AMENDMENT TO COMMITTEE TERMS OF REFERENCE****PURPOSE**

The matter for consideration is the adoption of amendments to the Committee Terms of Reference 2019-2022 specifically outlining the quorum of Council and standing Committees.

**RESOLVED: 21.119**

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Pip Burne

That having considered all matters raised in the report the proposed amendments to the Committee Terms of Reference 2019-2022 establishing Committee quorum as:

- a) *Half of the members physically present, where the number of members (including vacancies) is even; and*
- b) *A majority of the members physically present, where the number of members (including vacancies) is odd.*

be adopted.

**CARRIED**

**8 MAYOR AND COUNCILLOR REPORTS****8.1 MAYOR'S REPORT FOR NOVEMBER 2021****EXECUTIVE SUMMARY**

The purpose of this report is to present Her Worship the Mayor's report.

**RECOMMENDATION**

That the Mayor's report for November 2021 be received.

The report was not tabled and therefore not received.

**8.2 STRATEGY AND WELLBEING COMMITTEE CHAIR REPORT****PURPOSE**

The purpose of this report is to present the Strategy and Wellbeing Committee Chair Report.

**RESOLVED: 21.120**

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Kate Taylor

That the Strategy and Wellbeing Committee Chair Report for November 2021 be received.

**CARRIED**

Councillor Annand presented the report.

**8.3 FINANCE AND INFRASTRUCTURE COMMITTEE CHAIR'S REPORT****PURPOSE**

The purpose of this report is to present the Finance and Infrastructure Committee Chair Report.

**RECOMMENDATION**

That the Finance and Infrastructure Committee Chair Report for November 2021 be received.

The report was not tabled and therefore not received.

<b>8.4 RUATANIWHA WARD REPORT</b>
<b>PURPOSE</b> The purpose of this report is to present the Ruataniwha Ward Report.
<b>RESOLVED: 21.121</b> Moved: Deputy Mayor Kelly Annand Seconded: Cr Kate Taylor That the Ruataniwha Ward Report for November 2021 be received.  <b>CARRIED</b>

Councillor Annand presented the report.

<b>8.5 ARAMOANA/RUAHINE WARD REPORT</b>
<b>PURPOSE</b> The purpose of this report is to present the Aramoana/Ruahine Ward Report.
<b>RECOMMENDATION</b> That the Aramoana/Ruahine Ward Report for November 2021 be received.

THE REPORT WAS NOT TABLED AND THEREFORE NOT RECEIVED.

## **9 CHIEF EXECUTIVE REPORT**

<b>9.1 BI-MONTHLY ORGANISATION PERFORMANCE REPORT OCTOBER - NOVEMBER 2021</b>
<b>PURPOSE</b> The purpose of this report is to present to Council the organisation report for August - September 2021.
<b>RESOLVED: 21.122</b> Moved: Deputy Mayor Kelly Annand Seconded: Cr Brent Muggerridge That, having considered all matters raised in the report, the report be noted.  <b>CARRIED</b>

Monique Davidson presented the report.

**10 PUBLIC EXCLUDED BUSINESS****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLVED: 21.123**

Moved: Cr Pip Burne

Seconded: Cr Exham Wichman

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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - Resolution Monitoring Report - Public Excluded</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	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
<b>10.2 - October Key Project Status Report - District Plan Review</b>	<p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	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
<b>10.3 - Contract Extension - C1059 &amp; C1060</b>	<p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p> <p>s7(2)(h) - the withholding of the information is necessary to</p>	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

	<p>enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	
<b>CARRIED</b>		

*The meeting was adjourned 12:25pm and reconvened in public excluded forum at 1.45pm.*

**11 DATE OF NEXT MEETING**

<p><b>RESOLVED: 21.124</b></p> <p>Moved: Cr Exham Wichman                  Seconded: Cr Pip Burne</p> <p>THAT the next meeting of the Central Hawke's Bay District Council be held 9th December 2021.</p> <p style="text-align: right;"><b>CARRIED</b></p>
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**12 TIME OF CLOSURE**

**The Meeting closed at 2.40pm.**

**The minutes of this meeting were confirmed at the Council Meeting held 9 December 2021.**

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**CHAIRPERSON**