



Unconfirmed Minutes

MINUTES OF A MEETING OF THE REGIONAL COUNCIL

- Date:** Wednesday 17 December 2008
- Time:** 9.00am
- Venue:** Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER
- Present:** G McIntyre - Chairman
A Dick
T Gilbertson
N Kirton
E McGregor
L Remmerswaal
K Rose
C Scott
E von Dadelszen
- In Attendance:** A Newman – Chief Executive
P Drury – Group Manager Corporate Services
M Adye – Group Manager Asset Management
H Codlin – Group Manager Strategic Development
M Mohi – Chairman – Maori Committee
C Gilbertson – Administration Manager
M Drury – Minute Secretary

Some items were discussed out of the order they appeared on original Agenda.

1. WELCOME/PRAYER/APOLOGIES

Chairman McIntyre welcomed everyone to the meeting and called up Councillor von Dadelszen to deliver the prayer. There were no apologies.

2. CONFLICT OF INTEREST DECLARATIONS

There were no conflicts of interest declared.

3. CONFIRMATION OF MINUTES OF THE MEETING HELD ON WEDNESDAY 22 OCTOBER 2008

Minutes of the meeting held on Wednesday, 22 October 2008, a copy having been circulated prior to the meeting, were taken as read and confirmed.

**Scott/von Dadelszen
CARRIED**

4. MATTERS ARISING FROM MINUTES OF THE MEETING HELD ON WEDNESDAY, 22 OCTOBER 2008

Sound System

Mrs Gilbertson advised that she had received two quotes so far with a price and proposal for upgrading the sound system in the Council Chamber.

5. ACTION ITEMS FROM COUNCIL MEETINGS

Resolution

That Council receives the report "Action Items from Council Meetings".

**Gilbertson/Rose
CARRIED**

6. CONSIDERATION OF GENERAL BUSINESS

- i. Leave of Absence**
- ii. Ballance Farm Environmental Awards**
- iii. Hastings District Council 10 Year Plan**
- iv. Air Quality**
- v. Horse Trail**
- vi. Pathways**
- vii. Treaty Issues**
- viii. Resource Management Act Review**

7. AFFIXING OF COMMON SEAL

The Common Seal has been affixed to the following documents and signed by the Chairman or Deputy Chairman and Chief Executive or a Group Manager.

- 1. The Common Seal of the Council has been affixed to the following documents and signed by the Chairman or Deputy Chairman and Chief Executive or a Group Manager.

| | | Seal No. | Date |
|-----|---|-----------------|-------------|
| 1.1 | Leasehold Land Sales 1.1.1 Lot 24 DP 15285 | | |

| | | | |
|-------|---|--------------|-------------------------------------|
| | CT H1/1101 - Agreement for Sale and Purchase - Transfer | 2800 2801 | 28 November 2008 1 December 2008 |
| 1.1.2 | Lot 414 DP 11432 CT B4/1124 - Agreement for Sale and Purchase - Transfer | 2802 2805 | 2 December 2008 3 December 2008 |
| 1.1.3 | Lot 13 DP 4488 CT 55/90 - Agreement for Sale and Purchase - Transfer | 2804 2806 | 3 December 2008 10 December 2008 |
| 1.2 | Proxy Port of Napier Limited | 2799 | 28 November 2008 |
| 1.3 | Surrender Easement for Land Improvement Agreement (<i>under the Soil Conservation and Rivers Control Act 1941</i>) 228 Omapere Road, Hastings | 2803 | 3 December 2008 |

Resolution:

That Council:

- (a) Agree that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature of the issue to be considered and decided.
- (b) Confirm the action to affix the Common Seal.

**Rose/McIntyre
CARRIED**

8. 2009 MEETING SCHEDULE

Mrs Gilbertson outlined the revised meeting schedule for 2009 presented to Council for adoption.

Councillors had previously discussed the proposed 2009 meeting schedule at their November Council meeting and requested staff to separate the Strategic Planning and Finance Committee meetings from any Council meeting days.

Councillors requested a workshop be held, only for Councillors, prior to the first Council meeting in 2009 to discuss management and governance issues. This meeting was organised for Monday, 22 December 2009.

Councillors discussed and agreed to the 2009 meeting schedule.

Resolution:

1. That Council:

- 1.1. Agree that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can

exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.

- 1.2. Adopt the schedule of meetings as currently planned for January 2009 – December 2009.

**Gilbertson/McGregor
CARRIED**

Councillor Dick left the meeting at 9.40am to meet with Council's Transport Consultant

9. SUBMISSION ON PROPOSED NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

Mrs Lambert advised Council that the Ministry for the Environment (MfE) had publicly notified a Proposed National Policy Statement for Freshwater Management (the NPS). Submissions on the Proposed NPS are invited until 23 January 2009 after which time a Board of Inquiry would hear submissions and make recommendations to the Minister and staff was seeking direction from Council with the preparation of a draft submission.

Mrs Lambert also noted that the Proposed NPS was potentially a useful tool but there were several improvements that could be included for Council to gain more value and assistance from the NPS and if Council did not prepare a draft submission, Council may find itself out of the loop with any future consultation that may occur.

Council discussed the intentions of the Proposed NPS in its current form and noted that the new government had indicated that it did not support it as it has been publicly notified. Mr Mohi confirmed that the Maori Committee had not had the opportunity to discuss the Proposed NPS.

Council agreed that the amendments required for this document to be of value could be better addressed through the RMA Amendment Bill process which had already commenced. Council also agreed that a copy of Council's submission be forwarded to the region's elected Parliamentary representatives so they could pursue Council's thoughts through the parliamentary process.

Resolution:

1. The Council:
 - 1.1. Agrees that the decision to be made is not significant under the criteria contained in Council's adopted policy on significance and that Council can make decisions on this issue as the Minister has conferred directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.

**Gilbertson/von Dadelszen
CARRIED**
 - 1.2. Lodges a draft submission with the Ministry for the Environment by 23 January with the submission to be confirmed by Council at the first available meeting following 23 January 2009.

**Gilbertson/von Dadelszen
CARRIED**

- 1.3. Submits in general, that the issues addressed in this NPS are better addressed through amendments to the RMA.

**Gilbertson/von Dadelszen
CARRIED 7/1**

Councillor Remmerswaal recorded her vote against the motion.

The meeting adjourned at 10.15am and reconvened at 10.30am

Councillor Dick returned to the meeting at 10.30am

10. PASSENGER TRANSPORT

Chairman McIntyre introduced Mr Brian Baxter, Council's transport consultant and advised that the School Bus services section of this agenda item would be discussed in Public Excluded session.

Resolution:

That the Council exclude the public from this section of the meeting being Agenda Item 10: Passenger Transport with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being as follows:

| GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED | REASON FOR PASSING THIS RESOLUTION | GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION |
|---|--|--|
| Passenger Transport | 7(2)(b)(ii) That the public conduct of this part of the agenda item would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. | The Council is specified, in the First Schedule to this Act, as a body to which the Act applies. |

And that the Council permit Mr Brian Baxter, Council's Transport Consultant to be in attendance for Agenda Item 10, after the public has been excluded, because of the information and knowledge he has of transport issues relating to the Council.

**McIntyre/Gilbertson
CARRIED**

The public went into public excluded session at 10.30am and out of public excluded session at 11.40am

10. PASSENGER TRANSPORT - Open Session

Mrs Gilbertson updated Council on issues relating to passenger transport and explained the proposed zone and fare changes effective from 2 February, the proposed introduction of Smart Cards, the proposed bus service improvements over the next three years, and the recommendations from the Land Transport Committee held on 4 December and the Total Mobility Scheme.

Resolution:

1. That Council:
 - 1.1 Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.

- 1.2 Notes the Update on Passenger Transport Issues as discussed at the Regional Transport Committee, noting that improvements on services will be consulted on during the 2009-19 LTCCP process.
- 1.3 Adopts the recommendations from the Land Transport Committee noting that the financial impact will be consulted on during the LTCCP 10 year planning process.

**Dick/Kirton
CARRIED 7/2**

11. 5 MONTH FINANCIAL REPORT

Mr Drury updated Council on the Annual Plan which covered the first five months of the 2008/09 financial year ending 30 June 2009.

Council discussed the Annual Plan Progress Report and in particular the interest rates that would be attached to Council's investments when they came up for renewal in the future.

Mr Newman also confirmed that an agreement signed with MAF and Council would be lodged into Council's books but would not be shown as income.

Resolution:

That the Annual Plan progress report for the first five months of 2008/09 financial year be received.

**Rose/McGregor
CARRIED**

12. RUGBY WORLD CUP 2011 - UPDATE

Mr Newman updated Council on the Hawke's Bay region's proposal to Rugby New Zealand to host an international team, three pool matches at McLean Park and one live site at the Regional Sports Park at the Rugby World Cup in 2011 and also outlined the regional contribution that would be required if the bid was successful.

Councillor Kirton, as Acting Chairman of HB Inc confirmed that to date HB Inc had contributed \$42,000 for payment of management fees for the development of the bid and noted that if the bid was successful, the successful management of the project and the inter-related activities was vital.

Council discussed the financial implications to the region if the bid was successful and noted that discussions would be held between HDC, NCC, HBRC and HB Inc to determine an outcome.

Mr Newman acknowledged the large contribution made by Mayor Yule to this project to date.

Resolution:

1. That Council:
 - 1.1 Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
 - 1.2 Notes that the Hawke's Bay Incorporated Advisory Board has and will further consider financial and staff support for Rugby World Cup 2011 and further notes that once that decision is made then Council will be in a

position to review its own support (if any) also noting that this is likely to be modest.

**McIntyre/Rose
CARRIED**

The meeting adjourned at 12.15pm and reconvened at 1.00pm

13. COUNCIL SURVEY 2008

Mr Broadley outlined the results of Council's three-yearly research survey covering public awareness of the Regional Council's role and Hawke's Bay residents' attitudes to the environment. He advised the research assists with information for the 10 year planning process plus other Council initiatives. Mr Broadley said it was pleasing to see an overall positive improvement of 11% from the previous survey.

It was suggested that the results be compared to previous results to identify continuing trends and themes.

Resolution:

That the Council receives this report.

**Gilbertson/Scott
CARRIED**

14. THE BIG PICTURE – REPOSITIONING COUNCIL'S NEWSLETTER

Mr Broadley asked Council to consider changing the name of Council's publication, The Big Picture.

Councillors debated the proposed name of "Our Place" and requested that this matter be considered further. Councillors had suggestions for improvements to the publication including reducing the size of the document; looking at other name options; delivery methods; and making the document more provocative as at present it is too heavily in favour of 'our good work'.

Circulation of the document was considered not to be as good as it could be and this should be addressed also.

The Council endorsed a remodelling of the document while also considering the Council's website and communication strategy.

Resolution:

That Council endorse a remodelling of Council's publication "The Big Picture", looking at the branding, format, content, distribution and any other matter of relevance, with recommendations back to the Council.

**Scott/Dick
CARRIED**

15. CHAIRMAN'S MONTHLY REPORT

The Chairman outlined meetings events and functions he had attended during November 2008.

The Chairman outlined discussion that had taken place on benefits or otherwise of Unitary Authorities and tabled correspondence on this issue to the Hon. Rodney Hyde

Councillors requested, that in future, more detail on some of the issues reported by the Chairman.

Hui – Chairman McIntyre advised this meeting had taken place from the result of a perceived lack of consultation in relation to Higgins Gravel extraction and water from the Ngaruroro River. The process is being run by Hastings District Council.

Heretaunga Plains Urban Development Strategy – Ms Codlin advised that the scope of this project had been revised and all parties were due to sign off on the scope, the next stage is to engage a consultant to start this project, it was hoped this could occur prior to Christmas.

Resolution:

That Council receives the Chairman's report dated 30 November 2008.

**McIntyre/Remmerswaal
CARRIED**

16. GENERAL BUSINESS

i. Leave of Absence

Councillor Rose noted he would be away from 23 December till 31 December.

ii. Ballance Farm Environmental Awards

An update was given on these awards and how they relate to Council's environmental awards.

iii. Hastings District Council 10 Year Plan

A question was asked as to whether this Council would submit to the HDC 10 Year Plan, Mr Newman advised that he would be meeting with all TA CE's in the new year to ensure there was a level of consistency between all Councils.

iv. Air Quality

A request was made for a press notice to be published reminding the public of the closing date for submissions.

A letter was expected from the HBDHB on the health impact assessment.

The CE advised he had requested a meeting with all Hawke's Bay MPs, the Minister of the Environment, Minister of Local Government and Chair of the Environmental Management Committee to progress and update them on the Air Quality issue.

v. Horse Trail

Acknowledgement and thanks was given for the excellent community effort recently on the horse trail and in particular those involved in the rubbish pick up on this trail. Commendation was given to Nicola Ross and the Works Group staff.

vi. Pathways

It was noted a new Pathways brochure was near completion and would be available prior to Christmas.

vii. Treaty Issues

Mr Newman advised there were a number of Treaty issues Council would be involved in, in relation to Ngati Pahawera and advised they could have a significant impact on the Council.

viii. Resource Management Act Review

Mr Newman and Mrs Lambert outlined the RMA Review which the Government is pushing forward with urgency and sought feedback from Councillors on the

proposals. A submission needs to be sent prior to 23 December advising that Council wants to be engaged in a constructive manner and be involved in each stage of the process.

17. CONFIRMATION OF PUBLIC EXCLUDED MINUTES FROM MEETING HELD ON WEDNESDAY, 26 NOVEMBER 2008

Resolution:

That the Council exclude the public from this section of the meeting being Agenda Item 17 - Confirmation of Public Excluded Minutes of Meeting held on Wednesday, 22 October 2008, with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being as follows:

| GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED | REASONS FOR PASSING THIS RESOLUTION | FOUNDATIONS UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION |
|---|---|--|
| Public Excluded Minutes - Port of Napier Ltd i. Results to 30 September 2008; ii. Draft Statement of Corporate Intent 2009-2011; iii. Annual General Meeting | 7(2)(c) That the public conduct of this part of the agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to honour an obligation of confidence. 7(2)(b) That the public conduct of this part of the agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to protect information which otherwise would prejudice the commercial position of the Port. | The Council is specified, in the First Schedule to this Act, as a body to which the Act applies. The Council is specified, in the First Schedule to this Act, as a body to which the Act applies. |

**Scott/McGregor
CARRIED**

The public went into public excluded session at 3.10pm and out of public excluded session at 3.12pm

Closure:

There being no further business the Chairman declared the meeting closed at 3.15pm.

Signed as a true and correct record.

DATE:

CHAIRMAN: