



Unconfirmed

MINUTES OF A MEETING OF THE CORPORATE AND STRATEGIC COMMITTEE

Date: Wednesday 14 March 2012

Time: 9.00 am

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: F Wilson - Chairman
A J Dick
T Gilbertson
N Kirton
E McGregor
M Mohi
L Remmerswaal
K Rose
C Scott
E von Dadelszen

In Attendance: A Newman – Chief Executive
M Adye – Group Manager Asset Management
I Maxwell – Group Manager Resource Management
P Drury – Group Manager Corporate Services
L Hooper – Governance and Corporate Administration Manager

1. Welcome/Apologies/Notices

The Chairman welcomed those present to the meeting.

The Chairman gave notice that there would be a workshop immediately following the Council meeting on 21 March, to provide a detailed update on the Ruataniwha Water Storage project.

Resolution

C&S8/12 1. That the apology from Ms Jan Aspinall be received.

**von Dadelszen/Scott
CARRIED**

2. Conflict of Interest Declarations

There were no conflict of interest declarations.

25 January 2012

C&S9/12 Resolution

Minutes of the Corporate and Strategic Committee held on Wednesday, 25 January 2012, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and accurate record.

**Scott/von Dadelszen
CARRIED**

4. Matters Arising from Minutes of the Corporate and Strategic Committee Held on Wednesday 25 January 2012

In respect to item 7, it was queried whether Mayor Yule had been delegated authority to contact Dame Margaret Bazley on behalf of the Mayors, Chair & Chief Executives group. Although Mayor Yule had informed the Group that he would be contacting Dame Bazley, there was no formal delegation from the group to do so. To date a lead consultant has not been selected, and it is anticipated that an appointment may be made early in April.

In relation to General Business, Mr Mohi updated Councillors, stating that Dr Maaka is recovering and hoping to start work on a part-time basis this week. It was suggested that some follow up be done in relation to Dr Maaka's role on the Ruataniwha Plains Storage Project leadership group.

5. Action Items from Previous Corporate and Strategic Committee Meetings

The report was taken as read.

C&S10/12 Resolution

1. That the Committee receives the report "Action Items from Previous Corporate and Strategic Committee Meetings".

**von Dadelszen/Rose
CARRIED**

6. Call for General Business Items

Clarification of the intent and leadership of 'A Better Hawke's Bay' organisation (Dick)

Reminder of process for determination of notification or non notification of resource consent applications (Dick)

7. Environmental Awards

Mr Broadley provided the Committee with an overview of Council's involvement and investment in awards programmes related to environmental programmes/practices.

A query asked what safeguards exist to ensure that judging criteria for awards that are outside Council's control do promote Council values and provide leverage (i.e. highlight good land management practices) gained from HBRC's sponsorship/relationship to those awards.

Staff work to achieve leverage through publicity, field days.

Mr Broadley estimated that staff time involved equates 0.5 to 1.0 FTE per financial year. It was suggested that the true cost, including internal costs, should be provided to enable Councillors to make an informed decision.

It was suggested that HBRC investigate options for NCC to be enticed back to being involved in the Environmental Awards.

It was requested that staff provide some quantification of the outcomes achieved through the support of the different awards.

It was expressed that it was important that Councillors be actively involved with all of the awards programmes, through performing judging roles or putting together judging criteria.

C&S11/12 Resolutions

The Corporate and Strategic Committee recommends that Council:

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.
2. Approves the proposal to continue partnerships with the Hawke's Bay Environmental Action Awards, the Westpac Chamber of Commerce Business Awards, the East Coast Ballance Farm Awards and the Eastern Horticultural Field Day.

Scott/Remmerswaal

For: Dick, Remmerswaal, McGregor, Scott, Gilbertson, Rose, von Dadelszen, Mohi, Wilson

**Against: N Kirton
CARRIED 9:1**

8. Kairakau Community Scheme

Mr Adye outlined the proposal to provide a scheme for the Kairakau community, which suffered significant damage from flooding and siltation in the April 2011 storm event.

The community has paid significant sums for flood repair and protection works privately thus far, through the Kairakau Development Society.

This proposal seeks agreement from the community for a uniform rate of \$100.00 + GST to be charged through HBRC rating on each of the 80 properties in the community.

The Kairakau Development Society would fulfil the role of being Council's key liaison with the community.

C&S12/12 Resolutions

The Committee recommends that Council:

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.
2. Adopts the Statement of Proposal for the establishment of the Kairakau Community Scheme, subject to any changes the Committee and Council may wish to make, for the purpose of distribution to the Kairakau Community and the special consultative process.
3. Requests that the Hearings Committee appoints a Hearing Panel to hear and consider all submissions received and report back to Council.
4. Instructs staff to liaise with the Hearing Panel members as appointed to set a date for hearing of submissions in accordance with the Local Government Act 2002.

**Rose/Gilbertson
CARRIED**

9. Hawke's Bay Museum Re-Development Update

Mr Douglas Lloyd-Jenkins provided the Committee with an update on the process of redeveloping the HB Museum which, from a physical standpoint is obvious at the construction site on the corner of Marine Parade and Tennyson Street. Less obvious is all of the extensive, detailed work being done behind the scenes in archiving, cataloguing and storing the museum’s treasures and planning the transition back into the museum.

C&S13/12 Resolution

1. That the Committee receives the report.

**Kirton/von Dadelszen
CARRIED**

The meeting adjourned at 1030am and reconvened at 10.45am

12. 159 Dalton Street

There was some discussion surrounding the ‘preliminary’ nature of the information being presented and the reasons for excluding the public at this stage.

C&S14/12 Resolution

1. That Council excludes the public from this section of the meeting, being Agenda Item 12 159 Dalton Street 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 RESOLUTION	FOR PASSING THIS	GROUNDS UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
159 Dalton Street	7(2)(b)(ii) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of that information is necessary to protect information which otherwise would be likely unreasonably to prejudice the commercial position of the person who		The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

supplied or who is the subject of the information.

2. That Mr Magnus MacFarlane and Mr Nathan Gray of Sainsbury Logan and Williams be present for discussion of this item in order to provide expert legal advice.

**von Dadelszen/Scott
CARRIED**

The meeting moved into Public Excluded session at 10.50am and out of Public Excluded at 11.50am

10. Peter Winder Presentation - Shared Services Report

Mr Newman introduced Mr Peter Winder, who provided a presentation on the key elements of his report.

In Mr Winder's experience to date, he has come across few examples of genuine shared or joint service provision. For this to be successful, there must be: common and agreed business objectives; common and agreed service standards; clear accountability, governance and management rules; an agreed investment framework; and a mature approach to priority setting.

Delivery of shared services is happening in the local government space through: contracting with a partner council; a jointly owned company; and a joint contract with a third party.

The opportunities for HBRC include: Hawke's Bay Partnerships; BOP (Bay of Plenty) LASS; MW (Manawatu-Waikato) LASS shareholding; MWLASS partnership; collaboration with regional councils; and the government procurement programme. BOPLASS and MWLASS were in existence prior to establishment of the whole of government procurement programme.

Mr Winder recommends a staged approach, starting with government/MWLASS partnership and then further investigations into other opportunities.

Mr Winder advised that he believes there are real opportunities in joint procurement that could be realised quickly, however further opportunities for shared 'services' would need very careful consideration in relation to whether that might best be done within Hawke's Bay or between regional councils whose functions are the same.

Mr Winder also advised that achieving a balance between economic development and organisational efficiency when considering where sharing services or procurement arrangements may have economic impacts for the local community would require councils to make choices.

C&S15/12 Resolution

1. That the Corporate and Strategic Committee receives the report.

**Kirton/Gilbertson
CARRIED**

11. General Business

ITEM	TOPIC	COUNCILLOR / STAFF
1.	<p>Clarification of the intent and leadership of 'A Better Hawke's Bay' organization.</p> <p>A full page advertisement from the Napier Mail was tabled. A Better Hawke's Bay is made up of local people advocating for local government change.</p>	AJ Dick
2.	<p>Reminder of process for determination of notification or non notification of resource consent applications.</p> <p>Mr Maxwell provided clarity about the legal RMA process.</p> <p>Notification assessment only occurs after the application has been received and accepted. General presumption is to not notify. Main factor in determining is an assessment of the effects and whether those effects are likely to be more than minor. Case law around special circumstances is that public interest does not qualify as a special circumstance requiring notification.</p>	AJ Dick

The meeting adjourned at 1.10pm and reconvened at 1.40pm

13. Enforcement Proceedings

The specific legal privilege that applied in order for this item to meet the requirements for being heard under Public Excluded grounds was queried.

C&S16/12 Resolution

That Council excludes the public from this section of the meeting, being Agenda Item 13 Enforcement Proceedings 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
Enforcement Proceedings	7(2)(g) That the public conduct of this agenda item would be likely to result in the disclosure of information where the withholding of the information is necessary to maintain legal professional privilege.	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**von Dadelszen/Scott
For 8:Against 2
CARRIED**

The meeting moved into public excluded session at 1.40pm and out of public excluded session at 2.45pm

Closure:

There being no further business the Chairman declared the meeting closed at 2.45pm on Wednesday, 21 March 2012.

Signed as a true and correct record.

DATE:

CHAIRMAN: