



## Meeting of the Hawke's Bay Regional Council

**Date:** Wednesday 13 December 2017  
**Time:** 10.15am  
**Venue:** Council Chamber  
Hawke's Bay Regional Council  
159 Dalton Street  
NAPIER

### Agenda

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1.	Welcome/Apologies/Notices	
2.	Conflict of Interest Declarations	
3.	Confirmation of Minutes of the Regional Council Meeting held on 29 November 2017	
4.	Call for Items of Business Not on the Agenda	3
<b>Decision Items</b>		
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<b>Information or Performance Monitoring</b>		
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9.	Chairman's December Report (to be tabled)	
10.	Discussion of Items Not on the Agenda	13
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# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 13 December 2017

## Subject: CALL FOR ITEMS OF BUSINESS NOT ON THE AGENDA

Item 4

### Reason for Report

1. Standing order 9.12 states:

*"A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:*

*(a) the reason the item is not on the agenda; and*

*(b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.*

*Items not on the agenda may be brought before the meeting through a report from either the Chief Executive or the Chairperson.*

*Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision making."*

2. In addition, standing order 9.13 allows "A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion."

### Recommendations

1. That Council accepts the following "Items of Business Not on the Agenda" for discussion as Item 10:
  - 1.1. **Urgent** items of Business (supported by tabled CE or Chairpersons's report)

	Item Name	Reason not on Agenda	Reason discussion cannot be delayed
1.			
2.			

- 1.2. **Minor** items for discussion **only**

Item	Topic	Councillor / Staff
1.		
2.		
3.		

**Leeanne Hooper**  
GOVERNANCE MANAGER

**Liz Lambert**  
GROUP MANAGER  
EXTERNAL RELATIONS



# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 13 December 2017

Item 5

## Subject: RECOMMENDATIONS FROM THE CORPORATE & STRATEGIC COMMITTEE

### Reason for Report

1. The following matters will be considered by the Corporate & Strategic Committee meeting on 11 December 2017 for approval.
2. The Committee Chairman will provide a verbal report on the meeting, including any agreed amendments to the recommendations to Council.

### Decision Making Process

3. These items will be specifically considered by the Committee, and the following proposed recommendations may be amended.

### Recommendations

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 Significance and Engagement Policy, and that Council can exercise its discretion 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.

### Submission on Remuneration Authority Elected Representatives' Remuneration Review

2. Agrees to support the submission by Local Government New Zealand in respect of the Review of Elected Members' Remuneration.
3. Agrees to advise the Remuneration Authority of its support for the LGNZ submission while also noting additional views on council sizing and setting remuneration.

### Reports Received

4. Notes that the following reports were provided to the Corporate and Strategic Committee
  - 4.1. Recommendations from the Finance, Audit and Risk Sub-Committee (*including Audit NZ Management Report for HBRC Annual Report for Year Ending 30 June 2017 and the scope for the Water Management internal audit as part of December 2017 Update on the Sub-committee Work Programmes*)
  - 4.2. Compliance and Land Management Departmental Review Findings
  - 4.3. Motor Vehicle Fleet Efficiency & Policy; Responses to Woodham Efficiency; Council S17a Activities and Information Technology Review Updates
  - 4.4. HBRC Procurement Policy Review and GoBus Contract
  - 4.5. HB Tourism Future Funding Scenarios
  - 4.6. Health and Safety Update Report for the Period 1 May Through 30 November 2017
  - 4.7. Community Engagement and Communications Quarterly Update

### Authored by:

**Leeanne Hooper**  
GOVERNANCE MANAGER

### Approved by:

**Liz Lambert**  
GROUP MANAGER  
EXTERNAL RELATIONS

### Attachment/s

## Item 5

There are no attachments for this report.

# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 13 December 2017

Item 6

## Subject: AFFIXING OF COMMON SEAL

### Reason for Report

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	<b>Leasehold Land Sales</b>		
1.1.1	Lot 58 DP 14447 CT G2/665 - Transfer	4172	23 November 2017
1.1.2	Lot 51 DP 11103 CT b2/127 - Agreement for Sale and Purchase	4173	23 November 2017
1.1.3	Lot 13 DP 7310 CT B2/76 - Agreement for Sale and Purchase - Transfer	4174 4175	30 November 2017 30 November 2017
1.1.4	Lot 175 DP 12548 CT D4/1523 - Agreement for Sale and Purchase	4176	30 November 2017
1.1.5	Lot 114 DP 12692 CT E1/71 - Agreement for Sale and Purchase	4177	4 December 2017
1.1.6	Lot 55 DP 12227 CT d2/184 - Agreement for Sale and Purchase	4178	5 December 2017
1.1.7	Lot 212 DP 6598 CT C2/334 - Agreement for Sale and Purchase	4179	5 December 2017
1.1.8	Lot 277 DP 11194 CT B3/91 - Agreement for Sale and Purchase	4180	5 December 2017
1.1.9	Lot 1 DP 4404 CT C2/276 - Agreement for Sale and Purchase	4181	5 December 2017

2. As a result of sales, the current numbers of Leasehold properties owned by Council are:
  - 2.1. 1 cross lease property was sold, with 84 remaining on Council's books
  - 2.2. 6 single leasehold properties were sold, with 128 remaining on Council's books.

**Decision Making Process**

3. Council is required to make every decision in accordance with the provisions of Sections 77, 78, 80, 81 and 82 of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within these sections of the Act in relation to this item and have concluded the following:
  - 2.1 Sections 97 and 88 of the Act do not apply
  - 2.2 Council can exercise its discretion under Section 79(1)(a) and 82(3) of the Act and make a decision on this issue without conferring directly with the community or others due to the nature and significance of the issue to be considered and decided
  - 2.3 That the decision to apply the Common Seal reflects previous policy or other decisions of Council which (where applicable) will have been subject to the Act's required decision making process.

**Recommendations**

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted Significance and Engagement Policy 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.
2. Confirms the action to affix the Common Seal.

**Authored by:**

**Trudy Kilkolly**  
**FINANCIAL ACCOUNTANT**

**Diane Wisely**  
**EXECUTIVE ASSISTANT**

**Approved by:**

**Jessica Ellerm**  
**GROUP MANAGER**  
**CORPORATE SERVICES**

**James Palmer**  
**CHIEF EXECUTIVE**

**Attachment/s**

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 13 December 2017

**Subject: REPORT FROM THE REGIONAL TRANSPORT COMMITTEE**

**Item 7**

## **Reason for Report**

1. To provide Council with highlights from discussions at the Regional Transport Committee meeting held 1 December 2017.

## **Reports Provided to the Committee meeting**

2. The following reports were provided to the Committee.
  - 2.1. Review of Regional Land Transport Plan (*resolved: Notes that the timeframe for RLTP preparation has been extended to 30 June 2018*)
  - 2.2. 2017 New Government Transport Policies
  - 2.3. November 2017 Transport Manager's Report
  - 2.4. December 2017 Public Transport Update
  - 2.5. Roadsafe Hawke's Bay December 2017 Update
  - 2.6. NZTA Central Region - Regional Director's Report December 2017
  - 2.7. Advisory Representatives' Verbal Updates.

## **Decision Making Process**

3. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

## **Recommendation**

That the Council receives and notes the "Report from the Regional Transport Committee" report.

## **Authored by:**

**Leeanne Hooper**  
**GOVERNANCE MANAGER**

## **Approved by:**

**Liz Lambert**  
**GROUP MANAGER**  
**EXTERNAL RELATIONS**

## **Attachment/s**

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 13 December 2017

**Subject: CHB WASTEWATER TREATMENT REVIEW AND STRATEGY**

**Item 8**

## **Reason for Report**

1. The Central Hawkes' Bay District Council has commissioned an independent review in to the performance of the Waipukarau and Waipawa wastewater treatment plants, in light of breaches of their resource consent conditions, and a subsequent prosecution.
2. The Mayor of Central Hawke's Bay, Alex Walker, and the CEO, Monique Davidson are attending the HBRC Council meeting to discuss the findings of the review and to outline proposed next steps by the district council.

## **Decision Making Process**

3. Staff have assessed the requirements of the Local Government Act 2002 in relation to this item and have concluded that, as this report is for information only, the decision making provisions do not apply.

## **Recommendation**

That Council receives and notes the "CHB Wastewater Treatment Review and Strategy" report and presentation.

## **Authored by:**

**Liz Lambert  
GROUP MANAGER  
EXTERNAL RELATIONS**

## **Approved by:**

**James Palmer  
CHIEF EXECUTIVE**

## **Attachment/s**

There are no attachments for this report.



# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 13 December 2017

Subject: DISCUSSION OF ITEMS NOT ON THE AGENDA

Item 10

## Reason for Report

1. This document has been prepared to assist Councillors note the Items of Business Not on the Agenda to be discussed as determined earlier in Agenda Item 5.

1.1. **Urgent** items of Business (*supported by tabled CE or Chairpersons's report*)

	Item Name	Reason not on Agenda	Reason discussion cannot be delayed
1.			
2.			

1.2. **Minor** items (*for discussion only*)

Item	Topic	Councillor / Staff
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# HAWKE'S BAY REGIONAL COUNCIL

Wednesday 13 December 2017

## Subject: PUBLIC EXCLUDED RECOMMENDATIONS FROM THE CORPORATE AND STRATEGIC COMMITTEE

Item 11

That Council excludes the public from this section of the meeting, being Agenda Item 11 Public Excluded Recommendations from the Corporate and Strategic Committee 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:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUND UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Public Excluded Recommendations from the Corporate and Strategic Committee	<p>7(2)(a) 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 protect the privacy of natural persons.</p> <p>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 supplied or who is the subject of the information.</p> <p>7(2)(i) 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 enable the local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p> <p>7(2)(j) 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 prevent the disclosure or use of official information for improper gain or improper advantage.</p>	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

### Authored by:

**Leeanne Hooper**  
**GOVERNANCE MANAGER**

### Approved by:

**James Palmer**  
**CHIEF EXECUTIVE**