



**I, Steven May, Chief Executive Officer, hereby give notice that
an Ordinary Meeting of Council will be held on:**

Date: Tuesday, 20 March 2018
Time: 1.30pm
**Location: Council Chamber, Wairoa District Council,
Coronation Square, Wairoa**

AGENDA

Ordinary Council Meeting

20 March 2018

The agenda and associated papers are also available on our website: www.wairoadc.govt.nz

For further information please contact us 06 838 7309 or by email info@wairoadc.govt.nz

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- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUNCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 14.14 requests to speak must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

7 MINUTES OF THE PREVIOUS MEETING

Ordinary Meeting - 30 January 2018

Extraordinary Meeting - 20 February 2018

**MINUTES OF WAIROA DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA
ON TUESDAY, 30 JANUARY 2018 AT 1.30PM**

PRESENT: His Worship the Mayor Craig Little (Mayor), Cr Denise Eaglesome-Karekare (Deputy Mayor), Cr Hine Flood, Cr Michael (Mike) Bird, Cr Jeremy Harker, Cr Michael (Min) Johansen, Cr Charles (Charlie) Lambert, Mr Paul Kelly, Mr Kiwa Hammond

IN ATTENDANCE: Steven May (Chief Executive Officer), Helen Montgomery (Chief Operating Officer), Jamie Cox (Engineering Manager), Gary Borg (Chief Financial Officer), Kitea Tipuna (Economic Development & Engagement Manager), Donna Moorcock (Interim Corporate Services Manager), Charlotte Knight (Governance Advisor & Policy Strategist), Luke Knight (Property Manager), Gay Waikawa (Governance Administrator), Austin King (Communications Officer)

1 KARAKIA

Given by Mr P Kelly.

2 APOLOGIES FOR ABSENCE

None.

3 DECLARATIONS OF CONFLICT OF INTEREST

Cr Jeremy Harker declared a pecuniary interest in relation to item 8.3, due to being an employee of QRS.

4 CHAIRPERSON'S ANNOUNCEMENTS

None.

5 LATE ITEMS OF URGENT BUSINESS

MOTION

RESOLUTION 2018/01

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the item **8.7 Financial Strategy** and **8.8 WDC Infrastructure Strategy** be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the timeframe allowed.

CARRIED

6 PUBLIC PARTICIPATION

None.

7 MINUTES OF THE PREVIOUS MEETING**RESOLUTION 2018/02**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That the minutes and confidential minutes of the Ordinary Meeting held on 5 December 2017 be confirmed.

CARRIED

8 GENERAL ITEMS**8.1 WASTE MINIMISATION AND MANAGEMENT PLAN**

Councillors discussed:

- Education
- Scrap metal operation across from QRS
- Cost versus demand for kerbside collections
- Review of minimum charge and costs
- Behavioural change to reduce amount of waste and increase recycling
- Potential new central government direction with a change of government

RESOLUTION 2018/03

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Jeremy Harker

That Council receive the report and endorses it prior to the 2018-2021 LTP consultation process.

CARRIED

8.2 ADOPTION OF PROPERTY STRATEGY

Councillors discussed:

- Divestment of land

RESOLUTION 2018/04

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That Council adopt the Property Strategy and Decision Making Framework.

CARRIED

At 2:06 p.m., Cr Jeremy Harker left the meeting having declared a pecuniary interest.

8.3 QRS DIRECTOR TERM EXPIRY

Councillors discussed:

- Number of directors

RESOLUTION 2018/05

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Michael (Min) Johansen

That Council:

- a) Receive the report; and,
- b) Proceed to advertise the position.

CARRIED

At 2:17 p.m., Cr Jeremy Harker returned to the meeting.

8.4 SIGNIFICANCE AND ENGAGEMENT POLICY

RESOLUTION 2018/06

Moved: His Worship the Mayor Craig Little

Seconded: Cr Charles (Charlie) Lambert

That Council receive the report and adopt the Significance and Engagement Policy with a review in 2020.

CARRIED

8.5 WAIROA WASTEWATER DISCHARGE CONSENT - NEXT STEPS

RESOLUTION 2018/07

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Charles (Charlie) Lambert

That Council approves and commits to developing the Package of initiatives, including the development of wastewater infrastructure and applications for resource consents, and the development of the associated budgets for approval by this Council.

CARRIED

8.6 EXTRAORDINARY COUNCIL MEETING 20 NOVEMBER 2017 - CONFIRMATION OF MINUTES**RESOLUTION 2018/08**

Moved: Cr Hine Flood

Seconded: Cr Denise Eaglesome-Karekare

That the minutes and confidential minutes of the Extraordinary Meeting held on 20 November 2017 be confirmed.

CARRIED

8.7 FINANCIAL STRATEGY**RESOLUTION 2018/09**

Moved: Cr Hine Flood

Seconded: Cr Denise Eaglesome-Karekare

That Council receives and endorses the draft Financial Strategy, attached as **Appendix 1**, for inclusion in the draft Long-term Plan 2018-28 for public consultation, subject to the completion of financial review.

CARRIED

8.8 WDC INFRASTRUCTURE STRATEGY**RESOLUTION 2018/10**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Michael (Mike) Bird

That Council endorse the proposed Infrastructure Strategy for audit and then consultation.

CARRIED

9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**9.1 MINUTES OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 31 OCTOBER 2017****RESOLUTION 2018/11**

Moved: Cr Denise Eaglesome-Karekare

Seconded: His Worship the Mayor Craig Little

1. That the Minutes of the Economic Development Committee Meeting held on Tuesday 31

October 2017 be received and the recommendations therein be adopted.

CARRIED

9.2 MINUTES OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 17 OCTOBER 2017

RESOLUTION 2018/12

Moved: Cr Jeremy Harker

Seconded: Cr Michael (Mike) Bird

1. That the Minutes of the Finance, Audit & Risk Committee Meeting held on Tuesday 17 October 2017 and Wednesday 29 November 2017 (Item 9.3) be received and the recommendations therein be adopted.

CARRIED

9.3 MINUTES OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 29 NOVEMBER 2017

9.4 MINUTES OF MAORI STANDING COMMITTEE MEETING - 14 SEPTEMBER 2017

RESOLUTION 2018/13

Moved: Cr Hine Flood

Seconded: Cr Denise Eaglesome-Karekare

1. That the Minutes of the Māori Standing Committee Meeting held on Thursday 14 September 2017, Thursday 12 October 2017 (Item 9.5) and Thursday 14 December 2017 (Item 9.6) be received and the recommendations therein be adopted.

CARRIED

9.5 MINUTES OF MAORI STANDING COMMITTEE MEETING - 12 OCTOBER 2017

9.6 MINUTES OF MAORI STANDING COMMITTEE MEETING - 14 DECEMBER 2017

10 PUBLIC EXCLUDED ITEMS

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2018/14

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Michael (Mike) Bird

That the public be excluded from the following parts of the proceedings of this meeting at 3.14 p.m.

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
10.1 - Deed for water supply to Affco NZ	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	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
10.2 - Infrastructure Committee Membership	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

RESOLUTION 2018/15

Moved: His Worship the Mayor Craig Little

Seconded: Cr Hine Flood

That Council moves out of Closed Council into Open Council at 4.06 p.m.

CARRIED

Closing karakia given by Mr Kelly.

10.2 INFRASTRUCTURE COMMITTEE MEMBERSHIP

RESOLUTION 2018/16

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Hine Flood

That Council receive the report and advise that Cr Lambert and Cr Johansen will go onto the committee and the resolution be moved into the public record for this meeting.

CARRIED

The Meeting closed at 4.07 p.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 March 2018.

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CHAIRPERSON

**MINUTES OF WAIROA DISTRICT COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA
ON TUESDAY, 20 FEBRUARY 2018 AT 10.00AM**

PRESENT: Cr Denise Eaglesome-Karekare (Deputy Mayor), Cr Hine Flood, Cr Michael (Mike) Bird, Cr Jeremy Harker, Cr Michael (Min) Johansen, Cr Charles (Charlie) Lambert, His Worship the Mayor Craig Little (as of 27 February at 10am)

IN ATTENDANCE: S May (Chief Executive Officer), G Borg (Chief Financial Officer), C Knight (Governance Advisor & Policy Strategist).

Chair – Cr Denise Eaglesome-Karekare

1 KARAKIA

Given by Cr Lambert.

2 APOLOGIES FOR ABSENCE

APOLOGY

RESOLUTION 2018/03

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Hine Flood

That the apology received from His Worship the Mayor C Little be accepted and leave of absence granted.

CARRIED

3 DECLARATIONS OF CONFLICT OF INTEREST

None.

4 PUBLIC PARTICIPATION

None.

5 GENERAL ITEMS

5.1 PETITION RECEIVED - REVENUE AND FINANCING POLICY MAHIA MEETING

Mrs Pauline Tangiora presented her petition to Council.

RESOLUTION 2018/04

Moved: Cr Michael (Min) Johansen

Seconded: Cr Jeremy Harker

That Council receive the petition.

CARRIED

5.2 SUBMISSIONS RECEIVED - REVENUE AND FINANCING POLICY

The following submitters spoke to their submissions:

- Bill Shortt
- Pauline Tangiora
- Peter Lorentz
- Grandy Lake Forest (NZ) Ltd – Graham Douglas
- Trish Lambert
- Forestry Management NZ – Steve Bell
- Matariki Forests North Island Ltd – Matthew Croft
- Neil Taylor
- Dean Whaanga
- Denys Caves
- Hawke's Bay Forestry Group – Keith Dolman
- Pan Pac – Tim Sandall
- Kay Foley
- Gary Mayo

At 1:18 p.m., Cr Charles (Charlie) Lambert left the meeting.

Adjourned 1.18 p.m.

Reconvened 2.10 p.m.

RESOLUTION 2018/05

Moved: Cr Hine Flood

Seconded: Cr Michael (Mike) Bird

That the meeting is adjourned to Tuesday 27 February at 10 a.m.

CARRIED

Adjourned 2.19 p.m. until Tuesday 27 February at 10.00 a.m.

Reconvened 10.07 a.m. Tuesday 27 February

At 10:00 a.m., His Worship the Mayor Craig Little returned to the meeting.

Chair - Cr Denise Eaglesome-Karekare

Discussion points during deliberations:

- How rates are currently calculated

At 10:11 a.m., His Worship the Mayor Craig Little left the meeting.

At 10:12 a.m., His Worship the Mayor Craig Little returned to the meeting.

- Looking at budget and reviewing spending

At 10:39 a.m., Cr Jeremy Harker left the meeting.

At 10:42 a.m., Cr Jeremy Harker returned to the meeting.

- UAGC – possibility of increasing to maximum percentage allowed under the legislation
- Further investigation of rating levers

RESOLUTION 2018/06

Moved: Cr Jeremy Harker

Seconded: His Worship the Mayor Craig Little

That Council receive the report and retain the status quo for the Revenue and Financing Policy.

CARRIED

Closing karakia given by Cr Denise Eaglesome-Karekare

The Meeting closed at 10.54 a.m.

The minutes of this meeting were confirmed at the Council Meeting held on 20 March 2018.

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CHAIRPERSON

8 GENERAL ITEMS

8.1 MARINE PARADE PLAYGROUND RELOCATION

Author: Luke Knight, Property Manager

Authoriser: Jamie Cox, Engineering Manager

Appendices: Nil

1. PURPOSE

- 1.1 To receive direction from council on the old Marine Parade playground

RECOMMENDATION

The Property Manager RECOMMENDS that Council receive the report and provide direction on the future of the old Marine Parade playground.

2. BACKGROUND

- 2.1 The Wairoa destination playground was installed in December 2017. This project is now in its second phase which includes enhancing the environs of the playground.
- 2.2 Part of the second phase of the project included the removal of the old Marine Parade playground opposite Oslers.
- 2.3 A range of options still exist for this playground including; retaining it, relocation, selling or gifting to another organisation.
- 2.4 Given the level of interest, it is recommended that Council makes a decision as to the future of the old playground.
- 2.5 Two options for relocation on Council sites include the Tuai playground site in front of Whakamarino Lodge and at the Lion Street playground site in Wairoa.

3. SITUATION ASSESSMENT

- 3.1 The proximity of the new destination playground renders retaining the playground in its current location unnecessary. The area that it is currently sited on can be cleared, reinstated and opened up to host community events, picnic seating and open space for people enjoying the nearby amenities on the main street.
- 3.2 The playground could be offered to a local community group for use on their chosen site. This option is difficult to administer for the reasons of – selecting one group/location out of a large selection of worthy locations and disposal of a public asset to a private group. There is also the cost of removing, relocating and reinstating the area to be considered.
- 3.3 The playground could be offered for private sale. The property department has received contact from one interested party.

4. CURRENT PLAYGROUND - WHAKAMARINO LAKE, TUAI

- 4.1 The Tuai playground is primarily of older wooden design and construction. The equipment has some graffiti on it, in particular the plastic tunnel and roof. Metal and

wooden frames appear to be sound. Wooden sections of equipment require cleaning and treating as they are slippery when wet. Swing seats currently need replacing as these have been removed (on hold until decision on future is made)

4.2 Council has received requests from the Tuai community to update their playground.

5. CURRENT PLAYGROUND - LION ST, WAIROA

5.1 The Lion Street playground is of metal construction, in need of further updating and repair including painting, covering of deck areas and replacement of parts.

5.2 This playground and recreation area is often frequented by families and groups of children playing, presumably accessing from the surrounding residential areas.

6. OPTIONS

6.1 The options identified are:

- a. Do nothing – leave Marine Playground in situ,
- b. Gift playground to other community group or association,
- c. Sell playground to interested party,
- d. Relocate playground to Whakamarino Lake site,
- e. Relocate playground to Lion Street playground site.

6.2 The preferred option is at the discretion of Council however the relocation on existing council reserves meets the purpose of local government as it will help meet the current and future needs of communities good-quality infrastructure and local public services.

7. CONCLUSION

7.1 Council are asked to consider the information in this report and confirm the future of the Marine Parade playground.

8. CORPORATE CONSIDERATIONS

Compliance with legislation and Council Policy

8.1 Works to reinstate the playground in a different location have been included in this LTP.

What are the key benefits?

8.2 A playground site in the district receives a considerable improvement to the play facilities offered.

Who has been consulted?

8.3 Council has been involved in discussions around the new destination playground, the relocation of the old playground has also featured previously.

Service delivery review

8.4 Not applicable

Maori Standing Committee

8.5 This matter has not been taken to the committee as it is considered culturally neutral.

9. SIGNIFICANCE



9.1 The impact of this change is low, minimal cost to relocate to existing site.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
Author Luke Knight	Approved by Jamie Cox

8.2 USE OF DRONES ON COUNCIL PROPERTY POLICY

Author: Charlotte Knight, Governance Advisor & Policy Strategist

Authoriser: Steven May, Chief Executive Officer

Appendices: 1. Use of Drones on Council Property Policy [↓](#)

1. PURPOSE

- 1.1 For Council to consider a policy that provides guidance on the use of drones/UAVs/model aircraft on or over Council property and facilities.

RECOMMENDATION

The Governance Advisor & Policy Strategist RECOMMENDS that Council adopt the Use of Drones on Council Property Policy attached as Appendix 1.

2. BACKGROUND

- 2.1 Under the Civil Aviation Rules property owner consent is required to fly drones/UAVs/model aircraft over land that is owned, managed or leased by Council.
- 2.2 Currently Council does not have a policy on this matter. Other Councils have adopted policies on this issue as the flying of drones/UAVs/model aircraft is becoming more popular as the cost of these reduces.
- 2.3 Under the Delegation Manual section 3.0, delegation 05, Council have already delegated authority to certain officers (CEO, COO, Engineering Manager, and Property Manager) the ability to provide the consent of Council (where such consent is required) in its capacity as landowner for any application or request by any persons to undertake an activity or activities on or adjacent to any Council land. This would include the process for applying for an Unmanned Aircraft Flight Permit so no further delegation is required from Council for officers to be able to process these permits.

3. OPTIONS

- 3.1 The options identified are:
- a. Do not adopt a policy (status quo);
 - b. Adopt the policy attached as Appendix 1; or,
 - c. Adopt alternative policy provisions.
- 3.2 The preferred option is Option B, this meets the purpose of local government as it will help meet the current and future needs of communities for performance of regulatory functions in a way that is most cost-effective for households and businesses.

4. CORPORATE CONSIDERATIONS**What is the change?**

- 4.1 Council will have granted permission (with conditions attached) for drones/UAVs/model aircraft to be flown over: War Memorial Park, Lambton Square, Clyde Domain, Wairoa

Riverbank Reserve (from Spooner's Point to Pilot Hill), and Pohutukawa Reserve (excluding 100m from the playground).

Compliance with legislation and Council Policy**4.2 Civil Aviation Authority Rules****What are the key benefits?**

4.3 It is clear to the public in which public areas owned by Council that they can fly their drones/UAVs/model aircraft or where people may be flying drones/UAVs/model aircraft.

What is the cost?

4.4 Nil.

What is the saving?

4.5 Nil.

Who has been consulted?

4.6 There is no information on community views on this topic as no communication or consultation has been undertaken.

4.7 There is no requirement under the Significance and Engagement Policy to consult but Council may wish to do so.

Service delivery review

4.8 Not applicable.

Maori Standing Committee

4.9 This matter has not been referred to the Committee.

5. SIGNIFICANCE

5.1 Low impact

5.2 This decision can be reversed.

6. RISK MANAGEMENT

6.1 No strategic risks have been identified in the implementation of the recommendations.

Further Information

Airshare <https://www.airshare.co.nz/>

Civil Aviation Act 1990

Background Papers

Civil Aviation Authority Rules <https://www.caa.govt.nz/rules/civil-aviation-rules/>

References (to or from other Committees)

None.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
Author Charlotte Knight	Approved by Steven May

USE OF DRONES ON COUNCIL PROPERTY

DATE ADOPTED:



TE WAIROA
WAIROA DISTRICT

PERSON RESPONSIBLE:	Chief Operating Officer	FILE REFERENCE:	
CATEGORY:	Regulatory	STATUS:	DRAFT
DATE POLICY ADOPTED:	DRAFT	APPROVAL BY:	Council
REVIEW PERIOD:	5 years and as required	NEXT REVIEW DUE BY:	2023
DATE PREVIOUSLY ADOPTED:	Not applicable	REVISION NUMBER:	1

INTRODUCTION

Property owner consent is required to fly drones/UAVs/model aircraft over land that is owned, managed or leased by Council. This policy outlines the Council's approach to property owner consent.

The Civil Aviation Authority (CAA) regulates civil aviation in New Zealand, and sets the rules around the use of Remotely Piloted Aircraft Systems: Unmanned Aerial Vehicles (UAV), Unmanned Aerial Systems (UAS), model aircraft and drones – unmanned aircraft.

New rules introduced by the CAA came into effect on 1 August 2015. These rules require people to obtain approval from the land owner or the occupier of the land you want to fly over. This rule comes in addition to the existing CAA and Air Traffic Control rules on where and how you can fly unmanned aircraft, and what permissions you need to get before doing so.

This policy covers all electric powered remote controlled model aircraft of the type commonly referred to as “drones” that are capable of vertical take-off and landing and small hand-launched gliders less than 1.5 metres in wing span (unmanned aircraft). You are only permitted to fly unmanned aircraft weighing less than 25 kilograms on public land. However, anyone operating an unmanned aircraft that weighs between 15 and 25 kilograms must be a member of an organisation approved by the CAA (e.g. Model Flying New Zealand).

PURPOSE

The purpose of this policy is to provide guidance on the use of drones/UAVs/model aircraft on or over Council property and facilities.

PERMITTED AREAS

War Memorial Park

Lambton Square

Clyde Domain

Wairoa Riverbank reserve – from Spooner’s Point to Pilot Hill

Pohutukawa reserve at Mahia – excluding 100m from the playground

Permission is granted in these areas on the condition that you:

- Abide by the Civil Aviation Authority Rules;
- Do not operate during a fire ban period;
- Do not fly over people with a camera without obtaining their permission, especially if you are capturing video, photos or other data;
- Are courteous of other users of the area;
- Cease operation if requested by a Council officer; and,
- Do not use any data captured for commercial purposes without permission from Council (please direct enquiries to the Chief Executive Officer).

FLYING ON OR OVER OTHER AREAS

If you wish to fly over or on an area owned by Council not permitted under this policy then you will need to apply for a permit and pay a fee.

If you wish to fly over the road corridor then you will need to complete a Corridor Access Request.

To apply for an Unmanned Aircraft Flight Permit you must be able to have evidence of the following:

- Qualification of your abilities to fly your unmanned aircraft
- Confirmation that the intended flight has been logged on www.airshare.co.nz

Under the Public Safety Bylaw if you are caught flying in non-permitted areas without a permit you will be infringed.

APPLICATION OF POLICY

This policy applies to all pilots of unmanned aircraft except the following:

- Council staff undertaking work-related flights including training flights
- Emergency services staff undertaking work-related flights

8.3 APPOINTMENT OF ELECTORAL OFFICER

Author: Donna Moorcock, Interim Corporate Services Manager

Authoriser: Steven May, Chief Executive Officer

Appendices: Nil

1. PURPOSE

1.1 The purpose of this report is for Council to appoint an Electoral Officer.

RECOMMENDATION

The Interim Corporate Services Manager RECOMMENDS that Council appoint Kitea Tipuna as the Electoral Officer pursuant to section 12(1) of the Local Electoral Act 2001.

2. BACKGROUND

2.1 Every local authority must at all times have an electoral officer appointed by the local authority to exercise the powers and carry out the duties conferred on the electoral officer by the Local Electoral Act 2001 (LEA 2001).

An electoral officer, unless he or she dies, resigns, is dismissed from office, or becomes incapable of acting, remains in office until his or her successor comes into office.

Section 14 of the LEA 2001 defines who may be appointed as an electoral officer:

(4) A person must not be appointed or act as electoral officer, deputy electoral officer, or other electoral official if that person is –

- (a) a candidate in any election to be conducted; or
- (b) a member of any local authority or community board for whom an election or poll is to be conducted.

(5) The Chief Executive of a local authority must not be appointed or act as an electoral officer, deputy electoral officer, or other electoral official, unless the local authority concerned is satisfied that no other course of action is reasonably practicable in the circumstances.

Section 15 of the LEA 2001 defines the key responsibilities of the electoral officer as being:

(1) An electoral officer is responsible for conducting every election or poll –

- (a) Falling within the description of the type of election or poll he or she was appointed to conduct; and
- (b) To be held or taken within the local government area for which he or she was appointed to conduct elections and polls.

(2) An electoral officer is responsible, in accordance with the provisions of the LEA 2001 and regulations made under the act, for –

- (a) The compilation and certification of electoral rolls
- (b) The publication of any public notice relating to elections and polls and the calling of nominations, required to be given

- (c) Receiving nominations, candidate profile statements, and deposits required to be paid
- (d) Issuing and receiving ordinary and special votes and other official documents
- (e) The processing and counting of votes
- (f) The declaration of results
- (g) Receiving returns of electoral expenses
- (h) Investigating possible offences and reporting alleged offences to the police.

2.2 The electoral officer position is assigned to an individual and not to a position, therefore with the resignation of Mr James Baty the responsibilities of this role did not automatically transfer to the new incumbent.

3. OPTIONS

3.1 The options identified are:

- a. Council appoint Kitea Tipuna as the Electoral Officer pursuant to section 12(1) of the Local Electoral Act 2001.
- b. Council appoint an external party as the Electoral Officer pursuant to section 12(1) of the Local Electoral Act 2001.

3.2 The preferred option is option a, this meets the purpose of local government as it will help meet the current and future needs of communities for local public services.

4. CONCLUSION

4.1 Council is required to appoint an electoral officer to undertake the requirements of the LEA 2001.

5. CORPORATE CONSIDERATIONS WHAT IS THE CHANGE?

5.1 Not applicable

Compliance with legislation and Council Policy

5.2 Local Electoral Act 2001

Local Electoral Regulations 2001

What are the key benefits?

5.3 Not applicable

What is the cost?

5.4 Not applicable

What is the saving?

5.5 Not applicable

Who has been consulted?

5.6 Not applicable

Service delivery review

5.7 Not applicable

Maori Standing Committee

5.8 Not applicable

6. SIGNIFICANCE

6.1 Not applicable

7. RISK MANAGEMENT

7.1 The strategic risks identified in the implementation of the recommendations made are as follows:

a. Not applicable

Further Information

Local Electoral Act

<http://www.legislation.govt.nz/act/public/2001/0035/latest/DLM93301.html?src=qs>

Local Electoral Regulations

<http://www.legislation.govt.nz/regulation/public/2001/0145/latest/DLM49294.html?src=qs>

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
Author Donna Moorcock	Approved by Steven May

8.4 CHAPLAINCY SERVICE

Author: Steven May, Chief Executive Officer

Authoriser: Steven May, Chief Executive Officer

Appendices: 1. HBDHB-HB Ecumenical Chaplaincy Assn [↓](#)

1. PURPOSE

- 1.1. Initially a letter of request had been set out to Councils after pre-discussions with Mayors and CE's of the intent.

RECOMMENDATION

The Chief Executive Officer RECOMMENDS that Council consider \$4K for Chaplaincy service as part of a regional funding group 2017/2018 year or not.

EXECUTIVE SUMMARY

[\[Type here\]](#)

1. BACKGROUND

- 1.1 An understanding is that Council had considered this but had requested that the "request" for support be adjusted to reflect a "pro-rata" basis. Essentially "pro-rata" with requests to Napier and Hastings being for \$16k and Wairoa and CHB for \$4k each.
- 1.2 Follow up discussion regarding the Chaplaincy Service commitment/investment by Council to support surplus costs to deliver such significant provision for the people of the District Health Board (DHB) region. A suggestion of a presentation to the Mayors forum by the Chaplaincy services for clarity of demand vs identified need.

Further Information

None



Background Papers

None

References (to or from other Committees)

None

Signatories

	
Author Steven May	Approved by Steven May

Corporate Services



28 June 2017

Craig Little
Mayor
Wairoa District Council
PO Box 54
WAIROA 4160

Email: craig.little@wairoadc.govt.nz

Dear Craig

HAWKE'S BAY ECUMENICAL HOSPITAL CHAPLAINCY ASSOCIATION

Earlier this year, Lawrence Yule and I accepted our invitations to attend the Annual General Meeting of the Hawke's Bay Ecumenical Hospital Chaplaincy Association. We came away from this meeting very impressed with the commitment and dedication of all those involved in providing chaplaincy services within Hawke's Bay, and the value they provide to our communities. We also came away with some concerns over the sustainability of these services, given the funding difficulties explained at the meeting.

The role of the service is to offer spiritual and emotional care and support to those with health issues, as part of a holistic approach to improving healthcare outcomes by bringing comfort, hope and meaning to patients' lives. This service is provided mostly to those in hospital, but extends into the community on request.

The service is part of the Interchurch Council for Hospital Chaplaincy (ICHC), based in Wellington, which employs the chaplains and provides some funding. The local association is required to raise additional funding to cover the costs of providing the services. Such funds are generally provided by DHBs, local churches, charitable trusts and community groups. Funding from ICHC and local churches has unfortunately, however, been dropping for some time.

The service provided in Hawke's Bay is available 24 hours per day, seven days per week, due largely to the goodwill of the current Chaplains. This level of service is unique and is highly valued by those people and whanau impacted by it. At the AGM, however, the sustainability of this 24/7 service was noted as being at risk, if the association could not fund an additional \$60,000 per annum to pay for existing and additional resources.

I was sufficiently moved by what I heard at the AGM to invite the Association and Reverend Barbara Walker, Principal Chaplain, to present to a recent HBDHB Board meeting. Following the heartfelt presentation, the Board resolved to both contribute additional funding itself and support an approach to the four local Councils to make up the short fall to maintain the current service. The HBDHB Board acknowledge the holistic health benefits of the service, but also believe it is the community as a whole who benefit most.

Hawke's Bay District Health Board

Telephone 06 878 8109 Fax 06 878 1648 Email: ceo@hbdhb.govt.nz, www.hawkesbay.health.nz
Corporate Office, Cnr Omaha Road & McLeod Street, Private Bag 9014, Hastings, New Zealand

FINANCIAL REPORT20 JUNE 2017

Based on this outcome, I would like to propose that we collectively commit to support this invaluable service by making up the \$60,000 annual shortfall as follows:

Hawke's Bay District Health Board	\$20,000
Hastings District Council	\$16,000
Napier City Council	\$16,000
Central Hawke's Bay District Council	\$ 4,000
Wairoa District Council	\$ 4,000

Should you wish to have a more detailed understanding of this service, I would further suggest that you consider inviting representatives of the local association and Reverend Barbara Walker to present to you at a Mayoral Forum. They have indicated that they would be very keen to do this.

I hope you will see the real community benefit of this service, just as my Board has done, and that you will agree to the above proposal. I would be happy to speak with you personally, if you wish.

Thank you for considering this.

Kind regards



Kevin Atkinson
Chair
Hawke's Bay District Health Board

8.5 DRINKING WATER GOVERNANCE JOINT COMMITTEE

Author: Gay Waikawa, Governance Administrator

Authoriser: Charlotte Knight, Governance Advisor & Policy Strategist

Appendices: 1. Terms of Reference [↓](#)

1. PURPOSE

- 1.1 The purpose of this report is to update Council on a proposal to establish a governance Joint Committee to provide oversight of drinking water matters within the Hawke's Bay region.

RECOMMENDATION

That Council nominate 2 representatives to the Hawke's Bay Drinking Water Governance Joint Committee and adopt the revised Term of Reference for the committee.

2. BACKGROUND

- 2.1 A report was presented to Council on 12 September 2017 outlining the proposal arising from discussions between the Councils in the region and other stakeholders following on from the Havelock North water contamination event, and the establishment of an officer level joint working group (JWG) by the Hawke's Bay District Health Board (HBDHB), the Hawke's Bay Regional Council (HBRC) and the Hastings District Council (HDC), joined more latterly by the Napier City Council (NCC). The JWG has focused on normalising collaboration and working together between the parties aimed at ensuring drinking water safety.
- 2.2 After the inaugural meeting on the 24 October 2017, there are proposed changes to the terms of reference. The revised terms of reference is attached as Appendix 1. Under the terms of reference Council can have 2 representatives on this committee.
- 2.3 Council resolved on the 12 September 2017:
- "That Council:
- a) Received the report.
 - b) Subject to the agreement of the other participating agencies, resolve to join the Hawke's Bay Drinking Water Governance Joint Committee.
 - c) Adopt the Terms of Reference for the Hawke's Bay Drinking Water Governance Joint Committee .

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for good quality local infrastructure in a way that is most cost-effective for households and business by:

- i) Providing for effective Governance oversight and regional collaboration over activities that contribute to safe and adequate drinking water".

3. CORPORATE CONSIDERATIONS**What is the change?**

3.1 A Joint governance water group

Compliance with legislation and Council Policy

3.2 Section 10 of the Local Government Act 2002

What are the key benefits?

3.3 Interagency collaboration

What is the cost?

3.4 Minimal

What is the saving?

3.5 NA

Who has been consulted?

3.6 There has been no local consultation

Maori Standing Committee

3.7 During discussions over the form and function of this Committee it was unclear as to whether iwi wished to participate as members of the Joint Committee. Iwi representatives engaged noted the statutory provisions that allow them to input into and challenge decision making in relation to water matters.

4. SIGNIFICANCE

4.1 The proposal recommended in this report relates to governance and administrative arrangements. It is not considered to trigger the thresholds contained in Council's significance policy.

5. RISK MANAGEMENT

5.1 There are no strategic risks identified in the implementation of the recommendation.

Further Information

None

Background Papers

None

References (to or from other Committees)



None

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

	
Author Gay Waikawa	Approved by Charlotte Knight

Hawke's Bay Drinking Water Governance Joint Committee

Terms of Reference

1. Background

- 1.1. In August 2016 a significant water contamination event occurred that affected the Hawke's Bay community of Havelock North. The Government established an Inquiry into the Havelock North water supply.
- 1.2. It became apparent during the Government Inquiry that in order to achieve a systematic approach to ensuring safe and reliable drinking water, there was a need to strengthen interagency working relationships, collaboration and information sharing pertaining to drinking water.
- 1.3. The Inquiry asked a Joint Working Group (JWG) initially comprising staff representatives of the Hawke's Bay District Health Board, Hawke's Bay Regional Council and the Hastings District Council to implement its 17 initial recommendations. As this group has evolved it has become apparent that many drinking water issues will require an ongoing forum for regional collaboration and decision making. Napier City Council has also joined the Joint Working Group, as well as a Drinking- Water Assessor from the Central North Island Drinking Water Assessment Unit.
- 1.4. Ngāti Kahungunu Iwi Incorporated has called for the agencies involved in water management to view water as a taonga, the lifeblood of the land and people. They consider that drinking water should be set as the number one priority for water use in decision-making processes related to water.
- 1.5. It is within this context that the Hawke's Bay Drinking Water Governance Joint Committee has been established. The principal focus of the Committee is on drinking water, however drinking water cannot be considered in isolation from other fresh water management issues. For that reason the focus of the Committee will be twofold:
 - 1.5.1. To provide governance oversight for planning and decision making on regional drinking water matters; and
 - 1.5.2. To consider and make recommendations where appropriate to decision-making bodies with responsibility for broader freshwater management issues or planning, or infrastructure issues that have implications for drinking water and/or drinking water safety.

2. Purpose

- 2.1. The parties agree that water is a taonga, the lifeblood of the land and people. They further agree that the Joint Committee established under this Terms of Reference is intended to give practical meaning and effect to this agreement.
- 2.2. The Committee is established to provide governance oversight to the existing JWG regarding the implementation of recommendations from the Inquiry Panel and then the evolution of the JWG into a more permanent officials working group.
- 2.3. In the context of this agreement including 2.1 and 2.2 above, the purpose of the Hawke's Bay Regional Drinking Water Governance Joint Committee is to give governance oversight and direction in respect of:
 - 2.3.1. Programmes and initiatives to protect and enhance drinking water quality, quantity, safety and reliability
 - 2.3.2. Improving and maintaining effective inter-agency working relationships relating to drinking water, including monitoring the extent and effectiveness of cooperation, collaboration and information sharing between the agencies, monitoring mechanisms to achieve these desired outcomes, and encouraging member parties to give adequate

consideration to the safety and reliability of drinking water in the carrying out of their range of functions

- 2.3.3. strategies, priorities and implementation monitoring related to drinking water management, including drinking water sources, infrastructure matters and drinking water emergency response
- 2.3.4. recommending to relevant decision making fora (including bodies with responsibility for regional and district level planning), initiatives and priorities affecting drinking water and changes to strategies and work programmes to protect and enhance drinking water quality, quantity, safety and reliability, having regard to the needs of the region for adequate and secure water resources suitable for the supply of safe drinking water.
- 2.4. The geographic scope of the Joint Committee's jurisdiction shall be over drinking water related matters on the land and catchment areas within territorial authorities who elect to be members of the Joint Committee (the participating territorial authorities) plus such other land and catchment areas within the authority of the Hawke's Bay Regional Council that have an impact upon drinking water within the participating territorial authorities.

3. Members/Parties

- 3.1. If they elect to take up membership and establish the Joint Committee, each of the following shall be a Member Organisation of the Hawke's Bay Drinking Water Governance Joint Committee and a party to this document and the establishment of the Joint Committee:
 - 3.1.1. Hawke's Bay District Health Board
 - 3.1.2. Hawke's Bay Regional Council
 - 3.1.3. Central Hawke's Bay District Council
 - 3.1.4. Hastings District Council
 - 3.1.5. Napier City Council
 - 3.1.6. Wairoa District Council
- 3.2. Each member organisation may appoint two (2) representatives.
- 3.3. To ensure the work of the joint Committee is not unreasonably disrupted by absences each party may appoint alternative representatives.
- 3.4. The Joint Committee shall appoint an Independent Chairperson of the Joint Committee, at the beginning of each triennium. The Independent Chairperson shall be appointed for that term of the Joint Committee but is not precluded from a subsequent term as Independent Chairperson if so appointed.
- 3.5. Water is of particular importance to Māori, and Māori have certain statutory rights in respect of decision making relating to water under the Resource Management Act 1991 and the Local Government Act 2002. Some iwi representatives have been involved in discussions leading to the proposal for this Joint Committee but have not determined whether or not they wish to formally participate on the Joint Committee. Provision is made for Māori representation to be added to the Committee should Māori organisations with authority in respect of the geographic areas over which this Joint Committee has jurisdiction indicate that they wish to formally join the Committee.
 - 3.5.1. Notwithstanding any decision by Māori organisations under 3.5 above, the member organisations will take steps to consult with, and take into account the interests of, Māori as appropriate in terms of local authority decision making requirements in respect of matters before the Joint Committee.

4. Name

- 4.1. The Hawke's Bay Drinking Water Governance Joint Committee shall be known as the **Hawke's Bay Drinking Water Governance Joint Committee (HBDWGJC)**.

5. Status

- 5.1. By agreement of the local authority members, the Hawke's Bay Drinking Water Governance Joint Committee is established as a Joint Committee under clause 30 and clause 30A of Schedule 7 of the Local Government Act 2002. It is a Committee of each of the member local authorities.
- 5.2. By this agreement between the parties, the Committee shall also include members who are not local authorities.

6. Delegated Authority

- 6.1. The Hawke's Bay Drinking Water Governance Joint Committee shall have authority to undertake such steps as are necessary to give effect to the purpose of the Hawke's Bay Water Governance Joint Committee including:
- 6.1.1. Reviewing and amending as necessary the Terms of Reference for the Joint Working Group that comprises officers working for the member organisations
 - 6.1.2. Receiving reports from and giving direction to the officials Joint Working Group that leads interagency cooperation and work programmes on drinking water quality, quantity, safety and reliability and/or the Chief Executives of the member agencies
 - 6.1.3. Commissioning reports and studies
 - 6.1.4. Making recommendations to member organisations about strategies, priorities and work programmes relating to the quality, quantity, safety and reliability of drinking water
 - 6.1.5. Making recommendations to appropriate parties on matters within the purpose of the Joint Committee.
- 6.2. For avoidance of doubt, the Hawke's Bay Drinking Water Governance Joint Committee shall have authority to make recommendations to Member Organisations, but has NOT been delegated and does not bear any legal responsibility for:
- 6.2.1. Any power or function that cannot be delegated by a local authority in accordance with clause 32 Schedule 7 of the Local Government Act 2002; and
 - 6.2.2. Directing, instructing or committing any Member Organisation to a particular course of action, operational activity, strategy or work programme relating to the quality, quantity, safety and reliability of drinking water.

7. Administering Authority and Servicing

- 7.1. The members of the Hawke's Bay Drinking Water Governance Joint Committee shall work with the JWG established to lead interagency cooperation and work programmes on drinking water quality, quantity, safety and reliability. The JWG, together with the Chief Executives of the member agencies, will provide reports and information to the Joint Committee.
- 7.2. The Administering Authority of the Joint Committee shall be the Hawke's Bay Regional Council.

8. The Remuneration

- 8.1. Each member organisation of the Hawke's Bay Drinking Water Governance Joint Committee shall be responsible for the cost of its participation on the Joint Committee.
- 8.2. The Joint Committee shall agree on the apportionment of the costs of the Independent Chairperson on the recommendation of the JWG.
- 8.3. The JWG shall agree, by consensus, the apportionment of any costs arising from the work approved by the Joint Committee.

9. Meetings

- 9.1. The Standing Orders of the Hawke's Bay Regional Council will be used to conduct Joint Committee meetings.
- 9.2. The Joint Committee shall meet not less than 6 monthly or at such other times and places as agreed for the achievement of the purpose of the Joint Committee.

10. Quorum

- 10.1. The quorum at any meeting shall be not less than half of the member representatives on the Joint Committee plus one representative, provided that each of the member organisations shall have at least one representative present, and the number present includes the Independent Chairperson.

11. Voting

- 11.1. The membership shall strive at all times to reach a consensus.
- 11.2. Each representative and the Independent Chairperson shall be entitled to one vote on any item of business.
- 11.3. There shall be no casting vote.

12. Chairperson and Deputy Chairperson

- 12.1. Member representatives shall appoint, by agreement, an Independent Chairperson who shall be entitled to one vote, and in the case of an equality of votes does **not** have a casting vote.
- 12.2. The Joint Committee shall also appoint, every three years, by simple majority vote from among the representatives, a Deputy Chairperson.

13. Variations

- 13.1. Any Member may propose an amendment (including additions or deletions) to the Terms of Reference which may be agreed to by the Joint Committee as a recommendation for consideration by the member organisations.
- 13.2. Once agreed to by the Joint Committee, amendments to the Terms of Reference shall have no effect until each member organisation has agreed to the amendment.

14. Review

- 14.1. The member organisations agree that these Terms of Reference shall be formally reviewed at least once every three years

15. Good Faith

- 15.1. The parties to this Terms of Reference agree to act in good faith towards each other and to give effect to the purpose of the Joint Committee.

Dated: -----

Signed on behalf of the Hastings District Council

Signed on behalf of the Napier City Council

Signed on behalf of the Central Hawke's Bay District Council

Signed on behalf of the Wairoa District Council

Signed on behalf of the Hawke's Bay District Health Board

Signed on behalf of the Hawke's Bay Regional Council

8.6 PATANGATA BRIDGE CLOSURE

Author: Libby Young, Transport Asset Manager

Authoriser: Jamie Cox, Engineering Manager

Appendices: Nil

1. PURPOSE

- 1.1 This report provides information for Council on the closure of the Patangata Bridge on Whakaki Lagoon Road. No decisions are required by Council at this stage.
- 1.2 This has been brought to Council's attention as it is of high public interest.

RECOMMENDATION

The Engineering Manager RECOMMENDS that Council receive the report.

2. BACKGROUND

- 2.1 Previous structural bridge assessments of the Patangata Bridge has resulted in the bridge being restricted to 5 tonnes as per schedule 14 of the Land Transport Bylaw (2007).
- 2.2 The Patangata Bridge is at the end of the local road and crosses over onto private farmland and urupā.
- 2.3 The Maori Standing Committee (MSC) made the Council aware there were safety concerns with the Patangata Bridge.

3. ACTIONS

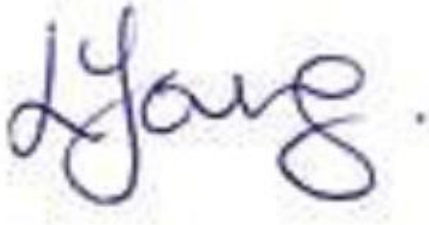

- 3.1 A bridge inspection was undertaken by council's accredited bridge inspector as a result of the concerns by the MSC in accordance with council's internal standard operating procedures.
- 3.2 The inspection was peer reviewed by a structural bridge engineer from WSP-OPUS.
- 3.3 Council has been advised that the Patangata Bridge should be closed immediately to all vehicular traffic.

4. CONCLUSION

- 4.1 Due to further deterioration of the bridge leading to safety risks for all vehicular traffic, the Patangata Bridge has been closed to all vehicular traffic from Friday 09th March 2018. Pedestrians are permitted to cross the Patangata Bridge while a comprehensive assessment is undertaken. It is likely that appropriate remediation will be at significant cost.
- 4.2 Given the level of work that is required to upgrade the bridge and the absence of a formalised accessway to Urupa, it may be that NZTA will not consider funding assistance for an upgrade.
- 4.3 A representative of the land owner trust farming in the area has made inquiries regarding contributing to an upgrade of the bridge

- 4.4 A report will come back to Council in approximately 6 months detailing a) The cost to repair the existing the bridge to heavy vehicle standard b) The cost of a light vehicle bridge c) The cost of a pedestrian bridge. This report will include NZTA co- funding options and Council share requirements.

Signatories

	
Author Libby Young	Approved by Jamie Cox

9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS

Nil

10 PUBLIC EXCLUDED ITEMS**RESOLUTION TO EXCLUDE THE PUBLIC****RECOMMENDATION**

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
10.1 - Revised plans for Kakariki Farm Road pit extraction	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
10.2 - Arts Centre Building Options	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)	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