

CENTRAL HAWKE'S BAY



I hereby give notice that a Meeting of Council will be held on:

Date: Thursday, 5 April 2018
Time: 9.00 am
Location: Council Chamber
28-32 Ruataniwha Street
Waipawa

AGENDA

Council Meeting

5 April 2018

Our vision for Central Hawke's Bay is a proud and prosperous district made up of strong communities and connected people who respect and protect our environment and celebrate our beautiful part of New Zealand.

Monique Davidson
Chief Executive

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**COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA
ON THURSDAY, 22 FEBRUARY 2018 AT 9.03 AM**

PRESENT: Mayor Alex Walker, Cr Ian Sharp (Deputy Mayor), Cr Shelley Burne-Field, Cr Kelly Annand, Cr Tim Aitken, Cr Tim Chote, Cr Gerard Minehan, Cr Brent Muggeridge, Cr David Tennent

IN ATTENDANCE: Monique Davidson (Chief Executive)
Joshua Lloyd (Group Manager, Community Infrastructure and Development)
Bronda Smith (Group Manager, Corporate Support and Services)
Doug Tate (Group Manager, Customer and community Partnerships)
Nicola Bousfield (Manager, People and Capability)
Lisa Harrison (Organisation Transformation Lead)
Leigh Collecute (Governance and Support Officer)
Gina McGrath (Customer Experience Lead)
Ross Munro (Land Transport Services Officer)
Christine Renata (Community Development Coordinator)
Dr Roger Maaka (Maori Consultative Representative)

1 PRAYER

*"We dedicate ourselves to the service of the District of
Central Hawke's Bay/Tamatea and its people.
We ask for God's help
to listen to all
to serve all
and to lead wisely.
Amen."*

2 APOLOGIES

3 DECLARATIONS OF CONFLICTS OF INTEREST

4 STANDING ORDERS

RECOMMENDATION

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

- 20.2 Time limits on speakers
- 20.5 Members may speak only once
- 20.6 Limits on number of speakers
- THAT 21.4 Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

5 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 22 February 2018

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA
ON THURSDAY, 22 FEBRUARY 2018 AT 9.03 AM**

PRESENT: Mayor Alex Walker, Cr Ian Sharp (Deputy Mayor), Cr Shelley Burne-Field, Cr Kelly Annand, Cr Tim Aitken, Cr Tim Chote, Cr Gerard Minehan, Cr Brent Muggeridge, Cr David Tennent

IN ATTENDANCE: Joshua Lloyd (Group Manager, Community Infrastructure and Development), Bronda Smith (Group Manager, Corporate Support and Services), Lisa Harrison (Organisation Transformation Lead), Leigh Collecot (Governance and Support Officer), Dr Roger Maaka (Maori Consultative Representative)

1 PRAYER

2 APOLOGIES

No apologies.

3 DECLARATIONS OF CONFLICTS OF INTEREST

MOTION

RESOLVED: 18.7

Moved: Cr Ian Sharp

Seconded: Cr Tim Aitken

That councillors acknowledge Cr Burne-Fields expertise and allow her voting rights on the Class 4 Gambling and Board Venue Policy.

CARRIED

- Cr Burne-Field raised that she was employed by a gambling-harm minimisation trust (Te Rangihaeata Gambling Recovery Services).
- Noted that it was up Cr Burne-Field to make the decision on how she would proceed on the item.

4 STANDING ORDERS

RESOLVED: 18.8

Moved: Cr Gerard Minehan

Seconded: Cr Kelly Annand

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

- 20.2 Time limits on speakers
- 20.5 Members may speak only once
- 20.6 Limits on number of speakers

THAT 21.4 Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

CARRIED**5 CONFIRMATION OF MINUTES****RESOLVED: 18.9**

Moved: Cr Shelley Burne-Field
Seconded: Cr Ian Sharp

That the minutes of the Extraordinary Council Meeting held on 8 February 2018 as circulated, be confirmed as true and correct.

CARRIED**6 LOCAL GOVERNMENT ACT COMPLIANCE – PLANNING, DECISION MAKING AND ACCOUNTABILITY**

Council is required to make decisions in accordance with the requirements of Part 6 Subpart 1 of the Local Government Act 2002.

RESOLVED: 18.10

Moved: Cr Tim Aitken
Seconded: Cr Gerard Minehan

THAT Council has read the reports associated with items 7.1, 8.1, 9.1, 9.2, 9.3, 10.1 and 10.2 and considers in its discretion under Section 79(1)(a) that sufficient consultation has taken place in addition to the Councillors knowledge of the items to meet the requirements of Section 82(3) in such a manner that it is appropriate for decisions to be made during the course of this meeting.

CARRIED**7 MAYOR'S REPORT****MAYORAL UPDATE****RESOLVED: 18.11**

Moved: Cr Gerard Minehan
Seconded: Cr Shelley Burne-Field

That the Mayor's Report dated 22nd February 2018 be received.

CARRIED

- Mayor Walker spoke about the meeting with Rangitane tu mai ra Trust.
- Cr Burne-Field thanked Her Worship the Mayor Walker on the way in which she has been replying to public on social media about the LTP.

8 CHIEF EXECUTIVE REPORT**8.1 CHIEF EXECUTIVE UPDATE****RESOLVED: 18.12**

Moved: Cr Ian Sharp

Seconded: Cr David Tennent

That Council note the contents of the Chief Executive Report.

CARRIED

- CEO spoke to the Report.
- Cr Tennent asked about the cost of the Multisport Turf. An additional \$50k budget, which has been carried forward from previous years in anticipation of the project, will be spent on top of the \$250k that has already been donated to the Trust. Project Management cost is estimated as an additional \$10k.
- Cr Sharp asked if the top soil that is being removed will be utilised in the revitalisation of the sports fields and so negates the cost. CEO confirmed this.
- Cr Bure-Field thanked the CEO for her report.

9 REPORTS FROM COMMITTEES**9.1 MINUTES OF THE FINANCE AND PLANNING COMMITTEE MEETING HELD ON 8 FEBRUARY 2018****RESOLVED: 18.13**

Moved: Cr Ian Sharp

Seconded: Cr Tim Aitken

That the minutes of the meeting of the Finance and Planning Committee held on 8 February 2018 be received.

CARRIED

9.1.1 PROFESSIONAL SERVICES CONTRACT PROCUREMENT APPROACH**RESOLVED: 18.14**

Moved: Cr David Tennent

Seconded: Cr Ian Sharp

1. The Committee recommend to Council that Council adopt Procurement Option 5 – Selected In-house Resources and a Professional Services Contract.
and
2. That the Committee recommend to Council that Council adopt the Supplier Selection Model – Quality Based to obtain the required services.

CARRIED

9.2 MINUTES OF THE RISK AND AUDIT COMMITTEE MEETING HELD ON 8 FEBRUARY 2018**RESOLVED: 18.15**

Moved: Cr Ian Sharp

Seconded: Cr David Tennent

That the minutes of the meeting of the Risk and Audit Committee held on 8 February 2018 be received.

CARRIED

9.3 MINUTES OF THE COMMUNITY DEVELOPMENT COMMITTEE MEETING HELD ON 8 FEBRUARY 2018**RESOLVED: 18.16**

Moved: Cr Kelly Annand

Seconded: Cr Gerard Minehan

That the minutes of the meeting of the Community Development Committee held on 8 February 2018 be received.

CARRIED

10 REPORT SECTION**10.1 CLASS 4 GAMBLING AND BOARD VENUE POLICY****RESOLVED: 18.17**

Moved: Cr Ian Sharp

Seconded: Cr David Tennent

That the report entitled Class 4 Gambling and Board Venue Policy be received.

That the Draft Class 4 Gambling and Board Venue Policy, as amended, be adopted.

CARRIED

- CEO spoke to the report.
- Cr Annand noted although she would have preferred a 1:400 ratio for the gambling machines she is happy to support the above recommendation.

10.2 MAYORAL FUND UPDATE REPORT**RESOLVED: 18.18**

Moved: Cr Ian Sharp

Seconded: Cr David Tennent

That the report on Mayoral Fund for the period 8 October 2016 to 31 December 2017 be noted.

CARRIED

- Her Worship Mayor Walker spoke to the Report.
- Cr Annand noted she supports this fund.
- Cr Sharp noted it's great to see the funds reported to Council as this hasn't happened in previous years.

11 PUBLIC EXCLUDED BUSINESS

No public excluded business.

12 DATE OF NEXT MEETING**RESOLVED: 18.19**

Moved: Cr Tim Chote

Seconded: Cr Brent Muggeridge

THAT the next meeting of the Central Hawke's Bay District Council be held on 5 April 2018.

CARRIED

13 TIME OF CLOSURE

The Meeting closed at 9.39am.

The minutes of this meeting were confirmed at the Council Meeting held on 5 April 2018.

.....
CHAIRPERSON

6 LOCAL GOVERNMENT ACT COMPLIANCE – PLANNING, DECISION MAKING AND ACCOUNTABILITY

Council is required to make decisions in accordance with the requirements of Part 6 Subpart 1 of the Local Government Act 2002.

RECOMMENDATION

THAT Council has read the reports associated with items 7.1, 8.1 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9 and 10.1 and considers in its discretion under Section 79(1)(a) that sufficient consultation has taken place in addition to the Councillors knowledge of the items to meet the requirements of Section 82(3) in such a manner that it is appropriate for decisions to be made during the course of this meeting

7 CHIEF EXECUTIVE REPORT

7.1 CHIEF EXECUTIVE REPORT

File Number: COU1-1400

Author: Monique Davidson, Chief Executive

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Provincial Growth Fund - Extra Information
2. Monitoring Report

PURPOSE

The purpose of this report is for the Chief Executive to update Council on key priorities and their progress where a report has not already addressed it. This report does not seek any decisions, but to keep Council informed.

RECOMMENDATION

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

SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as being of some importance.

CHIEF EXECUTIVE UPDATE

Community Facilities and Infrastructure Services Contract

Following a completed Section 17A review, and approval from Council to proceed with a suggested Procurement Approach, Council Officers have put a significant amount of work in to prepare the required documentation to have the contract ready for market. On Wednesday 28th March 2018, a Request for Proposal for the provision of Community Facilities and Infrastructure Services to the Central Hawke's Bay District Council. The Community Facilities and Infrastructure Services Contract will replace the current term "Facilities Maintenance" contract. This is the first of a two stage procurement process where:

- Stage 1 is an open invitation to all suitably qualified contractors to submit details of their relevant experience and understanding of Council's requirements. Evaluation of Stage 1 will result in a shortlist of suppliers being invited to participate in Stage 2.
- Stage 2 is a competitive dialogue. This involves shortlisted Participants working with us through an interactive programme of meetings and workshops to develop their team, operational and pricing methodology, and Price List for submission and evaluation.

The successful service provider will play a critical role working alongside Council and the Central Hawke's Bay Community, to achieve our mission that 'Together we Thrive'. We look forward to hearing from service providers how you will contribute to seeing our community Thrive.

At the same time Council is also managing a Registration of Interest process for locally based suppliers of goods and services who may be able to supplement Participants service offering or provide support services for their operation. We will pass on details of these suppliers to shortlisted Participants.

The following programme outlines the timeframe of the procurement process.

Week commencing	Activity
26 Mar 18	<p>RFP Probity period commences 28 March</p> <p>RFP stage 1 released 28 March</p> <p><i>ROI released 28 March</i></p> <p>Good Friday</p>
2 April 18	<p>Easter Monday</p> <p>RFP Acknowledgment forms to be returned by 4.00pm 6 April</p>
9 April 18	<p>RFP Participant clarification interviews – times booked with CHBDC by 4:30pm 10 April</p> <p>Participants preparation period</p> <p><i>RFI clarification meeting also occurring this week</i></p>
16 April 18	<p>RFP individual Participant clarification meetings at Council premises (16/17 April between 10am and 4pm depending on numbers)</p> <p>Participants preparation period</p> <p>RFP Stage 1 enquiry period ends 4pm 20 April</p>
23 April 18	<p>RFP Stage 1 submissions close 4pm 26 April</p> <p>RFP Stage 1 evaluation commences</p> <p>ANZAC Day</p>
30 April 18	<p>RFP Stage 1 shortlisting interviews TBC 30 April for 1 and/or 2 May (Participants should reserve these dates in their diaries)</p> <p>RFP Stage 1 shortlisting complete and Participants advised</p> <p>RFP Shortlisted Participants advised confirmed competitive dialogue dates</p> <p><i>ROI closes 4pm 3 May</i></p>
7 May 18	<p>RFP Stage 1 shortlisting complete and Participants advised</p> <p>RFP Shortlisted Participants advised confirmed competitive dialogue dates</p> <p>RFP Shortlisted Participants preparation period</p> <p>RFP updated Part D Schedule 3 and 4 information sent to shortlisted Participants</p> <p>RFP draft competitive dialogue programme sent to shortlisted Participants</p>

Week commencing	Activity
14 May 18	RFP Shortlisted Participants preparation period Shortlisted Participants advised results of sub-contractor, materials and services RFI
21 May 18	<i>Opportunity to meet ROI respondents 21 May</i> RFP Competitive dialogue meetings commence 22 May
28 May 18	RFP Competitive dialogue meetings conclude on or about 30 May RFP Stage 2 finalised and released RFP Participants drafting period – queries and NTPs continue
4 June 18	Reference site visits and Council due diligence completed RFP Stage two enquiry period (NTPs) ends 4.00pm 5 June RFP Stage two final submissions close 4.00pm 8 June
11 June 18	Participants presentation and final interviews TBC 13 June Evaluation completed 15 June
18 June 18	Supplier Recommendation Report
25 June 18	Council approval process
2 July 18	Council approval process
9 July 18	Participants advised outcome Contract documents prepared for signing Contract establishment period commences RFP process and probity period concludes
November 1 2018	New contract commences

Professional Services Contract

Following a completed Section 17A review, and approval from Council to proceed with a suggested Procurement Approach, Council Officers are preparing a contract to take to market. The new Professional Services approach will see a mixed in house and outsourced model. We expect to release the new contract to the market by early April to be in a position to award the contract at the end of May. Parallel to this process the recruitment for in house roles will occur. While this timeframe is slightly later than initially anticipated, it is to allow the Group Manager – Community Infrastructure and Development to ensure what we release to the market incorporates some integrated 3 waters requirements and capability.

Solid Waste Minimisation Plan

Council are legally required under the Solid Waste Minimisation Act to review its Solid Waste Minimisation Plan every 6 years. The current plan was last reviewed in 2012, and was adopted 21 June 2012.

The plan is considered to be of significance, and under the Local Government Act requires a formal Statement of Proposal and consultation process.

For Council to be eligible to receive its National Levy Income we must adopt a revised Solid Waste Minimisation Plan by 30 June 2018.

The current plan requires significant refresh to represent a new vision for Solid Waste in Central Hawke's Bay. Central Hawke's Bay District Council is yet to complete a Section 17A Review of the Solid Waste activity, which is intended to take place in the 2018/2019 financial year. This Section 17A Review would ideally inform the review of the Solid Waste Minimisation Plan.

Our intention is to complete the review as legislatively required this financial year, but to update the plan in a further 12 months' time following the Section 17A review of Solid Waste, and the adoption of the Environmental Strategy.

A draft Solid Waste Minimisation Plan will come to the Council meeting for consideration on Thursday 26 April, following Long Term Plan hearings. Community Consultation will occur with the intention for Council to adopt the final Solid Waste Minimisation Plan on Thursday 28 June.

Officers will be facilitating workshops with Council prior to the draft Solid Waste Minimisation Plan been considered for adoption.

Long Term Plan Engagement

At the time of writing this report, we are almost at the end of our Long Term Plan formal consultation. Attendance at the Pop Up's and Have Your Say meetings has been varied, but highly worthwhile to hear feedback on the Long Term Plan as well as general feedback about the value people see for the rates they pay. I wish to acknowledge the time and effort of staff and elected members for what was very genuine and positive community engagement.

Following the closing of submissions on Thursday 29 March, Officers are now preparing draft reports to assist Council in hearing submissions, and the request of further information to assist with deliberations.

Long Term Plan Hearings are scheduled for Thursday 26 April, followed by Long Term Plan deliberations on Thursday 3 May.

At the time of writing this report 135 submission have been received, 28 essays submitted into the competition, and 82 colouring in competition entries.

Main Street Trees

Prior to Christmas Council Officers facilitated a conversation with retailers about considering options for the trees in the Main Street of Waipukurau. This conversation followed feedback about the falling leaves.

The current trees have been contributing to the following issues – blocked drains (leaves) – root damage to streets and footpaths and underground infrastructure – damage to some of the guttering on the shop verandas.

The meeting was very informal and was an opportunity for council staff to explain the issues as well as provide a few suggestions on other options that are available. These were provided in a hand-out to the attendees along with a form where the retailers could suggest their own options.

The attendees were asked to respond by December 7th either through the web page, or through the form provided. We received 29 responses from the 70 forms that were distributed. The options that we offered and the retailer's preferences were as follows

Option	Number of Respondents in Favour
Status Quo (new trees and different variety)	19
Trees in Planters	4
Hanging Flower Baskets	2
Large Flower Pots	4

Other suggestions were as follows:

1. Plant shrubs or small hedge plants outside ANZ
2. Pots with a little tree surrounded by flowers
3. Feature (like a bucket fountain)
4. Art sculpture

There was a clear preference for trees along the street with several responses citing the oak trees on Northumberland Street rather than the current type of tree.

While Council have not sought wider feedback, Council have received wider feedback from the community, with the majority view been to retain the existing trees in the Main Street of Waipukurau.

As part of the Long Term Plan 2018-2028 Council is proposing to develop a Town Centre Plan for Waipukurau and Waipawa. I have instructed officer to hold off on any work related to the trees in the Main Street until this work is completed. This will allow us to with more time and information to consider the long term approach with the trees as well as the rest of the area in the town centre.

Provincial Growth Fund

On 23 February, the \$1 billion per annum Provincial Growth fund was officially launched in Gisborne by the Regional Economic Development Minister, Shane Jones. The fund aims to lift productivity potential in the provinces. Its priorities are to enhance economic development opportunities, create sustainable jobs, and enable Māori to reach their full potential, boost social inclusion and participation, build resilient communities, and help meet New Zealand's climate change targets. **Attached** to this report is more information about the fund. Officers are currently working to identify those projects with the best chance of success under the Provincial Growth Fund, and are looking to develop business cases for this.

Technical Review of Territorial Authorities

The Ministry of Business, Innovation and Employment (MBIE) conducted a technical review programme of territorial authorities' regulatory responsibilities relating to compliance and building warrants of fitness (BWoF) across the 2015 -2016 and 2016-2017 financial years. 23 Councils were fully reviewed during the 2015-17 period as follows:

Hurunui District Council, Waimakariri District Council, Selwyn District Council, Porirua City Council, Clutha District Council, Horowhenua District Council, Far North District Council, Buller District Council, Grey District Council, Stratford District Council, New Plymouth District Council, Waikato District Council, South Wairarapa District Council, Masterton District Council, Wellington City Council, Kaikoura District Council, Waimate District Council, Waitaki District Council, Mackenzie District Council, Whangarei District Council, South Taranaki District Council, Ruapehu District Council. MBIE undertakes technical reviews as part of its ongoing performance monitoring function. The aim of these reviews is to strengthen and improve Councils abilities to carry out their core territorial authority building control functions under the Building Act 2004. The core of the report focuses on the strengths of Councils, issues faced by councils in performing regulatory responsibilities and opportunities for improvement.

Central Hawke's Bay District Council was not involved in this technical review programme.

Overall, MBIE found that all councils had different approaches to undertaking their roles and responsibilities in amending compliance schedules and enforcing the BWoF system. Due to this, varying levels of good practice, non-compliance, legislative understanding and performance were observed. MBIE concludes that councils are not administering and enforcing the compliance schedule and BWoF system to an acceptable level and more resources need to be applied.

Although only a sample of Councils were part of the programme, MBIE are encouraging all councils to examine the findings outlined in this report and to consider whether improvements may also be required to their own building control operations.

The report, published on 23 February 2018 is available here: <https://www.building.govt.nz/building-officials/technical-reviews/summary-2015-2017-council-technical-reviews/>

Monitoring Report

Please see attached.

Provincial Growth Fund

Priorities

The Provincial Growth Fund will lift productivity potential in the provinces. Its priorities are to enhance economic development opportunities, create sustainable jobs, enable Māori to reach their full potential, boost social inclusion and participation, build resilient communities, and help meet New Zealand's climate change targets.

Investment tiers

The Fund has three investment tiers which will deliver these priorities:



Regional projects and capability

Supporting initiatives for economic development, feasibility studies and capability building.



Sector investment (including the One Billion Trees programme)

Investing in initiatives targeted at priority and/or high value economic opportunities.



Enabling infrastructure projects

Investing in regional infrastructure projects that will lift productivity and grow jobs.

Oversight

The Fund will be overseen by a core group of Regional Economic Development Ministers. The group will monitor the Fund's performance and discuss regional opportunities.

To support the Fund's implementation two new groups will be established – a Regional Economic Development Unit in the Ministry of Business, Innovation and Employment, and an Independent Advisory Panel. The Unit will be responsible for

leading the Fund's design, its administration and monitoring its operation in consultation with other government agencies.

The Panel will provide independent advice on sector projects and the balance of the portfolio of investments.

The type of project and scale of investment will determine how funding is approved – whether senior government officials or Ministers.

Criteria for all tiers

Projects will be assessed against criteria organised around four themes:

- **Link to Fund and government outcomes** – The project should lift the productivity potential of a region or regions, and contribute to other Fund objectives. This includes jobs, community benefits, and improved use of Māori assets, sustainability of natural assets, and mitigating and adapting to climate change.
- **Additionality** – The project needs to add value by building on what is there already and not duplicating existing efforts. The project also needs to generate clear public benefit.
- **Connected to regional stakeholders and frameworks** – Projects should fit in with agreed regional priorities and need to be discussed with relevant local stakeholders.
- **Governance, risk management and project execution** – Projects will need to be supported by good project processes and those involved should have the capacity and capability to deliver the project. Projects need to be sustainable in the longer term beyond the Fund's life.

Surge regions

All provinces are eligible for funding (outside the three main cities). However, these regions have been identified as needing early investment:



How to apply

Projects will be assessed to ensure investment fits with their scale and risk profile. The overall package of investments will be tracked to ensure strategic fit. Individual projects need to support and build on one another.

There are no application rounds for the Fund. Go to www.mbie.govt.nz for more information or email PGF@mbie.govt.nz for details on how to apply and what the criteria will be for your application.

Council Resolution Monitoring Report – 2018

Key	
Completed	
On Track	
Off Track	

Item number	Council Resolution	Date of Resolution	Responsible Officer	Progress Report
18.17	<p>1. That Council:</p> <ul style="list-style-type: none"> • Adopt the Draft Revenue and Financing Policy and Statement of Proposal in accordance with section 102(1) of the Local Government Act 2002. • Adopt the Draft Rates Remission Policy in accordance with section 102(1) of the Local Government Act 2002. • Adopt the Supporting Information for the 2018-28 Long Term Plan to support the consultation process in accordance with section 93G of the Local Government Act 2002. • Adopt the Consultation Document for the 2018-28 Long Term Plan to support the consultation process in accordance with section 93G of the Local Government Act 2002. • Delegate responsibility to the Chief Executive and Group Manager – Corporate Support and Services to approve the final edits required to the Supporting Information and Consultation Document in order to finalise the documents for printing and distribution. Approves the public consultation approach for the Long Term Plan. <p>2.</p>	08.02.2018	Bronda Smith	<p>Council consulted on the Long Term Plan 2018-2028 between 19 February 2018 until 29 March 2018.</p> <p>A wide range of public engagement channels were used during this period.</p> <p>Submissions will be heard and considered by Council throughout April and May with the view for Council to adopt the final Long Term Plan 2018-2028 on 31 May 2018 at an Extraordinary Council meeting.</p> <p>This action is now considered completed.</p>
18.7	That Council:	22.02.2018	Doug Tate	The policy has been updated on the

	<ul style="list-style-type: none"> Adopt the Draft Class 4 Gambling and Board Venue Policy, as amended, be adopted. 			<p>council website.</p> <p>A copy of the amended policy has been sent to both the Secretary of Internal Affairs and the gambling Board.</p> <p>This action is now considered completed.</p>
18.14	<p>That Council</p> <ul style="list-style-type: none"> Adopt Procurement Option 5 – Selected In-house Resources and a Professional Services Contract. Adopt the Supplier Selection Model – Quality Based to obtain the required services. 	22.02.2018	Josh Lloyd	<p>Council Officers are preparing a contract to take to market.</p> <p>We expect to release the new contract to the market by early April to be in a position to award the contract at the end of May</p> <p>This action is considered to be on track.</p>

8 REPORTS FROM COMMITTEES**8.1 MINUTES OF THE FINANCE AND PLANNING COMMITTEE MEETING HELD ON 22 MARCH 2018**

File Number: COU1-1400

Author: Leigh Collecutt, Governance and Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Minutes of the Finance and Planning Committee Meeting held on 22 March 2018

RECOMMENDATION

1. That the minutes of the meeting of the Finance and Planning Committee held on 22 March 2018 be received.

The Committee refers the following recommendations to Council:

**8.1.1 HAWKE'S BAY DRINKING WATER JOINT GOVERNANCE COMMITTEE
TERMS OF REFERENCE****RECOMMENDATION**

1. That the updated Terms of Reference for the Hawke's Bay Drinking Water Governance Joint Committee be adopted.

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL
FINANCE AND PLANNING COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA
ON THURSDAY, 22 MARCH 2018 AT 9.30 AM**

PRESENT: Cr Ian Sharp (Deputy Mayor),
Cr Tim Aitken,
Cr Kelly Annand,
Cr Shelley Burne-Field,
Cr Tim Chote,
Cr Gerard Minehan,
Cr Brent Muggeridge,
Cr David Tennent

IN ATTENDANCE: Monique Davidson	CEO
Joshua Lloyd	Group Manager, Community Infrastructure and Development
Harry Robinson	Utilities Engineer
Helen O'Shaughnessy	Senior Planner
Bronda Smith	Group Manager, Corporate Support and Services
Doug Tate	Group Manager, Customer and Community Partnerships
Nicola Bousfield	People and Capability Manager
Lisa Harrison	Organisation Transformation Lead
Leigh Collecutt	Governance and Support Officer

1 APOLOGIES

Her Worship the Mayor Alex Walker

APOLOGY

COMMITTEE RESOLUTION

Moved: Cr Ian Sharp
Seconded: Cr Brent Muggeridge

That the apology received from Mayor Alex Walker be accepted and leave of absence granted.

CARRIED

2 DECLARATIONS OF CONFLICTS OF INTEREST

NONE

3 STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr David Tennent
Seconded: Cr Kelly Annand

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

- 20.2 Time limits on speakers
- 20.5 Members may speak only once

- 20.6 Limits on number of speakers
- THAT 21.4 Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

CARRIED

4 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Tim Chote

Seconded: Cr Gerard Minehan

That the minutes of the Finance and Planning Committee Meeting held on 8 February 2018 as circulated, be confirmed as true and correct.

CARRIED

5 LOCAL GOVERNMENT ACT COMPLIANCE – PLANNING, DECISION MAKING AND ACCOUNTABILITY

Council is required to make decisions in accordance with the requirements of Part 6 Subpart 1 of the Local Government Act 2002.

COMMITTEE RESOLUTION

Moved: Cr Kelly Annand

Seconded: Cr David Tennent

THAT Council has read the reports associated with items 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8 and 6.9 and considers in its discretion under Section 79(1)(a) that sufficient consultation has taken place in addition to the Councillors knowledge of the items to meet the requirements of Section 82(3) in such a manner that it is appropriate for decisions to be made during the course of this meeting.

CARRIED

6 REPORT SECTION

6.1 WASTE WATER REPORT

PURPOSE

The purpose of this report is to provide the Finance and Planning Committee with an update on the status, and performance, of CHBDC' waste water assets as well as an update on key programmes of work specific to waste water.

COMMITTEE RESOLUTION

Moved: Cr Tim Aitken

Seconded: Cr Kelly Annand

That the content of this report is received as read

CARRIED

- Mr Lloyd spoke to the report.
- It was noted that upgrades to treatment plants would be considered as part of an ongoing project.
- Mr Lloyd advised that a project reference group would be set up and membership would be considered as part of wider objectives.

6.2 WASTEWATER FINANCIAL UPDATE

PURPOSE

The purpose of the report is to update the Finance and Planning Committee on the Forecast Wastewater Financials for the year ending 30 June 2018.

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan

Seconded: Cr David Tennent

That the report on the Wastewater Financial Report be noted.

CARRIED

- Mrs Smith spoke to the report
- Cr Tennant noted that had an independent report been undertaken previously, the Council could have made allowances in the budget for the projected costs
- It was noted that a recommendation would be brought before Council at the end of the financial year to determine funding sources and costs.

6.3 DRINKING WATER UPDATE

PURPOSE

Update Council on the supply of drinking water and an overview of how we are achieving the recommendations from the Havelock North enquiry.

COMMITTEE RESOLUTION

Moved: Cr Shelley Burne-Field

Seconded: Cr Tim Chote

That the Drinking Water Update report be received as read.

CARRIED

- Mr Robinson spoke to the report
- Noted that blanket water restrictions applied to Porangahau area this year when this had not taken place previously. This was because during last year's restriction period, the plant had had issues meeting necessary demand.

- Dr Maaka noted that the matters raised in this report had implications for the district plan.
- It was noted that the Long Term Plan currently out for consultation seeks to address issues raised in the report but would require investment.

6.4 LAND TRANSPORT REPORT

PURPOSE

The purpose of this report is to provide Council with an update on the performance of the Land Transport team as well as an update on key activities within the team.

COMMITTEE RESOLUTION

Moved: Cr Kelly Annand

Seconded: Cr Brent Muggeridge

That this report is received as read

CARRIED

- Mr Lloyd spoke to the report
- Cr Burne-Field wished to congratulate the Land Transport team for their focus on processes which promote excellence, action and value for money.
- Cr Sharp congratulated Mr Lloyd on taking a wider view than road transport when looking to engage engineers

6.5 DISTRICT PLAN REVIEW UPDATE

PURPOSE

The purpose of this report is to:

Update the Committee on the District Plan Review.

COMMITTEE RESOLUTION

Moved: Cr Kelly Annand

Seconded: Cr Shelley Burne-Field

That the report on the update of the District Plan is received as read.

CARRIED

- Mrs O'Shaughnessy spoke to the report
- It was noted that Councillors were pleased with the progress of the District Plan review

6.6 ELECTED EXPENSES UPDATE JULY TO DECEMBER 2017**PURPOSE**

The purpose of this report is to update Council on the Elected Members Expenses for the six month period of July to December 2017.

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan

Seconded: Cr Tim Chote

That the Elected Members Expenses update for the six month period of July to December 2017 be received as read.

CARRIED

- Mrs Smith spoke to the report

6.7 HAWKE'S BAY DRINKING WATER JOINT GOVERNANCE COMMITTEE TERMS OF REFERENCE**PURPOSE**

To obtain a decision regarding the updated Hawke's Bay Drinking Water Joint Governance Committee Terms of Reference.

COMMITTEE RESOLUTION

Moved: Cr Tim Aitken

Seconded: Cr Shelley Burne-Field

1. That the updated Terms of Reference for the Hawke's Bay Drinking Water Governance Joint Committee be adopted.

CARRIED

- CEO spoke to the report
- Cr Sharp thanked members for their involvement in the Joint Committee

6.8 TEMPORARY ROAD CLOSURE FOR TARGA HAWKE'S BAY 2018 EVENT**PURPOSE**

To obtain a decision for the temporary road closure for the Targa Hawkes Bay 2018 Event.

COMMITTEE RESOLUTION

Moved: Cr Tim Chote

Seconded: Cr Kelly Annand

That the Finance and Planning Committee resolves to allow the temporary road closures For the Targa Hawke's Bay 2018 Event

CARRIED

- CEO spoke to the report
- It was noted that officers would bring a recommendation before Council to update the delegation register to enable the Chief Executive to approve future road closures.

6.9 TEMPORARY ROAD CLOSURE - PATTISON ROAD, WAIPUKURAU**PURPOSE**

To obtain a decision for the temporary road closure of Pattison Road, Waipukurau for a gravel sprint event.

COMMITTEE RESOLUTION

Moved: Cr Tim Chote

Seconded: Cr Tim Aitken

That the Finance and Planning Committee resolves to allow the temporary road closure of Pattison Road, Waipukurau.

CARRIED**7 DATE OF NEXT MEETING****COMMITTEE RESOLUTION**

Moved: Cr David Tennent

Seconded: Cr Kelly Annand

THAT the next meeting of the Central Hawke's Bay District Council be held on 3 May 2018.

CARRIED**8 TIME OF CLOSURE**

The Meeting closed at 10.33am.

The minutes of this meeting were confirmed at the Finance and Planning Committee Meeting held on 3 May 2018.

.....
CHAIRPERSON

8.2 MINUTES OF THE RISK AND AUDIT COMMITTEE MEETING HELD ON 22 MARCH 2018**File Number:** COU1-1400**Author:** Leigh Collecutt, Governance and Support Officer**Authoriser:** Monique Davidson, Chief Executive**Attachments:** 1. Minutes of the Risk and Audit Committee Meeting held on 22 March 2018**RECOMMENDATION**

1. That the minutes of the meeting of the Risk and Audit Committee held on 22 March 2018 be received.

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL
RISK AND AUDIT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA
ON THURSDAY, 22 MARCH 2018 AT THE CONCLUSION OF THE FINANCE AND
PLANNING COMMITTEE MEETING**

PRESENT: Cr Tim Aitken, Cr Gerard Minehan, Cr Brent Muggeridge, Cr David Tennent

IN ATTENDANCE: Joshua Lloyd (Group Manager, Community Infrastructure and Development),
Monique Davidson (CEO),
Barbara Nicolle (Safety and Wellbeing Manager),
Bronda Smith (Group Manager, Corporate Support and Services),
Doug Tate (Group Manager, Customer and Community Partnerships),
Nicola Bousfield (People and Capability Manager),
Lisa Harrison (Organisation Transformation Lead)
Leigh Collecutt (Governance and Support Officer)

1 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION

Moved: Cr Brent Muggeridge

Seconded: Cr Gerard Minehan

That the apology received from Her Worship the Mayor Alex Walker be accepted and leave of absence granted.

CARRIED

2 DECLARATIONS OF CONFLICTS OF INTEREST

3 STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr David Tennent

Seconded: Cr Gerard Minehan

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

- 20.2 Time limits on speakers
- 20.5 Members may speak only once
- 20.6 Limits on number of speakers

THAT 21.4 Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

CARRIED

4 LOCAL GOVERNMENT ACT COMPLIANCE – PLANNING, DECISION MAKING AND ACCOUNTABILITY

Council is required to make decisions in accordance with the requirements of Part 6 Subpart 1 of the Local Government Act 2002.

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan
Seconded: Cr David Tennent

THAT Council has read the reports associated with items 5.1, 5.2 and 5.3 and considers in its discretion under Section 79(1)(a) that sufficient consultation has taken place in addition to the Councillors knowledge of the items to meet the requirements of Section 82(3) in such a manner that it is appropriate for decisions to be made during the course of this meeting.

CARRIED

5 REPORT SECTION

5.1 CONFIRMATION OF MINUTES

PURPOSE

Attached are the minutes of the Risk and Audit Committee Meeting held 8 February 2018 and on 18 October 2017.

COMMITTEE RESOLUTION

Moved: Cr Brent Muggeridge
Seconded: Cr Gerard Minehan

THAT the minutes of the Risk and Audit Committee Meeting held on 8 February 2018 and 18 October 2017, as circulated be confirmed as true and correct.

CARRIED

5.2 HEALTH & SAFETY UPDATE

PURPOSE

To update the Risk and Audit Committee on progress against the Health and Safety 2017 Strategic Plan.

COMMITTEE RESOLUTION

Moved: Cr David Tennent
Seconded: Cr Gerard Minehan

That the Safety & Wellbeing Update Report for 22 March 2018 be noted.

CARRIED

- Mrs Nicolle spoke to the report
- Discussion around level of information to be reported to the committee for future meetings

5.3 EXTERNAL AUDIT MANAGEMENT REPORT ACTIONS UPDATE

PURPOSE

The purpose of the report is to update the Risk and Audit Committee on the External Audit Management Report Actions progress.

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan

Seconded: Cr Brent Muggeridge

That the report External Audit Management Report Actions Update be noted.

CARRIED

- Ms Smith spoke to the report

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RECOMMENDATION

Moved: Cr David Tennent

Seconded: Cr Brent Muggeridge

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
6.1 - NZTA Audit Report	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

COMMITTEE RESOLUTION

Moved: Cr David Tennent

Seconded: Cr Gerard Minehan

That Council moves out of Closed Council into Open Council.

CARRIED

7 DATE OF NEXT MEETING**COMMITTEE RESOLUTION**

Moved: Cr Brent Muggeridge

Seconded: Cr David Tennent

THAT the next meeting of the Central Hawke's Bay District Council be held on 3 May 2018.

CARRIED

8 TIME OF CLOSURE

The Meeting closed at 11.18am.

The minutes of this meeting were confirmed at the Risk and Audit Committee Meeting held on 3 May 2018.

.....
CHAIRPERSON

8.3 MINUTES OF THE ENVIRONMENT AND REGULATORY COMMITTEE MEETING HELD ON 22 MARCH 2018

File Number: COU1-1400

Author: Leigh Collecutt, Governance and Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Minutes of the Environment and Regulatory Committee Meeting held on 22 March 2018

RECOMMENDATION

1. That the minutes of the meeting of the Environment and Regulatory Committee held on 22 March 2018 be received.

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL
ENVIRONMENT AND REGULATORY COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA
ON THURSDAY, 22 MARCH 2018 AT THE CONCLUSION OF THE RISK AND AUDIT
COMMITTEE MEETING**

PRESENT: Mayor Alex Walker, Cr Ian Sharp (Deputy Mayor), Cr Tim Chote, Cr Brent Muggeridge, Cr David Tennent

IN ATTENDANCE: Joshua Lloyd (Group Manager, Community Infrastructure and Development),
Monique Davidson (CEO),
Harry Robinson (Utilities Engineer),
Bronda Smith (Group Manager, Corporate Support and Services),
Doug Tate (Group Manager, Customer and Community Partnerships),
Nicola Bousfield (People and Capability Manager),
Lisa Harrison (Organisation Transformation Lead)
Leigh Collecutt (Governance and Support Officer)

1 APOLOGIES

APOLOGY

COMMITTEE RESOLUTION

Moved: Cr Ian Sharp
Seconded: Cr Tim Chote

That the apology received from Her Worship the Mayor be accepted and leave of absence granted.

CARRIED

2 DECLARATIONS OF CONFLICTS OF INTEREST

None

3 STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr Brent Muggeridge
Seconded: Cr Tim Chote

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

- 20.2 Time limits on speakers
- 20.5 Members may speak only once
- 20.6 Limits on number of speakers

THAT 21.4 Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

CARRIED

4 LOCAL GOVERNMENT ACT COMPLIANCE – PLANNING, DECISION MAKING AND ACCOUNTABILITY

Council is required to make decisions in accordance with the requirements of Part 6 Subpart 1 of the Local Government Act 2002.

COMMITTEE RESOLUTION

Moved: Cr Tim Chote

Seconded: Cr Ian Sharp

THAT Council has read the reports associated with items 5.1, 5.2 and 5.3 and considers in its discretion under Section 79(1)(a) that sufficient consultation has taken place in addition to the Councillors knowledge of the items to meet the requirements of Section 82(3) in such a manner that it is appropriate for decisions to be made during the course of this meeting.

CARRIED

5 REPORT SECTION

5.1 CONFIRMATION OF MINUTES

PURPOSE

Attached are minutes of the Environment and Regulatory Committee meeting held 30 November 2017

COMMITTEE RESOLUTION

Moved: Cr Ian Sharp

Seconded: Cr Brent Muggeridge

THAT the minutes of the Environment and Regulatory Committee meeting held 30 November 2017, as circulated be confirmed as true and correct.

CARRIED

5.2 LEACHATE TO LAND UPDATE

PURPOSE

The purpose of this report is to provide the Environment and Regulatory Committee an update on the Leachate to Land project

COMMITTEE RESOLUTION

Moved: Cr Brent Muggeridge

Seconded: Cr Tim Chote

- (a) That the Leachate to Land Update be received as read

CARRIED

- Mr Robinson spoke to the report
- Noted that staff are working to determine whether the council repairs or replaces the leachate pond which ruptured in 2007
- It was noted that managing high ammonia concentrations is a priority
- Discussion around Resource Consent progress – will be reported back to committee within next 3 months.
- Discussion around estimated length of life for a landfill. One of the factors to consider is the ability to reduce waste through recycling.
- It was noted that our current consent expires in 2030

5.3 WASTE WATER REVIEW AND INVESTIGATION UPDATE

PURPOSE

The purpose of this report is to provide the Environment and Regulatory Committee with an update on the progress to date, and key timelines going forward, for the review and improvement of the Waipukurau and Waipawa waste water treatment plants.

COMMITTEE RESOLUTION

Moved: Cr Brent Muggeridge

Seconded: Cr Ian Sharp

That the Waste Water Review and Investigation Update is received as read.

CARRIED

- Mr Lloyd spoke to the report
- Cr Sharp congratulated Mr Lloyd on the clear road map outlined in the report
- It was noted that Hawkes Bay Regional Council would be part of the project reference group for which terms of reference will be presented to Council on 5th April.

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
6.1 - Annual Strategic Review and Business Unit Update of BCA	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
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COMMITTEE RESOLUTION

Moved: Cr Tim Chote

Seconded: Cr Ian Sharp

That Council moves out of Closed Council into Open Council.

CARRIED**7 DATE OF NEXT MEETING****COMMITTEE RESOLUTION**

Moved: Cr Ian Sharp

Seconded: Cr Tim Chote

THAT the next meeting of the Central Hawke's Bay District Council be held on 13 June 2018.

CARRIED**8 TIME OF CLOSURE**

The Meeting closed at 11.59am

The minutes of this meeting were confirmed at the Environment and Regulatory Committee Meeting held on 13 June 2018.

.....
CHAIRPERSON

9 REPORT SECTION

9.1 DELEGATION OF SECRETARY OF DISTRICT LICENSING COMMITTEE

File Number: COU1-1400

Author: Gina McGrath, Customer Experience Lead

Authoriser: Monique Davidson, Chief Executive

Attachments: Nil

PURPOSE

The purpose of this report is to seek authorisation from Council for the Chief Executive to delegate the role of Secretary of the District Licensing Committee under the Sale and Supply of Alcohol Act 2012.

RECOMMENDATION

That Council under section 198 of the Sale and Supply of Alcohol Act 2012 authorises the Chief Executive to delegate the role of Secretary of the District Licensing Committee under section 196 of this Act to the Customer Experience Lead.

COMPLIANCE

Significance	This matter does not trigger the Council's Significance and Engagement Policy.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Delegation of the Secretary of the District Licensing Committee to the Customer Experience Lead; or 2. Retention of status quo: the Chief Executive fulfils the function of the Secretary of the District Licensing Committee.
Affected persons	The persons who are affected by or interested in this matter are the Chair of the District Licensing Committee.
Recommendation	This report recommends that Council authorises the Chief Executive to delegate the role of Secretary of the District Licensing Committee to the Customer Experience Lead.
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

BACKGROUND

The delegation of Secretary of the District Licensing Committee (DLC) rests with the Chief Executive. However, under s 198 of the Sale and Supply of Alcohol Act 2012, this role can, with the authority of the territorial authority, be delegated in part or full.

The Secretary largely oversees the administration of the DLC. This includes the following functions:

- the Secretary must keep a register of licence applications.
- send copies of any agency reports with associated with Licence applications and manager certificates to the applicant.
- send licence application details to Licensing Authority in response to appeals to the DLC decisions.
- keep a register of our local alcohol policy.
- after decisions have been made by the DLC or the Chairperson of the DLC, these can be signed by the secretary on behalf of the DLC.

The Secretary role is also able to provide ongoing technical support and guidance for DLC members, where appropriate. It is common for this role to be delegated by Chief Executives due to the nature of the tasks and ongoing support that is required.

Any delegation must be in writing, must clearly state the function being delegated and is revocable at any time. The delegation would be effective from the date of approval.

OPTIONS

Option 1 Delegation of Secretary of District Licensing Committee to Customer Experience Lead (Preferred Option)

- a) Financial and Resourcing Implications
- b) Risk Analysis
There could be a possible perception from stakeholders that delegating this role minimises its importance. We can mitigate this by ensuring that the role is well understood in that it fulfils a largely administrative and technical function.
- c) Alignment to Project Thrive and Community Outcomes
As the function of the role is not changing, delegation is a neutral change and will not impact Project Thrive and Community Outcomes.
- d) Statutory Responsibilities
Section 198 of the Sale and Supply of Alcohol Act 2012 authorises the Chief Executive to delegate the role of Secretary of the District Licensing Committee.
- e) Consistency with Policies and Plans
As the function of the role is not changing, this remains consistent with policies and plans currently in place.
- f) Participation by Māori
There are no particular considerations required for this decision.
- g) Community Views and Preferences
As the function of the role is not changing, the service provided to the community (via administrative and technical support to the District Licensing Committee) remains the same.
- h) Advantages and Disadvantages
Delegating the role should allow for more technical support to be provided to the District Licensing Committee. It will free up valuable time for the Chief

Executive to concentrate on wider strategic matters that are important to Council.

Option 2 Status quo – role remains with Chief Executive

- a) Financial and Resourcing Implications
- b) Risk Analysis
If resolution was not approved and the Chief Executive was to retain delegation there is a risk that the Chief Executive would be limited in fulfilling other duties.
- c) Promotion or Achievement of Community Outcomes
As the function of the role is not changing, delegation is a neutral change and will not impact Project Thrive and Community Outcomes.
- d) Statutory Responsibilities
Section 198 of the Sale and Supply of Alcohol Act 2012 authorises the Chief Executive to delegate the role of Secretary of the District Licensing Committee.
- i) Consistency with Policies and Plans
As the function of the role is not changing, this remains consistent with policies and plans currently in place.
- j) Participation by Māori
There are no particular considerations required for this decision.
- k) Community Views and Preferences
As the function of the role is not changing, the service provided to the community (via administrative and technical support to the District Licensing Committee) remains the same.
- e) Advantages and Disadvantages
Not delegating this function Chief Executive creates more visibility of the role. However, the consequence of this is that the Chief Executive will be spending more time on operational matters where more value could be gained from it being spent on wider strategic matters.

NEXT STEPS

If agreed, the Central Hawkes Bay District Council Delegations Register will be updated to reflect the decision.

9.2 ANIMAL CONTROL FEES**File Number:** COU1-1400**Author:** Gina McGrath, Customer Experience Lead**Authoriser:** Doug Tate, Group Manager Customer and Community Partnerships**Attachments:** 1. Attachment A: Schedule of Animal Control Fees**PURPOSE**

The purpose of this report is to have Council adopt the Animal Control fees to apply from 1 July 2018.

RECOMMENDATION

A) That the report of the Customer Experience Lead titled “Animal Control Fees” dated 22/03/2018 be received.

B) That the Animal Control fees for the financial year dated 2018/19, as set out in Attachment A of this report, are approved.

COMPLIANCE

Significance	The setting of Animal Control fees does not trigger Council's Significance and Engagement Policy.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Retain the current fee structure 2. Adopt proposed fees as per Long Term Plan
Affected persons	The persons who are affected by or interested in this matter are owners of dogs and/or animals in the Central Hawkes Bay District.
Recommendation	This report recommends we Adopt proposed fees as per Long Term Plan (option two) for addressing the matter.
Long-Term Plan / Annual Plan Implications	Yes – if we retain the status quo (option one) this will be a change to the fees that have been included in the Long Term Plan consultation document.
Significant Policy and Plan Inconsistencies	No.

BACKGROUND

Fees for Animal Control are set by the resolution of the Elected Council. This includes the setting of registration and dog control fees under the Dog Control Act 1996. Council is required to publicly notify the fees at least once during the month preceding the commencement of the new registration year.

There are about 5,160 dogs on the Council database for the 2017/18 financial year. Registration of known dogs has remained fairly static for the last five financial years, despite an increase in population in the Central Hawkes Bay District.

2013/14	2014/15	2015/16	2016/17	2017/18
5,165	5,110	5,044	5,047	5,163*

*to 21 March 2018

There are currently three categories of dog registration fee: Urban, Rural and Responsible Dog Owner. The proportion of registrations in each category for the 2017/18 financial year are shown in the below table.

Urban	Rural	Responsible Dog Owner	Total
817	3,850	496	5,163*
15.8%	74.5%	9.7%	100%

*to 21 March 2018

The Revenue and Financing policy for Animal Control sets private funding of 91-95%, with the remainder from public funding. Private funding is collected through various fees and charges (including fines and impounding costs). Public funding is through the general rate. The approval of this recommendation will see the private good achieved in accordance with Council's Revenue and Financing policy.

SIGNIFICANCE AND ENGAGEMENT

The setting of Animal Control fees does not trigger Council's Significance and Engagement Policy.

OPTIONS

Option 1 Retain the current fee structure

- a) Financial and Resourcing Implications
 - Retaining the current fee structure would mean we do not adjust for inflation. There would be less budget flexibility to explore service improvements that could be made in this area.
- b) Risk Analysis
 - Retaining the fee structure may mean that there are operational impacts to the animal control service that is currently provided. Depending on the scale of impact to service, this could then attract a reputational risk to Council.
- c) Alignment to Project Thrive and Community Outcomes
 - Retaining the current fee structure could restrain our ability to deliver on community outcomes (namely durable infrastructure), as it would mean less budget flexibility to explore service improvements that could be made in this area.
- d) Statutory Responsibilities
 - Council is able to set any fee for animal control service. However, Council must specifically set the registration and dog control fees under the Dog Control Act 1996 before it is able to invoice owners for the following registration year.
- e) Consistency with Policies and Plans
 - Adoption of this option would be inconsistent with the consultation that has been occurring through the LTP plan, which proposed a change in fees.

- f) Participation by Māori
 - Nil
- g) Community Views and Preferences
 - We have not received formal submissions on the animal control fees as outlined in the Long Term Plan. Informal feedback was received regarding a change in timing for the early bird discount.
 - We will update Council if any feedback is received after submissions close on 29 March.
- h) Advantages and Disadvantages
 - The advantage in retaining the current fees is that it would reduce the burden or perceived burden on owners. However, reducing the amount of revenue from a private source could increase the burden on rate payers to subsidise any animal control activity that may be unable to be covered by registration fees.

Option 2 Adopt proposed fees as per draft Long Term Plan (preferred option)

- a) Financial and Resourcing Implications
 - This option would see the adoption of fees as set out in the Long Term Plan (LTP). This will allow the Council to achieve its targets for the Animal Control activity in the Revenue and Financing Policy and projected revenue proposed in the draft LTP. The proposed fees are in Attachment 1.
- b) Risk Analysis
 - There is a risk that adoption of the fees prior to the completion of full consultation of the Long Term Plan will have a reputational impact for Council. However, we are obligated under the Dog Control Act 1996 to have Council adopt the fees prior to invoicing owners for registration. If we delay adoption of the fees, then we will be unable to begin the registration process before the start of the financial year.
- c) Promotion or Achievement of Community Outcomes
 - Adopting the proposed fees in the draft Long Term Plan will allow Council to have sufficient resource to meet the needs of the community, as well as develop a long-term approach to ensuring this service remains fit-for-purpose.
- d) Statutory Responsibilities
 - Council is able to set any fee for animal control service. However, Council must specifically set the registration and dog control fees under the Dog Control Act 1996 before it is able to invoice owners for the following registration year.
- e) Consistency with Policies and Plans
 - This option is consistent with the proposed fees as outlined in the draft Long Term Plan.
- f) Participation by Māori
 - Nil
- g) Community Views and Preferences

- We have not received formal submissions on the animal control fees as outlined in the Long Term Plan. Informal feedback was received regarding a change in timing for the early bird discount.
- We will update Council if any feedback is received after submissions close on 29 March.

h) Advantages and Disadvantages

- This option allows the Council to achieve its targets for the Animal Control activity in the Revenue and Financing Policy and projected revenue proposed in the draft LTP.
- We will be able to begin the process for invoicing owners for registration fees to ensure dogs are registered by the beginning of the new financial year (and 1 August at the latest).
- There may be the perception that Council have adopted fees in the Long Term Plan early. However, this can be mitigated by ensuring it is clear that this is a statutory obligation that Council has to fulfil.

NEXT STEPS

Once adopted, we will advertise any new fees in the month that invoices are dispatched to all known dog owners in the district, which is currently scheduled for May. Information will be posted on Council's website.

ATTACHMENT A: Schedule of Animal Control fees for the financial year dated 2018/19

Animal Control	
Early Payment Discount: A discount of \$10.00 is only available for those registrations paid prior to 1 st July each year.	
Note: Proportionate fees apply for Dog Registration from 1st August for all dogs legally required to be registered from that date and pups that turn 3 months of age after that date	
Dog Registration	Fee (incl GST)
Registration Fees	
Town Dogs	\$95.00
Responsible Dog Owner	\$55.00
Rural Dog	\$47.00
Responsible Dog Owner Property Inspection	\$50.00
Pensioner / Gold Card Dog Owner	\$37.00
Dangerous Dog	\$500.00
Penalty for payment received after 1 August	\$20.00
Dog Impounding	
First impounding	\$50.00
Second impounding	\$65.00
Third impounding	\$125.00
Daily charge	\$16.00
After hours opening fee	\$50.00
Other Charges	
Walk-eez lead with poop bag	\$10.00
Microchipping	\$30.00
Replacement tags	\$5.00
Collars - Large	\$10.00
Collars - Small	\$8.00

Ranging Charges	Fee (incl GST)
Note: Pursuant to the Impounding Act 1955	
Staff attendance at incidents of stock on roads including State Highways (per hour)	\$200.00
Travel costs (per km)	\$1.00
Minimum charge	\$100.00

Impounding fees for stock (excluding dogs)	Fee (incl GST)
Note: Trespass rates shall be additional and as described in the Regulation to the Impounding Amendment Act 1980.	
Impounding for every animal per day	\$15.00
Sustenance for every animal per day	\$15.00
Notice to owner by post or delivery	\$15.00
Notice to owner by advertisement[s]	<i>At cost</i>
Transport to Pound [By transport operators or other]	<i>At cost</i>
Transport to Pound [By Council]	<i>At cost</i>
Transport to Pound [By droving]	<i>At cost</i>
Minimum charge for any impounding	\$150.00
Minimum Charge for second and subsequent impounding of stock from same owner - additional fee.	\$200.00

9.3 AMENDMENT TO SCHEDULE OF LIVESTOCK MOVEMENTS AND ANIMALS IN PUBLIC PLACES BYLAW 2008

File Number: COU1-1400

Author: Ross Munro, Land Transport Services Officer

Authoriser: Josh Lloyd, Group Manager - Community Infrastructure and Development

Attachments: 1. Livestock Movements and Animals in Public Places in Bylaw 2008 - proposed changes highlighted

PURPOSE

The purpose of this report is to seek approval from Council to make changes to Schedule 3 ("Conditions for the Temporary Grazing of Livestock On or Adjacent to a Road Berm") of the Livestock Movements and Animals in Public Places in Bylaw 2008.

RECOMMENDATION

That the proposed amendment to Schedule 3 ("Conditions for the Temporary Grazing of Livestock On or Adjacent to a Road Berm") of the Livestock Movements and Animals in Public Places in Bylaw 2008 is approved.

COMPLIANCE

Significance	This matter is assessed as being somewhat significant but does not trigger council's significance and engagement policy.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Amend the By Law to protect the Councils Road Corridor. 2. Leave the By Law as it is.
Affected persons	The persons who are affected by or interested in this matter are property owners who wish to graze the roadside.
Recommendation	This report recommends option 1; Amend the By Law to protect the Councils Road Corridor.
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

BACKGROUND

Schedule 3 (“Conditions for the Temporary Grazing of Livestock On or Adjacent to a Road Berm”) of the Livestock Movements and Animals in Public Places in Bylaw 2008 currently allows for stock to be permitted to graze the roadside with Council approval. This includes allowing for temporary fences to be put in place to keep stock secure and specifies that temporary fences must be constructed of certain materials to ensure there is no damage to roadside drains.

In recent years, Council has experienced an increase in the frequency of damage to the drainage, culverts and the road due to use of improper materials (e.g. waratahs). There has also been contamination of the drainage network.

PROPOSAL

The proposal is to amend three specific clauses in Schedule 3 (“Conditions for the Temporary Grazing of Livestock On or Adjacent to a Road Berm”) of the Bylaw. The current wording and proposed wording is set out below, with the proposed schedule appended to this report.

Current wording	Proposed wording
“Grazing of fettered stock is permitted throughout the District provided stock does not encroach within one (1) metre of the edge of the carriageway ”	“Grazing of fettered stock is permitted throughout the District provided stock does not encroach within half a metre of the edge of the water table / drain / invert, on the property side. ”
“Every part of the electric or temporary fence is to be located not less than one (1) metre , or any other distance specified by an authorised officer, from the edge of the carriageway. ”	“Every part of the electric or temporary fence is to be located not less than half a metre of the edge of the water table / drain / invert, on the property side. ”
“Standard 900mm reflectorised orange road marking cones will be placed beside the temporary electric fence, one (1) metre from the edge of the carriageway , at each end of the area being grazed while stock is on the road berm.”	“Standard 900m reflectorized orange road marking cones will be placed beside the temporary electric fence, half a metre of the edge of the water table / drain / invert, on the property side , at each end of the area being grazed while stock in on the road berm.”

This proposed change is more specific to where fences can be placed for stock to graze. This will ensure that there is no damage to roadside berms and drains from roadside grazing.

Please note that the Customer Experience Lead will be undertaking a more comprehensive review of Council Bylaws in the future. This will include reviewing the entirety of this Bylaw and proposing additional changes if appropriate.

NEXT STEPS

If approved, public notification of the change will be undertaken.



EXCERPTS FROM "CENTRAL HAWKES BAY DISTRICT COUNCIL

LIVESTOCK MOVEMENTS & ANIMALS IN PUBLIC PLACES

BYLAW 2008"

These excerpts cover the details pertaining to 'Livestock Roadside Grazing Permits' required for 'Livestock' Grazing etc.

512 GRAZING OF STOCK ON THE ROAD BERM

512.1 Stock grazing of road 'berm' areas within the District, for the purpose of clearing excess vegetation growth, is not permitted without prior permission having been obtained from an authorised officer.

The conditions set out in Schedule 3 of this Bylaw must be complied with in all instances of such grazing.

SCHEDULE 3

CONDITIONS FOR THE TEMPORARY GRAZING OF LIVESTOCK ON OR ADJACENT TO A ROAD BERM

Council may permit temporary casual grazing of the road berm only in circumstances where there will be no detrimental effect on the stability of the road, road safety or future maintenance. Grazing must not damage the existing water table / roadside drains or any roadside plantings and any damage done by such grazing may be repaired by Council at the offending grazer's expense.

In all instances where the road berm is to be used for grazing, prior permission MUST be gained from Council.

The Council permit may be authorised for a period of up to twelve (12) months.

Council permission may be revoked at any time if the conditions of this Schedule are not adhered to.

NOTE: [Council has no jurisdiction over State Highways and permits are required from Transit NZ before any use of the state highway road berm.]

In all cases such grazing is only permitted in the first instance by stock belonging to or in the charge of the adjoining property owner or occupier and, in any other instance, with the permission of the adjoining property owner or occupier.

Council may allow grazing of the road berm in the following three ways:

1. Grazing behind temporary electric fences providing all of the conditions listed in this Schedule are followed; and

2. Unfettered grazing is permitted by cattle and sheep providing they are kept under strict control at all times and kept away from roadside planting. Strict control requires, at the minimum, a physical presence at each end of the stock being grazed to warn motorists of the presence of the stock. 900mm reflectorised orange road marker cones shall also be used to warn road users of the presence of the people controlling the stock; and
3. Grazing of fettered stock is permitted throughout the District provided stock does not encroach within half a metre of the edge of the water table / drain / invert, on the property side.

Any of the grazing methods described above are not permitted to preclude such areas of road berm from being used for normal public access.

The following rules apply in all instances where Council road berm is used for casual grazing.

- Council gives no tenure to any land enclosed, and any fences must be removed as and when so required by Council.
- No temporary fences shall be erected so as to constitute a danger to any user of the carriageway, nor shall the same obstruct traffic or visibility.
- If grazing is being carried out behind electric fencing, all such fences shall be stock proof.
- Every part of the electric or temporary fence is to be located not less than half a metre, or any other distance specified by an authorised officer, from the edge of the water table / drain / invert, on the property side.
- Only approved 'plastic' type electric fencing standards are to be used. "Waratah" or similar metal and wooden standards are not permitted.
- All electric or other temporary fencing equipment is to be removed from the road berm when the grazing has been completed. For the purposes of this condition if stock is NOT to be grazed behind an erected temporary or electric fence for a period of two days or more, then the temporary or electric fence must be removed by the grazer.
- Where specified by Council, fencing standards are to be marked with reflecting tape.
- Standard 900mm reflectorized orange road marking cones will be placed beside the temporary electric fence, half a metre from the edge of the water table / drain / invert, on the property side at each end of the area being grazed while stock is on the road berm. If the area is longer than fifty (50) metres long orange cones must be placed at least each fifty (50) metres. The cones must be removed from the road berm when stock is not grazing, including, but not limited to, during the hours of darkness as set out in Section 502 of this Schedule.
- The grazer must satisfy himself as to the location of any underground cables i.e. phone / power, prior to pushing standards into the ground.

- The grazer will indemnify and keep indemnified Council against all costs, actions, claims, and demands, whatsoever arising out of or occasioned by the use of the road berm.
- All forms of grazing the road reserve shall be carried out **during daylight hours only** and all stock must be removed from the road or roadside at least half an hour before sunset and not allowed to return until at least half an hour after sunrise.
- In the case of unfettered grazing of the road berm visibility must be at least 150 metres in all circumstances e.g. in foggy conditions etc.
- The applicant shall comply with all statutory conditions under relevant Acts and Local Government Bylaws and any other Council policy.
- Any electric fence or any other fence that does not meet the conditions contained in this Schedule may be removed, or be required to be removed, immediately by an authorised officer. Such removal may be done without notice and at no cost to Council.
- Any stock found grazing the road berm in contravention of the conditions in this Schedule may be removed, or be required to be removed, immediately by an authorised officer. Such removal may be without notice and at no cost to Council.

9.4 HAWKES BAY LOCAL AUTHORITY SHARED SERVICES - PROPOSED CHANGE IN STRUCTURE

File Number: COU1-1400

Author: Monique Davidson, Chief Executive

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. HBLASS Limited Constiution

PURPOSE

The matter for consideration by the Council is to make a decision on a proposal to make the Hawke's Bay Local Authority Shared Services Limited (HBLAS) dormant in order to focus attention and resources on further collaboration and reduce compliance costs for all the councils.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

1. That the Council:
 - a) Agree HBLASS, as a legal entity will be dormant in the short term; with the ability for the legal entity able to be reactivated in the future.
 - b) Note that the dormant status of HBLASS is effective on receipt of agreement by all members of the Board.
 - c) Note that the decision on the dormant status of HBLASS will be determined by the majority of councils.
 - d) Note that each Council will continue its participation in a Collaborative approach that has proven effective in a pilot: Hawke's Bay Councils delivering Service and Value.
 - e) That the Councils approve the exemption of HBLASS from the Council Controlled Organisation requirements (Local Government Act Section 7(3))
 - f) Note that each Council will actively support shared and common goal setting, decision-making, resourcing including financial contribution, staff and communication.

COMPLIANCE

Significance	This matter is assessed as being of some importance.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Approve the recommendation to make dormant HB Local Authority Shared Services Limited. 2. Not approve the recommendation with HBLASS Limited to continue in its current form 3. Recommend that all shared services/collaboration activities cease immediately.

COMPLIANCE	
Affected persons	<p>The persons who are affected by or interested in this matter are</p> <p>Napier City Council</p> <p>Hastings District Council</p> <p>Wairoa District Council</p> <p>Hawke's Bay Regional Council</p> <p>Residents and Ratepayers of Central Hawke's Bay District Council</p>
Recommendation	This report recommends option 1 for addressing the matter.
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

EXECUTIVE SUMMARY

The purpose of this report is to obtain a decision from the Council on a proposal to make the Hawke's Bay Local Authority Shared Services Limited (HBLASS) dormant in order to focus attention and resources on further collaboration and reduce compliance costs for all the councils.

This proposal arises from a review of HBLASS undertaken in early 2017.

The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.

This report concludes by recommending HBLASS as a legal entity becomes dormant in the short term, and that Hawkes Bay Councils continue the process of Collaboration to deliver service and value but through a less formal structure.

BACKGROUND

Since 2012, when HBLASS was incorporated as a legal entity, there has been significant effort to identify functions and analyse opportunities for shared services and joint procurement across the Hawke's Bay Councils.

The effort and the results, through HBLASS have been focused largely on procurement and the development of shared IT services. HBLASS funded a Chairperson for IT shared services, minutes, and governance as well as selective consulting studies and plans. Because structural change and cost reduction are implicit in Shared Services, an "all in" model was met with resistance when timing and opportunities didn't align with councils direction at a particular point in time.

In early 2017, there was a review leading to a recommitment to HBLASS efforts with Collaboration as an approach to improving Hawke's Bay wide Service and Value.

The principles of Collaboration are:

- Discover who is doing what
- Connect with others that share the same objective

- Collaborate to deliver more for less.

Staff involved have delivered improved Service and Value across Hawke's Bay in the following areas:

- IT: Shared Infrastructure Services including Wide Area Network, Desktop and Web Services.
- GIS: Shared Aerial Photography.
- Training and Development: Common Requirements and Shared Onsite Training.
- Shared Internal Audit Services. Improved quality, value and efficiency.

Conversations have begun on the opportunities in open spaces and animal control for shared approaches to operations.

Significant opportunity exists to progress shared services across the region and widen the scope of tangible projects or services considered. .

SIGNIFICANCE AND ENGAGEMENT

The Board is comprised of the five Chief Executives of the Hawke's Bay Councils. All Chief Executives agree with the recommendation to make HBLASS Ltd company dormant and have approved a motion at their meeting on December 8, 2017.

Each Council is now being consulted with a recommendation to make the HBLASS company dormant. The Chief Executives intend to still refer to their activities and undertaking as a group as HBLASS, but not as a separate legal entity. The Councils are requested to provide a response to this proposal by the end of March 2018

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as of some importance because of the importance of shared services for the Hawke's Bay Region.

OPTIONS

The options available to Council are as follows:

- a) Approve the recommendation to make dormant HB Local Authority Shared Services Limited.
- b) Not approve the recommendation with HBLASS Limited to continue in its current form.
- c) Recommend that all shared service/collaboration activities cease immediately.

The option recommended in this report is to make dormant HB Local Authority Shared Services limited.

If this was to occur it is proposed that the Chief Executive (CE) Forum, will replace the HBLASS board structure with the same five Council CEs and independent chair – the function of HBLASS will continue but without the legislative requirements of operating a Company.

The CE Forum group is fully committed to working together focusing on improving Service and Value for the Hawke's Bay region through collaboration. The primary difference in the structure change is less time and resource spent on the requirements for an active Council-owned, legal entity and more focus on setting direction and enabling staff to achieve Service and Value. At the same time, the CE Forum provides an umbrella and common way of operating for the many collaborative initiatives across Hawke's Bay, beyond HBLASS.

The administrative function is also significantly reduced. A lead council would be identified to maintain a ledger with invoicing to each council to recover agreed and shared costs for the Collaboration Program and any project expenses.

To deactivate a councils-owned company requires the following steps to be undertaken:

- a) Obtain a special resolution of shareholders (in writing and signed) stating the shareholders agree to shelve the company.
- b) Pay final GST return to Inland Revenue (HBLASS is not registered for FBT but this would apply if it were).
- c) Make final pay-outs as determined by above resolution (if applicable) to clear the bank accounts.
- d) Close bank accounts with Westpac.
- e) Deregister for GST with Inland Revenue.
- f) File the final income tax return (IR4) for the tax year (includes company accounts up to the point when business ceased, but note this cannot be filed early and is due after the end of the financial year in which HBLASS closed).
- g) File the IR433 Non-Active Company Declaration form with Inland Revenue.

The HBLASS Limited legal entity can be reactivated in the future if business models, organisational; contract or procurement changes require a separate legal entity.

PREFERRED OPTION AND REASONS

The preferred option is option A, to make dormant HB Local Authority Shared Services limited.

Making the HBLASS legal entity dormant will result in a lower financial and administration burden to the councils while improving the focus to meet Service and Value outcomes.

As noted above during the review of HBLASS in 2017, LASS organizations around New Zealand were approached to share their experience. Success was linked directly with a collaborative approach. Other LASS organizations that have taken the traditional structural/cost reduction approach with services being operated and contracts run through the LASS are currently assessing the change to a collaborative approach for more robust and relevant solutions.

HBLASS has taken the initiative to test collaboration in the Hawke's Bay environment during 2017.

In order for further improvement, there must be greater engagement, client focus, leadership accountability and strengthening of a collaborative culture.

Financial

2. There will be residual funding from the current year's subscription, and it is proposed to transfer this to Napier City Council, where it will provide an accountability report. The residual fund will be to pay for the resources required to enable shared services across the region.

Social & Policy

Through the Collaboration pilot in 2017, there has been a significant interest shown by staff in the opportunities for improved Service and Value across Hawke's Bay that will contribute to the outcome of health and prosperity of the region.

Risk

The requirements of being a CCO will still need to be met if the Councils wish to continue with the Company in its current format, including the preparation of a Statement of Intent. This work has currently been put on hold, and if the resolutions are not approved by a majority of Council this work will need to recommence.

NEXT STEPS

If Council was to adopt the suggested recommendations, HBLASS would formally be advised of the resolutions.

The Chief Executive would then report back to Council and the Mayoral Forum on the progress of the CE Forum to enable shared services and collaboration across the region.

Recommended Option

This report recommends option 1 to approve the recommendation to make dormant HB Local Authority Shared Services Limited.

CONSTITUTION OF HB LASS LIMITED

13 December 2012

IRB-07-01-11-46

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CONSTITUTION OF HB LASS LIMITED

1. Interpretation

1.1 Definitions

In this Constitution, unless the context otherwise requires:

“Act” means the Companies Act 1993;

“Authority” means a local authority as provided for in the Local Government Act 2002;

“Company” means HB LASS Limited;

“Constitution” means this constitution as altered from time to time;

1.2 Construction

In this Constitution, unless the context otherwise requires:

- a. The headings appear as a matter of convenience and shall not affect the construction of this Constitution.
- b. In the absence of an express indication to the contrary, references to sections, clauses, schedules and paragraphs are to sections, clauses, schedules and paragraphs of this Constitution.
- c. A reference to any statute, statutory regulations or other statutory instrument as from time to time amended or re-enacted or substituted.
- d. The singular includes the plural and vice versa and one gender includes the other gender.
- e. The words “written” and “writing” include facsimile communications and any other means of communication resulting in permanent visible reproduction.
- f. Words or expressions defined in the Act have the same meaning in this Constitution.

2. Constitution and the Companies Act

The Company, the Board, each Director and each Shareholder have the rights, powers, duties and obligations set out in the Act except to the extent they are negated or modified by this Constitution.

3. Capacity of Company

3.1 Capacity

Subject to the Act and any other enactment and the general law the company shall have the capacity both within and outside New Zealand to carry on or undertake the following businesses or activities, to do the following acts and enter into the following transactions and no others:

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- a. To provide shared information collection, processing, administration, management and associated services to local authorities.
- b. To provide such services to other parties where the board is satisfied that the provision of such services benefits the ability of the company to enhance the efficiency and effectiveness of provision of those services by or on behalf of local authorities.
- c. Generally to do all acts, matters and things that the board considers necessary or conducive to further the undertaking of the transactions envisaged by paragraphs a. and b. in accordance with the Company's Statement of Intent.
- d. The Company has no power to carry on any other business or activity.

The Company will fulfil all its statutory obligations as a Council Controlled Organisation under the Local Government Act 2002.

3.2 Rights, powers and privileges

For the purposes of Clause 2 above and subject to the Act and any other enactment and the general law the company shall have full rights, powers and privileges.

4. Change of Name of Company

An application to change the name of the company may be made by a director of the company only if the application has been approved by an ordinary resolution of the shareholders.

5. Shares

5.1 Shareholders' rights and powers

No person apart from a shareholder shall be an entitled person in relation to the company.

5.2 Powers of shareholders

Except as required by the Act all powers reserved to shareholders may be exercised by an ordinary resolution.

5.3 Initial shares

The company is to issue at registration the following classes of shares:

Up to 5 Ordinary Shares for a consideration of \$1,000 per share with the rights conferred on shareholders by the Act to the following Authorities:

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Authority	Number of Shares
Hastings District Council	1
Napier City Council	1
Central Hawke's Bay District Council	1
Wairoa District Council	1
Hawke's Bay Regional Council	1

5.4 General rights of service shares

Subject to the approval of the ordinary Shareholders by Special Resolutions and to s.117 of the Act the Board may issue to local authorities which are to participate in a service or services to be provided by the company shares of a special class or classes and may prescribe the rights which are to attach to those shares. Those rights must not include voting rights.

6. Issue of Further Shares

6.1 Issuing of shares

The board may only issue further ordinary shares in the company if the issue has been approved by a special resolution of the ordinary shareholders.

The board may only issue other classes of shares in the company

- a. If the issue has been approved by a special resolution of the ordinary shareholders, and
- b. If the further shares are an issue of an existing Class of Service Shares, and the issue has been approved by a special resolution of the existing Class of Service Shareholders.

The provisions of this clause apply whether or not the shares to be issued rank in priority to, equally with, or after existing shares of that class.

6.2 Pre-emptive rights on issue of shares

The pre-emptive rights on the issue of shares contained in section 45 of the Act are hereby negated. Subject to the provisions of Clause 6.1, the board is expressly permitted to issue further shares at any time ranking as to voting or distribution rights or both equally with, or in priority to or after, shares already issued by the company.

6.3 Redeemable shares

Where the issue has been approved by special resolution of the ordinary shareholders the board may issue shares which are redeemable

- a. At the option of the company; or
- b. At the option of the holder of the share; or
- c. At a specified date;

for a consideration that is:

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- d. Specified; or
- e. To be calculated by reference to a formula; or
- f. Required to be fixed by a suitably qualified person who is not associated with or interested in the company.

7. Call on Shares

7.1 Board may make calls

The board may from time to time make such calls as it thinks fit upon the shareholders in respect of any monies unpaid on their shares and not by the conditions of issue thereof made payable at a fixed time or times, and each shareholder shall, subject to receiving at least 10 working days' written notice specifying the time or times and place of payment, pay to the company at the time or times and place so specified the amount called. A call may be revoked or postponed as the board may determine.

7.2 Timing of calls

A call may be made payable at such times and in such amount as the board may decide.

7.3 Liability of joint holders

The joint holders of a share shall be jointly and severally liable to pay all calls in respect thereof.

7.4 Interest

If a sum called in respect of a share is not paid before or on the time appointed for payment thereof, the shareholder from which the sum is due shall pay interest on that sum from the time appointed for payment thereof to the time of actual payment at such rate not exceeding ten percent (10%) per annum as the board may determine, but the board shall be at liberty to waive payment of that interest wholly or in part.

7.5 Instalments

Any sum which by the terms of issue of a share becomes payable on issue or at any fixed time shall for all purposes be deemed to be a call duly made and payable at the time at which by the terms of issue the same becomes payable, and in case of non-payment all the relevant provisions hereof relating to payment of interest and expenses, forfeiture or otherwise shall apply as if the sum had become payable by virtue of a call duly made and notified.

7.6 Differentiation as to amounts

The board may, on the issue of shares, differentiate between the holders as to the amount of calls to be paid and the times of payment.

7.7 Notice of default

If any shareholder liable therefore fails to pay any call or any instalment thereof at the time appointed for payment thereof, the board may at any time thereafter serve notice on such shareholder requiring payment of the monies unpaid together with any interest which may have accrued.

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7.8 Final payment date

The notice shall name a further day (not earlier than the expiry of 10 working days from the date of service of the notice) on or before which the payment required by the notice is to be made, and shall state that in the event of non-payment on or before the time appointed the shares in respect of which the money was owing will be liable to be forfeited.

7.9 Forfeiture

If the requirements of any such notice are not complied with, any share in respect of which the notice has been given may be forfeited at any time before the required payment has been made by a resolution of the board to that effect. Such forfeiture shall include all dividends and bonuses declared in respect of the forfeited share and not actually paid before the forfeiture.

7.10 Cancellation of forfeited shares

A forfeited share shall be acquired by the company and immediately cancelled in accordance with section 58 of the Act.

7.11 Cessation of shareholding

A shareholder whose share has been forfeited shall cease to be a shareholder in respect of the forfeited share, but shall, nevertheless, remain liable to pay to the company all money which, at the time of forfeiture, was payable by such authority to the company in respect of the share, but that liability shall cease if and when the company receives payment in full of all such money in respect of the share.

7.12 Evidence of forfeiture

A statutory declaration in writing declaring that the declarant is a director of the company and that a share in the company has been duly forfeited on a date stated in the declaration shall be conclusive evidence of the facts therein stated as against anyone claiming to be entitled to the share.

8. Transfer of Shares**8.1 Freedom to transfer is qualified**

Every change in the ownership of shares in the company shall be subject to the following limitations and restrictions:

- a. No share shall be sold or transferred by any shareholder that is an Authority unless and until the rights of pre-emption hereinafter conferred have been exhausted.
- b. No share shall be sold or transferred by any shareholder that is not an Authority unless the Board has approved the party that is to be the holder of the share.

8.2 Pre-emptive provisions applying to Authority Shareholders**a. Transfer notice and fair price**

Every Authority shareholder wanting to sell or transfer any share or shares shall give notice in writing to the board of the desire to sell or transfer such share or shares. If such notice includes several shares it shall not operate as if it were a separate notice in respect of each such share, and the

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proposing transferor shall be under no obligation to sell or transfer only some of the shares specified in such notice. Such notice shall be irrevocable and shall be deemed to appoint the board the proposing transferor's agent to sell such shares in one or more lots to any Authority shareholder or shareholders of the company holding that class of shares at a price to be agreed upon between the party giving such notice and the board or, failing agreement between them within 20 working days of the board receiving such notice, at a fair price to be determined on the application of either party by a person to be nominated by the President for the time being of the Institute of Chartered Accountants of New Zealand. Such person, when nominated, and in certifying the sum which in that person's opinion is the fair price for the share, shall be considered to be acting as an expert and not as an arbitrator and accordingly the Arbitration Act 1996 and any subsequent modifications or re-enactment thereof shall not apply.

b. Offer to shareholders and consequent sale

Upon the price for such shares being agreed or determined as aforesaid (as the case may be), the board shall forthwith give notice to each of the Authority shareholders holding that class of shares (other than the Authority wanting to sell or transfer such shares) stating the number and price of such shares and inviting each of the Authority shareholders to whom the notice is given to state in writing within two months from the date of the notice whether such shareholder is willing to purchase any and, if so, what maximum number of such shares. At the expiry of two months from the date of the notice the board shall apportion such shares among the Authority shareholders (if more than one) who have expressed a desire to purchase the same and as far as may be possible pro rata according to the number of shares already held by them respectively, or if there be only one such shareholder, the whole of such shares shall be sold to that Authority shareholder, provided, however, that no shareholder shall be obliged to take more than the maximum number of shares stated in that shareholder's response to such notice. Upon such apportionment being made or such one shareholder notifying such shareholder's willingness to purchase, as the case may be, the party wanting to sell or transfer such share or shares shall be bound, upon payment of the said price, to transfer such share or shares to the respective shareholders or shareholder who have or has agreed to purchase the same and, in default thereof, the board may receive and give a good discharge for the purchase money on behalf of the party wanting to sell and enter the name of the purchasers or purchaser in the share register as holder of such shares so purchased.

c. No Sale of shares not taken by shareholders

In the event of all such shares not being sold under the preceding subclause the party wanting to sell or transfer shall have no other rights to sell the shares not so sold and shall continue to hold them but that party may, at intervals of not less than 12 months, give a fresh notice to the Board under clause 8.2(a). The provisions of this clause 8.2 shall apply

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mutatis mutandis to each such notice. Nothing in this clause prohibits the Company from acquiring these shares in accordance with clause 10.

8.3 Reconstruction transactions

Any share may be transferred by an Authority shareholder to any Authority which is to substantially undertake the activities of the shareholder, and the restrictions contained in the preceding clauses hereof shall not apply to any transfer authorised by this subclause but every such transfer shall nevertheless be subject to the provisions of clause 8.4 hereof.

Any share may be transferred by a shareholder to a company which is in relation to such shareholder a holding company or a subsidiary company as defined in section 5 of the Act, and the restrictions contained in clause 8.1 hereof shall not apply to any transfer authorised by this subclause but every such transfer shall nevertheless be subject to the provisions of clause 8.4 hereof.

8.4 Board's right to refuse registration

Subject to compliance with the provisions of section 84 of the Act, the board may refuse or delay the registration of any transfer of any share to any Authority whether an existing shareholder or not:

- a. Required by law: if so required by law;
- b. Imposition of liability: if registration would impose on the transferee a liability to the company and the transferee has not signed the transfer;
- c. Failure to pay: if a holder of any such share has failed to pay on due date any amount payable thereon either in terms of the issue thereof or in accordance with the constitution (including any call made thereon);
- d. More than one class: if the transfer is in respect of more than one class of shares;
- e. Proof of ownership: if the transfer is not accompanied by such proof, as the board reasonably requires, of the right of the transferor to make the transfer;
- f. Pre-emptive rights: if the pre-emptive provisions contained in clause 8 hereof have not been complied with;
- g. Contrary to the interests of company: if the board acting in good faith decides in its sole discretion that registration of the transfer would not be in the best interests of the company and/or any of its shareholders.

9. Distributions

9.1 Authorising of distributions

Subject to the requirements of the Act the board may authorise a distribution by the company only where that distribution has been approved by an ordinary resolution of the shareholders.

9.2 Shares in lieu of dividends

Subject to the requirements of the Act the board may issue shares wholly or partly in lieu of a proposed dividend or proposed future dividends upon terms

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that have been previously approved by a special resolution of the shareholders.

9.3 Deduction of unpaid calls

The board may deduct from any dividend payable to any shareholder any sums of money, if any, presently payable by such shareholder to the company on account of calls or otherwise in relation to the shares on which such dividends are payable.

9.4 Payments by electronic funds transfer

Any dividend, interest or other money payable in respect of shares shall be paid by electronic funds transfer to the registered account of the holder.

9.5 No interest

No dividend shall bear interest against the company.

9.6 Unclaimed dividends

All dividends unclaimed for one year after having been authorised may be invested or otherwise made use of by the board for the benefit of the company until claimed, and all dividends unclaimed for five years after having been declared may be forfeited by the board for the benefit of the company. The board may, however, annul any such forfeiture and agree to pay a claimant who produces evidence of entitlement to the board's satisfaction of the amount due to such claimant unless the opinion of the board such payment would embarrass the company.

9.7 Dividends on shares not fully paid up

Subject to the rights of shareholders, if any, entitled to shares with special rights as to dividends, the board in authorising a distribution will determine the basis on which dividends will be paid on shares not fully paid up and may

- a. Either pay the dividend in full, or
- b. Pay the dividend in proportion to the amount paid to the company in satisfaction of the liability of the shareholder to the company in respect of the shares either under the constitution of the company or pursuant to the terms of issue of the shares. No amount paid or credited as paid on a share in advance of calls shall be treated for these purposes as paid on the share. All dividends shall be apportioned and paid proportionately to the amounts paid or credited as paid on the shares during any portion or portions of the period in respect of which the dividend is paid, but if any share is issued on terms providing that it shall rank for dividend as from a particular date that share shall rank for dividend accordingly.

10. Acquisition of company's own shares

For the purpose of sections 59 and 60(1)(b)(ii) of the Act, the company is hereby expressly authorised to purchase or otherwise acquire shares issued by it and, for the purpose of section 67A of the Act, the company is permitted to hold its own share.

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11. Management of Company

11.1 Management

The business and affairs of the company must be managed by, or under the direction or supervision of, the board.

11.2 Powers

The board has all the powers necessary for managing, and for directing and supervising the management of the business affairs of the company.

11.3 Resolutions not binding

Resolutions of shareholders under section 109 of the Act relating to the management of the company are not binding on the board.

12. Proceedings at Meetings of Shareholders

12.1 First Schedule modified

The First Schedule to the Act is modified as hereinafter provided.

12.2 Chairperson

Subclause 1(2) of Schedule 1 of the Act is deleted and replaced with the following:

“1(2) If any meeting of shareholders the chairperson of the board is not present within 15 minutes of the time appointed for the commencement of the meeting, the directors present shall elect one of their number to be chairperson of the meeting. If at any meeting no director is willing to act as chairperson, or if no director is present within 15 minutes of the time appointed for holding the meeting, the shareholders present shall choose one of their number to be chairperson of the meeting.”

12.3 Notice of meetings

Clause 2 of Schedule 1 of the Act is amended by deleting subclause (4) and replacing it with the following:

“(4) The chairperson may, and, if so directed by the meeting shall, adjourn the meeting from time to time and/or place to place, but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place. When a meeting is adjourned for thirty days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid, it shall not be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.”

12.4 Voting

Clause 5 of Schedule 1 of the Act is amended as follows by deleting subclause (7) and replacing it with the following:

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- “(7) In the case of an equality of votes, whether voting is by voice or show of hands or polls, the chairperson of the meeting shall be entitled to a second or casting vote.”

12.5 Proxies

Clause 6 of Schedule 1 of the Act is amended by deleting subclause (5) and replacing it with the following:

- “(10) The instrument appointing a proxy and a power of attorney or other authority, if any, under which it is signed or a notarially certified copy of that power or authority shall be deposited at the registered office of the company or at such other place within New Zealand as is specified for that purpose in the notice convening the meeting not less than 48 hours before the time for holding the meeting or adjourned meeting at which the person named in the instrument proposes to vote, and in default the instrument of proxy shall be treated as invalid.”

12.6 Postal votes

Clause 7 of the First Schedule to the Act providing for postal votes is deleted.

12.7 Resolutions in lieu of meeting

A shareholders' resolution in lieu of meeting authorised by section 122 of the Act may consist of several documents in like form, each signed by one or more shareholders. A facsimile of any such resolution shall be as valid and effectual as the original signed document with effect from completion of its transmission.

13. Appointment and Removal of Directors

13.1 Number of directors

The board shall consist of not less than three (3) and not more than nine (9) directors, of whom:

- a. One shall be the Chief Executive of the Hastings District Council;
- b. One shall be the Chief Executive of the Napier City Council;
- c. One shall be the Chief Executive of the Central Hawke's Bay District Council
- d. One shall be the Chief Executive of the Wairoa District Council
- e. One shall be the Chief Executive of the Hawke's Bay Regional Council
- f. One shall be appointed by the Directors whom shall be independent of the shareholders and whom shall be appointed Chairperson. It is expected that the Chairperson will have appropriate governance, commercial acumen and information management skills.
- g. Up to three additional directors may be appointed by the board; such appointee must have one or more of the following skills:
 - i. Specialist information technology skills;
 - ii. Specialist financial skills
 - iii. Specialist commercial skills; and
 - iv. Specialist entrepreneurial skills

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13.2 Extended definition

For the purposes of rule 13.1, a reference to a named Authority shall include any person or body for the time being entitled to and holding the shares of that Authority in accordance with this Constitution.

13.3 Appointment and removal

A body or person which is entitled to appoint a director pursuant to clause 13.1 may remove any director so appointed and appoint a replacement director.

13.4 Manner of appointment and removal

Any such appointment or removal shall be in writing and served on the company and signed by the body or person entitled to make the appointment or removal.

13.5 Default appointment

Where any vacancy on the board has the effect of reducing the number of directors below three (3), and if the body or person entitled to appoint a replacement director fails to do so within two (2) months of the date on which the vacancy occupied, the board may appoint a replacement director: but any such appointment shall only be made at a board meeting of which fourteen (14) days notice in writing has been given to each director and the body or person concerned, and approved by a majority of the directors present at the meeting.

13.6 Tenure of office

Each director of the company shall hold office until:

- a. Removal: removal in accordance with the constitution; or
- b. Vacation of office: vacation of office pursuant to section 157 of the Act; or
- c. Insolvency: an arrangement or composition with creditors made by him or her; or
- d. Absence from meetings: vacation of office resulting ipso facto from being absent without permission of the board from 3 consecutive meetings of the board; or
- e. Resignation: written notice of resignation to the address for service of the company.
- f. In the case of the independent director (13.1 f.) and additional directors (13.1 g.) for a period of three years from initial appointment. Provided that these directors may be appointed for additional periods that in any one case shall not exceed a cumulative total of nine (9) years.

14. Special Provisions Relating to Directors**14.1 Delegation**

Subject to section 130(1) of the Act, there are no restrictions on the ability of the board to delegate its powers other than the powers set out in the Second Schedule to the Act.

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14.2 Professional directors

Any director may act by himself or herself or his or her firm in a professional capacity for the company, and a director or firm shall be entitled to remuneration for professional services as if he or she were not a director provided that nothing herein contained shall authorise a director or his or her firm to act as auditor to the company.

14.3 Interests of joint venture company

For the purposes of section 131(4) of the Act each director of the company is, when exercising powers or performing duties as director in connection with the carrying out of the joint venture, hereby expressly permitted to act in a manner which he or she believes is in the best interests of the shareholder or shareholders which appointed the director, even though it may not be in the best interests of the company.

14.4 Interested directors

Subject to complying with section 140 of the Act and as provided in section 144 of the Act there are no restrictions on a director of the company who is interested in a transaction entered into or to be entered into by the company voting on a matter relating to the transaction, attending a meeting of directors at which a matter relating to the transaction arises and being included among the directors present at the meeting for the purpose of a quorum, signing a document relating to the transaction on behalf of the company and doing any other thing in his or her capacity as a director in relation to the transaction as if the director were not interested in the transaction.

15. Proceedings of Directors**15.1 Proceedings of the board**

The provisions of the Third Schedule to the Act are deleted and replaced as hereinafter provided.

15.2 Regulation of meetings, quorum and convening

The directors may meet together for the dispatch of business, adjourn and otherwise regulate their meetings as they think fit. The quorum necessary for the transaction of business by the board may be fixed by the board and, unless so fixed, shall be the majority of the board including not less than two shareholding Local Authority Directors. A director may, and an employee at the request of a director shall, at any time, by any means of communication, summon a meeting of the board.

15.3 Voting

Questions arising at any meeting of the board shall be decided by a majority of votes. In case of an equality of votes the chairperson shall have a second or casting vote, provided that, where two directors form a quorum and only two directors entitled to vote are present at a meeting, the chairperson of such meeting shall not have a second or casting vote. No business shall be transacted when a quorum is not present.

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15.4 Vacancies

The continuing directors may act notwithstanding any vacancy in their body, but if and so long as their number is reduced below the number necessary for a quorum, the continuing directors or director may act only for the purpose of increasing the number of directors to the number necessary for a quorum or for the purpose of summoning a special meeting of the company.

15.5 Chairperson

The Chairperson shall be the independent director appointed pursuant to Clause 13.1 f.. If at any meeting the chairperson is not present within five minutes after the time appointed for the meeting, the directors present may choose one of their number to be chairperson of the meeting.

15.6 Resolution in writing

A resolution in writing, signed by all the directors for the time being entitled to receive notice of a meeting of the board, shall be as valid and effectual as if it had been passed at a meeting of the board duly convened and held. Any such resolution may consist of several documents in like form, each signed by one or more directors. A facsimile of any such signed resolution shall be as valid and effectual as the original signed document with effect from completion of its transmission.

15.7 Method of meeting

A meeting of the board may be held either –

- a. By a number of the directors who constitute a quorum being assembled together at the place, date and time appointed for the meeting; or
- b. By means of audio, or audio and visual, communication by which all directors participating and constituting a quorum can simultaneously hear each other throughout the meeting.

15.8 Minutes

The board shall ensure that minutes are kept of all proceedings at meetings of the directors.

16. Directors' Indemnity and Remuneration**16.1 Indemnity authorised**

The company is hereby expressly authorised to indemnify and/or insure any director or employee against liability for acts or omissions and/or costs incurred in connection with claims relating thereto of the type specifically contemplated by subsections (3), (4) and (5) of section 162 of the Act to the maximum extent permitted by those subsections.

16.2 Directors' remuneration

Subject to section 161 the payment of remuneration or the provision of other benefits by the company to a director for services as a director or in any other capacity may only be authorised by ordinary resolution of shareholders.

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17. Notices

17.1 Service

A notice may be served by the company upon any director or shareholder either personally or by posting it by fast post in a prepaid envelope or package addressed to such director or shareholder at such person's last known address or by delivery to a document exchange or by facsimile to the facsimile telephone number of such director or shareholder.

17.2 Time of service by facsimile

A notice served by facsimile shall be deemed to have been served on the day following completion of transmission thereof.

17.3 Time of service by post

A notice sent by post or delivered to a document exchange shall be deemed to have been served:

(a) In New Zealand

In the case of a last known address in New Zealand, at the expiration of 48 hours after the envelope or package containing the same was duly posted or delivered in New Zealand; and

(b) Outside New Zealand

In the case of a last known address outside New Zealand, at the expiration of 7 days after the envelope or wrapper containing the same was duly posted by fast post in New Zealand.

17.4 Proof of service

In proving service by post or delivery to a document exchange it shall be sufficient to prove that the envelope or package containing the notice was properly addressed and posted or delivered with all attached postal or delivery charges paid. In proving service by facsimile, it shall be sufficient to prove that the document was properly addressed and sent by facsimile.

17.5 Service on joint holders

A notice may be given by the company to the joint holders of a share by giving the notice to the joint holder first named in the share register in respect of the share.

18. Liquidation

18.1 Distribution of surplus assets

Subject to the terms of issue of any shares in the company and to clause 18.2, upon the liquidation of the company the assets, if any, remaining after payment of the debts and liabilities of the company and the costs of winding-up ("the surplus assets") shall be distributed among the shareholders in proportion to their shareholding provided however that the holders of shares not fully paid up shall only receive a proportionate share of their entitlement being an amount which is in proportion to the amount paid to the company in satisfaction of the liability of the shareholder to the company in respect of the

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shares either under the constitution of the company or pursuant to the terms of issue of the shares.

18.2 Distribution in specie

Upon a liquidation of the company, the liquidator, with the sanction of an ordinary resolution of shareholders and any other sanction required by law, may divide amongst the shareholders in kind the whole or any part of the assets of the company (whether they consist of property of the same kind or not) and may for that purpose set such value as the liquidator deems fair upon any property to be divided as aforesaid and may determine how the division shall be carried out as between the shareholders or different classes of shareholder. The liquidator may, with the like sanction, vest the whole or any part of any such assets in trustees upon such trusts for the benefit of the shareholders as the liquidator thinks fit, but so that no shareholder shall be compelled to accept any shares or other securities whereon there is any liability.

19. Removal from the New Zealand Register

In the event that:

(a) Cessation of business

The company has ceased to carry on business, has discharged in full its liabilities to all its known creditors, and has distributed its surplus assets in accordance with its constitution and the Act; or

(b) No surplus assets

The company has no surplus assets after paying its debts in full or in part, and no creditor has applied to the Court under section 241 of the Act for an order putting the company into liquidation;

The board may in the prescribed form request the Registrar to remove the company from the New Zealand Register.

9.5 REPRESENTATION REVIEW PRE CONSULTATION

File Number: COU1-1400

Author: Leigh Collecutt, Governance and Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Representation Review Discussion Paper
2. Timeline for Representation Review

PURPOSE

The purpose of this report is to:

1. Update Council on the electoral system to be used for the next Central Hawke's Bay local body elections
2. Update Council on the timeline and process for the upcoming representation review

RECOMMENDATION

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

SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as being of some importance.

DISCUSSION

Council is required to review its representation arrangements in the lead up to the 2019 local government elections. This review requires the council to consult and make decisions on a number of matters including:

- The number of councillors there should be on Council
- Whether councillors should be elected by ward, the whole district or a combination of both
- Ward boundaries and names

Voting system

In conjunction with the representation review, the organisation needs to determine which voting system is to be used for the upcoming election. Although the voting system doesn't necessarily need to form part of the representation review, it does have a potential impact on representation arrangements.

In previous years, we have used the First Past the Post system (FPP) and our options were to either keep the status quo or change to the Single Transferable Vote (STV) system.

Under the provisions of the Local Electoral Act 2001, the electoral system can be changed either by resolution, or by demand that poll be undertaken.

Public notice was given in August 2017 informing the district that they had the right to demand a poll on the electoral system to be used at the next two elections.

There was no recorded response to this public notice. This means that the status quo will remain, and First Past the Post will be the voting system used for the next election.

Preliminary Consultation

Attachment 1 to this report is a discussion document which forms the preliminary consultation to the representation review. The feedback received from the district through this pre-consultation will inform the formal consultation which will take place later in the year.

Timeline

Attachment 2 is a timeline for the review which has been developed according to provisions set out in the Local Electoral Act 2001. This timeline is required to be observed in order to meet the obligations that council has under the act.

IMPLICATIONS ASSESSMENT

This report confirms that the matter concerned has no particular implications and has been dealt with in accordance with the Local Government Act 2002. Specifically:

- Council staff have delegated authority for any decisions made;
- Council staff have identified and assessed all reasonably practicable options for addressing the matter and considered the views and preferences of any interested or affected persons (including Māori), in proportion to the significance of the matter;
- Any decisions made will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- Any decisions made are consistent with the Council's plans and policies; and
- No decisions have been made that would alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or would transfer the ownership or control of a strategic asset to or from the Council.

NEXT STEPS

The pre-consultation period will open on Monday 16 April, with submissions closing on Monday 7 May 2018.

A public notice will appear in the Central Hawkes Bay Mail on Tuesday 15 April and the review will also be promoted on our website and other media channels. Printed copies of the discussion document will be available in our service centre and libraries.



Representation Review Discussion Paper

April 2018

CENTRAL HAWKE'S BAY DISTRICT COUNCIL



We want to know what you think about Governance arrangements in our district.



Number of Councillors

This review has to determine the number of Councillors required for effective representation of our communities. Legislation requires that Council is made up of between 5 and 29 Councillors plus the Mayor. Currently, Council is made up of eight Councillors (plus the Mayor).

- A change in the number of Councillors could mean that if wards were retained, the existing ward structure may have to change to ensure compliance with the $\pm 10\%$ rule. Regardless of the number of Councillors, the total amount paid to elected members in salaries will remain unchanged. The total level of remuneration for our elected members is set by the Remuneration Authority and would simply be split amongst more or less Councillors if Council's size changes. A higher remuneration for each Councillor may attract candidates to stand who would otherwise be unable to due to having inflexible employment.

How many Councillors do you think Council should be made up of?

The Mayor is elected by the whole district and the Councillors are elected from two wards: Aramoana/Ruahine (4 Councillors) and Rutaniwha (4 Councillors).

The current representation structure meets the legal requirements for the number of residents per councillor in each ward to be within $\pm 10\%$ of the number of residents per councillor in the district as a whole.

Method of Electing Councillors

At present, the Mayor is elected at-large (by the whole district) and Councillors are elected by ward. The district can choose whether to keep a ward system for electing Councillors, or to elect Councillors at-large. There is also the option of having a mix of the two systems.

In an election using wards, voters can only vote for the candidates standing in the ward in which they live. The number of Councillors in each ward depends on the number of people who live there. The principal reason for keeping a ward system is that it provides a Council with representatives from all 'communities of interest' within the district. This means that all areas of the district can have their concerns and opinions expressed around the Council table.

Under an at-large voting system Councillors are elected by the whole district, and voters are able to vote for the people they think are the best candidates, regardless of where they live. It can also be seen to remove any perceptions of parochialism from Council deliberations. At-large voting also removes the difficulties of defining ward boundaries to meet the $\pm 10\%$ rule at the same time as reflecting communities of interest.

A mixed system, where some Councillors are elected from wards and some at-large can be seen to provide a balance between representation of district wide interests and local concerns.

Do you think we should retain wards for electing our Councillors?

Ward Boundaries

If wards are retained, the number and boundaries wards will need to be confirmed. The current wards meet the legal requirements for the number of residents per councillor in each ward to be within $\pm 10\%$ of the number of residents per councillor in the district as a whole.

If wards are retained, what changes to ward boundaries, if any, do you think should be made?

What do you think?

Please tell us what you think by **Friday 7 May 2018**.

A feedback form covering the issues in this discussion paper is included. You can also submit online at www.chbdc.govt.nz, write to the Representation Review, Central Hawke's Bay District Council, P O Box 127, Waipawa 4240 or you can drop off your feedback at any Council service centre or library.

Your views will then be taken into account in the development of a formal statement of proposal for representation in the Central Hawke's Bay District. Formal consultation on this proposal will take place with the community between 10 July 2018 and 9 August 2018.

Representation Review Feedback Form

Have Your Say

This form has been provided to help you have your say about the representation arrangements in the Central Hawke's Bay District.

Your answers and comments will be presented to a Representation Review Committee to help them produce a formal Statement of Proposal to recommend to Council.

Please note that your feedback will be available to the public as part of Council's decision making process.

Submitters Name:

Postal Address:

1. How many Councillors do you think Council should be made up of? (please circle)

Less than 8

8 (Status Quo)

More than 8

Do you have any comments?

2. How do you think Councillors should be elected? (please circle)

By ward (Status Quo)

At-large (by the whole district)

A mix of ward and at-large

Do you have any comments?

3. If wards are retained, what changes (if any) to the current ward boundaries do you think are necessary?

Additional feedback/comments:

Thank you for completing this feedback form. Please use additional pages if required

To have your response included please return by 7 May 2018

Timeline for Representation Review 2018

Thursday 5 April	Preliminary consultation document to council.	
Monday 16 April – Monday 7 May	Preliminary consultation period.	
Thursday 17 May	Workshop pre consultation to create initial proposal	
Thursday 28 June	Resolution for adoption by council – on initial proposal for consultation	
Tuesday 10 July	Public notice of initial proposal	Must be within 14 days of making the resolution
Friday 9 August	Submissions close on initial proposal	Closure of submission must be no earlier than 1 month after the required public notice is given.
Thursday 23 August	Extraordinary Council meeting – representation review submission hearing	
4 or 11 September June	Public notice – revised (or re-confirmed) of final proposal	Public notice must be within 6 weeks of closing of submissions.
4 or 11 October	Last day for lodging appeals and objections	Last day must be no earlier than 1 month after the public notice
	No appeals or objections received – Proposal becomes the basis of election for the 2019 triennial election and continues in effect until a subsequent determination comes into effect.	
As soon as practicable after the close of the appeal period but not later than 15 January 2019	If appeals/objections received on the final proposal – Local authority must forward appeals, objections and other relevant material to the Local Government Commission.	
No later than 11 April 2019	Local Government Commission must make a determination which is final, comes into effect for the 2013 triennial election and may only be appealed on a point of law.	

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9.6 2018 LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING, CONFERENCE REMIT PROCESS

File Number: COU1-1400

Author: Leigh Collecutt, Governance and Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments:

1. Remit process memo dated 6 March 2018
2. Remit application form for LGNZ annual general meeting

PURPOSE

The purpose of this report is to advise on the process for submitting proposed remits for consideration at the Local Government New Zealand (LGNZ) Annual General Meeting (AGM)

RECOMMENDATION

That the 2018 Local Government New Zealand Annual General Meeting conference remit process be noted.

SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as being of some importance.

DISCUSSION

The Local Government New Zealand conference and AGM will be held in Christchurch from Sunday 15 July (AGM and conference opening) until Tuesday 18 July 2017. The Mayor and Chief Executive will attend the conference and meeting.

As part of the conference, all Councils have been invited to submit proposed remits for the AGM to be held on Sunday 15 July 2017. The deadline for submission has been announced as 21 May 2018 to enable the LGNZ remit screening committee to assess the remits against specific criteria.

Local Government New Zealand's remit policy dictates that remits should only relate to internal governance and constitution of Local Government New Zealand, and major strategic "issues of the moment".

Remits must have formal support from at least one zone or sector group meeting, or 5 councils, prior to their being submitted. The Remit Process and application form is attached.

As this report is to bring to Councils attention the process to be followed, so remits have been suggested. The Chief Executive is happy to take direction from Council should a formal remit want to be considered.

NEXT STEPS

At this stage, no further steps are planned.

MEMORANDUM**We are.
LGNZ.**

Date: 6 March 2018
To: Mayors, Chairs and Chief Executives
From: Malcolm Alexander, Chief Executive, Local Government New Zealand
Subject: **2018 Annual General Meeting Remit Process**

We invite member authorities wishing to submit proposed remits for consideration at the Local Government New Zealand Annual General Meeting (AGM) to be held on **Sunday 15 July 2018** in Christchurch, to do so no later than **5pm, Monday 21 May 2018**. Notice is being provided now to allow members of zones and sectors to gain the required support necessary for their remit (see point 3 below). The supporting councils do not have to come from the proposing council's zone or sector.

Proposed remits should be sent with the attached form. The full remit policy can be downloaded from the [LGNZ website](#).

Remit policy

Proposed remits, other than those relating to the internal governance and constitution of Local Government New Zealand, should address only major strategic "issues of the moment". They should have a national focus articulating a major interest or concern at the national political level.

The criteria for considering remits were reviewed in March 1999 and National Council adopted the following Remits Screening Policy:

1. Remits must be relevant to local government as a whole rather than exclusively relevant to a single zone or sector group or an individual council;
2. Remits should be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action;
3. Remits must have formal support from at least one zone or sector group meeting, or five councils, prior to their being submitted, in order for the proposer to assess support and clarity of the proposal;
4. Remits defeated at the AGM in two successive years will not be permitted to go forward;
5. Remits will be assessed to determine whether the matters raised can be actioned by alternative, and equally valid, means to achieve the desired outcome;
6. Remits that deal with issues or matters currently being actioned by Local Government New Zealand may also be declined on the grounds that the matters raised are "in-hand". This does not include remits that deal with the same issue but from a different point of view; and
7. Remits must be accompanied by background information and research to show that the matter warrants consideration by delegates. Such background should demonstrate the:
 - nature of the issue;
 - background to it being raised;

MEMORANDUM**We are.
LGNZ.**

- issue's relationship, if any, to the current Local Government New Zealand Business Plan and its objectives;
- level of work, if any, already undertaken on the issue by the proposer, and outcomes to date;
- resolution, outcome and comments of any zone or sector meetings which have discussed the issue; and
- suggested actions that could be taken by Local Government New Zealand should the remit be adopted.

Remit process

Local Government New Zealand will take the following steps to finalise remits for the 2017 AGM:

- all proposed remits and accompanying information must be forwarded to Local Government New Zealand no later than **5pm, Monday 21 May 2018**, to allow time for the remits committee to properly assess remits;
- a remit screening committee (comprising the President, Vice President and Chief Executive) will review and assess proposed remits against the criteria described in the above policy;
- prior to their assessment meeting, the remit screening committee will receive analysis from the Local Government New Zealand staff on each remit assessing each remit against the criteria outlined in the above policy;
- proposed remits that fail to meet specified criteria will be informed as soon as practicable of the committee's decision, alternative actions available, and the reasons behind the decision;
- proposers whose remits meet the criteria will be contacted as soon as practicable to arrange the logistics of presenting the remit to the AGM; and
- all accepted remits will be posted to the Local Government New Zealand website at least one month prior to the AGM.

To ensure quality preparation for members' consideration at the AGM, the committee will not consider or take forward proposed remits that do not meet this policy, or are received after **5pm, Monday 21 May 2018**.

General

Remits discussed at the AGM will be presented in the AGM Business Papers that will be distributed to delegates not later than two weeks before the AGM, as required by the Rules.

Should you require further clarification of the requirements regarding the remit process please contact Leanne Brockelbank on 04 924 1212 or leanne.brockelbank@lgnz.co.nz.

CG-14-1-00652

**We are.
LGNZ.****Annual General Meeting 2018****Remit application**

Council Proposing Remit:	
Contact Name:	
Phone:	
Email:	
Fax:	
Remit passed by: (Zone/Sector meeting and/or list five councils as per policy)	
Remit:	

Background information and research:

Please attach separately and include:

- nature of the issue;
- background to its being raised;
- new or confirming existing policy;
- how the issue relates to objectives in the current Work Programme;
- what work or action on the issue has been done on it, and the outcome;
- any existing relevant legislation, policy or practice;
- outcome of any prior discussion at a Zone or Sector meeting;
- evidence of support from Zone/Sector meeting or five councils; and
- suggested course of action envisaged.

Please forward to: Local Government New Zealand

Leanne Brockelbank, Deputy Chief Executive Operations

PO Box 1214, Wellington 6140

leanne.brockelbank@lgnz.co.nz**No later than 5pm, Monday 21 May 2018.**

9.7 COMMUNITY WELLBEING STRATEGY UPDATE**File Number:** COU1-1400**Author:** Christine Renata, Community Development Coordinator**Authoriser:** Doug Tate, Group Manager Customer and Community Partnerships

Attachments:

1. Positive Ageing Action Plan
2. Disability Action Plan
3. Safer Central Hawke's Bay Action Plan
4. Youth Action Plan

PURPOSE

The purpose of this report is to update Council on the Community Wellbeing Strategy and the development of the associated four Action Plans for implementation.

RECOMMENDATION

That, council endorses the four Action Plans associated with the Community Wellbeing Strategy for implementation.

COMPLIANCE

Significance	This matter does not trigger the Council's Significance and Engagement Policy.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <ol style="list-style-type: none"> 1. Adopt the four Action Plans associated with the Community Wellbeing Strategy for implementation; or 2. Request further amendments are made to the action plans by Officers.
Affected persons	The persons who are affected by or interested in this matter include the Chair and Committee of the Community Development Committee. This report will ultimately affect all people in Central Hawke's Bay.
Recommendation	This report recommends that Council Adopt the four Action Plans associated with the Community Wellbeing Strategy for implementation.
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

BACKGROUND

The Community Wellbeing Strategy was adopted by Council on Thursday 14 December 2017.

The associated four Action Plans were presented to the Community Development Committee on 8 February and amendments to the Positive Ageing Strategy and Youth Strategy being requested. These amendments have been made and the Youth, Positive Ageing, Disability Reference Group and Safer Central Hawke's Bay Action Plans being attached to this report for adoption.

The four actions plans provide a framework for Council and the community to progressively work together, to deliver the actions. The intent is that the implementation of the action plans will result in the achievement of goals for each area, relative to the Community Wellbeing Strategy.

OPTIONS

Option 1 Adopt the four Action Plans associated with the Community Wellbeing Strategy for implementation

a) Financial and Resourcing Implications
There is existing financial funding within the 2018 Draft Long Term Plan to provide for the implementation of the action plans. The implementation of the plan will be done in conjunction with the community, with Council and Officers taking an increased advocacy and facilitation role, rather than necessarily always directly funding initiatives.

b) Risk Analysis
There are risks to Council in the event the action plans are not adopted. Delaying the adoption of the actions plans could see any opportunities that arise in the immediate time lost. Not implementing the strategy in a timely manner could also see its overall perceived value and effectiveness reduced.

c) Alignment to Project Thrive and Community Outcomes

1. The Community Wellbeing strategy, supported by the actions plans for adoption, supports the achievement of seven key themes identified in the THRIVE consultation:

- 1. A proud district
- 2. A prosperous district
- 3. Strong Communities
- 4. Connected Citizens
- 5. Smart Growth
- 6. Nature Friendly
- 7. Durable infrastructure

2.

d) Statutory Responsibilities

Council has no specific statutory responsibilities to adhere to in the adoption of this resolution.

e) Consistency with Policies and Plans

The adoption of the action plans are consistent with the Community Wellbeing Strategy, already adopted by Council.

f) Participation by Māori

There are no particular considerations required for this decision.

g) Community Views and Preferences

The Community Wellbeing Strategy was well received by the many community and service groups during its development.

- h) Advantages and Disadvantages
Adopting the plans allows for implementation to begin, ultimately allowing for outcomes to be achieved for the community in a co-ordinated way. There are no obvious disadvantages.

Option 2 Request further amendments are made to the action plans by Officers.

- a) Financial and Resourcing Implications
If the action plans are not adopted, there is likely to be no co-ordinated approach to community funded initiatives.
- b) Risk Analysis
If the plans are further delayed from adoption or further significant change is required, it is possible that any community buy-in or ownership of the overall community wellbeing strategy could be lost.
- c) Promotion or Achievement of Community Outcomes
Delaying the implementation of the plan, defers the ability of Council to support the seven key themes identified in Thrive, which the Community Wellbeing strategy aims to deliver on.
- d) Statutory Responsibilities
Council has no specific statutory responsibilities to adhere to in the adoption of this resolution.
- e) Consistency with Policies and Plans
The action plans are directly founded from the Community Wellbeing Strategy. Significant variation from the strategy in the action plans is not recommended by Officers.
- f) Participation by Māori
There are no particular considerations required for this decision.
- g) Community Views and Preferences
The Community Wellbeing Strategy was well received by the community with many service and community groups during its development. Deferring or making significant amendment to the action plans are unlikely to be well-received by the community.
- h) Advantages and Disadvantages
There are no obvious advantages, with the main disadvantages being that the actions plans require further rework and that their implementation is not timely.

NEXT STEPS

In the event that Council endorses the four Action Plans associated with the Community Wellbeing Strategy for implementation, the outcome will be appropriately communicated with the community and priorities for implementation established.

APPENDICES

Positive Ageing Action Plan 2018-2020

Youth Action Plan 2018 - 2020

Safer Central Hawke's Bay Action Plan 2018-2020

Disability Reference Group Action Plan 2018- 2020



CENTRAL HAWKE'S BAY

Positive Ageing Action Plan 2018-2020



Central Hawke's Bay District Council Vision Statement

Our vision for Central Hawke's Bay is a proud and prosperous district made up of strong communities and connected people who respect and protect our environment and celebrate our beautiful part of New Zealand.

Central Hawke's Bay District Council Positive Ageing Vision

Central Hawke's Bay is a society where people can age positively, where older people are highly valued and where they are recognised as an integral part of families and communities. Central Hawke's Bay will be a positive place in which to age when older people can say that they live in a society that values them, acknowledges their contributions and encourages their participation.

Background

In October 2011 the Central Hawke's Bay District Council adopted the CHB Positive Ageing Strategy. This means that with the implementation of the strategy, Central Hawke's Bay aims to be recognised by residents and non-residents as a vibrant, inclusive society that embraces its senior population as a highly valued and integral part of the community and where people can age positively.

2013 census data shows that 20% of people in Central Hawkes Bay are 65 years and over, compared with 14.3% of the total New Zealand population. Central Hawkes Bay population projections show a predicted increase of residents over the age of 65. Thus it is important to look to the future, not only to anticipate areas of increased need, but also to create opportunities to enhance district wide social cohesion and well-being for our seniors.



2018	2028	2038
CHB population 13,840	CHB population 14,200	CHB population 14,550
Aged 65 or Over 2,800 or 20%	Aged 65 or Over 4,000 or 28%	Aged 65 or Over 4,455 or 30%

What strategies guide this action plan?

The New Zealand Positive Ageing Strategy was launched by the Office for Seniors in 2001 and provides a framework of ten positive ageing principles and ten goals to guide the development of initiatives and decisions to help our older generation have a positive living experience across New Zealand.

The goals of the New Zealand Positive Ageing Strategy are:

01	Income: Secure an adequate income for older people
02	Health: Equitable, timely, affordable and accessible health services for older people
03	Housing: Affordable and appropriate housing options for older people
04	Transport: Affordable and accessible transport options for older people
05	Ageing in the community: Older people feel safe and secure and can age in the community
06	Cultural diversity: A range of culturally appropriate services allow choices for older people
07	Rural services: Older people living in rural communities are not disadvantaged when accessing services
08	Positive attitudes: People of all ages have positive attitudes to ageing and older people
09	Employment opportunities: Elimination of ageism and the promotion of flexible work options
10	Personal growth and participation: Opportunities for personal growth and participation

What will council do to ensure that Central Hawke's Bay is a great place for older people to live?

To ensure the Central Hawke's Bay District Council plays its part in the achievement of the Positive Ageing Strategy objectives it has developed three policy goals and actions to achieve those goals.

In Central Hawke's Bay older people are valued, respected and included.	GOAL 1
ACTION	
<ul style="list-style-type: none"> Older people are involved in decision-making on issues that affect them. Quarterly seniors forum to ensure the needs of Central Hawkes Bay seniors are identified and effective policies are updated to benefit older people. Support activities and programmes that demonstrate the benefits of employing older people. Support activities that harness and celebrate the skills and knowledge that older people have to contribute. Older people are included in the LTP consultation process. Strive to keep rates increases to a minimum. Central Hawke's Bay is promoted as a great place to be old, including initiatives that will promote the image of older people and ensure a greater understanding and respect between the generations. Older people are supported to organize community events that they have identified as beneficial to their well-being. 	

<p>Central Hawke's Bay is a district that cares for the well-being of its older people.</p>	GOAL 2	<p>Central Hawke's Bay District provides appropriate services and facilities for its older people.</p>	GOAL 3
ACTION		ACTION	
<ul style="list-style-type: none"> • Encourage the integration of the services provided to our seniors. • Support the provision of social services to older people. • Advocate on behalf of the community for the continual improvement of health services in the district. • Support the provision of programmes that encourage older residents to keep themselves well such as recreational, educational and fitness programmes that encourage healthy lifestyles. • Advocate for a stronger police presence in coastal communities during the peak summer periods. • Liaise with CHB Community patrol for regular checking the property of senior citizens. • The current and future needs of senior disabled people are identified and advocated for. 		<ul style="list-style-type: none"> • Physical and social requirements of older people will be taken into account when providing council amenities and services, including work that is contracted out. • Provide a safe, well maintained network of footpaths that are suitable for pedestrians, wheelchairs and mobility scooters across the district. • Support development of CHB Older Peoples Information Network. • Advocate for a public transport system that is affordable and appropriate to the needs of older people. • Support the provision of a range of housing options for older people using Council's retirement accommodation as a benchmark model. 	

Council's role is to coordinate, advocate and facilitate Community Wellbeing initiatives, projects and strategy at a local level.

Council's interaction with government and non-government agencies that work with those living with a disability ensures strong connections across the sector, enabling good development across the district. This in turn acts as a way of improving the wellbeing of our community as a whole.





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PO Box 127, Waipawa, 4240
Tel: 06 8578 060, Fax 06 8577 170,
Web: www.chbdc.govt.nz



CENTRAL HAWKE'S BAY

Disability Reference Group Action Plan 2018-2020



Central Hawke's Bay District Council Vision Statement

Our vision for Central Hawke's Bay is a proud and prosperous district made up of strong communities and connected people who respect and protect our environment and celebrate our beautiful part of New Zealand.

Central Hawke's Bay District Council Disability Reference Group Vision Statement

Central Hawkes Bay is fully accessible for all people.

Background

While we know that a proportion of our community have some level of impairment, official statistics on this at a territorial authority level are difficult to find.

In 2013, 24 percent of the New Zealand population were identified as disabled, a total of 1.1 million people. Figures for the Gisborne/Hawke's Bay regions for 2013 show that 46,000 or 23% of the population live with a disability.

People aged 65 or over were much more likely to be disabled (59 percent) than adults under 65 years (21 percent) or children under 15 years (11 percent).

For adults, physical limitations were the most common type of impairment. Eighteen percent of people aged 15 or over, or 64 percent of disabled adults, were physically impaired. The most common cause of disability for adults was disease or illness (42 percent).

For children, learning difficulty was the most common impairment type. Six percent of children, or 52 percent of disabled children, had difficulty learning. For children, the most common cause of disability was a condition that existed at birth (49 percent).

Just over half of all disabled people (53 percent) had more than one type of impairment.

What strategies guide this action plan?

New Zealand is a signatory to the United Nations Convention on the Rights of Person with Disabilities and Council has used this document to guide this Action Plan.

In addition, Council also referred to the New Zealand Disability Strategy 2001 which guides government action and promotes a more inclusive society. The Strategy acknowledges that local authorities have a significant impact on the lives of disabled people by the decisions they make.

Disability Strategies from other territorial authorities were also used as a source of valuable information.

What will Council do to ensure that central Hawke's Bay is fully accessible for all people?

Central Hawke's Bay District Council recognizes that it has an important role to play in enabling and supporting people with disabilities to fully participate in their community.

The Central Hawke's Bay District Council undertakes to work in partnership with businesses, disability service providers, community groups and people living with a disability in the Central Hawke's Bay community.

What are the current issues for people with disabilities in Central Hawke's Bay?

- Access and safety on public areas, walkways, pathways and cycleways.
- Access to information and disability support.
- Physical access to businesses, shops and public buildings.
- Access to hospital and medical facilities, including after hours.
- Lack of public transport between Waipukurau and Waipawa.
- Visibility of buildings and clearer signage.
- Lack of facilities for disabled people.
- Limited funding for non-government groups and other support organisations.

People with disabilities in Central Hawke's Bay will have improved access to public places and spaces.

GOAL 1

ACTION

- People are encouraged to submit issues that need fixing to Council.
- People are encouraged to submit proposals on improvements of council owned facilities and spaces.
- Council laws relating to access are continually enforced.
- Council officers consult with stakeholder groups when undertaking new projects in the district.
- Council offices are audited for accessibility and area for improvement noted.
- Public facilities and spaces are audited for accessibility and areas for improvement noted and fixed when possible.
- Strategies and policies include disability specific content where appropriate, including links to the Disability Action plan.

People with disabilities in Central Hawke's Bay will have easy access to information and support.

GOAL 2

ACTION

- Council communications and publications are accessible at all Council Offices and Service Centres and Libraries (eg height of shelving).
- Communication pathways are strengthened to ensure people with disabilities receive information about services available in the district.

Sector agencies and organisations are supported, and Council advocates to Central Government on behalf of local issues.

GOAL 3

ACTION

- Council is an active participant of Disability Reference Group meetings.
- Iwi are engaged with to discuss issues for Maori disabled people.
- Council will advocate on issues affecting those living with disabilities in Central Hawke's Bay.
- Council will support sector groups and organisations in lobbying for funding for Central Hawkes Bay residents.

Council's role is to coordinate, advocate and facilitate Community Wellbeing initiatives, projects and strategy at a local level.

Council's interaction with government and non-government agencies that work with those living with a disability ensures strong connections across the sector, enabling good development across the district. This in turn acts as a way of improving the wellbeing of our community as a whole.





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CENTRAL HAWKE'S BAY

Safer Central Hawke's Bay Action Plan 2018-2020



Central Hawke's Bay District Council Vision Statement

Our vision for Central Hawke's Bay is a proud and prosperous district made up of strong communities and connected people who respect and protect our environment and celebrate our beautiful part of New Zealand.

Central Hawke's Bay District Council Safer Central Hawke's Bay Vision Statement

Central Hawke's Bay – A Safer Place To Be.

Background

Safe Communities is a World health Organisation (WHO) endorsed concept that recognises safety as a universal concern and a responsibility for all.

The Safe Communities model creates an infrastructure in local communities to increase action on injury prevention and safety promotion through the building of local partnerships. Over 50% of people now reside in an accredited Safer Community.

The Safer Communities Foundation of New Zealand provides support and inspiration for communities to utilise the Safe Communities model to create safer environments and increase the adoption of safer behaviours through building their capacity to achieve international best practice in community safety and Safe Community Accreditation.

Central Hawkes Bay District became an accredited Safe Community in June 2012 and the Safer CHB coalition is made up of 26 partner organisations who annually sign a Memorandum of Commitment that outlines the optimum level of engagement and collaboration for the partners. Operationally, the Safer CHB partnership coordination sits with the Community Development Coordinator at the Central Hawke's Bay District Council.

At a regional level collaboration between the Territorial Authorities and their respective partnerships remains strong. A Hawkes' Bay Regional Safe Communities group consisting of Safe Community coordinators from Napier City Council, Hastings District Council, Wairoa District Council and Central Hawke's Bay District Council, ACC and the HB DHB meet regularly to share ideas, support each other and advocate at a regional level.

Each year Safer CHB completes a Self-Assessment Survey which examines the success of the coalition in terms of collaboration by measuring its synergy. In particular it looks at leadership, administration and management, non-financial resources, satisfaction with participation and adoption of safer practices and environments by members of the community.

What strategies guide this action plan?

The Safe Communities Foundation of New Zealand Strategic Plan sets the direction and focus through to 2020.

The underpinning values of the strategy are:

- Honesty, respect and integrity.
- Embrace diversity (understanding) and accepting the differences in structure of each community.
- Participation and partnerships - collaboration is the heart of what we do - this is the strength of the community safety model.
- Strength - our work is based on local and internationally recognised accreditation criteria and evidence.
- Evidence-based approach to setting priorities, designing implementable and scalable solutions, and evaluating impact.
- Flexibility and choice underpins our support for communities, through being nationally led, but community delivered.
- We embrace innovation to achieve the best level of support for communities.

With four strategic priority areas of focus:

1. Help communities identify high risk injury areas (focus on what is important).
2. Mentoring to create effective coordination of community efforts.
3. Support communities in mobilising actions through increasing capacity and capabilities.
4. Assess communities to demonstrate contribution in reducing injury.

The Safer Central Hawkes Bay Strategy is underpinned by the following principles and values:

PRINCIPLES

- Safety is as fundamental human right.
- Safety is a shared responsibility.
- Safety is an attainable aspiration.

VALUES

- Collaboration and coordination for collective action to have stronger impact.
- Results – use best data available to evaluate whether people are safer.
- Gathering and sharing information on injury trends, priorities and programmes.
- Commitment and motivation to promote safety within organisations and throughout the community.
- Advocacy with an equity lens – bringing an awareness of the needs of vulnerable and marginalised groups in our community.
- Sustainability – community ownership and leadership.

What will Council do to ensure that Central Hawke's Bay is a safe place to be?

Central Hawke's Bay District Council plays an integral part in the achievement of the Safer Central Hawke's Bay Strategy objectives by providing resourcing for the coordination role of the Safe Communities coalition.

Council also endorsed and supports the Safer Central Hawke's Bay Coalition goals for 2017-2020 and its workstream objectives as set out below.

Coalition Goals 2017-2020

- Find ways to enhance communication with the wider community
- Strengthen the financial sustainability of Safer Central Hawke's Bay
- Gather, use and share the best available data around community safety and wellbeing
- Continue lobbying for better population level data that is easy to obtain
- Listen and respond to the needs of our community

Safer Homes – Falls Prevention

ACTION	OUTCOME
DIY Ladder day.	Reduced falls from ladders in the home.
Porangahau Safe Homes Project NZ Fire Service and Red Cross.	Reduced falls at home in the Porangahau community.

Strategic Alignment: Hawke's Bay Housing Coalition Strategy, ACC Community Strategies, Falls and Fractures (DHB); NZ Fire Service Community strategy.

Safer Homes – Fire Prevention

ACTION	OUTCOME
CHB Home Fire Safety Check & Smoke Alarm Installation Project.	Reduction in house fires in Central Hawke's Bay.
Smoke Alarms Promotions at Mitre 10.	Increase the purchase of 10 year Smoke Alarms during the months of March and September around the National campaign Check your Smoke Alarm during daylight saving.

Strategic Alignment: Hawke's Bay Housing Coalition Strategy, NZ Fire Service Statement of Strategic Direction

Safer Homes – Street by Street

ACTION	OUTCOME
A collaborative initiative with injury and crime prevention messaging. Involves community engagement of residents in	More connected communities where people know their neighbours, and have a greater awareness of support services

the identified street or community.

available.

Safer Homes – Emergency Preparedness

ACTION	OUTCOME
Encourage and support communities to plan and prepare in the event of a civil defence emergency.	Safer Central Hawke's Bay supports the development of community resilience plans across 27 Central Hawke's Bay communities.

Strategic Alignment: Civil Defence National Emergency Management Strategy

Safer People – Family Violence

ACTION	OUTCOME
"It's not OK" Campaign – passive message (signs, yellow cards, resources in the community).	Reduce the harm caused by Family Violence. Creating awareness in community to reinforce message that family violence "Is Not OK".
Events – awareness raising at a variety of venues – CBD Boulevard Day; CHB Show; CHB The Festival, Matariki, Street by Street; Media coverage.	Building safety for victims of Family Violence by increased awareness and access to information. Community members are educated and aware of how to access support.

Strategic Plan Alignment: Police – Prevention First Strategy.

Safer People – Community Resilience and Wellbeing – rural community focus

ACTION	OUTCOME
General Awareness Training workshops offered. Stage 2 Connector training offered.	Reduction in the number of suicides in rural Central Hawke's Bay (target – zero).
Information sharing – Suicide prevention services in CHB.	Increased awareness and access to information.
Obtain and analyse data on suicide attempts in CHB.	Better understand the issue.
Identify and work with existing stakeholders in the rural sector to strengthen prevention approach for	Rural residents are informed and have access to information.

rural depression and suicide.

Strategic Plan Alignment: New Zealand Suicide Prevention Strategy 2016 – 2026, HBDHB Postvention Strategy.

Safer People – Youth Development

ACTION	OUTCOME
Promotion of messages by the Youth Council.	Young people in Central Hawke's Bay are well informed Young people are supported and valued by being heard and given opportunities.
Events/initiatives – developed and delivered for young people.	Young people in Central Hawke's Bay are engaged.
Driver Licencing promotion for young people.	Improved licencing statistics Reduction in unlicensed driver convictions.

Print and deliver a Central Hawke's Bay Parent Pack - Tools for The Teenage Years.

Strategic Plan Alignment: Youth Development Strategy Aotearoa, CHB Youth Strategy

Safer People – Positive Ageing

ACTION	OUTCOME
Plan and deliver the Positive Ageing Expo – celebrating the older person (every 2nd Year).	Engaged and informed older people.
Collate and share information on the services for older people. Investigate methods of getting this information to the target group.	Older people are aware of what support and connections are available to them.
Produce Positive Ageing newsletter – incorporating all older adult organisations Plan and deliver public forums for this target group.	Active, targeted communication with older people.

Strategic Plan Alignment: NZ Positive Ageing Strategy, CHB Positive Ageing Strategy; ACC/DHB Falls Prevention Business Case

Safer People – Road Safety

ACTION	OUTCOME
Address the road safety issue of Fatigue (a moderate priority). Deliver a project that raises awareness	Reduced road accidents in Central Hawke's Bay.
Deliver a collaborative project in Central Hawke's Bay focusing on child restraints	Increased use of child restraints

Strategic Plan Alignment: CHB Alcohol Scoping Project 2016; RoadSafe HB – Plan; Safer Journeys Strategic Plan, RSAP– 2016; Plunket

Alcohol and other drugs and social isolation are contributing factors across all area of focus. Although numbers are relatively small, farm safety and water safety appear as areas of concern for Safer Central Hawke's Bay. Community activities and promotions on these issues will happen at appropriate times. Safer Central Hawke's Bay will support groups who are providing programmes and services in these areas.

Council's role is to coordinate, advocate and facilitate Community Wellbeing initiatives, projects and strategy at a local level.

Council's interaction with government and non-government agencies that work with those living with a disability ensures strong connections across the sector, enabling good development across the district. This in turn acts as a way of improving the wellbeing of our community as a whole.





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CENTRAL HAWKE'S BAY

Youth Action Plan 2018-2020



Central Hawke's Bay District Council

Vision Statement

Our vision for Central Hawke's Bay is a proud and prosperous district made up of strong communities and connected people who respect and protect our environment and celebrate our beautiful part of New Zealand.

Central Hawke's Bay District Council

Youth Vision Statement

Central Hawke's Bay young people are supported and valued by being heard and given opportunities within a safe and healthy community.

Background

In June 2013 the Central Hawke's Bay District Council adopted the CHB Youth Strategy.

The strategy acknowledges that youth are a unique demographic with different needs and aspirations compared to the very young or older people in our community. The Central Hawke's Bay district will rely on youth to carry the community forward and into the future. Investment into their social, economic, environmental and cultural wellbeing is of benefit to the entire community. The strategy reflects the intent of the Central Hawke's Bay District Council, youth providers and the young people of Central Hawke's Bay to work together in a coordinated and collaborative way.

The Ministry of Youth Development defines youth as being between the ages of 12 and 24 years. While this definition for the term 'Youth' is adopted by Central Hawke's Bay District Council, it is recognised that our young people also include those aged 0-11. 2013 census data shows that 3,909 or 30% of people in Central Hawke's Bay are aged under-24 years.



YOUNG PEOPLE AGED 24 YEARS AND UNDER

Male	Female
2,028	1,881



ETHNICITY OF YOUNG PEOPLE

European	New Zealand Maori	Other
1,781	1,365	763

What strategies guide this action plan?

The Youth Development Strategy Aotearoa was launched by the Ministry of Youth Development in 2002 and provides a framework of ten positive ageing principles and ten goals to guide the development of initiatives and decisions to help our older generation have a positive living experience across New Zealand.

The goals of the Youth Development Strategy Aotearoa are:

STRENGTH-BASED APPROACH	GOAL 1
Ensuring a consistent strengths-based youth development approach.	
QUALITY RELATIONSHIPS	GOAL 2
Developing skilled people to work with young people.	
YOUTH PARTICIPATION	GOAL 3
Creating opportunities for young people to actively participate and engaged.	
AN INFORMED APPROACH	GOAL 4
Building knowledge about youth development through information and research.	

The Central Hawkes Bay District Council's Youth Strategy is underpinned by the following values:

1. Opportunity
2. Whanau
3. Acceptance
4. Connectivity
5. Choice
6. Belonging
7. Self-expression
8. Creativity
9. Role modelling

What will Council do to ensure that Central Hawke's Bay is a great place for youth to live?

To ensure the Central Hawke's Bay District Council plays its part in the achievement of the Youth Strategy objectives it has developed three policy goals and actions to achieve those goals.

In Central Hawke's Bay young people are valued, respected and included.	GOAL 1
ACTION	
<ul style="list-style-type: none"> • Support INSPIRE Youth Council. • Ensure that young people have opportunities to have their say on key council projects and decision making which affect young people's lives. • Ensure good communication is maintained between the youth council and council. • Ensure that the INSPIRE Youth Council is fully supported with the ability to support other youth groups. • Support mentoring programme for youth council members to assist with increased confidence, skills and communication. • Celebrate the achievements of our young people. 	
Central Hawke's Bay is a district that cares for the wellbeing of its young people.	GOAL 2
ACTION	
<ul style="list-style-type: none"> • Support the provision of programmes that encourage young people to keep themselves healthy and well, such as recreational, educational and fitness programmes that encourage healthy and active lifestyles. • Support activities and programmes that demonstrate the benefits of employing young people. • Ensure young people are given the opportunities to be fully engaged in education, training and/or employment. 	

Central Hawke's Bay provides appropriate services and facilities for its young people.

GOAL 3

ACTION

- Ensure spaces and places young people gather in and the routes young people use to get around in the district are safe and accessible.
- Advocate for the young person on relevant services; health, public transport, etc.
- Encourage organisations working with young people to work together.
- Work with Government and non-Government organisations to ensure good provision of services for young people across the district.
- Investigate youth spaces in our community, places where young people feel safer and supported.

Central Hawke's Bay supports, mentors and celebrates young people and their achievements.

GOAL 4

ACTION

- Participate in Mayors Taskforce for Jobs
- Participate in Tuia programme
- Support the celebration of inspiring stories and achievements of young people
- Support events that facilitate pathways to education and employment for young people eg Employment Exps's

Council's role is to coordinate, advocate and facilitate Community Wellbeing initiatives, projects and strategy at a local level.

Council's interaction with government and non-government agencies that work with young people ensures strong connections across the sector, enabling good youth development across the district. This in turn acts as a way of improving the wellbeing of our community as a whole.





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PO Box 127, Waipawa, 4240
Tel: 06 8578 060, Fax 06 8577 170,
Web: www.chbdc.govt.nz

9.8 APPOINTMENT OF COUNCIL REPRESENTATIVE - CHB DISTRICT COMMUNITY TRUST

File Number: COU1-1400
Author: Nicola McKay, Executive Assistant
Authoriser: Monique Davidson, Chief Executive
Attachments: Nil

PURPOSE

The purpose of this report is for Council to determine its process for the appointment of the Council representative on the CHB District Community Trust.

RECOMMENDATION

That having considered all matters raised in the report:

- **That this report be received.**
- **That Council approves the process and appoints Her Worship the Mayor and Councillor (Insert Name) to lead the process and report back to Council with a recommendation.**

COMPLIANCE

Significance	This matter is assessed as being of some importance.
Options	This report recommends a process for the appointment of Council's representative on the CHB Community Trust.
Affected persons	The persons who are affected by or interested in this matter are: <ul style="list-style-type: none">• CHB Community Trust• Ratepayers and Residents of Central Hawke's Bay
Long-Term Plan / Annual Plan Implications	No
Significant Policy and Plan Inconsistencies	No

EXECUTIVE SUMMARY

As a result of Mr Martin Rockel retiring from his role as a Council appointed trustee of the CHB District Community Trust, Council needs to consider the appointment of another Council Representative to the Trust. This report seeks to have Council confirm the process for this appointment.

BACKGROUND

The CHB District Community Trust was initially set up to fundraise for the Heated Pool in Waipukurau. They went onto build the pool and then added a Stadium and Fitness Centre, now called the AW Parsons Heated Pool Complex. As the AW Parsons Heated Pool Complex and currently developed Multi turf sits on Council Reserve, we have two Council representatives on the Trust.

RECCOMENDED APPROACH

Historically this role has been selected without any formal process. The intention is to publically seek expressions of interest for this role. A copy of the intended advertisement is as follows:

3. *Central Hawkes Bay District Council is seeking expressions of interest from suitably experienced candidates to be Council's representative on the CHB Community Trust. Council would be seeking to appoint the preferred candidate for a 3 year term.*

4.

In accordance with Council policy, a Trustee should, as a minimum, have the following skills:

- *An understanding of governance issues;*
- *either business experience or other experience that is relevant to the activities of the Trust;*
- *sound judgement;*
- *a high standard of personal integrity;*
- *Ability to work as a member of a team.*

5.

Council is also looking for someone with:

- *Experience or knowledge directly relevant to the diverse range of functions required of the CHB District Community Trust.*
- *Business acumen backed up by enthusiasm, energy and new ideas*
- *A demonstrated commitment to the Central Hawke's Bay District.*

6.

Candidates wishing to put forward an expression of interest should write a letter outlining why they wish to be a Trustee representing Council, and an explanation of the skills above. Candidates may wish to enclose their CV.

Expressions of Interest close on XX of XX 2018 and should be addressed to the Governance and Support Officer, PO Box 127, Waipawa 4240. Alternatively they can be emailed to leigh.collecutt@chbdc.govt.nz. If you have any questions please contact Council on (06) 8578060.

On receipt of expressions of interest, the subcommittee, made up of two elected members will conduct an interview. The subcommittee will then make a recommendation to Council.

Her Worship the Mayor supports the option recommended.

OPTIONS

- a) Financial and Resourcing Implications
The recommended option does not have any financial implications. The role of the Council representative on the Trust is a voluntary position. The resources required to follow this process, are within budget.
- b) Risk Analysis
The recommended option proposed reduces the risk of the perception not following a public process.
- c) Alignment to Project Thrive and Community Outcomes

The recommended option supports the strategic intent of delivering customer excellence, which includes enhanced levels of communication and transparency.

- d) Statutory Responsibilities
There are no specific statutory responsibilities in relation to this process.
- e) Consistency with Policies and Plans
Council does not currently have a formal policy regarding the process to appoint representatives for council on community organisations; this will be addressed in the future.
- f) Participation by Māori
There are not specific effects for Maori for this matter.
- g) Community Views and Preferences
Community views or preferences have not been sought on this matter.
- h) Advantages and Disadvantages
The key advantage to this option is that Council is following a transparent process and seeking interest from the wider public.

NEXT STEPS

Council Officers will support the subcommittee in the advertising and internal processes of Councils appointment and Councils recommendation.

In addition officers will continue to liaise with the CHB District Community Trust to provide support where applicable.

A report will return to Council with a recommendation on appointment.

9.9 WASTE WATER PROJECT TERMS OF REFERENCE**File Number:** COU1-1400**Author:** Josh Lloyd, Group Manager - Community Infrastructure and Development**Authoriser:** Monique Davidson, Chief Executive**Attachments:** 1. Waste Water Project Terms of Reference**PURPOSE**

The purpose of this report is to seek approval from Council on the adoption of the Terms of Reference for the project that will seek a fit for purpose solution for the Waipawa and Waipukurau waste water treatment plants, and to look wider at CHBDCs waste water networks and treatment processes.

RECOMMENDATION

That, having considered all matters raised in the report Council resolves:

That the Terms of Reference for the Waipawa and Waipukurau Waste Water Project be approved.

That Council supports the establishment of a Wastewater Project Reference Group to work with management in seeking a solution.

That the Chair of the Environment and Regulatory Committee and Chair of Finance and Planning Committee sit on the Wastewater Project Reference Group

That progress reporting on this project is reported back to the Environment and Regulatory Committee on a regular basis.

That Council note no decision on a solution or funding of that solution will be done first without formal consultation with the community and decision by Council.

SIGNIFICANCE AND ENGAGEMENT

This report is provided to seek a decision from Council on the adoption of the Terms of Reference. The report has been assessed as being of some importance, but does not trigger Council's significance and engagement policy. A final decision on the solution for Wastewater in Central Hawke's Bay will be considered of high importance and trigger significance.

COMPLIANCE

Significance	This matter does not trigger the Council's Significance and Engagement Policy.
Options	<p>This report identifies and assesses the following reasonably practicable options for addressing the matter:</p> <p>1. Adoption of suggested resolutions including the adoption of the Project Terms of Reference.</p> <p>Alternatively Council may seek changes to the Project Terms of Reference.</p>

COMPLIANCE	
Affected persons	<p>This project and process Officers are recommending will affect all residents and ratepayers.</p> <p>The important and unique role of Iwi is recognised as of high importance.</p>
Recommendation	<p>This report recommends:</p> <p>That the Terms of Reference for the Waipawa and Waipukurau Waste Water Project be approved.</p> <p>That Council supports the establishment of a Wastewater Project Reference Group to work with management in seeking a solution.</p> <p>That progress reporting on this project is reported back to the Environment and Regulatory Committee on a regular basis.</p> <p>That Council note no decision on a solution or funding of that solution will be done first without formal consultation with the community and decision by Council.</p>
Long-Term Plan / Annual Plan Implications	Yes – funding for this project is included in the Long Term Plan 2018-2028.
Significant Policy and Plan Inconsistencies	No

DISCUSSION

Attached to this report are the terms of reference which provides a full background and purpose for the Terms of Reference, as well as further information to assist Council in making an informed decision on the adoption of the recommended resolutions.

- a) Financial and Resourcing Implications
The project outlined in the Terms of Reference will be a significant undertaking for Central Hawke's Bay District Council. The levels of capital investment to implement a final solution are not yet known – the Terms of Reference provides a roadmap for the determination of a fit for purpose solution so that the capital investment and funding options can be determined. Funding has been provided for in the Long Term Plan 2018-2028 to ensure sufficient resource is allocated to the work required for a solution to be found.
- b) Risk Analysis
A full risk analysis will be developed on each option considered.

Officer's view is the project and terms of reference outlined minimises risk as robust project management methodology will be followed to consider options in detail, seek community and Iwi input into that process and ensure the best technical advice is sought to inform a final Council decision.
- c) Alignment to Project Thrive and Community Outcomes
This project directly supports the provision of critical infrastructure vital in enabling our communities to prosper. Specifically this project supports:

- A proud district (odour issues and publicly acknowledged poor performance of infrastructure are eroding pride in our region)
 - A prosperous district (critical infrastructure required to support business and community)
 - Smart growth (innovative approaches are required to balance cost, risk and performance)
 - Nature friendly (compliance with key environmental metrics is core to the success of this project)
 - Durable infrastructure (infrastructure needs to last to support the current and future needs of our communities)
- d) Statutory Responsibilities
There are no statutory responsibilities for consideration.
- e) Consistency with Policies and Plans
This resolution is consistent with Councils proposed Long Term Plan 2018-2028 and key policies of Council.
- f) Participation by Māori
Iwi representation will be included in the Project Reference Group. The important and unique role of Iwi is recognised as of high importance.
- g) Community Views and Preferences
Community Views and Preferences will be considered by the Project Reference Group.
- h) Advantages and Disadvantages
Council Officers are confident that the Terms of Reference provide a very detailed roadmap on this project and process. Council is required to progress with this project, given the current non-compliance of both the Waipawa and Waipukurau Wastewater Treatment Plants. Finding a long term solution is a priority.

NEXT STEPS

Following approval of the terms of reference, work will begin in the planning and establishment phases of the project.

Key early activities will include:

- Development of a project management plan to be used for internal purposes.
- Establishment of the project reference group.
- Beginning technical evaluations including trade waste, leachate, I&I and review of treatment plants.

Terms of Reference – Waipawa & Waipukurau WWTP



Waipawa and Waipukurau Waste Water Treatment Plant

Terms of Reference

Status	Draft – March 2018
Author	Josh Lloyd
Contributors	
Authoriser	Monique Davidson



Terms of Reference – Waipawa & Waipukurau WWTP

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1. Project Parties

- Central Hawke's Bay District Council (Council)
- CHBDC GM Community Infrastructure and Development
- Hawke's Bay Regional Council (HBRC)
- Beca Consultant
- Consultant (the Waste Water Specialists)
- Project Reference Group
- Tangata Whenua - Iwi

2. Background

The collection, transmission, treatment and disposal of wastewater is a function of the Central Hawke's Bay District Council (Council) permitted by the Local Government Act 2002.

Council exercises this function by providing wastewater systems in Waipawa, Waipukurau, Otane, Takapau, Porangahau, and Te Paerahi on behalf of each of the communities serviced.

The objectives listed below direct the activities Council performs in designing and operating waste water treatment systems and plants:

- Protection of public health;
- Protection of the natural environment;
- Continuity of service within the reticulated areas;
- Minimal interruptions during maintenance and extension works;
- Sustainable and enduring provision of service;
- Compliance with Resource Consent conditions set by HBRC;

2.1. Non-compliance

The Waipawa and Waipukurau treatment plants were upgraded between 2013 and 2015 by WaterClean Technologies Ltd. The upgrades divided existing ponds into multiple sections and saw the



Terms of Reference – Waipawa & Waipukurau WWTP

installation of tertiary treatment processes. Despite these upgrades, neither of the two plants have achieved full resource consent compliance, in particular for ammonia.

In 2017 additional upgrades were made to the Waipukurau plant, these upgrades saw the generation of significant hydrogen sulphide odours. Further work was completed late in 2017 to mitigate the odour issue.

Today both plants remain to breach resource consent requirements; odour is managed at Waipukurau but is still not at levels deemed acceptable by Council or the public.

2.2. Waipawa Enforcement Order

Council was issued an enforcement order in July 2017 with respect to non-compliant discharges of E. coli. The enforcement order mandated a 2 stage approach with stage 1 comprising a review of systems and additional monitoring and stage comprising the production of a formal report on findings and continued increased levels of monitoring. In the period since the E.coli breach, Council has successfully controlled E.coli levels and has completed stage 1 of the enforcement order. HBRC have agreed to produce a joint submission with Council the District Court seeking to alleviate the burden of completing stage 2 and instead allow Council to focus resources and funds on developing a long term solution for Waipawa (that work being part of scope for this project).

3. Purpose of Terms of Reference

This Terms of Reference represents a non-contractual, but documented, understanding of the purpose, objectives, governance and protocols of the Waipawa and Waipukurau Waste Water Treatment Plant upgrade project. This is to be used by the project team, and referenced by project parties as a guiding document.

4. Purpose of the Project

The purpose of the project is to correct the identified issues at the Waipawa and Waipukurau waste water treatment plants. The project will also seek to make recommendations and create learning's for CHBDCs wider waste water network and other treatment plants. The project will see a range of Council staff working with industry experts utilising the DMAIC framework and formal project management methodology.

It is anticipated that this project will be a multi-year project with year one and two (2018 and 2019) focussed on a rigorous assessment of the issues and an evaluation of options for improvement. The outcome of work in 2018 and 2019 will be a recommendation on a preferred solution for physical works on a site to correct the issues and the lodgement of resource consent to complete works.

5. Objectives of the Project

The parties agree that the objectives of the project are best considered under two broad headings;

1. Year 1-2 work – consultation, stakeholder engagement, planning, design, solution selection and consent
2. Year 3-4 work – implementation and control

The objectives of year 1 and 2 work are to:



Terms of Reference – Waipawa & Waipukurau WWTP

- Develop a comprehensive and measured understanding of the current problems at Waipawa and Waipukurau;
 - This including an assessment and evaluation of inputs into the system (including trade waste and leachate) and inflow and infiltration
- Develop a shared realisation of the requirements now and for the future of the Waipawa and Waipukurau treatment schemes (an assessment of 'what good looks like');
- Develop a clear and concise assessment of works required to bridge the gaps between performance and expectation;
- Conduct an evaluation of potential solutions against success criteria and reach a shared view on a preferred solution; and
- When making these considerations include the broader Wastewater Strategy for Central Hawke's Bay;
- Lead specific Tangata Whenua and Iwi engagement; and
- Formally consult with rate-payers; and
- Determine funding solutions; and
- Apply for and receive resource consent for proposed solutions; and
- Engage with the public and all affected parties about requirements, expectations, experiences and suggestions – through the establishment and management of a project reference group.

The objectives of year 3-4 work are to:

- Engage a preferred contractor for works;
- Develop a timeline for works;
- Implement preferred solution;
- Monitor effectiveness of solution; and
- Engage with the public and all affected parties about requirements, expectations, experiences and suggestions.

6. Governance of the Project

The parties agree to establish the governance structure presented below. This governance structure will provide direction, support, alignment and priorities to the project.

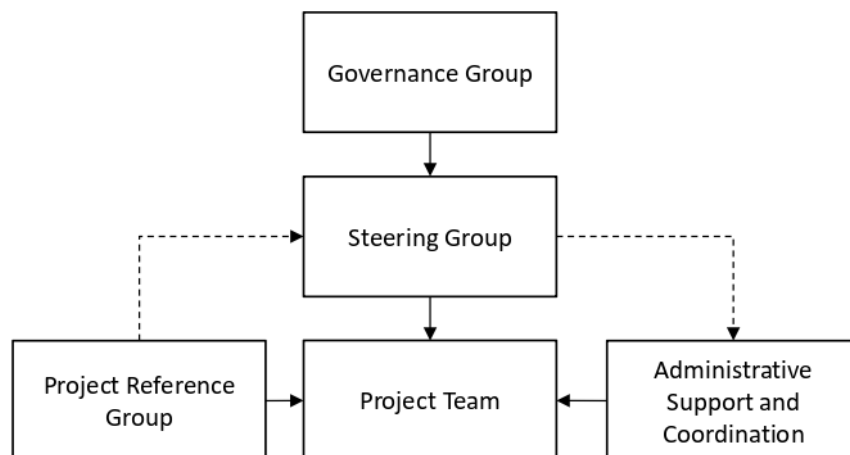


Figure 1 – Project Governance Structure

Members	Function
Central Hawke's Bay District Council	



Terms of Reference – Waipawa & Waipukurau WWTP

Governance Group	<ul style="list-style-type: none"> Environment and Regulatory Committee Chief Executive 	<ul style="list-style-type: none"> Agree the project plan Set project objectives and deliverables Ensure strategic, political and community alignment
Steering Group	<ul style="list-style-type: none"> Chief Executive GM – CCP GM -CIS 	<ul style="list-style-type: none"> Provide regular guidance to the project team Set priorities and timelines for work Remove roadblocks and barriers
Project Reference Group	<ul style="list-style-type: none"> HBRC. Iwi representatives. Waste-producing industry representatives. Environmental advocacy groups. Community leaders. Chair of Finance and Planning Committee Chair of Environment and Regulatory Committee 	<ul style="list-style-type: none"> Represent the community and community sub-group Provide input and insight Provide feedback on ideas and proposal Act as a conduit for communication with the community Ensure support of key compliance requirements (see HBRC requirements and support) Build support for the project within the community
Project Team	<ul style="list-style-type: none"> Josh Lloyd. Karen Bothwell. Shane Kingston. External Technical Advice Doug Tate. Peter Eastwood. 	<ul style="list-style-type: none"> Produce a project plan Act on project plan to produce deliverables Provide feedback and progress reports to the Steering and Governance Groups
Admin Support and Coordination	TBC	<ul style="list-style-type: none"> Ensure timeliness of project deliverables through effective scheduling and reporting

7. Project Scope

This project is specific to the identification, evaluation and implementation of options to mitigate issues of non-compliance at the Waipawa and Waipukurau treatment plants. In taking a holistic view of the issues faced at Waipawa and Waipukurau however, it is expected that this project deliver learning's and recommendations for CHBDC's wider waste water network including other treatment plants and may include a Central Hawke's Bay wastewater strategy.

Key elements included and excluded from this project include:

Included in scope:

- Evaluation of historic work's at site
- Evaluation of work and methods at other sites for the purposes of learning and comparison
- Review of trade waste inputs into system/s

Central Hawke's Bay District Council

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29/03/2018**



Terms of Reference – Waipawa & Waipukurau WWTP

- Review of leachate strategy and plans
- Review of inflow and infiltration levels and management approach
- Engaging with the public and stakeholders
- Reporting upwards through governance channels and to external parties
- Recommendations to improve other treatment plants
- Recommendations to improve Council decision making, project mgmt. and engineering processes

Excluded from scope:

- Attempts to change legislation or compliance requirements
- Implementing learning's or systems from this project at other treatment plants
- Implementation of structural or functional changes in Council

8. Project Deliverables and Timing

The deliverables and timelines below are intended to realise benefits that support the objectives of the project. Critically, project establishment and planning to the point of a preferred solution being recommended is expected to be delivered in 2018. Physical works to implement the preferred solution/s are planned to occur in 2019 and 2020.

Objective Supported	Deliverable	Description	Timing
Year 1 and 2:			
All	Team Charter	Produce a team charter outlining structure and working behaviours of the project team	Apr 18
	Project Mgmt Plan	Produce a project mgmt. plan that outlines the approach and controls to managing the project	Apr 18
	Project Reference Group	Establish project reference group and develop key artefacts for group (purpose, protocols etc)	Apr 18
Develop a comprehensive and measured understanding of the current problems at Waipawa and Waipukurau;	Infiltration and Inflow review	Review and implement revised I&I strategy/plans to give input and control to this project	Sep 18
	Leachate strategy review	Review CHBDC leachate strategy with specific reference to the impact of leachate on WWTPs	Sep 18

Terms of Reference – Waipawa & Waipukurau WWTP



Objective Supported	Deliverable	Description	Timing
	Trade waste review	Review the impact, volumes, types and management of trade waste now and for the future and the impact this has on WWTPs	Sep 18
	Flow modelling	Complete satisfactory flow modelling exercises to give confidence of current and future volumes, capacity and contingency	Sep 18
	Current maintenance and operations assessment	Develop a comprehensive understanding on the current and future maintenance and operational requirements of existing plant at Waipawa and Waipukurau	May 18
	Expert assessment and problem statement	Compile expert advice of current issues at both Waipawa and Waipukurau given findings from above technical reviews	Oct 18
Develop a shared realisation of the requirements now and for the future of the Waipawa and Waipukurau treatment schemes (an assessment of 'what good looks like');	Project success criteria	Publish project success criteria. Short and long term criteria included.	Apr 18
	Solution selection criteria	Publish criteria against which potential solutions will be evaluated.	Jul 18
Develop a clear and concise assessment of works required to bridge the gaps between performance and expectation;	Works specification	Publish a detailed specification of key elements that must be addressed. This will be agnostic of solutions.	Sep 18
Conduct an evaluation of potential solutions against success criteria and reach a shared view on a preferred	Submission framework	Determine and communicate the approach to be used by those wishing to submit potential solutions for	Sep 18

Terms of Reference – Waipawa & Waipukurau WWTP



Objective Supported	Deliverable	Description	Timing
solution; and		consideration	
	Solution evaluation document	Prepare a document summarising the solutions considered. This to include the evaluation against defined criteria	Sep 18
	Preferred solution	Publish and communicate the preferred solution. This to include a final paper to Council	Nov 18
Formal Consultation – Pre-consent lodgement	Distribute Preferred solution through project reference group channels	Utilise resource in project reference group to communicate proposed solution to key stakeholders	Nov 2018
	Mass targeted-communication	Publish and maintain mass communications with rate-payers	Dec 2018
	Formal consultation triggered by significance	Complete formal consultation protocols as required	Feb 2019
Funding	Determine funding requirements, options and recommendation		Dec 2018
	Seek and obtain approval from Council for funding approach		Jan 2019
Consent Process	Engage preferred professional support for Consent application		Oct 18
	Apply for Resource Consent		TBC Depending on time of formal consultation with community.
	Obtain Resource Consent Approval		Dec 19
Engage with the public and all affected parties about requirements, expectations, experiences and suggestions.	Communication plan	Produce a communication plan tailored to the requirements of all stakeholders	May 18
	Governance Reporting	Weekly update reports to be sent to governance group (incl project team).	On-going
	Formal Consultation process	Formal consultation as per Council's	TBC Depending on progress of Project

Terms of Reference – Waipawa & Waipukurau WWTP



Objective Supported	Deliverable	Description	Timing
		significance and engagement policy.	Reference Group and timing of Annual Plan process.
	Council Reporting	6-weekly updates to be provided to Council	On-going
Year 3-4:			
Engage a preferred contractor for works;	This detail to be confirmed during stage 1 of the project.		
Develop a timeline for works;			
Implement preferred solution;			
Monitor effectiveness of solution; and			
Engage with the public and all affected parties about requirements, expectations, experiences and suggestions.			

9. Strategic Alignment

This project directly supports the provision of critical infrastructure vital in enabling our communities to prosper. Specifically this project supports:

- A proud district (odour issues and publicly acknowledged poor performance of infrastructure are eroding pride in our region)
- A prosperous district (critical infrastructure required to support business and community)
- Smart growth (innovative approaches are required to balance cost, risk and performance)
- Nature friendly (compliance with key environmental metrics is core to the success of this project)
- Durable infrastructure (infrastructure needs to last to support the current and future needs of our communities)



The outcomes we want to achieve - Our Objectives -



Figure 2 – CHBDC Objectives

10. Project Protocols

A team charter will be established in line with the THRIVE principles that supports:

- Clarification of reporting requirements
- Clarification of team meeting requirements, timelines and protocols
- Team conduct expectations
- Governance, roles and responsibilities.

It is expected that all members of the project team will sign the team charter.

10 PUBLIC EXCLUDED BUSINESS**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 - Electricity Supply	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

11 DATE OF NEXT MEETING**RECOMMENDATION**

THAT the next meeting of the Central Hawke's Bay District Council be held on 26 April 2018.

12 TIME OF CLOSURE

CENTRAL HAWKE'S BAY



Date: Thursday, 5 April 2018
Time: 9.00 am
Location: Council Chamber
28-32 Ruataniwha Street
Waipawa

AGENDA

Late Items

Council Meeting

5 April 2018

Our vision for Central Hawke's Bay is a proud and prosperous district made up of strong communities and connected people who respect and protect our environment and celebrate our beautiful part of New Zealand.

Monique Davidson
Chief Executive

Order Of Business

Mayor's Report..... 3

MAYOR'S REPORT**MAYORAL UPDATE**

File Number: COU1-1400
Author: Leigh Collecutt, Governance and Support Officer
Authoriser: Monique Davidson, Chief Executive
Attachments: Nil

RECOMMENDATION

That the Mayor's report dated 5th April 2018 be noted.

MAYORAL UPDATE

Firstly, my apologies for missing this meeting of Council and thank you to Deputy Mayor Sharp for stepping in. I am representing CHB with the MTFJ in Wellington as we meet with key Ministers of Parliament. Also, a warm welcome to Doug Tate to his first Council meeting.

It has been a busy 6 weeks since our last Council meeting as the whole team has thrown themselves into the vital LTP consultation process. Thank you to all elected members and staff for sharing the workload, but more importantly – genuinely interacting with our community to better arm this council for the impending decisions required for our Long Term Plan.

Obviously, adoption of a revised LTP was a key deliverable of our council table. We are now very close to the final stages of that process and I must take this opportunity to raise your eyes to the future – and in particular the ability and capacity that this organisation has to deliver on significant capital and operational plans.

One of the key messages that I have purposely brought to the organisation is about thinking and acting strategically. We cannot sustainably continue to allow the business to operate in a reactionary way – it is eroding integrity, and also eroding value-for-money for our community.

Recent financial and audit reports to this Council have shown how the “reactionary” approach has not been giving us value – with spending diverted to “urgent” work rather than those things that should be considered “important” for the management and renewal of infrastructure; and the quality of process not always up-to-standard. I am pleased to see the Terms of Reference for our Wastewater Project on the Agenda today. An important step for a strategic approach which will allow us to make appropriate inter-generational decisions.

There are good reasons why the “E” in Thrive stands for Excellence. We all saw the need to raise the bar on the expectations of how service was delivered – and unashamedly so. Delivering this Excellence is the responsibility of our Chief Executive and Mrs Davidson's plans and activities over the past few months are certainly setting the organisation on a challenging but transformational journey – putting our expectations into action.

Once we have deliberated and adopted the final LTP over the next few weeks, we must make sure we keep our eyes looking forward and working on the development of further strategy to inform the direction of the council. The preliminary work from the Community Development Committee has seen the adoption of a Community Well-being Strategy – and today the adoption of the assigned work-plans. I look forward to the strategies for Environmental outcomes and Regulatory delivery to come from the Environment and Regulatory Committee over the next few months, as well as the Risk Framework from Audit and Risk. All of these are important “lenses” for the future of the council and community, and strengthen our leadership on their behalf.

Activities:

2x District Plan Subcommittee Meetings 28th Feb, 6th March, 28th March

13x LTP Consultation Meetings – Otane, Tikokino, Ongaonga, Waipawa (x2), Waipukurau (x2), Porangahau (x2), Patangatata, Takapau, Inspire Youth Council, Thrive Leaders Forum

1st March – Aramoana Environmental Education Trust

1st March – HB Leaders Forum

2nd-3rd March – Tuia te here Tangata Wananga in Otorohanga (Rangatahi mentoring programme)

5th March – Meeting with Ian Wilmott – administrator for the HB Rescue Helicopter Trust

8th-9th March – Rural and Provincial Councils Meeting (Wellington)

14th March – Meeting with Hon Iain Lees-Galloway – Minister of Immigration; Minister for Workplace Relations and Safety

15th March – Central Districts Fieldays supporting RHAANZ raising money for rural mental health activities

16th March – Two EIT Graduation ceremonies in Napier

17th March – Horse of the Year Show

20th March – Opening address at the AGM of the CHB Federation of the Women's Institute

22nd March – Mayor's Reflection Workshop (Wellington) on improving governance, strategy and leadership

23rd March – Opening of the "Art in CHB" Exhibition at the CHB Settlers' Museum

26th March – Meeting with Sergeant Ross Gilbert (CHB Police)

28th March – Ballance Farm Environment Awards (Napier)

30th March – The Little Easy (Waipukurau)

1st April – Aramoana Community Stakeholder meeting

4th April – Visit to Elsthorpe School

5th April – Mayor's Taskforce for Jobs Core Group Meeting (Wellington)