
Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

Council Meeting

Kaupapataka

Open Agenda

Te Rā Hui:
Meeting date: **Tuesday, 14 July 2020**

Te Wā:
Time: **1.00pm**

Te Wāhi:
Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Te Hoapā:
Contact: **Democracy and Governance services
P: 06 871 5000 | E: democracy@hdc.govt.nz**

Te Āpiha Matua:
Responsible
Officer: **Chief Executive - Nigel Bickle**

**Watch Council meetings
streamed live on our website
www.hastingsdc.govt.nz**

HASTINGS DISTRICT COUNCIL
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156
Phone **06 871 5000** | www.hastingsdc.govt.nz
TE KAUNIHERA Ā-ROHE O HERETAUNGA

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council
Council Meeting

Kaupapataka

Open Agenda

	<i>Tiamana</i> Chair: Mayor Sandra Hazlehurst
<i>Mematanga:</i> Membership:	<i>Ngā KaiKaunihera</i> Councillors: Bayden Barber, Alwyn Corban, Malcolm Dixon, Damon Harvey, Tania Kerr (Deputy Chair), Eileen Lawson, Simon Nixon, Henare O’Keefe, Peleti Oli, Ann Redstone, Wendy Schollum, Sophie Siers, Geraldine Travers and Kevin Watkins
<i>Tokamatua:</i> Quorum:	8 members
<i>Apiha Matua</i> Officer Responsible:	Chief Executive – Nigel Bickle
<i>Te Rōpū Manapori me te Kāwanatanga</i> Democracy and Governance Services:	Jackie Evans (Extn 5018)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karaki a Whakatūwheratanga*

Apologies & Leave of Absence – Ngā Whakapāhatanga me te Wehenga ā-Hui

2.0 At the close of the agenda no apologies had been received.

At the close of the agenda no requests for leave of absence had been received.

3.0 Seal Register– *Te Rēhita Hira*

4.0 Conflict of Interest – *He Ngākau Kōnatunatu*

Members need to be vigilant to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to scan the agenda and assess their own private interests and identify where they may have a pecuniary or other conflict of interest, or where there may be perceptions of conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the relevant item of business and withdraw from participating in the meeting. If a Member thinks they may have a conflict of interest, they can seek advice from the General Counsel or the Manager: Democracy and Governance (preferably before the meeting).

It is noted that while Members can seek advice and discuss these matters, the final decision as to whether a conflict exists rests with the member.

Confirmation of Minutes – Te Whakamana i Ngā Minitī

5.0 Minutes of the Council Meeting held Thursday 25 June 2020.
(Previously circulated)

6.0 Chief Executive's Report to Council	9
---	---

7.0 Resolution to set the Rates for the 2020/21 Financial Year	13
--	----

8.0 Speed Limit Review - Proposed Bylaw Amendments for Public Consultation	23
--	----

9.0	Arts, Culture and Events Recovery Plan	37
10.0	Plan Change 2 to the Partially Operative District Plan - Engineering Code of Practice	43
11.0	Council Submission to Regional Plan Change No.9 - Management of Tank Freshwater Catchments	49
12.0	Flaxmere Learn to Swim Funding Application to Trust House	59
13.0	Office Accommodation	63
14.0	Youth Council Appointments to Council Subcommittees	67
15.0	Minor Amendment to the Committee and Rural Community Board Register of Delegations 2019 -22	71
16.0	Status of Items Under Action from Previous Meetings	73
17.0	Minor Items – <i>Ngā Take Iti</i>	
18.0	Urgent Items – <i>Ngā Take Whakahihiri</i>	
19.0	Recommendation to Exclude the Public from Item 20	75
20.0	Civic Honours Award Nominations 2020	

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 6

Te Rārangi Take

Report to Council

Nā:
From: Nigel Bickle, Chief Executive

Te Take:
Subject: Chief Executive's Report to Council

1.0 PURPOSE AND SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA

- 1.1 The purpose of this report is to provide executive context for the strategic items on this Council Meeting Agenda. The remaining items are important operational matters and are well traversed within the Officer Reports.

Rates Strike for Financial Year 2020/2021

- 1.2 The COVID-19 Pandemic has been and continues to be an extraordinary social and economic challenge for all communities. Following community consultation, Council adopted the 2020/2021 Annual Plan at its meeting on 25 June 2020.
- 1.3 Council revised its original Draft Annual Plan Budget down to a Rating Revenue Increase of 1.9% from 4.4%. It was felt that this level of increase still allowed Council to fulfil an essential role in stimulating the economy, sustaining employment and retaining an ability to add to local support initiatives alongside Government's financial packages supporting business and employees.
- 1.4 I am confident the Annual Plan still allows Council to continue with its essential infrastructure renewal works, programmed delivery of growth infrastructure and continuity of core Council Services.
- 1.5 Council Officers have carefully calculated the rates as detailed in the report recommendations for Council to collect our revenue needs (1.9% increase) for 2020/2021 commencing 1 July 2020.

Speed Limit Review

- 1.6 It is the responsibility of Council as the Road Controlling Authority to implement safe and appropriate speed limits across the road network.

- 1.7 Council officers have prepared a 'Statement of Proposal' which identifies speed limits to be made or amended under the Council bylaw, for public consultation and the future opportunity for public submissions.
- 1.8 The precursors for change to speed limits tend to be public requests and crash report recommendations from fatal and serious injury vehicle crashes and incidents. Officers then undertake evidence based research to determine safe and appropriate speed limit recommendations in accordance with the New Zealand Transport Agency Information and Speed Management Guide.
- 1.9 Ensuring our Roding Network remains as safe as possible is essential for the wellbeing of our community.

Council Submission to Regional Plan Change No 9

- 1.10 The 2014 National Policy Statement for Freshwater Management requires the Hawke's Bay Regional Council (HBRC) to set freshwater objectives, including allocation limits and targets for water bodies in Hawke's Bay.
- 1.11 Officers and our consultants (after workshops with Council) have drafted a Submission to the HBRC Proposed Change No. 9 to the Regional Resource Management Plan which relates to the management of fresh water in the Greater Heretaunga Catchments (Tutaekuri, Ahuriri, Ngaruroro and Karamu) known as the TANK Catchments.
- 1.12 Ensuring ongoing sufficient and safe supply of quality water for domestic, commercial, industrial and rural productive demands, is a very complex series of challenges and opportunities for current generations and indefinitely into the future.
- 1.13 Council as a Territorial Local Authority have a responsibility under the Local Government Act to play a broad role in promoting the social, economic, environmental, and cultural well-being of our communities, and taking a sustainable development approach.
- 1.14 Officers in developing the recommended submission, have tried to take a balanced and pragmatic approach to achieving good environmental outcomes over reasonable timeframes and acknowledging the overarching purpose of The Resource Management Act is to promote the sustainable management of natural and physical resources. There has been significant investment in land based primary production in Hastings District and associated downstream processing and logistics infrastructure, particularly over the last 30 years. Water is the fuel that keeps everything operating and underpinning our wellbeing.
- 1.15 Accordingly the recommended submission seeks changes to the rules to provide Council with more flexible options to meet our ongoing growth requirements and associated statutory responsibilities to facilitate sufficient housing and business capacity to meet growth demands.

Arts and Culture Recovery Plan

- 1.16 The COVID 19 Pandemic and consequential border closures currently in place are presenting barriers to our arts, culture and events industries operating to their full potential.
- 1.17 The recommended Recovery Plan aims to provide foundational support until the Creative Sector can return to a more normal operating environment. The focus of the Plan is to deliver a series of 'activation' activities and events to enable community resilience and pride and generally sustain the creative sector.

Youth Council Appointments to Council Subcommittees.

- 1.18 Council recognises the positive contribution young people make to a strong, diverse, resilient and inclusive community. The Youth Council provides a vehicle for members to be actively engaged in our planning and decision making.

- 1.19 This report is recommending that Youth Council members be appointed to Council subcommittees (2 per committee) as non-voting members so they can participate in discussions and debate. This will bring a real time youth perspective to the shaping and development of Council strategy and policy.
- 1.20 The Youth Council, note in their Annual Plan that barriers to the Youth Council succeeding include;
- Reputation – Often youth are perceived as incapable and ignorant. This means people don't value our opinion that much.
 - Tokenism- Often we are engaged with by groups so they can tick a box, and not for genuine reasons.
 - Lack of Support, Systems and Resources – To achieve our larger goals, we are held back by the lack of help available to us.
- 1.21 I have been concerned about these barriers as presented by Youth Council members. Like all communities within our Hastings community, the Youth community is an important voice and should actively participate in local government. I'm hopeful Youth Council appointments to Council subcommittees will be an effective step in addressing the barriers.

Conclusion

- 1.22 This is another busy Agenda for Council. It is reflective of the substantial and complex work programme being delivered by staff under the strategic and policy direction set by Council. I remain confident we have the capacity and capability to operate efficiently and effectively in our ongoing environment of budgetary restraint to deliver our ambitious programme of work this year for our community.

2.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA

- A) That the Council receives the report titled Chief Executive's Report to Council.

Attachments:

There are no attachments for this report.

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 7

Te Rārangi Take

Report to Council

Nā:
From: Ashley Humphrey, Financial Policy Advisor

Te Take:
Subject: Resolution to set the Rates for the 2020/21 Financial Year

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is to obtain a decision from the Council to adopt the Rates Resolution to set rates for the 2020/21 Financial Year commencing 01 July 2020.
- 1.2 This decision contributes to the purpose of local government by meeting 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.
- 1.3 Following consultation, Council adopted the 2020/21 Annual Plan at its meeting on 25 June 2020. It now needs to assess and set the rates described in its Rating Policy and Funding Impact Statement in order to collect the revenue needed for the 2020/21 Financial Year commencing 1 July 2020.
- 1.4 This report concludes by recommending that the Council set the rates as detailed, adopt the differential categories and the payment due and penalty dates set out in the recommendations. All rates are shown as inclusive of Goods and Services Tax of 15%.

2.0 Recommendations – Ngā Tūtohunga

- A) That the Council receives the report titled Resolution to set the Rates for the 2020/21 Financial Year.
- B) That pursuant to the Local Government (Rating) Act 2002 the Hastings District Council makes the rates on rating units in the District for the financial year commencing on 01 July 2020 and ending on 30 June 2021 and adopts the due dates and penalty dates for the 2020/21 financial year, as follows:

INTRODUCTION

Hastings District Council has adopted its 2020/21 Plan. This has identified the Council's budget requirement, and set out the rating policy and funding impact statement. The Council hereby sets the rates described below to collect its identified revenue needs for 2020/21 commencing 01 July 2020. All rates are inclusive of Goods and Services Tax.

GENERAL RATES

A general rate set and assessed in accordance with Section 13 of the Local Government (Rating) Act 2002, on the land value of all rateable land within the district on a differential basis as set out below:

Differential Group Name	Factor	Cents per Dollar of \$ LV
Differential Rating Area One		
Residential	1	0.401985
Residential Clive	0.81	0.325608
Residential Non-Urban (Including Townships and Small Settlements)	0.76	0.305508
Horticulture / Farming	0.68	0.273350
CBD Commercial	3.00	1.205954
Other Commercial	2.75	1.105458
Commercial Non-Urban – Peripheral	2.35	0.944664
Differential Rating Area Two		
Residential	0.85	0.188743
Lifestyle / Horticulture / Farming	1	0.222051
Commercial	1.65	0.366384

UNIFORM ANNUAL GENERAL CHARGE

A uniform annual general charge set and assessed in accordance with Section 15 of the Local Government (Rating) Act 2002, of \$200 on each separately used or inhabited part of a rating unit within the district.

TARGETED RATES

All differential categories of targeted rates areas are as defined in the Funding Impact Statement for 2020/21. For the purposes of the Havelock North Promotion, Hastings City Marketing, Hastings CBD Targeted Rate, Havelock North CBD Targeted Rate, and Security Patrols (Hastings and Havelock North), a commercial rating unit is one that fits the description as set out under DRA1 CBD Commercial and DRA1 Other Commercial in Part B of the Funding Impact Statement for 2020/21.

COMMUNITY SERVICES & RESOURCE MANAGEMENT RATE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on a differential basis, on each separately used or inhabited part of a rating unit as follows:

Differential Category	Factor	\$ per SUIP
Differential rating area one		
Residential	1	\$458
CBD Commercial	1	\$458
Other Commercial	1	\$458
Residential Clive	0.75	\$343
Residential Non-Urban (Including Townships & Small Settlements)	0.75	\$343
Horticulture / Farming	0.75	\$343
Commercial Non-Urban (Peripheral)	0.75	\$343
Differential rating area two		
Residential	1	\$290
Lifestyle / Horticulture / Farming	1	\$290
Commercial	1	\$290

HAVELOCK NORTH PROMOTION

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within Havelock North as defined on Council Map "Havelock North Promotion Rate", of 0.110909 cents per dollar of land value.

SWIMMING POOL SAFETY

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, as a fixed amount on every rating unit where a swimming pool (within the meaning of the Fencing of Swimming Pools Act 1987) is located, of \$64 per rating unit.

HAVELOCK NORTH PARKING

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on a differential basis, on each separately used or inhabited rating unit located within Havelock North as defined on Council Map "Havelock North Parking", as follows:

Differential Category	Factor	\$ per SUIP
Residential	1	\$23
CBD Commercial/Other Comm	3	\$69
All others	1	\$23

HASTINGS CITY MARKETING

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating units located within Hastings as defined on Council Map "Hastings City Marketing Rate", of 0.235554 cents per dollar of land value.

HASTINGS CBD TARGETED RATE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within Hastings as defined on the Council Map "Hastings CBD", of 0.140007 cents per dollar of land value.

HAVELOCK NORTH CBD TARGETED RATE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within Havelock North as defined on Council Map "Havelock North CBD", of 0.0552960 cents per dollar of land value.

SECURITY PATROLS

Targeted rates set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within each respective Council Map defined "Hastings Security Patrol Area" and "Havelock North Security Patrol Area", as follows:

Hastings Security Patrol Area - 0.099904 cents per dollar of land value.

Havelock North Security Patrol Area - 0.053613 cents per dollar of land value.

SEWAGE DISPOSAL

A differential targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, based on the provision or availability to the land of the service. The rate is set as an amount per separately used or inhabited part of a rating unit.

A differential targeted rate for all non-residential rating units classified as "connected", based on the use to which the land is put. The rate is an amount for each water closet or urinal after the first.

The rates apply to connected or serviceable rating units in all areas excluding those in the Waipatiki scheme area.

The rates for the 2020/21 year are:

Category	Factor	\$ per SUIP
(1) Connected	1	\$230
(2) Serviceable	0.5	\$115

Where connected, in the case of non-residential use, the differential charge for each water closet or urinal after the first is as follows:

Differential category	Factor	Charge Per Water Closet and Urinal After the First
Schools/Churches	0.13	\$29.90
Chartered Clubs / Rest Homes / Prisons / Commercial Accommodation providers / Hospitals / Child Care Centres	0.40	\$92
HB Racing Centre / A&P Showgrounds / Regional Sports Park	0.25	\$57.50
All other Non-Residential	0.80	\$184

WAIPATIKI SEWAGE DISPOSAL

A differential targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, based on the provision or availability to the land of the

service. The rate is set as an amount per separately used or inhabited part of a rating unit.

This rate applies only to connected or serviceable rating units in the Waipatiki scheme area.

The rates for the 2020/21 year are:

Category	Factor	\$ per SUIP
(1) Connected	1	\$453
(2) Serviceable	0.5	\$226.50

Where connected, in the case of non-residential use, the differential charge is set for each water closet or urinal after the first as follows:

Differential Category	Factor	Charge Per Water Closet and Urinal After the First
Schools/Churches	0.13	\$58.89
Chartered Clubs / Rest Homes / Prisons / Commercial Accommodation providers / Hospitals / Child Care Centres	0.40	\$181.20
HB Racing Centre / A&P Showgrounds / Regional Sports Park	0.25	\$113.25
All other Non-Residential	0.80	\$362.40

WASTEWATER TREATMENT

A differential targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, based on the provision or availability to the land of the service. The rate is set as an amount per separately used or inhabited part of a rating unit.

A differential targeted rate for non-residential rating units classified as “connected”, based on the use to which the land is put. The rate is an amount for each water closet or urinal after the first.

The rates apply to connected or serviceable rating units in all areas excluding those in the Waipatiki scheme area.

The rates for the 2020/21 year are:

Category	Factor	\$ Per SUIP
(1) Connected	1	\$75
(2) Serviceable	0.5	\$37.50

Where connected, in the case of non-residential use, the differential charge is set for each water closet or urinal after the first as follows:

Differential Category	Factor	Charge Per Water Closet and Urinal After the First
Schools/Churches	0.13	\$9.75
Chartered Clubs / Rest Homes / Prisons / Commercial Accommodation providers / Hospitals / Child Care Centres	0.40	\$30
HB Racing Centre / A&P Showgrounds / Regional Sports Park	0.25	\$18.75
All other Non-Residential	0.80	\$60

WATER SUPPLY

Targeted rates set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit and based on the provision or availability to the land of the service, on a differential basis as follows.

The rates for the 2020/21 year are:

Water Supply Area	Connected (Factor 1 Per SUIP)	Serviceable (Factor 0.5 Per SUIP)
Water Rate	\$470	\$235

WATER BY METER

A targeted rate set and assessed in accordance with Section 19 of the Local Government (Rating) Act 2002, on the volume of water supplied as extraordinary water supply, as defined in Hastings District Council Water Services Policy Manual (this includes but is not limited to residential properties over 1,500m² containing a single dwelling, lifestyle lots, trade premises, industrial and horticultural properties) of \$0.81 per cubic metre of water supplied over and above the typical household consumption as defined in the Hastings District Council Water Services Policy Manual.

RECYCLING

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit and based on the provision or availability to the land of the service provided in the serviced area.

Rating units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will not be charged the rate.

The rate for 2020/21 is \$70 per separately used or inhabited part of the rating unit.

REFUSE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit, differentiated based on the use to which the land is put.

Rating units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will not be charged the rate.

Residential rating units currently receive a weekly collection. Commercial rating units located within Hastings as defined on Council Map "Hastings CBD Refuse", and located within Havelock North as defined on Council Map "Havelock North CBD Refuse" currently receive a twice weekly collection.

The rates for the 2020/21 year are:

Differential Category	Factor	\$ Per SUIP
Residential	1	\$129
Commercial CBD	2	\$258

WAIMARAMA REFUSE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit located within Waimarama as defined on Council Map “Waimarama Refuse Collection”, and based on the provision or availability to the land of the service provided, of \$80 per separately used or inhabited part of the rating unit.

CAPITAL COST OF SUPPLY EXTENSIONS

Targeted rates set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit, and based on the provision or availability to the land of the service provided, to fund the capital cost of the extension to the water supply and sewerage networks in each of the following locations, as follows:

Whirinaki Water Supply:

\$270 per separately used or inhabited part of a rating unit (over 4 instalments) for those rating units where the ratepayer elected for a 25 year targeted rate option and elected not to pay a lump sum option at the time of scheme inception.

Waipatiki Sewage Disposal:

\$1,312 per separately used or inhabited part of a rating unit (over 4 instalments) for those rating units where the ratepayer elected for a 10 year targeted rate option and elected not to pay a lump sum option at the time of scheme inception.

WAIMARAMA SEA WALL

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002 on a differential basis, on each separately used or inhabited part of a rating unit within each individual zone defined on Council Map “Waimarama Sea Wall Zone” of the following amounts per separately used or inhabited part of the rating unit:

Zone 1 shall pay 67% of the cost to be funded, whilst Zone 2 shall pay 23% of the cost and Zone 3 10% of the cost, based on the extent of the provision of service.

Zone 1	Zone 2	Zone 3
\$394	\$277	\$102

DUE DATES AND PENALTY DATES

Due Dates for Payment and Penalty Dates (for Rates other than Water by Meter Rates):

The Council sets the following due dates for payment of rates (other than Water by Meter) and authorises the addition of penalties to rates not paid on or by the due date, as follows:

Rates will be assessed by quarterly instalments over the whole of the district on the due dates below:

Instalment	Due Date	Penalty Date
1	21 August 2020	26 August 2020
2	20 November 2020	25 November 2020
3	26 February 2021	3 March 2021
4	21 May 2021	26 May 2021

A penalty of 10% will be added to any portion of rates (except for Water by Meter) assessed in the current year which remains unpaid after the relevant instalment due date, on the respective penalty date above.

Arrears Penalties on Unpaid Rates from Previous Years

Any portion of rates assessed in previous years (including previously applied penalties) which remains unpaid on 20 July 2020 will have a further 10% added. The penalty will be added on 21 July 2020.

A further additional penalty of 10% will be added to any portion of rates assessed in previous years which remains unpaid on 20 January 2021. The penalty will be added on 21 January 2021.

Due Dates for Payment and Penalty Dates (for Water by Meter Rates):

For those properties that have a metered water supply, invoices will be issued either three-monthly or six-monthly.

Three Monthly Invoicing:

Instalment	Invoicing Due Date	Penalty Date
1	20 October 2020	22 October 2020
2	20 January 2021	22 January 2021
3	20 April 2021	22 April 2021
4	20 July 2021	22 July 2021

Six Monthly Invoicing:

Instalment	Invoicing Due Date	Penalty Date
1	20 January 2021	22 January 2021
2	20 July 2021	22 July 2021

A penalty of 10% will be added to any portion of water supplied by meter, assessed in the current year, which remains unpaid after the relevant instalment due date, on the respective penalty date above.

Arrears Penalties on Unpaid Water by Meter Rates from Previous Years

Any portion of Water by Meter rates assessed in previous years (including previously applied penalties) which remains unpaid on 20 July 2020 may have a further 10% added. The penalty will be added on 22 July 2020.

A further additional penalty of 10% may be added to any portion of rates assessed in

previous years which remains unpaid on 25 January 2021. The penalty will be added on 26 January 2021.

With the reasons for this decision being:

The Council is required to collect funds from rates on properties to undertake the functions outlined in the 2020/21 Plan.

3.0 Background – *Te Horopaki*

- 3.1 Council adopted the 2020/21 Annual Plan, which identified the Council's budgetary requirements, at its meeting on 25 June 2020.
- 3.2 It now needs to assess and set the rates described in its Rating Policy and Funding Impact Statement in order to collect the revenue needed for the 2020/21 Financial Year commencing 01 July 2020.

4.0 Discussion – *Te Matapakitanga*

- 4.1 To enable the rates to be levied on properties for 2020/21 the Council needs to pass the resolution to set the rates for the 2020/21 Financial Year. This is a very important procedural matter following the consultation which occurred during the 2020/21 Annual Plan process.
- 4.2 The rates have been calculated to ensure that the correct revenue is collected to meet the budget.

5.0 Options – *Ngā Kōwhiringa*

- 5.1 The resolution enables the collection of Council's rate funding requirement based on the budget and policies adopted in the 2020/21 Annual Plan. This is the only option that allows Council to collect rates to fund the expenditure requirements.
- 5.2 For any specific questions councillors may have or an indication of sample property impacts, please contact Ashley Humphrey on 06 8715012.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the social and economic wellbeings of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The outcome of this report and recommendation will enable Council to generate the budgeted rates income.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision has been assessed under the Council's Significance and Engagement Policy as being of high significance.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

The budget used to set Rates for the 2020/21 financial year was consulted upon through the 2020/21 Annual Plan.

Risks: Legal - *Ngā Tūraru: Ngā Ture*

rates resolution and Funding Impact Statement were reviewed by Simpson Grierson in 2019 to ensure compliance with the legislative requirements of the Local Government (Rating) Act. Only minor changes were made to the 2020/21 documents.

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

The Rural Community Board has received information on the impacts for Rating Area 2.

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 8

Te Rārangi Take

Report to Council

Nā:
From: Lachlan Crawford, Traffic Engineering Officer

Te Take:
Subject: Speed Limit Review - Proposed Bylaw Amendments for Public Consultation

1.0 `Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is to obtain a decision from the Council to adopt for public consultation the proposed speed limit amendments to the Speed Limits Bylaw 2012 and the accompanying Statement of Proposal.
- 1.2 It is the responsibility of Hastings District Council as the Road Controlling Authority to implement safe and appropriate speeds across the road network.
- 1.3 This proposal arises from the need to review the speed limits on a number of roads for the following reasons:
 - Previous Council resolution to review public requests,
 - NZTA identified “Top 10% death and serious injury reducing” sites,
 - Alignment with neighbouring Councils proposed speed limit changes,
 - Changes in the road and land usage caused by development.
- 1.4 The requested roads have been assessed and the recommended speed limit changes are detailed in the attached Statement of Proposal.

2.0 Recommendations – Ngā Tūtohunga

- A) That the Council receives the report titled Speed Limit Review - Proposed Bylaw Amendments for Public Consultation
- B) That the Council determine:

- i. That a bylaw is the most appropriate way of addressing the setting of safe and appropriate speed limits as it is the only method mandated by the Land Transport Rule: Setting of Speed Limits 2017,
 - ii. That the bylaw as proposed to be amended is the most appropriate form of bylaw,
 - iii. That the right to control speed limits is granted by Parliament to territorial authorities and the limitations proposed are justified limitations in terms of section 5 of the New Zealand Bill of Rights Act 1990 and that there is accordingly no breach of the New Zealand Bill of Rights Act.
- C) That the Council adopt the attached Statement of Proposal to go out for public consultation in accordance with the special consultative procedure under the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2017.

3.0 Background – *Te Horopaki*

- 3.1 In 2003 the Government delegated responsibility for setting speed limits on local roads to road controlling authorities (“RCAs”). For the purposes of this report the RCA is Hastings District Council (“the Council”). This delegation was originally contained in the Land Transport Rule: Setting of Speed Limits 2003. This rule was recently replaced with the Land Transport Rule: Setting of Speed Limits 2017 (“the Rule”).
- 3.2 The Rule specifies the legal procedure for establishing speed limits on public roads. That procedure includes that an RCA must set speed limits (other than temporary speed limits) by way of a bylaw under the relevant enactment, currently the Local Government Act (“LGA”) 2002. The Rule sets out the approach for evaluating and determining speed limits within the Speed Management Guide.
- 3.3 The Hastings District Council Speed Limits Bylaw was first established in 2005 and has been reviewed on several occasions. There have been a number of speed limit changes made since the original bylaw, including its replacement by the Speed Limits Bylaw 2012.
- 3.4 The Council can change existing speed limits by making a new bylaw, or amending an existing Speed Limits Bylaw. This requires adherence to the special consultative procedure under the LGA. The Rule also provides its own consultation requirements for setting speed limits.
- 3.5 It is the responsibility of Hastings District Council as the Road Controlling Authority to implement safe and appropriate speeds across the road network.
- 3.6 In summary, the process for reviewing and setting a new speed limit is generally as follows:
- Council is required by the Rule to, or decides, of its own volition or on written request, to review a speed limit;
 - Technical work is undertaken to establish the safe and appropriate speed limit for the road in accordance with the Rule, New Zealand Transport Agency (NZTA) Information and Speed Management Guide (**Attachment 2 under separate cover to follow**);
 - Council resolves to amend the schedules of the Speed Limits Bylaw to set the speed limits it proposes. The usual process for amending a bylaw under the LGA is followed;
 - A Statement of Proposal is prepared which includes a draft of the bylaw to be made or amended, the reasons for the proposal and a report under s 155 of the LGA, and a summary of the Statement of Proposal (**Attachment 3 under separate cover to follow**);
 - The proposal is publicly notified with a reasonable period being provided for submissions (not less than 1 month);
 - In addition to the LGA public notification requirements, the Rule requires that certain people, organisations and communities affected by the proposed speed limits are consulted;

- All submissions are received and acknowledged, and submitters are given a reasonable opportunity to be heard;
 - The Council is required to take account of submissions received during consultation on the proposed speed limit;
 - After considering submissions and other relevant material, the Council sets a speed limit it considers the safe and appropriate speed limit for the particular road by making any amendments to the Bylaw that are necessary;
 - The Director of NZTA and the Commissioner of Police are notified;
 - Details of the speed limits are recorded in a register;
 - Any required speed limit signs are erected.
 - This process is followed in full for setting all speed limits (except temporary speed limits) on public roads.
- 3.7 The Government is proposing changes to speed management to tackle unsafe speeds on New Zealand roads.
- 3.8 The proposed changes are part of the “Immediate set of actions for 2020-2022”, and will require changes to the Land Transport Act 1998 and the Land Transport Management Act 2003 and substantial changes to the Land Transport Rule: Setting of Speed Limits, which are currently going through parliamentary process.
- 3.9 The two key elements of these changes are:
- Improving how councils and the Transport Agency plan for, consult on and implement speed management changes. The proposal as it stands will result in speed limit reviews to be undertaken at a regional level and no longer be set by a Local Authority bylaw, and as such the decision making will be taken away from Councils.
 - Transitioning to lower speed limits around schools to improve safety and encourage more children to walk and cycle to school.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Council has received requests to amend speed limits on local roads from various parties. These requests can be generally categorised into 4 groups:
- Public requests,
 - NZTA identified “Top 10% death and serious injury reducing” sites,
 - Alignment with neighbouring Councils proposed speed limit changes,
 - Changes in the road and land usage caused by development.
- 4.2 This review includes the community requests received since the last full speed limit review process which was undertaken in 2017.
- 4.3 The requested changes have been evaluated and are discussed in detail in the Statement of Proposal document as appended to this report. The table below provides a high level summary of the proposed speed limit changes

ROAD NAME	FROM	TO	CURRENT SPEED LIMIT	PROPOSED SPEED LIMIT
HAVELOCK SOUTH				
Gilpin Road	Te Aute Road	Middle Road	100km/h	Reduce to 80km/h

ROAD NAME	FROM	TO	CURRENT SPEED LIMIT	PROPOSED SPEED LIMIT
Iona Road	Existing 50km/h Speed limit signs	Middle Road	100km/h	Reduce to 80km/h
Middle Road	Existing 50km/h Speed limit signs	School Road	100km/h	Reduce to 80km/h
Te Aute Road	Existing 50km/h Speed limit signs	Longlands Road East	100km/h	Reduce to 80km/h
WAIPATU				
Apatu Road	Bennett Road	End	70km/h	Reduce to 50km/h
Bennett Road	Otene Road	Existing 70km/h Speed limit signs	80km/h	Reduce to 60km/h
Bennett Road	Existing 70km/h Speed limit signs	SH51	70km/h	Reduce to 50km/h
Elwood Road	Existing 70km/h Speed limit signs	SH51	70km/h	Reduce to 50km/h
Kauru Road	Bennett Road	End	70km/h	Reduce to 50km/h
Panapa Road	Bennett Road	End	70km/h	Reduce to 50km/h
Paraire Road	SH51	End	80km/h	Reduce to 60km/h
Waipatu Settlement Rd	SH51	End	80km/h	Reduce to 60km/h
Watson Road	SH51	End	80km/h	Reduce to 60km/h
FLAXMERE - OMAHU				
Chatham Road	Omahu Road	Existing 50km/h Speed limit signs	50km/h	Increase to 60km/h
Henderson Road	Omahu Road	Existing 50km/h Speed limit signs	70km/h	Reduce to 60km/h
Kirkwood Road	Omahu Road	Existing 50km/h Speed limit signs	70km/h	Reduce to 60km/h
Omahu Road	250m West of Jarvis Road	Existing 50km/h Speed limit signs	70km/h	Reduce to 50km/h
Omahu Road	Existing 100km/h Speed limit signs	250m West of Jarvis Road	70km/h	Reduce to 60km/h
Omahu Road	SH50	Existing 100km/h Speed limit signs	100km/h	Reduce to 80km/h
Wilson Road	Omahu Road	Existing 50km/h Speed limit signs	70km/h	Reduce to 60km/h
HASTINGS SOUTH				
Algernon Road	Norton Road	End	100km/h	Reduce to 80km/h
Davis Road	Railway Road South	Riverslea Road	100km/h	Reduce to 80km/h
France Road	Railway Road South	End	100km/h	Reduce to 80km/h
Heathcote Road	Maraekakaho Road	Southland Road	100km/h	Reduce to 80km/h
Norton Road	Existing 50km/h Speed limit signs	Algernon Road	100km/h	Reduce to 80km/h
Park Road	Existing 70km/h Speed limit signs	Algernon Road	100km/h	Reduce to 80km/h
Railway Road South	Existing 50km/h Speed limit signs	250m South of Longlands Road	100km/h	Reduce to 80km/h

ROAD NAME	FROM	TO	CURRENT SPEED LIMIT	PROPOSED SPEED LIMIT
Railway Road South - Rural intersection advance warning sign (RIAWS) site	Northern extent of RIAWS signage	Southern extent of RIAWS signage	70km/h	Reduce RIAWS to 60km/h
Riverslea Road South	Longlands Road	Tollemache Road East	100km/h	Reduce to 80km/h
Southland Road	Heathcote Road	Tollemache Road West	100km/h	Reduce to 80km/h
Tollemache Road West	Southland Road	Norton Road	100km/h	Reduce to 80km/h
Wellwood Road	Heathcote Road	End	100km/h	Reduce to 80km/h
TWYFORD				
Carrick Road	Nicholl Road	End	100km/h	Reduce to 80km/h
Curtis Road	Twyford Road	End	100km/h	Reduce to 80km/h
Evans Road	Twyford Road	Trotter Road	100km/h	Reduce to 80km/h
Evenden Road	SH2	Raupare Road	100km/h	Reduce to 80km/h
Hill Road	Omahu Road	End	100km/h	Reduce to 80km/h
Jarvis Road	Omahu Road	Existing 70km/h signs	70km/h	Reduce to 50km/h
Jarvis Road	Existing 70km/h signs	Thompson Road	100km/h	Reduce to 80km/h
McNab Road	Raupare Road	End	100km/h	Reduce to 80km/h
Nicholl Road	Raupare Road	Trotter Road	100km/h	Reduce to 80km/h
Ormond Road	Existing 60km/h Speed limit signs	End	100km/h	Reduce to 80km/h
Raupare Road	Omahu Road	End	100km/h	Reduce to 80km/h
Thompson Road	Twyford Road	Raupare Road	100km/h	Reduce to 80km/h
Trotter Road	Raupare Road	Evans Road	100km/h	Reduce to 80km/h
Twyford Road	Omahu Road	Existing 70km/h signs	70km/h	Reduce to 60km/h
Twyford Road	Existing 70km/h signs	Thompson Road	100km/h	Reduce to 80km/h
PUKETAPU				
Dartmoor Road	Existing 50km/h Speed limit signs	870m west of the entrance to Puketapu Park	100km/h	Reduce to 80km/h
Puketapu Road	Existing 50km/h Speed limit signs	70m South of Existing 50km/h Speed limit signs	100km/h	Reduce to 50km/h
Vicarage Road	Omarunui Road	Existing 50km/h Speed limit signs	100km/h	Reduce to 80km/h
Vicarage Road	Omarunui Road	Existing 50km/h Speed limit signs	100km/h	Seasonal 50km/h Speed Limit – 1 December to 31 January
CLIVE TO CLIFTON				
Clifton Road	Existing 50km/h Speed limit signs at Haumoana	Existing 50km/h Speed limit signs at Te Awanga	100km/h	Reduce to 80km/h
Clifton Road	Existing 50km/h Speed limit signs at Te Awanga	30m South-east of existing 50km/h Speed limit signs at Te Awanga	100km/h	Reduce to 50km/h
Clifton Road	30m South-east of existing 50km/h Speed limit signs at Te Awanga	End	100km/h	Reduce to 80km/h
East Road	Parkhill Road	Existing 50km/h Speed limit signs	100km/h	Reduce to 80km/h

ROAD NAME	FROM	TO	CURRENT SPEED LIMIT	PROPOSED SPEED LIMIT
Haumoana Road	Mill Road	50m South of existing 50km/h Speed limit signs	100km/h	Reduce to 80km/h
Haumoana Road	50m South of existing 50km/h Speed limit signs	Existing 50km/h Speed limit signs	100km/h	Reduce to 50km/h
Lawn Road	Napier Road	Mill Road	100km/h	Reduce to 80km/h
Mill Road	Existing 50km/h Speed limit signs	Tuki Tuki Road	100km/h	Reduce to 80km/h
Parkhill Road	Haumoana Road	End	100km/h	Reduce to 80km/h
Tuki Tuki Road	Mill Road	Waimarama Road	100km/h	Reduce to 80km/h
OTHER SITES				
Brookfields Road	Pakowhai Road	NCC boundary	100km/h	Reduce to 80km/h
Omarunui Road	SH50 (Korokipo Road)	Strome Road	100km/h	Reduce to 80km/h
Pakowhai Road	Start of Existing 60km/h section	End of Existing 60km/h section	60km/h	Increase to 80km/h
Springfield Road	Puketapu Road	NCC boundary	100km/h	Reduce to 80km/h
Waiohiki Road	SH50 Links Road	NCC boundary	70km/h	Reduce to 50km/h
Havelock North CBD	Extents provided in Statement of Proposal		50km/h	Reduce to 30km/h
RURAL INTERSECTION ADVANCE WARNING SIGNS (RIAWS)				
Pakowhai Road / Elwood Road	On Pakowhai Road, from 150m North-east of Elwood Road	150m South-west of Elwood Road	80km/h	Introduce 80/60km/h RIAWS zone on Pakowhai Road
Mill Road / Richmond Road	On Mill Road, from 150m North of Richmond Road	150m South of Richmond Road	100km/h	Introduce 80/60km/h RIAWS zone on Mill Road

4.4 When presented with the above proposals for feedback, Council raised some queries that required further officer action. These actions are summarised below:

ITEM	ACTION REQUIRED	INVESTIGATION	RECOMMENDATION
Hastings CBD	Consult Hastings business association and seek feedback on speed limit change options	Feedback received from Hastings Business Association survey yielded 50% support for a 30km/h speed limit (32 people surveyed). Request from Business Association to delay public consultation until a reasonable consultation with business and building owners can be done.	Remove Hastings CBD Speed limit from proposal
Havelock North CBD	Consult Havelock North business association and seek feedback on speed limit change options	Havelock North Business Association Board discussed and agree with the proposed idea of a 30km/h CBD Speed limit.	Include Havelock North CBD speed limits in Statement of Proposal for Public consultation

Lawn Road	Officers to reassess and also consider alternative options to speed limit reductions	Officers will begin a Crash Reduction Study on Lawn Road this financial year. The number of driveways accesses and roadside hazards are the key reasons that Lawn road was included in the NZTA Top 10% Death and Serious Injury reducing sites and recommended for a speed limit reduction. Lawn Road sits between Napier Road (80km/h) and Mill Road (Proposed 80km/h) and as such a reduction to 80km/h would be consistent with the rest of this area. Initial officer investigation suggests that to make the road safer would require hazard protection or removal, which on this route means the power poles, deep drains and driveway culverts. The likely cost of providing guardrail on both sides of the road would be in the order of \$3million, and would introduce operational issues with maintaining the open drains. Piping the open drains could cost in the order of \$4 million to \$8 million, and is not likely feasible due to the flat terrain and the resulting reduction of stormwater capacity. This also does not reduce the number of driveways that access Lawn Road, which is a key driver of the recommended 80km/h speed limit.	Include Lawn Road in Statement of Proposal for Public consultation
East Clive	Officers to assess roads in East Clive	The speed limit for these roads could be reduced to 50km/h, however these roads do not look or feel like urban roads the way those in the urban centres do. This could set a precedent for future urban speed limits on semi-rural roads.	Retain existing 70km/h speed limit
Longlands/ Railway	Officers to consider alternative options to reducing RIAWS site to 60km/h	<p>Reducing the speed limit to 80km/h on Railway Road through to the RIAWS site would require Council to reduce the RIAWS speed limit to 60km/h, and for the RIAWS to remain at 70km/h the approaching speed limit must remain at 100km/h. Through officers investigation and discussion with NZTA it was determined that the RIAWS site could not be used as a speed limit change point, and as such three options are presented:</p> <ol style="list-style-type: none"> 1. Reduce Railway Road to 80km/h from the existing 50km/h signs to a point 300m north of Longlands Road, the RIAWS site would remain 100/70 km/h. 2. Reduce Railway Road to 80km/h from the existing 50km/h signs to a point 250m south of Longlands Road, the RIAWS site would change to 80/60 km/h. 3. Reduce Railway Road to 80km/h from the existing 50km/h signs to a point 250m south of Longlands Road and remove the RIAWS system. <p>The existing RIAWS site has been in operation since 2014, and has provided significant safety benefits at this intersection - there have been no injury crashes since its installation, and officers do not recommend</p>	Option 2: Reduce Railway Road to 80km/h from the existing 50km/h signs to a point 250m south of Longlands Road, the RIAWS site would change to 80/60 km/h.

		removing it. If the RIAWS were to remain at 100/70 and an 80km/h limit implemented north of the intersection, this would result in the speed limits on Railway Road heading into Hastings being inconsistent i.e. 100 – 70 – 100 – 80, which is not best practice. It should be noted that the RIAWS speed limits must be approved by NZTA, and are strictly controlled.	
Puketapu Park	Consider seasonal speed limit for park frontage	The entrance to Puketapu park is some 300m from the urban boundary. The park entrance is generally only busy during summer weekends and as such compliance with a 50km/h speed limit at all other times would be low. The 80km/h proposed speed limit will provide safety benefits at the entrance of the park.	Proceed with 80km/h speed limit as recommended.
Haumoana Road	Officers to consider extending 50km/h speed limit	Agree with the request to extend 50km/h section by 50m.	Include extension of the 50km/h section in the Statement of Proposal
Elwood Road	Consider extending speed limit change to Otene Road	The section that is currently 80km/h between the existing 70km/h signs and Otene Road does not look like an urban 50km/h speed limit, and the calculated safe and appropriate speed matches the current posted speed limit. Compliance with a speed limit lower than 80km/h here would likely be very low. Introducing urban speed limits on rural roads could cause a lack of compliance which is likely to spread, and drivers may start to ignore the valid 50km/h speeds limits that have been introduced in urban areas where there are urban issues such as pedestrians and cyclists present.	Retain existing 80km/h speed limit on northern section

4.5 The roads in following table were reviewed, however the recommendation is to retain the existing speed limit.

ROAD	REQUESTS	REASON FOR NO SPEED LIMIT CHANGE
Apley Road	Lower Speed Limit	Improved signage and delineation would have a greater effect at improving safety
Ellis Wallace Road	Lower Speed Limit	Improved signage and delineation would have a greater effect at improving safety
Gilbertson Road	Lower Speed Limit	Existing speed limit appropriate. Improvements to discourage speeding and antisocial behaviour to be considered.
Havelock Road	Raise Speed Limit, Lower Speed Limit	Existing speed limit appropriate
Longlands Road	Lower Speed Limit	Existing speed limit appropriate. Improved intersection treatments would have a greater effect at improving safety
Napier Road	Lower Speed Limit	Existing speed limit appropriate. Officers to begin Crash Reduction Study following construction of the cyclepath.
Ngatarawa Road	Lower Speed Limit	Improved signage and delineation would have a greater effect at improving safety
Otene Road	Lower Speed Limit	Existing speed limit appropriate. Improvements to discourage speeding and antisocial behaviour are being considered.
Puketitiri Road	Lower Speed Limit	Improved signage and delineation would have a greater effect at improving safety

Romanes Drive	Increase Speed Limit	Existing speed limit appropriate
Ruahapia Road	Lower Speed Limit	Existing speed limit appropriate. Improvements to discourage speeding and antisocial behaviour are being considered.
Swamp Road	Lower Speed Limit	Existing speed limit appropriate. Officers to conduct Crash Reduction Study.
Taihapa Road	Lower Speed Limit	Improved signage, delineation and hazard protection would have a greater effect at improving safety. Crash reduction study has been completed and the recommended safety interventions are programmed.
Te Mata Mangateretere Road	Lower Speed Limit	Improved signage and delineation would have a greater effect at improving safety
Te Mata Peak Road	Lower Speed Limit	Improved signage and delineation would have a greater effect at improving safety
Waimarama Road	Lower Speed Limit	Improved signage, delineation and hazard protection would have a greater effect at improving safety. Crash reduction study has been completed and the recommended safety interventions are programmed.
Waipunga Road	Lower Speed Limit	Improved signage and delineation would have a greater effect at improving safety
Whakatu Road	Lower Speed Limit	Existing speed limit appropriate. Improved intersection treatments would have a greater effect at improving safety

4.6 The roads in the following table were requested to be reviewed, however were not considered for various reasons.

ROAD	REQUESTS	REASON FOR NO SPEED LIMIT CHANGE
All Country Roads	Lower Speed Limit	Rural delineation policy under review
North Shore Road	Lower Speed Limit	Traffic Calming consultation beginning shortly
Nottingley Road	Lower Speed Limit	Traffic monitoring ongoing
Tauroa Road	Lower Speed Limit	Traffic calming implemented. Future speed limit will be considered following CMP study
Various roads outside all Marae	Lower Speed Limit	Speed limit in front of Marae will be considered as part of the regional speed limit reviews. Investigation of safety and access needs for Marae is proposed in next LTP.
Various roads outside schools	Lower Speed Limit	Awaiting government direction
Whirinaki Road	Lower Speed Limit	Traffic Calming consultation beginning shortly

- 4.7 Officers have identified that the most appropriate method for administering these changes is for Council to propose to “set” those speed limits under the Rule and to undertake consultation on that proposal as required by the Rule and the Local Government Act 2002.
- 4.8 This report considers the potential amendment of an existing bylaw under Section 156 of the Local Government Act 2002. As such the controls in Section 155 of that Act do not explicitly apply. Those controls are however useful touchstones against which these changes can be measured.
- 4.9 Section 155(1) asks whether a new bylaw is the best way to address a perceived problem. In this case it is the only way by which to change a speed limit. Section 155(2)(a) raises whether the form of the proposed bylaw is the most appropriate. Again, there is limited flexibility in that regard, but essentially that is a question about whether the proposed speed is the best one. Officers have recommended the speeds that they consider most appropriate but ultimately this is a decision for the Council.
- 4.10 Subsections 155(2)(b) and 155(3) ask the local authority to consider if any New Zealand Bill of Rights Act (BORA) issues are raised. These matters have been considered by the Council’s General Counsel,

and while a lowering of a speed limit might have been thought to lessen the freedom of movement protected by Section 18(1) of BORA, that impact is not of a nature that is more than *de minimis*.

- 4.11 The previous reports as listed below have been reconsidered by officers and except as otherwise subsequently amended are still considered relevant.
- Speed Limits Bylaw 2012 (Amendments 2019)
 - Speed Limits Bylaw 2012
 - Speed Limits Bylaw 2011
 - Speed Limits Bylaw 2009
 - Speed Limits Bylaw 2007
 - Speed Limits Review 2006
- 4.12 The Council is required, under the bylaw-making provisions of the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2017, to use the special consultative procedure to make, amend or revoke a bylaw.
- 4.13 Should the Council determine to proceed with the recommended Option 1, then the attached Statement of Proposal (“the SOP”) will need to be publicly notified and made available. It will be available at the Council offices, its libraries and on the website as well as being posted out on request. The SOP will provide guidance on the procedure for making submissions on the Speed Limits Bylaw.
- 4.14 The attached communication plan has been developed which details the consultation process and the method in which HDC will engage the community and receive submissions. The specifics in the communication plan will be updated to reflect the decisions made by Council
- 4.15 All affected parties will receive a “Summary Statement of Proposal” that includes written notification of the consultation period and where a copy of the SOP can be viewed or obtained.
- 4.16 In addition to general consultation with the community, and specific consultation with affected parties (including occupiers of adjacent properties where the speed limit changes are proposed), the Council will be consulting with the other parties scheduled in the Rule, at 2.5(2), namely:
- New Zealand Police;
 - New Zealand Transport Agency;
 - New Zealand Automobile Association Inc.;
 - Road Transport Forum New Zealand;
 - Any other organisation or road user group the Council considers affected,
 - Adjacent Territorial Authorities:
 - Napier City Council
 - Wairoa District Council
 - Taupo District Council
 - Rangitikei District Council
 - Hawkes Bay Regional Council
 - Central Hawkes Bay Council
- 4.17 The minimum period for consultation under the special consultative procedure is one month. Officers are proposing a six week consultation period.

5.0 Options – *Ngā Kōwhiringa*

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

5.1 Propose to amend the Speed Limit Bylaw and to proceed with public consultation on the Statement of Proposal by way of the special consultative procedure in accordance with the Local Government Act 2002 and the Rule.

- Advantages
 - Improved safety performance by reducing the likelihood and severity of crashes on these roads.
- Disadvantages
 - Speed limit reductions are generally not supported by the public.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhutatanga o nāianeī

5.2 Take no further action and retain the existing bylaw including its schedules

- Advantages
 - Reduced resourcing requirement for Council officers
- Disadvantages
 - Offers no safety improvements to Hastings District Council roads through speed management. To receive the same safety benefits through infrastructure improvements alone will require increased funding.
 - Further delaying the review of public requests and NZTA Top 10% DSI reducing sites. This was a criticism raised by the public, NZTA and Police during the previous speed limit review.

6.0 Next steps – *Te Anga Whakamua*

6.1 Should the Council determine to proceed with the recommended Option 1, officers will proceed the actions in the attached communications plan.

6.2 The general timeline is as follows:

- Public Consultation Commences – 3rd August 2020
- Public Consultation Closes – 14th September 2020
- Submission Hearings – 12th – 17th November 2020
- Report to Council to confirm bylaw – December 2020
- Implementation of any speed limit changes – December 2020 / January 2021

Attachments:

1⇒	Communications Plan - Speed Limit Consultation 2020	PRJ20-36-0001	Under Separate Cover
----	---	---------------	----------------------

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

This decision contributes to the purpose of local government by primarily promoting social wellbeing

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

The Council's strategic objective of safe transport options

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A:

Sustainability - *Te Toitūtanga*

N/A:

Financial considerations - *Ngā Whakaarohanga Ahumoni*

It is estimated that the cost of implementation for all of the recommended sites is in the order of \$100k. This will be funded from existing transportation budgets.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of high significance.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

Consultation will take place following the decision to proceed with the Special Consultative Procedure. A communications plan has been developed to support the process.

Risks: - Ngā Tūraru:

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<p>Decrease the likelihood and severity of crashes on these roads.</p> <p>Balance outcomes with achieving transport vision which is to move people and goods around safely and efficiently.</p>	<p>Speed limit reductions are generally not well supported by the travelling public.</p> <p>Gap between proposed speed limits and community expectations. This will be managed through the communications plan.</p> <p>Perception of restricting economic activity. The technical investigation found that for many of these roads, the current operating speeds are close to the proposed speed limits.</p>

Rural Community Board – *Te Poari Tuawhenua-ā-Hāpori*

Various rural roads are part of this proposal. Rural Community Board members have been consulted with and raised no concerns with the proposals.

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 9

Te Rārangi Take

Report to Council

Nā: Megan Peacock-Coyle, Manager, Hawke's Bay Opera House
From: Precinct
Kevin Carter, Community Grants Advisor

Te Take:
Subject: Arts, Culture and Events Recovery Plan

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to request that Council adopt the Hastings District Council Arts, Culture and Event Recovery Plan (**Attachment one**) and provide additional financial resources to deliver the Recovery Plan.
- 1.2 The Arts, Culture & Events Recovery Plan is focussed on delivering events, performances, installations and exhibitions for our community to enjoy and feel part of a vibrant and exciting future for our district and our region
- 1.3 This plan has been created to develop, produce and present opportunities for our community and local artists that would normally have been filled by national and international touring productions, exhibitions, installations and events.
- 1.4 COVID19 has changed how the New Zealand arts, culture and events industry will operate for the next 6 months, the Arts, Culture & Events Recovery Plan aims to ensure the sector is well supported.
- 1.5 The preferred option is to fund the plan up to the value of \$300,000. This gives Council the opportunity to deliver a meaningful level of activity and will meet the objectives of the recovery plan. Staff will approach other funding opportunities to support this plan with the aim to deliver even more for the community including the two major light and sound installations.

2.0 Recommendations – *Ngā Tūtohunga*

- A) That the Council receives the report titled Arts, Culture and Events Recovery Plan.
- B) That the Council adopt the Arts, Culture & Events Recovery Plan as set out in the report at (A) above.

- C) That the Council approves funding from the Covid Recovery Contingency Budget up to the value of \$300,000 to a fund number of events listed to deliver on the Arts, Culture and Events Recovery Plan over the next six months.
- D) That staff are to actively pursue corporate sponsorship and other funding opportunities to support activities and installations and minimise ratepayer funding.

3.0 Background – *Te Horopaki*

- 3.1 COVID-19 has changed how the arts, culture and events industry operates and how it influences community wellbeing. This change has had a big impact on our local arts and events industry and this framework shows how we can ensure ongoing community engagement and support.
- 3.2 Arts, culture and events range from major large-scale international activities which deliver significant economic, social and promotional benefits to New Zealand through to domestic, regional and local community activities which deliver local economic, cultural and social benefits.
- 3.3 These activities can improve social cohesion, community resilience, spirit and pride; develop a stronger identity and sense of place; support local artists, performers and the creative sector; improve cultural awareness and understanding; stimulate domestic and international tourism and generate national and global media profile.
- 3.4 The Arts Culture and Events Recovery Plan has been developed to respond quickly to the Toi-tū Strategic Framework that was adopted by the council last year
- 3.5 Toi-tū Hawke's Bay is a framework for the development of current and future arts, culture and creative strategy and projects within Hawke's Bay. The framework was created from conversations with the creative sector. It is a response to identified gaps - areas where action can result in long-term and far-reaching change. Implementation of Toi-tū will see a region-wide expression of Hawke's Bay's unique identity, cultural diversity, heritage and sense of place.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Council was briefed on the Arts, Culture & Events Recovery Plan at a workshop in June 2020.
- 4.2 The benefits for implementing the Arts, Culture and Event Recovery Plan to the Hastings district include:
 - Re-energised community through participation in arts and cultural events and experiences;
 - Empowered and supported arts, culture and events partners and individuals working locally;
 - A collaborative arts sector throughout Hawke's Bay working externally and internally;
 - New processes and structures focused on the community feeling comfortable attending larger events in the future;
 - Confidence to attend outdoor and indoor events presented by HDC facilities, events teams and arts partners;
 - A vibrant, safe and activated city centre - the heart of the city is enlivened by bringing the arts, culture and events into public spaces; and
 - A successful transition back into larger events for the urban centres and wider region.
- 4.3 It is proposed that the Council adopts the Arts, Culture and Events Recovery plan and provides funding to deliver it over the next 6 months. Officers presented a number of options to fund a recovery plan which were discussed in detail at a Council workshop on 23 June

2020. Officers were tasked with preparing a report setting out options and recommending a recovery plan which provided the best returns for the community and value for money. These options are set out in the table below:-

<p>4.4 Option One: <i>Additional funding of \$140,000 and includes:</i></p> <ul style="list-style-type: none"> • Lightboxes; 6 multiuse light boxes that can be used as art installations advertising of upcoming exhibitions and events, directional signage and storytelling. • Augmented Reality; Takitimu Performing Arts students telling stories of Ngā Pou and Artists telling stories on the Art Walking Tours and stories of many other local landmarks in the Civic Square/Arts Precinct area • Titiro Mai; Community Arts and Cultural Facilities Open Day, to provided vibrancy and activity back into the CBD based council facilities • Te Kāhui Group; The establishment of a Toi-Tū cross sector leadership group that advocates for the District from a creative perspective and as a creative region • Heretaunga Stories; Capturing artists responses to living in our diverse community through Literary, Visual & Performing Arts • Mīharo Excerpts; Free monthly performances, performed live at Toitoti • Walking Art Tours; Weekly guided tours of the central city art installations • Online library programmes; Free additional online library programmes for the community with a storytelling, arts and culture focus.
<p>4.5 Option Two: <i>Additional funding of \$300,000 and includes:</i></p> <ul style="list-style-type: none"> • Includes all activities in option one with the addition of: • Christmas Decorations throughout City Centre; large scale interactive Christmas themed installations in the CBD • Santa's Grotto/Winter wonderland; large scale outdoor Christmas decorations around the CBD • Christmas at Functions on Hastings: Decorated and themed for community use by day -corporate hire by night.
<p>4.6 Option Three: <i>Resourcing to the value of \$400,000</i></p> <ul style="list-style-type: none"> • Includes all activities in option one and two with the addition of: • Two major light and sound installations; Extra-large scale light and sound installations, first time in New Zealand

- 4.7 The investments outlined in options 1 and 2, include one off investments like the lightboxes, the augmented reality and the Christmas decorations that will be available to be reused, reactivated and repurposed for future opportunities.
- 4.8 The Titiro Mai is an event that gave Council the opportunity to move forward, to show our community that we are indeed 'open and safe'. It enabled momentum to be maintained and has been covered to-date using operational budgets to cover the costs. The main costs for this event were marketing and artist's fees.
- 4.9 While there are some limited operational budgets that can be redirected to the delivery of this plan, they are limited in value and therefore restrict the ability to deliver much of what is outlined above. The funding request is therefore unbudgeted. In the 2020/21 Annual Plan Council established a Covid-19 Recovery Contingency fund of \$1m from the sale proceeds of the Orchard Road depot. To date \$150,000 has been allocated to the Hastings Urban Centres (Hastings CBD, Havelock North and

Flaxmere) Recovery, leaving \$850,000 from this contingency fund for allocation and investment, should there be the need and justification to do so.

- 4.10 Option Two is the recommended level of funding requested of Council as this allows the 'quick wins' to facilitate community activation but also shows investment in the celebration of Christmas in our community. It is an opportunity to go all out and really light up the city, as well as our facilities.
- 4.11 There are other funding opportunities that Council can approach to support the initiatives outlined above and if successful could possibly enable Council to deliver more for the community. There is the boosted campaign that is currently live for 20 more days and has raised \$3270 towards the Heretaunga Stories collaboration with Toitū, Hastings City Art Gallery and Library. The Creative New Zealand grant for the regional arts sector has re-opened and is an opportunity for the ACE Recovery Plan to apply for, Creative New Zealand are very interested in working closely with local government to increase participation in the arts in NZ. The Creative New Zealand Funding Opportunity looks to "incentivise local and regional stakeholder investment in the development and presentation of local arts activity outside the main centres (Auckland, Wellington and Christchurch) (Ngā Toi ā Rohe – Arts in the Regions Fund)".
- 4.12 A number of the installations outlined in the options above lend themselves to corporate naming and funding opportunities, particularly with the two major light and sound installations outlined in option 3.

5.0 Options – Ngā Kōwhiringa

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 That the Council adopts the Arts, Culture & Events Recovery Plan and provides funding of up to \$300,000 from the Covid-19 Recovery Contingency to deliver the programme of events and installations as set out in paragraph 4.5 above. With opportunities explored to maximise external funding to enable more to be delivered, including the potential delivery of installations outlined in option 3.

Advantages

- 5.2 This allows the 'quick wins' to facilitate community activation but also shows investment in the celebration of Christmas in our community. It is an opportunity to go all out and really light up the city, as well as our facilities. This investment also enables council staff to start to look for additional sponsorship and continue to work towards achieving the goal of Hastings being the instillation capital of New Zealand. These installations, with all of the above options, will certainly help Hastings shine and promote community wellbeing through the arts, culture and events.

Disadvantages

- 5.3 This additional activity is unbudgeted, any resourcing will need to come from the Covid-19 Recovery Contingency Budget. The investment requested from Council for these initiatives is significant and will be a major draw on the Covid-19 Contingency reserve.

Option Two – Status quo

- 5.4 It is possible that the council can adopt the Arts, Culture & Events recovery plan in principle without providing additional financial resourcing, although staff would not be able to deliver any additional projects and activations or support artists outside their current operational budgets.
- 5.5 Not resourcing the recovery plan misses an opportunity to show Hastings off as the 'City of Christmas', where tourists and locals will flock to enjoy the vibrancy and celebration of Christmas.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 Depending on the level of investment approved officers will work quickly to implement the plan as per the attached document:

Attachments:

1 [🔗](#) Arts Culture And Events-Recovery Plan CG-16-2-00264 Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

This proposal promotes the Social and Cultural wellbeing of communities

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

The Arts, Culture & Events Recovery Plan covers events and activations.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

The Arts, Culture & Events Recovery Plan also covers cultural events and activations.

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Covered in paragraph 4.9 above.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of low significance.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

Engagement with the wider arts sector is underway.

Risks: - Ngā Tūraru:

Opportunity: Set out in paragraph 4.2 above

Risk; Set out in para 5.3above

Rural Community Board – Te Poari Tuawhenua-ā-Hapori

N/A

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 10

Te Rārangi Take

Report to Council

Nā:
From: Rowan Wallis, Environmental Policy Manager

Te Take:
Subject: Plan Change 2 to the Partially Operative District Plan - Engineering Code of Practice

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council on whether to adopt a Change to the Partially Operative Hastings District Plan for public notification under the Resource Management Act 1991 (the RMA) process.
- The Proposed Plan change is to incorporate the relevant amendments to the district plan that have arisen from the review of the Engineering Code of Practice.
- 1.2 Proposed Plan Change 2 is required to update the District Plan in response to the recently reviewed Hastings Engineering Code of Practice, 2020 (ECOP (2020)) including adopting the New Zealand Transport Agency's 'One Network Road Classification' (ONRC) hierarchy. The main points from the reviewed ECOP that require the partially operative district plan to be amended are;
- Consistent referencing of the Engineering Code of Practice throughout the Plan and a new definition of the Engineering Code of Practice.
 - Changes to the roading hierarchy to reflect the New Zealand Transport Agency's One Network Road Classification. Requires a new road hierarchy map and changes to the classifications of 'roading' in the definition section of the Plan.
- 1.3 This Plan Change is largely a technical change which will ensure that where the Engineering Code of Practice is cited in the district plan the newly amended version is referenced. Due to its largely technical nature it is not envisaged that the Plan Change will be controversial. The Engineering team have previously worked through the proposed amendments to the ECOP document with stakeholders and this plan change does not allow for submissions on the ECOP document itself.

2.0 Recommendations – *Ngā Tūtohunga*

- A) That the Council receives the report titled Plan Change 2 to the Partially Operative District Plan - Engineering Code of Practice.

- B) That the Council adopt Plan Change 2 and the Section 32 Evaluation Report for public notification and submission pursuant to Schedule 1 of the Resource Management Act 1991.

3.0 Background – *Te Horopaki*

- 3.1 The review of the Engineering Code of Practice that has recently taken place provides improved and new methods for compliance with the District Plan and RMA when undertaking subdivision and land development in line with current best practice.
- 3.2 The review of ECOP was undertaken in consultation with a number of stakeholders in the development community.
- 3.3 The key changes to the updated ECOP (2020) include:
- An updated district roading hierarchy based on the New Zealand Transport Agency's 'One Network Road Classification' (ONRC);
 - Recognition of latest construction practices;
 - Clearer guidance in the Standard Construction Drawings including amendments to Drawing C6, C7, C19 & C19A, C31;
 - Amended guidance for Three Waters reflecting recent changes in policy and regulation including a new set of Water Services Drawings (WS101 – 108, WS101-207; WS301- 303, WS 401-4-7, and WS501 509;
 - Introduction of Drawings LD1 and LD2 providing typical tree planting detail for trees in road reserves; and
 - Introduction of a Street Lighting Code of Practice including a set of Standard Drawings SL000 – SL0006.
- 3.4 Only some of these changes require amendment to the District Plan and these are discussed in the following section.

4.0 Discussion – *Te Matapakitanga*

- 4.1 ECOP is embedded in the District Plan both through identifying it as a method of meeting the objectives and policies of the Plan and also by identifying the road hierarchy that influences a number of the transportation provisions within the Plan. It is necessary to amend the District Plan to ensure referencing to the correct version of the ECOP and to make any consequential changes to ensure that subdivision and land development in Hastings District continues to be designed and implemented in accordance with latest relevant policy and engineering best practice.
- 4.2 No significant changes are required to plan objectives or policies, or rules and, with the exception of the amended roading hierarchy, most changes relate to updating the various references to the Engineering Code of Practice in the District Plan to reflect the latest version.
- 4.3 This Plan Change provides new maps to replace Appendix 69, and proposes inclusion of an associated 'Roading Hierarchy Table' alongside Appendix 69 that describes the characteristics and types of roads included in the hierarchy. The changes to the classifications resulting from the New Zealand Transport Agency can be summarised as;
- Regional Arterials become Arterials
 - District Arterials become Primary Collectors
 - Collector Routes become Secondary Collector
 - Local Streets become Access Roads

- 4.4 The majority of the changes to the partially operative District Plan are providing the correct reference to the updated ECOP document and these occur throughout the Plan. The changes to the road classifications mostly affect the transportation section of the Plan which is Section 26.1. All of the proposed changes can be viewed in **Attachment A**.
- 4.5 The adoption of the Engineering Code of Practice as an alternative method to the Plan provisions requires that an evaluation Report be prepared under Section 32 of the Resource Management Act 1991.
- 4.6 The Evaluation Report concludes that the amendments sought by proposed Plan Change 2 are efficient and effective in that they will enable the effects of subdivision and land development (including effects on the transport network) to be managed in a way that reflects best practice, is consistent with the regional policy statement, and which enables people and communities to provide for their social, economic, and cultural wellbeing while mitigating adverse effects of activities on the environment. The full S32 Evaluation Report can be viewed in **Attachment B**.

5.0 Options – Ngā Kōwhiringa

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 To adopt the Plan Change to provide for the relevant amendments from the ECOP Review and notify it for submission :

Advantages

- To ensure that the best practice in engineering design is adopted for the subdivision and land development process.
- To ensure that the latest New Zealand Transport Agency (NZTA) roading classifications are correctly referenced in the district plan.

Disadvantages

- The resources involved in the notification and hearing process to make a change to the district plan

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāiane

- 5.2 The status quo would result in the 2011 ECOP remaining as the reference in the district plan, along with a road hierarchy and roading classifications that do not match those adopted by the New Zealand Transport Agency.

Advantages

- Cost savings

Disadvantages

Being unable to legally apply the reviewed ECOP document and not correctly administering the roading classification that have been set by the NZTA. This could potentially result in a loss of funding from NZTA.

6.0 Next steps – Te Anga Whakamua

- 6.1 The next step would be to publicly notify the proposed changes to the District Plan under the first schedule of the Resource Management Act. This allows for any member of the public to make a submission on the proposed changes. The submissions received are then summarised and open for submissions of support or opposition. Following this, the hearing of submissions is held with recommendations from the Hearings Committee coming back to the Council for adoption.
- 6.2 Once the decisions on submissions have been made and the appeal period has closed any amendments to ECOP arising from the decisions on submissions will be made, and the document can be made final.

Attachments:

1➡	Plan Change 2 ECOP FINAL pdf version	ENV-17-1-20-4	Under Separate Cover
2➡	Plan Change 2 Section 32 report	ENV-17-1-20-6	Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

The ECOP provides for all four community wellbeings to greater and lesser extents. The primary purpose is to ensure that economic development within the district is facilitated while ensuring that the natural and physical environment is protected. The principal changes to the district plan are around introducing NZTA's new roading classifications and this contributes to the purpose of local government by promoting social and economic well-beings

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the economic and social well-being of communities in the present and for the future. It does this by meeting the following objectives set by Council to ensure that the outcomes for local infrastructure are met.

- Accessible range of safe transport options.
- Efficient movement of goods.
- Infrastructure supporting economic growth.
- Sustainable use of land and water resources.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

There are no known impacts for Tangata Whenua but indirectly the Engineering Code of Practice puts in place a means of compliance that will assist in achieving improved environmental outcomes.

Sustainability - *Te Toitūtanga*

The Engineering Code of Practice does take a long term view of management the natural and physical resources associated with land development. Similarly the roading hierarchy takes a longer term view for the sustainable management of the road network in the district to ensure the safe and efficient movement of traffic:

Financial considerations - *Ngā Whakaarohanga Ahumoni*

There are no financial implications for the Plan Change which is provided for in the Environmental Policy budget.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of medium significance as the major stakeholders in the land development sector have been consulted and the amendments that are required to the District Plan are to ensure correct referencing rather than altering objectives, policies or rules.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

External consultation has been undertaken with stakeholders in the development sector. If the Plan Change is adopted this will create a further opportunity for the wider community to submit on the proposals, as set out in Schedule 1 of the Resource Management Act.

Risks: - *Ngā Tūrarū:*

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūrarū</i>
The latest version of the ECOP document will be correctly referenced in the district plan which means that best practice in engineering design will be adopted for the subdivision and land development process.	There are no financial implications as the plan change is budgeted and has been through a consultation phase with stakeholders including iwi. The plan change will go through a public notification process under the Resource Management Act. The level of risk is considered to be low with small chance of legal challenge.

Rural Community Board – *Te Poari Tuawhenua-ā-Hāpori*

The Proposed Plan Change principally involves referencing matters and therefore it is considered that there are no specific implications for the Rural Community Board.:

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 12

Te Rārangi Take

Report to Council

Nā:
From: Mark Clews, Principal Advisor: District Development

Te Take:
Subject: Council Submission to Regional Plan Change No.9 - Management of Tank Freshwater Catchments

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to authorise a submission to the Hawke's Bay Regional Council's (HBRC) Proposed Change No. 9 to the Regional Resource Management Plan (RRMP) dealing with the management of fresh water in the Greater Heretaunga Catchments collectively known as the TANK Catchments.
- 1.2 The report summarises the intent of the proposed plan change and the implications for this Council (HDC) and the community, suggests how it could be changed to enable HDC to better undertake its water related functions within appropriate HBRC to advance those changes

2.0 Recommendations – *Ngā Tūtohunga*

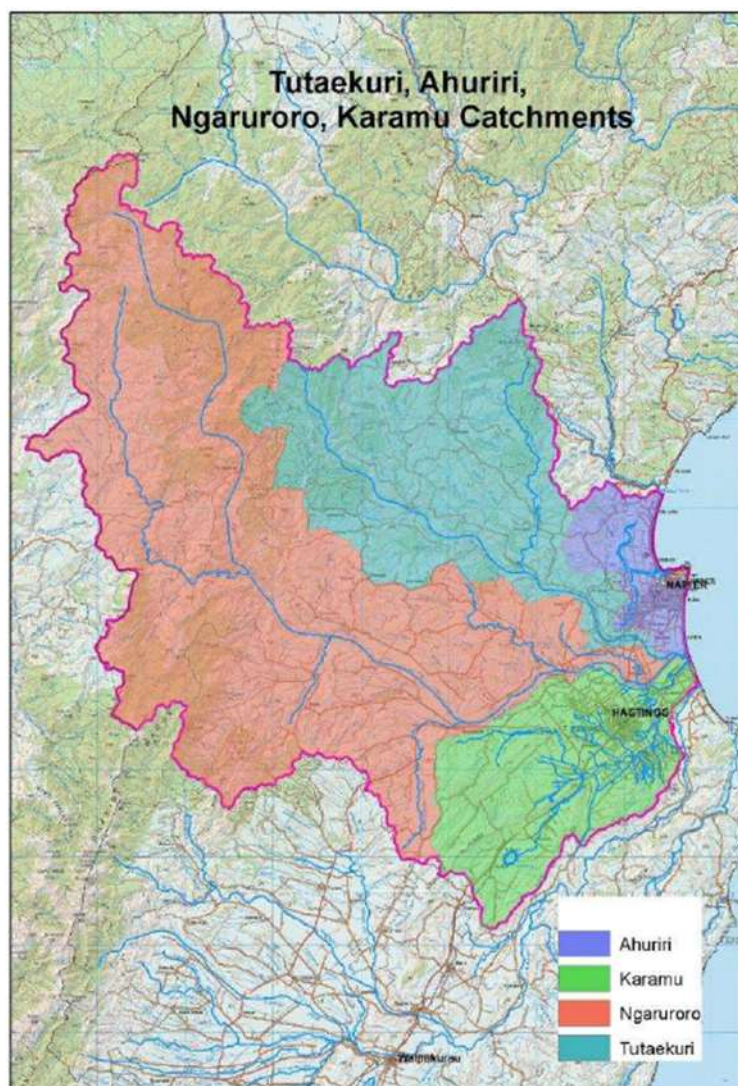
- A) That the Council receives the report titled Council Submission to Regional Plan Change No.9 - Management of Tank Freshwater Catchments
- B) That the Council approve the Proposed Submission attached (REF) for lodgement with the Hawke's Bay Regional Council under Clause 6 of the First Schedule of the Resource Management Act, subject to any changes authorised by the Mayor, Deputy Mayor, Chair of the Policy and Strategy Committee and the Chief Executive arising from the discussions referred to in paragraph 6.2 of this report.

3.0 Background – *Te Horopaki*

- 3.1 This issue arises from the HBRC's obligation to implement the 2014 National Policy Statement for Freshwater Management (NPSFM) in the Tutaekuri, Ahuriri, Ngaruroro and Karamu (TANK) catchments.

- 3.2 The NPSFM requires regional councils to set freshwater objectives, including allocation limits and targets for every water body in their region, including aquifers and wetlands, in order to maintain and improve water quality.
- 3.3 In this case the HBRC adopted a combined catchment approach to reflect the interconnectedness of the Heretaunga Plains aquifer and the surface water resources in these TANK catchments as shown in Figure 1 below.

Figure 1 TANK Catchments



- 3.4 The HBRC elected to use a stakeholder based collaborative planning exercise to determine how water bodies within the TANK catchments should be managed to meet the diverse interests and needs of the community. The TANK group was established in 2012 and comprises over 30 groups and organisations representing a spectrum of water users, environmental interests, recreationalists and Tangata Whenua/Mana Whenua groups. The process included Hastings District and Napier City Council officers, but industrial abstractors reliant on their own bores instead of municipal supply were not specifically represented.
- 3.5 HDC's roles and interests in the issue as a territorial authority include:
- Abstracting groundwater for municipal supply and discharging urban stormwater to freshwater receiving bodies
 - Having land use planning responsibilities under the RMA that affect freshwater
 - Advocating for district rural and urban dwellers economic and social wellbeing where this is dependent upon water quality and quantity.

- 3.6 These roles are however, tempered by an overarching responsibility under the Local Government Act to take a sustainable development approach, including the need to maintain and enhance the quality of the environment and take into account the cultural wellbeing of people and communities.
- 3.7 In that respect it is noted that Tangata Whenua have not necessarily found either the process or the outcomes satisfactory in terms of recognising and providing for their values. Discussion with officers of the Taiwhenua and NKII (participants in the TANK process) reveal a concern that Proposed Plan change does not go far enough quickly enough, particularly in terms of water allocation and they have major reservations about proposals for mitigating effects through stream flow maintenance from groundwater.
- 3.8 While it is not the HDC's role to represent Maori values, it is important that they are respected and accounted for in its position to the extent that they can be. In that regard this report allows for further discussion with Iwi to identify areas of common concern, or areas of conflict so that these can be managed in a mutually respectful way before lodging a submission.
- 3.9 The collaborative TANK Group finally presented a draft plan change to the HBRC Regional Planning Committee (RPC) in August 2018 while noting some significant areas of non-consensus. Given the non-consensus it was not until March 2020 that the RPC was in a position to recommend a plan change to the HBRC for notification, although a pre-notification draft was released for consultation in March 2019.
- 3.10 In mid-March 2020 the HBRC resolved that the Change be publicly notified on 28 March for a period of 42 working days (to the end of May). In April however, the HBRC resolved to defer notification of the Proposed TANK Plan Change to 2 May 2020 with a nine week submission period to 3 July, because of the impact of the COVID19. Subsequently the HBRC extended submission period to 14 August 2020.

4.0 Discussion – *Te Matapakitanga*

- 4.1 The plan is required to give effect to national and community values for freshwater and compulsory values have been set by the NPSFM for ecosystem health and human health for recreation. Beyond that the NPSFM requires that regional councils set limits and targets, include measures that prevent or reduce over-allocation, both in relation to water quantity and the capacity of the environment to assimilate diffuse discharges from land use on water quality.
- 4.2 Once sustainable limits have been set to protect instream values, the Plan must manage the allocation and re-allocation of the water available for abstraction and the application of nutrients to land in an equitable way among a wide range of water users.
- 4.3 In March last year HDC had two workshops on the Draft Plan Change and a report to the March meeting considered possible submissions in response to the challenges for water allocation and management it posed for the HDC and community. HDC's concerns with the Plan Change related mainly to the provisions of the Plan concerning water quantity limits and allocation provisions, rather than quality concerns (where there is largely a consensus of views).
- 4.4 While these were nevertheless significant issues for the HDC and the economy, it was accepted that there is now a new reality around freshwater resources nationally and within the Heretaunga Catchments as a result of:
- Greater National Direction on freshwater management, urban development and protection of versatile soils;
 - Heightened public awareness and expectations on quality;
 - Groundwater /surface water connectivity in the TANK catchments is much greater than previously understood;
 - The scale of potential over-allocation versus actual allocation is better understood in the TANK catchments;

- Greater understanding of abstraction effects on groundwater and surface water levels in the TANK Catchments;
- Increased innovation in water use and allocation management;
- Integration of Three waters thinking and Government Review.

- 4.5 These are longer term enduring changes that present challenges which will not be met taking a short or even medium term view (5-10 years) and cannot be satisfactorily addressed through a modified “business as usual” approach. Increasingly decisions about land and water will also need to be made against the backdrop of the government’s desire to move New Zealand towards a low carbon economy as signalled by the Zero Carbon Act.
- 4.6 In light of that HDC endorsed officers commencing work separately on a possible long term strategic approach beyond the plan change process in the form of an intergenerational water strategy. The purpose of that strategy would be to help facilitate economic and urban growth within the limitations of current and future freshwater resources of the Heretaunga Plains.
- 4.7 To that end HDC also resolved to take a positive, but focussed and pragmatic approach to the Plan Change itself, by seeking changes that would enable the HDC and the community to better position themselves to rise to the challenges of growing within the limits of the water resource. A submission was duly made on the draft to do that and a number of changes were made as result.
- 4.8 A briefing workshop was held last month with HDC on the Notified Plan Change to review how the Plan Change had been modified in relation to the earlier suggestions it had made, but more particularly to focus further on the residual concerns and any new matters of concern that had been introduced as a result of the RPCs deliberations. Specifically the remaining areas where change is recommended by way of a formal submission from HDC are as follows:

Water Allocation

- 4.9 While there are now various provisions to provide for existing takes, there is no clear pathways or provisions for new takes/opportunities i.e. industrial and commercial takes. This needs to be resolved so as to not adversely affect the economic and social wellbeing of the Hastings District. Greater flexibility and clarity is also sought around different pathways for municipal takes to meet growth demand in an equitable and cost effective way, within overall water limits.
- 4.10 Accordingly the submission seeks:
- Greater recognition of the unique nature of urban growth demands and the need to recognise the Heretaunga Plains Urban Development Strategy (HPUDS) and subsequent reviews as providing guidance around minimum demands;
 - Recognition of wider community needs when considering municipal community and domestic needs, beyond just human biological health needs;
 - Ability to consider exceptional/high value opportunities when allocating and re-allocating water versus blanket prohibition;
 - Consideration of growth planned at the time of the original consent beyond historic use when replacing industrial and commercial takes;
 - Greater flexibility for transfers of water as a means of enabling opportunity, including for and between municipal use to support urban growth for existing industrial users within limits;
 - Investigation of flexible management initiatives such as augmentation and global consents ahead of the replacement process.
 - Consideration of the long term sustainable equilibrium of the groundwater resource (up or down) alongside other matters when reviewing the allocation limit.

- Allow for TAs to manage some individual allocations on a collective basis (i.e. bundling) for urban activities not supplied from existing municipal systems to encourage efficient use and headroom for growth.

Source Protection

- 4.11 Specifically the submission supports the spatial definition of Source Protection Zones (SPZs) for HDC to have a greater level of understanding as to activities in the SPZs that have the potential to impact on the safety of drinking water.
- 4.12 The submission seeks to ensure that these are legal (and therefore able to be relied upon), provide certainty for water suppliers and plan users alike, and provide adequate protection of source water from the time the provisions become operative. In particular, the submission seeks clarification of the following:
- The status of the SPZ maps within the Plan;
 - The legality and implementation implications of using a consent process to amend the spatial extent to which regulatory provisions (rules) apply;
 - That the provisional status of source protection does not preclude the regulatory provisions from applying;
 - Guidance for applicants to engage with Water Suppliers;
 - Considerations should apply irrespective of treatment;
 - The requirement for Farm Environment Plans should be a high priority in SPZs;
 - Smaller suppliers should be able to retain the default SPZ on renewal;
 - Provide clarity as to process for updating SPZs.

Stormwater

- 4.13 The HDC has been actively involved in the development of the stormwater provisions via the Stormwater Working Group since the Draft was released. The submission therefore supports the direction towards alignment between the three Councils through an Integrated Catchment Management Approach and working to align policies, standards and bylaws to achieve water quality objectives.
- 4.14 To ensure that integrated management can be achieved however, the submissions seeks changes to provide:
- Greater clarity on roles and responsibilities, particularly with respect to defining receiving environments and managing land uses which may impact indirectly on stormwater services (e.g. via overland flow);
 - Remove direction to amend District Plans due to third party rights of objection and appeal;
 - Further refinement of the risk matrix for industrial and trade premises to appropriately define low, medium and high risk sites;
 - Clarity as to definition of high-risk sites / areas and confirmation of the rule status for medium risk sites.
- 4.15 These are developed in more detail in Appendix 1, which sets out the provisions of concern, the reasons for the concern and the remedy sought in relation to those concerns.

5.0 Options – Ngā Kōwhiringa

- 5.1 The options available to HDCl are to;

- Make comment to the HBRC on the matters of support and concern to HDC along the lines described in Section 4.0 of the report.
- Oppose the Plan Change provisions that limit water allocation and/or impose significant water quality improvement costs on land users.
- Make no comment to HBRC on the draft plan change and wait until the summary of submissions to decide on whether to support or oppose the submissions of other parties.

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.2 Make comment to the HBRC on the matters of support and concern to HDC along the lines described in Section 4.0 of the report.

Advantages

- For the reasons outlined above this is the preferred option. The submission attempts to strike a balance in terms of promoting development within environmental limits, and the overarching purpose of the RMA to promote sustainable management of natural and physical resources. Importantly it recognises the significant investment in land based primary production and processing, particularly over the last 30 years, and the role water plays in the supporting the economic foundations of the regional economy. Notwithstanding the accepted impacts that this has had on the environment, the submission takes pragmatic approach to achieving environmental outcomes over reasonable time frames, where the level of regulation is proportionate to the environmental benefits to be gained.
- The submission seeks changes to the rules to provide the HDC with more flexible and agile options for meeting its growth needs through multiple pathways. In that way it maximise its ability to meet its statutory obligations to support housing and business capacity to meet growth demands.
- Specifically it seeks changes to the plan change that will better enable HDC to take a longer term strategic approach that works within the limitations of the current water resources, and to facilitate growth through investment in augmentation; innovation and excellence in water management, and changing community awareness and behaviour.

Disadvantages

- It could however, be argued that the submission takes the position that favours economic stability and growth over a need for fundamental land use change to achieve environment and ecological restoration within shorter timeframes. In that respect HDC could take a more aggressive approach that advocates for a reduction in allocable volume below the interim allocation limit of 90m m³ and increase in environmental trigger flows for rivers and streams with the attendant economic impacts. In that respect HDC would need to accept that, without rapid development of larger and more complex storage and enhancement scheme, this would drive fundamental land use change toward lower value crops with flow on effects through the processing and support sectors.

Option Two – Te Kōwhiringa Tuarua

- 5.3 Oppose the Plan Change provisions that limit water allocation and or impose significant water quality improvement costs on land users.

- On the other hand HDC could adopt a position of opposing those provisions that tightly limit water allocation. Under the Plan Change the capping of allocation to existing use, clawing back over-allocation where that exists, limiting offsetting of stream depletion effects to existing use through storage and/or aquifer fed stream flow enhancement, will leave no room for growth, or intensification of land based production and associated processing industries.
- Allocation for municipal supply to deal with urban growth will also be limited, meaning this will not be a ready source of alternative water for industrial processing use in lieu of new bores, or

increased takes from existing bores. Indeed, it appears at present that municipal needs associated with growth will also potentially need to be met through storage with potentially greater pragmatic and cost difficulties.

- Although the Plan Change seeks to ensure existing use is maintained with a reasonable security of supply, growth will be severely constrained. Until the re-allocation to existing use is completed and a review of sustainable allocation completed alongside feasibility studies for water storage and flow enhancement, there simply will not be any available water for intensification or new use. This could take ten years to complete.
- Opposing these provisions however, would run counter to the HDC's sustainable development approach and strategic objectives listed (See summary of considerations below). A growth philosophy based on unlimited access to water is not likely to be supported given significant changes in the operating environment over the last ten years summarised in paragraph 4.4 earlier.
- Under this option the HDC would likely find itself out of step with community sentiment and would incur significant costs in promoting an alternative regime, including attempting to gathering the necessary evidence base to support it.

Option Three – Kōwhiringa Tuatoru

5.4 Make no comment to HBRC on the draft plan change and wait until the summary of submissions to decide on whether to support or oppose the submissions of others.

- Under this option HDC would not make a submission of its own and wait until the summary of submissions is published before taking a position. It could then decide whether to lodge a further submission to support or oppose the submissions of others as it saw fit. The risk with this option is that other parties may not lodge submissions in relation to matters that impact directly on HDC, leaving a "gap" in submission content. That would limit this HDC's ability to seek changes and provide less influence over the nature of changes sought by others and ultimately the final outcome.
- There are no particular advantages with this option, given that HDC can still lodge a further submission in support of others whether it lodges its own original submission or not. The only possible advantage would be a saving in staff time and possibly avoid upsetting other parties who might otherwise be unhappy with the changes HDC seeks under Option 1. Some parties may for example, oppose provisions that favour allocation to municipal abstraction for growth, leaving less for irrigators.

6.0 Next steps – *Te Anga Whakamua*

6.1 The next step will be to finalise and lodge a submission to the HBRC by 14 August. For the reasons given above option 1 is the preferred option and recommended for adoption based on Appendix 1 attached,

6.2 There will still be an opportunity to make changes to the draft submission attached as a result of:

- Discussions with Iwi Partners on points of common concern;
- Discussions with Napier City Council to facilitate a common submission or at least mutually reinforcing points of common concern;
- Consideration of the Joint Working Group on Source Protection Zones for Drinking Water;
- Any advice received from the HBRC on the likely interpretation of clauses that officers are seeking clarification on;

6.3 In that respect these Draft submissions have been shared with Napier City Council already include some concerns raised by them earlier, but this is still a work in progress. Napier City Council staff

have indicated that they are comfortable with the concept of this submission being a joint submission, but with any additional concerns not shared between the two being separately identified.

- 6.4 Officers have also met with representative of Ngati Kahungunu Iwi Incorporated and Te Taiwhenua o Heretaunga to establish whether there are similarly shared concerns that can be signalled to the HBRC in the submission. It is planned to hold a further meeting with the Mayor, Deputy Mayor and Chair of the Strategy and Policy Committee and the chairs of the Taiwhenua and the NKII to further understand respective positions and areas of common concern and greater understanding where there are concerns that are not shared or in conflict.
- 6.5 In order to incorporate any common concerns/expectations of the Napier City Council and Iwi partners, it is suggested that the Mayor, Deputy Mayor, Chair of the Policy and Strategy Committee and the Chief executive be delegated authority to sign-off on a completed submission, following completion of the matters outlined in paragraph 6.1 above.
- 6.6 In due course the HBRC will publish a summary of submissions and call for further submission in opposition or support of those received. Hearing of submissions is likely to follow throughout the later part of the year and into the New Year before decisions are issued. Any subsequent Environment Court Appeals could take the process into 2022.

Attachments:

1 ➡	Draft Submission Cover Letter	EXT-11-02-20-913	Under Separate Cover
2 ➡	HDC Draft Submission to HBRC Regional Resource Management Plan Change 9 TANK Appendix 1 Submission Table	EXT-11-02-20-914	Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The HDC is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

This proposal promotes the social and environmental wellbeing of communities.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

The proposal relates to all four of the community well-beings in the present and for the future as water is central to the environment, our economy, our social interaction with the environment and our cultural wellbeing, especially for Tangata Whenua, and of course it is central to our bio-physical health. This proposal links to the HDC's Community Outcomes specifically, through the sustainable use of land and water resources, healthy waterways and drinking water and a community which wastes less. It is also central to HDC's strategic objectives relating infrastructure supporting economic growth and building a resilient and job rich local economy that is resilient to natural hazards and shocks such as droughts in particular.

The following HDC strategic objectives and outcomes can be identified as relating to the substance of this report:

- Sustainable use of land & water resources
- Healthy waterways
- Reducing public nuisance and threats to public health & safety
- Appealing visitor destination
- Sites and places of significance to mana whenua are protected
- Fostering recreational participation
- Healthy drinking water and sanitary services
- Building a resilient and job rich local economy
- Infrastructure supporting economic growth
- Industrial development opportunities
- Supporting and attracting business
- A community which wastes less

Māori Impact Statement - Te Tauāki Kaupapa Māori

Water is taonga to Maori and central to their physical social and cultural (and spiritual) wellbeing. The background section of the proposed plan changes states:-

“The process used by HBRC to prepare this Plan Change has been a community based collaborative approach dependent on considerable input by the TANK Group members. This has involved consensus decision making by local representatives of a variety of interest and stakeholder groups and the significant influence of tangata whenua to develop the recommendations leading to this Plan Change. Tangata whenua have been involved in and contributed to the collaborative process in a way that has enabled better community decision making. This is because being part of the collaborative process has ensured the wider TANK group better understood and accounted for tangata whenua aspirations and values during this process. HBRC’s Treaty obligations are also accounted for by not only ensuring Treaty parties were invited to be part of the TANK collaborative process, but also through the legal decision making framework provided by the Regional Planning Committee.”

Notwithstanding this there are significant areas of non-consensus with Maori interests as discussed in the body of the report, particularly with respect to water quantity provisions. In the process to date HDC has taken the stance of supporting provisions that relate directly to improving water quality, but taking a more pragmatic approach to water quantity. This is on the basis that the environmental benefits of significantly and rapidly reducing abstraction could be out of proportion to the impacts on the regional economic and community wellbeing based on that resource over decades and reducing allocation should be approached cautiously.

Sustainability - Te Toitūtanga

Water is central to sustainability, across all four well beings and under the RMA the Plan Change is required to promote sustainable management of natural and physical resources. Decisions made on the Plan Change will have significant implications for land uses that are dependent upon water to sustain crops and also the manner in which urban growth demands are promoted and met. The flip side of that is how much water needs to be reserved for eco-system health and the cultural wellbeing of tangata whenua.

Sustainable development will be promoted by balancing these values where these are in conflict, while bearing in mind that sustainable management involves setting environmental bottom lines within which the use and development of land can operate. The allocation of water will largely mean that growth is constrained without some form of storage and/or stream flow maintenance and enhancement schemes. Indeed without these being developed to off-set, or mitigate the stream flow effects of existing abstraction, there could be a need for significant land use change away from cropping and horticulture to lower water use activities with attendant effects on the regional economy and associated community wellbeing.

Subject to managing environmental effects the capping of allocation to current use, mitigating effects of existing abstraction through storage and stream flow maintenance projects, promoting new growth through more efficient use and adding further augmentation from storage, would better promote sustainable development, rather than forcing wholesale land use change by reducing allocation or providing for growth through increasing allocation limits.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The recommended option does come with some costs in terms of specialist planning and legal support to represent HDC's viewpoint in the submissions and hearings process. Budget allowance been made in the 2019-2020 year and the balance of this will need to be carried forward or re-budgeted due to the delay in the plan change being notified by the HBRC. It is expected that the costs could amount to around \$60-80,000 not including any appeals to the Environment Court which will likely need to be budgeted for in the 2021-2022 year should they eventuate. This could add a further \$60-80,000 to the costs. These cost are also likely to be incurred with option 2 and to a lesser extent option 3.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the HDC's Significance and Engagement Policy as being of low significance from an operational and organisation sense, although the subject matter the report relates to has huge significance for the District and Region, including how HDC supplies water for municipal growth in the future. Responsibility for decision making however, sits firmly with the HBRC in the first instance in that regard, with the territorial authorities being stakeholders or affected parties.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

The TANK process has been a form of consultation in its own right and HDC is acting in a stakeholder capacity, rather than in a final decision making role. The major stakeholder interests are already covered in the process and the public will have an opportunity to lodge submissions in their own right. No separate HDC consultation is therefore required on this matter. Discussions are underway with Napier City Council on the prospect of a joint submissions and discussions have been initiated with NKII and the Taiwhenua to identify points of common concern.

Risks: Legal - *Ngā Tūraruru: Ngā Ture*

While there are no specific legal or health and safety risks, there is a high likelihood that appeals will be made the Environment Court and HDC may wish to become a party to those. In addition the final plan will, have the force of a regulation made under the Resource Management Act that will apply to water users, including HDC either by specific rules or conditions of consent. It is intended that a legal review be undertaken by HDC's Solicitors prior to lodgement.

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

This matter was the subject of a briefing paper to the Rural Community Board in June of last year. The next meeting of the Rural Community Board is not until September, i.e. well after the closing deadline for submissions. In any event rural sector interest groups have been well represented throughout the process to date and will likely also participate formally in the submissions and hearings process.

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 12

Te Rārangi Take

Report to Council

Nā: Kevin Carter, Community Grants Advisor
From: Peran Hutchings, Splash Planet Manager

Te Take: Flaxmere Learn to Swim Funding Application to Trust House
Subject:

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council to apply to Trust House Foundation for \$25,000 to support Flaxmere Primary Schools to participate in the Learn to Swim and Survive Aquatics Programme over the 2020-2021 financial year at Flaxmere Aquatics.
- 1.2 The Trust House Foundation requires a Council resolution as part of the application, as only one application per year, per organisation is accepted.
- 1.3 In response to meeting the needs of the community and the New Zealand Schools curriculum “It is expected that all children by the end of year 6 will have had opportunities to learn basic aquatic skills” Flaxmere Primary, Irongate, Peterhead and Kimi Ora Community schools have been regular participants of the Programme due to the support of external funding.
- 1.4 Council has been successful in receiving funding for the past four years. Although in principle the funding application has been supported by Trust House, releasing the funding is reliant on a resolution from Council.

2.0 Recommendations – *Ngā Tūtohunga*

- A) That the Council receives the report titled Flaxmere Learn to Swim Funding Application to Trust House
- B) That the Council approve the funding application to Trust House Foundation for \$25,000 that will support Flaxmere Primary, Irongate, Peterhead and Kimi Ora Community schools to participate in the Learn to Swim and Survive Education programme at Flaxmere Aquatics

3.0 Background – *Te Horopaki*

- 3.1 Flaxmere Aquatic Centre provides learn to swim and survive education to four primary schools within the Flaxmere community.
- 3.2 With many schools no longer having aquatic facilities onsite, having access to an aquatic facility all year round means our schools can ensure their timetables can be managed in a way that students have access to quality programmes.
- 3.3 With the New Zealand drowning statistics identifying the rising drowning rate in NZ over recent years and with the biggest risk being Māori and Pacific ethnicities, our community schools predominately fit within those ethnicity groups.
- 3.4 The Trust House funding has historically supported Flaxmere Primary, Irongate, Peterhead and Kimi Ora Community schools. With the reduced current cost to schools of \$2.60 per student per swim (compared to \$10.00 per lesson with a private learn to swim provider) is far more sustainable for schools to continue to support children over their primary years, giving them life skills that as adults can make safer choices around water.
- 3.5 In recent decades part of teacher training was based around providing aquatic education to students. This was due to many schools throughout New Zealand having school pools.
- 3.6 Nowadays teachers are not given the necessary skills to deliver aquatic education and organisations such as Swimming New Zealand do not have the resources to provide Professional Development to Schools.
- 3.7 Although there is no official limit to the amount of funding we can apply to the Trust House Foundation for, we have been advised that \$25,000 would be the correct amount to seek for this project.
- 3.8 Funding from the Trust House Foundation must be used for projects within the Flaxmere area, This funding opportunity had been discussed with the HDC Lead team and there are no other larger projects that would currently meet the criteria. Officers recommend the Flaxmere Learn to Swim programme to be the best use of this funding opportunity

4.0 Discussion – *Te Matapakitanga*

- 4.1 Council has successfully applied for funding to Trust House for the past 4 years and supports four Flaxmere schools and their students to participate in the Learn to Swim & Survival Aquatics Programme. In the 2016/17 financial year the grant was increased from \$20,000 to \$25,000. The remaining costs to run the programme is covered by the schools. It is also important to note that community do have access to the facilities during the school programme sessions.
- 4.2 As identified in Council's Long Term Plan, this funding is an opportunity for Council to work with others to reduce levels of social disadvantage and income gaps in our community.
- 4.3 The significance of this programme is great and without the support from council and Flaxmere Aquatics, schools will no longer be able to continue or meet the needs around "aquatic education". Teachers at primary school get no support or training around teaching basic aquatic skills therefore are unable to deliver the skills to their students.

5.0 Options – *Ngā Kōwhiringa*

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 To support the funding application of \$25,000 that will lower the cost for four Flaxmere schools and their students to access quality learn to swim programmes.
Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuatanga o nāianei
- 5.2 Not to support his application and to pass the additional cost on to the individual schools

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If approved, Council Officers will forward the required documents to Trust House which will formalise the process and release the funding of \$25,000 to support the implementation of the Learn to Swim and Survival Aquatics Programme at Flaxmere Aquatics.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

This report contributes to the purpose of local government by primarily promoting social wellbeing

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal contributes to the Council's strategic objective of reducing levels of social disadvantage and income gaps in our community.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

With the New Zealand drowning statistics identifying the rising drowning rate in NZ over recent years and with the biggest risk being Māori and Pacific ethnicities, our community schools predominately fit within those ethnicity groups.

Sustainability - *Te Toitūtanga*

No implications

Financial considerations - *Ngā Whakaarohanga Ahumoni*

No implications

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of low significance.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

There has been no external consultation for this application however this programme has been funded through Trusthouse for the past four years.

Risks: - *Ngā Tūraru:*

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Providing swimming lessons to children who might not otherwise have the opportunity to have swimming lessons	No risks

Rural Community Board – *Te Poari Tuawhenua-ā-Hāpori*

No specific implications for the rural community.

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 13

Te Rārangi Take

Report to Council

Nā: Regan Smith, Risk and Corporate Services Manager
From: Scott Smith, General Counsel
Bruce Allan, Group Manager Corporate

Te Take:
Subject: Office Accommodation

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 Council needs to establish a lease for office space to accommodate staff that have been displaced from Heretaunga House due to the building being deemed earthquake prone. The term will need to cover a timeframe that allows a permanent replacement to be established.
- 1.2 The standing delegation to the Chief Executive to enter in to a lease is limited to under 2 years.
- 1.3 It is likely that a lease that includes rights of renewal will take the term of any lease to the 4 – 5 year range, and therefore, outside the Chief Executive's standing delegation.
- 1.4 It is recommended that the Chief Executives delegation for entering into lease arrangements be extended, specifically for the purpose of providing office accommodation for staff displaced from Heretaunga House.

2.0 Recommendations – *Ngā Tūtohunga*

- A) That the Council receives the report titled Office Accommodation
- B) That the Council delegate authority for the Chief Executive to enter in to a lease, including rights of renewal of up to and including 5 years, specifically for the purpose of providing office accommodation for staff displaced from Heretaunga House.
- C) That the Chief Executive will report back to Council on the lease arrangement entered into under this delegation.

3.0 Background – *Te Horopaki*

- 3.1 Council needs to establish a lease for office space to accommodate staff that have been displaced from Heretaunga House due to the building being deemed earthquake prone.

- 3.2 The alternative office space will be required until the Heretaunga House situation can be resolved. Due to the current level of uncertainty about the future works required, it is expected that a short to medium term lease will be required.
- 3.3 The standing delegation to the Chief Executive to enter in to a lease is limited to under 2 years, and leases of 2 years and over are to be approved by Council.

4.0 Discussion – *Te Matapakitanga*

- 4.1 In order to secure a competitive leasing rate, it is likely that Council will need to enter in to a lease with an initial term, or rights of renewal, of more than 2 years.
- 4.2 To retain operational flexibility, Officers will be looking to establish the shortest reasonable initial lease term, and include a series of rights of renewal for contingency in case a permanent resolution takes longer than expected.
- 4.3 There are a number of options that officers are exploring that could be suitable, however office accommodation of the size and requirements required are limited in Hastings and there appears to be external interest and demand for these properties. Therefore time is of the essence in making decisions to ensure appropriate accommodation is secured and displaced staff can be appropriately rehomed.

5.0 Options – *Ngā Kōwhiringa*

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 Delegate authority for the Chief Executive to enter into a lease, including rights of renewal of up to and including 5 years, specifically for the purpose of providing office accommodation for staff displaced from Heretaunga House.

Advantages

- Allows Council to negotiate and secure suitable office accommodation with minimal delay.

Disadvantages

- The Council will not be able to review the specific lease negotiated by the Chief Executive.
- Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāiane

- 5.2 Rely on the Chief Executive's standing delegation and require any new lease to be decided upon by Council.
- This may slow the negotiation process resulting in Council missing out on the most suitable option. The Chief Executive would report back to Council on the lease arrangement entered into under this delegation, providing the necessary transparency for Council on the decisions made.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 A project governance structure consisting of executive team members will be established to oversee delivery of the office relocation project.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-Rohe*

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes effective local public services wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

No known impacts for Maori:

Sustainability - *Te Toitūtanga*

Energy efficiency will be considered in weighing up potential office accommodation:

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Funding invested in Heretaunga House as part of Council's use of the office space is to be reallocated to cover the cost of any future lease.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of low significance.

Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*

No consultation is required:

Risks: Legal - *Ngā Tūrarua: Ngā Ture*

Opportunity: Provision of suitable office accommodation for Council staff.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūrarua</i>
------------------------	--------------------------

<ul style="list-style-type: none"> - Staff provided accommodation of at least the same quality as provided in Heretaunga House. - Chance to use the alternative work space as a pilot for open plan workspace following the central Government Good Practice Guide. 	<ul style="list-style-type: none"> - Safety of staff in the new workspace. Mitigated through a due diligence review of shortlisted properties, specifically addressing seismic performance. - Entering in to a lease term longer than required resulting in unnecessary financial commitment. This will be mitigated by minimising the fixed lease term. - Business disruption during the move. This is being mitigated through an engagement with a professional project management company to plan the relocation. - Possible reputation issues associated with the cost of lease additional space. This will be mitigated through a proactive communications plan. -
---	--

Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

No additional considerations for the Rural Community Board:

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 14

Te Rārangi Take

Report to Council

Nā: **Jackie Evans, Manager: Democracy and Governance**
From: **Dennise Elers, Acting Group Manager: Community Wellbeing & Services**

Te Take:
Subject: **Youth Council Appointments to Council Subcommittees**

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to advise the Council that members of the Youth Council have expressed an interest in attending some of the Council's Subcommittee meetings and being able to contribute to the debate.
- 1.2 At the meeting held on the 17 June 2020 the Youth Council expressed an interest in getting involved with the Council's Subcommittees which aligned to the following Youth Council Subcommittees which had been set up to achieve the objectives set out in their Annual Plan (**Attachment 1**) under separate cover.
- 1.3 The Youth Council Subcommittees are:
 - Health & Diversity Arts
 - Culture & Communications
 - Rangatahi Co-Lab
 - Environment.
- 1.4 The Youth Council values are;
 - Manaakitanga
 - Balance
 - Compassion
 - Positive Influence.
- 1.5 The four Youth Council goals are;
 - Youth Engagement

- Youth Perspective Valued
- Mental Health Support
- Community Promotion

1.6 The Council Subcommittees which most closely align to the Youth Council Committees are:

- District Development (Housing, Transport, CBD Development, A Vibrant Economy etc)
- Eco District (Climate Change, Coastal Hazards, Sustainable Hastings, Waste Minimisation etc)
- Great Communities (Community Plans, Youth Pathways, Arts/Toitoti, Fabulous Flaxmere etc)

It is therefore recommended to appoint two **non-voting** Youth Council appointees and an alternate to the above subcommittees. The potential appointees who have expressed an interest are:-

1.6.1

Name	School/College/ Organisation	Subcommittee	Interests	
Keelan Heesterman	Karamu	District Development	Local and central politics, government policy, debating, public speaking, music, problem solving	Elected
Sam Wixon	HNHS	District Development	Business, politics, Maori culture and design, Maori impact and treatment in health, education and corrections	Elected
Louis Gaffaney	St Johns.	District Development	Politics, performing arts, debating and speaking, small business	Alternate
Matilda Ellis	Woodford House	Eco District	Caring for environment, reducing carbon in everyday life and sustainability	Elected
Thea Morton	Karamu	Eco District	Running, the environment, debating, politics, dance.	Elected
Zoe Smith	HGHS	Eco District	Government and business, local government, looking after the environment.	Alternate
Finley Duncan	Lindisfarne	Great Communities	Drama, NZ culture, chess, tennis, agriculture, healthcare, reading	Elected

Brooke Hemmings	Karamu	Great Communities	The arts, drama, helping people, the events and entertainment industry	Elected
Romona Wainohu	Karamu	Great Communities	Music, kapa haka, anything on a stage. Helping at marae and getting involved in the community. Studying for medicine, travelling and tutoring others.	Alternate

- 1.7 In order to help the Youth Council appointees to get the most out of this experience it is recommended that each subcommittee provides a mentor from the elected membership of the Subcommittee to provide advice and guidance on the work of the Subcommittee.
- 1.8 Youth Council appointees also will receive an induction session on Council meeting protocols, Standing Orders and information relevant to participate in Subcommittees. It is recommended that the Youth Council appointees should not be present in the meetings for consideration of Public Excluded reports.


2.0 Recommendations – Ngā Tūtohunga

- A) That the Council receives the report titled Youth Council Appointments to Council Subcommittees
- B) That the Council approve the non-voting appointment of the following Youth Council representatives to the following Subcommittees for the length of their term of office with the Youth Council:

Name	School/College/Organisation	Subcommittee
Keelan Heesterman	Karamu	District Development
Sam Wixon	HNHS	District Development
Louis Gaffaney (Alternate)	St Johns	District Development
Matilda Ellis	Woodford House	Eco District
Thea Morton	Karamu	Eco District
Zoe Smith (Alternate)	HGHS	Eco District
Finley Duncan	Lindisfarne	Great Communities
Brooke Hemmings	Karamu	Great Communities
Romona Wainohu (Alternate)	Karamu	Great Communities

- C) That the 2019-22 Schedule of Appointments to Committees, Subcommittees and other External Organisations and the Hastings District Council Committee and Rural Community Board Register of Delegations 2019 -22 be amended accordingly.

Attachments:

1  Youth Council Annual Plan 2020 COP-09-02-20-981 Under Separate Cover

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 15

Te Rārangi Take

Report to Council

Nā:
From: Jackie Evans, Manager: Democracy and Governance

Te Take: **Minor Amendment to the Committee and Rural Community Board**
Subject: **Register of Delegations 2019 -22**

1.0 PURPOSE AND SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA

- 1.1 A minor amendment to the Hearings Committee Terms of Reference is required to allow the Hearings Committee to determine matters under the Hastings District Council Class 4 Gambling Act Policy.
- 1.2 The following amendment to the current wording is recommended:-
Hearings Committee - Fields of Activity
- 1.3 The Hearings Committee is established to assist the Council by hearing and determining matters where a formal hearing is required **in respect of a planning or regulatory function of the Council, including** under the provisions of the:
 - Resource Management Act 1991;
 - Building Act 2004;
 - Health Act 1956;
 - Dog Control Act 1996;
 - Litter Act 1979;
 - Hastings District Council Bylaws;
 - Local Government Act 1974;
 - Local Government Act 2002; and
 - **Hastings District Council Class 4 Gambling Venue Policy** [Extract]
- 1.4 Part 4 (39) (c) of the Local Government Act 2002 states that a local authority should ensure that as far as the practicable, responsibility and processes for decision-making in relation to regulatory

responsibilities is separated from responsibility and processes for decision-making for non-regulatory.

- 1.5 Section 39 Schedule 7 (30 -32) of the Local Government Act sets out the powers of terrestrial authorities to appoint committees and subcommittees and delegation arrangements.
- 1.6 A resolution of Council is required to make amendments to the Hearings Committee delegations.

2.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA

- A) That the Council receives the report titled Minor Amendment to the Committee and Rural Community Board Register of Delegations 2019 -22.
- B) That the Council approve that the Hastings District Hearing Committee Terms of Reference be amended to read as follows:-
 - a. *The Hearings Committee is established to assist the Council by hearing and determining matters where a formal hearing is required in respect of a planning or regulatory function of the Council, including under the provisions of the:*
 - *Resource Management Act 1991;*
 - *Building Act 2004;*
 - *Health Act 1956;*
 - *Dog Control Act 1996;*
 - *Litter Act 1979;*
 - *Hastings District Council Bylaws;*
 - *Local Government Act 1974;*
 - *Local Government Act 2002; and*
 - *Hastings District Council Class 4 Gambling Venue Policy. [Extract]*
- C) That the Hastings District Council Committee and Rural Community Board Register of Delegations 2019 -22 be updated accordingly.

Attachments:

There are no attachments for this report.

Tuesday, 14 July 2020

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Council Meeting

Item 16

Te Rārangi Take

Report to Council

Nā:
From: Jackie Evans, Manager: Democracy and Governance

Te Take:
Subject: Status of Items Under Action from Previous Meetings

1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to update Council on actions raised at previous meetings.
- 1.2 The Council requested that officer's report back at each meeting with progress that has been made on actions that have arisen from Council meetings. Attached as Attachment 1 is the status of items under action as at 1 July 2020.

2.0 Recommendations – *Ngā Tūtohunga*

- A) That the Council receives the report titled Status of Items Under Action from Previous Meetings, and notes actions taken since the last meeting of Council.

Attachments:

1  Items Under Action as at July 2020

CG-16-2-00239

Items Under Action as at 1 July 2020					
	Date Raised	Due Date	Completed	Description and Action	Lead Officer
1	27.11.19 Council	March 2020	Arranging for July/Oct Operations & Monitoring Committee	The Hawke's Bay Museums Trust Chair, Richard Grant, be invited to update the Council on the work being undertaken by the Trust.	Bruce Allan
2	10.12.19 Council	2020	To be arranged.	For new Councillors to visit the Cranford Redevelopment site.	Bruce Allan
3	20.2.20	2020	Finance 101 training– to be rescheduled.	Rural/Urban Rates – briefing on how this is calculated and whether the split is equitable across the district	Bruce Allan

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

TUESDAY, 14 JULY 2020

Item 19

RECOMMENDATION TO EXCLUDE THE PUBLIC

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

THAT the public now be excluded from the following part of the meeting, namely:

20 Civic Honours Award Nominations 2020

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this Resolution is as follows:

<i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i>	<i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i>	<i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i>
20 Civic Honours Award Nominations 2020	Section 7 (2) (a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. To protect the privacy of the nominees pending decision making on the selection process.	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.