
Thursday, 6 May 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

Council Meeting

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Thursday, 6 May 2021**

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**

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HASTINGS DISTRICT COUNCIL
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TE KAUNIHERA Ā-ROHE O HERETAUNGA

Thursday, 6 May 2021

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Hastings District Council

Council Meeting

Kaupapataka

Agenda

Tiamana

Chair: Mayor Sandra Hazlehurst

Mematanga:

Membership:

Ngā KaiKaunihera

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

Tokamatua:

Quorum:

8 members

Apiha Matua

Officer Responsible:

Chief Executive – Nigel Bickle

*Te Rōpū Manapori me te
Kāwanatanga*

Democracy and

Governance Services:

Manager: Democracy & Governance - Jackie Evans (Extn 5018)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karaki a Whakatūwheratanga*

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

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 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.

4.0 Confirmation of Minutes – *Te Whakamana i Ngā Minitī*

Minutes of the Council Meeting held Thursday 18 March 2021
(Previously circulated)

Minutes of the Extraordinary Council Meeting held Tuesday 8 April 2021
(Previously circulated)

Minutes of the Emergency Council Meeting held Thursday 22 April 2021.
(Previously circulated)

5.0 Chief Executive's Update

9

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9.0	Proposed Amendments to Appointments to Committees, Subcommittees, Joint Committees and External Organisations	35
10.0	Minor Items – <i>Ngā Take Iti</i>	
11.0	Urgent Items – <i>Ngā Take Whakahihi</i>	
12.0	Recommendation to Exclude the Public from Items 13, 14, 15, 16 and 17	39
13.0	Foodeast Director Appointment	
14.0	Advancement of HPUDS Greenfield Growth Areas	
15.0	Urban Development Area - Council Land	
16.0	Land Sale	

17.0 Professional Engineering Services Contract 2021-2024

Thursday, 6 May 2021

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

Item 5

Te Rārangi Take

Report to Council

Nā:
From: Nigel Bickle, Chief Executive

Te Take:
Subject: Chief Executive's Update

1.0 Purpose and Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to update Council on key matters of interest since the last update and 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.

Chief Executive Update

- 1.2 At the time you're meeting, Hastings District Council will be mid-way through its public engagement with regard to the establishment of Māori wards following the unanimous decision at the Emergency Council Meeting on Thursday 22 April 2021.
- 1.3 The public engagement running from Friday 23 April is to ensure there is full participation and feedback from the wider community as well as more focussed engagement with local iwi, hapū, post-settlement treaty groups and tangata whenua in Hastings District.
- 1.4 This public engagement will ensure Council can consider all views and preferences prior to making their decision regarding the establishment of Maori wards on Tuesday 18th May 2021.
- 1.5 On other significant matters of interest:
- Capital Works Update - significant progress is being made on our capital works programme: Councillors recently visited the construction at the water reservoir at Frimley, consent has been issued and work is underway with the Waiaroha water project and the water treatment plant at Waimārama has been completed.
 - Consent has been received for the coastal works at Cape View Corner with construction due to commence next week.

- Housing – it was pleasing to see the subdivision at Tarbet Street. Progress continues on bringing other Council land suitable for residential development to the market over the next 12-18 months.
- Council continues to advocate on behalf of our community the concerns regarding a number of speed limit reductions proposed for major roading networks across our district, such as State Highway 5. We are asking Waka Kotahi for its future investment plan for SH5 that would see the safety issues addressed that will not be fixed by the proposed speed reductions.
- The submission period of Council's Long Term Plan closes on 7 May and staff are working hard to have this feedback put together in an easily-digestible form in time for the Council's hearings in June.
- Hastings District Council has been shortlisted as one of three possible venues for the Local Government New Zealand Annual Conference in 2022. A decision on this will be announced at this year's LGNZ Conference.

Foodeast

- 1.6 Foodeast (formerly known as the Hawke's Bay Food Innovation Hub) cements the region's place as a centre of excellence for food in New Zealand.
- 1.7 It's expected to foster innovation, and collaboration and build industry skills and competence – bringing about crucial economic benefits and employment opportunities.
- 1.8 Foodeast has attracted regional support as well as \$12million in funding from the government's Provincial Development Unit.
- 1.9 Detailed design work on this major project will be completed in the next two months, with the main construction due to begin later in the year.
- 1.10 Council is today being asked to make a decision relating to the formation of CCTOs to operate Foodeast, which would own the asset and operate it going forward.

Bylaws Hearing

- 1.11 On Thursday 20th May Council will be meeting to consider the community's submissions on the draft Consolidated Bylaw and Dog Policy Five Year Review process.
- 1.12 Legislative provisions within the Local Government Act 2002 require Council to review existing bylaws after five years.
- 1.13 30 submissions have been received on the review, canvassing a range of topics relating to the bylaw review.
- 1.14 Submissions and officers comments will be provided to Council with the agenda for the 20 May meeting.
- 1.15 Following this hearing, Council will be asked to adopt the final bylaws in August.

Conclusion

- 1.16 2021 continues to be a very busy year for all areas of Council and I would like to take this opportunity to thank all of our staff for their enormous efforts to serve our community.

2.0 Recommendations – *Ngā Tūtohunga*

That the report of the titled Chief Executive's Update dated 6 May 2021 be received.

Attachments:

There are no attachments for this report.

Thursday, 6 May 2021

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

Item 6

Te Rārangi Take

Report to Council

Nā:
From: Lee Neville, Economic Development Manager

Te Take:
Subject: Decision on public consultation to form Council Controlled Trading Organisations

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 This report provides the Council with the submissions received from public consultation on the proposal to establish two new Council Controlled Trading Organisations (CCTOs) to operate Foodeast, along with officers' analysis of those submissions.
- 1.2 The purpose of this report is to identify and respond to key themes, ideas and suggestions raised by persons who provided feedback to assist the Council's decision-making.

2.0 Recommendations - Ngā Tūtohunga

- A) That the Council receive the report titled "Decision on public consultation to form Council Controlled Trading Organisations" dated 6 May 2021.
- B) That Council receives and considers the written and verbal submission on the proposal to form a Council Controlled Trading Organisation to establish the two CCTOs to operate Foodeast.
- C) Agrees that the decisions to be made are informed by the written and verbal submissions made in accordance with Local Government Act and that these decisions can be made without further conferring directly with the community or persons likely to have an interest in the decision.
- D) Considers the establishment of two new Council Controlled Trading Organisations (CCTOs) to operate Foodeast.

3.0 Background – Te Horopaki

- 3.1 At its meeting on 18 March 2021, Council considered a report on the Hawke's Bay Food Innovation Hub and resolved:
- A. That Council approve community engagement as required under the Local Government Act 2002 for the formation of a Council Controlled Trading Organisation to own the assets and operate Foodeast.
 - B. Commence a consultation process with the community in partnership with Hawke's Bay Regional Council, as required under the Local Government Act 2002 s 6 (1) (a) (ii).
- 3.2 The Hawke's Bay Regional Investment Company (HBRIC) investment in Foodeast with Hastings District Council (HDC) investment, could enable the creation of a Local Government Council Controlled Trading Organisation (CCTO).
- a. Under the Local Government Act 2002 Section 56, Public Consultation is required before a CCTO can be established. (s56 (1) before a local authority may establish or become a shareholder in a council-controlled organisation, the local authority must undertake consultation in accordance with s82.)
 - b. The public consultation process was undertaken in collaboration with the HB Regional Council.
- 3.3 Structure of Investment:
- The investment structure proposed includes the setting up a Limited Partnership and a General Partner. Both will be CCTO's. This structure provides limited liability to the partners, and is used widely in New Zealand. It provides a structure that facilitates investment by entities with different tax regimes. The Limited Partners investment will be in the Limited Partnership and the Limited Partners will be shareholders in the general partner and have the ability to appoint Directors
- 3.4 At its meeting on 28 April 2021, the Hawke's Bay Regional Council resolved as follows:
That Hawke's Bay Regional Council:
1. *Receives and considers the "Establishment of Two New Council Controlled Trading Organisations (CCTOs) to Operate FoodEast" staff report.*
 2. *Receives and considers the verbal and written submissions on the proposal to Establish Two New Council Controlled Trading Organisations (CCTOs) to Operate FoodEast.*
 3. *Agrees that the decisions to be made are informed by the written and verbal submissions made in accordance with Local Government Act and that these decisions can be made without further conferring directly with the community or persons likely to have an interest in the decision.*
 4. *Agrees to establish two new Council Controlled Trading Organisations (CCTOs) to Operate FoodEast.*

4.0 Discussion – Te Matapakitanga

- 4.1 **Submission Process**
- 4.2 The Statement of Proposal was publicly notified on Thursday 25 March 2021. Notification and subsequent promotion included public notice in the newspaper, media release, and social media, email targeted to relevant organisations and the Council's website.
- 4.3 Consultation closed on Monday 12 April 2021.
- 4.4 All submissions were received through online submission form although a downloadable form was also available on the Council website.

4.5 Submissions Received

4.6 A total of 2 submissions were received, with 1 submission supporting the proposal and 1 not supporting the proposal.

4.7 Key themes expressed by submitters include:

- Sustainable future for the region's food industry
- Provide a workforce to maintain the sector and support growth
- Innovation encouraged to make the region world class leader
- A proactive establishment to develop and create opportunities for the region.
- Council should not be investing in promotion and processing, this should be left to private enterprise.
- Council can support innovation without this level of involvement.

One submitter had indicated he wished to present his submission in person – the submitter has since advised that he no longer wishes to speak to his submission.

4.8 Officer's Analysis of Submissions

- The proposed Foodeast investment aims to generate positive economic outcomes for the region, in addition to commercial returns for the investors.
- The investment therefore aligns strategically to the role the Council plays in the regional development.
- Foodeast is estimated to deliver 500+ jobs in the region and \$100m increase in regional Gross Domestic Product (GDP).
- Foodeast will be an innovation centre designed to promote more cost-effective food and beverage product innovation, and waste stream utilisation while delivering a base for clustering food technology firms, improving cooperation and bringing in scientific and technical expertise in all areas relating to food innovation (including research activity).

5.0 Options – *Ngā Kōwhiringa*

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

5.1 Council agrees to establish two new Council Controlled Trading Organisations:

Advantages

- Support regional investment to develop a food innovation hub.
- Support diversification of food processing in the region
- Enable potentially \$100m of increased regional GDP
- Enable up to 500 + new jobs in the region

Disadvantages

- Potential reputational damage if Foodeast does not achieve its goals
- HDC funding contribution is limited to \$1m

- A requirement of the Provincial Development Unit (PDU) grant of \$12m is a regional investment contribution of \$6m. The Council investment of \$1m is a part of the regional investment.

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

5.2 Council does not agree to establish two new Council Controlled Trading Organisations

Advantages

- Other sources of funding will be required to deliver Foodeast
- Innovation options may be explored.

Disadvantages

- HBRIC may withdraw from funding Foodeast.
- The PDU may cancel the funding grant to Foodeast.
- Food Innovation and the \$100m in Regional GDP, and 500+ jobs will not be delivered.

6.0 Next steps – *Te Anga Whakamua*

6.1 Delivery of Foodeast as a CCTO:

- 6.1.1 The decision to progress as a majority investor will trigger the creation of the CCTOs. The target timeframe for the formation of the CCTOs is during May (subject to final due diligence).
- 6.1.2 The CCTOs need to be formed, like any other limited company or partnership, meeting all requirements of the Companies Office, Companies Act 1993, and Limited Partnership Act 2008, Local Government Act 2002 and other relevant legislative requirements, including the appointment of Directors, which will occur in compliance with Council policies.
- 6.1.3 Once the CCTOs are formed, contact will be made with the Office of the Auditor General, to request the appointment of an auditor who will conduct annual audits of the business in compliance with the Local Government Act.

Attachments:

1	CCTO Submission from Shirley Randell	CG-16-2-00589
2	CCTO Submission from Chris Verburg	CG-16-2-00590

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 economic development to build a resilient job rich economy.

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

This proposal promotes the Council objective of providing employment for the community with an estimated 500+ full time skilled jobs over 15 years and additional regional GDP of over \$100m over 10 years.

Māori Impact Statement - Te Tauākī Kaupapa Māori

An Iwi representative has participated in the Foodeast establishment board and project team.

Sustainability - Te Toitūtanga

Foodeast will be focusing on sustainable business practices, and sustainable packaging and waste stream utilisation.

Financial considerations - Ngā Whakaarohanga Ahumoni

Foodeast will proceed when regional investment is delivered.

Significance and Engagement - Te Hiranga me te Tūhonotanga

Under the Local Government Act 2002 reference Section 56 Consultation is required before a council-controlled organisation can be established, s56(1) Before a local authority may establish or become a shareholder in a council-controlled organisation, the local authority must undertake consultation in accordance with the Special Consultative Procedure as set out in Section 82 of the Act. The Council's investment of \$1m was consulted on as part of the 2020/2021 Annual Plan.

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

The Foodeast project group and establishment board have met with a wide range of organisations, agencies and businesses during the business case development and engagement with an extensive range of potential investors.

External public consultation was undertaken from 25/03/2021 to 12/04/2021.

Risks

There may be a risk that investors are focussed on occupancy of tenants to generate returns on investment while forgoing the spaces that are required to enable innovation and collaboration spaces for businesses. Achieving Foodeast potential objectives is a key outcome to manage perceptions.

• REWARD – Te Utu	• RISK – Te Tūraru
<p>The Feasibility Study and business case estimates the following:</p> <ul style="list-style-type: none"> • 500 + full time skilled jobs over 15 years • \$100m of additional regional gross domestic product • Commercial returns are forecast both from operating profits after year 3 and from the ownership of the land and buildings. 	<p>The proposed investment of \$5m by HBRIC could result in:</p> <ul style="list-style-type: none"> • The aspirations for Foodeast are not protected • Reputational damage from not delivering the perceived outcomes from the food innovation park.

4/23/2021

Wufoo - Entry Detail

HDC - Council Controlled Trading Organisations

COMPLETE

#1

CREATED



PUBLIC

Mar 28th 2021, 10:38:26 am

IP ADDRESS



222.155.193.160

* Name

Shirley Randell

Address

2/209

Charles Street

St Leonards

Hawkes Bay

Hastings 4120

New Zealand

Phone Number

021497309

* Email

shirleyrandell@hotmail.co.nz

* Do you support the establishment of two new CCTOs to operate Foodeast?

Yes

Please give your reasons and/or any feedback here (optional):

I want to see a sustainable future for the region's food industry, people receiving training to provide a workforce that is desperately required to maintain the sector and support growth for the future and to see innovation encouraged and given every opportunity to make this region a world class leader.

We need this to be an organisation that makes things happen - not just a talk fest and no action. It needs to be hands on from the start, plan what needs to happen and then put that plan into place - quickly. It needs to be a proactive establishment using all the tools in the toolbox from the movers and shakers who are there for the right reasons - to see this region prosper, develop and create opportunities to make Our Place strong.

* Do you wish to present your submission to Council at a hearing 28 April, 2021?

No

<https://app.wufoo.com/entry-manager/1676/entries/1>

1/1

4/23/2021

Wufoo - Entry Detail

HDC - Council Controlled Trading Organisations

COMPLETE

#2

CREATED



PUBLIC

Apr 10th 2021, 12:14:43 pm

IP ADDRESS



115.189.87.171

* Name

Chris Verburg

Address

1306 Waimarama Road

RD12

Hawkes Bay

Havelock North

4294

New Zealand

Phone Number

(No response)

* Email

cwverburg@gmail.com

* Do you support the establishment of two new CCTOs to operate Foodeast?

No

Please give your reasons and/or any feedback here (optional):

Promotion of food production and processing should be left to private enterprise, the council can support without getting involved to this level.

* Do you wish to present your submission to Council at a hearing 28 April, 2021?

Yes

<https://app.wufoo.com/entry-manager/1676/entries/2>

1/1

Thursday, 6 May 2021

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

Item 7

Te Rārangi Take

Report to Council

Nā:
From: Lee Neville, Economic Development Manager

Te Take: **Transfer of Business Legal Establishment Documentation to**
Subject: **Foodeast**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 Subject to Council's decision on public consultation to form two Council Controlled Trading Organisations (CCTOs), Hastings District Council (HDC), Hawke's Bay Regional Investment Company (HBRIC) and Progressive Meats will form a general partnership. The General Partnership will create a Limited Partnership that will own the shares in Foodeast Ltd.
 - Foodeast Ltd is established to deliver a Food Innovation Hub in Hawke's Bay.
- 1.2 HDC has for 3 years been leading the Establishment Phase to deliver a Food Innovation Hub with grant funding and regional investment funding.
- 1.3 There are grant funding agreements, Sale and Purchase Agreements, Supplier contracts and Resource Consent that have been delivered with Establishment Phase funding.
- 1.4 HDC will novate (transfer) the agreements to Foodeast to enable completion of the Establishment, construction and operational phases of Foodeast to deliver a food innovation hub.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Transfer of Business Legal Establishment Documentation to Foodeast dated 6 May 2021.
- B) That the Council delegate to the Chief Executive authority to novate and sign agreements from Council to Foodeast Ltd set out in the schedule attached, and the balance of the Establishment Phase funding.

3.0 Background – *Te Horopaki*

3.1 At its meeting on 18 March 2021, Council considered a report on Foodeast Regional Investors Update and resolved:

- A. To note that the proposed Hastings District Council investment of \$1m is budgeted and included in the 2020/21 Annual Plan.
- B. That the Council approve community engagement as required under the Local Government Act 2002 for the formation of a Council Controlled Trading Organisation to own the assets and operate Foodeast and commence a consultation process with the community in partnership with Hawke's Bay Regional Council, as required under the Local Government Act 2002 s 6 (1) (a) (ii)
- C. That the Council delegate to the Operations and Monitoring Committee authority to approve the new Council Controlled Trading Organisation (CCTO) Statement of Proposal for Consultation at its meeting on 23 March 2021 in order to meet the timeline for consultation which will run concurrently with Hawke's Bay Regional Council.
- D. The Council delegates to the Chief Executive the authority to exercise the option in the Sale and Purchase Agreement (attached) to purchase 1ha of land on Hānui Road for the Hawke's Bay Food Innovation Hub (Foodeast).

4.0 Discussion – *Te Matapakitanga*

4.1 The investment structure proposed includes the setting up a Limited Partnership and a General Partner. Both will be CCTOs. This structure provides limited liability to the partners, and is used widely in New Zealand.

4.2 The agreements to be novated from Council to Foodeast Ltd include:

- A conditional Sale and Purchase Agreement was entered into in July 2020 for the purchase of a 1 Ha block of land on Hānui Road at the Tomoana Food Hub.
- The Funding Agreement with the Provincial Development Unit for a \$12m grant to establish and construct a food innovation hub in Hawke's Bay.
- Supplier agreements to deliver concept designs, detailed designs, project management and construction contracts.
- Resource Consent for Hānui Road site.

5.0 Options – *Ngā Kōwhiringa*

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

5.1 That the Council delegate to the Chief Executive authority to novate agreements from Council to Foodeast Ltd and the balance of the Establishment Phase funding.

Advantages

- Enables the formation of Foodeast Ltd, which will receive regional investor funding.
- Delivers the condition precedent of the funding agreement with PDU (Provincial Development Unit) for \$12m grant.
- Progresses the design and construction of the Food Innovation Hub facility.

- Provides funding to progress further development.

Disadvantages

- Officers have not identified any disadvantages.

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

5.2 Council will continue to lead delivery of Foodeast.

Advantages

- Outcomes will be aligned with Council Long Term Plan.
- Foodeast perceived to be a neutral area for innovation.

Disadvantages

- Regional Investment will not be achieved.
- Future development will be a financial risk for Council.
- Regional collaboration may be limited.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 Officers recommend the adoption of Option 1, Council delegate to the Chief Executive authority to novate agreements from Council to Foodeast Ltd and the balance of the Establishment Phase funding. This proposal will enable Foodeast Ltd to progress with the next phases of delivering a Food Innovation Hub.
- 6.2 Officers will recommend that an interim director is appointed to the General Partnership on behalf of Council investment into the CCTO to be called Foodeast Ltd.

Attachments:

- | | | | |
|---|--|-----------------|------------|
| 1 | Strategies & Development Projects - Economic development - Food Innovation Hub - Feasibility & Business Case - Register of Agreements HDC novate to Foodeast Limited Partnership 22042021
<i>Confidential in accordance with Section 7 (2) (h) of the Local Government Official Information and Meetings Act 1987</i> | STR-6-24-3-21-7 | Document 3 |
|---|--|-----------------|------------|

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 economic development to build a resilient job rich economy.

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

This proposal promotes the wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

An Iwi representative has participated in the Foodeast establishment board and project team and several post treaty settlement groups have been briefed on progress.

Sustainability - *Te Toitūtanga*

Foodeast will be focusing on sustainable business practices, and sustainable packaging and waste stream utilisation.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Foodeast will proceed when the CCTO is approved, agreements are novated and the balance of funding is delivered to Foodeast.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

The Council's investment of \$1m was consulted on as part of the 2020/2021 Annual Plan

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

The Foodeast project group and establishment board have met with a wide range of organisations, agencies and businesses during the business case development and engagement with an extensive range of potential investors.

Public consultation has been undertaken to establish a CCTO.

Risks

The investors focus on returns on investors without supporting innovation, collaboration and business development. This could result in the estimated 500+ jobs and regional Gross Domestic Product growth.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<p>The Feasibility Study and business case estimates the following:</p> <ul style="list-style-type: none"> • 500 + full time skilled jobs over 15 years • \$100m of additional regional gross domestic product • Commercial returns are forecast both from operating profits after year 3 and from the ownership of the land and buildings. 	<ul style="list-style-type: none"> • The proposed investment of \$4m by HBRIC could result in: • The aspirations for Foodeast as a center of innovation are not protected. • Reputational damage from not delivering the perceived outcomes from the food innovation park. • Future opportunities to innovate for new opportunities in the region are lost.

Thursday, 6 May 2021

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

Item 8

Te Rārangi Take

Report to Council

Nā:
From: Mel England, Parking Transportation Officer

Te Take:
Subject: Parking Controls

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council on changes to parking controls on Donnelly Street, Eastbourne Street East, Fredrick Street West, Karamū Road South, Russell Street South and Warren Street North.
- 1.2 This proposal arises from a number of requests for changes in existing parking controls in and around Hastings District and concludes by recommending a number of changes in parking controls and time limits.
- 1.3 A summary of the proposed changes is as follows:

ROAD	EXISTING CONTROLS TO BE REMOVED/CHANGED	PROPOSED CONTROLS
Donnelly Street	P60	Mobility Park
Eastbourne Street East	P60	P15
Eastbourne Street East	P60	P5 Loading Zone
Frederick Street West	-	P5 8am – 9am and 2-45 – 3-15pm
Karamū Road South	P60	Clearway
Russell Street South	P15	P60
Warren Street North	P120	Mobility Park

- 1.4 Amendments to Bylaws require a resolution of Council.

2.0 Recommendations – Ngā Tūtohunga

- A) That the Council Meeting receive the report titled Parking Controls dated 6 May 2021.
- B) That Council resolve pursuant to Clause 5.3.1(a)(iii) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing parking space located 17 metres south from the intersecting point of Cooper Street and extending 6 metres north on the eastern side of Donnelly Street becomes a mobility parking space.
- C) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing two P60 parking spaces located 36 metres from the intersecting point of Hastings Street South and extending 15 metres west on the northern side of Eastbourne Street East be revoked and becomes a P5 Loading Zone.
- D) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing three P60 parking spaces located 22 metres from the intersecting point of Hastings Street South and extending 36 metres west on the southern side of Eastbourne Street East be revoked and become P15 parking spaces.
- E) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing parking spaces located 3 metres south from the intersecting point of Tawa Street and extending 26 metres south on the southern side of Frederick Street West become P5 parking spaces between 8am – 9am and 2-45pm – 3-30pm week days only.
- F) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing five P60 parking spaces located 21 metres south from the intersecting point of Heretaunga Street East and extending 32 metres south on the eastern side of Karamū Road South become a Clearway Area from 11pm until 6am 7 days a week.
- G) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing P15 Parking located 29 metres south from the intersecting point of Heretaunga Street East and extending 28 south on the western side of Russell Street South be revoked.
- H) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the parking spaces located 29 metres south from the intersecting point of Heretaunga Street East and extending 28 south on the western side of Russell Street South become P60 parking.
- I) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing 4 P120 parking spaces located 52 metres north from the intersecting point of Heretaunga Street East and extending 22 metres north on the eastern side of Warren Street North be revoked.
- J) That Council resolve pursuant to Clause 5.3.1(a)(iii) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing parking spaces located 64 metres north from the intersecting point of Heretaunga Street East and extending 11 metres north on the eastern side of Warren Street North becomes a mobility parking space.

3.0 Background – *Te Horopaki*

- 3.1 From time to time it is necessary to introduce parking controls and/or amend those that are already in place.
- 3.2 In order that the changes are legally established and enforceable, a formal resolution by Council is required.
- 3.3 The following information provides the background and current situation relevant to the changes being proposed.

4.0 Discussion – *Te Matapakitanga*

4.1 Donnelly Street – Mobility Park (Recommendation B)

Hastings District Council has been approached by a business and members of the public to install a mobility park in Donnelly Street.

After discussions with the traffic operations engineer and parking wardens the parking space outside number 10 Donnelly Street was deemed to be the safest location. This area already has an easily accessible dropdown for mobility users to use, so no modification of the existing footpath area is needed.

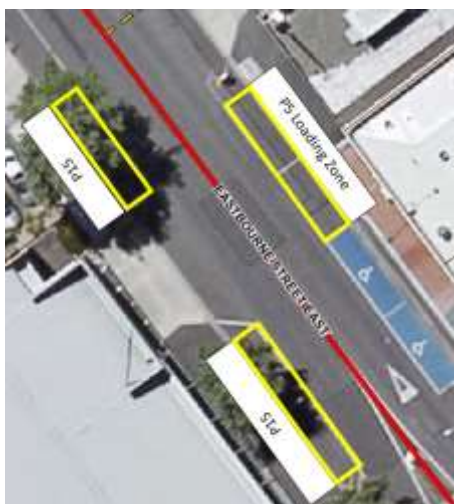


4.2 Eastbourne Street East – Time Limit Changes – P5 Loading Zone and P15 Time Limit (Recommendations C and D)

Toitoti approached Hastings District Council to change the parking configuration located around the area of the ticketing office.

The P15 will help traffic turnover quickly when the ticketing office is open, allowing more people to visit.

The P5 Loading Zone will allow for the safe unloading and loading of stage equipment, exhibition items and general deliveries to the area.



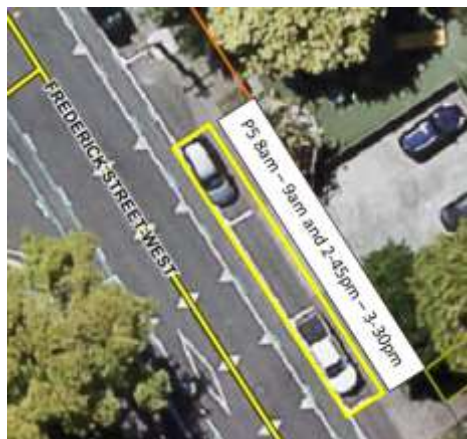
4.3 Frederick Street West – P5 Parking (Recommendation E)

Frederick Street Kindergarten approached Hastings District Council about having P5 time limits outside their premises.

The P5 will have a limit of when it can be enforced. The times are 8am to 9am and then 2:45pm to 3:30pm.

With the combination of 2 schools and 1 childcare centre and 1 kindergarten being in the immediate area there is no safe place for parents to drop off and pick up their children.

This area will provide an efficient and safe place for parents and children.



4.4 Karamu Road South – Clearway Area (Recommendation F)

Police have requested that the area by Albert Square opposite Bar213 become a Clearway area between 11pm and 6am 7 days a week.

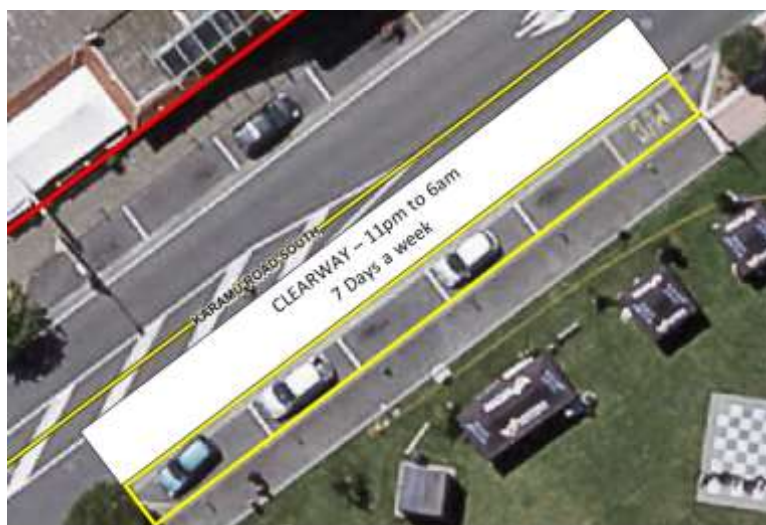
This would give police the ability to move people who are aiming to incite disorder while sitting in their cars.

Allow for more taxi vehicles to efficiently and safely move people away from the area.

Allow a better view of the square, lessening the incidence of concealed liquor ban breaching or public disorder.

Taxi drivers parked up in the area waiting for the end of the night adds more responsible 'guardians.'

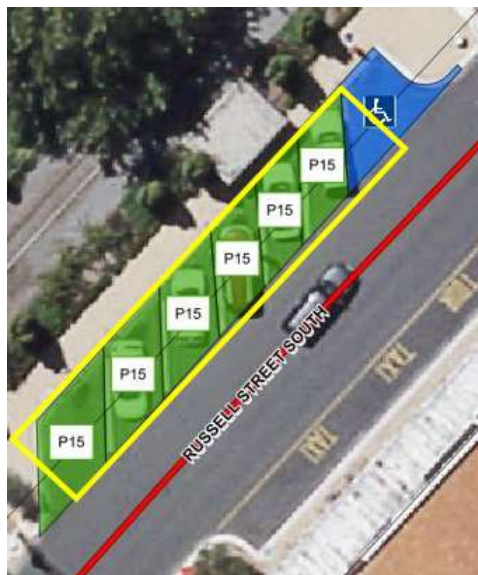
This would create a safer area during the night.



4.5 Russell Street South – Time Limit Changes – Revoke P15 and Change to P60 (Recommendations G and H)

Members of the public have queried why the P15 parking is still there as this causes confusion due to the area being predominantly P60.

Increasing the time period will allow for longer stays at the café and other businesses in the area without having to worry about incurring a parking infringement.

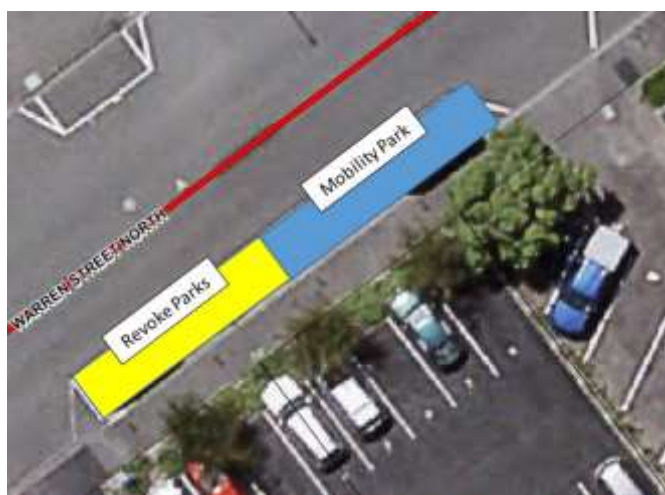


4.6 Warren Street North – Revoke 4 P120 Spaces – Establish a Mobility Park (Recommendations I and J)

Hastings District Council have revamped the Landmarks area in Warren Street North resulting in the loss of 4 P120 parking spaces.

Two of these carparks have been turned into a mobility park.

The mobility park has been established to allow mobility users easier access to the landmarks area and businesses in the area.



5.0 Option – Ngā Kōwhiringa

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

5.1 To change the Parking Bylaws to allow the parking arrangements as outlined at the sites in section 4.

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

5.2 To continue current arrangements.

6.0 Next steps – Te Anga Whakamua

If the changes are approved these will occur to the parking as set out above.

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

- Reducing public nuisance and threats to public health and safety
- Moving people and goods around safely and efficiently.

Māori Impact Statement - Te Tauākī Kaupapa Māori

N/A

Sustainability - Te Toitūtanga

N/A

Financial considerations - Ngā Whakaarohanga Ahumoni

N/A

Significance and Engagement - Te Hiranga me te Tūhonotanga

This decision does not trigger the threshold of the Significance and Engagement Policy.

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

Donnelly Street – Mobility Park

Consultation was carried out with the businesses directly outside of where the mobility park is to be located. The businesses agreed with the proposal.

The traffic engineers and parking wardens agree with the proposed change.

Eastbourne Street East – Time Limit Changes – P5 Loading Zone and P15 Time Limit

Consultation was carried out with the Opera House Kitchen Café and the parking wardens. All agreed on the changes in the specified areas.

Frederick Street West – P5 Parking

Limited consultation was carried out as the area is outside the kindergarten and has no impact on the residents in the area.

Parking wardens agree with the change.

Karamū Road South – Clearway Area

The licensee for Bar213, Hastings Council Security Manager support the proposal from the Police.

Russell Street South – Time Limit Changes – Revoke P15 and Change to P60

Consultation was carried out with businesses in the area and they all agreed with the change in time limits.

Parking wardens agree with the change.

Warren Street North – Mobility Park

Consultation was carried when the landmarks proposal was first proposed.

Risks

N/A

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

N/A

Thursday, 6 May 2021

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

Item 9

Te Rārangi Take

Report to Council

Nā: Vicki Rusbatch, Senior Advisor Democracy and Governance
From: Services

Te Take: Proposed Amendments to Appointments to Committees,
Subject: Subcommittees, Joint Committees and External Organisations

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

- 1.1 The purpose of this report is to seek Council approval for proposed amendments to the Schedule of Appointments to Committees, Subcommittees and Other External Organisations – 2019-2022, namely:
- To note that the Education Link Group, which has not met since the 2019 elections, is in hiatus due to Covid-19.
 - To replace Councillor Schollum with Councillor Nixon on the Active Transport Group.
 - To remove Councillor Harvey from the Omarunui Refuse Landfill Joint Committee and for Council appoint a replacement HDC representative on that Committee.
 - To appoint Councillor Schollum, (current Deputy Chair) as Chair of the District Development Subcommittee, and Deputy Mayor Councillor Kerr (current Chair) as Deputy Chair of the District Development Subcommittee.
- 1.2 Deputy Mayor Councillor Kerr as Deputy Chair has advised the Mayor of her wish to vacate position of Chair of the District Development Subcommittee in favour of the current Deputy Chair Councillor Schollum. Subject to Council's approval of the change of Chair, Councillor Kerr will assume the role of Deputy Chair of the Subcommittee. The Mayor supports the proposed change in roles.
- 1.3 The change to the Chair of the District Development Subcommittee will have an impact on the remuneration levels of all Councillors which are calculated based on individual councillors' highest level of responsibility that they hold. Any proposed change to remuneration levels must be forwarded to the Remuneration Authority for approval.
- 1.4 The report concludes by recommending:

2.0 Recommendations – Ngā Tūtohunga

- A) That the Council receive the report titled Proposed Amendments to Appointments to Committees, Subcommittees, Joint Committees and External Organisations dated 6 May 2021.
- B) That the Council approve the following amendments to the Schedule of Appointments to Committees, Subcommittees and other external organisations – 2019-2022:
 - 1) That it be noted on the schedule that the Education Link Group which has not met since the 2019 elections is on hiatus due to Covid-19.
 - 2) That Councillor Nixon replace Councillor Schollum on the Active Transport Group.
 - 3) That Councillor Harvey be replaced on the Omarunui Refuse Landfill Joint Committee, and a replacement HDC member be appointed.
 - 4) That Councillor Schollum replace Councillor Kerr as Chair of the District Development Subcommittee, and Councillor Kerr be appointed as Deputy Chair of the Subcommittee.
- C) That the schedule of Councillor Payments is amended to reflect the changes in responsibilities in B)4) above and sent to the Remuneration Authority for determination.

3.0 Background

- 3.1 At its meeting on 10 December 2019, the Council resolved as follows in relation to Agenda Item 19. Council Delegations and Appointments to Committees, Subcommittees, Joint Committees and External Organisations:
- A) *“That the Council receives the report titled Council Delegations and Appointments to Committees, Subcommittees, Joint Committees and External Organisations.*
 - B) *The Delegation Scheme (Attachment 1) (PMD-01-06-19-325) be adopted subject to the following amendments:-*
District Development Subcommittee – 8 members (quorum 4)
Great Communities Subcommittee – 8 members (quorum 4)
 - C) *That the recommendations of Her Worship the Mayor in respect of the appointments to Committees, of Chairs, Deputy Chairs of the Committees, External Appointees and District Champions be adopted and the people listed in the “Draft Schedule of Appointments to Committees, Subcommittees and other External Organisations 2019-2022” as amended (CG-14-1-01634) be appointed accordingly.*
 - D) *That the recommendations of Her Worship the Mayor in respect of the appointments to outside organisations be adopted as set out in the “Draft Schedule of Appointments to Committees, Subcommittees and other External Organisations 2019-2022” as amended (CG-14-1-01634) and the people listed therein be appointed accordingly.”*
- 3.2 Since that time, Council has approved a number of changes to appointments to committees, subcommittees and other organisations.
- 3.3 Proposed amendments to the Schedule of Appointments to Committees, Subcommittees and other external organisations – 2019-2022:

Appointment/Committee/ Subcommittee/Organisation	Membership	Appointments
Omarunui Joint Refuse Landfill Committee	4 Councillors HDC Alternate Councillor HDC 2 Councillors NCC Alternate Councillor NCC (Chair appointed by Committee)	Chair: Cr Redstone (HDC) Deputy Chair: Cr Tapine (NCC) Cr Harvey (HDC) Cr Nixon (HDC) Cr Siers (HDC) Vacancy (HDC) Cr McGrath (NCC) Alternate: Cr Lawson (HDC) Alternate: Cr Brosnan (NCC)
Active Transport Group	2 Councillors Youth Councillor member (invitation extended to Youth Council in July 2020)	Cr Harvey (Chair) Cr Schollum Councillor Nixon Harry Wixon (YC appointee)
Education Link Group – <i>Currently inactive due to Covid-19</i>	2 Councillors School Representatives Education Professionals	Cr Watkins Cr Travers
District Development	8 Councillors 1 Heretaunga Takoto Noa Māori Standing Committee appointee 2 Youth Council appointees 1 Youth Council alternate (Youth Council are non-voting)	Chair: Cr Kerr Cr Schollum Deputy Chair: Cr Schollum Deputy Chair: Cr Kerr Cr Barber Cr Harvey Cr Corban Cr Redstone Cr Siers Cr Travers Vacancy (Heretaunga Takoto Noa Māori Standing Committee member) Keelan Heesterman (Youth Council) Riley Bogard-Allan (Youth Council) Victoria Stobart (Youth Council Alternate)

- 3.4 The 10 December 2019 Council Meeting then resolved the schedule of Elected Members' Payments (which had been calculated on the basis of the draft Schedule of Appointments to Committees, etc. referred to in part C) of the resolution above) be approved and sent to the Remuneration Authority for Determination.
- 3.5 At that time, there were 4 Subcommittee Chair positions and 5 Deputy Chair positions. The proposed change of role for Councillor Schollum from Deputy Chair to Subcommittee Chair would increase the number of Subcommittee Chairs to 5 and reduce the number of Deputy Chairs to 4, which will require an adjustment to the remuneration level of all councillors.
- 3.6 Councillor Schollum's highest level of responsibility currently is that of Deputy Chair. If the Council approves her appointment to the position of Chair of the District Development Subcommittee, her proposed new rate of remuneration would be \$55,843 p.a. The other Subcommittee Chair positions would be adjusted to the same amount.

- 3.7 As the Elected Members' Remuneration Pool is set by the Remuneration Authority and there would be no financial impacts to the Council. However, any proposed change in remuneration levels for elected member positions of responsibility will require a Council decision which is then referred to the Remuneration Authority. This will be gazetted as a change to primary legislation and could take a few months. Once the changes have been approved by Parliament we can then action the payments through our payroll backdated to the date of the Council Meeting. This means that if the Council approves the changes, all elected members (except the Mayor and newly appointed Subcommittee chair) can expect a small backdated salary reduction to claw back the difference in salaries once the Remuneration Authority notifies the Council that the change has been approved.
- 3.8 If Council agrees with the proposed changes, the effect on remuneration from Changes to Additional Responsibilities would be as follows:

Position of Responsibility	Current No. of members per Position	Current Remuneration	Proposed No. of members per position	Proposed Remuneration	Change
Deputy Mayor	1	78,624	1	78,180	-444
Chair: Standing Committee	2	65,146	2	64,778	-368
Chair: Subcommittee	4	56,160	5	55,843	-317
Deputy Chairs	5	51,667	4	51,375	-292
Ambassador for Hastings	1	51,667	1	51,375	-292
Champion - Flaxmere Development	1	47,174	1	46,908	-266

Note that Additional Responsibilities are for the highest additional responsibility only, regardless of the number of additional responsibilities an elected member may have.

Attachments:

There are no attachments for this report.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 6 MAY 2021

Item 12

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:

- 13 Foodeast Director Appointment
- 14 Advancement of HPUDS Greenfield Growth Areas
- 15 Urban Development Area - Council Land
- 16 Land Sale
- 17 Professional Engineering Services Contract 2021-2024

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:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION
13 Foodeast Director Appointment	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 individuals.	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.
14 Advancement of HPUDS Greenfield Growth Areas	Section 7 (2) (h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. Report contains confidential property negotiation issues.	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.

**15 Urban Development Area -
Council Land**

Section 7 (2) (i)

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). Future negotiations with interested parties concerning the disposal of Council-owned land within an Urban Development Area.

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.

16 Land Sale

Section 7 (2) (i)

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). To enable negotiations to take place.

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.

**17 Professional Engineering
Services Contract 2021-2024**

Section 7 (2) (b) (ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.

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.

Section 7 (2) (h)

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. The report contains information and details of the tender evaluation process on specific companies that tendered for this contract. The tender evaluation is a closed process and the release of information on the competency and capability of individual companies assessed by the TET could be prejudicial to those companies in future tenders or negotiations..