

Thursday, 11 November 2021

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council**

**Operations and Monitoring Committee Meeting**

*Kaupapataka*

# Agenda

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*Te Rā Hui:*  
Meeting date: **Thursday, 11 November 2021**

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*Te Wā:*  
Time: **1.00pm**

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

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*Te Hoapā:*  
Contact: **Democracy and Governance Services  
P: 06 871 5000 | E: [democracy@hdc.govt.nz](mailto:democracy@hdc.govt.nz)**

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*Te Āpiha Matua:*  
Responsible  
Officer: **Group Manager: Corporate - Bruce Allan**

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

## Operations and Monitoring Committee – Terms of Reference

### Fields of Activity

The purpose of the Operations and Monitoring Committee is to ensure consolidated and complete reporting and monitoring of all financial and non-financial information and performance measures against the Annual Plan, Long-Term Plan and Council Strategies, Goals and Priorities.

### Membership

- (Mayor and 14 Councillors).
- Chair appointed by Council.
- Deputy Chair appointed by Council.
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.

### Quorum – 8 members

### Delegated Powers

- 1) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law or otherwise delegated to another committee) in relation to all matters detailed in the Fields of Activity.
- 2) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law) at any time when the Chief Executive certifies in a report that;
  - the matter is of such urgency that it requires to be dealt with
  - the matter is required to be dealt with, prior to the next ordinary meeting of the Council.
- 3) Monitor the performance of Council in terms of the organisational targets set in the Long Term Plan and Annual Plan – both financial and nonfinancial.
- 4) Monitor operational performance and benchmarking.
- 5) Undertake quarterly financial performance reviews.
- 6) Develop the Draft Annual Report and carry forwards.
- 7) Monitor and review the performance of Council Controlled Organisations and other organisations that Council has an interest in.
- 8) Monitor and review tender and procurement processes.
- 9) Monitor major capital projects.
- 10) Recommend to Council on matters concerning project decisions where these are identified as a result of the committee's project monitoring responsibilities.
- 11) Writing off outstanding accounts for amounts exceeding \$6,000 and the remission of fees and charges of a similar sum.
- 12) Settlement of uninsured claims for compensation or damages where the amount exceeds the amounts delegated to the Chief Executive.
- 13) Guarantee loans for third parties such as local recreational organisations provided such guarantees are within the terms of Council policy.
- 14) Authority to exercise the Powers and Remedies of the General Conditions of Contract in respect of the Principal taking possession of, determining, or carrying out urgent repairs to works covered by the contract.
- 15) Grant of easement or right of way over Council property.
- 16) Approve insurance – if significant change to Council's current policy of insuring all its assets.

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Thursday, 11 November 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council**

**Operations and Monitoring Committee Meeting**

*Kaupapataka*

# Agenda

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	<i>Koromatua</i>
	<b>Chair:</b> Councillor Geraldine Travers
	<i>Ngā KaiKaunihera</i>
	Mayor Sandra Hazlehurst
<i>Mematanga:</i>	<b>Councillors:</b> Bayden Barber, Alwyn Corban, Malcolm Dixon, Damon
<b>Membership:</b>	Harvey, Tania Kerr (Deputy Chair), Eileen Lawson, Simon Nixon, Henare
	O’Keefe, Peleti Oli, Ann Redstone, Wendy Schollum, Sophie Siers and
	Kevin Watkins
	Heretaunga Takoto Noa Māori Standing Committee Appointee: Mike
	Paku
<hr/>	
<i>Tokamatua:</i>	
<b>Quorum:</b>	8 members
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<i>Apiha Matua</i>	Group Manager: Corporate – Bruce Allan (Lead)
<b>Officer Responsible:</b>	Group Manager: Asset Management - Craig Thew
	Group Manager: Strategy & Development – Craig Cameron
	Financial Controller – Aaron Wilson
	Chief Information Officer – Andrew Smith
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<i>Te Rōpū Manapori me te</i>	
<i>Kāwanatanga</i>	
<b>Democracy &amp;</b>	Christine Hilton (Extn 5633)
<b>Governance Services:</b>	
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## *Te Rārangi Take*

# Order of Business

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### 1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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### 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.

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### 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.

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

Minutes of the Operations & Monitoring Committee Meeting held Thursday 30 September 2021.

*(Previously circulated)*

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### 5.0 Hawke's Bay Airport Limited Annual Report for the year ended 30 June 2021 7

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### 6.0 Financial Quarterly Report for the three months ended 30 September 2021 9

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### 7.0 Performance and Monitoring Report 17

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<b>8.0</b>	<b>Requests Received under the Local Government Official Information and Meetings Act (LGOIMA) Update</b>	<b>19</b>
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<b>9.0</b>	<b>Hastings District Heritage Trails Society Inc Annual Report 2021</b>	<b>25</b>
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<b>10.0</b>	<b>Minor Items – <i>Ngā Take Iti</i></b>	
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<b>11.0</b>	<b>Urgent Items – <i>Ngā Take Whakahihiri</i></b>	
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Thursday, 11 November 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Operations &  
Monitoring Committee Meeting**

Item 5

*Te Rārangi Take*

# Report to Operations and Monitoring Committee

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*Nā:*  
**From: Bruce Allan, Group Manager: Corporate**

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*Te Take:*  
**Subject: Hawke's Bay Airport Limited Annual Report for the year ended 30 June 2021**

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## **1.0 Purpose - *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The purpose of this report is to present to the Operations and Monitoring Committee the Annual Report from the Hawke's Bay Airport Limited (HBAL) for the year ended 30 June 2021. The information contained in the Annual Report (in **Attachment 1**) has been used for this report. The Chair of the Board and the Chief Executive Officer of the Board will be present at this meeting to speak to the report.

## **2.0 Background**

- 2.1 The HBAL company was formed in July 2009 following the acquisition of the assets of the Hawke's Bay Airport Authority. The company is owned 50% Crown, 26% Napier City Council (NCC) and 24% Hastings District Council (HDC).
- 2.2 The board of HBAL consists of four directors, Sarah Park and Jon Nichols appointed by Hastings and Napier Councils, Wendie Harvey (Chair) appointed by the Crown and are awaiting confirmation of the second Crown appointed member of the Board.
- 2.3 The board has also appointed Jonathon Norman as a future director utilising the Institute of Directors Future Directors (IOD) programme which aims to develop the next generation of directors. The programme provides people with governance potential and ambition the opportunity to participate on a board. It also provides boards with exposure to new talent, ideas and experiences. Future Directors was founded by Sir Stephen Tindall (The Warehouse/Tindall Foundation), Michael Stiassny (past IoD President) and Des Hunt (NZ Shareholders Association) in 2013.

- 2.4 The Statement of Intent requires that an Annual Report including audited financial statements be provided to shareholders. A six-monthly report is also required to be delivered to shareholders.

### 3.0 Summary

- 3.1 HBAL made an operating profit after tax and before revaluations of \$555k which is a significantly improved result from last year's loss of \$1.0m.
- 3.2 The financial result is considerably better than forecasted in the revised statement of intent prepared post the 2020 Covid-19 lockdown which was forecasting a net loss after tax of \$1.5m
- 3.3 This result was primarily on the back of increased aeronautical revenues compared to last year and significantly improved against the SOI forecast which totalled \$3.9m compared to \$3.7m last year and \$2.1m in the SOI.
- 3.4 Operating Costs decreased to \$2.9m compared to \$4.1m in the previous year. \$218k of this relates to one-off restructuring costs and \$1.1m of other operating expenses.
- 3.5 Additions to Property, Plant, and Equipment have increased by \$6.1m to \$58.1m this year (\$8.1m of this was capital work in progress). The additions were funded by new debt of \$4.7m, with the balance being paid by operating cash flows.
- 3.6 Total debt as at the 30 June 2021 was \$23.0m (2020: \$18.3m). In addition, HBAL has capital commitments of \$1.7m relating to the terminal expansion (2020: \$6.6m).
- 3.7 On pages 42 to 45 of the HBAL Annual Report is the statement of service performance against the KPIs set down in the statement of intent.
- 3.8 The results set out in the Annual Report, both financial and non-financial are a great result when considered against the back drop of the first Covid-19 lockdown and the recovery that the statement of intent forecasted. The Airport Board and management have bought the company back from losing 95% of its revenue in April 2020 and improved the company's financial resilience in the process. The companies approach to sustainability must also be commended and aligns well with the goals and aspirations of the Eco District Strategy.

#### Shareholder Loan Facility

- 3.9 On 10 July 2020, the Group entered into agreement with the shareholders for a shareholder loan totalling \$9m (Crown \$4.5m, NCC \$2.34m, HDC \$2.16m) to enable completion of the Terminal Expansion Project and ensure the Group's working capital requirements can be met throughout the recovery period. This shareholder loan was never drawn upon and has since been withdrawn at the request of HBAL.

### 4.0 Recommendations – Ngā Tūtohunga

That the Operations and Monitoring Committee receive the report titled Hawke's Bay Airport Limited Annual Report for the year ended 30 June 2021.

### Attachments:

1⇒ HBAL Annual Report 2021

EXT-10-9-1-21-81

Under Separate Cover



Thursday, 11 November 2021

Item 6

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Operations &  
Monitoring Committee Meeting**

*Te Rārangi Take*

# Report to Operations and Monitoring Committee

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*Nā:* **Aaron Wilson, Financial Controller**  
*From:*

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*Te Take:* **Financial Quarterly Report for the three months ended 30**  
*Subject:* **September 2021**

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## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 The purpose of this report is to inform the Committee of the financial result for the three months ended 30 September 2021.

## **2.0 Recommendations – Ngā Tūtohunga**

That the Operations and Monitoring Committee receive the report of the Financial Controller titled Financial Quarterly Report for the three months ended 30 September 2021 dated 11 November 2021.

## **3.0 Background – Te Horopaki**

- 3.1 The accounting operating financial result is reported on quarterly during the year and at year end a report is prepared on the financial as well as the rating result. The rating result differs from the accounting result in respect of non-cash items such as depreciation, vested assets and development contributions that are not included.
- 3.2 This financial report is governance focussed and allows significant variances to be highlighted with explanations provided in a way this is easy to read and understand through dashboard analytics and commentary.

- 3.3 If Councillors require clarification on any points, please contact the writer prior to the meeting to ensure complete answers can be given at the meeting on the detail in these reports.

#### 4.0 Discussion – *Te Matapakitanga*

- 4.1 Set out below is a summary of the operating financial result year to date. The financial results detailed below represent the accounting view and does not reflect the potential rating result for 2021/22:

	\$'000	\$'000	\$'000	
	YTD Actual	YTD Revised Budget	YTD Variance	Full year Revised Budget*
<b>2021/22</b>				
Operating Revenue	39,050	40,963	(1,913)	177,450
Operating Expenditure	35,161	37,855	2,694	149,760
<b>Net Surplus/(Deficit)</b>	<b>3,889</b>	<b>3,108</b>	<b>781</b>	<b>27,690</b>

\* Revised budget includes the Annual budget, Brought Forwards and surplus allocations from 20/21 financial year

- 4.2 The result above is presented against the revised budget. The revised budget includes changes and decisions made during the year on Council budgets which includes carry forwards from 2020/21.
- 4.3 Council's overall financial performance is \$781k ahead of YTD budget for the quarter ended 30<sup>th</sup> September 2021.
- 4.4 Overall revenue is \$1.9m unfavourable to the YTD budget and expenditure is \$2.7m, favourable to YTD budget.

#### Revenue

- 4.5 The Covid-19 lockdowns have had a significant impact on a wide range of areas within Council, with the community facing activities very much affected in revenue terms.
- 4.6 Fees and charges revenue across Council are unfavourable by \$362k with the main drivers being:
- Planning and Regulatory services are unfavourable to budget by \$546k driven by lower than budgeted building consent fees (\$231k) along with lower parking revenues (\$205k).
    - The building consents lower than budgeted revenue is offset by lower than budgeted expenditure.
    - Lower parking revenues are reflective of the impact of COVID-19 with pay and display metering not being collected during Alert Levels 4 & 3.
  - Waste services are unfavourable by \$401k, driven by the impact Covid-19 resulting in lower volumes.
  - Offsetting these unfavourable variances are higher than budgeted connection fees due to the number of new housing along with a prior year adjustment into the revenue line.
- 4.7 Subsidies and Grants are \$778k behind budget mainly due to lower Waka Kotahi (NZTA), subsidies, this is offset by lower subsidy related expenditure.
- 4.8 Other revenue and interest received are \$288k behind budget mainly due to the timing of when vested assets are expected to be received.
- 4.9 Development contributions are unfavourable to YTD budget by \$760k. Phasing of budgets in relation to when contributions occur is difficult, and creates timing differences as it is not always known in advance in what month a payment will occur when the budget is being set. In addition capital costs have also not been incurred.

### Expenditure

- 4.10 Overall expenditure is tracking favourably year to date as at 30th September 2021 by \$2.7m or 7.6% of total budgeted expenditure year to date. Main drivers include:
- 4.11 The negative variance to budget for non-cash entries in terms of Depreciation (\$543k) are driven by higher asset values due to prior year revaluations in Land & Buildings, along with increased spend in infrastructure projects in water and roading.
- 4.12 Finance costs are favourable by \$601k which is a reflection of lower levels of debt than phased in the budget and lower average cost of funds.
- 4.13 Other operating costs are favourable to budget by \$2.27m, and are driven by lower contracted (\$1.5m), expert advice (\$447k) and legal advice (\$141k) costs across waste services, water services, and transportation. This is around the timing of projects coming on stream in terms of where the budget is phased and is likely to even out over the rest of the year.

### Covid- 19 Impacts in the current financial Year:

- 4.14 Toitoti revenue has been affected with the impact of Covid-19 under all of the levels this financial year. Restrictions have been in play for most of the first quarter.
- 4.15 Toitoti has cancelled or postponed a significant number of events in the first quarter, with cancelled events totalling \$28.5k in lost revenue. Revenue from postponed events that would have gone ahead in the first quarter total \$60.5k. Other revenue from cancelled and postponed events such as bar, extra ticketing and dish commissions amount to an additional \$43k lost due to the Alert Level restrictions.
- 4.16 Alert Level restrictions have also affected the parking revenue with pay and display not collected during levels 4 & 3.
- 4.17 Community facing activities and facilities such as libraries, the Flaxmere gym along with sports & community centres have all faced reduced patronage, and use, leading to lower revenue streams. A clearer picture will be able to be provided in the second quarter of the current financial year.
- 4.18 Capital projects have also been affected by Covid-19, with issues relating to logistics and supply, along with the added constraints of the working environment.

### Looking Forward

- 4.19 The closure of Splash Planet has an estimated \$400k financial impact above the current rating requirement for this activity. Council has resolved that this additional cost will be funded from the Splash Planet Development Reserve.
- 4.20 Toitoti will continue to operate on a much reduced capacity limit however they are still receiving very solid enquiries for events into 2022.
- 4.21 The uncertainty that currently pervades the community is expected to have an impact on visitation numbers to Council's community facilities including the libraries and aquatic facilities, further reducing revenue opportunities and putting strain on those activities operating within their net rating requirements.
- 4.22 In 2020/21 Council declared a general rating surplus of \$866k and a number of resolutions were made around how this was to be allocated. Of this amount \$554k across both rating areas was to be transferred to the contingency to allow for any unforeseen operational impacts including impacts from Covid-19.
- 4.23 In addition to this Council's share of the Landfill surplus was \$1.997m. It was resolved that this should be transferred to the Landfill Development reserve, but with the acknowledgement that this

surplus is available for Council to meet any requirements in relation to the delivery of the 2021/22 budget and any unforeseen Covid-19 impacts.

### Capital Spend

- 4.24 Council's total capital revised budget (including carry forwards, renewals, new works, and growth projects) for 2021/22 is \$177.9m. This level of expenditure is a significant increase on what has been delivered previously by Council and there is risk associated with the ability of Council to deliver on this programme. Helping to offset some of this risk is a much more detailed programme of the works budgeted.
- 4.25 The large capital budget is made up of :
- 2021/22 Annual Plan \$127.9m
  - Carry forwards from 2021 \$ 50.0m
- Total revised budget after carry forwards and adjustments \$177.9m
- Included in year one of the LTP was further government funding for water related projects of \$7.6m, as expenditure occurs the funding for the spend will be granted. Note, this forms part of the \$15.3m granted from the DIA for three waters projects.
- 4.26 Capital spend for the year to date is \$14.9m, whilst this is \$10m behind year to date budget of \$25m, it is expected that the very large spend in water projects will catch up.
- 4.27 The first quarter of 2021/22 has been impacted by the Covid alert level 4 lockdown in August, with over 15 projects held up over the 2 weeks of alert level 4.
- 4.28 Waka Kotahi (NZTA) approvals for the 3 year programme have been delayed which has had an impact on the level of activity from the transportation team. It is fully expected that this delay in approval from Waka Kotahi can be caught up during the year.
- 4.29 The risks from supply chain issues currently being experienced across the construction sector are starting to impact on the capital programme currently underway.

4.30 Projects by Activity within the three types of capital spend are shown below:

Year to date Summary of Capital Spend by Type					
	YTD Actuals	YTD Budgets	YTD variance	% Spent to Total Budget	Revised Budgets
<b>COUNCIL CAPITAL</b>					
Renewals	6,793,561	12,777,221	5,983,661	12%	57,750,025
New Works	7,024,597	10,703,567	3,678,970	8%	92,311,616
Growth	1,122,132	1,512,500	390,368	4%	27,860,707
	14,940,289	24,993,288	10,052,998	8%	177,922,349
<b>SUMMARY</b>					
<b>RENEWALS</b>					
Stormwater Services	193,155	282,000	88,845	17%	1,166,500
Wastewater Services	2,290,562	3,116,500	825,938	17%	13,466,500
Water Services	612,399	1,304,250	691,851	14%	4,441,000
Transportation RA 1	700,758	3,762,051	3,061,293	4%	15,964,904
Parks	299,151	516,750	217,599	14%	2,128,286
Building services	211,087	125,334	(85,753)	5%	3,857,490
Rest of Council	2,486,447	3,670,336	1,183,890	15%	16,725,346
	6,793,561	12,777,221	5,983,661	12%	57,750,025
<b>NEW WORKS</b>					
Stormwater Services	353,096	411,625	58,529	5%	7,120,000
Wastewater Services	181,195	26,750	(154,445)	8%	2,251,000
Water Services	4,143,398	5,324,133	1,180,735	12%	34,486,531
Transportation	1,396,863	993,435	(403,428)	9%	14,985,290
Parks	380,780	933,000	552,220	5%	7,017,300
Building services	35,887	-	(35,887)	3%	1,121,000
Rest of Council	533,379	3,014,624	2,481,245	2%	25,330,495
	7,024,597	10,703,567	3,678,970	8%	92,311,616
<b>GROWTH</b>					
Stormwater Services	220,918	349,000	128,082	4%	5,978,500
Wastewater Services	77,749	166,000	88,251	2%	3,645,000
Water Services	507,915	663,000	155,085	11%	4,811,500
Transportation RA 1	315,550	334,500	18,950	3%	11,941,707
Parks	-	-	-	0%	1,484,000
	1,122,132	1,512,500	390,368	4%	27,860,707
<b>Total Capital</b>	<b>14,940,289</b>	<b>24,993,288</b>	<b>10,052,998</b>		<b>177,922,349</b>

Item 6

4.31 Major projects currently underway within the three types of capital spend are shown below:

Major Projects					
	YTD Actuals	YTD Budgets	YTD variance	% Spent to Total Budget	Revised Budgets
<b>Renewal projects</b>					
Toitoti/Municipal Building	2,082,508	2,498,026	415,519	21%	9,992,105
Maintenance Seals	91,577	629,075	537,498	4%	2,516,300
Wastewater Rising mains	100,028	35,000	(65,028)	2%	4,208,000
Trunk Sewer	1,504,077	2,312,500	808,423	35%	4,316,000
Outfall	334,384	165,000	(169,384)	8%	4,300,000
<b>New Works projects</b>					
Drinking water project	3,855,698	4,944,108	1,088,410	12%	31,884,431
Martin Place Recycling	-	-	-	0%	1,000,000
Hastings Town Clock	-	-	-	0%	400,000
Coastal Protection Works	124,644	123,000	(1,644)	101%	123,000
Streetscape	215,141	200,000	(15,141)	20%	1,094,000
<b>Growth projects</b>					
Omahu	11,450	-	(11,450)	1%	1,505,207
Lyndhurst	389,716	455,000	65,284	14%	2,842,000
Irongate	192,909	280,000	87,091	21%	929,000
Iona/Middle	478,320	699,000	220,680	4%	13,343,000
Howard	38,362	20,000	(18,362)	1%	5,048,000

#### Treasury

4.32 Council's total gross debt position is \$205.7m which includes \$31.8m of prefunded capital expenditure and debt refinancing which is currently held on deposit.

30th September 2021	
	\$'000
Borrowing at start of year	205,740
New Loans Drawn	0
Loan Repayments	0
<b>Net borrowings at end of period</b>	<b>205,740</b>
Less Term Deposits held	31,800
<b>Total Net Borrowings</b>	<b>173,940</b>

4.33 Council is currently compliant with Treasury Management Policy. The Risk and Assurance Committee reviews and monitors Council's treasury performance and policy with advice from Bancorp Treasury Services.

#### **Attachments:**

1⇒ 1st Quarter Dashboard Sept 2021

FIN-09-01-21-202

Under  
Separate  
Cover







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Thursday, 11 November 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Operations &  
Monitoring Committee Meeting**

Item 7

*Te Rārangi Take*

# Report to Operations and Monitoring Committee

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*Nā:*  
**From: Bruce Allan, Group Manager: Corporate**

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*Te Take:*  
**Subject: Performance and Monitoring Report**

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## **1.0 PURPOSE AND SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTOTANGA**

- 1.1 The purpose of this report is to present to Council the Performance and Monitoring Report for the quarter ended 30 September 2021.
- 1.2 The Performance and Monitoring Report is attached as **Attachment 1** and is a comprehensive overview of Council's activities.
- 1.3 There is a large amount of information presented in this report and Officers would recommend to Councillors that if they have questions that they would like answered during the meeting that those questions be put to the writer of this report prior to the meeting so that they can be satisfactorily answered in the meeting.
- 1.4 The quarterly financial report for the period ended 30 September 2021 is reported separately on this agenda.

## 2.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA

That the Operations and Monitoring Committee receives the report titled Performance and Monitoring Report dated 11 November 2021.

### Attachments:

1 ➞	Performance and Monitoring Report - Quarter 1, 2021-2022	CG-16-4-00178	Under Separate Cover
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Thursday, 11 November 2021

Item 8

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Operations &  
Monitoring Committee Meeting**

*Te Rārangi Take*

# Report to Operations and Monitoring Committee

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**Nā:**  
**From:** Louise Stettner, Manager, Democracy & Governance Services

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**Te Take:**  
**Subject:** Requests Received under the Local Government Official  
Information and Meetings Act (LGOIMA) Update

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## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 The purpose of this report is to inform the Committee of the number of requests under the Local Government Official Information Act (LGOIMA) 1987 received in September and October 2021.
- 1.2 This issue arises from the provision of accurate reporting information to enable effective governance.
- 1.3 This is an administrative report to ensure that the Council is aware of the number and types of information requests received and to provide assurance the Council is meeting its legislative obligations in relation to the (LGOIMA).
- 1.4 This report concludes by recommending that the LGOIMA requests (as in **Attachment 1**) be noted.

## **2.0 Recommendations – Ngā Tūtohunga**

- A) That the Operations and Monitoring Committee receive the report titled Requests Received under the Local Government Official Information and Meetings Act (LGOIMA) Update dated 11 November 2021.
- B) That the LGOIMA requests received in September and October 2021, as set out in Attachment 1 (CG-16-4-00168) of the report be noted.

### 3.0 Background – *Te Horopaki*

- 3.1 The LGOIMA allows people to request official information held by local government agencies. It contains rules for how such requests should be handled, and provides a right to complain to the Ombudsman in certain situations. The LGOIMA also has provisions governing the conduct of meetings.

#### **Principle of Availability**

- 3.2 The principle of whether any official information is to be made available shall be determined, except where this Act otherwise expressly requires, in accordance with the purposes of this Act and the principle that the information shall be made available unless there is good reason for withholding it.

#### **3.3 Purpose of the Act**

- 3.4 The key purposes of the LGOIMA are to:

- Progressively increase the availability of official information held by agencies, and promote the open and public transaction of business at meetings, in order to:
- enable more effective public participation in decision making;
- promote the accountability of members and officials;
- enhance respect for the law and promote good local government;
- protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

- 3.5 City, district and regional councils, council controlled organisations and community boards are subject to LGOIMA and official information means any information held by an agency subject to the LGOIMA.

- 3.6 It is not limited to documentary material, and includes material held in any format such as:

- written documents, reports, memoranda, letters, notes, emails and draft documents;
- non-written documentary information, such as material stored on or generated by computers, including databases, video or tape recordings;
- information which is known to an agency, but which has not yet been recorded in writing or otherwise (including knowledge of a particular matter held by an officer, employee or member of an agency in their official capacity);
- documents and manuals which set out the policies, principles, rules or guidelines for decision making by an agency; and
- the reasons for any decisions that have been made about a person.

- 3.7 It does not matter where the information originated, or where it is currently located, as long as it is held by the agency. For example, the information could have been created by a third party and sent to the agency. The information could be held in the memory of an employee of the agency.

#### **What does a LGOIMA request look like?**

- 3.8 There is no set way in which a request must be made. A LGOIMA request is made in any case when a person asks an agency for access to specified official information. In particular:

- a request can be made in any form and communicated by any means, including orally;
- the requester does not need to refer to the LGOIMA; and
- the request can be made to any person in the agency.

- 3.9 The Council deals with in excess of 14,000 service requests on average each month from written requests, telephone calls and face to face contact. The LGOIMA requests dealt with in this report are specific requests for information logged under formal LGOIMA procedures, which sometimes require collation of information from different sources and/or assessment about the release of the information requested.

#### Key Timeframes

- 3.10 An agency must make a decision and communicate it to the requester 'as soon as reasonably practicable' and no later than 20 working days after the day on which the request was received.
- 3.11 The agency's primary legal obligation is to notify the requester of the decision on the request 'as soon as reasonably practicable' and without undue delay. The reference to 20 working days is not the de facto goal but the maximum unless it is extended appropriately in accordance with the Act. Failure to comply with time limit may be the subject of a complaint to the ombudsman.
- 3.12 The Act provides for timeframes and extensions as there is a recognition that organisations have their own work programmes and that official information requests should not unduly interfere with that programme.

## 4.0 Discussion – *Te Matapakitanga*

### Current Situation

- 4.1 Council has requested that official information requests be notified via a monthly report.

## 5.0 Options – *Ngā Kōwhiringa*

Not applicable.

### Attachments:

- 1 [↓](#) LGOIMA Report to Operations and Monitoring Committee September - October 2021 CG-16-4-00168

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### 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.

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

N/A

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### Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

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**Sustainability - *Te Toitūtanga***N/A

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**Financial considerations - *Ngā Whakaarohanga Ahumoni***N/A

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**Significance and Engagement - *Te Hiranga me te Tūhonotanga***N/A

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

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**Risks: Legal - *Ngā Tūraru: Ngā Ture***N/A

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**Rural Community Board – *Te Poari Tuawhenua-ā-Hapori***N/A

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IRB-2-01-21-2567

**LGOIMA – Report to Operations & Monitoring Committee – September – October 2021**

	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Requests resulting in a complaint to Ombudsman
September & October 2021	25	22	19	2	1	10	0

**Requests received since last reported to Council**

Completed		
Outstanding		
Month	From	Subject
September	D Renouf	Freshwater springs and groundwater discharges in Hastings area
	J Maxwell	Open Spaces COVID-19 contingency plan for local reserves during lockdowns
	B Warburton	Section 35(2)(d) RMA – monitoring the exercise of resource consents
	L Birch	Information on Fenwick Street housing development
	J Maxwell	Correspondence between staff regarding Tainui Reserve petition
	N John	Soho Group, Tarbet Street
	University of Otago	Drinking water quality data
	Farrah's Noise Community	Complaints against breaches of the District or Regional Plan
	J Maxwell	Copy of arborists report for Tainui & Tauroa Reserves and Cultural Report for Tainui
	C Mintoft	Complaints for frost fans and bird scarers for past 5 years
	D Renouf	Frimley Park & Windsor Park water flow measurements
	Sainsbury Logan & Williams	Development at Arataki Road

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Month	From	Subject
	NZ Taxpayers' Union	Three Waters information
	Height Project Management Ltd	Tier 1-3 Organisation Structure
	J Grabham	Spark 4G Tower – conflicts of interest
October	Middlemore DHB	Animal Management Service
	Hutt City Council	Financial Delegations to the Chief Executive
	Ministry of Primary Industries	Exporter Information Statements
	Stuff	Detailed Strength Assessment on a building
	J Gorman	Bylaws under the Burial and Cremation Act 1964
	AUT	Council initiatives on sport and physical activity 2018-2021
	D Bailey	Resource consent rock revetment wall, Clifton
	Height Project Management Ltd	Trade Waste information
	NZ Taxpayers' Union	Council's Art Collection
	Radio NZ	Cameras
	Friends of Eskdale Park	Management Plan Eskdale Park and Hawke's Bay Mountain Bike Club



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Thursday, 11 November 2021

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Item 9

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Operations & Monitoring Committee Meeting**

*Te Rārangi Take*

# Report to Operations and Monitoring Committee

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Nā:  
From: **Bruce Allan, Group Manager: Corporate**

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Te Take:  
Subject: **Hastings District Heritage Trails Society Inc Annual Report 2021**

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

- 1.1 The purpose of this report is to advise Council that Megan Williams, Chairperson of the Hastings District Heritage Trails Society Inc. has provided, for information purposes, the Chairperson's 2021 Annual Report presented at their meeting on 10 September 2021 (**Attachment 1**).

## **2.0 Recommendations - *Ngā Tūtohunga***

That the Operations and Monitoring Committee receive the report titled Hastings District Heritage Trails Society Inc Annual Report 2021 dated 11 November 2021.

### **Attachments:**

1  Chairperson's Annual Report 2021

EXT-10-15-21-138

**HASTINGS DISTRICT HERITAGE TRAILS SOCIETY INC.**  
**ANNUAL REPORT**  
**1.30pm Friday 10<sup>th</sup> September 2021**  
**Held in Landmarks Room Hastings District Council building**

It gives me great pleasure to submit my annual report for the Hastings District Heritage Trails Incorporated Society for 2021. We welcome some new members to our Committee this year, the Reverend Numia Tomoana from Waipatu Marae and Mr Peter Matthews from Central Hawke's Bay.

Well, we have had a most productive year this year. We have worked with Wairoa, Central Hawke's Bay and to a lesser extent, Napier. We have visited Central Hawke's Bay and have arranged for all their brochures to be brought into this century and we look forward to working with the people down there to update their brochures ready to put on the Hawke's Bay Tourism and Central Hawke's Bay Council websites and when funding is available get them printed. Thank you to Peter, Philip, Simon and Stephanie for the help in this area. I feel we are really making progress there.

We also visited Wairoa and were able to assist Ruby in the Wairoa Council and Ben from Tourism Hawke's Bay with the reprinting of their information pamphlets. We are planning to meet with people from Ahuriri to discuss the reprinting of the Napier Ahuriri Trail. Due to Covid 19 Lockdown we have been unable to do that.

Barbara Herbert has been proactive arranging marketing meetings to focus on ways we can promote Heritage Trails. Thank you, Barbara. To assist us here the Hawke's Bay Regional Council has managed to get a reprint of the Hawke's Bay combined brochure which includes our new trail. We were hoping these brochures could be located in the Hawke's Bay Airport but to date this does not seem to have happened. We will be working on this going forward.

Our main project this year has been the finalising of the Clive Heritage Trail. Following a lot of work by all the team, editing and re-editing we were lucky enough to get a grant from the contestable grants from the Hastings District Council to pay for the printing of our Clive Heritage Trail Brochure which we are very pleased with. Stephanie did a great job preparing the brochure for print. We have been told that the Landmarks Trust has given us an award for this trail however we are not too sure of all the details as the planned evening when this was to be announced has had to be postponed due to the recent Lockdown so we will have to watch this space.

We have been trying to plan a notable opening celebration for the new Clive Trail to be held at the Clive School however we have had difficulty arranging this as initially the Prime Minister said she was unavailable to launch the Trail and then the Minister of the Environment has not responded to our invitation yet. Unfortunately, the Covid 19 Lockdowns have interfered with a lot of our planned events. We are going forward with a positive attitude as the brochures have been printed and the signs for this trail have been erected.

A big thank you to all the Hastings District Heritage Trails Committee. I believe we have a great team. I greatly appreciate Philips Irwin's secretarial and treasury assistance and also the travelling around by Philip Marden distributing brochures. Thank you to Don Trask for your vice-chair support, Maurice Bartlett, Geraldine Travers, Scott Henderson, Gary Baines, Susan Lopdell, Margie McGuire, and Waiariki Davis for all your support and research work. Thank you to Peter Drew who helped us with our financial records.

Caleb Dresser has assisted us with our signage tasks and we appreciated the work he has done this year ensuring the Clive Trail signage has been erected in the correct places and to budget. Thanks Caleb.

We are all really looking forward to the launch of our Clive trail in the not too distant future now that we are on Level 2 Lockdown.



Megan Williams  
Chairperson