

Thursday, 15 December 2022

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

## *Kaupapataka*

# Agenda

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*Te Rā Hui:*  
Meeting date: **Thursday, 15 December 2022**

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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: **Chief Executive - Nigel Bickle**

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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**



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Thursday, 15 December 2022

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

**Hastings District Council**

**Council Meeting**

*Kaupapataka*

# Agenda

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*Tiamana*

**Chair:** Mayor Sandra Hazlehurst

*Mematanga:*

**Membership:**

*Ngā KaiKaunihera*

**Councillors:** Ana Apatu, Marcus Buddo, Alwyn Corban, Malcolm Dixon, Michael Fowler, Damon Harvey, Henry Heke, Kellie Jessup, Tania Kerr, Eileen Lawson, Renata Nepe, Simon Nixon, Ann Redstone, Wendy Schollum, and Kevin Watkins

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*Tokamatua:*

**Quorum:**

8 members

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*Apiha Matua*

**Officer Responsible:**

Chief Executive – Nigel Bickle

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*Te Rōpū Manapori me te  
Kāwanatanga*

**Democracy and**

**Governance Services:**

Louise Stettner (Extn 5018)



## *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*

An apology from Councillor Jessup has 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 Council Meeting held Tuesday 29 November 2022.  
(Previously circulated)

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### 5.0 Adoption of Frimley Park Reserve Management Plan 9

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### 6.0 Stopping of Road (Alleyway) between Frederick Street West and Manuka Street 13

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### 7.0 Hawke's Bay Museum Research and Archives Centre Project Update 19

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<b>8.0</b>	<b>Napier-Hastings Future Development Strategy Joint Committee</b>	<b>33</b>
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<b>9.0</b>	<b>Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update</b>	<b>37</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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<b>12.0</b>	<b>Recommendation to Exclude the Public from Items 13, 14, 15, 16, 17, 18, 19, 20 and 21</b>	<b>41</b>
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<b>13.0</b>	<b>Hawke's Bay Airport Limited - Appointment of Director</b>	
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<b>14.0</b>	<b>Approval to Award Wastewater Inland Trunk Renewal Term Contract</b>	
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<b>15.0</b>	<b>Heretaunga House Deconstruction</b>	
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<b>16.0</b>	<b>Heretaunga House Future Development Options</b>	
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<b>17.0</b>	<b>Property Acquisition</b>	
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<b>18.0</b>	<b>Iona Development Update</b>	
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## 19.0 Compulsory Land Acquisitions

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## 20.0 Flaxmere Development Sites - Update

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## 21.0 Strategic Land Matters - Flaxmere

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Thursday, 15 December 2022

Item 5

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

## *Te Rārangi Take*

# Report to Council

*Nā:*  
**From: Alex Mabin, Public Spaces Policy Planner**

*Te Take:*  
**Subject: Adoption of Frimley Park Reserve Management Plan**

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

- 1.1 The purpose of this report is to recommend that Council adopt the Frimley Park Reserve Management Plan as amended by determinations made on submissions at the Council hearing on 29 November 2022.
- 1.2 This requirement comes from the obligation of the Hastings District Council, as an administering body under the Reserves Act 1977, to prepare Reserve Management Plans for the reserves under its management, which includes Frimley Park.

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

- A) That Council receive the report titled Adoption of Frimley Park Reserve Management Plan dated 15 December 2022.
- B) That Council adopt the Frimley Park Reserve Management Plan as amended by determinations made on submissions at the hearing on 29 November 2022 and attached in **Attachment 1**.
- C) That Council consider the inclusion of funding for the proposed new capital works included in the Frimley Park Reserve Management Plan (Action Plan) as part of the 2024-34 Council Long Term Plan deliberations.

### **3.0 Background – *Te Horopaki***

- 3.1 The background is outlined in Part 3 of the Frimley Park Reserve Management Plan - Hearings Report dated 29 November 2022. In summary, Council commenced the preparation of a Reserve Management Plan for Frimley Park by publishing public notice on 6 March 2021. The Reserve

Management Plan has been prepared in accordance with the requirements of section 41 of the Reserves Act 1977, and included the following steps:

- Community engagement seeking feedback, including extensive publicity campaign, consultation with key stakeholders and an open day (March – April 2021)
- Public workshop (October 2021)
- Key Themes and Concepts summary document released for comment (March 2022)
- Formal consultation on the Draft Plan, including an open day (July – September 2022)
- Various specialist reports.
- Hearing of submissions (November 2022)

3.2 20 submissions were received on the Draft Plan. At the hearing on 29 November 2022, 4 submitters spoke to their submissions, following which determinations were made on remedies sought.

3.3 The Plan includes a capital works programme of **\$1,970,000**; at the hearing on 29 November Council resolved that the funds for this programme of works be considered for inclusion in the 2024-2034 Long Term Plan.

3.4 The Plan as amended by determinations on submissions is attached as **Attachment 1** and the funds required for the capital works programme is **Attachment 2**.

#### 4.0 Discussion – *Te Matapakitanga*

4.1 Reserve Management Plans contain policies which regulate how a reserve is managed and identify key actions required in the future development of them. As such, they are fundamental planning tools to ensure that reserves are developed in a planned and coordinated manner to achieve the best environmental and economic outcome. Without Reserve Management Plans, work undertaken can be in an ad hoc manner, without taking into account the key objectives of the public or budget and environmental considerations.

4.2 The adoption of the Plan will complete the planning process for Frimley Park, enabling coordinated management and development of the Park over the next 10 years including delivery of the capital works programme as developed through community engagement processes and informed by the various specialist reports.

#### 5.0 Options – *Ngā Kōwhiringa*

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

5.1 Council adopt the Frimley Park Reserve Management Plan.

##### *Advantages*

- The process as prescribed by the Reserves Act will be complete.
- The delivery of capital projects to enhance within the park will commence, with the result of enhancing the recreational and landscape value of this premier park which attracts visitors from across the District.
- Community expectations identified during this process will be met.

##### *Disadvantages*

- Council will need to consider the impacts of additional capital expenditure in successive Long Term Plans.

##### Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuatanga o nāianeī

5.2 The Frimley Park Reserve Management Plan is not adopted.

### Advantages

- Proposed capital expenditure would be reduced.

### Disadvantages

- This step would result in failure to meet expectations set with the community through the process of preparation of the Plan.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 Following adoption of the Plan, the capital works programme as set out in the Action Plan for those projects that are funded in the 2021-31 Long Term Plan will commence, and Officers will present those unfunded items for consideration for inclusion in the 2024-34 Long Term Plan.

### Attachments:

1⇒	Frimley Park Reserve Management Plan for Adoption at Council Meeting 151222 - 1801222-FrimleyPark-RMP-A4-V1b	CG-17-1-00066	Under Separate Cover
2⇒	Capital Works Programme	CG-17-1-00075	Under Separate Cover

## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

### 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 by providing good quality recreational and community facilities.

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

The policies requiring reference to the Te Aranga Design Principles and Toi-tū Hawke's Bay Arts and Culture Framework which will require involvement of mana whenua in projects within the park, will strengthen the cultural narrative across the park, including for use as an outdoor classroom by surrounding schools

### Sustainability - *Te Toitūtanga*

The Plan promotes sustainability by retention and improved management of the existing tree assets; providing facilities to encourage active transport to the park with improved pedestrian linkages into and through the park, as well as bicycle parking facilities.

### Financial considerations - *Ngā Whakaarohanga Ahumoni*

The Plan identifies a proposed capital works programme of **\$1,970,000** over the 10 years of the Plan. Officers will present the proposed programme of those currently unfunded projects for consideration by Council for inclusion in the 2024-34 Long Term Plan. of This will be considered by Council alongside other competing priorities.

### Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This report has been assessed under the Council's Significance and Engagement Policy as being of moderate significance given the level of expenditure, 10 year timeframe for implementation of capital expenditure projects, and use of the park by people from across the District.

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

Consultation was undertaken in line with the requirements of the Reserves Act 1977. Extensive consultation was undertaken with stakeholders and user groups, as outlined in Section 3 above.

### Risks

Opportunity:

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Development of a sensory garden space for use by all members of the community. Expanded playground catering to a greater age range of children. Increased parking supply and traffic safety measures. Increased access into and though the park. Retention of existing tree assets. Park used as an 'outdoor classroom'	If inadequate funds are made available over the 10 year timeframe of the Plan, there is potential risk to Council's reputation in not delivering projects.

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

As Frimley Park is located within an urban area, the Rural Community Board has not been consulted.

Thursday, 15 December 2022

Item 6

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

*Te Rārangi Take*

# Report to Council

**Nā:**  
**From:** **Bruce Conaghan, Transportation Policy and Planning Manager**

**Te Take:** **Stopping of Road (Alleyway) between Frederick Street West and**  
**Subject:** **Manuka Street**

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

- 1.1 The purpose of this report is to obtain a decision from the Council whether to proceed with road stopping process stipulated in Local Government Act 1974, section 319 Schedule 10.
- 1.2 This issue arises from continued complaints of anti-social behaviour received from adjoining property owners to the access way between Frederick Street West and Manuka Street.
- 1.3 With the road stopping process having been completed, Council can move forward with stopping of the road (alleyway) between Frederick Street West and Manuka Street.
- 1.4 This report concludes by recommending that Council resolve to stop the access way and amalgamate the land with adjoining owner's land and that the Chief Executive is delegated authority to complete the procedures stipulated in Schedule 10, section 319, Local Government Act 1974 as well as to dissolve and amalgamate the stopped Frederick Street West to Manuka Street to adjoining properties.

## 2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Stopping of Road (Alleyway) between Frederick Street West and Manuka Street dated 15 December 2022.
- B) That the Council resolve to stop the road (alleyway) between Frederick Street West and Manuka Street defined as Lot 50 DP 9976.
- C) That the Chief Executive is delegated authority to complete the procedures stipulated in Schedule 10, section 319, Local Government Act 1974 as well as to dissolve and amalgamate the stopped Frederick Street West to Manuka Street to adjoining properties.

### 3.0 Background – Te Horopaki

3.1 A number of concerns had been raised with regard to security and safety with the accessway between Frederick Street West and Mānuka Street. This included but was not limited to:

- Damage to fences and private property
- Trespassing and theft
- Teasing of dogs
- Intimidation and fighting
- Drug dealing and use
- Graffiti, litter and dumping
- Other anti-social behaviour

3.2 The majority of complaints had been from the owner/occupiers adjoining the alleyway at the Frederick Street West end. The Mānuka Street properties are rental units.



3.3 The accessway is narrow, ranging from 1.8m to 4m wide, 83m long, with a bend in the middle meaning there is no clear sightline from one end to the other. It is also poorly lit and adjacent boundaries have high solid fencing and plantings with no through visibility. This type of environment encourages anti-social behaviour due to lack of passive surveillance and entrapment risks.

3.4 A range of options to improve the alleyway had been considered, however due to the width and shape of the alleyway, there were limited opportunities for improvement.

- Widening and straightening of the alleyway, to allow clear sightlines, would require the purchase of private property and likely demolition of buildings.
- Lighting upgrades would be difficult without shining light into adjacent back yards.
- Efforts to improve passive surveillance, such as with permeable fencing, would further reduce privacy for adjacent properties.



- Cosmetic improvements to the fences and/or increased maintenance would not address the safety or behaviour issues.
- 3.5 Discussions had been undertaken with all adjacent landowners, with agreements in principle to acquire the land following a successful closure process.
- 3.6 In a report to Council on 9 September 2021, Council resolved (*inter alia*) :
- “That the Council approve the initiation of the road stopping process for the accessway
- i. Lodge the planned stoppage with the Chief Surveyor.
  - ii. Give public notice of the planned stoppage.”
- 3.7 The stopping of roads and public accessways is detailed in the Local Government Act 1974, Section 319, Schedule 10. In summary:
- A plan of the proposed stoppage shall be lodged with the office of the Chief Surveyor.
  - Council shall give public notice of the proposed stoppage, calling for objections, for a period of at least 40 days.
  - If no objections are received Council may declare the road stopped.
  - If any objections are received Council may either allow the objections, keeping the accessway open, or send the case to the Environment Court.
    - If Council agrees to stop the road, negotiations may then proceed to subdivide and dispose of the land, amalgamating the land parcels with the adjacent properties.

#### 4.0 Discussion – *Te Matapakitanga*

- 4.1 In accordance with the requirements of the Local Government Act 1974 to effect road stopping, the proposed stopping was notified to the public on 4 July 2022 for a period of 40 days with submissions closing on 15 August 2022.
- 4.2 Three submissions were received with two in support and one opposed. The two in support were from those directly adjacent to the alleyway while the submission in opposition related to impact on retaining accessibility while noting that they did not have background relating to the rationale for the closure.
- 4.3 In response to the submitter in opposition, the rationale for the recommended closure (anti-social activity) was provided to them. The outcome was that the submitter subsequently withdrew their opposition on 31 October 2022 thus enabling Council to proceed with the stopping of the road (alleyway).

#### 5.0 Options – *Ngā Kōwhiringa*

Option One – Status Quo - *Te Kōwhiringa Tuarua – Te Āhuetanga o nāiane*

- 5.1 Council resolve to stop the alleyway but retain the land:

Advantages

- No further legal fees acquired to amalgamate land or to obtain an easement over the land.

Disadvantages

- The area would need to be fenced off to physically prevent public access.
- If land is not amalgamated with adjoining properties, this creates a “dead zone” which could allow illegal dumping in the alleyway.

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

## 5.2 Council resolve to stop the alleyway and amalgamate the land with adjoining properties.

### Advantages

- The land will be amalgamated with adjoining properties, preventing any further anti-social behaviour experienced at the alleyway.
- This is a site with ongoing anti-social activity and closure of the alleyway would reduce this issue.

### Disadvantages

- This is the more expensive option where further legal fees are acquired during land amalgamation however these fees would not be a significant amount.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 With no opposition to the proposed road stopping, the next step now is for Council to resolve the stopping of the road (alleyway) between Frederick Street West and Manuka Street defined as Lot 50 DP 9976 and proceed with the meeting the requirements of the Local Government Act 1974 to effect the road stopping.
- 6.2 Once the resolution is obtained, as stipulated in LGA 1974, section 319 schedule 10, two copies of the public notice for the road stopping and the deposited plan of the access way need to be sent to the office of Chief Surveyor for record and Council needs to declare that the road is stopped by public notice.
- 6.3 A call for a new certificate of title under Hastings District Council will be sent to Land Information New Zealand. This will then allow for Council to subdivide the new title (sell the land) into parcels that can be amalgamated with those adjacent property owners willing to purchase the land.
- 6.4 Note: once the easement is in place, the value of the land acquired will be minimal. Hence, the only funding contribution Council is seeking from the adjacent property owners, who are willing to amalgamate the disposed land into their property, is a contribution towards legal costs of road stopping and vesting. The amount will be negotiated with the owners once this stage have been reached.

### Attachments:

There are no attachments for this report.

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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.

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

This proposal promotes the social wellbeing of communities in the present and for the future. It removes a piece of local infrastructure which is having a negative impact on public safety and security

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particularly residents adjacent to the alleyway. This should contribute to safer walking facilities and may improve residential development opportunities.

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

N/A:

### **Sustainability - *Te Toitūtanga***

N/A:

### **Financial considerations - *Ngā Whakaarohanga Ahumoni***

Implementing the road (alleyway) stoppage will incur some costs to Council, including legal fees for the subdivision and disposal of the stopped road. This may be partially offset with the sale of the stopped road.

### **Significance and Engagement - *Te Hiranga me te Tūhonotanga***

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

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

Extensive consultation has been undertaken in accordance with the process for Stopping of Roads as defined in the Local Government 1974, including gaining agreement in principle with the adjoining landowners to take over ownership of the land once the road (accessway) is stopped.

### **Risks**

Opportunity: To reduce the opportunity for illegal and antisocial behaviour due to poor public infrastructure.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Improved safety and security for local residents and users of the walking network.	Reduced accessibility for users of the walking network.

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

N/A:



Thursday, 15 December 2022

Item 7

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

*Te Rārangi Take*

# Report to Council

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**Nā:** Bruce Allan, Group Manager: Corporate  
**From:** Richard Hooper, Project Manager

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**Te Take:** Hawke's Bay Museum Research and Archives Centre Project  
**Subject:** Update

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

- 1.1 The purpose of this report to Council is to provide an update on project progress, seek an under-write for any construction cost overruns in excess of the budgeted funding from Napier City and Hastings District Councils and the external funding confirmed to date.
- 1.2 The report also provides an update on the construction procurement process and signals a decision of Council in early 2023 to award the construction contract to the successful tenderer.
- 1.3 The Hawke's Bay Museums Joint Working Group (JWG) has been very successful in attracting \$14.79m of investment from contestable external funding sources. This includes \$5.79m from Lotteries NZ and \$9m from the Ministry for Culture and Heritage's (MfCH), Regional Culture & Heritage Fund (RCHF). This is on top of the \$1.525m provided by both Councils for the building purchase and \$1.8m each as a contribution towards the redevelopment of the building bringing total secured funding to \$21.44m.
- 1.4 The Hawke's Bay Museums Trust has also made a commitment to raise a further \$1m towards the redevelopment which has the potential to bring the total funding secured for this project including the building purchase to \$22.44m.
- 1.5 Current estimates for the completed project which includes all costs from purchasing the building, all design phases, construction and fit-out including all the required storage solution systems and relocation costs are estimated at \$23.3m. This estimate also includes a reasonable sum for contingency (\$1m) and cost escalations (\$1.3m) which provides the current estimates with a degree of conservatism. It does however present a funding gap at present of \$1.1m.
- 1.6 The funding received from the Ministry of Culture and Heritage's, Regional Cultural and Heritage Fund also known as the fund of last resort for qualifying regional projects, is contingent on a letter from the responsible Councils confirming that there would be no further call from the Ministry for further funding and this report recommends that both Councils pass a resolution confirming that.
- 1.7 While the current shortfall is an estimated \$1.1m, there is still opportunity for the preferred contractor and the design team to re-engineer out some costs through the review process which

will be undertaken with the preferred contractor once they have been selected. The level of contingency and cost escalation built into the current estimates also provides the project team with some assurance that the current funding gap can be closed, and additional funding will not be required. In saying that, Council is operating in an uncertain marketplace particularly for materials and further increases in costs cannot be ruled out. The fundraising target for the HBMT of \$1.0m also presents a funding risk should that not be achieved.

## 2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receives the report titled Hawke's Bay Museum Research and Archives Centre Project Update dated 15 December 2022.
- B) That the Council approves to underwrite a half share of the total of any construction cost overruns that are in excess of the budgeted funding from Napier City and Hastings District Councils and the external funding received.
- C) That B) above is subject to Napier City Council approving its half share of any construction cost overruns that are in excess of the budgeted funding from Napier City and Hastings District Councils and the external funding received.
- D) That on the premise of the above recommendations 'A)' and 'B)' being resolved, that Council resolve to not approaching the Ministry for Culture & Heritage's, Regional Culture & Heritage Fund for any further contribution to this particular project in the future.

## 3.0 Background – *Te Horopaki*

- 3.1 The following background has been taken from a report presented to Council in December 2021 and provides some context and background for those Councillors not familiar with this project.
- 3.2 Following a review (the Feeley report) of the governance and management arrangements for the collection undertaken in 2018, a Joint Working Group (JWG) was established between the Hawke's Bay Museums Trust (HBMT), Napier City Council (NCC) and Hastings District Council (HDC), to consider changes to the governance and operational arrangements for the regional collection. The JWG consists of councillors and senior officers from NCC and HDC, and HBMT representatives, including mana whenua representation. HDC representatives currently are:

Councillor	Malcolm Dixon – Chair
Councillor	Michael Fowler (Cr Sophie Siers previous triennium)
Group Manager	Bruce Allan – Project's Senior Responsible Officer
Group Manager	Rebekah Dinwoodie
Arts & Culture Manager	Megan Peacock-Coyle
Mana whenua liaison	Dr James Graham (non-voting)
Project Manager	Richard Hooper (non-voting)
Administration Support	Rose Simpson (non-voting)

- 3.3 The regionally owned collection is funded by both HDC and NCC, and owned by the Hawke's Bay Museums Trust (Council Controlled Organisation between HDC and NCC) who are, in effect, the kaitiaki - guardians of the collection. The collection is managed on a day-to-day basis by the MTG Hawke's Bay via NCC under a contract for service.
- 3.4 Although a significant collection of social history, textiles, fine arts, decorative arts, furniture, Pacifica and world cultures, sculpture, natural history, and archives, one of the most important

collections currently being housed is the taonga Māori collection. Ngāti Kahungunu Iwi have strongly expressed their desire to see the Ruawharo Tā-ū-rangi collection made more accessible to their whānau, hapū, the wider Hawke's Bay community and visitors to Hawke's Bay.

- 3.5 The regional collection contains 88,654 items and is valued at \$29.886m (at 30 June 2022).
- 3.6 The Feeley report in 2018 identified, and the JWG agreed, that the current museum collection storage locations – within the basement of MTG in Napier's CBD and at the former site of British American Tobacco (BAT) in Ahuriri, Napier – are not ideal due to various building issues and the location of both sites within the tsunami inundation zones. It was therefore considered that a site within the Hastings District away from coastal hazards would mitigate the latter risk and facilitate greater access to the collection by Hastings and Hawke's Bay residents.
- 3.7 The issues identified with the storage of the collection are long-standing issues that have attempted to be addressed in the past but without success, despite a number of attempts.
- 3.8 In December 2019, Halcyon Project Management Ltd (HPM) was engaged to undertake a feasibility study to identify options for the future housing of the region's historic collection.
- 3.9 The initial feasibility focussed on HDC-owned land and in particular Civic Square. It quickly became apparent that the size and scale of such a facility would overly dominate Civic Square and this option was discounted.
- 3.10 In consultation with key stakeholders, the scope of the project widened and an initial list of 18 sites were identified and assessed as to their suitability as potential locations for the establishment of a Hawke's Bay Museum Research and Archives Centre with the preferred option being 307 Queen Street East, Hastings (the former Briscoes building next to City Fitness). This option was seen to be the most cost effective and having good links to Hastings' cultural precinct including Toitōi - Hawke's Bay Arts and Events Centre, the Hastings War Memorial Library and the Hastings City Art Gallery, Civic Square and Nga Pou o Heretaunga which all play an important role in the cultural, social and economic life of our city.



307 Queen Street East, Hastings





*HB Museum Research and Archives Centre in relation to other HDC cultural assets*

- 3.11 Council entered into a conditional Sale and Purchase Agreement on 8 August 2020 to purchase 307 Queen Street East for the sum of \$3,050,000 conditional upon due diligence being undertaken by 18 September 2020 which was subsequently extended to 2 October 2020. The conditions of the sale and purchase agreement included **both** Councils' consent as a condition and provided both Councils with the ability to not commit to any purchase, should it be determined that the proposition of converting this site into a fit-for-purpose museum storage facility is not feasible or cost effective.
- 3.12 A due diligence exercise was then undertaken via HPM to initially ascertain whether the building and site were:
- Of structural soundness,
  - That the land beneath was stable with respect to what the facility would be housing,
  - Able to support extension of the building to house the entire collection, staff and research functions.
- 3.13 Upon the above being confirmed, HPM were then tasked to undertake an exercise to ascertain what investment would be required to repurpose the building and site to be a high-performing facility in regard to providing for a museum-standard storage facility as per national best practice, the details of which are provided for in the discussion below.
- 3.14 HDC on 15<sup>th</sup> October 2020 and NCC on 22<sup>nd</sup> October 2020 both resolved to acquire 307 Queen Street East, Hastings for the purpose of accommodating a fit-for-purpose Hawke's Bay Museum Storage, Archive and Research Centre. In addition to approving the \$1.525m each for the property acquisition, both Councils resolved to commit an additional \$1.8m each to year one of their respective 2021-2031 Long Term Plans as a contribution towards the redevelopment costs.
- 3.15 At the December 2021 Council meeting, Council resolved the following:

- A) *That the Council Meeting receive the report titled Hawke's Bay Museum Research and Archives Centre - Preliminary Design and Project Update dated 9 December 2021.*
- B) *That the Council approve the preliminary design for the Hawke's Bay Museum Research and Archives Centre.*
- C) *That the Joint Working Group be delegated authority to approve the developed design and detailed design phases.*
- D) *That Council notes that there will be engagement with mana whenua as the design progresses and incorporating the Te Aranga Design Principles.*
- E) *That the above resolutions are subject to Napier City Council approving the Preliminary Design and delegation to the Joint Working Group as detailed in C above.*

3.16 The JWG and project team have progressed through the developed and detailed design phases as delegated to the point where a building consent has been lodged with the Hastings District Council Building Consents team and a Request for Tender has been issued to the market for the construction services which closed on 7<sup>th</sup> December 2022 and are currently being evaluated. The impressions below show the progression of the design through the various design phases.

### 3.17 Original Concept Design



3.18 Preliminary Design Concept

Item 7



VIEW FROM QUEEN ST EAST



VIEW FROM CORNER OF HASTINGS NORTH AND QUEEN ST EAST





VIEW FROM ADJACENT CAR PARK

### 3.18 Detailed Design (Design submitted for Building Consent)





#### 4.0 Discussion – *Te Matapakitanga*

- 4.1 The project has now raised just over 90% of the estimated funding required to support this project based off the current quantity surveyed costs which include reasonable sums for contingency and cost escalations. The committed funding is detailed in the table below

<b>Estimated Project Costs as at 30<sup>th</sup> September 2022</b>	<b>\$23.275m</b>
<b>Offset by</b>	
<b>External Funding</b>	
Lotteries Significant Project Fund	\$4.479m

Lotteries Environment Heritage Fund	\$1.000m
Regional Culture and Heritage Fund – Ministry for Culture and Heritage	\$9.000m
Webb Trust	\$0.025m
Hawke's Bay Museums Trust	\$0.040m
	<b>\$14.544m</b>

#### **Council Funding**

Napier City Council – Building Purchase	\$1.525m
Hastings District Council – Building Purchase	\$1.525m
Napier City Council – Redevelopment	\$1.800m
Hastings District Council - Redevelopment	\$1.800m
	<b>\$6.650m</b>

**Total Secured Funding** **\$21.194m**

*Plus* Hawke's Bay Museums Trust fundraising target (currently unsecured) \$1.000m

**Total Funding Target** **\$22.194m**

**Current Funding Shortfall (pre value engineering exercise)** **\$1.081m**

- 4.2 The current project cost estimates for the completed project which includes all costs from purchasing the building, all design phases, construction and fit-out including all the required storage solution systems and relocation costs are estimated at \$23.275m. This estimate also includes a reasonable sum for contingency (\$1m) and cost escalations (\$1.28m) which provides the current estimates with a degree of conservatism. It does however present a funding gap at present of \$1.1m. It should be noted that the project's construction cost estimates have been derived by Rider Levett Bucknall (RLB), a globally renowned construction and property consultancy firm. RLB have been a consultancy partner on the project for close to two years, they have a sound knowledge of both the Hawke's Bay and New Zealand construction markets. RLB's cost estimations for the construction elements of the project is what the JWG formed their application to the Ministry for Culture and Heritage on.
- 4.3 The project is currently at the stage where the building consent application has been lodged and a Request for Tender (RFT) has been released to the market. The introduction to the project team of the successful construction partner provides an opportunity to test the buildability of the designs and look for opportunities to value engineer some potential cost savings. This could be an iterative process if the fixed sum price put forward by the preferred contractor requires further savings to be found to meet the current funding envelope.
- 4.4 The ability of the preferred contractor to provide this support is very important and the relevant experience of the building contractor has been given extra weight in the tender evaluation process.
- 4.5 In terms of understanding the pricing from the contractors participating in the tender process, the RFT is only seeking the percentages of Preliminary and General (P&G) and Margin that the contractor will apply to this project. The preferred contractor will then be asked to provide a fixed sum based off the buildability review and the value engineering exercise that will take place in conjunction with the project design consultancy group and the project's appointed quantity surveyor.
- 4.6 Through this process, while it is expected that the fixed sum will be within the funding available, it cannot be guaranteed and as such a request is being made to both Councils to provide the approval of an underwrite as per the conditions of the funding agreement with the Ministry for Culture and Heritage.

- 4.7 The Ministry for Culture and Heritage has recently announced funding of up to \$9.0m, that is conditional on the Ministry receiving an acknowledgement via a resolution from the supporting Councils that there will be no further funding request to the Ministry's Regional Culture & Heritage Fund for this project, should construction and total project costs exceed those that were submitted as part of the funding application. The JWG and the project team have attempted to build in some safeguards to minimise the risk of further cost increases and the potential for a funding gap which would require additional and equal share funding support from the two Councils. The specific wording of that condition is as follows:

*"the Council passes a suitably worded resolution in which it agrees to take underwriting responsibility for the Project's residual fundraising efforts and take responsibility for the financial risks of the Project during its construction lifespan through to completion so that the project can be delivered as described in its RCHF funding application without any expectation of returning to this source for additional monies."*

- 4.8 The final piece of the fundraising exercise is the fundraising target set for the HBMT of \$1.0m. The HBMT Foundation (fundraising arm of the HBMT), has launched their fundraising campaign on the December 8<sup>th</sup> and are confident of securing the funds required. The HBMT have approached the Eastern & Central Community Trust (ECCT) for a \$0.25m contribution towards the project. The HBMT's expression of interest application has been successful in progressing through to them being able to lodge a full application to ECCT's 2023 Funding Round. Applications for this funding round are due in February 2023. The full attainment of this funding target still poses a risk for the project.

## 5.0 Options – Ngā Kōwhiringa

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

- 5.1 That the Hastings District and Napier City Councils provide a written undertaking that they will jointly underwrite the project and that no further request for funding will be made to the Ministry for Culture and Heritage's – Regional Culture & Heritage Fund.

### Advantages

- The JWG has been very successful to-date with the fundraising achieved, with \$21.194m secured from both Councils and external funders, and a further \$1m set as a target for the HBMT fundraising efforts.
- While there is still a \$1.1m funding gap based on current project cost estimates, there are still opportunities to reduce cost and scope through the buildability review and value engineering process once a preferred construction contractor has been selected.
- While the risk of further cost escalations cannot be eliminated at this stage of the process, the cost estimates have been refined using the detailed designs and input from external suppliers of some of the more specific and technical fit-out and cladding systems, therefore reducing the risk that the escalation and contingency provisions will be required to the extent that they have been provided for.
- The JWG has secured external funding of \$14.544m which accounts for 69% of the funding raised for this project with the \$1m fundraising target set for the HBMT as the final funding piece. This level of external funding for this type of capital project is very high and further external funding is unlikely to be achieved.

### Disadvantages

- It is acknowledged that both Councils have many competing priorities for the limited resource of funding available for capital projects and any additional request for funding will have an impact on that available funding.

- The Councils have already set aside \$3.325m each for this project and any additional funding may be difficult to justify.

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

- 5.2 That the Hastings District and Napier City Councils provide a written undertaking that no further request for funding will be made to the Ministry for Culture and Heritage and that the project will only proceed if it can be delivered within the current funding limits.
- This option is not the preferred option as it will not provide the right signals to the generous funders that the Councils supporting this project are not fully committed to its delivery and to the high level of outcomes that this project has the ability to create.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 Hastings District Council as the lead council on this project and the applicant to the Ministry for Culture and Heritage will write to the Ministry acknowledging its gratitude for the funding that has been made available and will make a commitment that no further funding request will be made to the Regional Culture & Heritage Fund for this project with both participating Councils underwriting the project to ensure its delivery.
- 6.2 It is hoped that prior to the end of this calendar year, the JWG will appoint a construction contractor to work with the project team through a buildability review and a value engineering process with a view to having a fixed sum contract ready to be presented to Council and Napier City Council for approval in February/March 2023.

### Attachments:

There are no attachments for this report.

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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.

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

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

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

This project continues to be supported and guided by, while also being provided advice from, Waiariki Davis, whanau and iwi from Waipatu Marae, Ngāti Hori and Ngāti Kahungunu. Waiariki and her team have been tasked with creating and forming the cultural narrative elements that will overlay the facility both externally and internally which will also lead to a potential name for the facility.

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### **Sustainability - *Te Toitūtanga***

The design of this development has incorporated many sustainability initiatives ranging from the reuse of an existing structure, therefore reducing the carbon footprint of this project and with the installation of solar panels to generate electricity, creating significant operational efficiencies for the building.

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### **Financial considerations - *Ngā Whakaarohanga Ahumoni***

Both participating Councils have previously agreed to provide \$3.325m each to this project and a further \$15.54m has been raised via external sources to date with a further \$1m committed to from the HBMT. If the Councils were to provide an underwrite, the JWG would work as hard as possible to minimise the extent to which this was required and it would be jointly funded (50:50) by both Napier City and Hastings District Councils further reducing the exposure of each council.

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### **Significance and Engagement - *Te Hiranga me te Tūhonotanga***

This decision required from this report has been assessed under the Council's Significance and Engagement Policy as being of low significance. The project itself has been assessed as being of high significance that will generate a lot of community interest and is of a high value. The underwrite however is not considered to be of significance requiring engagement with the community given the extent to which this project has been externally funded and the processes that are available to reduce cost and work within the current funding constraints.

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

Extensive engagement has already taken place on this project.

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### **Risks**

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 Opportunity:

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
The request for a funding underwrite from the two Council's is a consequence of an extremely successful funding application to the Ministry of Culture and Heritage and the undertaking of both Councils is required to support this funding decision.	There is a risk that further funding will be required from both Napier City and Hastings District Councils that cannot be mitigated through the value engineering process.

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

N/A





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Thursday, 15 December 2022

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Item 8

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

*Te Rārangi Take*

# Report to Council

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*Nā:*  
**From: Ross McLeod, Director: Future Growth Unit**

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*Te Take:*  
**Subject: Napier-Hastings Future Development Strategy Joint Committee**

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

- 1.1 It is proposed that a Joint Committee of the Hawke's Bay Regional Council, the Napier City Council and the Hastings District Council be established to provide governance oversight and preliminary decision-making in respect of the Future Development Strategy (FDS) for the Napier-Hastings Urban Environment. The FDS is a requirement on the three councils under the National Policy Statement on Urban Development 2020 (NPS-UD). Final decisions on the adoption of the draft and final FDS document will be made by each of the three councils individually.
- 1.2 A proposed Terms of Reference for the Joint Committee has been prepared (attached as **Attachment 1** to this report). The Terms of Reference provides for representation of the councils responsible for the development of the FDS.
- 1.3 The NPS-UD requires that the FDS be informed by tangata whenua values and aspirations for urban development. While not a requirement, it is proposed within the Terms of Reference to provide, alongside representation from the councils, for representation from each of the post settlement governance entities (PSGE) with statutory acknowledgement within the study area for the FDS (should they each wish to appoint representatives). This is seen as one mechanism, among others, to help to incorporate the values and aspirations of tangata whenua in a manner that is consistent with a partnership relationship between the Councils and mana whenua.
- 1.4 On that basis, the proposed make-up of the Committee is as follows:
  - Hawke's Bay Regional Council – 2 representatives
  - Napier City Council – 2 representatives
  - Hastings District Council – 2 representatives
  - Heretaunga Tamatea Settlement Trust – 2 representatives

- Mana Ahuriri Trust – 2 representatives
- Maungaharuru Tangitū Trust – 2 representatives

- 1.5 This is not to say that engagement with tangata whenua on the FDS will be limited to the identified PSGEs. Wider and more extensive engagement with iwi and hapū is planned alongside specialist technical input. However, it is proposed that the appropriate approach to seeking governance input is to provide for appointments from the PSGEs within the study area who have a statutory acknowledgement in relation to planning matters (so long as those bodies wish to appoint a representative).
- 1.6 A modified approach to this would be to provide for a representative to be appointed by Ngāti Kahungunu Iwi Incorporated (NKII) alongside the PSGE representatives. This would recognise the longstanding involvement of NKII in supporting growth planning in the Napier-Hastings area (via HPUDS). However, the context for mana whenua representation in planning and consenting processes has evolved since previous HPUDS processes due to Treaty settlements and related statutory acknowledgements. Having a governance appointment made by NKII would widen the basis for governance representation beyond organisations that have statutory acknowledgements in terms of planning/consenting matters. It can be argued that relying on a statutory acknowledgement provides a clear, transparent and legally robust basis for drawing governance representation.
- 1.7 It is also proposed that each party appointing or nominating representatives be able to appoint one alternate representative. While alternates can detract from continuity and consistency through the governance process, permitting organisations to have one consistent alternate who can cover for absences by either primary representative is considered to provide an effective balance between ensuring representation from each organisation and providing for a high level of working knowledge on the part of participants. This is particularly the case if alternates can attend meetings as observers when their organisation's primary representatives are present.
- 1.8 It is proposed that the Committee appoint a Chair and Deputy Chair from among the representatives appointed. An alternative approach would be to consider the appointment of an independent (possibly non-voting Chair) if councils wished.
- 1.9 Under the Local Government Act 2002, the Joint Committee is a committee of each of the partner Councils. In order to facilitate the proposed PSGE representation noted above, it is proposed that provision for PSGE appointments be made within the Terms of Reference and that each of the PSGEs within the study area be asked to identify and appoint suitable representatives to the Joint Committee.
- 1.10 The Terms of Reference provides that partner councils will be responsible for remunerating their respective representatives on the Joint Committee. The partner councils together shall meet the remuneration costs of the mana whenua representatives on the Joint Committee on the basis set out in the Terms of Reference.
- 1.11 Schedule 7 of the Local Government Act 2002 provides that a local authority may not appoint a joint committee unless it has first reached agreement with every other local authority or public body that is to appoint members of the committee. To comply with this clause, it is proposed that the Council agrees to appoint and establish the Joint Committee, and also resolves, subject to the agreement of the other Councils, to appoint the Committee and its representatives on the Joint Committee.

## 2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Napier-Hastings Future Development Strategy Joint Committee dated 15 December 2022
- B) That Council agrees to appoint, on the basis set out in the Terms of Reference attached at Attachment 1 the Napier-Hastings Future Development Strategy Joint Committee, being a Joint Committee established under Clause 30 of the Local Government Act 2002 with the [Hawke's Bay Regional Council and the Napier City Council].
- C) That, subject to the agreement of the Hawke's Bay Regional Council and the Napier City Council to the appointment of the Napier-Hastings Future Development Strategy Joint Committee, the Council:
  - i. appoints the Napier-Hastings Future Development Strategy Joint Committee, being a Joint Committee established under Clause 30 of Schedule 7 of the Local Government Act 2002 with the Hawke's Bay Regional Council and the Napier City Council,
  - ii. approves the Terms of Reference for the Napier-Hastings Future Development Strategy Joint Committee attached at Attachment 1, noting that the Terms of Reference is an agreement between the Hastings District Council, the Hawke's Bay Regional Council and the Napier City Council as required under Clause 30A of Schedule 7 of the Local Government Act 2002,
  - iii. appoints \_\_\_\_\_ and \_\_\_\_\_ as its representatives on the Napier-Hastings Future Development Strategy Joint Committee,
  - iv. appoints \_\_\_\_\_ as its alternate representative on the Napier-Hastings Future Development Strategy Joint Committee,
  - v. delegates authority to and invites, in conjunction with the Hawke's Bay Regional Council and the Napier City Council, the Heretaunga Tamatea Settlement Trust, Mana Ahuriri Trust and Maungaharuru-Tangitū Trust to appoint Mana Whenua Representatives to the Napier-Hastings Future Development Strategy Joint Committee as provided for in the Terms of Reference, and notes that these appointments will take effect once they have been notified to the Chief Executive of the Administering Authority.
- D) That Council authorises the Chief Executive to give effect to resolution C) above following receipt of advice from the Hawke's Bay Regional Council and the Napier City Council that they have each agreed to appoint the Napier-Hastings Future Development Strategy Joint Committee.

### Attachments:

1⇒	FDS Joint Committee Terms of Reference revised 5 Dec 22.doc	CG-17-1-00059	Under Separate Cover
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Thursday, 15 December 2022

Item 5

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

**Hastings District Council: Council Meeting**

*Te Rārangi Take*

# Report to Council

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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 1987 (LGOIMA) Update**

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

- 1.1 The purpose of this report is to inform the Council of the number of requests under the Local Government Official Information and Meetings Act (LGOIMA) 1987 received from 22 July to 2 December 2022 and the status of those requests.
- 1.2 This issue arises from the provision of accurate reporting of information to enable effective governance.
- 1.3 This is an administrative report to ensure that 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 While there were 5 outstanding responses as at 2 December 2022, they will be responded to within the required legislative timeframe.
- 1.5 This report concludes by recommending that the LGOIMA requests (as in **Attachment 1**) be noted.

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

- A) That Council receive the report titled Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update dated 15 December 2022.
- B) That the LGOIMA requests received from 22 June to 2 December 2022, as set out in **Attachment 1** of the report be noted.

## Attachments:

- 1 [↓](#) Information Requests - LGOIMA - Official Information and Meetings Act 1987 LGOIMA Report to Council 15 December 2022 IRB-2-01-22-3031

**Item 9 Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update**

**Information Requests - LGOIMA - Official Information and Meetings Act 1987 LGOIMA**

**Attachment 1**

**Report to Council 15 December 2022**

IRB 2 01 22 2015 To Council 15/12/22

**Local Government Official Information and Meetings Act 1987**

**LGOIMA – Report to Council – 22 July – 2 December 2022**

	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld or declined	Average number of working days to respond	Requests resulting in a complaint to Ombudsman
July – Dec	32	28	17	6	5	9	0

**Requests received since last reported to Council**

Completed		
Outstanding		
Month	From	Subject
From 22 July	K Bligh	Resource consents for earthworks or extraction activities granted in the past 12 months
	T Belford	Annual spend on public notices
	D Renouf	Copies of Annual Stormwater Compliance and Monitoring Reports Lowes Pit Auth-119172-01 & Barnes Place DP 100391L 119174-01
August	Mr Helm	Council cameras and automatic number plate recognition (ANPR)
	Marketing Solution	Roading Maintenance Contracts
	Community Action on Youth & Drugs	Controlled purchases at Big Barrel Enterprises
	Lawson Robinson	Property investigation
	Radio NZ	Dog attack statistics
September	BusinessDesk	Expenditure with Smart Environment, Waste Management & EnviroWaste
	Radio NZ	Emails re: Talking Point and Representation Review
	SJ Scannell & Co	Assesments to determine earthquake prone buildings
	Murray Douglas	Napier Road Cycleway
	Ray Takapua	Noise control call outs
	Motu Economic & Public Policy Research	Urban water pricing
	NZ Tax Payers Union	The Wall Walk
	NZ Tax Payers Union	ATTN! Marketing
	Kevin Bligh	Limestone quarry operations
	Alan Flitcroft	Councillors’ political affiliations
October	Diane Howard	Visits to Shortland Place property re: water

**Item 9 Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update**

**Information Requests - LGOIMA - Official Information and Meetings Act 1987 LGOIMA**

**Attachment 1**

**Report to Council 15 December 2022**

IRB 2 01 22 2015 To Council 15/12/22

Month	From	Subject
	Martin Jenkins	Local Government elections 2019 and 2022
	MBIE Tenancy Services	Huia Street property
	ACT Caucus Support Centre	Number of building consents last 5 years
	ACT Caucus Support Centre	Building Consents
	James Pocock	HDC/HB Agricultural & Pastoral Assn Sales and Purchase Agreement
	Jason Roebuck	Building Consent
	Claudene Greenwood Consulting	Maraetotara Road property
	Carrington & Co	Design work on building consents
	Josua Grobler	Higgins Family Holdings
<b>November</b>	Jessica Maxwell	Draft Tainui Reserve Management Plan
	John Saunders	Right of Way - Joll Road properties
	Jessica Maxwell	Tainui Reserve Health & Safety
	MBIE Tenancy Services	Manuka Street, Mahora
	NZ Tax Payers Union	Council Artwork
	Parliament	3 Waters
	Saddleback NZ	Resource consents for Romanes Drive property
<b>December</b>	Ray White	Te Mata Road property
	Forestry and Resource Management	PAN PAC RMA compliance



# HASTINGS DISTRICT COUNCIL

## COUNCIL MEETING

THURSDAY, 15 DECEMBER 2022

Item ERROR! REFERENCE SOURCE NOT FOUND.

### 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 Hawke's Bay Airport Limited - Appointment of Director
- 14 Approval to Award Wastewater Inland Trunk Renewal Term Contract
- 15 Heretaunga House Deconstruction
- 16 Heretaunga House Future Development Options
- 17 Property Acquisition
- 18 Iona Development Update
- 19 Compulsory Land Acquisitions
- 20 Flaxmere Development Sites - Update
- 21 Strategic Land Matters - Flaxmere

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:

<b>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</b>	<b>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</b>	<b>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</b>
13 Hawke's Bay Airport Limited - Appointment of Director	<b>Section 7 (2) (a)</b> 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.	<b>Section 48(1)(a)(i)</b> 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 Approval to Award Wastewater  
Inland Trunk Renewal Term Contract**

**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). Contract is yet to be awarded.

**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 Heretaunga House  
Deconstruction**

**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 allow Council the ability to negotiate terms with the successful tenderer without compromising Council's position on price and other material terms.

**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 Heretaunga House Future  
Development Options**

**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.

**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) (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 protect the commercial sensitivities of the Request for Proposal process and maintain the integrity of the process.

**17 Property Acquisition**

**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 provide Council with the conclude negotiations.

**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.

**18 Iona Development Update**

**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). Ongoing third party negotiations.

**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.

**19 Compulsory Land Acquisitions**

**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). Ongoing Confidential Negotiations.

**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.

Item ERROR! REFERENCE SOURCE NOT FOUND.

**20 Flaxmere Development Sites - Update**

**Section 7 (2) (b) (i)**

The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret.

**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 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 ensure probity and fairness is maintained throughout the land divestment process and submitters commercial and IP interests are protected..

**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 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 third party commercial 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.

**21 Strategic Land Matters - Flaxmere**

**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.

**Item ERROR! REFERENCE SOURCE NOT FOUND.**