
Thursday, 16 February 2023

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

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Thursday, 16 February 2023**

Te Wā:
Time: **1.00pm**

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

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

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

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Thursday, 16 February 2023

Te Hui o Te Kaunihara ā-Rohe o Heretaunga

Hastings District Council

Council Meeting

Kaupapataka

Agenda

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 (Deputy Mayor), Eileen Lawson, Renata Nepe, Simon Nixon, Ann Redstone, Wendy Schollum and Kevin Watkins

Tokamatua:

Quorum:

8 members

Apiha Matua

Officer Responsible:

Chief Executive – Nigel Bickle

*Te Rōpū Manapori me te
Kāwanatanga*

Democracy and

Governance Services:

Louise Stettner (Extn 5543)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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

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

Leave of Absence had previously been granted to Councillor Kerr

3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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

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

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

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

Minutes of the Council Meeting held Thursday 8 December 2022.
(Previously circulated)

Minutes of the Council Meeting held Thursday 15 December 2022.
(Previously circulated)

Minutes of the Council Meeting held Tuesday 20 December 2022.
(Previously circulated)

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Hastings District Council: Council Meeting

Item 5

Te Rārangi Take

Report to Council

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

Te Take:
Subject: Petition - Parkvale, Ada St intensification (RMA 20220538)

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

- 1.1 The purpose of this report is to inform the Council about a petition received from lead petitioner Mark Sowman. The petition will be tabled at the meeting.
- 1.2 The petitioner's prayer reads as follows:

“We, the undersigned residents of Ada St and Parkvale wish to voice our concerns with the impending intensification development planned for our street and suburb. It is our understanding that a current proposal (RMA20220538) before Council for 1203 and 1205 Ada St is for 10 residences to be built on two sections of 2025m² in total area. This is a non-compliant activity with the Operative District Plan in terms of the bulk and dominance to the streetscape fronting Ada St, shading and visual amenity given the two-storey building design, lack of outdoor living spaces and the lack of vehicle spaces provided within the development. Furthermore, this proposal sits outside the Proposed Plan Change 5 which is currently out for consultation from the Hastings District Council. As such we believe this proposal will have a more than minor effect on the neighbourhood and require Council to Publicly Notify the Application.

Ada Street is classified by Council as a Primary Collector Road for traffic movements and has over the last few years become a major road for travelling between Havelock North and Hastings with high traffic volumes and very limited off-street parking. There are also major wastewater infrastructure problems within the area where residents having reported sewage flooding onto the street for many years. To date Council has done nothing to alleviate this problem and with greater intensification even more pressure will be put on the infrastructure. We are also concerned that should intensification of this nature be approved we will see more and more property developments such as this both along Ada St and adjoining streets.

We acknowledge that there is a need for housing, but this level of concentration does not meet the rules. We request that this proposal be publicly notified or that for the sake of Parkvale suburb the proposal is amended to meet the Operative District Plan requirements so that we continue to have a healthy, happy neighbourhood now and for the future”.

- 1.3 There are 587 signatories to the petition.
- 1.4 The lead petitioner has been invited to present the petition to the 16 February 2023 Council meeting.
- 1.5 The matters raised in the petition are of a regulatory nature and must be addressed within the regulatory regime that considers consenting issues. Therefore the petition has been forwarded to the Planning and Regulatory Group to be placed on the property file and considered under the Resource Management Act 1991 processes.
- 1.6 The resource consent application referred to is being considered through the Resource Management Act 1991 regulatory process including notification steps. Under the Resource Management Act, the processes and decisions on a resource consent are not able to be influenced by the mayor or councillors.
- 1.7 The report concludes by recommending that the petition be received.

2.0 Recommendations - Ngā Tūhunga

- A) That Council receive the report titled Petition - Parkvale, Ada St intensification (RMA 20220538) dated 16 February 2023.
- B) That Council receive the tabled Petition.
- C) Council notes that the matters raised in the petition are of a regulatory nature and under the Resource Management Act 1991, the processes and decisions of a resource consent are not to be influenced by the Mayor or Councillors.
- D) The petition has been forwarded to the Planning and Regulatory Group to be placed on the property file and considered under the Resource Management Act 1991 processes.
- E) That the reporting officer write to the lead petitioner to advise him of the above.

Attachments:

There are no attachments for this report.

Thursday, 16 February 2023

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Hastings District Council: Council Meeting

Te Rārangi Take

Report to Council

Nā:
From: James Haronga, Parking Transportation Officer

Te Take:
Subject: Parking Controls

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council on changes to parking controls in the Northern Carpark.
- 1.2 The report recommends the following changes.

ROAD	EXISTING CONTROLS TO BE REMOVED/CHANGED	PROPOSED CONTROLS
Northern Carpark	Revoke 21 metered all day carparks	Replace with 21 Leased carparks

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Parking Controls dated 16 February 2023.
- B) That Council resolve pursuant to Clause 5.3.1(a) (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, that the existing twenty one metered parking spaces located in the Northern Carpark be revoked and replaced with leased parking.

3.0 Background – *Te Horopaki*

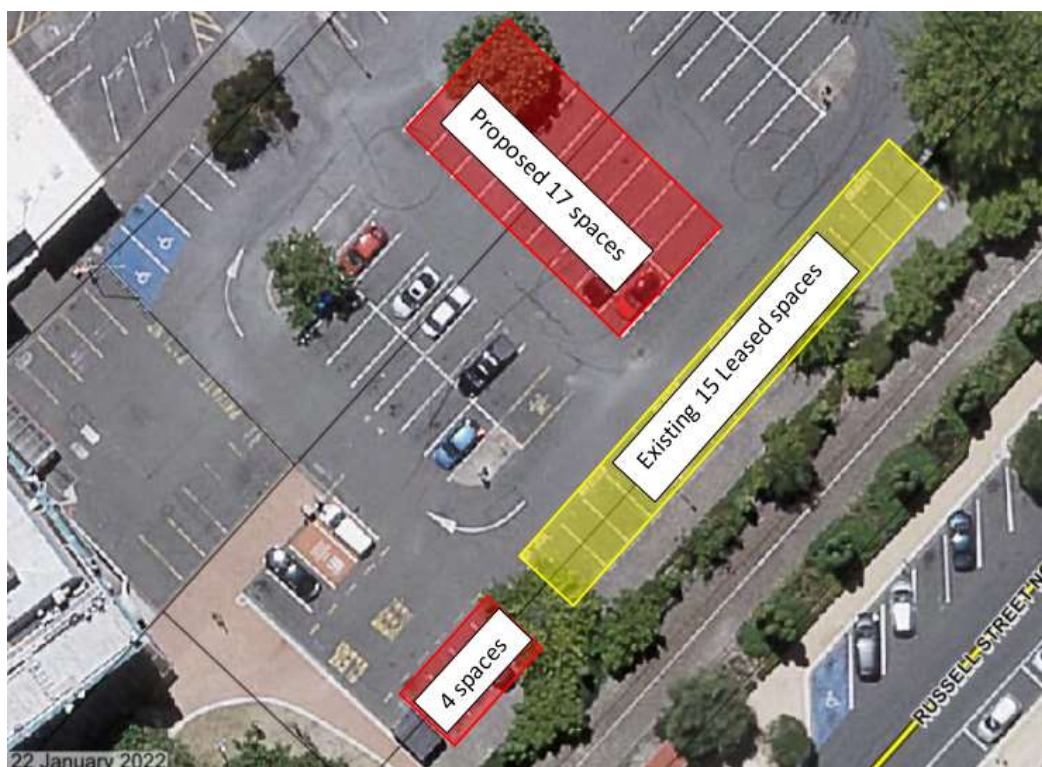
- 3.1 From time to time it is necessary to introduce parking controls and/or amend those that are already in place.
- 3.2 The following information provides the context for the changes being proposed.

4.0 Discussion – *Te Matapakitanga*

4.1 Northern Carpark – Revoke 21 Metered Spaces - Establish Leased carparks (Recommendation B)

The Northern Carpark is currently under-utilised. Data collected in 2012 shows occupancy was at 82% and the most recent data collected in 2022 shows it has dropped to 45.7%. This is a result of a number of factors, i.e. covid, an increase of staff working from home, vacancies of nearby tower buildings and the relocation of nearby medical facilities.

With a growing waiting list for leased carparks and the decreased demand for off-street parking in the Northern Carpark, we recommend that 21 metered parking spaces in the Northern Carpark be changed to leased carparks.



5.0 Options – *Ngā Kōwhiringa*

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

To change the Parking controls as discussed in section 4.

- 5.1 The advantages of implementing the changes as recommended include enhanced public and private sector service provision and better utilisation of carpark assets.

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

- 5.2 Officers see no advantages in maintaining the status quo.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If the recommendations are approved, appropriate painting and signage provisions will be completed.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

Moving people and goods around safely and efficiently, furthermore improving economic and social wellbeing.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

Northern Carpark – Leased Carparks.

An occupancy study was carried out in the Northern carpark from the 7th November 2022 to the 11th November 2022. The results showed that parking occupancy has decreased and was only at 45.7% for this period therefore the demand for off street parking remains low.

Risks

N/A

Rural Community Board – Te Poari Tuawhenua-ā-Hapori

N/A

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Item 7

Te Rārangi Take

Report to Council

Nā:
From: Rowan Wallis, Environmental Policy Manager

Te Take:
Subject: Plan Change 4 - Te Mata - Submissions Decisions

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council on the submissions of support received on Plan Change 4 Te Mata Building Prohibition Area and to set a date for making the Plan Change operative, barring the receipt of any appeals.
- 1.2 Plan Change 4 was notified to introduce a prohibited building area onto the eastern side of Te Matā to protect the mauri of the maunga and to safeguard the outstanding landscape values.
- 1.3 The Plan Change was publicly notified on 22 October 2022 and there were 5 submissions of support received. The submissions were advertised for submissions of support or opposition with a submission closing date of 16th December 2022. No further submissions were received.
- 1.4 The Resource Management Act provides that a hearing need not be held if there are no submitters wishing to be heard. This is the case with Plan Change 4.
- 1.5 The Council is still required to consider the submissions and make a decision on these. The decision is open to the right of appeal by the submitters. However given that these submissions are in support it is unlikely that appeals would be lodged.

2.0 Recommendations - *Ngā Tūhunga*

- A) That Council receive the report titled Plan Change 4 - Te Mata - Submissions Decisions dated 16 February 2023.
- B) That Council accept Submission Nos 1, 2 3 4 and 5 to Plan Change 4 - Te Matā Prohibited Building area and that if no appeals are lodged on the decisions that Plan Change 4 will be made operative in accordance with Clause 17 Schedule 1 of the Resource Management Act from 11 April 2023.

3.0 Background – *Te Horopaki*

- 3.1 Plan Change 4 amends the provisions of the Natural Features and Landscapes Section, the Earthworks section (Sections 17.1 and 27.1), and the planning maps to ensure that the appropriate level of protection is afforded to Te Mata. The existing plan provisions do not offer the level of protection from building and earthworks development on the eastern face that is required. There is a building prohibition line shown on the planning maps but this is aligned to the 240m contour. The effect of this protects the rocky outcrop which is the natural feature running along the ridgeline of the maunga. Discussions between Council, hapu representatives and the landowners of 282 and 344 Waimārama Road have resulted in agreement on a new set of District Plan provisions.
- 3.2 Plan Change 4 introduces a prohibited building area onto the eastern face of Te Matā down to Waimārama Road, to protect the cultural and landscape values of Te Matā. The plan change also places additional restrictions on earthworks within the prohibited building area.
- 3.3 Plan Change 4 introduces changes to the following sections of the District Plan;
- Section 17.1 Natural Features and Landscapes
 - Section 27.1 Earthworks, Mineral, Aggregate and Hydrocarbon Extraction
 - Appendix 43 Outstanding Natural Features and Landscapes
 - Appendix 44 Significant Amenity Landscapes
 - Planning maps
- 3.4 Plan Change 4 was publicly notified on 22 October 2022 and 5 submissions were received. These submissions were all in support of the new building prohibition area and the earthworks provisions. These submissions have been advertised for further submissions of support or opposition and no further submissions were received.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Now that the submission process has been completed the next step would normally be to hold a Hearing to consider the submissions. However the Act provides that a hearing need not be held if there are no submitters who wish to be heard. This is the case with Plan Change 4. There remains a requirement to consider these submissions but in this case the submissions are all in support. These set of circumstances provides an opportunity for Plan Change 4 to advance more rapidly through the process to make it operative.
- 4.2 Clause 17 of the First Schedule to the Resource Management Act allows Council to approve all or part of a plan (this includes plan changes) when it is beyond challenge by submission or appeal. While we do not need to hold a hearing it is still necessary for the Council to consider the submissions, make a decision on them and notify submitters of that decision and of their ability to lodge appeals on the decision to the Environment Court
- 4.3 The normal course of events would see the submissions being considered by the District Plan and By Laws Committee with a recommendation then coming to Council on the decisions on submissions. However the submission received have been in support and the submitters and hapu and landowners involved are all supportive of getting the protection mechanisms in place as quickly as possible.
- 4.4 This has been discussed with the Chair of District Plan and By Laws Sub-Committee and it was agreed that rather than wait until April to put the submissions to the first District Plan and By Laws Sub-committee Meeting and then wait for the next Council Meeting that it could go straight to Council to expedite the process. This is likely to enable the Plan Change to become operative nearly 2 months earlier.

- 4.5 This will require that Council accept the submissions of support and ratify Plan Change 4 to become operative from 11 April 2023, contingent upon no appeals on the decisions on submissions being received.
- 4.6 The recommended decisions on each of the submissions on Plan Change 4 are set out in **Attachment 1**.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Accept the submission of Support to Plan Change 4 and resolve to make Plan Change 4 operative contingent upon no appeals on the decisions on submissions being received.

Advantages

- The advantage of this option is that it will put in place protection mechanisms for the eastern face of Te Matā in the fastest possible time.
- The ratification of the plan change will reflect the desires of hapu and landowners involved in the plan change process.

Disadvantages

- There are no known disadvantages to this option

- 5.2 Option Two – Retain the normal process which is for the District Plan and By Laws Subcommittee to consider submissions and make a recommendation to Council on the submissions- Te Kōwhiringa Tuarua – Te Āhuetanga o nāianeī

Advantages

- Follows the process set down for Plan Changes under the role of the District Plan and By Law Sub-committee.

Disadvantages

- The cultural and landscapes values of the eastern face of Te Mata would be protected within a faster timeframe.
- This option does not meet the wishes and desires of hapu and landowners, which is to have the prohibition provisions in place as quickly as possible.

6.0 Next steps – Te Anga Whakamua

- 6.1 The process for making Plan Change 4 operative is set out in the first schedule of the Resource Management Act 1991. This involves notifying the submitters of Council's decision on their submission, advising them of their right to lodge an appeal to the Environment Court on the decisions (within 30 working days), publicly notifying the operative date, barring any submissions and updating Council's ePlan document :

Attachments:

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 ensuring that the cultural values of Te Mata ... Te Mata te Tipuna are appropriately recognised and protected. The proposed plan change promotes the cultural wellbeing of the community while also ensuring the sustainable management of the natural resources.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

The proposed plan change has a high degree of significance to Nga Hapū o Heretaunga as it forms part of the remediation process for the damage done by the construction of the Craggy Range track. The amendments proposed form part of the recommendations that came out of the Cultural Assessment Report drafted in response to requirement for remediation of the track. A member of the Heretaunga Takoto Noa Māori Standing Committee was involved with the landowner negotiations. The item was discussed at a number of joint workshops with the Heretaunga Takoto Noa Māori Standing Committee and at their meeting on 24th August 2022.

Sustainability - *Te Toitūtanga*

The proposal is directly relevant to the sustainable management of our physical and natural resources and cultural wellbeing of our community and particularly to mana whenua. Council has a duty to protect our outstanding and cultural landscapes under section 6 of the Resource Management Act and it will also ensure that Nga Hapū o Heretaunga responsibilities for kaitiakitanga can be maintained.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The proposal is budgeted for under the Environmental Policy district plan amendment workstream.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

The Plan Change has been through the consultation process and the operative date will be publicly notified.

Risks

Opportunity: There will be real benefits in ensuring that the cultural environment of Te Mata ... Te Mata te Tipuna will be properly recognised.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Cultural safety, council reputation, and safeguarding the environment.	Cultural safety, council reputation, and safeguarding the environment.

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

The Plan Change is restricted to the eastern face of Te Mata ... Te Mata te Tipuna and affecting two defined properties and therefore it was not considered that input from the Rural Community Board was required. When Stage 2 of the project (Wahi taonga inclusion) is commenced the Rural Community input will be necessary and vital.

Recommendations on Submissions to Plan Change 4

Sub No	Submitter Name	Submission Type	Plan Sections	Submission Points	Relief Sought	Recommendation
1	Darryn Russell Heretaunga Tamatea Settlement Trust	Support		1. Heretaunga Tamatea Settlement Trust on behalf of hāpū and iwi are totally in support of Plan Change 4	Keep Plan Change 4 as it is.	Accept the submission
2	Renee Love	Support	All of it	1. I whakapapa to Waimārama. Te Mata whenua and maunga is a wahi tapū which should be respected and preserved. 2. Support the changes	Support the implementation of the Te Mata prohibited building area.	Accept the submission
3	Melissa Panapa-Fraser Ruahapia Marae Reservation Trust	Support	Section 17.1, Section 27.1, Appendix 43 & 44 Planning Maps	1. Prohibited buildings and earthworks on the eastern face of Te Matā provides certainty to manawhenua that the landscape will remain unaltered and cultural values remain.	Adopt the Plan Changes. Update the wāhi tapu and wāhi taonga	Accept the submission
4	Marei Apatu Te Taiwhenua o Heretaunga	Support		1. Unanimous support by 14ngā marae hapū o Heretaunga for a building prohibition from the top of Te Mata te Tipuna to Waimarama Road as outlined in Plan Change 4	Support Proposed Plan Change 4	Accept the submission
5	Patrick Parsons	Support		Outstanding landscapes are the cultural property of all residents in a community. Concessions made to the landowners place the wider area at risk.	Support the Prohibited Building Area	Accept the submission

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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

Nā:
From: Rowan Wallis, Environmental Policy Manager

Te Take:
Subject: Submission on Resource Management Reforms

1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is to seek the approval of Council's submission on the Resource Management Reform Bills.
- 1.2 The government released the Natural and Built Environment Bill and the Spatial Planning Bill for submission in late November 2022. These are the first of the bills of the 3 part legislation that will replace the Resource Management Act. The remaining bill will be the Climate Change Adaptation Bill which is due for release later this year.
- 1.3 A council workshop on the Bills was held on 26th January 2023 and the attached submission covers the points raised in the workshop and on the draft submission which was circulated to the Councillors post workshop. Council has obtained an extension for the lodging of its submission until 19th February 2023.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Submission on Resource Management Reforms dated 16 February 2023.
- B) That Council approve the submission on the Natural and Built Environment Bill and Spatial Planning Bill and endorse the submission of Local Government New Zealand.

Attachments:

There are no attachments for this report.

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Item 9

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

Te Rārangi Take

Report to Council

Nā:
From: Matt Adamson, Strategy and Policy Advisor

Te Take:
Subject: Local Governance Statement

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

- 1.1 The purpose of this report is to adopt a revised Local Governance Statement. Section 40 of the Local Government Act 2002 requires Council to publish a Local Governance Statement within six months of a triennial election. This document provides information on a wide variety of matters relating to Council governance.
- 1.2 The Local Governance Statement 2022-25 has been revised to give effect to changes in legislation over the last three years and changes to the Council governance structure following the most recent election. The revised Statement satisfies the requirements of section 40 of the Local Government Act.
- 1.3 Members will note that there are a number of documents associated with the Local Governance Statement including the Code of Conduct, Delegations Register and Standing Orders. These were all updated following the election and adopted by Council on 8 December 2022. The Significance and Engagement Policy will next be updated to coincide with the 2024 Long Term Plan.
- 1.4 This report concludes by recommending the Council adopt the Local Governance Statement. Once adopted, this will be published on the Council's website.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Local Governance Statement dated 16 February 2023.
- B) That the Council adopt the Local Governance Statement (**Attachment 1**).

Attachments:

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Hastings District Council: Council Meeting

Item 10

Te Rārangi Take

Report to Council

Nā:
From: Matt Adamson, Strategy and Policy Advisor

Te Take:
Subject: Triennial Agreement 2022-25

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

- 1.1 The purpose of this report is to present the draft Triennial Agreement to Council for adoption.
- 1.2 Section 15 of the Local Government Act 2002 requires all local authorities within a region to enter into an agreement for the Triennium no later 1 March following each election. Agreements must include the following:
 - Protocols for communication and coordination among the local authorities
 - A statement of the process local authorities will follow in respect of new regional activities
 - Processes and protocols for identifying, delivering and funding facilities and services of significance to more than one local authority in the region.
- 1.3 Agreements may also include commitments to establish joint committees and the terms of reference for any such committees.
- 1.4 Development of the Triennial Agreement for 2022-25 has been coordinated by the Hawke's Bay Regional Council (HBRC) with direction from the Regional Leaders Forum. Priorities for the next three years to be reflected in the agreement were also the subject of discussion at the Regional Collaboration Day in November 2022.
- 1.5 The strategic priorities in the draft Triennial Agreement remain aligned to the five pou of the Matariki Action Plan within the Hawke's 'ay Regional Development Strategy, namely;
 - **Whānau Wellbeing** – Creating a thriving society where everyone can participate and make a significant contribution to achieving greater economic growth and productivity for supporting whānau wellbeing.

- **Employment Skills and Capability** – Through workforce development plans we will grow people to be work-ready and match them with employee – ready organisations who foster a spirit of lifelong learning across our collective workforce.
 - **Resilient Infrastructure** – Regional spatial planning that supports a strong and sustainable physical, environmental, cultural, social and business infrastructure so we can unlock our full potential.
 - **Economic Growth** – Supporting our businesses and sectors to grow, and to be innovative, productive, sustainable and inclusive.
 - **Promoting Our Place** – Attracting visitors, talent, students, business and investment to strengthen and diversify our economy.
- 1.6 Within the context of 1.5, elected members have placed a priority on investment into Regional Spatial Planning, Collaboration, Climate Change & Water, Transport and Housing.
- 1.7 The Regional Leaders Forum has endorsed the draft document and recommends that Councils in Hawke’s Bay consider the agreement and adopt it before the 1 March deadline.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Triennial Agreement 2022-25 dated 16 February 2023.
- B) That Council adopts the draft Triennial Agreement 2022-25 (**Attachment 1**).
- C) That Council authorise the Mayor and Chief Executive to execute the draft Triennial Agreement 2022-25 on behalf of the Hastings District Council (**Attachment 1**).

Attachments:

1⇒	Draft Triennial Agreement 2022-25	CG-17-1-00126	Under Separate Cover
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Thursday, 16 February 2023

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

Item 11

Te Rārangi Take

Report to Council

Nā: Louise Stettner, Manager, Democracy & Governance Services
From: Taylor Eubanks, Strategic Policy & Evaluation Advisor

Te Take:
Subject: Climate Action Joint Committee Terms of Reference

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This report presents the Terms of Reference (TOR) for the Climate Action Joint Committee for the Council's consideration and adoption (**Attachment 1**) In accordance with the TOR the report also asks Council to appoint Hastings District Council representatives to the Climate Action Joint Committee – 2 councillors and an alternate.
- 1.2 Climate mitigation and adaptation is core business for councils. It spans multiple council work streams such as urban planning, land-use and resource management, transport, flood protection, coastal hazards and emergency management. Without duplicating effort, the purpose of this joint committee is to support a coordinated and collaborative response to address the complex challenge of Climate Resilient Development for the communities of Hawke's Bay.
- 1.3 The focus of the joint committee will be promoting action to mitigate climate change (emissions reductions and offsetting) and adapt to the changing regional climate.
- 1.4 The TOR propose that Council members of this joint committee will include all councils in the Hawke's Bay region – Hawke's Bay Regional Council (HBRC), Central Hawke's Bay District Council, Hastings District Council (HDC), Napier City Council and Wairoa District Council. The TOR also provides for Mana Whenua representation.
- 1.5 HBRC will be the administering authority for the Climate Action Joint Committee with administrative support (convening meetings, keeping minutes, etc.) provided by the HBRC Governance team.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Climate Action Joint Committee Terms of Reference dated 16 February 2023.
- B) That the Council adopt the Terms of Reference for the Climate Action Joint Committee (**Attachment 1**).
- C) That Council appoint Hastings District Council representatives to the Climate Action Joint Committee – 2 councillors and 1 alternate.

3.0 Background – Te Horopaki

- 3.1 The desire to establish a joint committee to oversee climate mitigation and adaptation work first arose at the Hawke’s Bay Local Government Leaders (and CEs) Forum meeting on 31 October 2022. It was agreed that a joint committee would provide an effective vehicle for a coordinated regional response to climate change which will be identified in the Triennial Agreement as a significant cross-council priority affecting all communities in Hawke’s Bay.
- 3.2 It will also provide a platform for the work required of councils in meeting their statutory obligations to “have regard to” the *National Emissions Reduction Plan* and *National Adaptation Plan*, as well as meet obligations under the *Spatial Planning and Natural & Built Environments* legislation.
- 3.3 At its meeting on the 25th of January 2023 the Hawke’s Bay Regional Council adopted the attached TOR as the next step toward the appointment of the Climate Action Joint Committee as a joint committee in accordance with the Local Government Act (the Act) clauses 30(1) (b) and 30A.
- 3.4 HBRC representation on the joint committee will be Councillors Hinewai Ormsby and Xan Harding, and Di Roadley as alternate.
- 3.5 HBRC wish to secure the support of the Territorial Authorities of Hawke’s Bay to ensure cross-council adoption of the TOR, as required by the Act, to enable the formal (appointment) establishment of the joint committee.

4.0 Discussion – Te Matapakitanga

4.1 Membership and meeting frequency

4.2 The TOR provide for:

- Up to two Regional Council elected members including the HBRC Chair and one alternate. The HBRC chair will be appointed as the Chair of the Joint Committee.
- Up to two elected members from each Territorial Authority within the Hawke’s Bay region, and one alternate.
- Up to two members and one alternate appointed by the HBRC Regional Planning Committee to represent Post Treaty Settlement Governance Entity representatives on the Regional Planning Committee.
- Up to two members and one alternate appointed by HBRC Māori Committee to represent the Ngāti Kahungunu Taiwhenua and Board representatives on the Committee.

- 4.3 HBRC will be the administering authority for the Climate Action Joint Committee with administrative support (convening meetings, keeping minutes etc.) provided by the Hawke’s Bay Regional Council’s Governance team.

4.4 Technical Advice

- 4.5 A Technical Advisory Group (TAG) will comprise of staff members from the member councils who are working in climate mitigation and adaptation and will involve subject matter experts as required to ensure linkages with other work streams, such as the work of the Regional Transport Committee and the Clifton to Tangoio Hazards and Napier-Hastings Future Development Strategy Joint Committees. HBRC's Climate Change Ambassador, along with the dedicated roles at Napier City and Hastings District Councils will lead this work.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Adopt the TOR as proposed and appoint two councillors and an alternate to the Climate Action Joint Committee

Advantages

- Supports a coordinated and collaborative response to address the complex challenge of Climate Resilient Development for the communities of Hawke's Bay.
- Provides a structure for Councils in meeting their statutory obligations to "have regard to" the *National Emissions Reduction Plan*, as well as *National Adaptation Plan* as well as meet obligations under the *Spatial Planning and Natural & Built Environments* legislation.

Disadvantages

- There could be some cross over with work being undertaken at HDC in the environmental wellbeing space. However, this can be managed through the TAG group that includes key officers including involvement of HDC officers.

Option Two - Te Kōwhiringa Tuarua

- 5.2 Make amendments to the attached proposed TOR of the Climate Action Joint Committee.

Option Three -- Te Kōwhiringa Tuatoru

- 5.3 Do not adopt the TOR of the Climate Action Joint Committee – this option is not recommended.

6.0 Next steps – Te Anga Whakamua

- 6.1 The Council decisions arising from this report will be advised to the HBRC and Council's Appointment Schedule will be updated.
- 6.2 The TOR initially adopted to establish the joint committee are open to amendments for further refinement through the joint committee itself, for recommendation to all of the participating councils for adoption.
- 6.3 Provided the TOR are adopted by all the partner councils the first meeting of this joint committee will be scheduled in early April.

Attachments:

1 ⇄	Draft Terms of Reference - Climate Action Joint Committee	CG-17-1-00128	Under Separate Cover
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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 environmental, social, economic and cultural wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

The impacts of climate change are a direct threat to Māori communities and culture due to the close relationship between mana whenua and the environment. Often, Māori communities are located in geographical areas that are more vulnerable to the effects of climate change, and the resources that are being impacted by climate change have cultural significance to Māori. Representation from mana whenua is essential to responding holistically and appropriately to climate change in Aotearoa.

Sustainability - *Te Toitūtanga*

The focus of the joint committee will be promoting action to mitigate climate change (emissions reductions and offsetting) and adapt to changing regional climate.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Councillor members of the joint committee will not receive extra remuneration for their membership but will be entitled to reimbursement of associated costs such as for travel which will be funded by the Council they represent.

HBRC as the administering authority, will cover the costs of administration and tangata whenua representatives' remuneration.

Future consideration could be given to sharing the costs for tangata whenua participation and technical inputs, similar to the Napier-Hastings Future Development Strategy Joint Committee, between all member councils as part of the next Long Term Plan.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

Establishment of this joint committee has been discussed at meetings of the Hawke's Bay Government Leaders (and CEs) Forum.

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

The Rural Community Board may be interested in a future update on the work of this joint committee once it is established.

Thursday, 16 February 2023

Item 12

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

Te Rārangi Take

Report to Council

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

Te Take: **External Appointed Committee and Subcommittee Members:**
Subject: **Meetings Attendance Rate**

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopotanga

- 1.1 The purpose of this report is for Council to amend the meeting fee rate for external appointed Committee / Subcommittee members.
- 1.2 The Council agreed to a \$439 meeting attendance fee for external appointed Committee/Subcommittee members at its meeting on the 8th of December 2022.
- 1.3 The \$439 meeting fee amount for external appointed Committee members was an error. This meeting attendance rate is based on the hourly rates set by the Remuneration Authority for hearings (a notional 3 hours meeting time plus two hours reading time at \$93 per hour or part thereof). This equates to \$465 not \$439.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled External Appointed Committee and Subcommittee Members: Meetings Attendance Rate dated 16 February 2023.
- B) That Council approve a meeting attendance rate of \$465 per meeting for external appointed Committee and Subcommittee members.

3.0 Background – Te Horopaki

- 3.1 On 8 December 2022 Council received the report ‘External Appointments to Committees and Subcommittees’. The report sought Council agreement to an appropriate level of remuneration for external appointments to the Council’s Committees and Subcommittees. At this Council meeting the Council agreed to pay ‘\$439 per Committee / Subcommittee meeting and \$93 per hour for attendance at workshops/site visits for external appointed Committee and Subcommittee members’.

4.0 Discussion – *Te Matapakitanga*

- 4.1 The \$439 meeting fee amount for external appointed Committee members was an error. This meeting attendance rate is based on the hourly rates set by the Remuneration Authority for hearings (a notional 3 hours meeting time plus four hours reading time at \$93 per hour (or part thereof). This equates to \$465 not \$439.

5.0 Next steps – *Te Anga Whakamua*

- 5.1 The correct meeting attendance fee will be advised to relevant officers including the Payroll department to ensure updates are made.
- 5.2 This error has been addressed prior to external appointed Committee members being appointed and being in attendance at meetings. Therefore there are no additional payroll issues created by this issue that require attention.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

This proposal promotes the social, economic, environmental and cultural wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

Sustainability - *Te Toitūtanga*

N/A:

Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

N/A

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

N/A

 Thursday, 16 February 2023

Item 13

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

Te Rārangi Take

Report to Council

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

Te Take:
Subject: Appointments to the Heretaunga Takoto Noa Māori Standing Committee

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

- 1.1 The purpose of this report is for Council to appoint Mana Whenua members to the Heretaunga Takoto Noa Māori Standing Committee (HTNMSC) in accordance with the nominations provided by the relevant Māori entities.
- 1.2 On 8 December 2022 Council agreed the memberships to all Committees, Subcommittees and External Appointments for the 2022-2025 triennium. At this time, the nominations process for the Mana Whenua members of the HTNMSC was not complete.
- 1.3 Membership of the HTNMSC comprises of the Mayor, 6 Councillors including the 3 Takitimu Māori Ward Councillors and up to 8 members from Mana Whenua to be appointed by the Council, taking into account the “*post settlement environment*” and Mataawaka.
- 1.4 Nominations for the Mana Whenua members of the HTNMSC have been sought from the following Māori entities: Mana Ahuriri Trust; Ngāti Kahungunu Iwi Incorporated; Ngāti Pāhauwera Development Trust; Hineuru Iwi Trust; Te Taiwhenua o Heretaunga Trust; Te Taiwhenua o Te Whanganui-ā-Orotū; Heretaunga Tamatea Settlement Trust and Maungaharuru-Tangitū Trust. A summary of responses from the respective entities are outlined below.

1.5

Organisation	Nominees
Mana Ahuriri Trust	Mr Tipene Cottrell
Ngāti Kahungunu Iwi Incorporated	Mr Ngaio Tuika
Ngāti Pāhauwera Development Trust	Mr Tom Keefe
Hineuru Iwi Trust	Ms Elizabeth Hunt

Te Taiwhenua o Heretaunga Trust	Mr Mike Paku
Te Taiwhenua o Te Whanganui- ā- Orotū	Awaiting nominee
Heretaunga Tamatea Settlement Trust	Dr Darryn Russell
Maungaharuru-Tangitū Trust	Awaiting nominee

- 1.6 This report recommends that Council appoint Mana Whenua members to the HTNMSC in accordance with the nominations received from the relevant Māori entities. Following the appointments being made updates will be made to the list Appointments to Committees, Joint Committee and External Organisations for the 2022-2025 triennium.
- 1.7 Future nominations received from the relevant Māori entities will be the subject of a future Council report recommending further Mana Whenua appointments to the HTNMSC.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Appointments to the Heretaunga Takoto Noa Māori Standing Committee dated 16 February 2023.
- B) That Council appoint the following Mana Whenua members to the Heretaunga Takoto Noa Māori Standing Committee:
- i. Mr Tipene Cottrell
 - ii. Mr Ngaio Tuika
 - iii. Mr Tom Keefe
 - iv. Ms Elizabeth Hunt
 - v. Mr Mike Paku
 - vi. Dr Darryn Russell

Attachments:

There are no attachments for this report.

Thursday, 16 February 2023

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

Te Rārangi Take

Report to Council

Item 14

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

Te Take:
Subject: **Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update**

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 3 December 2022 to 30 January 2023 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 3 outstanding responses as at 30 January 2023, 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 Tūhonga*

- A) That Council receive the report titled Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update dated 16 February 2023.
- B) That the LGOIMA requests received from 3 December 2022 to 30 January 2023, as set out in **Attachment 1** of the report be noted.

Attachments:

IRB-2-01-22-2915 – To Council 15/12/22

Local Government Official Information and Meetings Act 1987

LGOIMA – Report to Council – 3 December 2022 – 30 January 2023

	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
Dec - Jan	20	16	16	0	2	9	2

Requests received since last reported to Council

Month	From	Subject
Completed		
Outstanding		4
From 3 Dec	Jessica Maxwell	Tainui Reserve Management Plan
	Rebekah Te Rito	Resource and Trade 701 Caroline Road
	Jason Roebuck	36 West Road
	Jason Roebuck	36 West Road 2 nd letter
	Hazel Moffat	Dog attack report
	Jessica Maxwell	Breaches of the District Plan – mountain bikes Tainui Reserve
	Jessica Maxwell	Possible mega-mountain bike park in Tainui Reserve
January	Kathryn Bayliss	Ruataniwha Water Storage
	Peter Gleadhill	Watties sites
	Vicki Vaughan	Dog attack report
	Jessica Durham	2022 District Licensing decisions
	Abdus-Samad Olanrewaju	Traffic date
	Dianne Smith	Dog complaint
	Jason Roebuck	ABA20181669
	Malcolm Taylor	Stormwater pipe 19A Lucknow Road
	Jason Kaye, Development Nous	Fast-track consent Pohutukawa Drive
	Jason Roebuck	36 West Road #5
	Alarnah Robinson	Noise complaint report
	Irina Vanag, MBIE	3/401 Windsor Avenue
	Erin Nickless, Office of Ombudsman	Cameras with automatic number plate recognition

IRB-2-01-22-2915 – To Council 15/12/22

Thursday, 16 February 2023

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

Te Rārangi Take

Report to Council

Item 15

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

Te Take:
Subject: Civic Development Subcommittee - change of quorum requirements

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

- 1.1 This report seeks Council's agreement to a change of quorum requirements for the Civic Development Subcommittee to a minimum of 3 members where reports on the agenda only relate to proposed temporary road closure matters; where there are no submitters.
- 1.2 On 8 December 2022, the Council adopted the 'Committee and Rural Community Board Register of Delegations' (2022-2025). The Civic Development Subcommittee is included in these delegations which set out this subcommittee's fields of activity; membership; quorum and delegated powers.
- 1.3 Currently, the quorum requirement for this subcommittee is 5 members (an increase of 2 from the 2019-2022 delegations).
- 1.4 The Chairperson of the Civic Development Subcommittee with support from the rest of the subcommittee members has asked that the quorum requirements for this subcommittee be slightly amended. That is, for meetings where the agenda items only address proposed temporary road closure applications (when there are no submitters) the quorum requirements should be a minimum of 3 members. For all other meetings of the Civic Development Subcommittee the quorum should remain at 5 members.
- 1.5 A quorum of 3 is compliant with Local Government Act legislation quorum requirements that states that for a Committee, a quorum cannot be fewer than 2. (Schedule 7, clause 23, Local Government Act 2002).
- 1.6 Should the Council agree to the above change to the quorum requirements for the Civic Development Subcommittee the 'Committee and Rural Community Board Register of Delegations' (2022-2025) will be updated accordingly.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Civic Development Subcommittee - change of quorum requirements dated 16 February 2023.
- B) That Council agree that the quorum requirements of the Civic Development Subcommittee be amended as follows: for meetings where the agenda items only address proposed temporary road closure applications (when there are no submitters) the quorum requirements should be a minimum of 3 members. For all other meetings of the Civic Development Subcommittee the quorum remains at 5 members.

Attachments:

There are no attachments for this report.

Thursday, 16 February 2023

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

Item 16

Te Rārangi Take

Report to Council

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

Te Take:
Subject: Schedule of Council Meetings for 2023


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

- 1.1 The purpose of this report is to obtain a decision from the Council on the proposed schedule of Council and Committee meetings for 2023 and recommends the adoption of the 2023 Meeting Schedule appended to this report (**Attachment 1**).
- 1.2 Although staff attempt to meet the needs of the Council it is inevitable that the schedule will need to be amended from time to time and these amendments will be notified to elected members as they arise.
- 1.3 While the schedule serves to give elected members notice of the upcoming meetings there is still a requirement under the Local Government Official Information and Meetings Act 1987 for the public to be advised on a regular basis of the meetings scheduled for the next month.
- 1.4 The schedule includes the meetings of all Committee and Council meetings so that members can plan ahead; ensure that meeting days are secured and not later taken up by other meetings. Where scheduled meetings are not required cancellations will be advised to members as early as possible.
- 1.5 Officers have developed the draft schedule of meetings for 2023 for consideration, taking into account the 2023 meeting frequency, analysis of work programmes and agendas of the Committees, and feedback from the Lead Team with the following noted:
 - Council and Committee meetings are concentrated on Tuesdays and Thursdays, and as a general rule will commence at 1:00pm.
 - Development and adoption of both the draft and final Annual Plan by Council in February and June.
 - Quarterly reporting to the Performance and Monitoring Committee.
 - Annual Report adoption.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Schedule of Council Meetings for 2023 dated 16 February 2023.
- B) That the Council adopt the Schedule of Council Meetings for 2023 (**Attachment 1**).

Attachments:

1  Schedule of Meetings for 2023

CG-17-1-00125

Thursday, 16 February 2023

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

Item 17

Te Rārangi Take

Report to Council

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

Te Take:
Subject: Appointment of External Independent Commissioner to the Plan Change 5 Hearing - Medium Density Housing

1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is for Council to consider the appointment of Mr Bill Wasley to sit on the Hearings Committee alongside the other members for the Plan Change 5 hearing addressing medium density housing.
- 1.2 On 8 December 2022 Council adopted the Committee and Rural Community Board Register of Delegations 2022-2025 which contains the Terms of Reference (TOR) for the Hearings Committee. The TOR allows for a mix of both elected members and external independent hearing commissioners, such as Mr Wasley.
- 1.3 Currently, the Chairman, Mr George Lyons, is the only external independent hearings commissioner who has been appointed to the Hearings Committee. The TOR allow for further external independent commissioners to be appointed by the Council.
- 1.4 The Plan Change 5 hearing addressing medium density housing is currently scheduled to start in May 2023.
- 1.5 Mr Bill Wasley has extensive experience and expertise which means that he is well placed to undertake this role. Mr Wasley's profile is set out below.
- 1.6 *Bill Wasley is a Director of Wasley Knell Consultants Ltd which he established in 1996, where he undertakes a range of work relating to spatial planning, growth management, policy formulation, and independent governance chairing primarily in collaborative / partnership frameworks, and an experienced hearings commissioner. He has a professional planning background. He has a strong interest in governance and collaborative approaches to effectively develop and implement policy initiatives across a spectrum of organisational, agencies and sectors, including local government. Bill is Independent Chair of the SmartGrowth Leadership group (since 2000, which is the spatial planning partnership, chairs the greater Christchurch Partnership Committee which includes earthquake recovery matters; and also is Chair of the FutureProof Implementation Committee, a*

growth management partnership in the Waikato and Waipa river catchments. He has also been involved in the development of the various urban development strategies, spatial plans and economic development strategies in Napier/Hastings, Taupō, Bay of Plenty Waikato and greater Christchurch. Bill has had previous senior management roles in local government and the private sector. He has been a Ministerial appointee to the Bay of Plenty District Health Board and former member of the Bay of Plenty Polytechnic Council.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Appointment of External Independent Commissioner to the Plan Change 5 Hearing - Medium Density Housing dated 16 February 2023.
- B) That the Council appoint Mr Bill Wasley as an external independent commissioner to the Plan Change 5 hearing addressing medium density housing.

Attachments:

There are no attachments for this report.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 16 FEBRUARY 2023

Item 20

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:

- 21 Heretaunga House Deconstruction
- 22 Hawke's Bay Regional Sports Park
- 23 Tōmoana Showgrounds - Transition Strategy
- 24 Portsmouth Road; Removal of Land Covenant

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

<i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i>	<i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i>	<i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i>
21 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). Council is still in the negotiation phase and any budgetary information presented in this report may prejudice that negotiation process.	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.
22 Hawke's Bay Regional Sports Park	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 to undertake negotiations with the landowner.	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.

**23 Tōmoana Showgrounds -
Transition Strategy**

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. Information of a commercially sensitive nature.

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.

**24 Portsmouth Road; Removal of
Land Covenant**

Section 7 (2) (b) (ii)

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

Section 48(1)(a)(i)

Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

Section 7 (2) (c) (i)

The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.

To protect third party interests and commercial sensitivities..