
Thursday, 15 June 2023

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

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Commencing Thursday, 15 June 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, 15 June 2023

Te Hui o Te Kaunihera 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 Watkins

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 Miniti*

Minutes of the Council Meeting held Thursday 4 May 2023.

(Previously circulated)

Minutes of the Council Meeting held Thursday 11 May 2023.

(Previously circulated)

Minutes of the Council Meeting held Thursday 18 May 2023.

(Previously circulated)

5.0 Mayor's Verbal Update

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6.0 Tuia 2022 - End of year Report

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7.0	Submissions to Long Term Plan Amendment and Draft Development Contributions Policy <i>(to be partly addressed on Thursday, 15 June and continued on Friday, 16 June)</i>	17
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8.0	Whakatu Stormwater Targeted Rate and Schedule of Fees and Charges <i>(to be partly addressed on Thursday, 15 June and continued on Friday, 16 June)</i>	19
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Agenda Items 9.0 onward to be addressed on Friday, 16 June from 10am

9.0	Rates Remissions and Postponement Policies	23
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10.0	Public Spaces Ground Leases and Rental Charges Review - 2023	29
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11.0	Parking Controls	35
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12.0	Napier-Hastings Future Development Strategy Joint Committee - Appointment Changes	39
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13.0	Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update	53
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14.0	Proposed Amendments to Schedule of Meetings	57
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15.0	Minor Items – Ngā Take Iti	
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16.0	Urgent Items – Ngā Take Whakahihiri	
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17.0 Recommendation to Exclude the Public from Item 18

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18.0 Civic Honours Awards Nominations 2023

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Item 5

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Te Rārangi Take

Report to Council

Nā:
From: **Sandra Hazlehurst, Mayor**

Te Take:
Subject: **Mayor's Verbal Update**

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

- 1.1 The purpose of this report is to provide the opportunity for a regular verbal update from the Hastings District Council Mayor regarding current activities and events.

2.0 Recommendations - *Ngā Tūtohunga*

That Council receive the report titled Mayor's Verbal Update dated 15 June 2023.

Attachments:

There are no attachments for this report.

Thursday, 15 June 2023

Item 6

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

Te Rārangi Take

Report to Council

Nā:
From: **Sandra Hazlehurst, Mayor**

Te Take:
Subject: **Tuia 2022 - End of year Report**

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

1.1 Tuia end of report – Chanay Peri 2022

- TUIA is a national programme that involves Mayors selecting a young Māori rangatahi (young person) from their rohe to mentor on a one-to-one basis, to encourage and enhance leadership skills. The rangatahi is mentored on a monthly basis through informal meetings and attends formal occasions that will assist the rangatahi's development as a leader.

1.2 The relationship provides both partners with the opportunity to gain a deeper insight into inter-generational issues, cultural value and experiences.

- Rangatahi have the opportunity to build peer networks with graduates of the programmes, obtain support, and receive leadership training by attending leadership development wānanga over the course of the year.
- TUIA focuses on rangatahi Māori aged 18-25 years old from Heretaunga who are actively contributing to the wellbeing of their community and who have the potential to be a leader in their community.

2.0 Recommendations - *Ngā Tūtohunga*

That Council receive the report titled Tuia 2022 - End of year Report dated 15 June 2023.

Attachments:

[1↓](#) TUIA Report 2022

CG-10-1-00556

Thursday, 15 June 2023

Item 7

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

Te Rārangi Take

Report to Council

Nā:
From: Lex Verhoeven, Strategy Manager

Te Take: Submissions to Long Term Plan Amendment and Draft
Subject: Development Contributions Policy

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to bring to Council for decision the proposed investment in growth infrastructure and its consequential impact on the charging of Development Contributions.
- 1.2 The Council released all the necessary information to the community via:
 - An information flyer to the community in the form of a general update (and where to seek further information regarding the proposal);
 - A specific mailout to developers/interested parties with an overview of the proposal, where to find further information, and an invite to an information evening;
 - A drop-in style information evening attended by 30 developers/interested parties which provided the opportunity for questions, clarifications, and discussion as to the forward pathway for growth development and the charging for growth infrastructure.
 - Information was also available at the three district libraries and the customer service centre on Lyndon Road.
- 1.3 The Council has received 13 submissions to the proposal with 5 submitters indicating they wish to speak at the meeting commencing 15 June 2023.

2.0 Recommendations - *Ngā Tūtohunga*

That Council receive the report titled Submissions to Long Term Plan Amendment and Draft Development Contributions Policy dated 15 June 2023.

Attachments:

1	↔	Annual plan - Submissions 2023/24 - Submissions - Logan Taylor	CP-01-26-1-23-1	Vol 1
2	↔	Annual plan - Submissions 2023/24 - Submissions - Matthew Brown (Ryman Healthcare)	CP-01-26-1-23-2	Vol 1
3	↔	Annual plan - Submissions 2023/24 - Submissions - John Collyns (Retirement Villages Association)	CP-01-26-1-23-3	Vol 1
4	↔	Annual plan - Submissions 2023/24 - Submissions - Matthew Holder	CP-01-26-1-23-4	Vol 1
5	↔	Annual plan - Submissions 2023/24 - Submissions - Hamish Frame (Tumu Corp)	CP-01-26-1-23-5	Vol 1
6	↔	Annual plan - Submissions 2023/24 - Submissions - Warren Ladbrook	CP-01-26-1-23-6	Vol 1
7	↔	Annual plan - Submissions 2023/24 - Submissions - Brendon Liggett (Kainga Ora)	CP-01-26-1-23-7	Vol 1
8	↔	Annual plan - Submissions 2023/24 - Submissions - Oliver Boyd	CP-01-26-1-23-8	Vol 1
9	↔	Annual plan - Submissions 2023/24 - Submissions - John Roil	CP-01-26-1-23-9	Vol 1
10	↔	Annual plan - Submissions 2023/24 - Submissions - Tim Wilkins	CP-01-26-1-23-10	Vol 1
11	↔	Annual plan - Submissions 2023/24 - Submissions - Peter Alexander	CP-01-26-1-23-11	Vol 1
12	↔	Annual plan - Submissions 2023/24 - Submissions - Fiona Baker	CP-01-26-1-23-12	Vol 1
13	↔	Annual plan - Submissions 2023/24 - Submissions - Ray Burrell	CP-01-26-1-23-13	Vol 1

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Item 8

Te Rārangi Take

Report to Council

Nā: Lex Verhoeven, Strategy Manager
From: Craig Mountfort, Stormwater Manager

Te Take: Whakatu Stormwater Targeted Rate and Schedule of Fees and
Subject: Charges

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is to bring to Council for decision two matters that were specifically consulted on to inform the final adoption of the Annual Plan 2023/24 at the Council meeting dated 29 June 2023. Those matters being:
- The proposed introduction of a stormwater targeted rate in the Whakatū West industrial area;
 - An update to the Fees and Charges Schedule for fees administered under the Resource Management Act 1991.
- 1.2 The report provides an overview of the views, preferences and concerns raised by landowners. Based on the feedback to date the Council is not able to ratify a targeted rate in the 2023/24 financial year.
- 1.3 No submissions were received in respect of the updates to fees and charges administered under the Resource Management Act, therefore the Council can ratify the updated schedule.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Whakatu Stormwater Targeted Rate and Schedule of Fees and Charges dated 15 June 2023.
- B) That Council ratify the proposed changes to fees and charges administered under the Resource Management Act 1991 as attached to this report.

3.0 Background – *Te Horopaki*

3.1 Whakatū West Stormwater Targeted Rate

- 3.2 The Council has held several meetings prior to the 2023/24 Annual process to gauge support for a proposed targeted rate to fund construction of a pump station and possible detention area to increase the level of flooding protection to local properties in the Whakatū West Industrial area. At this time preliminary design of the scheme places the overall costs to be divided between effected ratepayers (per sqm of land) at \$8.75M
- 3.3 From the level of preliminary support gathered the Council included a proposal within the 2023/24 Annual Plan process to formalise the funding of the scheme via a targeted rate set on all properties in the scheme area. Information was sent to all affected properties and a meeting held on 4 May 2023, at which around 50% of the representatives of those impacted properties attended.
- 3.4 The meeting was well received and through discussion it became evident that property owners required further clarity on some of the uncertainties relating to the scheme before fully committing to a targeted rate on their property. From that feedback further information that was requested was sent to property owners in the days following the meeting. Property owners were asked to return a “Scheme Preference Form” which whilst not a binding commitment to the introduction of a targeted rate, would give the Council an indication of the level of support for the scheme at this stage (acknowledging the uncertainties). Those uncertainties related to the following:
- The cost (which wouldn’t be better understood until detailed design was undertaken);
 - Council consideration of any public good funding toward the project;
 - And the final makeup of scheme participants
- 3.5 Below is an analysis of those returned scheme preference forms which asked (A) property owners to confirm which of the 3 engineering options they supported, and (B) whether they would give in-principal support to the range of targeted rate that could apply to their property (based on the best information at this time – acknowledging the uncertainties and that Council would further engage with property owners should Council decide to proceed further).
- 3.6 Analysis of scheme preference forms
- 3.7 A total of 40 preference forms were distributed to affected properties in the scheme area, with 17 responses returned at the time of preparing this report. The number of responses consists of 43% of the overall affected properties.
- 3.8 A total of 11 (or 65%) of the received responses supported the engineering option 1 which was preferred at the public meeting (this consists of a large pump station with no constructed detention area).
- 3.9 A total of 8 (or 47%) of the received responses supported in principle the introduction of a targeted rate once the uncertainties with the scheme were resolved. The balance 9 (or 53%) did not give in principal support for the targeted rate.
- 3.10 The key themes raised from landowners through this process were:
- Less than 50% of affected ratepayers chose to respond to Council on the scheme
 - Option 1 for a large pump station and no additional detention area was preferred
 - A public good component should be included (some wanting the full cost covered)
 - Recent property owners unaware of the potential scheme costs when purchasing property
 - Not enough definitive information for ratepayers to commit to support
 - Some owners not adversely effected by flooding so not willing to commit
 - HDC to contribute for roading areas

3.11 Submissions to the Annual Plan process

3.12 In addition to the scheme preference forms landowners were given the opportunity to make submissions and speak to Council if they wished to do so.

- 9 submissions have been received, with 1 landowner scheduled to speak with Council at its meeting dated 15 June 2023.

3.13 Public Good and Detailed Design

3.14 A number of submitters have suggested that the project could be taken through to the detailed design phase on the basis of a consideration of public good in the project, and that the Council would fund all/part of the detailed design cost. The next phase of detailed design has an estimate of \$400,000.

3.15 Section 101 of the Local Government Act 2002 sets out the considerations that need to be made when determining the funding needs of the local authority in relation to each activity to be funded. That process involves six steps of consideration covering matters such as the community outcomes being sought, the distribution of benefits between the community and individuals, the period of those benefits, whether the action or inaction of groups or individuals contribute to the need for the project and the transparency and efficiency of the funding tools selected.

3.16 Officers have undertaken the assessment described in section 3.15 above and determined that this activity is primarily a private benefit accruing to identifiable individuals and therefore the targeted rate funding mechanism is being proposed to be applied.

3.17 It could however be argued that the development of the area since 2006 when Stage 1 was implemented has seen the creation of new public assets (such as Te Ara Kahikatea) and considerable private investment in the area, which has some public good in terms of job creation. If the Council were of a mind to recognise a small proportion of public good in the overall project (i.e. 5%) that would cover the cost of detailed design and provide more certainty to landowners in terms of a final decision on funding the scheme.

- If the Council indicated it wanted to move in the direction of 3.17 above, it is recommended that before committing those costs that the Chief Executive be satisfied that a number of outstanding queries brought up through this process be resolved satisfactorily prior to proceeding to detailed design.

Attachments:

1⇒	Schedule of Fees and Charges set under the Resource Management Act	cg-17-1-00192	Vol 2
2⇒	Annual plan - Submissions 2023/24 - Submissions - Terry May	CP-01-26-1-23-14	Vol 2
3⇒	Annual plan - Submissions 2023/24 - Submissions - Philip Hoguard	CP-01-26-1-23-15	Vol 2
4⇒	Annual plan - Submissions 2023/24 - Submissions - Graham Hammond	CP-01-26-1-23-16	Vol 2
5⇒	Annual plan - Submissions 2023/24 - Submissions - Liz Davis	CP-01-26-1-23-17	Vol 2
6⇒	Annual plan - Submissions 2023/24 - Submissions - Loranine Midgley	CP-01-26-1-23-18	Vol 2
7⇒	Annual plan - Submissions 2023/24 - Submissions - Peter Lawry	CP-01-26-1-23-19	Vol 2
8⇒	Annual plan - Submissions 2023/24 - Submissions - Michael Gunn	CP-01-26-1-23-20	Vol 2
9⇒	Annual plan - Submissions 2023/24 - Submissions - Kevin Bull	CP-01-26-1-23-21	Vol 2

Thursday, 15 June 2023

Item 9

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

Te Rārangi Take

Report to Council

Nā: Richard Elgie, Finance Operations Manager
From: Bruce Allan, Deputy Chief Executive

Te Take: Rates Remissions and Postponement Policies
Subject: Rates Remissions and Postponement Policies

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council to adopt a new Rates Remission policy specific to land and buildings that have been affected by natural disaster.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Rates Remissions and Postponement Policies dated 15 June 2023.
- B) That Council adopt the 'Remission of Rates - Dwellings and Land Affected by Natural Disaster' policy to assist ratepayers of rating units where the land or primary dwellings/buildings have been detrimentally affected by natural disaster.
- C) That Council approve the delegation for the decision on the individual remission be provided to the Group Manager: Corporate.
- D) That Council note that any remissions granted in 2023/24 will be sourced from unbudgeted funding and will impact on Council's year-end position.

3.0 Background – *Te Horopaki*

- 3.1 Ex- tropical Cyclone Gabrielle has had widespread and significant impacts across the North Island and necessitated the declaration of a National State of Emergency. The Hawke's Bay region was severely affected from Monday 13 February 2023 overnight through to Tuesday 14 February 2023.
- 3.2 Flood damage has occurred to over 800 homes. Orchards, vineyards, farms, forestry and other businesses in a number of areas across the district have also experienced extensive damage. While large parts of the horticulture and agriculture sectors remain undamaged and will still produce

premium products, there has been significant damage to the productive capacity of the district and the wider Hawke's Bay economy.

- 3.3 In order to ensure community safety, building staff have undertaken RAPID building inspections of affected homes. As of 22nd May 2023, 955 property assessments have been carried out. Of these, 103 assessments have resulted in red stickers (entry prohibited) being issued, and 743 have resulted in yellow stickers (restricted or short-term access only) being issued.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Council does not currently have a specific policy for the remission of rates for land and buildings affected by natural disaster. There is a 'Rates postponement – Natural Calamity' policy, but this is a deferral of payment under terms determined by Council and therefore still requires payment of the rates assessed by affected ratepayers.
- 4.2 In the current financial year officers made the decision, under delegations provided for in the policy, and in consultation with Council, that red stickered properties will have their rates automatically remitted through to 30 June 2023 due to the implications of a red stickered notification.
- 4.3 Originally yellow stickered property owners had been requested to apply for a remission through to 30 June 2023, covering the last instalment due only, on the basis that the effect of the yellow sticker on buildings will vary depending on the nature of the building and the timeframe that the building will be unusable. Recently, after listening to our communities and conducting an internal review acknowledging the current framework is resulting in inequities across some red and yellow stickered properties, some changes were made to mitigate the issue. Under the new approach, though yellow stickered property owners are still required to apply for the remission, if the yellow sticker has been assigned to their main dwelling/building they will receive a remission for both the third and fourth quarter instalments in the 2022/23 rating year.
- 4.4 The stickered property remissions have been granted under the current Sundry Remission policy however officers recommend that a specific remission policy is required to provide more clarity to affected ratepayers as to what financial assistance for rates is available, and also gives Council the ability to expand the scope of remissions to include properties where the damage impacts on land and/or crops but do not have dwellings or buildings stickered.
- 4.5 As at 22nd May 2023, remissions for stickered properties for 2022/23 total \$706,000.

5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 That Council adopts the 'Remission of Rates – Dwellings and Land Affected by Natural Disaster' policy as outlined below:

Remission of Rates – Dwellings and Land Affected by Natural Disaster

Objectives of the Policy

To allow the Council, at its discretion, to provide rates remission to assist ratepayers of rating units where the land or primary dwellings/buildings have been detrimentally affected by natural disaster (such as erosion, falling debris, slippage, inundation, or earthquake) rendering dwellings/building uninhabitable, or affecting the use and income derived, of the land, and which directly affects their ability to pay rates.

Application

Application forms can be completed online, or downloaded, from the Council website and submitted to the Group Manager-Corporate for consideration.

Conditions and Criteria

- 1) Rate remission for primary dwellings/buildings that have been red or yellow stickered under the authority of the Building Act 2004 or the Civil Defence Emergency Management Act 2002:
 - Red sticker - remission will automatically be applied to each rates instalment for a period of 2 years, or earlier if the primary dwellings/buildings are deemed by Council to be able to become useable/habitable.
 - Yellow sticker – upon application, Council may provide remission to each rates instalment for a period of 2 years, or earlier if the primary dwellings/buildings are deemed by Council to be able to become useable/habitable.
- 1) Rate remission for severely eroded or impacted properties, includes those properties with crop or pasture damage, where the land has become unusable or uneconomic or the ownership of the land has become indeterminate or uneconomic (such as a club becoming defunct):
 - Upon application, Council may provide remission up to 100% of rates and current penalties, for a period of 2 years, or earlier if the land is deemed by Council to be usable. After the 2 year period Councils 'Rates Postponement – Natural Calamity' policy would then be available for further rates relief.
 - Further information required to support the application would include photos of damage and expectations of how long the land is likely to be unusable.
- 3) If properties previously receiving a rates remission under this policy are sold within the timeframes stipulated above, then any rates remissions previously provided will cease.

Decisions on remission will be delegated to officers as set out in the Council's delegation resolution.

Advantages

- Allows Council to assist ratepayers of rating units detrimentally affected by natural disaster, both those affected by ex-tropical Cyclone Gabrielle and also properties damaged by any future natural events such as floods or land slips.

Disadvantages

- There is a financial cost to offering a remission rather than postponement (estimated at \$1M-\$1.5M in 2023/24) however officers feel the public good benefit outweighs any cost implications to other ratepayers.

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

- 5.2 Council continues to use the Sundry Remission policy to provide assistance to ratepayers however, officers do not believe this provides affected ratepayers with enough clarity as to what financial assistance for rates is available, especially for those where the damage impacts on land and/or crops rather than dwellings or buildings.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 The next steps, if option one is adopted, will involve formal consultation with our community, however Council has joined the Department of Internal Affairs in seeking an Order in Council from Cabinet to modify the consultation requirements under the Local Government Act 2002 for making additions to rates remission and postponement requirements so severely affected local authorities can publish and allow two weeks for feedback rather than doing extensive consultation.
- 6.2 For those with land and/or crops damaged, officers will create an application form, to be made available on the Council website alongside information on requirements for supporting information. The Rural Community Board at its meeting on May 29th were made aware of the recommended changes to the Rates Remissions Policy which would take affect for 2023/24 rates year.

- 6.3 For stickered properties, each instalment the Rates Team will run checks (including working with the Building Recovery Team) monitoring for properties moving through the coloured stickers from red/yellow to white, and to then cease applying a remission as Council deems the primary dwellings/buildings are able to become useable/habitable. Officers will contact the ratepayers to work through this transition with them. Monitoring will also be required for land that contains red or yellow stickered buildings but the land has been remediated and is once again productive.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

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

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

This policy is applicable to all land, both General and Māori Freehold Land.

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

As at 22nd May 2023, remissions for stickered properties for 2022/23 total \$706,000. The estimated value for remissions to be granted in 2023/24 is \$1M-\$1.5M. These will be sourced from unbudgeted funding and will impact on Council's year-end position.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

Consultation is required under section 102 (4) of the Local Government Act 2002. As advised in the report, Council has joined the Department of Internal Affairs in seeking an Order in Council from Cabinet to modify the consultation requirements under the Local Government Act 2002 for making additions to rates remission and postponement requirements so severely affected local authorities can publish and allow two weeks for feedback rather than doing extensive consultation.

Risks

Opportunity: To offer remission of rates to assist ratepayers with land and buildings that have been affected by natural disaster:

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Provides financial assistance to affected property owners. Public good benefit.	Cost to ratepayers of funding remissions.

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

The Rural Community Board at its meeting on May 29th were made aware of the recommended changes to the Rates Remissions Policy which would take affect for 2023/24 rates year.

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Hastings District Council: Council Meeting

Item 10

Te Rārangi Take

Report to Council

Nā:
From: Jeff Clews, Public Spaces Asset Planner

Te Take:
Subject: Public Spaces Ground Leases and Rental Charges Review - 2023

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this Report is to obtain a decision from Council in regards to updating the charges for ground leases for buildings located on Council's open space areas to recover increases in Council's operational and administrative costs. The new charges would come into effect for lessees when their lease comes up for renewal and immediately for new leases.
- 1.2 Uniform annual charges are typically increased annually.
- 1.3 This Report recommends;
 - A that the rental charges for occupation be simplified and the operational charges components of the lease be increased so Council can fairly recover its increased costs.

2.0 Recommendations - Ngā Tūhunga

- A) That Council receive the report titled Public Spaces Ground Leases and Rental Charges Review - 2023 dated 15 June 2023.
- B) That the existing two categories of Community Groups, namely; Sporting and Recreation Groups and Community, Youth and Early Childhood Groups, be combined to one new category, being “All Community, Sports and Recreation Groups.”
- C) That Council adopt the following charging schedule for community buildings built on Council land;

All Community, Sports & Recreation Groups (figures exclude GST)

2023/24 Land Rental Component	2023/24 Water Supply	2023/24 Wastewater Treatment	2023/24 Rate Sewer	2023/24 Total
\$250.00	\$580.00	\$75.00	\$264.00	\$1169.00

- D) Council notes that commercial leases and leases of Council owned buildings are dealt with separately.
- E) That the new charges will take effect immediately for new leases and be introduced for existing leases when they come due for review.
- F) Officers will advise all lease holders of the proposed changes in their lease costs.

3.0 Background – Te Horopaki

- 3.1 Council has and continues to grant ground leases to community and recreation groups that allow them to construct appropriate facilities on public land. These buildings are predominately occupied by sports clubs, cultural groups, youth groups and early childhood uses including play centres, scouts and guides.
- 3.2 The following tables show the existing fee structure.

Sports & Recreation Groups

Building Size	Annual Rental Component	Rates Charge Component (excl of GST)	Total annual Rental (excl of GST)
Small Buildings (up to 200m ²)	\$290	\$520	\$810
Large Buildings (over 200m ²)	\$581	\$520	\$1101

Community, Youth & Early Childhood Groups

Building Size	Annual Rental Component	Annual rates Charges Component	Present total annual Rental (Exclusive of GST)
Small Buildings (up to 200m ²)	\$145	\$520	\$655
Large Buildings (over 200m ²)	\$290	\$520	\$810

Commercial Activities – All commercial leases and leases of Council owned buildings are established through separate Council resolutions.

- 3.3 The purpose of the ground lease charge is to recover Council’s costs of delivering reticulated services and includes a small administrative charge.
- 3.4 Council’s policy, (set in 1999), is that ground leases are typically for a term of 18 years, with no automatic right of renewal. Leases are also typically reviewed every three years on the anniversary of their commencement date.
- 3.5 The lessee is typically responsible for all interior and exterior maintenance of their building, and car park facilities if applicable.
- 3.6 There are currently three categories of lessee, with the rental based on use, type and size of the building. The categories are;
 - Sporting and Recreation Groups,
 - Community, Youth & Early Childhood Groups
 - All other commercial activities
- 3.7 The last review of the charges was carried out in 2019.

4.0 Discussion – *Te Matapakitanga*

- 4.1 As Council’s uniform annual charges, particularly 3 Waters charges, have increased over the last four years, it is timely to review the current charges regime and to see if the current policy settings for activity groups and charges based on floor area measures are relevant.
- 4.2 **Activity Groups**
- 4.3 The current policy identifies three separate groups when assessing a rental charge. Firstly, it differentiates ***Sporting and Recreation Groups*** from ***Community, Youth & Early Childhood Groups***.
- 4.4 Officers recommend that these two groups be combined as they have no discernible differing impact when located on a public space. Both groups tend to support and promote worthy community based endeavours and could easily sit under one umbrella title of “All Community Groups”.
- 4.5 The second group is that which relates to ***Commercial Activities***. These activities typically are less frequently considered for occupation of Council land and buildings. Usually, such applications would have an identified specific need and are assessed separately by Council. Officers recommend this category should remain.
- 4.6 **Land Rental Component**
- 4.7 Officers recommend a standard land rental component and rental fee rather than differentiate by an arbitrary building size measure.

4.8 Uniform Annual Charges

- 4.9 The current charging regime does not reflect the actual charges adopted by Council for the delivery of 3 Waters services and refuse collection. These uniform annual charges are adopted each year. Officers are concerned that with the likely shift in management and responsibilities under the 3 Waters reforms, Council will potentially be left with a funding shortfall, should a new entity seek to recover full costs of service provision.
- 4.10 3 Waters charges, and in particular water rates have risen significantly in the last few years. If Council does not pass on these actual costs, it will end up subsidising these community groups.
- 4.11 Officers recommend that the services component of all ground leases should be struck annually as part of the Annual Plan's adopted charges. This way, users will pay their fair share of maintaining the 3 Waters service delivery.
- 4.12 While this will see some increases in leases, officers recommend it be brought in over a three year period to soften the impact. It is recommended that new leases be charged at the new regime and existing leases could be updated as their lease reviews occur.
- 4.13 If the recommendations are adopted, officers will advise all lease holders of the changes so they can prepare for the increases.
- 4.14 The following table shows the proposed new charging regime for the 2023/24 financial year onwards. The annual uniform charges will be increased annually as part of the Annual Planning process.

A) All Community, Sports and Recreation Groups

2023/24 Land Rental Component	2023/24 Water Supply	2023/24 Wastewater Treatment	2023/24 Sewer Rate	2023/24 Total
\$250.00	\$580.00	\$75.00	\$264.00	\$1169.00

B) Commercial Activities – All commercial leases and leases of Council owned buildings are established through Council resolution.

- 4.17 Officers have investigated the lease charges of other similar sized authorities. Palmerston North City Council advised that their charging regime was similar to that proposed by HDC. We are awaiting feedback from Napier City Council and will report back to Council at its meeting.

4.18 Examples of Existing Ground Leases

- Western Rangers Football Club (St Leonards Park)
- Havelock North Wanderers (Guthrie Park)
- Waimarama Surf Life Saving (Waimarama Domain)
- Hawke's Bay Softball Club (Akina Park)
- Havelock North Tennis Club (Anderson Park)

5.0 Options – Ngā Kōwhiringa

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

- 5.1 By adopting Option 1, Council will put in place a reviewed lease and annual charging structure for land rentals and services to community owned and built facilities, occupying public land.

Advantages

- Council recovers its service provision costs

- Lessees will pay actual for services on the same basis as other ratepayers
- The land rental component will be reduced for most lessees

Disadvantages

- Community users will have increases in the rates charged for the delivery of essential 3 Waters services

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

5.2 If Council adopts option 2 there will be no change to the current charges.

Advantages

- Community facilities will have the surety of no lease increases

Disadvantages

- Council will need to subsidise the lessee's actual costs for the delivery of 3 Waters services

6.0 Next steps – *Te Anga Whakamua*

- 6.1 Council's rental and services charges have not been increased since 2019 and therefore it is timely to review the charging regime.
- 6.2 If Council resolves to update the lease charges for community facilities on its public spaces as recommended, all leases will be updated on their next review date. Thereafter they will pay uniform annual charges for services as per those adopted by Council in successive annual plans.

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 wellbeing of communities in the present and future. It does this by providing local infrastructure and recreation facilities which connects communities and maintains places and spaces for recreation to ensure the wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

There are no known Tangata Whenua considerations.

Sustainability - *Te Toitūtanga*

There are no sustainability considerations.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

This proposal allows Council to recover the costs and expenses of entering into lease agreements with community organisations with buildings on Council land.

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*

Officers will advise all lessees of the changes and when it will financially affect them.

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

Officers will advise the Board of changes in leases.

Thursday, 15 June 2023

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

Te Rārangi Take

Report to Council

Nā:
From: John Payne, Regulatory Solutions Manager

Te Take:
Subject: Parking Controls

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council on changes to parking controls on Russell Street outside the Heretaunga Women’s Centre.
- 1.2 The report recommends the following change:

Road	Existing control to be changed	Proposed control
Russell Street South	Revoke the four P60 spaces outside the Heretaunga Women’s Centre	Replace with four P120 spaces

2.0 Recommendations - *Ngā Tūtohunga*

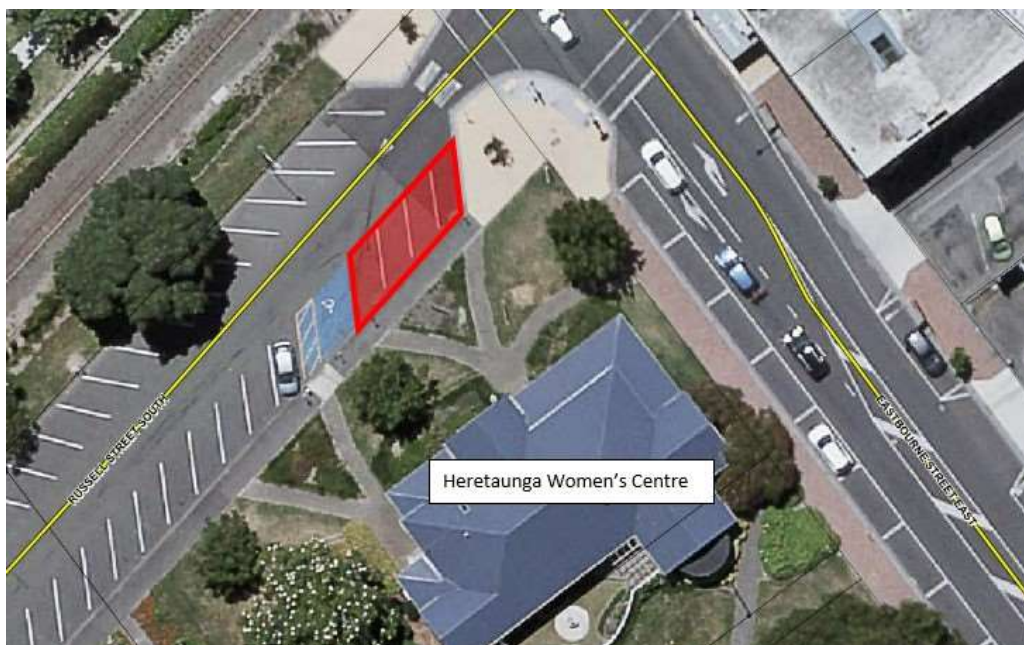
- A) That Council receive the report titled Parking Controls dated 15 June 2023.
- B) That Council resolve, pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, that the existing four P60 parking spaces outside the Heretaunga Women’s Centre be revoked and replaced with four P120 parking spaces.

3.0 Background – *Te Horopaki*

- 3.1 From time to time, it is necessary to introduce or amend parking controls to suit the current environment.
- 3.2 Clause 4.0 provides the context for the changes being proposed.

4.0 Discussion – *Te Matapakitanga*

- 4.1 **Russell Street South – Revoke the existing four P60 parking spaces and replace with four P120s.**
- 4.2 On 4 May 2023 the Heretaunga Women’s Centre Manager contacted Council to discuss the challenges for clients and Centre users when visiting the Women’s Centre. Some clients were receiving parking tickets for overstaying the 60 minute time restriction.
- 4.3 Although the current spaces are dedicated to Centre users, there is no way of telling whether a parked vehicle is accessing the Centre, however generally it is believed that the public don’t take up the spaces.



5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Change the parking controls as discussed in clause 4.1

Advantages

- Provides more flexibility for the clients of the Heretaunga Women’s Centre in regard to their parking needs.

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

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

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If the recommendation is approved, signage will be amended to reflect the new time restriction.

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*

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 economic wellbeing of communities in the present and for the future, examining opportunities to improve parking services in Hastings city aiming to improve city vibrancy and economic outcomes.

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 Council's Significance and Engagement Policy.

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

The four parking spaces covered in this report are already dedicated to the Heretaunga Women's Centre and accordingly changing the time restriction does not impact other businesses or motorists.

Risks

N/A

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

N/A

Thursday, 15 June 2023

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

Item 12

Te Rārangi Take

Report to Council

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

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

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 Councillor Eileen Lawson, in her capacity as Chair of the Strategy and Policy Committee to the Napier-Hastings Future Development Strategy Joint Committee (FDS) for the remainder of the 2022-2025 triennium.
- 1.2 On 15 December 2022, the Council approved the Terms of Reference for the FDS (**Attachment 1**) and appointed Mayor Sandra Hazlehurst and Deputy Mayor Tania Kerr to the FDS and Councillor Alwyn Corban as an alternate. There is also representation from the Napier City Council, Hawke's Bay Regional Council and Mana Whenua.
- 1.3 A key consideration for the appointment of Deputy Mayor Tania Kerr was her membership on the Regional Transport Committee. The Terms of Reference for the FDS specify that 'out of the six representatives that they between them appoint to the Joint Committee, at least one of those representatives shall be a full member of the Hawke's Bay Regional Transport Committee'. (Clause 4.3 of the FDS Terms of Reference).
- 1.4 On 31 May 2023 the Hawke's Bay Regional Council appointed Councillor Martin Williams to the FDS replacing Councillor Sophie Siers who remains as an alternate member. Councillor Martin Williams is the Chair of the Regional Transport Committee.
- 1.5 Deputy Mayor Tania Kerr has indicated that she wishes to step down from her membership on the FDS and considers that this can now be done as representation of the Regional Transport Committee is satisfied through the appointment of Councillor Martin Williams.
- 1.6 This report recommends that Councillor Eileen Lawson, in her role as Chair of the Strategy and Policy Committee be appointed to the FDS; replacing Deputy Mayor Tania Kerr. There are strong synergies between the FDS and the Strategy and Policy Committee; the purpose of which is to develop all strategic, policy and planning frameworks for approval by the Committee or Council as required.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Napier-Hastings Future Development Strategy Joint Committee - Appointment Changes dated 15 June 2023.
- B) That Council replace Deputy Mayor Tania Kerr with the appointment of Councillor Eileen Lawson, in her capacity as the Chair of the Strategy and Policy Committee to the Napier-Hastings Future Development Strategy Joint Committee for the remainder of the 2022-2025 triennium.

Attachments:

1 [↓](#) FDS Joint Committee Terms of Reference CG-17-27-00001

Thursday, 15 June 2023

Item 1:

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: **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 1 April 2023 to 26 May 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 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 June 2023.
- B) That the LGOIMA requests received from 1 April 2023 to 26 May 2023, as set out in **Attachment 1** of the report be noted.

Attachments:

[1↓](#) LGOIMA Update report for Council - June 2023 IRB-2-01-23-3283

Thursday, 15 June 2023

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

Item 14

Te Rārangi Take

Report to Council

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

Te Take:
Subject: Proposed Amendments to Schedule of Meetings

1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga

1.1 The purpose of this report is to consider amendments to the schedule of Council and Committee Meetings for the 2023 Meetings Calendar which was adopted by Council on 2 March 2023.

This report recommends that the 2023 Meeting Schedule as amended below be adopted.

The Local Government Act 2002, Schedule 7, Clause 19 states:

“A local authority must hold meetings at the times and places that it appoints”.

If a local authority adopts a schedule of meetings-

a) The schedule-

i) may cover any future period that the local authority considers appropriate, and

ii) may be amended.

Although a local authority must hold the ordinary meetings appointed, it is competent for the authority at a meeting to amend the schedule of dates, times and number of meetings to enable the business of the Council to be managed in an effective way.

1.2 It is proposed that the meeting schedule be amended as outlined in the recommendations of this report.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Proposed Amendments to Schedule of Meetings dated 15 June 2023.
- B) That Council adopt changes to the 2023 Schedule of Meetings as follows:

Strategy and Policy Committee	Postponed	From Tuesday 20 June to Tuesday 25 July 2023 at 1pm
Strategy and Policy Committee	Postponed	From Thursday 7 September to Tuesday 19 September 2023 at 1pm

Attachments:

There are no attachments for this report.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 15 JUNE 2023

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:

18 Civic Honours Awards Nominations 2023

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>
18 Civic Honours Awards Nominations 2023	Section 7 (2) (a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. To protect the privacy of nominees pending decision-making in the selection process.	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

Item ERROR! REFERENCE SOURCE NOT FOUND.