
Thursday, 20 July 2023

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

Kaupapataka

Attachments Vol 1

Te Rā Hui:
Meeting date: **Thursday, 20 July 2023**

Te Wā:
Time: **3.00pm**

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

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TE KAUNIHERA Ā-ROHE O HERETAUNGA

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2023/24 DEVELOPMENT CONTRIBUTIONS POLICY

Summary

Development Contributions are used as a tool to fund capital expenditure required to service growth. Council’s Development Contributions Policy (DC Policy), adopted under the provisions of the Local Government Act 2002, provides the policy basis for the Council to charge and collect development contributions in respect of Community Infrastructure, Network Infrastructure and Park & Reserves.

In accordance with the provisions of the Local Government Act 2002, the policy seeks to establish a transparent, consistent and equitable basis for recovering from those persons undertaking development a fair, equitable and proportionate portion of the total cost of capital expenditure necessary to service growth over the long term.

Council first adopted a DC Policy in 2007. The Policy has been regularly reviewed since that time. The last major review occurred in 2016, with minor reviews usually undertaken yearly in the intervening period.

Changes in the 2023/24 Development Contribution Policy:

Hastings District has experienced significant population and urban growth in the last eight years. This growth has occurred at a faster rate than expected and has consumed growth capacity in the urban wastewater network, in particular, faster than anticipated. Hastings District is expected to continue to experience urban growth in the years ahead. These factors necessitate major investment in new wastewater capacity over the next eight years. The proposed investment in wastewater (together with a smaller investment in water supply) is set out in an amendment to the Hastings District Council Long-Term Plan (LTP) 2021-2031 which has been adopted.

As noted above, Development Contributions are used to ensure that persons undertaking development pay a fair, equitable and proportionate share of the costs of capital expenditure required to service development within the District. The additional growth-related capital expenditure proposed within the LTP Amendment means there are additional costs to be recovered via development contributions. This means that costs per Household Unit Equivalent (HUE) are proposed to be increased, particularly with respect to properties connected to wastewater services. The per 100m² basis for charging for non-residential development is also proposed to increase. These proposed increases are reflected within the 2023/24 Development Contributions Policy.

The draft 2021-2031 LTP amendment and draft 2023/4 Development Contributions Policy went out for public consultation. Having considered the feedback received, the Council is proposing a staged implementation of the proposal. The staged approach attempts to find the balance in addressing the points above, but also recognises the real need and criticality of the “Growth Ready” infrastructure for the future development of our district. The more immediate “Growth Ready” infrastructure is also importantly being co-funded with \$18.5m from central government. So, whilst the overall roadmap of the required infrastructure investment over the next decade is unchanged, the Council is proposing to phase in its impact on the Development Contributions charging regime over a 5-year period and these changes have reflected in the final 2021-2031 LTP amendment and this 2023/24 Development Contributions Policy.

The Council is also planning for a significant proportion of future urban growth to occur within existing urban areas, including in the form of medium density housing. While some greenfield development will still occur, urban intensification and brownfield re-development is likely to make up an increasing proportion of urban growth. The DC Policy has been

reviewed to ensure it is fit for purpose in this changing context. As a result, special assessments are provided for in relation to Multi-Unit Residential Dwellings (or Comprehensive Residential Development proposals) where they have the potential to create materially lower actual demand on services relative to the HUEs of demand assessed under a standard assessment. Special assessments are also provided for in respect of non-residential circumstances in certain circumstances.

Other than these changes, the fundamentals of the Council’s DC Policy are largely retained. The HUE as the base unit for charging for development, the existing approach to catchments for the various services, and the existing ring-fenced catchment areas are retained.

2023/24 Summary of Schedule of Charges		
Type of Development	2022/23 Schedule of Charges	2023/24 Schedule of Charges
Greenfields Residential <u>Per HUE</u> <i>*Excludes Howard Street Internal Servicing Contribution</i>	\$27,302.15	\$33,898.55
Howard Street Internal Servicing DC Per HUE	\$23,891.25	\$22,196.15
Infill Residential <u>Per HUE</u>	\$16,016.05	\$22,664.20
Medium Density Housing Residential <u>Per HUE</u>	\$17,869.85	\$24,826.20
Semi Urban Residential (not connecting to council reticulated services) <u>Per HUE</u>	\$6,894.25	\$5,991.50
Rural Residential (not connecting to council reticulated services) <u>Per HUE</u>	\$6,894.25	\$5,991.50
Office <u>Per 100m2</u>	\$4,875.26	\$6,861.88
Commercial & Retail <u>Per 100m2</u>	\$7,587.79	\$9,220.99
Industrial <u>Per 100m2</u>	\$5,109.31	\$7,939.37
Hospitality & Accommodation <u>Per 100m2</u>	\$12,473.68	\$19,150.89
Irongate Industrial Catchment Area <u>Per m2 of Land Area</u>	\$11.85	\$12.26
Omahu Industrial Catchment Area <u>Per m2 of Land Area</u>	\$29.01	\$30.53

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1.0 Background

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1.1 Introduction

Hastings District Council, like many other councils around New Zealand, is experiencing growth pressures from both residential and non-residential development. Council has determined that the funding of new assets or assets of increased capacity to meet demand created by new development should be predominantly recovered by way of development contributions from those benefiting from or necessitating the investment in the infrastructure.

1.2 Enabling Legislation and Supporting Policy Framework

This Policy on development contributions has been prepared in accordance with Sections 102 and 106 of the Local Government Act (LGA) 2002.

The Policy contributes to community outcomes in the Long Term Plan (LTP) by ensuring the provision of appropriate infrastructure to meet the needs of growth and to ensure appropriate levels of service are maintained.

The requirements of section 106 have been specifically considered in formulating this policy. Specifically the following points should be noted:

- Appendix E summarizes and explains the capital expenditure identified in the LTP that the Council expects to incur to meet the increased demand resulting from growth. The total amount of funding to be sought by development contributions and from other sources of funding for each activity has also been identified.
- Appendix D identifies the proportion of the capital expenditure for each project which is attributable to growth and therefore included in the development contribution calculation methodology.
- In relation to each activity to be funded, Appendix H identifies the most appropriate funding mechanism and the community outcomes to which the activity primarily contributes.

1.3 Purpose and Principles of Development Contributions

The purpose of the Development Contributions Policy is to ensure that reserves and infrastructure capital expenditure is predominantly funded by those parts of the community who benefit from or necessitate that expenditure.

Those responsible for creating growth within our district, whether through subdivision, building, new service connections or a change in land use, are being asked to pay a fair share of the resulting additional infrastructure cost incurred by Council.

This policy has been prepared in accordance with the principles and purposes of development contributions under the Local Government Act (2002).

Under Section 197AA, the purpose of the development contribution provisions is to enable territorial authorities to recover from those persons undertaking development a fair, equitable and proportionate portion of the total cost of capital expenditure necessary to service growth over the long term. This policy ensures the cost of infrastructure required by growth is funded in a fair and reasonable manner from those who create, or those who have created, the need for that cost.




Under section 197AB, the key principles that must underpin a development contributions policy are:

- A development contribution will only be required if the effects or cumulative effects of development will create or have created a requirement for the territorial authority to provide or to be provided new or additional assets or assets of increased capacity.
- A development contribution will be determined in a manner that is generally consistent with the capacity life of the assets for which they are intended to be used.
- Cost allocations will be determined to, and be proportionate to, the persons who will benefit from the assets to be provided (including the community as a whole) as well as those who create a need for the assets.
- A development contribution must be used towards the purpose of the activity or group if activities for which it was required, and for the benefit of

the district or part of the district identified in the development contributions policy.

- Sufficient information is made available to show what development contributions are being used for and why.
- Development contributions are predictable and consistent with the methodology and schedules of the policy under section 106, 201 and 202 Local Government Act 2002 (LGA 2002).
- When calculating and requiring development contributions, a council may group certain developments by area or land use (averaging) providing it is done in a manner that balances practical and administrative efficiencies with considerations of fairness and equity and grouping across an entire district is avoided where practical.

Under Section 101(3) (a)(i) of the LGA 2002, the following table summarises how Development Contributions contribute towards the achievement of community outcomes as defined in Council’s LTP. More detailed analysis can be found in Appendix H.

1.3.1 Long Term Plan Community Outcomes					
Group of Activities	Community Outcomes	Level of Service Expected	Parks & Reserves	Network Infrastructure	Community Infrastructure
Water and Roads	<p><i>Local Infrastructure which contributes to public health and safety, supports growth, connects communities, activities communities and helps to protect the natural environment.</i></p> <p><u>Group of Activity Objectives</u></p> <ul style="list-style-type: none"> - Maintain and enhance public health and safety - Move people and goods around safely and efficiently 	<ul style="list-style-type: none"> - Water Supply - 100% compliance with NZ drinking water bacteria standards - 100% compliance with resource consent conditions (no abatement notices) - Urban Stormwater Drainage - 100% compliance with resource consent conditions (no abatement notices) - No flooding of inhabitable dwellings in an up to 1 in 50 year event - Sewage Collection, Treatment and Disposal - 100% compliance with resource consent conditions (no abatement notices) - No wastewater overflow events from routine operation (other than exceptional circumstances) - Roading and Footpaths - Less than 5% of roads exceed national rough ride limits - Less than 3% of roads with condition classified poor or worse - Less than 1km of footpaths classified poor or worse - All property will be accessible by vehicles meeting maximum as of right mass and dimensions, except by special agreement. 			
Safe, Healthy and Liveable Communities	<p><i>Local Infrastructure which contributes to public health and safety, supports growth, connects communities, activities communities and helps to protect the natural environment.</i></p> <p><i>Local public services which help meet the needs of young and old, people in need, visitors and locals, businesses and households.</i></p> <p><u>Group of Activity Objectives</u></p> <ul style="list-style-type: none"> - Provide a range of accessible, social, cultural and recreational activity 	<ul style="list-style-type: none"> - 94% of urban properties within 500m radius (walking distance) of a park - 56% of urban properties within 500m radius (walking distance) of a playground 			

1.4 Financial Contributions

Council introduced its Development Contributions Policy in July 2007. Prior to this, Financial Contributions (in the form of cash, land, works, services, or a combination of these), were charged under the Hastings District Plan. Financial contributions were provided for under the Resource Management Act 1991 (RMA), and were used to offset or mitigate any adverse impacts on the natural and physical environment including utility services, of a new development.

In the unlikely event that Council receives an application for 224c on a resource consent lodged under the Financial Contribution regime, that has not lapsed, Council agrees that the ‘financial contribution condition’ stipulated on the decision will be payable.

Applications received after 01 July 2007 will be subject to assessment under the Development Contributions Policy.

Council has determined that, to the extent that a Financial Contribution has already been imposed on a development as a condition on a resource consent or otherwise charged, it will not require a Development Contribution in relation to the same development to cover the same service, unless it reflects an increase in scale or intensity of the development since the original Financial Contribution was required.

1.5 Works or Services

Nothing in this policy will prevent the Hastings District Council from requiring as a condition of consent the provision of works or services to directly support the immediate development. These works or services may include frontage works, service connections, private vehicle crossings, service extensions and the like. This will only be the case where the works have not been included in a Development Contribution required under this policy. Furthermore, nothing in this policy will prevent the Hastings District Council from entering into development agreements pursuant to sections 12(2) and 200(2) of the LGA 2002. Any agreement entered into by Council will be prepared in accordance with Section 207A-207F of the LGA 2002.

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2.0 Policy

2.1 Adoption, Implementation and Review

The Council originally adopted a Development Contributions Policy in 2007 as an amendment to its 2006-2016 Long Term Council Community Plan. The policy came into force for any application received after 01 July 2007.

Under Section 106(6) of the LGA 2002, it is intended that the Development Contributions Policy will be reviewed at least once every three years using a consultation process that gives effect to the requirements of Section 82 LGA 2002. It may be reviewed at shorter intervals if Council deems necessary, to take account of:

- Any changes to the significant assumptions to the Development Contributions Policy
- Any change in policy as Council continues to develop and implement structure plans for the District.
- Any changes to the Hastings District Plan
- Any changes in the capital works programme for growth
- Any changes in the pattern and distribution of development in the District
- The regular reviews of the LTP
- Any significant changes in cost indices
- Any other matters Council considers relevant.
- It is intended that the Development Contributions Schedule may be updated regularly to ensure charges are in line with the level of growth costs the Council faces. This will also enable Council to factor in inflationary adjustments, improved project information and actual and budgeted project costs.

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2.2 Timing of Assessments

Under Section 202 of the LGA 2002, Council can apply a development contribution upon the granting of:

- A resource consent (subdivision or land use)
- A building consent (including Certificate of Acceptances)
- An authorization for a service or infrastructure connection.

In most cases, development contributions will generally be collected at the resource consent stage. Council considers that the resource consent stage is more often the most appropriate stage to take a development contribution for the following reasons:

- Practicality of implementation
- Economies of scale in implementation costs
- Fairness
- Best available knowledge for projections and allocating budgets

Where two applications (Building and Resource Consent) are submitted simultaneously, an assessment may be issued in respect of each application. Payment of the contribution will be required at the earlier of application for Code Compliance Certificate or 224c. Once paid, 'actual credits' will be recognised on the remaining application. This may negate any development contributions requirement on the remaining application. Refer to Invoicing and Payment of Development Contributions under Section 6.0.

2.3 Credits

Credits are recognition of previous contributions (Financial or Development Contributions) that have already been assessed, paid or otherwise met.

For the purposes of this policy a credit is measured as the number of Units of Demand (Household Unit Equivalents – HUE) for each activity applied in determining the development contribution charge.

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Credits towards the assessment of development contributions for a consent application include both "Historic Credits" and "Actual Credits".

Information on Historic and Actual Credits will be provided upon application (where necessary the applicant may be required to provide written information about the existing use of the site to enable this assessment).

The management and recording of Historic and Actual Credits against each title is to ensure the Council does not collect contributions twice for the same purpose.

2.3.1 Historic Credits

Credit will be given for the pre-existing status of properties (prior to 19 April 2000) even if no previous financial or development contributions were paid. The date of 19 April 2000 is the date the financial contributions section of the Hastings District Plan became operative. Credits will be associated with the existing title and calculated and assigned on a per activity basis.

For example: A dwelling built before 19 April 2000 will have one credit towards Community Infrastructure, Parks; Reserves Land, Roading, and service connections where it is already connected to council networks.

However, if the property is not in an area of service, or it is not connected to the service, it is not deemed to have any historic credit for that service.

For the calculation of historic credits, there is no historic time limit. Any excess credits existing from amalgamation will remain available to be used to offset any development contribution requirement on that site.

2.3.2 Actual Credits

Where development contributions or financial contributions for a particular property have previously been assessed and paid, HUE credits shall be given for that particular activity. For the calculation of actual credits there is no historical time limit and all previous payments shall be taken into account.

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Summary Table of Credits

Residential Development

2.3.3 Residential Development		
Type	Activity	Allocation of Credits
Historic Credits <i>(relates to the pre-existing subdivision or development that occurred prior to 19 April 2000)</i>	Community Infrastructure	<ul style="list-style-type: none">Per Existing DwellingNo credit allocated if vacant
	Parks & Reserves (Local & District Wide)	<ul style="list-style-type: none">Per Existing Dwelling OrPer title where vacant
	Roading	<ul style="list-style-type: none">Per Existing Dwelling OrPer title where vacant
	Stormwater	<ul style="list-style-type: none">Per connected dwelling
	Wastewater	
Actual Credits <i>(relates to any subdivision or development that occurred after 20 April 2000)</i>	Water	
	Community Infrastructure	<ul style="list-style-type: none">Where a financial contribution (development Levy or Contribution) has previously been assessed and paid.
	Parks & Reserves (Local & District Wide)	
	Roading	
	Stormwater	
	Wastewater	
	Water	

- Where a site contains a residential building demolished or destroyed by fire or some other cause, no development contributions will be payable provided that the same number of dwelling units are rebuilt. Any additional units will be assessed in terms of this policy.
- Credit HUEs for all activities must be allocated to the same allotment or allotments.

Non-Residential Development

Table 2.3.4 Non-Residential Development (For developments outside Irongate or Omaha Industrial Catchments)		
Type	Activity	Allocation of Credits
Historic Credits <i>(relates to the pre-existing subdivision or development that occurred prior to 19 April 2000)</i>	Roading	<ul style="list-style-type: none">Occupied: Where a connection exists, credits will be allocated on a per m2 GFA based on the existing development and activity, and using the current policy equated back to a household unit equivalence (HUE).Vacant: Credits will be allocated per HUE but only where an existing connection exists.
	Stormwater	
	Wastewater	
	Water	
Actual Credits <i>(relates to any subdivision or development that occurred prior after 20 April 2000)</i>	Roading	<ul style="list-style-type: none">Occupied: Where a connection exists, credits will be allocated on a per m2 GFA based on the existing development and activity, and using the current policy equated back to a household unit equivalence (HUE).Vacant: Where a financial contribution (Development Levy or Contribution) has previously been assessed and paid.
	Stormwater	
	Wastewater	
	Water	

Table 2.3.5 Non-Residential Development (For developments within Irongate or Omaha Industrial Catchments)		
Type	Activity	Allocation of Credits
Actual Credits	Roading	<ul style="list-style-type: none">Credits will be allocated on a per m2 basis to any portion of land where a development contribution for an
	Stormwater	
	Wastewater	
	Water	

		activity has previously been assessed and paid.
Historic Credits	Roading	• Where a connection exists, credits will be allocated on a per m2 basis to any portion of land which contains an existing Industrial Building.
	Stormwater	
	Wastewater	
	Water	

- Where a site contained non-residential buildings demolished or destroyed by fire or some other cause, no development contribution will be payable unless the building is built to a larger scale, or a change in use results in a greater level of intensity/ impact on Council services.
- Credit HUEs for all activities must be allocated to the same allotment or allotments.

2.4 Definition of Growth

In terms of this Policy, growth means the increase in demand for capacity in the community’s network and community infrastructure required to support development within the community. The “community” in this sense is both local and district wide as recognised in section 3.2 where “areas of demand” are described.

2.5 Works within a Development Site

Within the boundaries of the development site, the developer shall provide the following as part of the cost of development as a condition of the consent under the Hastings District Plan:

- Road, transportation and car parking infrastructure
- Water supply network
- Wastewater network
- Stormwater treatment, collection and disposal infrastructure.

Note 1: A reduction in development contributions may be applied if any internal infrastructure includes a proportion of “up-sizing” required by the Council beyond that required to service the subject development.

Note 2: The exception to this is the recovery of those costs associated with the road corridor and servicing within that corridor within the Howard Street Residential Zone. These costs will be recovered directly from those landowners within the zone benefiting from the infrastructure being provided.

2.6 Development Contributions

2.6.1 Requirement For and Use of Development Contributions

Section 197 of the LGA 2002 defines development in accordance with the definition in Appendix F of this policy.

In accordance with section 199 of the Act, the Council will only require development contributions if the effect of development, either by itself or through cumulative effects in combination with other developments, is to require new or additional assets or assets of increased capacity and as a consequence, the Council incurs capital expenditure to provide those assets or increased capacity.

Both the underlying methodology of this policy and its implementation will ensure that each potential development will be assessed to decide whether it constitutes a development in accordance with the Act and creates demand for additional assets of increased capacity. For example section 4 of this policy helps in determining whether a development generates a demand.

Council may require a development contribution from any development for the following:

- Total cost of capital expenditure already incurred in anticipation of growth development
- Total cost of future capital expenditure to meet the growth component of development.

Development contributions will be collected to support the following activities:

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Classification	Activity	Description
Community Infrastructure	Community Infrastructure	Providing social and recreational infrastructure such as the provision of public toilets and playgrounds
Parks & Reserves	Local & District Wide Reserves	Providing social and recreational infrastructure through the provision of safe and well located local and district wide parks, sports grounds and reserves.
Network Infrastructure	Roading	Ensuring a safe and efficient transport network. (Road, pathways and cycle ways)
	Water	Ensuring supply of healthy drinking water through the provision of water infrastructure.
	Wastewater	Mitigation of adverse environmental impacts and public health risks through the provision and effective management of wastewater disposal infrastructure.
	Stormwater	Mitigation of adverse environmental impacts through the supply of reliable stormwater service that minimises flooding and risk to life and property in urban areas.

2.6.2 Capital Expenditure Council Expects to Incur as a Result of Growth

The total cost of expenditure related to growth that the Council expects to incur to meet increased demand for transportation, water and wastewater, stormwater and parks, is summarized in the table in Appendix E.

The growth component of the total cost of capital expenditure, net of any funding from other sources or agencies such as Waka Kotahi / New Zealand Transport Agency (NZTA), will be funded by development contributions.

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The calculations and documentation supporting the above capital expenditure are available for examination at the offices of Hastings District Council.

Note: Backlog and Renewal portions of capital expenditure will be funded from sources other than development contributions.

2.6.3 Capital Expenditure Council has incurred in Anticipation of Development

Over the next 10 years, Council will embark on a significant capital expenditure programme that will enable significant future development throughout its community. Council will recover the growth component of these projects implemented to support the future community. These projects are included in Appendix D.

Please note that the cost of the growth component is determined from actual total cost to implement these projects less any other funding received or expected to be received (including existing financial contributions paid or required under existing conditions of consent).

2.6.4 Council Use of Development Contributions

Council will use development contributions only for, or to the purpose of, the activity or groups of activities for which the contributions were required. This will be undertaken on an aggregated project basis for each of the activities.

Projects within an activity area may change over the 10 year period. However, despite any amendments, this policy assumes that projects cost no less than the estimates set out in this policy including the projected growth components. Therefore, collected development contributions will still be used for the projected new projects within the relevant activity area notwithstanding amendments that may in future be made to them.

Where Council anticipates funding from a third party or agency such as NZTA for any part of the growth component of the total cost of capital expenditure then this

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proportion is excluded from the total estimated growth component to be funded by development contributions under this Policy.

2.7 Limitations to the Application of Development Contributions

Council will not require a development contribution in the following cases:

- Where it has, under Section 108(2)(a) of the Resource Management Act 1991 (RMA), imposed a condition on a resource consent in relation to the same development for the same purpose; or
- Where the territorial authority has already required a development contribution for the same purpose in respect of the same building work, whether on the granting of a building consent or certificate of acceptance, unless a further contribution is required to reflect an increase in the scale or intensity of the development since the original calculation was required.
- Where the developer, with the agreement of the Hastings District Council under sections 12(2) and/or 200(2), LGA 2002, will fund or otherwise provide for the same reserve, network infrastructure, or community infrastructure; or
- Where a third party has funded or provided, or undertaken to fund or provide, the same reserve, network infrastructure or community infrastructure.
- For the avoidance of doubt, this does not in any way limit Council’s ability to require that Parks: Reserve land contributions are to be paid in the form of a cash contribution.

3.0 Determination of Development Contribution Charges

3.1 Activities

As per section 2.6.1, six activities have been defined for which development contributions have been calculated. The activities are:

- Community infrastructure (including community facilities such as playgrounds and public toilets)

- Parks and Reserves (local and district wide) acquisition and development of land
- Roothing
- Water Supply
- Wastewater
- Stormwater

3.2 Areas of Demand

For each activity a number of Areas of Demand (known as ‘catchments’) have been determined based on their key characteristics. These characteristics include geography, service delivery, available growth information and the nature and complexity of solutions. Consideration has also been given to practical and administrative efficiencies, and towards fairness and equity.

The Areas of Demand are either local or district wide. Individual capital works projects are allocated to either local or district wide Areas of Demand depending on the nature of the project and the community it is required to serve.

The use of ‘catchment areas’ can play a role in providing for fairness as Council apportions those growth costs to those who benefit from that the assets provided.

Developments lying within an Area of Demand will assessed against the development contributions for that area. If for any reason a development falls outside the Area of Demand, and is still served by the infrastructure associated with one of the activities for this Area of Demand, then the schedule of contributions for that Area of Demand shall still apply.

The areas of demand are defined in Appendix C.

3.3 Level of Service (LOS)

Council activity management plans for each activity define the relevant LOS for that activity.

From these LOS statements, a capital project list to meet projected growth has been identified and priced, based on sustaining or achieving these levels of service.

In general the development contributions will be calculated based on the existing levels of service across the District.

Any requirement to increase the LOS for existing users will not be funded by development contributions.

3.4 Growth Model and Household Unit Equivalents

The District’s growth model has been developed in order to predict growth throughout the District in ‘Household Unit Equivalents’ (HUE) and this growth information is presented per activity and planning unit (locality). A number of planning units make up each Area of Demand. A HUE is used to refer to residential, non-residential and rural development as explained in Sections 4.1, 4.2 and 4.3.

Growth expectations will inevitably change over time. In recent years, Hastings District has seen rapid growth, and combined with projected growth levels, has led to significant increases in planned wastewater investment to support that growth. Hastings District Council will continually monitor growth and improve its growth model forecasting techniques.

In the growth model, a HUE is defined as being equivalent to one ‘average’ household unit of demand. It is recognised that household units vary throughout the District and that the demands they generate also cover a broad range. Furthermore, the level of demand generated by any household unit at any one time will vary according to the number of occupants and the nature and extent of allowed activities undertaken on each property.

However, given the relatively large size of the development contribution Areas of Demand and the implied averaging, the approach is considered appropriate as well as being consistent with the level of detail recognised by the growth model itself. Provision for Special Assessments exists for particular non-residential or multi-unit residential developments if it is considered that they will create lesser or greater levels of demand on Council services under 4.12 of this policy.

3.5 Cost Allocation Methodology

The Cost Allocation Methodology used in this Policy is referred to as “Modified Shared Drivers”. This methodology is applied to the capital works projects in the LTP. In the preparation of this Development Contributions Schedule, priority has been given to high value projects and those with a high growth component.

The Modified Shared Drivers approach takes the planned costs of a proposed project and assigns them to various drivers. The categories of drivers within the methodology are:

- Renewal
- Backlog
- Growth
- Unallocated.

By analysing each project against these drivers, the distribution of the benefits of the works can be better identified. The benefits to the community as a whole can be identified (generally renewal, backlog and unallocated), while conversely the benefits to the growth community can also be identified (generally growth).

A summary of the Cost Allocation Methodology is as follows:

- The scope and Gross Cost of the project are reviewed. Any non-capital (operations and maintenance costs, feasibility costs) are deducted.
- Third party funding (if any) is identified and deducted.
- Area of demand is established.

- If applicable, a share for Renewal is deducted taking into account the scope of assets being renewed and their remaining life at the time of renewal.
- Capacity and Demand information based on current levels of service is used to allocate shares to Backlog and Growth.
- Any remaining share is defined as Unallocated.
- Capacity and Useful Life information is gathered to help determine the period over which contributions should be collected.

The full and detailed methodology and cost allocation analysis are available for inspection upon request.

3.6 General Funding Model

The purpose of the funding model is to ensure an equitable assessment of funding requirements in compliance with the LGA 2002 to support the Development Contributions regime. The primary output of the funding model is an assessment of the required development contributions charges. These charges are listed in Appendix A.

The model takes account of:

- The funding requirements to support the cost of growth infrastructure.
- Equitable application of those funding requirements to the incoming growth community.
- Recognition that the backlog components of the growth infrastructure are funded by the existing community. The rating charges applied to the existing community will also be applied to the incoming community as there is no differential rating process to exclude the incoming community from those rates charges. Future rating revenue from the increasing community has been estimated and incorporated into the calculation of the contributions in the Funding Model.
- Interest on funds raised to implement growth infrastructure, including interest on infrastructure provided in advance of development occurring.
- Interest on contributions received in advance of provision of growth infrastructure.

3.7 Irongate / Omaha Industrial Funding Models

The costs associated with providing infrastructure for the Irongate and Omaha Industrial Areas have been ring-fenced and will be recovered specifically from those developments occurring within each individual catchment. These charges are listed under Appendix A.

The model takes account of:

- Recognition of any benefit received from the assets by the wider community through the cost allocation process.
- Any funding from other sources (NZTA Subsidies).
- Interest incurred throughout the lifetime of the project on any provision of infrastructure required to service the catchment area.
- Interest received throughout the lifetime of the project on any contributions received in advance of any provision of infrastructure required to service the catchment area.
- A sliding scale inflation adjustment (BERL) to the contribution rate to ensure those developing in earlier years are not disadvantaged, and all development throughout the lifetime of the project are paying a fair share of the total cost of capital expenditure.
- Any portion of land containing an existing industrial building where a development contribution is unlikely to be paid (i.e the development is not required to connect to Council services), or portion of land containing an existing industrial building that is already connected to Council services.

3.8 Howard Street Development Area

The costs associated with land and infrastructure under the Howard Street Designation has been ring-fenced and will be recovered specifically from those developments occurring within the Howard Street Residential Zone. These charges are listed under Appendix A.

The model takes account of:

- Interest incurred throughout the lifetime of the project on any provision of infrastructure required to service the catchment area.
- Any portion of land containing an existing residential dwelling where a development contribution is unlikely to be paid (i.e the development is not required to connect to Council services), or where that existing residential dwelling is already connected to Council services.

4.0 Assessment of Development Contributions

4.1 Defining a Development

Before deciding on whether a development contribution is payable, in accordance with Section 199 of the LGA 2002, the Council must assess whether the development either by itself or via cumulative effects that a development may have in combination with other developments, requires new or additional assets or assets of increased capacity to be provided.

New buildings, a change in land use or subdivision of land to create additional lots, usually results in the potential for additional household units and therefore additional HUEs, which form the base unit for the calculation and charging of development contributions.

In the case of the Roading, Parks & Reserves (Local & District Wide) and Community Infrastructure, any additional HUE being created has access to these activities; therefore, a demand is created.

In most instances, if a connection is made to Water Supply, Wastewater or Stormwater Networks, a demand is created. Where no ability to connect to Water Supply, Wastewater or Stormwater Network Infrastructure exists, no demand is created.

However, if the relevant network services are provided in the future, and a connection occurs, a demand is created and a contribution would be applicable at the time of connection.

Where credits are provided for in accordance with section 2.3 of this policy, it is accepted that no additional demand is created to the value of these credits.

4.2 Residential or Rural Subdivision and General Residential Applications

In most instances the only information that is required to calculate the number of HUEs, and hence the development contribution chargeable, is the additional number of residential allotments or buildings created by the proposal.

In the case of residential buildings, generally, every residential building equals one household unit, which in turn equals one unit of demand. The exception to this will be if the residential building qualifies for a reduction under section 4.3 or it is a retirement village unit as defined under Glossary of terms (Appendix F).

In the case of subdivision, it should be noted that every new residential or rural lot is generally taken as being intended for one household unit so a contribution is applied.

It should be noted that in some instances a development contribution may still be payable even where there is no overall increase in the number of titles or allotments created by the subdivision.

For example:

A subdivision of two vacant existing titles into two new titles with the purpose of creating one lifestyle lot and one balance lot, may still attract development contributions. In this instance, the intention may be to build a dwelling on the new lifestyle lot which creates a demand for Community Infrastructure, Roading and Parks & Reserves (Local and District Wide). However, contributions would only apply where a contribution has not previously been paid or assessed or credits are provided for under 2.3 of this policy.

Where the property created through subdivision or an additional residential building is not planned to be connected to the Water Supply, Wastewater or Stormwater Network Infrastructure no charge will be made for that activity. However, if at a future time the property is to be connected, it will attract a development contribution at building consent or at service connection.

4.3 Additional Residential Buildings

The only exception to every residential building being treated as one household unit is the application of a reduced rate to any additional residential dwelling with a gross floor area under 80m². A reduction will be applied on a 'sliding scale' as per Table 4.3.1 based on the size of the building. The maximum reduction that will be applied is 0.5 of a HUE.

Table 4.3.1 Reductions for Additional Residential Buildings

Size of Additional Building	HUE Reduction applied per activity	HUE Charged per activity
80m ² or over	Nil	1
70m ²	0.125	0.875
60m ²	0.25	0.75
50m ²	0.375	0.625
40m ² or under	0.5	0.5

Irrespective of size, the first dwelling on any site will always attract a one household unit equivalent (HUE) charge. The reduction will only apply to any additional residential buildings under 80m² as this is a reflection of the fact these residential types of buildings are often for the care of extended family and are likely to have less impact on Council infrastructure.

A further contribution may apply if the scale and intensity of that additional residential building is increased.

For example:

If an additional residential building that received a reduction increases its gross floor area (i.e from 50m² to 70m²), a contribution based on the additional 20m² will apply at the building consent stage using the development contributions policy in force at the time.

4.4 Retirement Villages

Council recognizes that the average occupancy of a retirement village unit is typically lower than an average household and as a result a lesser impact is likely to be placed on Council infrastructure. For the purpose of establishing the number of equivalent household units that apply for retirement villages, the total number of units within the development shall be multiplied by the following factors:

Table 4.4.1 Retirement Village Assessments

Activity	HUE Charged Per Retirement Village Unit	HUE Charged Per Retirement Village Aged Care Room
Community Infrastructure	0.33	0
Parks & Reserves (District Wide & Local where applicable)	0.33	0
Roading	0.33	0.3
Stormwater (where applicable)	0.33	0.3
Wastewater	0.33	0.3
Water	0.33	0.3

4.5 Non-Residential Applications

Contributions for Parks & Reserves (Local & District Wide) and Community Infrastructure are not recovered from non-residential developments. The following activities will be assessed to determine the HUE's associated with the planned development.

Network Infrastructure

- Roading
- Water Supply
- Wastewater
- Stormwater

Non-residential subdivision

The creation of each additional vacant non-residential allotment will be charged 1 HUE per activity connected or additional site created whichever is the greater.

An assessment will also be completed at the time of building consent being submitted when the demand and type of activity is known on the site net of any credits from the subdivision.

Non-residential development

Development Contributions will also apply where a new building is constructed or where an existing building extends its Gross Floor Area (GFA) towards the additional impact upon Council infrastructure. An assessment using the Equivalence Table under 4.5.1 will apply on the additional Gross Floor Area. The equivalences reflect the average demand placed on each Council infrastructure from the each type of commercial or industrial industry.

For non-residential consent applications HUEs may be calculated for each activity as follows:

**Table 4.5.1 GFA Conversions for Non-Residential Development
(excluding development within the Irongate & Omaha Industrial Catchments)**

	Stormwater * See Note 1 below.	Water	Wastewater	Roading
Land Use/Activity	HUES per 100m ² of Gross Floor Area (GFA)			

Commercial & Retail	1 HUE per Lot	0.30	0.30	0.93
Offices	1 HUE Per Lot	0.30	0.30	0.41
Industrial & Warehouse	1 HUE per Lot	0.40	0.40	0.28
Hospitality & Accommodation	1 HUE Per Lot	0.95	0.95	0.73

***Note 1:** If the developments impact on Council infrastructure is significantly greater than envisaged by Council, it reserves the right to carry out a special assessment under 4.12 Extraordinary Circumstances.

4.6 Development within the Irongate & Omaha Industrial Catchment Area

The General Industrial Zone (Irongate and Omaha) has a significant capital expenditure requirement. Council considered the risks of smaller catchments such as greater unpredictability and uncertainty about funding, an increase in the time spent implementing, managing and administering the policy. However specific catchments for each industrial area was deemed appropriate to fairly allocate the cost of the infrastructure required in each area to those developments who benefit from the new assets.

4.7 Assessment within Irongate Industrial Catchment

An assessment will be applied to any development located within the Irongate Industrial Catchment Area. The assessment will cover development contributions in respect of Roading, Wastewater and Water Infrastructure services and be calculated on the land area of the site being developed. No contribution will be required in respect of Stormwater.

The only exception, where an assessment of contributions will not be made:

- Where a resource consent is lodged to subdivide, where the residual land is greater than 4ha in size and is not intended for development and therefore does not create demand for Council infrastructure at this stage. For the purposes of this assessment, vacant shall be taken as any site not containing commercial or industrial buildings.
- Where the site has any actual or historic credits as outlined under Table 2.3.5.

Whilst the District Plan variation confirmed the extent of the area as approximately 118ha, due to existing development, it is envisaged the development contribution will be recovered across a chargeable area of approximately 94ha.

An assessment will be issued at the time the resource or building consent is approved. Payment of the development contribution can be made at any time up to application for 224(c) or Code Compliance Certificate, using the schedule of charges in place at the time of payment.

4.8 Assessment within Omaha Industrial Catchment

An assessment will be applied to any development located within the Omaha Industrial Catchment Area. The assessment will cover development contributions in respect of Roading, Wastewater, Water Infrastructure services and Land Acquisitions for Stormwater Corridor, and be calculated on the land area of the site being developed.

The only exception, where an assessment of contributions will not be made:

- Where a resource consent is lodged to subdivide, where the residual land is greater than 2ha in size and is not intended for development and therefore does not create demand for Council infrastructure at this stage. For the purposes of this assessment, vacant shall be taken as any site not containing commercial or industrial buildings.
- Where the site has any actual or historic credits as outlined under Table 2.3.5.

Whilst the District Plan variation confirmed the extent of the area as approximately 62ha excluding the servicing corridor, due to existing development, it is envisaged

the development contribution will be recovered across a chargeable area of approximately 52ha.

An assessment will be issued at the time the resource or building consent is approved. Payment of the development contribution can be made at any time up to application for 224(c) or Code Compliance Certificate, using the schedule of charges in place at the time of payment.

4.9 Development within the Howard Street Development Area

The Howard Street Development Area has a significant capital expenditure requirement, costs that the landowner would ordinarily expect to incur as they relate to infrastructure within their land. Council considered the risks of smaller catchments such as greater unpredictability and uncertainty about funding, and an increase in the time spent implementing, managing and administering the policy. However a specific catchments was deemed appropriate to fairly allocate the cost of the infrastructure required in each area to those developments who benefit from the new assets.

4.10 Assessment within Howard Street Development Area

An assessment will be applied to any development located within the Howard Street Development Catchment Area. The assessment will cover development contributions in respect of Roading, Stormwater, Wastewater and Water Infrastructure services and be calculated on a per Household Unit Equivalent (HUE) basis.

An assessment will be issued at the time the resource or building consent is approved. Payment of the development contribution can be made at any time up to application for 224(c) or Code Compliance Certificate, using the schedule of charges in place at the time of payment.

4.11 Rural Subdivision and Rural Land Uses

Generally, a development contribution will be required on all rural subdivision as each lot created gives rise to an additional set of development rights.

Council may agree to defer the development contribution where any additional lot created is rural zoned, is not intended for development, and does not create a demand for Council infrastructure at the time of subdivision.

All requests for deferral, must be made in writing at the time of lodgment of the resource consent. Any decision to defer the contribution is at the discretion of the Group Manager: Corporate.

Any deferral will be recorded on the title using a consent notice at the applicant's expense. This does not exempt the site from paying a development contribution at all. The development contribution will simply be deferred until the site is further developed (i.e further subdivision or the building / relocation of a residential dwelling to the site).

All lifestyle lots are taken as intended for development and will not be considered for deferral. Deferral will not be considered for applications where a contribution requirement has already been assessed.

Where a contribution is required, the following activities will be assessed as 1 HUE per additional allotment:

- Community Infrastructure
 - Community facilities (i.e Playgrounds and Public Toilets)
- Parks and Reserves
 - Local Reserves; Acquisition and development (only if lies within the Greenfields Catchment)
 - District Wide; Acquisition and development
- Network Infrastructure
 - Rooding
 - Water Supply (only if serviced)
 - Wastewater (only if serviced)
 - Stormwater (only if the development lies within a stormwater area of demand)

Non-residential sheds and farm buildings ancillary to land based primary production occurring on the subject site, and which do not place additional demand on infrastructural services, will not incur a development contribution.

Industrial or commercial activities established in the rural area will be assessed for a contribution in accordance with Section 4.4.

Where the property is not planned to be connected to the water supply, wastewater or stormwater network infrastructure no charge will be made for that activity. However if at a future time the property is to be connected it will attract a development contribution at building consent or at service connection.

4.12 Extraordinary Circumstances (Special Assessment)

Special Assessment: Multi-Unit Residential Dwellings (or CRD)

Where an applicant is undertaking Multi-unit Residential development of more than three HUEs, and can demonstrate their development has a reduced demand for Council infrastructure, a special assessment of development contributions may be undertaken at the discretion of Council, to determine the amount of development contributions payable on an activity by activity basis.

A reduced demand means the actual demand generated by the development is materially lower than the HUEs of demand assessed under a standard assessment as set out in this policy resulting in the development in question consuming a smaller share of infrastructure capacity than a standard assessment would imply.

A request for a special assessment must be lodged at the earliest opportunity in writing to the Group Manager; Corporate at Hastings District Council, 207 Lyndon Road East, Hastings, 4122.

The applicant will be expected to provide information in support of the request, including detailed calculations of their development's transport (typically a Traffic Impact Assessment), and water supply, wastewater and stormwater demands in base units. Using the standard residential base unit/HUE conversions (Appendix G) these estimates may then be converted to HUEs and charged accordingly.

Once Council has all the information it requires, Council will notify the applicant of the outcome of any special assessment. The amount of any special assessment will be determined on a case by case basis having regard to the extent to which the special criteria is met. Decisions on individual requests, which are site and development specific, will not alter the basis of the Policy itself.

Special Assessment: Non-Residential Developments

Where an applicant is undertaking non-residential development exceeding 500m² GFA, and can demonstrate their development has a reduced demand for Council infrastructure, a special assessment of development contributions may be undertaken at the discretion of Council, to determine the amount of development contributions payable on an activity by activity basis.

A reduced demand means the actual demand generated by the development is materially lower than the HUEs of demand assessed under a standard assessment as set out in this policy resulting in the development in question consuming a smaller share of infrastructure capacity than a standard assessment would imply.

A request for a special assessment must be lodged at the earliest opportunity in writing to the Group Manager; Corporate at Hastings District Council, 207 Lyndon Road East, Hastings, 4122.

The applicant will be expected to provide information in support of the request, including detailed calculations of their development's transport (typically a Traffic Impact Assessment), and water supply, wastewater and stormwater demands in base units. Using the standard non-residential base unit/HUE conversions (Appendix G) these estimates may then be converted to HUEs and charged accordingly.

Once Council has all the information it requires, Council will notify the applicant of the outcome of any special assessment. The amount of any special assessment will be determined on a case-by-case basis having regard to the extent to which the special criteria is met. Decisions on individual requests, which are site and development specific, will not alter the basis of the Policy itself.

Special Assessment: Non-Residential Developments (Increased Demand)

Where Council considers the impact and demand of a non-residential development on Council infrastructure, cannot be readily assessed in terms of Table 4.5.1 (Non-Residential) and/or materially understates the likely demand being placed on Council infrastructure, at its discretion, Council reserves the right to generate a special assessment accordingly to ensure any development contribution required is fair and equitable.

This could include but is not limited to:

- Service stations with or without retail facilities
- Drive through fast food restaurants
- Bulk Floor Retail, Large Format Retail (or 'big box') developments
- Hotels, Motels, or Backpackers
- Seasonal Workers Accommodation (RSE)
- Food processing Industrial Activities
- Churches

In the case of a special assessment being required, the applicant may be requested to provide information and detailed calculations of their development's transport (typically a Traffic Impact Assessment), and water supply, wastewater and stormwater demands in base units. Using the standard non-residential base unit/HUE conversions (Appendix G) these estimates may then be converted to HUEs and charged accordingly.

Council will notify the applicant of the outcome of any special assessment. The amount of any special request will be assessed on a case by case basis having regard to the extent which the special criteria is met. Decisions on individual requests or assessments, will not alter the basis of the Policy itself.

4.13 Summary of HUE Assessments

Table 4.13 Summary of HUE Assessments

	Subdivision	Development	Service Connection (where available)
Residential / Rural	<p>Per additional title: 1 HUE per activity</p> <p>Note: The Parks and Reserve Contribution must not exceed the greater of 7.5% of land value and the value equivalent of 20m² of land for each additional household unit created.</p> <p>Note: A contribution may be deferred on some rural subdivision where the subdivision creates additional lots that are not intended for development and does not create a demand for Council infrastructure. Refer to Section 4.8.</p>	<p>Per additional title or household unit incl. strata title type developments: 1 HUE per activity</p> <p>Note: The Parks & Reserve Contribution must not exceed the greater of 7.5% of land value and the value equivalent of 20m² of land for each additional household unit created.</p> <p>Note: A contribution of less than 1 HUE may apply to any additional residential dwelling. Please refer to Table 4.3.1 or 4.4.1</p>	<p>Per Additional Connection: 1 HUE per activity</p>
Non-Residential	<p>Per additional title: 1 HUE per activity</p> <p>If the development is located within the Irongate & Omaha Industrial Areas, an assessment will be based on the land area of the site being developed. The only exception would be if the residual land is greater than 4ha (Irongate) or 2ha (Omahu) and is not intended for development.</p>	<p>An assessment will be generated based on the scale of the development using the standard table under 4.5.1.</p> <p>If the development is located within the Irongate & Omaha Industrial Areas, an assessment will be based on the land area of the site being developed.</p>	<p>An assessment will be generated based on the scale of the development using the standard table under 4.5.1.</p> <p>If the development is located within the Irongate & Omaha Industrial Areas, an assessment will be based on the land area of the site being developed (connected).</p>
Special Category	At Council's discretion. Any assessment would be based on specific information provided by the applicant in relation to their developments likely impact. An assessment using the standard base unit / HUE conversions would be calculated and charged accordingly – see section 4.12.		

5.0 Calculation of Development Contributions

Where development contributions are required, the amount payable will be calculated by multiplying the development contributions per HUE by the number of HUE's. Credits (historic and actual as per section 2.3) may reduce any assessment.

Sections 5.1 and 5.2 describe the steps required to undertake the assessment or calculation of development contributions (but the descriptions of those steps are illustrative and the more specific provisions contained elsewhere in this Policy shall take precedence).

5.1 Residential Development

How to calculate your residential development contribution:

Process for calculating development contributions payable		
Step 1	Catchment Area	Establish in which catchment area the 'development' lies (Appendix C)
Step 2	Number of HUEs	Establish the 'demand created' by the 'development' (Section 4.2 / 4.3 / 4.4)
Step 3	Number of HUEs Credit	Establish per activity the 'credits' applicable to the parcel of land (Section 2.3)
Step 4	Number of HUEs payable	Calculate the increase in HUEs
Step 5	Charge per HUE	Establish the development contribution per HUE for that particular catchment area as per Schedule of Charges (Appendix A)
Step 6	Amount of DCs payable	Calculate the development contributions payable

5.2 Non-Residential Development (Excluding Irongate & Omaha Road)

How to calculate your non-residential development contribution:

Process for calculating development contributions payable		
Step 1	Catchment Area	Establish in which catchment area the 'development' lies (Appendix C)
Step 2	Number of HUEs	Establish the 'demand created' by the 'development' (Section 4.5)
Step 3	Number of HUEs Credit	Establish per activity the 'credits' applicable to the parcel of land (Section 2.3)
Step 4	Number of HUEs payable	Calculate the increase in HUE's
Step 5	Charge per HUE	Establish the development contribution per HUE for that particular catchment area as per Schedule of Charges (Appendix A)
Step 6	Amount of DCs payable	Calculate the development contributions payable

Please refer to 4.5 to 4.7 for establishing contributions for developments located within Irongate or Omaha Industrial Areas.

6.0 Invoicing and Payment of Development Contributions

6.1 Invoicing and Payment of Development Contributions

The following table summarises when a development contribution invoice is generated and required to be paid.

In most instances the invoice will be generated at the time an application for Code Compliance Certificate, Certificate of Acceptance or 224c is made, unless requested earlier.

Table 6.1.2 Summary of Invoicing and Payment

Application Type	Timing of Action
Land Use	An invoice will be issued at the time the Land Use Consent is granted. Payment must be made before the Land Use is given effect to.
Service Connection Request (where a building consent is not lodged/required)	An invoice will be issued at the time the connection request is approved. Payment must be made prior to any connection being made.
Building Consent	An invoice can be requested at any time by the applicant. If no invoices is requested, an invoice will be issued automatically at the time of application for Code Compliance Certificate or Certificate of Acceptance. Payment must be made prior to Issue of the Code Compliance Certificate or Certificate of Acceptance.
Resource Consent (subdivision)	An invoice can be requested at any time by the applicant. If no invoices is requested, an invoice will be issued automatically at the time of application for 224c. Payment must be made prior to issue of the 224c.

Refer to Section 6.2 for Enforcement Powers if the development contribution is not paid.

Staged Subdivisions

- In the event of a staged subdivision, payment shall be required before issue of 224k Certificate for each stage.

Simultaneous Applications

- Where an applicant lodges a building consent and a resource consent where both applications trigger an assessment of development contributions, an assessment will be issued upon the granting of each consent. Payment of the contribution will be required at the earlier of application for Code Compliance Certificate or 224c. Once paid, 'actual credits' will be recognised on the remaining application. This may negate any development contributions requirement on the remaining application.

Determination of Land use

When Council takes a development contribution at subdivision consent stage, the expected principle nature of activities authorized by any existing land use consent for the site and/or, in the underlying Zoning, will determine the type of development contribution payable.

Changes in Land use

If a subsequent land use consent changes the nature of activities previously envisaged in the original calculation of the development contribution (or previous Financial Contribution under the Resource Management Act 1991), and the scale and intensity of the new activity is greater, the development contribution will be recalculated and any demand difference will be charged. In some instances where Council feels it is appropriate, the development contribution will be calculated and invoiced at the next stage in the consent process (i.e. at the building consent stage, or at the service or infrastructure connection stage).

6.2 Enforcement Powers

If payment of development contribution is not received Council will use the powers outlined in Section 208 LGA 2002. Those provisions state that until a development contribution required in relation to a development has been paid or made under Section 198, a territorial authority may:

- (a) *in the case of a development contribution required under Section 198(1)(a),*
- Withhold a certificate under Section 224(c) of the Resource Management Act 1991.*
- Prevent the commencement of a resource consent under the Resource Management Act 1991.*
- (b) *in the case of a development contributions required under Section 198(1)(b),*
- withhold a code compliance certificate under Section 95 of the Building Act 2004.*
- (c) *in the case of a development contribution required under section 198(1)(b) or (4a), withhold a certificate of acceptance under section 99 of the Building Act 2004.*
- (d) *in the case of development contribution required under Section 198(1)(c),*
- withhold a service connection to the development.*
- (e) *in each case, register the development contribution under subpart 5 of Part 3 of the Land Transfer Act 2017, as a charge on the title of the land in respect of which the development contribution was required.*

6.3 Postponement, Remission, Reduction and Refund of Development Contributions

6.3.1 Postponement of Development Contributions

Council acknowledges that not all subdivision within the rural zone is necessarily intended for development. Council may therefore agree to defer the development contribution where any additional lot created is rural zoned, not intended for development, and does not create a demand for Council infrastructure at the time of subdivision. Please refer to 4.10 for further details.

6.3.2 Remission and Reduction of Development Contributions

In general, the policy does not provide for remissions or reductions to development contributions (outside of those provided for under Extraordinary Circumstances) for the following reasons:

- The greater the number and range of remissions, the less transparent the administration of development contributions becomes. If the Council wishes to advance particular strategic objectives, it is important that it does so transparently and effectively via a means separate from this policy.
- The greater the number and range of remissions, the more complex and uncertain the administration of development contributions becomes.

However, a remission may be approved in the following instances:

- A development contribution may be remitted in respect of any non-residential development undertaken by a private or integrated school. The decision to remit such assessments is taken in lieu of the Crown exemption from payment of development contributions that applies in respect of state schools.
- A development contribution may be remitted in respect of stormwater where Council requires stormwater mitigation that results in any development materially reducing the amount of stormwater discharged to the network. The onus is on the applicant to demonstrate the effect of those measures results in no additional stormwater being discharged from the development. Each application will be considered on its own merits with any remission being determined by Council’s Water Services Manager.

6.3.3 Refund of (Wider) Development Contributions

The refund of cash and return of land will occur in accordance with Sections 209 and 210 of the LGA 2002, in the following circumstances:

- If the development does not proceed;
- If a consent lapses or is surrendered;
- If the Council does not provide any reserves, network infrastructure or community infrastructure for which a development contribution was required; or

- If the Council does not apply money, or use land, within 10 years, or any relevant agreed period, of that contribution being received for any specified reserve purpose.

For the avoidance of doubt, and except in relation to any money or land taken for a specified reserves purpose, the Council will not refund a development contribution where any specific project does not proceed, unless the activity for which the development contribution was taken is not provided.

Any refunds will be issued to the payee. The amount of any refund will be the development contribution paid, less any costs already incurred by the Council in relation to the development and its discontinuance, but may include any interest earned depending on the circumstances of the case.

6.3.4 Refund of (Ring-fenced) Development Contributions (Irongate / Omaha Industrial & Howard Street Residential Areas)

Council determined that the costs specifically associated with infrastructure required to support growth within the Irongate and Omaha Industrial catchment areas, and the internal servicing costs associated with Howard Street Residential Area, be ring-fenced, and specifically recovered from those benefiting from those infrastructure within each catchment area. To avoid under or over recovery, Council reviews its assumptions underpinning the calculation and resets the rate each year accordingly.

Should any recalculation result in a total development contribution rate being set that was less than what was previously paid by any landowner, Council agrees it will refund the difference between the new total development contribution rate and what was paid to Council, to the person who paid the development contribution within 10 working days.

6.4 Transitional Arrangements: Resource Consents

Council undertook a thorough review of its Development Contribution Policy in 2015-16. Whilst the changes contributed to a more fair and equitable policy, it has led to a material reduction in the level of contribution required for some forms of development.

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Under the policy setting at the time, any application received prior to 30 June 2014 can be automatically revised using the schedule of charges in place at the time of their application for 224c.

However, the policy setting was revised for applications received after 01 July 2014 following a request from the development community to fix the contribution assessment at the outset and provide developers with more certainty over what they would be required to pay.

Council recognises that in most instances, these applicants could choose to surrender or lapse an existing resource consent application and lodge a new resource consent application from 01 July 2016, and thus benefit from the 2016/17 Schedule of Charges.

As a transitional arrangement, Council therefore agrees that any resource consent application received between 01 July 2014 and 30 June 2016 where the development contribution assessed has not been paid, can be reassessed against the schedule of charges in place at the time of making their application for 224c.

All applications (excluding applications lodged in relation to land located within Irongate and Omaha Industrial Catchments) received after 01 July 2016 will continue to be fixed based on the schedule of charges in place at the time of the application being lodged.

7.0 Reconsideration and Objection Processes

Where a person has concerns over the development contribution required on their development, they have two avenues for which they can have their concerns addressed:

- 1) A reconsideration process, whereby the person can formally request Council to reassess a development contribution,
- 2) An objection to a development contribution, whereby a person, regardless of whether they have sought a reconsideration, can formally object to a

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development contribution required and have their objection considered by an independent development contribution commissioner.

The following sections outline the processes for requesting either a reconsideration or making an objection.

7.1 Reconsideration of a development contribution

In accordance with section 199A and 199B of the LGA 2002, a person can request a reconsideration of any development contribution required on a development if they believe:

- a) the development contribution was incorrectly calculated or assessed against the Development Contributions Policy in force at the time of assessment,
- b) Council has incorrectly applied its Development Contribution Policy, or
- c) information used to assess the development contribution required was incomplete or contained errors.

Application Process

A request for reconsideration must be lodged in writing to the Group Manager; Corporate at Hastings District Council at 207 Lyndon Road East Hastings, within 10 working days of the notice advising of a requirement for a development contribution being received by the person lodging the request.

The request must outline specifically which part of the assessment should be reconsidered, and contain any appropriate supporting information which supports the request.

Council will notify the person in writing that the application for reconsideration has been received once it is satisfied it has all the relevant information needed to make a decision on the reconsideration.

The request will be reviewed by the Group Manager; Corporate against the development contributions policy in force at the time of the application being lodged and consideration will be given to any new information supplied to Council.

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Council will then give written notice of the outcome of that reconsideration within 15 working days to the person requesting the reconsideration. A person may lodge an objection under section 199C, if they are dissatisfied with the outcome of any reconsideration.

A person may not apply for a reconsideration of a requirement for a development contribution if the person has already lodged an objection to that requirement under section 199C and Schedule 13A.

7.2 Objection to a development contribution

In accordance with section 199C and 199D of the LGA 2002, a person may object to any development contribution requirement. Whilst the right to object does not apply to challenges to the content of a Development Contribution Policy prepared in accordance with section 102 LGA 2002, it can apply if the objector believes:

- a) Council has failed to properly take into account features of the objectors development that on their own or cumulatively with other developments, would substantially reduce the impact of the development upon the requirement for Council to provide infrastructure,
- b) Council required a development contribution for infrastructure not required by, or related to, the objectors development,
- c) Council has required a development contribution that is not in accordance with section 200 LGA 2002,
- d) Council has incorrectly applied its Development Contributions Policy to the objectors development

Application Process

Any objection must be lodged in writing to the Group Manager; Corporate at Hastings District Council at 207 Lyndon Road East Hastings, within 15 working days of the notice advising of a requirement for a development contribution being received by the person lodging the objection.

The objection must set out the grounds and reasons for the objection, the relief sought and state whether the objector wishes to be heard on the objection. Council

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may, at its discretion, permit an objection to be received after the 15 working day period has expired, if it is satisfied exceptional circumstances exist.

Once received, Council must then as soon as practicable select no more than 3 independent development contribution commissioners from a register of commissioners appointed by the Minister to decide the objection. A hearing may or may not be required to be held to determine the outcome of the objection.

Council may still require a development contribution to be made pending the outcome of any objection.

Commissioner Consideration

In making a decision, the development contribution commissioner will give due consideration to:

- a) the grounds on which the development contribution objection was made,
- b) the purpose and principles of development contributions under sections 197AA and 197AB LGA 2002,
- c) the provisions of the development contributions policy under which the development contribution that is subject of the objection was, or is, required,
- d) the cumulative effects of the objectors development on infrastructure demand and provision, in combination with other developments in a district or parts of the district, that the development contribution is to be used for or toward,
- e) any other relevant fact associated with the relationship between the objectors development and the development contribution to which the objection relates.

Commissioner Decision

The development contribution commissioners' decision to uphold all or part of the objection, or dismiss the objection, will be provided to both parties in writing within 15 working days of the end of any hearing held, or in the event of no hearing being held, the last day of the commissioners' deliberations. It will outline the reasons for

the decision, a summary of the issues that were in contention, the relevant provisions of the development contributions policy, and a summary of the evidence provided.

The objectors right to apply for judicial review remains unaffected by any decisions made by the commissioners.

Recovery of Actual or Reasonable Costs associated with the Objection:

Under section 150 LGA 2002, Council may recover any actual or reasonable costs in respect of the objection from the person making the objection. This may include costs related to the selection, engagement and employment of the development contribution commissioner, administrative support of the objection hearing, and for preparing for, organising and holding the hearing.

Withdrawal of Objection:

A person who has served a notice of an objection may at any time withdraw the objection by serving notice on Council and any development commissioner appointed to decide the objection. This does not affect the right of the person to lodge another objection, whether on the same grounds or different grounds provided it is within the 15 working day timeframe specified above.

Detailed procedures relating to development contributions objections can found under Schedule 13A of the LGA 2002.

8.0 Other Matters

8.1 Capital Contributions; Scheme Extensions

Capital Contributions will continue to be collected in accordance with the Annual Plan / LTP. They may be charged as part of the Contributions assessment as a lump sum contribution and will be paid prior to issue of the 224c, Code Compliance Certificate or service connection.

8.2 Development Contribution – Money or Land

The LGA 2002 provides that a Development Contribution may be money or land, or both. Under this policy the contribution shall in every case be money unless, at the sole discretion of the Council, land offered by the developer would adequately suit the purposes for which the contribution is sought.

8.3 Esplanade Reserves

Esplanade Reserves do not fall within the scope of Parks & Reserve (Local & District Wide) for development contributions. Esplanade Reserves will continue to be dealt with under the RMA as they are at present and will not be offset against development contributions due for Parks & Reserve (Local & District Wide) in any way. There may be rare circumstances where Council desires a wider Esplanade Reserve, for example, and where the additional land may be offered as partial or total payment of the development contribution liability for Parks & Reserve (Local & District Wide). This would have to be agreed at the discretion of the Council and recorded in a suitable agreement.

8.4 Basis of Land Valuation

Land Valuations for the purposes of Development Contributions shall be a free market valuation. The valuation shall be on the basis of:

- The rights and configuration given to the land under the consent application which gives rise to the Development Contribution assessment, and including any rights or configuration given by consents already granted
- The free market value at the time the Development Contribution is paid
- The Council may seek a separate independent valuation

NOTE: It is anticipated that the Council will only require a revised valuation after 6 months where there is reason to believe that market values have altered significantly.

8.5 Private Development Agreements

Where it is in the best interests of all parties, the Council may enter into a Private Development Agreement with a Developer pursuant to section 12(2), section 200(2)

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and sections 207A – 207F. Any request from the developer to enter into an agreement with Council must be made in writing to the Group Manager; Corporate at Hastings District Council at 207 Lyndon Road East Hastings. Council can choose to accept, partially accept or decline the request. Any decision made by Council will be made in writing without unnecessary delay outlining the reasons for the decision. Any agreement that is entered into by Council will be prepared in accordance with section 207C of the LGA 2002.

8.6 Council Developments and Development Contributions

The Council is exempt from paying any development contributions on any development or project that contains capital expenditure for which development contributions are required. This avoids the possibility of collecting contributions for one activity in order to pay for the contributions of another activity. Any development undertaken by Hastings District Property Limited (HDPL) will be subject to contributions for fairness and transparency.

8.7 The Crown and Development Contributions

The Crown is exempt from paying development contributions by statute. However, where an application consumes infrastructural capacity, it may be required to enter into a service level agreement at the discretion of Council.

8.8 Goods and Services Tax (GST)

The total end-to-end process for calculation of Development Contributions is exclusive of GST. Once all the calculations are complete, GST shall be added to the final invoice as required by the legislation and/or regulation in force at the date of the invoice.

8.9 Applications to Vary Consents or the Conditions of a Consent

Where applications are granted to vary consents or the conditions of consents, the application shall be treated as a new application for the purpose of applying a development contribution.

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8.10 Certificate of Acceptance Applications

Development Contributions will be payable on any Certificate of Acceptance applications. If a development contribution would have been required had a building consent been granted for the building work in respect of which the certificate is granted.

8.11 Service Connections

Council will continue to collect service connection fees in accordance with current practice and the LGA 2002 for the following assets:

- Water supply connections
- Stormwater connections
- Wastewater connections
- Vehicle Crossings.

9.0 Significant Assumptions

9.1 Assumptions Used

Throughout the entire process of determining Development Contributions the Council has used the best available information. As more accurate or up-to-date information becomes available, it will be used. Any significant updates that would cause a maximum contribution to be increased will be held over until the next review of the Development Contributions Policy or Schedule. If the effect of the update would be to reduce the maximum contribution, it may be introduced by way of the special consultative process under the LGA 2002.

Planning Horizons

The Council uses a 10 year timeframe as a basis for forecasting growth expenditure and applying a development contribution, although a longer timeframe can be used if considered appropriate. The 10 year timeframe used is consistent with Council's activity management planning horizons and the requirements of the LGA 2002.

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Growth

Council has had to make the best assumptions it can regarding the anticipated growth of the District. Despite the recent high growth rates these are still within the tolerance expected by the growth model at the current level of available growth data.

Capital Works

In order to support the projected growth, Council has proposed a significant capital investment programme over the next ten years. If the growth rates alter, it is most likely that the capital works programme will be re-sequenced or accelerated or slowed as appropriate to the circumstances.

Third Party Funding

While these are subject to change over time, Council has assumed that the funding policies of third party agencies will remain the same for the period of the LTP.

Interest Rates

Council has used a 4.5% interest rate assumption within its calculation. Interest rates will continue to be monitored and reviewed annually as required. Council has the ability to review this policy annually and adjust this assumption if necessary.

Key Risks/Effects

There is a risk that the growth and uptake predictions in the growth model will not eventuate, resulting in a change to the assumed rate of development. However, modeling suggests that the impact of change to the growth projections on the total development contribution charge for each HUE is minor. Council will continue to monitor growth on a regular basis and will update assumptions in the growth and funding models as required.

There is also a risk that the lag between expenditure incurred by Council and contributions received from those undertaking developments is different from that assumed in the funding model, and that the costs of capital are greater than expected. This would result in an increased debt servicing cost and could also result in increased depreciation costs for future ratepayers. Council will continue to monitor the rate of growth and will update assumptions in the growth and funding models as required.

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Appendix A
Development Contributions Schedule of Fees and Charges

Table A-1 BASE CHARGE PER HUE			
Activity	Area of Demand	DC per HUE (Excluding GST)	DC per HUE (Including GST)
Community Infrastructure	Community Wide	\$128.00	\$147.20
Parks & Reserves *	Local Reserves Contributing Area	\$3,954.00	\$4,547.10
	District Wide Reserves Contributing Area	\$1,137.00	\$1,307.55
Roading	Community Wide	\$3,945.00	\$4,536.75
Stormwater	Greenfield Contributing Area	\$5,815.00	\$6,687.25
	Medium Density Contributing Area	\$1,880.00	\$2,162.00
Wastewater	Urban Contributing Area	\$17,756.00	\$11,593.15
Water Supply **	Urban Contributing Area	\$4,417.00	\$5,079.55
	Haumoana / Te Awanga Area	\$2,854.00	\$3,282.10

NOTES:

* The Parks & Reserves contribution must not exceed the greater of 7.5% of land value and the value equivalent of 20m2 for each additional unit created.

** No new water service connections are provided for in Clive, Waimarama, Waipatiki, Whakatu and Whirinaki. At the discretion of the Water Supply Manager where capacity becomes available, Council will permit a new service connection but under a Service Level Agreement where a financial contribution may be required.

Non-Residential Development and Subdivision (Outside Irongate and Omaha Industrial Catchments): Section 4.5 and Table 4.5.1 need to be applied in conjunction with the above table.

Table A-2 HOWARD STREET DEVELOPMENT AREA PER HOUSEHOLD

Activity	Area of Demand	DC per HUE (Excluding GST)	DC per HUE (Including GST)
Internal Servicing DC (Roding, Stormwater, Wastewater & Water)	Howard Street Development Area	\$19,301.00	\$22,196.15

Table A-3 IRONGATE INDUSTRIAL DEVELOPMENT CHARGE PER M2 OF LAND

Activity	Area of Demand	DC per m2 Of Land (Excluding GST)	DC per m2 of Land (Including GST)
Roding	Irongate Catchment	\$7.14	\$8.21
Wastewater	Irongate Catchment	\$1.37	\$1.58
Water Supply	Irongate Catchment	\$2.15	\$2.47

Table A-4 OMAHU INDUSTRIAL DEVELOPMENT CHARGE PER M2 OF LAND

Activity	Area of Demand	DC per m2 Of Land (Excluding GST)	DC per m2 of Land (Including GST)
Roding	Omahu Catchment	\$5.42	\$6.23
Stormwater Corridor Land Acquisition	Omahu Catchment	\$2.57	\$2.96
Wastewater	Omahu Catchment	\$9.42	\$10.83
Water Supply	Omahu Catchment	\$9.14	\$10.51

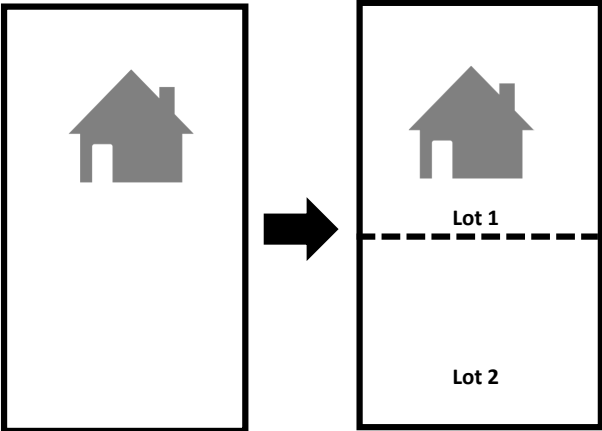
Appendix B
Development Contributions Calculations - Examples

Example 1 – Residential Subdivision (Greenfields)

Proposal: Subdividing to create an additional lot (Lot 2) located within a Greenfields Area (as located on Maps 4 & 5). The new site is connecting to Council services.

Assessment: One set of contributions for the additional lot created.

Activity	Number of HUEs being created by Proposal	Number of HUEs 'credits' (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	1	-	\$128.00	\$147.20
Roading	1	-	\$3,945.00	\$4,536.75
Parks & Reserves (Local Reserves)	1	-	\$3,954.00	\$4,547.10
Parks & Reserves (District Wide Reserves)	1	-	\$1,137.00	\$1,307.55
Water	1	-	\$4,417.00	\$5,079.55
Wastewater	1	-	\$10,081.00	\$11,593.15
Stormwater	1	-	\$5,815.00	\$6,687.25
Total				\$33,898.55

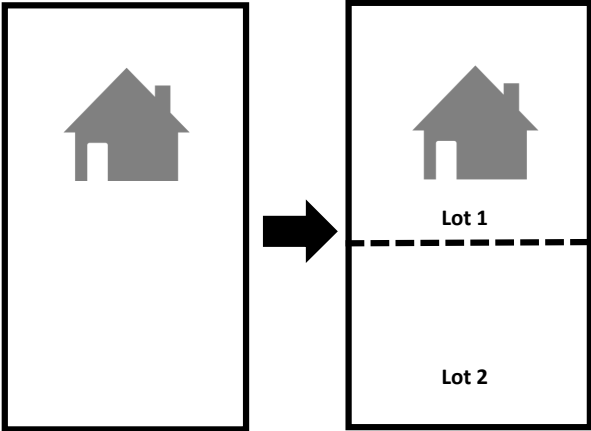


Example 2 – Residential Subdivision (Infill)

Proposal: Subdividing to create an additional Infill lot. The new site is connecting to council services.

Assessment: One set of contributions for the additional lot created.

Activity	Number of HUEs being created by Proposal	Number of HUEs ‘credits’ (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	1	-	\$128.00	\$147.20
Roading	1	-	\$3,945.00	\$4,536.75
Parks & Reserves (Local Reserves)	N/A	-	\$-	\$-
Parks & Reserves (District Wide Reserves)	1	-	\$1,137.00	\$1,307.55
Water	1	-	\$4,417.00	\$5,079.55
Wastewater	1	-	\$10,081.00	\$11,593.15
Stormwater	N/A	-	\$-	\$-
Total				\$22,664.20

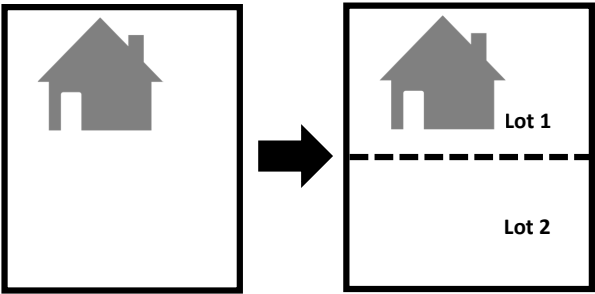


Example 3 – Residential Subdivision (Medium Density Area)

Proposal: Subdividing to create an additional lot located within a Medium Density Area (as located on Map 6). The new site is connecting to Council services.

Assessment: One set of contributions for the additional lot created.

Activity	Number of HUEs being created by Proposal	Number of HUEs ‘credits’ (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	1	-	\$128.00	\$147.20
Roading	1	-	\$3,945.00	\$4,536.75
Parks & Reserves (Local Reserves)	N/A	-	\$-	\$-
Parks & Reserves (District Wide Reserves)	1	-	\$1,137.00	\$1,307.55
Water	1	-	\$4,417.00	\$5,079.55
Wastewater	1	-	\$10,081.00	\$11,593.15
Stormwater	1	-	\$1,880.00	\$2,162.00
Total				\$24,826.20

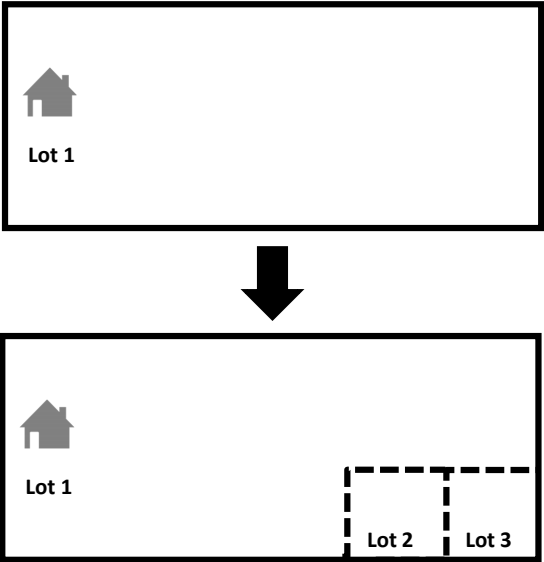


Example 4 – Rural Subdivision

Proposal: Subdividing to create two additional lifestyle lots. The balance site contains a residential dwelling. The new sites are not serviced by Council reticulated services.

Assessment: One set of contributions for each additional lot created.

Activity	Number of HUE's being created by Proposal	Number of HUE's 'credits' (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	3	1	\$128.00	\$147.20
Roading	3	1	\$3,945.00	\$4,436.75
Parks & Reserves (Local Reserves)	N/A	-	\$-	-
Parks & Reserves (District Wide Reserves)	3	1	\$1,137.00	\$1,307.55
Water	N/A	-	-	-
Wastewater	N/A	-	-	-
Stormwater	N/A	-	-	-
Total				\$5,991.50

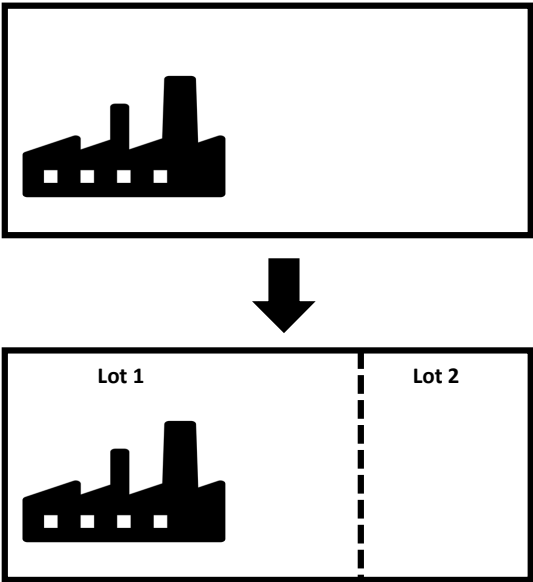


Example 5 – Non-Residential Subdivision

Proposal: Subdividing to create one additional vacant lot outside the Irongate and Omaha Industrial catchments. The new site will be serviced by Council services.

Assessment: One set of contributions for the additional vacant lot created.

Activity	Number of HUEs being created by Proposal	Number of HUEs ‘credits’ (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (including GST)
Roading	1	-	\$3,945.00	\$4,536.75
Water	1	-	\$4,417.00	\$5,079.55
Wastewater	1	-	\$10,081.00	\$11,593.15
Stormwater	N/A	-	-	-
Total				\$21,209.45



NOTE: No contributions in respect of Community Infrastructure and Parks & Reserve (Local or District) are required on Non-Residential applications.

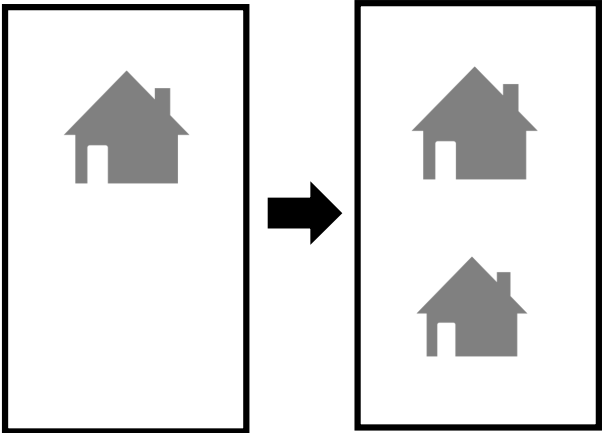
A further assessment would be undertaken at the time of building consent being submitted less any credit allocation.

Example 6 – Erect an additional residential dwelling (>80m2)

Proposal: Erect an ‘additional residential dwelling’ of 80m2 located outside the Greenfields and Medium Density catchments.

Assessment: Dwelling does not ‘qualify’ for a reduced contribution rate as it has a gross floor area in excess of 80m2. One set of contributions applicable for the additional residential dwelling.

Activity	Number of HUEs being created by Proposal	Number of HUEs ‘credits’ (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	1	-	\$128.00	\$147.20
Roading	1	-	\$3,945.00	\$4,536.75
Parks & Reserves (Local Reserves)	N/A	-	\$-	\$-
Parks & Reserves (District Wide Reserves)	1	-	\$1,137.00	\$1,307.55
Water	1	-	\$4,417.00	\$5,079.55
Wastewater	1	-	\$10,081.00	\$11,593.15
Stormwater	N/A	-	\$-	\$-
Total				\$22,664.20



Example 7 – Erect an additional residential dwelling of 60m2

Proposal: Erect an ‘additional residential dwelling’ of 60m2 located outside the Greenfields and Medium Density catchments.

Assessment: Dwelling ‘qualifies’ for a reduced contribution rate (as per 4.3 of this policy) as it has a gross floor area of less than 80m2.

60m2 / 80m2 = 0.75 HUE charge

Activity	Number of HUEs being created by Proposal	Number of HUEs ‘credits’ (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	0.75	-	\$128.00	\$110.40
Roading	0.75	-	\$3,945.00	\$3,402.56
Parks & Reserves (Local Reserves)	N/A	-	\$-	\$-
Parks & Reserves (District Wide Reserves)	0.75	-	\$1,137.00	\$980.66
Water	0.75	-	\$4,417.00	3,809.66
Wastewater	0.75	-	\$10,081.00	\$8,694.86
Stormwater	N/A	-	\$-	\$-
			Total	\$16,998.14

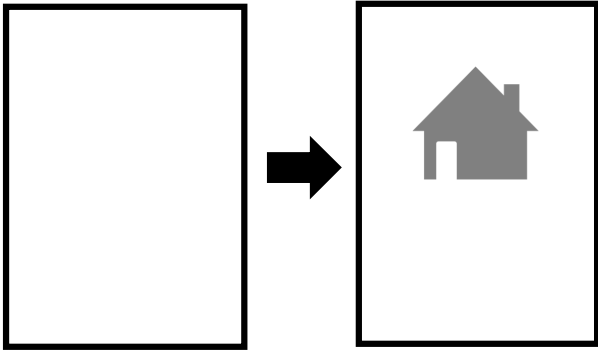


Example 8 – Erect a New Dwelling

Proposal: Erect a New Dwelling on a vacant lot outside the Greenfield, Medium Density and Howard Street Development Area catchments. The site was created prior to the Development Contributions Policy coming into force in 2007. A development levy was paid by the developer at the time of subdivision.

Assessment: One set of contributions Less Credits as per 2.3 Development Contributions Policy. No credit would be provided for Community Infrastructure as these were previously charged upon Building Consent.

Activity	Number of HUEs being created by Proposal	Number of HUEs 'credits' (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	1	-	\$128.00	\$147.20
Roading	1	(1)	\$-	\$-
Parks & Reserves (Local Reserves)	N/A	-	\$-	\$-
Parks & Reserves (District Wide Reserves)	1	(1)	\$-	\$-
Water	1	(1)	\$-	\$-
Wastewater	1	(1)	\$-	\$-
Stormwater	N/A	-	\$-	\$-
Total				\$147.20

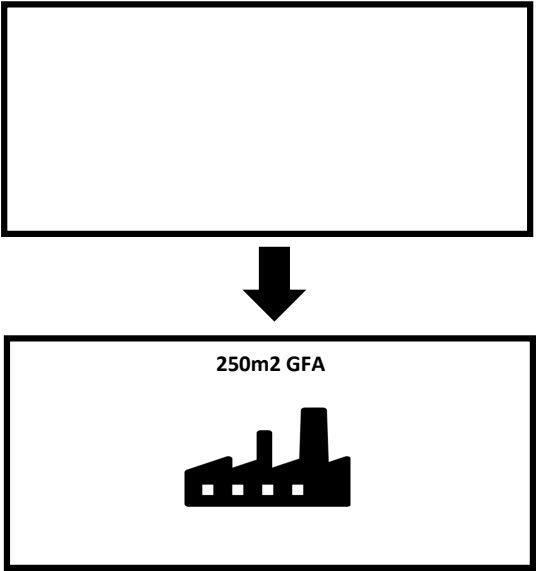


Example 9 – Erect an Industrial Building

Proposal: Erect a 250m2 Industrial Building located outside the Greenfield, Medium Density, Irongate and Omaha catchments. The building is in addition to existing buildings on site and is connected to Council services.

Assessment: As assessment based on the additional 250m2 GFA would be required.

Activity	HUEs per 100m2 GFA (as per Table 4.4.1)	Number of HUEs ‘credits’ (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (including GST)
Roading	0.28	$x(250/100) = 0.70$ HUE’s	\$3,945.00	\$3,175.72
Water	0.4	$x(250/100) = 1.00$ HUE’s	\$4,417.00	\$5,079.55
Wastewater	0.4	$x(250/100) = 1.00$ HUE’s	\$10,081.00	\$11,593.15
Stormwater	N/A	-	-	-
Total				\$19,848.43



NOTE: No contributions in respect of Community Infrastructure and Parks & Reserve (Local or District Wide) are required on Non-Residential applications.

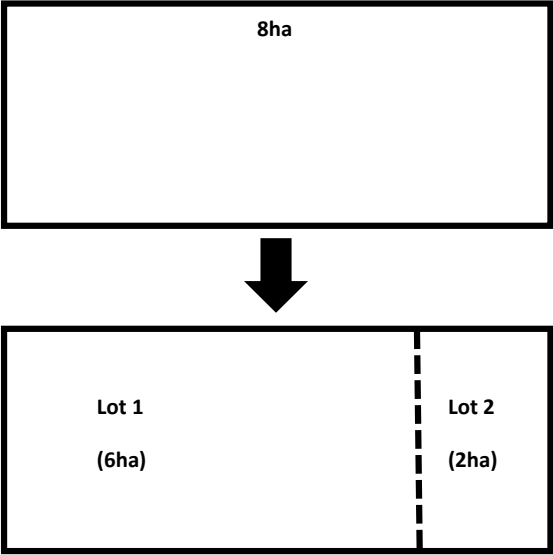
Example 10 – Subdivision of Land in Irongate Industrial Catchment

Proposal: Subdivide 8ha of vacant land within the Irongate Industrial catchment (as located on Map 10) into two sites; one of 2ha (to be developed) and a balance lot of 6ha (not intended for development). The 2ha site will be serviced for all Council services.

Assessment: An assessment will be based on 2ha of land being developed.

 No assessment would be made at this stage on the 6ha balance lot as it is not intended for development.

Activity	Land Area being Developed (m2)	Cost per m2 (Excluding GST)	Total Cost (Including GST)
Roading	20,000	\$7.14	\$164,220.00
Water	20,000	\$2.15	\$49,450.00
Wastewater	20,000	\$1.37	\$31,410.00
Total			\$245,180.00

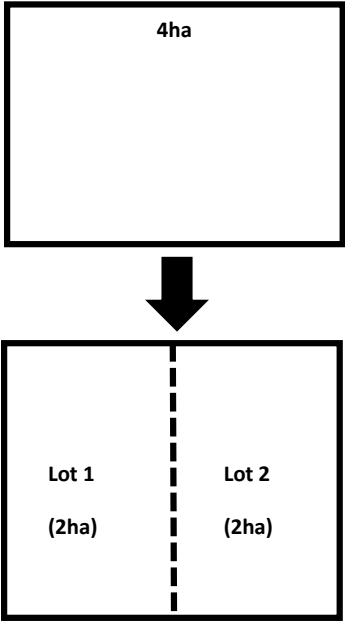


Example 11 – Subdivision of Land in Irongate Industrial Catchment

Proposal: Subdivide 4ha of vacant land within the Irongate Industrial catchment (as located on Map 10) into two developable sites of 2ha each. Each 2ha site will be serviced for all Council services.

Assessment: An assessment will be based on 4ha of land being developed.

Activity	Land Area being Developed (m2)	Cost per m2 (Excluding GST)	Total Cost (Including GST)
Roading	40,000	\$7.14	\$328,440.00
Water	40,000	\$2.15	\$98,900.00
Wastewater	40,000	\$1.37	\$63,020.00
Total			\$490,360.00

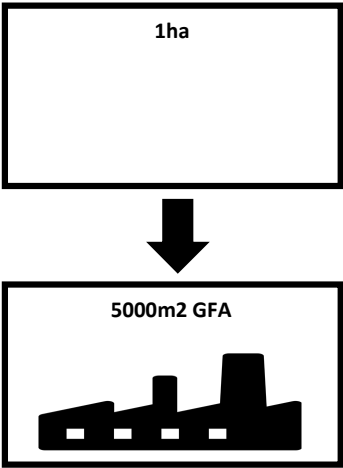


Example 12 – Erect an Industrial Building in Irongate Industrial Catchment

Proposal: Erect a 5,000m² Industrial Building on a 1ha located within the Irongate Industrial catchment (as located on Map 10). The building is connected to Council services.

Assessment: An assessment will be based on 1ha of land being developed.

Activity	Land Area being Developed (m2)	Cost per m2 (Excluding GST)	Total Cost (Including GST)
Roading	10,000	\$7.14	\$82,110.00
Water	10,000	\$2.15	\$24,725.00
Wastewater	10,000	\$1.37	\$15,755.00
Total			\$122,590.00



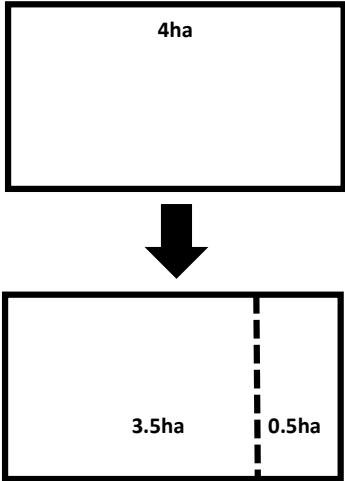
Example 13 – Subdivision of Land in Omaha Industrial Catchment

Proposal: Subdivide 4ha of vacant land within the Omaha Industrial catchment (as located on Map 11) into two sites; one of 0.5ha (to be developed) and a balance lot of 3.5ha (not intended for development). The 0.5ha site will be serviced for all Council services.

Assessment: An assessment will be based on 0.5ha of land being developed.

No assessment would be made at this stage on the 3.5ha balance lot as it is not intended for development.

Activity	Land Area being Developed (m2)	Cost per m2 (Excluding GST)	Total Cost (Including GST)
Roading	5,000	\$5.42	\$31,165.00
Stormwater Corridor Land Acquisition	5,000	\$2.57	\$14,777.00
Water	5,000	\$9.14	\$52,555.00
Wastewater	5,000	\$9.42	\$54,165.00
Total			\$152,662.50

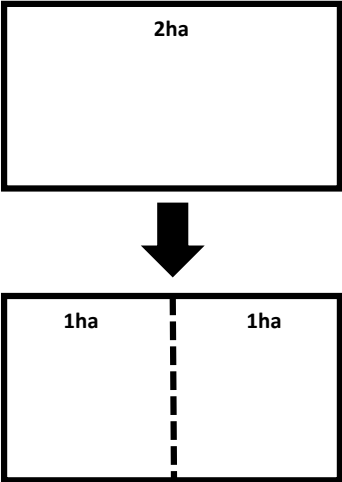


Example 14 – Subdivision of Land in Omaha Industrial Catchment

Proposal: Subdivide 2ha of vacant land within the Omaha Industrial catchment (as located on Map 11) into two developable sites of 1ha each. Each 1ha site will be serviced for all Council services.

Assessment: An assessment will be based on 2ha of land being developed.

Activity	Land Area being Developed (m2)	Cost per m2 (Excluding GST)	Total Cost (Including GST)
Roading	20,000	\$5.42	\$124,660.00
Stormwater	20,000	\$2.57	\$59,110.00
Corridor Land Acquisition			
Water	20,000	\$9.14	\$210,660.00
Wastewater	20,000	\$9.42	\$216,660.00
Total			\$610,650.00

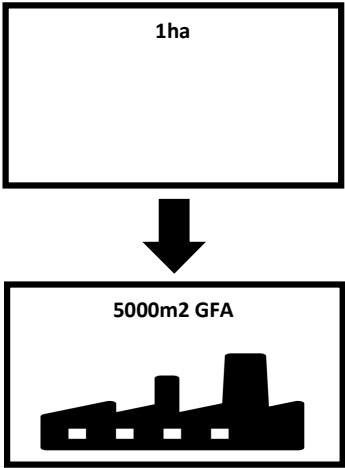


Example 15 – Erect an Industrial Building in Omaha Industrial Catchment

Proposal: Erect a 5,000m2 Industrial Building on a vacant 1ha located within the Omaha Industrial catchment (as located on Map 11). The building is connected to Council services.

Assessment: An assessment will be based on 1ha of land being developed.

Activity	Land Area being Developed (m2)	Cost per m2 (Excluding GST)	Total Cost (Including GST)
Roading	10,000	\$5.42	\$62,330.00
Stormwater Corridor Land Acquisition	10,000	\$2.57	\$29,555.00
Water	10,000	\$9.14	\$105,110.00
Wastewater	10,000	\$9.42	\$108,330.00
Total			\$305,325.00

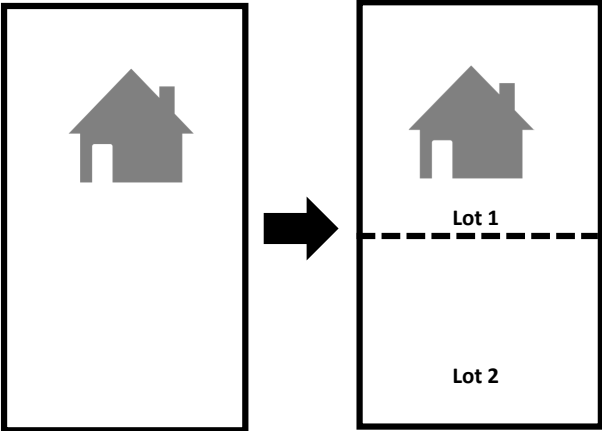


Example 16 – Residential Subdivision (Greenfields) Howard Street

Proposal: Subdividing to create an additional lot (Lot 2) located within the Howard Street Development Area (as located on Map 12) & Greenfields Area (as located on Maps 4 & 5). The new site is connecting to Council services, whilst no changes are required to the servicing of Lot 1.

Assessment: One set of contributions for the additional lot created.

Activity	Number of HUEs being created by Proposal	Number of HUEs 'credits' (as per section 2.3)	Cost per HUE (Excluding GST)	Total Cost (Including GST)
Community Infrastructure	1	-	\$128.00	\$147.20
Roading	1	-	\$3,909.00	\$4,495.35
Parks & Reserves (Local Reserves)	1	-	\$3,945.00	\$4,536.75
Parks & Reserves (District Wide Reserves)	1	-	\$1,137.00	\$1,307.55
Water	1	-	\$4,417.00	\$5,079.55
Wastewater	1	-	\$10,081.00	\$11,593.15
Stormwater	1	-	\$5,815.00	\$6,687.25
Internal Servicing DC (Howard Street Development Area)	1	-	\$19,301.00	\$22,196.15
Total				\$56,094.70



Appendix C

Areas of Demand

Map 1	Community Infrastructure
Map 2	Roading
Map 3- 4	Parks and Reserves Catchments- District Wide & Local Reserves Catchments
Map 5 - 6	Stormwater Catchments- Greenfields & Medium Density Catchments
Map 7	Wastewater
Map 8-9	Water Supply Catchments – Urban Contributing Area & Haumoana / Te Awanga Catchments
Map 10	Irongate Industrial Catchment
Map 11	Omahu Industrial Catchment
Map 12	Howard Street Development Area

Notes:

The Maps in this Appendix are held in the Hastings District Council Geographical Information System. More detail on these maps can be obtained from the Council.

Map 1)



Map 2)



Item 5

Map 3)



Map 4)



Map 5)



Map 6)



Item 5



Map 8)



Map 9)



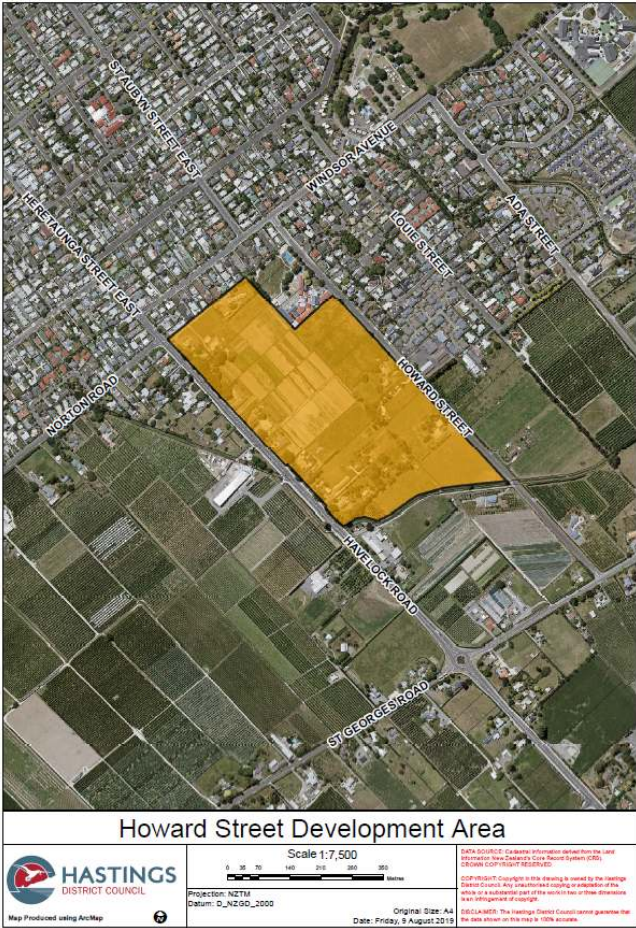
Map 10)



Map 11)



Map 12)



Appendix D

Schedule of Assets for which Development Contributions Will Be Used

The following is a summary of those projects (past and future) with a 'growth component', which is being recovered through the Development Contribution calculation. Figures are exclusive of GST.

Community Infrastructure							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
Community Wide	New Playground Facilities-Brookvale	2027, 2029	\$260,000	\$247,000	\$13,000	95%	5%
Community Wide	New Playground Facilities- Howard Street	2023	\$100,000	\$95,000	\$5,000	95%	5%
Community Wide	New Playground Facilities- Lyndhurst Stage II	2019-2022	\$204,748	\$194,511	\$10,237	95%	5%
Community Wide	New Playground Facilities- Lyndhurst Extension	2029	\$75,000	\$71,250	\$2,500	95%	5%
Community Wide	New Playground Facilities -Middle / Iona Road	2023	\$100,000	\$95,000	\$5,000	95%	5%
Community Wide	Playground Additions / Upgrades to support Medium Density development; Havelock North, Hastings, Parkvale, Mahora, Raureka	2024	\$45,950	\$43,653	\$2,298	95%	5%
Community Wide	New Playground Facilities – Te Awanga Downs	2022	\$120,000	\$15,600	\$104,400	13%	87%
			\$905,698	\$762,013	\$143,685		
Parks & Reserves							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
District Wide Reserves	Sports Park Reserve Land Purchase	2007-2008	\$2,696,087	\$2,696,087	\$-	100%	0%
District Wide Reserves	Sports Park Reserve Land Development	2006-2008	\$3,810,718	\$3,810,718	\$-	100%	0%
			\$6,506,805	\$6,506,805	\$-		
Local Reserves	Brookvale Road Reserve Land Development	2026, 2029	\$100,000	\$95,000	\$5,000	95%	5%
Local Reserves	Brookvale Road Reserve Land Purchase	2027, 2029	\$2,250,000	\$2,137,500	\$112,500	95%	5%
Local Reserves	Howard Street Reserve Land Development	2023	\$70,000	\$66,500	\$3,500	95%	5%
Local Reserves	Howard Street Reserve Land Purchase	2023	\$1,000,000	\$950,000	\$50,000	95%	5%
Local Reserves	Iona / Middle Road Reserve Land Development	2023, 2026-2029	\$230,000	\$218,500	\$11,500	95%	5%

Local Reserves	Iona / Middle Road Land Purchase	2023	\$700,000	\$665,000	\$35,000	95%	5%
Local Reserves	Lyndhurst Stage 2 Reserve Land Purchase	2016-2023	\$1,319,507	\$1,253,532	\$65,975	95%	5%
Local Reserves	Lyndhurst Stage 2 Reserve Land Development	2016-2022	\$177,828	\$168,937	\$8,891	95%	5%
Local Reserves	Lyndhurst Extension Reserve Land Purchase & Development	2029-30	\$920,000	\$874,000	\$46,000	95%	5%
			\$6,767,335	\$6,428,968	\$338,367		

Roading							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
District Wide	Brookvale Subdivision Support- New Road, Roundabout Improvements, Thompson Rd Intersection, Davidson / Brookvale Rd Intersection, and Thompson / Napier Rd Intersection	2020-2023, 2026-27	\$6,205,735	\$5,895,448	\$310,287	95%	5%
District Wide	Omahu / Chatham Road- Roundabout, Safety and Improvements	2021-22	\$2,029,401	\$1,927,931	\$101,470	95%	5%
District Wide	Howard Street Subdivision Support- (External) Pavement Upgrade, Kerb & Channel Footpath Construction, Kea Crossing, Intersection to Development Area	2018-2022	\$1,485,438	\$1,411,166	\$74,272	95%	5%
District Wide	Breadalbane Avenue Urbanisation- Kerb & Channel, Footpath	2018-21	\$503,308	\$478,143	\$25,165	95%	5%
District Wide	Iona / Middle Rd -Subdivision Support - Kerb & Channel, Footpath Construction, Iona to Breadalbane Rd / Middle to Lane Rd, Roundabout Iona / Middle Rd Intersection	2018-24	\$7,854,953	\$7,462,205	\$392,748	95%	5%
District Wide	Havelock Hills – Land Road Subdivision Support	2026	\$551,700	\$524,115	\$27,585	95%	5%
District Wide	Irongate / York Subdivision Support; Roundabout Construction. Land Purchase & Lighting	2021-22	\$658,293	\$625,378	\$32,915	95%	5%
District Wide	Lyndhurst / Pakowhai Rd Roundabout	2022-2023	\$2,700,000	\$2,160,000	\$540,000	80%	20%
District Wide	Lyndhurst / Nottingham Rd Roundabout	2021-2023	\$2,720,304	\$2,584,289	\$136,015	95%	5%
District Wide	Lyndhurst Development Stage II -Expressway to Nottingham Rd Upgrade Intersection, Kerbing, Footpath Construction & Street Lighting	2015-2020	\$983,605	\$934,425	\$49,180	95%	5%
District Wide	Lyndhurst Development Stage II -Arbuckle Road Street Lighting	2020	\$19,122	\$18,166	\$956	95%	5%
District Wide	Lyndhurst Development Stage II -Arbuckle Rd Extension	2016-2022	\$685,694	\$651,409	\$34,285	95%	5%

District Wide	Lyndhurst Extension -Lyndhurst to Pakowhai Rd, Roothing Widening, Kerb & Channel, Footpath & Street lighting	2025-2026	\$1,000,000	\$950,000	\$50,000	95%	5%
District Wide	Martin Place Cul de Sac Improvements	2021-22	\$413,820	\$206,910	\$206,910	50%	50%
District Wide	Medium Density New Works (Public Transport Infrastructure- Various Bus Shelters)	2022	\$11,500	\$10,925	\$575	95%	5%
District Wide	Medium Density New Works (Footpath Construction)- Norton/Heretaunga Street East, Duart to Karanema Dr, Havelock Rd & Donnelly St, Norrie St)	2024-2026	\$287,000	\$272,650	\$14,350	95%	5%
District Wide	Medium Density New Works (Minor Safety Improvements- Various Pedestrian Crossings)	2022	\$28,750	\$27,313	\$1,438	95%	5%
District Wide	Medium Density New Works (Major Safety Improvements- Various Intersections Improvements)	2021-2030	\$272,500	\$258,875	\$13,625	95%	5%
District Wide	Medium Density New Works (Kerb & Channel Renewals Growth Share – Mahora, Havelock North)	2024-2026	\$354,000	\$177,000	\$177,000	50%	50%
District Wide	Omahu Rd Pavement Smoothing, Street Lighting, Underground Support, Footpaths, Pavement Rehabilitation	2008	\$2,724,526	\$672,958	\$2,051,568	25%	75%
District Wide	Omahu / Henderson Road- Roundabout, Safety and Improvements	2020-2022	\$1,617,313	\$808,657	\$808,657	50%	50%
District Wide	Subdivision Support Footpaths, Kerb & Channel, Pavements, Street Lighting	2010-2032	\$1,207,604	\$1,147,224	\$60,380	95%	5%
District Wide	Tomoana Industrial Subdivision Support-Hanui Extension	2023	\$605,000	\$574,750	\$30,250	95%	5%
District Wide	Whakatu Arterial New Rd	2011-2016	\$25,024,157	\$2,033,539	\$22,990,618	8%	92%
District Wide	Subdivision Support- Kohupatiki, York and Irongate Road	2023	\$300,000	\$285,000	\$15,000	95%	5%
			\$60,243,723	\$32,098,475	\$28,145,248		

Stormwater							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
Greenfields	Brookvale Road Development	2020-22, 2026-2027	\$2,118,065	\$2,012,162	\$105,903	95%	5%
Greenfields	Howard Street New Works (External) – Attenuation Pond Purchase and Development Land	2017-2022	\$2,517,559	\$2,391,681	\$125,878	95%	5%
Greenfields	Lyndhurst Development Stage II - Mahora Drain	2017, 2022	\$1,218,649	\$1,157,717	\$60,932	95%	5%
Greenfields	Lyndhurst Development Stage II –Bulk Services Portions 1,2,3	2015-2023	\$2,427,718	\$2,306,342	\$121,386	95%	5%
Greenfields	Lyndhurst Development Stage II -Cooke Stormwater Detention Pond	2018-2023	\$744,988	\$707,739	\$37,249	95%	5%

Greenfields	Lyndhurst Development Stage II -Legal Costs Land Purchase	2014-2017	\$1,529,072	\$1,452,618	\$76,454	95%	5%
Greenfields	Lyndhurst Development Stage II -Contamination/Testing	2019	\$2,494	\$2,369	\$125	95%	5%
Greenfields	Lyndhurst Extension SW Corridor to convey to Mahora Drain	2028-2029	\$900,000	\$855,000	\$45,000	95%	5%
Greenfields	Mahora Drain - Widening drain	2006-2009	\$1,438,229	\$1,366,318	\$71,911	50%	50%
Greenfields	Orbell Drain - NAR to Williams St Stage 1 (50%)	2006, 2008	\$25,590	\$12,795	\$12,795	50%	50%
Greenfields	Orbell Drain NAR to Williams St Stage 2 (50%)	2014-2015	\$114,434	\$57,217	\$57,217	50%	50%
Greenfields	Pipe Orbell Drain - Watt Blk/NAR to Richmond (50%)	2007, 2009	\$270,132	\$135,066	\$135,066	50%	50%
Greenfields	Richmond Rd - Orbell drain to Mallory Drain (50%)	2007-2008	\$317,970	\$158,985	\$158,985	50%	50%
			\$13,624,910	\$12,616,008	\$1,008,902		
Medium Density	Medium Density New Works (Parkvale, Mahora, Havelock North)	2022-2026	\$848,000	\$848,000	\$ -	100%	0%
Medium Density	Medium Density Renewal Growth Share (Parkvale, Mahora, Havelock North)	2021-2029	\$1,159,000	\$579,500	\$579,500	50%	50%
Medium Density	Orbell Drain - NAR to Williams St Stage 1(50%)	2006-2008	\$25,590	\$12,795	\$12,795	50%	50%
Medium Density	Orbell Drain NAR to Williams St Stage 2 (50%)	2014-2015	\$114,442	\$57,221	\$57,221	50%	50%
Medium Density	Pipe Orbell Drain - Watt Blk/NAR to Richmond (50%)	2007-2009	\$270,132	\$135,066	\$135,066	50%	50%
			\$2,417,156	\$1,632,578	\$1,793,480		

Wastewater							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
Urban Contributing Area	Brookvale Rd Development	2022-2024	\$2,014,491	\$1,913,766	\$100,725	95%	5%
Urban Contributing Area	Flaxmere Urban Development	2021-2023	\$5,500,000	\$5,225,000	\$275,000	95%	5%
Urban Contributing Area	Frimley Interceptor Evenden to Elwood, Hapuka to Inland	2007-2014	\$549,895	\$171,567	\$378,328	31%	69%
Urban Contributing Area	Frimley Interceptor Lyndhurst to Evenden Rd	2010-2014	\$229,535	\$71,615	\$157,920	31%	69%
Urban Contributing Area	Frimley Interceptor	2015-2018	\$23,601	\$7,364	\$16,237	31%	69%
Urban Contributing Area	Howard Street (External) New Works- Upgrade Capacity-Pump Station and rising main to East	2017-2022	\$1,978,271	\$1,879,357	\$98,914	95%	5%
Urban Contributing Area	Breadalbane Avenue Urbanisation New Works	2018-2020	\$205,034	\$194,782	\$10,252	95%	5%
Urban Contributing Area	Iona / Middle Road New Works	2017-2022	\$3,173,052	\$3,014,399	\$158,653	95%	5%
Urban Contributing Area	Lyndhurst Development Stage II –Bulk Services Portions 1,2 3	2015-2023	\$1,582,461	\$1,503,338	\$79,123	95%	5%

Urban Contributing Area	Middle Road Sewer Main & Pump Station – Havelock North South Here Here Pumpstation & Rising Main, Porter to Tanner, Lucknow Rd, Palmerston Rd, Busby Hill, Trunk Main Extension	2008-2011	\$3,823,943	\$2,676,760	\$1,147,183	70%	30%
Urban Contributing Area	Middle Rd - Mangarau interceptor to Tanner	2008	\$485,387	\$339,771	\$145,616	70%	30%
Urban Contributing Area	Middle Rd - Mangarau interceptor to Here Here	2007-2011	\$347,346	\$243,142	\$104,204	70%	30%
Urban Contributing Area	Middle Rd - Porter Drive to Mangarau interceptor	2006-2007	\$236,682	\$165,677	\$71,005	70%	30%
Urban Contributing Area	Milliscreen Revamp	2006-2007	\$490,145	\$152,925	\$337,220	31%	69%
Urban Contributing Area	Milliscreen Overhaul	2006-2008	\$201,939	\$63,005	\$138,934	31%	69%
Urban Contributing Area	No.1 Graham Drain x-ing	2009-2010	\$18,110	\$5,650	\$12,460	31%	69%
Urban Contributing Area	No.1 Karamu Stream x-ing	2007	\$27,476	\$8,573	\$18,903	31%	69%
Urban Contributing Area	No.1 Muddy Creek x-ing	2006-2007	\$90,390	\$28,202	\$62,188	31%	69%
Urban Contributing Area	No.2 Graham Drain x-ing	2009	\$16,145	\$5,037	\$11,108	31%	69%
Urban Contributing Area	No.2 Muddy Creek x-ing	2008-2009	\$67,888	\$21,181	\$46,707	31%	69%
Urban Contributing Area	Trunk Sewers Railway Road State Highway 2	2009-2011	\$930,274	\$290,245	\$640,029	31%	69%
Urban Contributing Area	VSD and pump recondition	2006, 2008	\$133,694	\$41,713	\$91,891	31%	69%
Urban Contributing Area	Ventilation, Channels, Wet Well and Grit	2006-2008	\$387,555	\$120,917	\$266,638	31%	69%
Urban Contributing Area	WWTP Resource Consent	2011-2013	\$995,970	\$310,743	\$685,227	31%	69%
Urban Contributing Area	Wastewater Treatment Plant	2009-2011	\$3,679,088	\$1,147,875	\$2,531,213	31%	69%
Urban Contributing Area	WWTP Domestic and TW	2006-2008	\$24,907,610	\$7,771,174	\$17,136,436	31%	69%
Urban Contributing Area	Kaiaipo Development Wastewater	2023-2025	\$14,100,000	\$9,870,000	\$4,230,000	70%	30%
Urban Contributing Area	Louie/Ada/Hood Wastewater Upgrades	2025-2028	\$9,600,000	\$6,720,000	\$2,880,000	70%	30%
Urban Contributing Area	Akina Capacity Upgrade Storage & Pump	2023-2025	\$5,100,000	\$5,100,000	\$-	100%	0%
Urban Contributing Area	Hastings Medium Density Upgrades	2023-2025	\$8,100,000	\$2,025,000	\$6,075,000	25%	75%
Urban Contributing Area	Park North Pump Station Capacity Improvements & Renewal	2023	\$3,000,000	\$2,400,000	\$600,000	80%	20%
Urban Contributing Area	Flaxmere Pump Station Capacity Improvements & Renewal	2023	\$6,300,000	\$1,575,000	\$4,725,000	25%	75%
Urban Contributing Area	Pumpstation Accelerated Capacity Improvement & Renewal	2023	\$100,000	\$37,000	\$63,000	37%	63%
Urban Contributing Area	Flaxmere Rising Main Renewal Growth Share	2023-24	\$3,300,000	\$825,000	\$2,475,000	25%	75%
Urban Contributing Area	Paharekeke Wastewater Main (Omahu Road	2022-2024	\$14,694,616	\$7,739,125	\$6,955,491	53%	47%
Urban Contributing Area	Karamu/Waipatu/Otene Pump Station & Wastewater Trunk Sewer	2022-23	\$12,233,389	\$6,445,277	\$5,788,112	53%	47%
Urban Contributing Area	Irongate / York Pump Station & Rising Main	2022-23	\$4,554,663	\$679,663	\$3,875,000	15%	85%
Urban Contributing Area	Kohupatiki Pump Station & Rising Main	2022-23	\$1,181,856	\$310,856	\$871,000	26%	74%
			\$134,360,506	\$71,074,141	\$63,286,365		

Water							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
Urban Contributing Area	Brookvale Road Development	2021-2022	\$399,604	\$379,624	\$19,980	95%	5%
Urban Contributing Area	Demand Management Pressure Reduction & Modeling	2012-2016	\$34,264	\$8,566	\$25,968	25%	75%
Urban Contributing Area	Demand Management Investigations	2012-2020, 2022	\$198,913	\$49,728	\$149,185	25%	75%
Urban Contributing Area	Demand Management Meter Installation	2012-2019	\$41,441	\$10,360	\$31,081	25%	75%
Urban Contributing Area	Demand Management- Flow and Pressure monitoring equipment	2006-2022	\$402,753	\$116,396	\$286,357	25%	75%
Urban Contributing Area	Havelock North Alternative Source Investigations	2006-2013	\$92,696	\$32,258	\$60,438	35%	65%
Urban Contributing Area	Havelock Hills H.L Zone	2006-2016	\$1,433,422	\$1,132,403	\$301,019	79%	21%
Urban Contributing Area	Havelock Hills -Tauroa Rd- Tanner to Tainui Rd New Works	2012-2017	\$12,932	\$12,285	\$647	95%	5%
Urban Contributing Area	Havelock Hills Booster Pumpstation & PRV	2013-2017	\$2,888	\$2,744	\$144	95%	5%
Urban Contributing Area	Havelock Hills -Margaret Av to Aintree Rd	2013-2015	\$78,817	\$74,876	\$3,941	95%	5%
Urban Contributing Area	Havelock Hills New Reservoir & Pump Station- High Level Zone - Valving & PRV's, Pump Decommissioning, Endsleigh Reservoir, Reservoir Land Use Consent, Land Acquisition	2015, 2022-2026	\$4,919,888	\$4,673,894	\$245,994	95%	5%
Urban Contributing Area	Howard Street (External) New Works	2018-2022	\$318,812	\$302,871	\$15,941	95%	5%
Urban Contributing Area	Iona / Middle Road New Works- Trunk, Pumpstation Upgrade, Reservoir	2018-2023	\$2,777,299	\$2,638,434	\$138,865	95%	5%
Urban Contributing Area	Breadalbane Avenue Urbanisation New Works	2019-21	\$220,280	\$209,266	\$11,014	95%	5%
Urban Contributing Area	Lyndhurst Pump Station	2006-07	\$175,371	\$146,259	\$29,112	83%	17%
Urban Contributing Area	Lyndhurst Development Stage II – Bulk Services Portions 1,2,3	2015-2022	\$1,168,507	\$1,110,082	\$58,425	95%	5%
Urban Contributing Area	Lyndhurst Extension New Works	2026	\$200,000	\$190,000	\$10,000	95%	5%
Urban Contributing Area	New Bore and Pump - Frimley	2013-2016	\$653,132	\$376,857	\$276,275	58%	42%
Urban Contributing Area	New Source Investigations	2009-2016	\$124,668	\$62,334	\$62,334	50%	50%
Urban Contributing Area	Omahu Rd - Ring main increase capacity	2007-2008	\$89,003	\$26,701	\$62,302	30%	70%
Urban Contributing Area	Omahu Road Wilson to Pakowhai Rd	2008-2009	\$1,242,382	\$711,885	\$530,497	57%	43%
Urban Contributing Area	Omahu Road Nottingley to Wilson Rd	2008	\$563,614	\$535,433	\$28,181	95%	5%
Urban Contributing Area	Waipatu Water Main Growth Share	2022	\$752,500	\$752,500	\$-	100%	0%
Urban Contributing Area	Network Wide Pressure, Expressway Loop Main, Omahu/Chatham Upgrade, Maraekakaho Rd to Mangaroa, Irongate / Prison BPS	2022-2024, 2028, 2031	\$25,416,173	\$17,791,321	\$7,624,852	70%	30%

			\$41,319,359	\$31,347,078	\$9,972,281		
Water							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
Haumoana / Te Awanga Area	Haumoana Te Awanga Infill Increase Capacity	2008-2011	\$248,322	\$26,570	\$221,752	11%	89%
Haumoana / Te Awanga Area	Haumoana Te Awanga New Source	2008-2022	\$1,988,766	\$212,798	\$1,775,968	11%	89%
			\$2,237,088	\$239,368	\$1,997,720		
Howard Street Development Area							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
Internal Servicing DC	Acquisition of Land required for Road Service Corridor, Earthworks, construction of Road, Footpath, and Street lighting, Supply and construct water, wastewater and Stormwater services located within road service corridor.	2020-2022	\$5,663,538	\$5,663,538	\$-	100%	0%
			\$5,372,198	\$5,372,198	\$-		
Irongate Industrial Area							
Catchment	Project	Expenditure Period	Total CAPEX	Funded by DC's	Funded by Other Sources	% Growth	% Non-Growth
Roading	Irongate Rd Upgrade including Cul De Sac, Irongate / Maraekakaho Intersection Upgrade, York / Maraekakaho Rd Intersection Upgrade	2017-2022	\$9,106,038	\$5,506,038	\$3,600,000	60%	40%
Wastewater	Pressure Sewer Main- Irongate Rd, Northern Service Lane, Francis Hicks to Oliphant to Irongate Rd, Irongate to Maraekakaho Rd (South)	2017-2018	\$1,056,635	\$1,056,635	\$-	100%	0%
Water	Wilson Rd Trunk Water Main, Irongate Rd Main, Ringmain (North), Ringmain (South), Maraekakaho Rd Main (Irongate Rd to South -Growth, Irongate Rd to Pakowhai - Non-Growth)	2017-2022	\$2,534,755	\$1,657,362	\$886,393	65%	35%
			\$12,706,428	\$8,220,035	\$4,486,393		
Omahu Industrial Area							

<i>Catchment</i>	<i>Project</i>	<i>Expenditure Period</i>	<i>Total CAPEX</i>	<i>Funded by DC's</i>	<i>Funded by Other Sources</i>	<i>% Growth</i>	<i>% Non- Growth</i>
Roading	Omahu Rd Subdivision Support- Raupare Intersection,, Pavement, Sealing, Footpath Construction, Kerb & Channel, and Street lighting	2017-2025	\$3,485,579*	\$3,485,579	\$-	100%	0%
Stormwater Corridor Land Acquisition	Service Corridor Land Acquisition	2017-2021	\$800,635	\$800,635	\$-	100%	0%
Wastewater	Gravity & Pressure Sewer Main Construction, Pump Station, Service Corridor Land Acquisition	2017-2022	\$3,726,000	\$3,726,000	\$-	100%	0%
Water	Water Main Construction, Service Corridor Land Acquisition	2017-2022	\$3,083,525	\$3,083,525	\$-	100%	0%
			\$11,095,739*	\$11,095,739	\$-		

- Notes:
- The growth portion of capital expenditure to support the growth population from 1 July 2007 will be funded from development contributions.
 - Backlog and renewal portions of capital expenditure budgets will not be funded from development contributions.
 - The detailed calculations and documentation supporting the above projects are available for examination at the offices of Hastings District Council.
 - *Excludes Henderson Rd Roundabout

Appendix E

Capital Expenditure Related to Growth

Summary of Estimated Capital Expenditure and funding for growth 2023-2032

Activity	Catchment or Location	Capital Expenditure of projects with a growth component (2005-2022)	Capital Expenditure of projects with a growth component in the LTP (2023-2032)	\$ to be collected over the next 10 years from development contributions	\$ funded over the next 10 years from other sources - including loans & Subsidies
Community Facilities	District Wide	\$324,748	\$580,950	\$537,600	\$43,350
Parks & Reserves	All Catchments	\$8,264,140	\$5,010,000	\$8,254,920	-\$3,244,920
Roading	All Catchments	\$53,884,553	\$18,189,236	\$25,701,051	-\$7,511,815
Stormwater	All Catchments	\$14,118,245	\$3,868,000	\$7,090,985	-\$3,222,985
Wastewater	All Catchments	\$52,890,227	\$87,230,073	\$47,784,124	\$114,295,627
Water	All Catchments	\$18,390,547	\$30,611,173	\$23,210,411	\$7,400,762
		\$147,872,460	\$145,489,432	\$112,028,693	\$33,460,739

The expenditure figures in the table exclude inflation and interest.

Appendix F

Glossary of Terms	
Accommodation	Means units, apartments, rooms in 1 or more buildings, or cabins or sites in camping grounds and holiday parks, for the purpose of providing overnight, temporary, or rental accommodation. It also includes RSE or Worker Accommodation.
Activity	Means goods or service provided by the Council (as defined by section 5 of the LGA 2002) and the headings under which development contributions are collected. These currently include: Community Infrastructure, Roading, Parks; Reserves, Water, Wastewater and Stormwater.
Area of demand	Separate development contribution areas exist for each asset category. For some assets, e.g. Roading- the development contribution area is District wide, for asset categories such as stormwater, water and wastewater development contribution areas are based upon existing service catchment areas as identified on the maps appended.
Backlog	The portion of a planned (or completed) capital project that is required to rectify a shortfall in service capacity to meet existing community demand at the current agreed level of service.
Base Units	The demand of an average household unit for each service.
CCI	Construction Cost Index
CBD	Central Business District (as defined in the Proposed District Plan – Definitions/Glossary).
Commercial Activity	The use of land or buildings for the display, offering, provision, sale, repair or hire of goods, equipment or services and includes education facilities, health care centres, home occupations, printing and publishing but excludes helicopter depots and those activities listed under accommodation and hospitality.
Community Facilities	Reserves, network infrastructure, or community infrastructure for which development contributions may be required.
Community Infrastructure	Means the following assets when owned, operated, or controlled by a territorial authority: a) Play equipment that is located on a neighborhood reserve b) Toilets for use by the public. Under section 197 of the LGA 2002, Community Infrastructure can also include community centres or halls for the use of a local community or neighborhood, and the land on which they are or will be situated. However, under the current policy, no contribution will be collected in respect of these this.
Connection	Means in the case of: <u>Roads:</u> the creation of a site that has physical or legal access to a public road or the approval of vehicle access from a property to a public road. <u>Water, Wastewater and Stormwater:</u> a connection to a reticulated system owned or maintained by the Hastings District Council, and/or to draw from, or discharge into a public or private system that is directly or indirectly serviced by a network owned or maintained by the Hastings District Council.

Cost Allocation	The allocation of the capital costs of a project to the various drivers for the project, such as renewal, catch-up (backlog), and additional capacity to meet growth.
CPI	Consumer Price Index (for avoidance of doubt this excludes credit)
Credits	Where development contributions or financial contributions for a particular property have previously been assessed and paid, credit to that amount will be given for the particular activity.
DC	Development Contribution
Development	As defined by section 197 of the LGA Act 2002: any subdivision, building (as defined in section 8 of the Building Act 2004), land use, or work that generates a demand for reserves, network infrastructure, or community infrastructure but does not include the pipes or lines of a network utility operator.
Development Agreement	A voluntary contracted agreement made under section 207A to 207F between 1 or more developers and 1 or more territorial authorities for the provision, supply, or exchange of infrastructure, land or money to provide network infrastructure, community infrastructure or reserves in 1 or more district or part of a district.
Development Contribution Commissioner	A person appointed under 199F of the LGA 2002.
Development Contribution Objection	An objection lodge under Clause 1 of Schedule 13A of the LGA 2002 against a requirement to make a development contribution.
Financial Contributions	Financial contributions are provided for by the Resource Management Act (RMA) and Council's policy is set out in

	the District Plan. A financial contribution is a contribution from developers of cash, land, works, services or a combination of these. Financial contributions are used to offset or mitigate the adverse impacts on the natural and physical environment including utility services, of a new development.
Funding Model	The funding model ensures an equitable assessment of the funding requirements to support the development contributions regime. The primary output of the funding model is an accurate assessment of the required development contribution charges.
Funding Period	Not less than 10 years. Otherwise lesser of asset capacity life, asset useful life, or 30 years.
Granny Flat (also referred to as a Sleep Out)	A building which is ancillary to the main residence is not independently utilised and is not considered a residential building. Typically this would exclude any kitchen facilities (I.e kitchen sink / bench) (Refer to Residential Building definition)
Greenfield Development	Any development that lies within Catchment Map 4 & 5.
Gross Floor Area (GFA)	The sum of the gross area of all floors of a building measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings but excludes any area used for basement or rooftop parking areas, stairwells, lift wells and life towers, machinery rooms, boiler, heating and air conditioning plant rooms.
Growth	The portion of a planned (or completed) capital project providing capacity in excess of existing community demand at the agreed level of service.
Growth Model	For each development contribution area the Council has determined the population changes anticipated as the

	District expands. These are reported as ‘Household Unit Equivalents’ (HUEs).
GST	Goods and Services Tax
Hospitality	The use of land for a café, restaurant and Bar.
Household Unit Equivalent (also HUE)	A type of ‘unit of demand’ that relates to the typical demand for infrastructure by an average household.
Industrial Activity	The use of land or buildings for the manufacturing, fabricating, processing, packing or storage of substances, into new products and the servicing and repair of goods and vehicles, whether by machinery or hand and includes transport depots and the production of energy but excludes helicopter depots.
Industrial Primary Productions	Means the processing, storage and packaging of crops and agricultural produce.
Infill Development	Any development within the urban area that lies outside Catchment Maps 4, 5 & 6.
ISA	Area of impervious surfaces to be drained to the reticulated stormwater network.
Land Based Primary Production	means: (a) livestock rearing which is primarily reliant on the underlying land; and (b) horticulture (including, viticulture, orcharding, cropping, market gardening, berry fruit growing, nurseries and glasshouses accessory to any of the foregoing activities, but not garden centres); and (c) trees, plants and crops grown in the ground but under cover; (d) forestry; and (e) associated accessory buildings

Level of Service (LOS)	The standard of service provision for each asset.
LGA 2002	Local Government Act 2002
Lot	Lot is deemed to have the same meaning as ‘Allotment’ under both the Local Government Act 2002, and the Resource Management Act 1991.
LTP	Long Term Plan (replaced LTCCP)
Medium Density Development	Any development that lies within catchment Map 6.
Multi-Unit Residential Development (Or Comprehensive Residential Development (CRD))	Means one of more household units on a site over and above any existing household unit and includes two or more comprehensively planned and designed residential dwelling units, a residential activity that is not a household unit or visitor accommodation units.
New Growth / New Expenditure	Relates to the growth demand and planned costs in the ten years from the current year.
Objector	A person who lodges a development contribution objection.
Office	A room, group of rooms, or building where the business of a commercial or industrial organization or a professional person is conducted. This excludes home based offices.
Past Growth / Past Expenditure	Relates to growth capacity and cost that has been provided by past expenditure. In terms of cost it relates to actual costs incurred in past years – including the current year. In terms of demand it relates to the provided capacity for the period between implementation and the current year.
Parks & Reserves	This refers to the cost of purchasing land and providing additional improvements necessary to enable the land to be usable reserves such as:

	<p>Local (Neighborhoods) reserves – Small to medium sized areas of recreation reserve that are intended to provide for informal local passive and active recreation</p> <p>District Wide Parks/domains – Larger scenic or recreation reserves intended primarily to provide for passive recreation with a feeling of remoteness from urbanity and more formal active recreation and events , and Sports-grounds – larger recreation reserves intended primarily to provide for formal sporting activities and events</p>
Reductions	A reduction is an adjustment to the HUEs assessed for a consent application. A reduction will only be considered as part of a review requested by an applicant.
RMA	Resource Management Act 1991
Remissions	A remission is an adjustment to the scheduled charged for a particular activity and catchment as a percentage or in dollar terms.
Renewal	The gross cost of replacing an existing asset with a modern equivalent asset to the same function and capacity at the end of its life.
Residential	The use of land and buildings by people for accommodation purposes, including unit/strata title developments and commercial accommodation.
Residential Building	A building, a room, or a group of rooms, that is designed or capable of being used or occupied exclusively by one or more persons as a single, independent and separate household unit (including secondary residential buildings). Where a building is used for residential purposes and contains kitchen and bathroom facilities, generally it will be considered a residential building and DC’s will apply.

Retail	The use of land or premises for the retail sale or hire of goods to the public.
Retirement Village	As specified under Section 6 of The Retirement Villages Act 2003
Retirement Village Unit	Any residential unit / building (other than an aged care room) located within a retirement village.
Retirement Village Aged Care Room	Any residential unit (typically not self-contained) in a ‘rest home’ or hospital care institution as defined in section 58(4) of the Health and Disability Services (Safety) Act 2001.
Service Connection	A physical connection to a service provided by, or on behalf of Hastings District Council.
Site	Means either: <ul style="list-style-type: none">(a) An area of land permitted by the District Plan to be used as a separate unit for one or more specified or ascertainable uses, and held in one single Certificate of Title, and includes all related buildings and cartilages.(b) An area of land which is held in two or more Certificate of Title where such titles are subject to a condition imposed under Section 36 of the Building Act or Section 643 of the Local Government Act 1974, are held together in such a way that they cannot be dealt with separately without the prior approval of Council, or the title(s) consist of more than one allotment and such allotments are held together in such a way that they cannot be dealt without separately without the prior approval of the Council.(c) In the case of a cross lease- each area shown on the certificate of title as an exclusive use area.

Subdivision	Subdivision is deemed to have the same meaning as 'subdivision' under the Resource Management Act 1991.
VPD	Vehicles Per Day (NOTE: A trip to / from the site is counted as 2 vehicle movements)

Warehousing	Land or buildings used for the receipt, storage and disposal of material, articles or goods destined for a retail outlet, trader or manufacturer and includes stock and station firm operations.
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Appendix G
Non-Residential & Residential Base Units

Non-Residential Base Units		
Activity	Base Unit	Demand per HUE
Transport	Vehicle trips per day (VPD)	10.4 light vehicles and 2 heavy vehicles (Class II or higher) Note: A trip to / from the site is counted as 2 vehicle movements / trips
Stormwater	Additional vacant Lots Created	1 HUE
Wastewater	m ³ per day	800 litres per day
Water Supply	m ³ per day	1000 litres per day
Residential Base Units (1 HUE)		
Activity	Base Unit	Demand per HUE
Community Infrastructure	Persons Per Household	2.7 persons
Parks & Reserves (Local & District Wide)	Persons Per Household	2.7 persons
Transport	Vehicle trips per day (VPD)	10.4 light vehicles Note: A trip to / from the site is counted as 2 vehicle movements / trips
Stormwater	Additional vacant Lots Created	1 HUE
Wastewater	m ³ per day	800 litres per day
Water Supply	m ³ per day	1000 litres per day

Appendix H

Funding Sources for the Cost of Growth

Section 106 of the Local Government Act 2002 requires Council to explain why it has determined to use development contributions to fund the capital expenditure identified in its LTP resulting from growth. Section 101 of the Act requires consideration of the following matters in relation to each activity to be funded.

- (i) the community outcomes to which the activity primarily contributes; and
- (ii) the distribution of benefits between the community as a whole, and identifiable part of the community, and individuals; and
- (iii) the period in or over which those benefits are expected to occur; and
- (iv) the extent to which the actions or inaction of particular individuals or a group contribute to the need to undertake the activity; and
- (v) the costs and benefits, including consequences for transparency and accountability, of funding the activity distinctly from other activities; and
- (vi) the overall impact of any allocation of liability for revenue needs on the current and future social, economic, environmental and cultural well-being of the community

Consideration of these matters for each activity that Council intends to collect Development Contributions for is set out below. These are fundamentally in line with the Revenue and Financing Policy adopted by Council through its LTP. The analysis below focuses on capital expenditure funding and the cost of growth only.

Water Supply

Contribution to Community Outcomes

Community Outcome	How the Activity Contributes
Local Infrastructure which contributes to public health and safety, supports growth, connects communities, activities communities and helps to protect the natural environment.	<ul style="list-style-type: none">• By ensuring that we have a healthy public water supply that meets 100% compliance with NZ drinking water bacteria standards, at an affordable cost.• By ensuring that all water supply assets are well maintained and operated efficiently.• By ensuring people are water wise, conserve water and minimise the impact on water sources and the environment.

Distribution of Benefits

Community Benefits

- Contributes to community health and fire safety
- Assists the local economy
- Improves amenity value of the city.

Identifiable Beneficiaries

- The users of the Council’s water supply (or potential users as in properties able to be connected).

Overall the benefit has been assessed as being 100% identifiable as users in water reticulated areas also receive the maximum proportion of the community benefit. Accordingly Council has determined that the cost of growth should be paid for by those that require and benefit from the need to undertake the capital expenditure.

Period in which the benefits are expected to occur

Assets purchased from capital expenditure are treated as providing long term benefits to the community for the duration of their useful lives.

The actions or inaction of particular individuals or a group contribute to the need to undertake the activity

New development that has a requirement for Council services must be planned for to enable the infrastructure to cater for this additional demand and to ensure existing levels of service can be maintained. In designing capital infrastructure projects, a competent Council must evaluate future growth and provide for this growth in managing its assets. This must also be done to achieve the purpose of the Local Government Act 2002, and to meet its obligations under the National Policy Statement on Urban Development 2020.

Therefore, to support development the required increase in demand for capacity in the community’s water infrastructure must be planned for and funded.

Costs and Benefits of Distinct Funding

Funding this account on a user pays basis targets the beneficiaries of the activity directly and is a transparent funding mechanism. Water infrastructure has its own distinct catchment and characteristics. No costs have been identified for distinct funding of this activity.

Overall Impact of Funding on Community Outcomes

A good quality water supply enhances public health and safety. It is equitable that those who connect to the water supply network should contribute their proportion of any cost of providing for that growth.

Sewage Disposal Services

Contribution to Community Outcomes

Outcome	How the Activity Contributes
Local Infrastructure which contributes to public health and safety, supports growth, connects communities, activities communities and helps to protect the natural environment.	<ul style="list-style-type: none">• By ensuring that adequate public sewage disposal systems are available at an affordable cost and all sewage disposal services assets are well maintained and operated efficiently.• By ensuring the community wastes less to minimize the impact on the environment.

Distribution of Benefits

Community Benefits

- Community health and safety
- Assists the local economy
- Land is protected from the effects of sewage seepage
- Meets the community's increasing environmental standards.

Identifiable Beneficiaries

- Identified as properties connected to the Districts sewage system (and properties able to be connected).

Overall the benefit has been assessed as being 100% identifiable as users in sewage reticulated areas, who also receive the maximum proportion of the community benefit. Accordingly Council has determined that the cost of growth should be paid for by those that require and benefit from the need to undertake the capital expenditure on the system as a whole.

Period in which the benefits are expected to occur

Assets purchased from capital expenditure are treated as providing long term benefits to the community for the duration of their useful lives.

The actions or inaction of particular individuals or a group contribute to the need to undertake the activity

New development that has a requirement for Council services must be planned for to enable the infrastructure to cater for this additional demand and to ensure existing levels of service can be maintained. In designing capital infrastructure projects, a competent Council must evaluate future growth and provide for this growth in managing its assets. This must also be done to achieve the purpose of the Local Government Act 2002 and to meet its obligations under the National Policy Statement on Urban Development 2020.

Therefore, to support development the required increase in demand for capacity in the community's wastewater infrastructure must be planned for and funded.

Costs and Benefits of Distinct Funding

Funding this account on a user pays basis targets the beneficiaries of the activity directly and is a transparent funding mechanism. Wastewater infrastructure has its own distinct catchment and characteristics. No costs have been identified for distinct funding of this activity.

Overall Impact of Funding on Community Outcomes

An effective sewage disposal system that meets current and future need enhances public health and safety. It is equitable that those who connect to the sewage disposal network should contribute their proportion of any cost of providing for that growth.

Stormwater Disposal Services

Contribution to Community Outcomes

Outcome	How the Activity Contributes
Local Infrastructure which contributes to public health and safety, supports growth, connects communities, activities communities and helps to protect the natural environment.	<ul style="list-style-type: none">By ensuring that adequate public stormwater disposal systems are available at an affordable cost, and by ensuring that all stormwater disposal services assets are well maintained, operated efficiently.By ensuring the community minimizes the negatives impact on the environment.

Distribution of Benefits

Community Benefits

- Public health and safety
- Environmental benefits of flood control
- Enhances amenity and property values.

Identifiable Beneficiaries

- Properties serviced by a stormwater system

The overriding benefits of Council's stormwater activity apply to all those who are located in the areas where Council provides a reticulated system. Accordingly Council has determined that the cost of growth should be paid for by those that require and benefit from the need to undertake the capital expenditure.

Period in which the benefits are expected to occur

Assets purchased from capital expenditure are treated as providing long term benefits to the community for the duration of their useful lives.

The actions or inaction of particular individuals or a group contribute to the need to undertake the activity

New development that has a requirement for Council services must be planned for to enable the infrastructure to cater for this additional demand and to ensure existing levels of service can be maintained. In designing capital infrastructure projects, a competent Council must evaluate future growth and provide for this growth in managing its assets. This must also be done to achieve the purpose of the Local Government Act 2002.

Therefore, to support development the required increase in demand for capacity in the community's stormwater infrastructure must be planned for and funded.

Costs and Benefits of Distinct Funding

Funding capital expenditure related to growth from development contributions targets the beneficiaries of the activity directly and is a transparent funding mechanism. Stormwater infrastructure has its own distinct catchment and characteristics. No costs have been identified for distinct funding of this activity.

Overall Impact of Funding on Community Outcomes

An effective stormwater disposal system that meets current and future needs enhances public safety. It is equitable that the development community should fund their proportion of any new capital expenditure requirements for this activity.

Roading

Contribution to Community Outcomes

Outcome	How the Activity Contributes
Local Infrastructure which contributes to public health and safety, supports growth, connects communities, activities communities and helps to protect the natural environment.	<ul style="list-style-type: none">• By providing and maintaining an environment where people can move around safely.• By providing an attractive and safe walking and cycling environment.• By providing accessible transport options to support an efficient movement of goods.

Distribution of Benefits

Community Benefits

- Safe transportation network
- Easy access
- Assists economic growth.

Identifiable Beneficiaries

- All road users (motorists, pedestrians, cyclists, transport operators and businesses)
- Utility service providers using the road reserve for their services

The benefits of Council’s roading network accrue to both District residents and businesses and outside users. Council has determined that the cost of growth should be paid for by those that require and benefit from the need to undertake the capital expenditure.

Period in which the benefits are expected to occur

Assets purchased from capital expenditure are treated as providing long term benefits to the community for the duration of their useful lives.

The actions or inaction of particular individuals or a group contribute to the need to undertake the activity

New development that has a requirement for Council services must be planned for to enable the infrastructure to cater for this additional demand and to ensure existing levels

of service can be maintained. In designing capital infrastructure projects, a competent Council must evaluate future growth and provide for this growth in managing its assets. This must also be done to achieve the purpose of the Local Government Act 2002.

Therefore, to support development the required increase in demand for capacity in the community’s roading infrastructure must be planned for and funded.

Costs and Benefits of Distinct Funding

Funding capital expenditure related to growth from development contributions targets the beneficiaries of the activity directly and is a transparent funding mechanism. Roding infrastructure has its own distinct characteristics in that all persons have access to the network. No costs have been identified for distinct funding of this activity.

Overall Impact of Funding on Community Outcomes

An effective roading network ensures people can move around safely and accessible transport options are available to transport goods efficient. In order for the roading network to be maintained with the present level of service in the long term, and to accommodate anticipated growth, the Council considers that additions and upgrades are necessary.

It is equitable that the development community should fund their proportion of any new capital expenditure requirements for this activity.

Community Infrastructure and Parks and Reserves (Local and District Wide)

Contribution to Community Outcomes

Outcome	How the Activity Contributes
Local Infrastructure which contributes to public health and safety, supports growth, connects communities, activities communities and helps to protect the natural environment.	<ul style="list-style-type: none">By ensuring our district is an attractive location to live, and we have adequate places and spaces for recreation and fun.By ensuring we have attractive and usable open spaces that are safe for people to enjoy.
Local public services which help meet the needs of young and old, people in need, visitors and locals, businesses and households.	

Distribution of Benefits

Community Benefits

- Community pride
- Amenity value
- General recreational accessibility.

Identifiable Beneficiaries

- Park users and non-users.

The benefits of Council's parks & sportsgrounds activity accrue to those who choose to use and enjoy them in numerous ways. Council has determined that the cost of growth should be paid for by those that require and benefit from the need to undertake the capital expenditure.

Period in which the benefits are expected to occur

Assets purchased from capital expenditure are treated as providing long term benefits to the community for the duration of their useful lives.

The actions or inaction of particular individuals or a group contribute to the need to undertake the activity

New development that has a requirement for Council services must be planned for to enable the infrastructure to cater for this additional demand and to ensure existing levels of service can be maintained. In designing capital projects, a competent Council must evaluate future growth and provide for this growth in managing its assets. This must also be done to achieve the purpose of the Local Government Act 2002.

Therefore, to support development the required increase in demand for capacity in the community's parks, reserves and associated facilities must be planned for and funded.

Costs and Benefits of Distinct Funding

Funding capital expenditure related to growth from development contributions targets the beneficiaries of the activity directly and is a transparent funding mechanism. Parks and facilities on parks and reserves infrastructure have their own distinct characteristics in that all persons have access to them. However it is acknowledged that some areas will not have the same ready access to this infrastructure. Therefore two catchments have been identified that have different capital expenditure within each. No costs have been identified for distinct funding of this activity.

Overall Impact of Funding on Community Outcomes

The provision of parks and sportsgrounds and the amenities located on them (such as toilets and playgrounds) that meets current and future needs ensures we contribute to safe, healthy and liveable communities. In order for the present levels of service to continue in the long term, and to accommodate anticipated growth, the Council considers that addition reserve acquisition and development is necessary; as are additional toilets and playgrounds.

It is equitable that the development community should fund their proportion of any new capital expenditure requirements for this activity.

Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 22 June 2023 6:22 AM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#1]

Your name: * Clare Webber

Your address: * 
78 joll road
Havelock north 4130
New Zealand

Your email address: * webber_clare@yahoo.com

Your day time phone number: * 0274480440

Please provide your feedback here: * Yes please to the rates remission continuing. We can't afford to be paying rates for houses we can't live in.

Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 22 June 2023 10:24 AM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#2]

Your name: * kevin McCormack

Your address: *

147 Gilligan Road
Hastings 4183
New Zealand

Your email address: * athenahouses@gmail.com

Your day time phone number: * 0274533687

Please provide your feedback here: *

Hi I am applying for long term remission from rates .


My primary and secondary dwelling and holiday accommodation is destroyed .

My 11ha orchard is being completely removed

I have lost all income from the property


Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 27 June 2023 6:42 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#3]

Your name: *	Nicolaas W Slagter
Your address: *	<div></div> 2041 pakowowhai rd rd 3 napier napier, Hawke's Bay 4183 New Zealand
Your email address: *	<u>Slagter-lvin-Springfield@xtra.co.nd</u>
Your day time phone number: *	+64211546732
Please provide your feedback here: *	We want to stay in our house and renovate. It did not hit the ceiling or the top cupboards.


Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 27 June 2023 8:24 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#4]

Your name: *	Stacey Smith
Your address: *	<div></div> 1523 korokipo road Omaha Hastings 4183 New Zealand
Your email address: *	stace_simmers@hotmail.com
Your day time phone number: *	0279200093
Please provide your feedback here: *	It would be helpful for the criteria to be made as explicit as possible for which circumstances the remission would be granted for yellow stickered properties. For example those living in caravans/sheds on their yellow stickered property. I'm not sure from reading the documentation whether they would be exempt or not.

Richard Elgie


From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 27 June 2023 9:26 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#5]

Your name: *	Daniel Bergloff-Howes
Your address: *	<div></div> 37 Shaw Road, RD2 RD2 Napier 4182 New Zealand
Your email address: *	dan.trina@yahoo.com
Your day time phone number: *	0212135044
Please provide your feedback here: *	I support the Remission of Rates Dwellings and Land Affected by Natural Disaster Policy

Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 29 June 2023 4:41 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#6]

Your name: * A.Merrie & G. Bullock Partnership Merrie

Your address: * 
40 Hodgson Road, RD3, Napier 4183 1787 Pakowhai Road
RD 3 4183
New Zealand

Your email address: * amerrie@hotmail.co.nz

Your day time phone number: * 0276465666

Please provide your feedback here: * We are yellow stickered and can not rebuild in the foreseeable future.

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 29 June 2023 4:42 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#7]

Your address: *

40 Hodgson Road, RD3, Napier 4183 as above
RD 3 4183
New Zealand

Your day time phone number: * 0276465666

Please provide your feedback here: *

This house is yellow stickered and we are unable to rebuild in the foreseeable future.

Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Thursday, 29 June 2023 4:43 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#8]

Your name: * A.Merrie & G. Bullock Partnership Merrie

Your address: * 
40 Hodgson Road, RD3, Napier 4183 1778 Pakowhai Road
RD 3 4183
New Zealand

Your email address: * amerrie@hotmail.co.nz


Your day time phone number: * 0276465666

Please provide your feedback here: * This house was yellow stickered and can not be rebuilt in the foreseeable future.

Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Sunday, 2 July 2023 11:31 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#9]

Your name: Gillian Fowke-Bate
*

Your 
address: * 92 Ellis Wallace Road Eskdale RD2
Napier, Hawke's Bay 4182
New Zealand

Your email gillian.bate@hotmail.com
address: *

Your day 021667591
time phone
number: *

Please provide your feedback here: *

Hello, my husband and I own the property at 92 Ellis Wallace Rd, which was a functioning olive grove prior to cyclone Gabrielle. Approx 80% of our 25 acres (10.55 hectares) of land was flooded. There were many hundreds of items of debris, slash and trees littered across the flooded property which is covered in silt up to 5-6 metres in the deepest area. We have cleared a lot of the debris to avoid future heavy rain events from washing it downstream. However, the cyclone also caused us to lose 80% of our olive trees. Many were ripped out completely during the cyclone, and the remainder died during the period when we waited to get diggers and bulldozers in to clear the silt that had buried them. We have lost our entire crop this year due to the cyclone ripping olives from the remaining trees. The land is not usable as it's heavily covered in silt and debris. Even if the land was usable it is approximately 10 years until newly planted olive trees would be in production, so this would have a severe negative impact for us for about a decade, even if we replanted and re-installed irrigation and fencing everywhere.

The cyclone also completely washed away our 300sqm tractor shed with all the vehicles, equipment, machinery and tools inside it. Another shed is buried almost to its roof in silt. Everything that was in both sheds has been lost.

The house was not flooded, but if the water had risen another 50-100cm more the house would have been flooded too.

We are seeking a rates remission please. We have a very long window ahead without usable land, unless it is acquired by the government. The entire property is provisionally category 3 status as so much of it was flooded and the house is not much higher than where the flood waters rose. The house cannot be insured and as the policy renewed in March our entire property is no longer insured for water damage, along with fencing, vehicles, equipment, the house etc will not be covered if there is a future flood.

I attach an aerial photo of our property taken before and after the cyclone. We subsequently lost all olive and other trees to the right of the blue line as they died because they were buried in metres of silt. The photo clearly shows the extent of the silt covering our land. This document also includes the Council email advising of the provisional Category 3 assessment.

Add up to
two
attachments




[pre__post_flood_and_land_categorisation.pdf](#) 1.47 MB · PDF

Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Monday, 3 July 2023 12:46 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#10]

Your name: Dean Smith
*

Your 
address: * 33a Hammond Road Taradale
Napier, Hawke's Bay 4112
New Zealand

Your email manager@hbfa.co.nz
address: *

Your day 0272339900
time phone
number: *

Please provide your feedback here: *

Background Context

The Hawke's Bay Horticulture Advisory Group (HBHAG) was established amid the region's response to Cyclone Gabrielle, with terms of reference adopted on 28th March 2023 (appendix 1).

The primary purpose of HBHAG is to prepare for and respond to adverse events within the Hawke's Bay region. The scope includes human welfare, business resilience, risk reduction and recovery. The group meets weekly and works closely with the Rural Advisory Group (RAG) and other cyclone recovery stakeholders to align its efforts with the wider regional recovery framework.

As identified in its terms-of-reference, HBHAG's core membership includes representatives from the following organisations:

- Hawke's Bay Fruitgrowers Association Inc.
- Hawke's Bay Vegetable Growers Association
- Hawke's Bay Winegrowers Association
- New Zealand Apples & Pears Inc.


- Summerfruit New Zealand
- New Zealand Kiwifruit Growers Incorporated
- Ministry for Primary Industries
- Horticulture New Zealand

The HBHAG has discussed the proposed rates remission policy to assist ratepayers where the land or primary dwellings/buildings have been detrimentally affected by natural disaster.

We are unanimously supportive of any policy refinements that improve clarity and better consider the economic and mental wellbeing impact of the cyclone on those landowners who have endured damage to land and/or crops.

Yours sincerely,
Dean Smith
Chair – HBHAG

Add up to
two
attachments



[20232903_hbhag_terms_of_reference_v1.pdf](#) 143.57 KB · PDF

Richard Elgie

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 4 July 2023 6:44 PM
To: Richard Elgie
Subject: HDC - Remission of Rates – Dwellings and Land Affe [#11]

Your name: Margaret Symons
*



Your address: *  446 Springfield Rd RD3
Napier 4183
New Zealand

Your email address: * margienz@yahoo.com

Your day time phone number: * 0272764968

Please provide your feedback here: *

We can't live in our homes as we are yellow stickered.
Yet, we have to get our properties into some sort of shape so that our areas don't look like a bomb has hit them.
We have boundaries fences and access ways to reinstate. We need to be able to mow or have stock to keep the grass down.
Therefore, we have to labour on our properties and pay contractors to help us. We are all uncertain about when we will be able to move forward with rebuilding. It took years after the earthquake in Christchurch to get properties sorted out. We are hoping that it will not be the same here.
It's not fair that we pay rates when we are in limbo. What will happen if we can't get dwellings rebuilt for three years? Surely it isn't fair that we pay rates when the river issues, roads and dwelling rebuilds haven't been sorted out.

Add up to two attachments  [d6b7c9958e5c4a9fb26dae9ccd94b637.jpeg.jpg](#) 1.05 MB · JPG
 [95720edc68334757984b7365e0dd6b83.jpeg.jpg](#) 1.47 MB · JPG



SUBMISSION

TELEPHONE 0800 327 646 | WEBSITE WWW.FEDFARM.ORG.NZ

Item 6

To: Hastings District Council

Submission on: **Proposed Remission of Rates – Dwellings and Land Affected by Natural Disaster**

Date: 9 May 2023

Submission by: Hawke's Bay Federated Farmers

JIM GALLOWAY
HAWKE'S BAY PROVINCIAL PRESIDENT
Federated Farmers of New Zealand

Address for service: **FRANCES CASEY**
GRADUATE POLICY ADVISOR
Federated Farmers of New Zealand
Ph 027 537 3385
E fcasey@fedfarm.org.nz

1. INTRODUCTION

- 1.1 Hawke's Bay Federated Farmers (**Federated Farmers**) is pleased to see Hastings District Council (Council) proposing a Rates Remission Policy specific to Cyclone Gabrielle and recent weather events (**the proposed policy**)
- 1.2 We appreciate Council using the tools available to produce the proposed policy and for putting it to the public for consultation.

- 1.3 We acknowledge any submissions from individual members of Federated Farmers.
- 1.4 Federated Farmers wishes to be heard in support of its submission.
- 1.5 Our submission provides general comments and focuses on key aspects of the proposed policy including:
 - i. Automatic application for red stickered properties
 - ii. Application process for yellow stickered properties and severely eroded or impacted properties;
 - iii. Severely eroded or impacted properties;
 - iv. Objection process;
 - v. Period of the policy;
 - vi. Financials.

2. GENERAL COMMENTS

- 2.1 Absence of a specific Rate Remission Policy was of particular concern to Federated Farmers as outlined in our submission on Hastings Severe Weather Recovery (Rating Valuation Act – Hastings District Council) Order 2023 where we suggested a specific remission policy for agriculture and horticulture properties that had been damaged from weather events, rendering them uneconomic.
- 2.2 We are pleased that the proposed policy extends to properties with crop and pasture damage, properties that have become unusable or uneconomic or where the ownership of land has become indeterminate or uneconomic (**severely eroded or impacted properties**). Federated Farmers seeks clarification as to whether crop includes permanent crops (i.e., fruit trees) as well as seasonal crops (e.g., vegetables).
- 2.3 Federated Farmers represents the voices of farmers in the Hasting District whose land has become severely eroded or impacted by recent weather events.
- 2.4 We support the intention of the proposed policy and appreciate that it recognises land affected by Natural Disaster. We also support the Council's intention to provide more certainty for ratepayers regarding remission of rates.

- 2.5 Federated Farmers would like to see the proposed policy adopted quickly so that rates can be remitted for this financial quarter.

Relief sought

- Council confirms whether 'crop' includes permanent crops (i.e., fruit trees) as well as seasonal crops (for example, vegetables).
- Council act on relief sought in this submission and adopt the proposed policy quickly so that rates can be remitted for this financial quarter.

3. AUTOMATIC APPLICATION FOR RED STICKERED PROPERTIES.

- 3.1 Federated Farmers supports an automatic application for red stickered houses for each rate instalment for a period of two years or earlier if the primary dwellings/buildings are deemed by Council to be able to become useable/habitable.
- 3.2 These properties should not have to go through a full application process as they have already been assessed as inhabitable or unusable.
- 3.3 We support Council reserving discretion for the remission period. A remission policy should be subjective as repairing a property to a habitable or useable state will differ between red stickered properties.
- 3.4 Federated Farmers seeks reference to the Rapid Building Assessment Placarding System in the proposed policy as this will likely direct Council's discretion on the remission period. This would improve transparency and certainty for owners as to the period of remission.

Relief sought

- Council provide further information on how the Rapid Building Assessment Placarding System works with the proposed policy in terms of Council's assessment of the remission period for red stickered properties.

4. APPLICATION PROCESS

- 4.1 We acknowledge that the rates remission may be a big cost for Council down the line and support from central government for this specific remission policy is not yet known. The decision to remit rates under the proposed policy needs to be assessed carefully on a case-by-case basis to ensure that the policy is not abused.
- 4.2 Federated Farmers supports remission by application for yellow stickered properties and severely eroded or impacted properties as it ensures that remissions are legitimate and proportionate to the damage or loss of the property or land.
- 4.3 That being said, Council should be consistent, efficient, and transparent in their assessment to ensure that they are making timely and accurate decisions on applications.
- 4.4 Federated Farmers is aware that application processes can be time consuming, and we encourage Council to ensure that the process is efficient to ensure that applicants that meet the criteria get relief immediately. For example, the Kaikoura District Council was still processing applications for rates remissions up to 18 months after the 2016 7.8Mw earthquake event. Ratepayers who are victims of Cyclone Gabrielle must not have to wait this long to receive rates relief.
- 4.5 Federated Farmers questions how Council intends to roll out the application process and whether Council has enough staff to make for an efficient process.
- 4.6 Additionally, Council needs to proactively inform people of the proposed Policy and have clear information about how to make an application under the proposed policy. Property owners are busy recovering and rebuilding, or may even be displaced, and may not be aware that they are eligible to apply under the proposed policy. In particular victims of stop-bank breaches and severe flooding will be easy to identify using the Government's land category maps cross-referenced with the Council's rates database, and information targeted specifically at these ratepayers to ensure they know the remission is available to them.

Relief sought

- Council has efficient application process in place.
- Council has enough staff to process applications.
- Council proactively and clearly communicates to ratepayers of the proposed policy and provide straightforward guidance on how to apply.

5. SEVERELY ERODED OR IMPACTED PROPERTIES

Percentage of rate and current penalties

- 5.1 Federated Farmers supports Council discretion to remit rates up to 100% for severely eroded or impacted properties. It is important that rates are remitted proportionate to the true damage of the property.
- 5.2 Federated Farmers submits that Council be fair and reasonable in exercising this discretion.
- 5.3 We are concerned that Council may be reluctant to remit rates closer to 100% as farmland contributes considerably to rating revenue. We submit that Council be transparent in its assessment and in that regard, we would like to understand what is involved in making this assessment.

Remission period

- 5.4 Federated Farmers is aware that Council may remit rates for less than 2 years if the land is deemed by Council to be useable.
- 5.5 Federated Farmers would like clarification on the meaning of useable and how Council determines when land is useable.
- 5.6 We seek to extend the scope of Council's discretion to include economic to reflect the reality that land may be useable but not economical.
- 5.7 We note that applicant must provide photos of damage and expectations of how long the land is likely to be unusable and we encourage council to give this information sufficient weight in applications.

Relief sought

- Clarification on the meaning of useable and how Council determines when land is useable.

- Extend the scope of Council's discretion to include economic to reflect the reality that land may be useable but not economic.

6. OBJECTION PROCESS

- 6.1 As discussed in submission point 5, Council has discretion as to the period of the rate remission for severely eroded or impacted properties.
- 6.2 While we support this for reasons stated above, we would like Council's confirmation as to whether a property owner can object Council's decision that land is useable.

7. OVERALL PERIOD OF THE PROPOSED POLICY

- 7.1 Federated Farmers understands that rates cannot be remitted forever, and we support the remission policy being in place for two years. This is a reasonable period and gives certainty to ratepayers that the proposed policy is available for two years.
- 7.2 Federated Farmers encourages Council to assess the needs of the community at the conclusion of the two-year period. Landowners may still have properties that are severely eroded or impacted as the rate of recovery is uncertain due to delays due to weather events, limited resources, and services.
- 7.3 We are concerned that replacing the proposed policy with the generic Natural Calamity Remission policy will not be fit for purpose for properties that are severely eroded or impacted after the two-year period of the proposed policy.
- 7.4 We encourage Council to reassess in two years' time whether the period of the proposed policy should be extended.
- 7.5 Nevertheless, we thank council for providing certainty of time period to which the remission policy applies.

Relief sought

- Council reassesses the needs of the community in two years' time to determine whether the proposed policy should be extended.

8. FINANCIALS

- 8.1 Federated Farmers understands the economic consequences of Natural Disasters generally and remission policies.
- 8.2 Council has indicated that it estimates granting remissions in 2023/2024 of around \$1million - \$1.5million and that remissions would be funded from unbudgeted sources which would impact on Council's financial position.
- 8.3 Federated Farmers would like to know what unbudgeted sources will fund the remissions and whether there is any support available from central government that can be applied to the proposed policy.

Federated Farmers thanks Hastings District Council for considering our submission.

About Federated Farmers

Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.

The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

This submission is representative of member views and reflects the fact that local government rating and spending policies impact on our member's daily lives as farmers and members of local communities.

**Terms of Reference
for the
Climate Action Joint Committee**

Adopted by resolution of:

Hawke's Bay Regional Council, _____ 2023

Hastings District Council, _____ 2023

Napier City Council, _____ 2023

Central Hawke's Bay District Council, _____ 2023

Wairoa District Council, _____ 2023

1. Name and status of Joint Committee

- 1.1. The Joint Committee shall be known as the Climate Action Joint Committee.
- 1.2. The Joint Committee is a joint committee under clause 30(1)(b) of Schedule 7 of the Local Government Act (the Act).

2. Purpose

- 2.1. Climate mitigation and adaptation is core business for councils. It spans multiple council workstreams such as urban planning, land-use and resource management, transport, flood protection, coastal hazards and emergency management. Without duplicating effort, the purpose of the Joint Committee is to support a coordinated and collaborative response to address the complex challenge of Climate-Resilient Development¹ for the communities of Hawke's Bay.
- 2.2. 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.
- 2.3. The Joint Committee aims to support communities and industries to become resilient to the effects of climate change and to thrive within the means of our natural environment in a manner that aligns with central government policy on climate change².

3. Objectives

- 3.1. Oversee and guide the development and implementation of a Regional Emissions Reduction Plan including recommending actions for partner councils to consider for inclusion in their Long Term Plans.
- 3.2. Oversee and guide the development and implementation of a spatial Regional Climate Risk Assessment to deliver on responsibilities under the National Adaptation Plan to:
 - 3.2.1. Reduce vulnerability to the impacts of climate change
 - 3.2.2. Enhance adaptive capacity and consider climate change in decisions at all levels
- 3.3. Strengthen resilience

¹ Climate Resilient Development is a framework developed in the Intergovernmental Panel on Climate Change 6th report – Impacts, Adaptation and Vulnerability. It combines strategies to adapt to climate change with actions to reduce greenhouse gas emissions to support sustainable development for everyone ([FAQ 6: What is Climate Resilient Development? ipcc.ch](#))

² Including UNFCCC Paris Agreement on Climate Change.

- 3.4. Support compliance with the statutory requirement to “have regard to” the National Emissions Reduction Plan and the National Adaptation Plan in all RMA-related plans of partner councils³.
- 3.5. Inform planning to drive climate-resilient development in the right locations within the Future Development Strategy required under the National Policy Statement on Urban Development, and the Regional Spatial Strategy and regional combined plan proposed under the Spatial Planning and Natural and Built Environments legislation.
- 3.6. Collaborate on the delivery key services for infrastructure impacted by climate change on respective councils.

4. Membership⁴

- 4.1. Up to two elected members from the Hawke’s Bay Regional Council; being the Chair and one other elected member, and one alternate.
- 4.2. Up to two elected members from each Territorial Authority within the Hawke’s Bay region; preferably the Mayor and one other elected member, and one alternate.
- 4.3. Each Post [Treaty] Settlement Governance Entity (PSGE) within the Hawke’s Bay region is invited to appoint one member, and one alternate.
- 4.4. Up to two members and one alternate appointed to represent the Ngāti Kahungunu Taiwhenua and Board representatives on the HBRC Māori Committee⁶.
- 4.5. Under clause 30A(6) Schedule 7 of the Act, the power to discharge any member on the Joint Committee and appoint his or her replacement shall be exercisable only by the body that appointed the member.

5. Chairperson and Deputy Chairperson

- 5.1. The Chairperson of the Joint Committee will be the Chair of the Hawke’s Bay Regional Council.
- 5.2. At the first meeting of the Joint Committee the members shall elect a Deputy Chairperson.
- 5.3. The mandate of the Chairperson and Deputy Chairperson ends if that person, through resignation or otherwise, ceases to be a member of the Joint Committee.

6. Delegated authority

The Joint Committee has delegated responsibilities for:

- 6.1. Guiding and monitoring climate mitigation and adaptation across the region with current and relevant technical inputs.
- 6.2. Leading regional emissions reduction plans including recommending actions for consideration to partner councils to include in their long term plans
- 6.3. Leading spatial regional climate risk assessments to deliver on responsibilities under the National Adaptation Plan
- 6.4. Setting targets, including interim goals, towards achieving carbon neutrality by 2050

³ From 30 November 2022 it is a legal requirement for local government to ‘have regard to’ the national adaptation plan and the emissions reduction plan when preparing or changing regional policy statements, regional plans and district plans. (Guidance note environment.govt.nz)

⁴ Membership will be reviewed at the end of the three-yearly cycle.

⁶ HBRC Māori Committee has 13 tangata whenua representatives, 3 from each of the Taiwhenua (and Wairoa Kahungunu Executive) within the Hawke’s Bay regional boundary and 1 from the Ngāti Kahungunu Iwi Inc Board.

- 6.5. Monitoring regional greenhouse gas emissions (community carbon footprint) on a regular basis and reporting annually on implementation of regional emissions reduction plans
- 6.6. Considering and recommending key emissions reduction actions to each of the partner councils and industry for consideration
- 6.7. Advocating for and/or advancing the objectives of regional climate action by submitting on and participating in processes, at the Joint Committee's discretion, including but not limited to:
 - 6.7.1. Council long term plans
 - 6.7.2. Council annual plans
 - 6.7.3. District and regional plan and policy changes
 - 6.7.4. Reserve management plans
 - 6.7.5. Asset management plans
 - 6.7.6. Notified resource consent applications
 - 6.7.7. Central Government policy and legislation
 - 6.7.8. Investigating and securing additional sources of funding to support regional decarbonisation, offsetting and protecting communities from the impact of climate change.
- 6.8. For the avoidance of doubt, the Joint Committee can only make recommendations to partner councils. Without legally binding subsequent council decisions, the partner councils agree to:
 - 6.8.1. Have particular regard to the recommendations of the Joint Committee in developing policies, determining priorities, and allocating resource;
 - 6.8.2. Progress, to the fullest possible extent, actions identified through joint planning and decision-making arrangements.

7. Powers not delegated

The following powers are not delegated to the Joint Committee:

- 7.1. Any power that cannot be delegated in accordance with clause 32 Schedule 7 of the Local Government Act 2002.
- 7.2. Decisions relating to the allocation of funding for undertaking investigations, studies and/or projects in climate adaptation, offsetting or climate mitigation and matters relating to consenting.

8. Meetings

- 8.1. The Hawke's Bay Regional Council standing orders will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer (Chief Executive) of the Hawke's Bay Regional Council or his or her nominated representative were its principal administrative officer.
- 8.2. The Joint Committee shall hold meetings at such frequency, times and place(s) as required for the performance of the functions, duties and powers delegated under this Terms of Reference, at least three times per year.
- 8.3. Notice of meetings will be given as far in advance as possible to all Joint Committee members, and in accordance with the provisions of the Local Government Official Information and Meetings Act 1987.
- 8.4. Meetings may provide for members' attendance by audio-visual link if required.

- 8.5. Members, or their confirmed alternates, will attend all Joint Committee meetings.
- 8.6. The quorum will consist of a majority of members.

9. Voting

- 9.1. In accordance with clause 32(4) Schedule 7 of Act, at meetings of the Joint Committee each member has full authority to vote and make decisions within the delegations of the Terms of Reference on behalf of the body that appointed them without further recourse to the appointing body.
- 9.2. Where voting is required, each member has one vote.
- 9.3. Best endeavours will be made to achieve decisions on a consensus basis.
- 9.4. The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, may use a casting vote.

10. Good faith

- 10.1. In the event of any circumstances arising that were unforeseen by the partner councils or their representatives at the time of adopting these Terms of Reference, the partner councils and their representatives hereby record their intention that they will negotiate in good faith to add to or vary these Terms of Reference so as to resolve the impact of those circumstances in the best interests collectively of the partner councils taking into account also the views of the Regional Planning Committee and Māori Committee appointed members in relation to those circumstances.

11. Remuneration

- 11.1. Each partner council shall be responsible for remunerating its representatives on the Joint Committee and for the costs of those persons' participation in the Joint Committee.
- 11.2. Hawke's Bay Regional Council as the Administering Authority shall be responsible for remunerating the Māori Committee representatives and the PSGE representatives on the Joint Committee for travel and attendance as per its agreed meeting fees policy.

12. Technical Advisory Group and Reporting

- 12.1. A technical advisory group (TAG) will service the Climate Action Joint Committee.
- 12.2. The TAG will comprise of staff members from the partner councils who are working in climate mitigation and adaptation and will involve subject matter experts as required to ensure linkages with other workstreams, such as the work of the Regional Transport Committee and Napier-Hastings Future Development Strategy Joint Committee. The TAG will be led by the Hawke's Bay Regional Council Climate Action Ambassador along with the dedicated climate roles at Napier City Council and Hastings District Council.
- 12.3. Following each meeting of the Joint Committee, the TAG shall create a summary report of the business of the meeting which will be distributed, for information, to each partner council for inclusion in the agenda for the next available council meeting. Such reports will be in addition to any formal minutes prepared by the Administering Authority, which will be circulated to Joint Committee members.

13. Variations to the Terms of Reference

- 13.1. Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Joint Committee for recommending to the partner councils if agreed.
- 13.2. Amendments to the Terms of Reference must be agreed by all partner councils before taking effect.

14. Recommended for Adoption

- 14.1. The Climate Action Joint Committee, made up of the following members, confirms this Terms of Reference as adopted by the five partner councils and Regional Planning Committee and Māori Committee representative members.

Hawke's Bay Regional Council represented by:

Councillors Hinewai Ormsby and Xan Harding, and Di Roadley as alternate.

Councillor Hinewai Ormsby as Chairperson of the Climate Action Joint Committee

Appointed by HBRC resolution on 25 January 2023.

Hastings District Council represented by:

Mayor Sandra Hazlehurst and Councillor Ann Redstone, and Councillor Tania Kerr as alternate.

Appointed by HDC resolution on 2 March 2023.

Napier City Council represented by:

Councillors Annette Brosnan and Hayley Browne, and Chad Tareha as alternate.

Appointed by NCC resolution on 16 March 2023.

Central Hawke's Bay District Council represented by:

Councillors Alex Walker and Tim Aitken, and Jerry Greer as alternate.

Appointed by CHBDC resolution on 23 March 2023.

Wairoa District Council represented by:

Councillors Craig Little and Denise Karekare, and Roz Thomas as alternate.

Appointed by WDC resolution on 16 May 2023

HBRC Māori Committee representatives Paul Kelly and Roger Maaka and Marei Apatu as alternate.

Appointed by Māori Committee resolution on 3 May 2023.

Post [Treaty] Settlement Entity appointees:

Heretaunga Tamatea Settlement Trust

Mana Ahuriri Trust

Maungaharuru-Tangitu Trust

Ngati Pahauwera Development & Tiaki Trusts

Ngati Tuwharetoa Hapu Forum

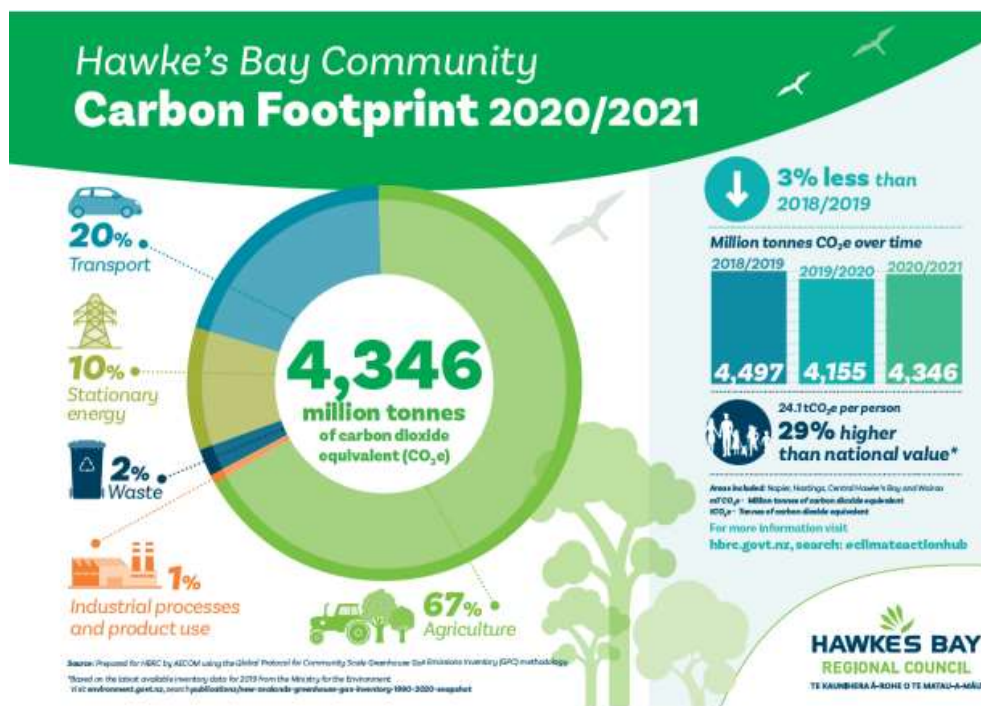
Tātau Tātau o Te Wairoa

Te Kopere o te Iwi Hineuru
Te Toi Kura o Waikaremoana

Item 7

Appendix A – Project Background

1. The Regional Council declared a climate emergency for the Hawke's Bay region on 26 June 2019. The declaration recognises that the climate crisis is an urgent and pervasive threat to human and ecological wellbeing and that we have a small window of time to act to avoid the most damaging effects of the climate crisis in the longer term. This climate crisis declaration was one of many declarations by councils across the country, with the Government declaring a climate emergency on 2 December 2020.
2. In 2022 HBRC, HDC, and NCC each invested in dedicated strategic climate change roles, an acknowledgement of the important leadership role councils can, and should, play in regional climate action.
3. There is a general acknowledgement that the transition to a low emissions future cannot be achieved by individual councils working in isolation and a regional approach is needed.
4. In 2022 the Ministry for Environment released Aotearoa's first Emissions Reduction Plan. National legislation introduced in November 2022 states that local government must have regard to the National Emissions Reduction Plan and the National Adaptation Plan when developing RMA-related plans.
5. In September 2022 the first Hawke's Bay Community Carbon Footprint was released, measuring greenhouse gas emissions from 2018-19 to 2020-21. Separate footprints were created for each Territorial Authority. The whole of region footprint established that our regional emissions for 2020/21 were made up of:
 - 5.1. Agriculture 67%
 - 5.2. Transportation 20%
 - 5.3. Stationary Energy 10%
 - 5.4. Waste 2%
 - 5.5. IPPU 1% (Industrial Processes and Product Use)



6. The next step for is to create a Regional Emissions Reduction Plan, with input from all Hawke's Bay councils, as well as significant engagement across expert, business, and community spheres.
- ~~7. The Planetary Boundaries Framework by the Stockholm Resilience Centre guided the development of these Terms of Reference with respect to thriving within boundaries of the natural environment and ensuring social foundations for all. However, we recognise that more work is required to determine regional applicability.~~



Thursday, 27 April 2023

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Napier-Hastings Future Development Strategy Joint Committee Meeting

Ngā Minitī
Minutes

Te Rā Hui:
Meeting date: **Thursday, 27 April 2023**

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

Time start - end **2.00pm – 4.35pm**

Go to
www.hastingsdc.govt.nz
to see all documents

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

Thursday, 27 April 2023

Te Hui o Te Kaunihera ā-Rohe o Heretaunga
Hastings District Council: Napier-Hastings Future Development Strategy Joint
Committee Meeting



Ngā Minitī
Minutes

Te Rārangi Upoko
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Thursday, 27 April 2023

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: Napier-Hastings Future Development Strategy Joint Committee Meeting

Ngā Minitī

Minutes

- Kua Tae ā-tinana:
- Present:
- Koromatua
 - Chair: To be elected
 - Deputy Chair: To be elected
- Members:
- Hawke’s Bay Regional Council
 - Cr Jock Mackintosh (HBRC)
 - Cr Sophie Siers (HBRC)
- Napier City Council
- Mayor Kirsten Wise (NCC)
 - Cr Ronda Chrystal (NCC)
 - Cr Maxine Boag (NCC Alternate)
- Hastings District Council
- Mayor Sandra Hazlehurst (HDC)
 - Cr Tania Kerr (HDC)
 - Cr Alwyn Corban (HDC Alternate)
- Heretaunga Tamatea Settlement Trust
- Dr Darryn Russell (Heretaunga Tamatea Settlement Trust)
 - Second representative - to be appointed (Heretaunga Tamatea Settlement Trust)
 - Alternate – to be appointed (Heretaunga Tamatea Settlement Trust)
- Mana Ahuriri Trust
- Chad Tareha (Mana Ahuriri Trust)
 - Tania Eden (Mana Ahuriri Trust)
 - Evelyn Ratima (Mana Ahuriri Trust Alternate)
- Maungaharuru Tangitū Trust
- Two representatives - to be appointed (Maungaharuru Tangitū Trust)
 - Alternate – to be appointed (Maungaharuru Tangitū Trust)

In attendance: Chief Executive - Nigel Bickle
Director: Future Growth Unit – Ross McLeod
Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage – Dr James Graham
Programme Coordinator: Strategy, Growth and Development – Catherine Burgess
Principal Advisor: District Development – Mark Clews
Environmental Policy Manager – Rowan Wallis
Senior Environmental Planner – Craig Scott
Manager, Democracy & Governance Services – Louise Stettner
Democracy & Governance Advisor – Caitlyn Dine

Also present: Rachel Morgan (Director, Barkers)
Rachel Bailey (Napier City Council)
Fleur Lincoln (Napier City Council)
Gavin Ide (Hawke's Bay Regional Council)
Ceri Edmonds (Hawke's Bay Regional Council)
Parris Greening (Mana Ahuriri Trust)

Director: Future Growth Unit, Ross McLeod, assumed the Chair until the Joint Committee voted in the Chair and Deputy Chair.

Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage, Dr James Graham, opened the meeting with a karakia.

1. APOLOGIES – NGĀ WHAKAPĀHATANGA

Councillor Kerr/Councillor Siers

That the apology from Councillor Martin Williams (HBRC) be accepted.

CARRIED

2. CONFLICTS OF INTEREST - HE NGĀKAU KŌNATUNATU

There were no declarations of conflicts of interest.

3. CONFIRMATION OF MINUTES - TE WHAKAMANA I NGĀ MINITI

As this was the first meeting of the Napier-Hastings Future Development Strategy Joint Committee, there were no previous minutes to confirm.

4. VOTING SYSTEMS FOR CERTAIN APPOINTMENTS

(Document ref 23/131)

With the agreement of the Joint Committee item 4 was not addressed.

Recommendations - Ngā Tūtohunga

A) That the Napier-Hastings Future Development Strategy Joint Committee receive the report

titled Voting Systems for Certain Appointments dated 27 April 2023.

- B) That for the election of the Chair and Deputy Chair of the Napier-Hastings Future Development Strategy Joint Committee, the Committee use; EITHER
- the system in this report called System A as provided for by the Local Government Act 2022.
- OR
- the system in this report called System B, as provided for by the Local Government Act 2022.

5. ELECTION OF CHAIR AND DEPUTY CHAIR

(Document ref 23/121)

Director: Future Growth Unit, Ross McLeod, called for nominations of the Chair.

Councillor Siers/Mayor Wise

- B) That Mayor Sandra Hazlehurst be appointed as Chair of the Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.

CARRIED

Chad Tareha/Mayor Wise

- C) That Tania Eden of Mana Ahuriri Trust be appointed as Deputy Chair of Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.

CARRIED

Substantive Resolution

- A) That the Napier-Hastings Future Development Strategy Joint Committee receive the report titled Election of Chair and Deputy Chair dated 27 April 2023.
- B) That Mayor Sandra Hazlehurst be appointed as Chair of the Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.
- C) That Tania Eden of Mana Ahuriri Trust be appointed as Deputy Chair of Napier-Hastings Future Development Strategy Joint Committee for the 2022-2025 triennium.

Mayor Sandra Hazlehurst assumed the Chair.

6. NAPIER-HASTINGS FUTURE DEVELOPMENT STRATEGY JOINT COMMITTEE TERMS OF REFERENCE

(Document ref 22/122)

Director: Future Growth Unit, Ross McLeod, spoke to the report and responded to questions from the committee.

Councillor Kerr/Darryn Russell

That the Napier-Hastings Future Development Strategy Joint Committee receive the report titled Napier-Hastings Future Development Strategy Joint Committee Terms of Reference dated 27 April

2023.

CARRIED

Councillor Corban left the meeting at 2.25pm and rejoined the meeting at 2.26pm.

7. FUTURE DEVELOPMENT STRATEGY INTRODUCTION AND OVERVIEW

(Document ref 23/123)

Director: Future Growth Unit, Ross McLeod, introduced Rachel Morgan who presented a PowerPoint presentation (CG-17-27-00006) and responded to questions from the meeting.

The committee agreed to the below further outcomes:

- That there should be an opportunity for the committee to come back with suggested amendments.
- Agreed on the need for an additional meeting ahead of the first round of public engagement to consider the Issues and Options and process for engagement.

Darryn Russell/Councillor Kerr

- A) That the Napier-Hastings Future Development Strategy Joint Committee receive the report titled Future Development Strategy Introduction and Overview dated 27 April 2023.
- B) That the Committee provide feedback on the draft Future Development Strategy objectives.
- C) That the Committee:
 - i. Notes the impact of Cyclone Gabrielle on the communities of the Napier-Hastings area and their ability to engage with preparation of the Future Development Strategy.
 - ii. Approves a modified programme for the Future Development Strategy which will see the Final Strategy adopted by end October 2024, noting that sufficient work will have been completed by end June 2024 to influence Council Long-Term Plans as required under the National Policy Statement on Urban Development.
 - iii. Requests the Chief Executive of the Administering Authority to write to the appropriate Government Minister(s) advising of the impacts of Cyclone Gabrielle and the proposed programme and timeframes.

CARRIED

The Joint Committee adjourned for an afternoon tea break at 3.34pm and resumed the meeting at 3.44pm

Tania Eden (Mana Ahuriri Trust) left the meeting at 4.15pm.

Councillor Corban left the meeting at 4.21pm and rejoined the meeting at 4.22pm.

Chad Tareha and Evelyn Ratima (Mana Ahuriri Trust) left the meeting at 4.28pm.



8. MINOR ITEMS - NGĀ TAKE ITI

There were no additional business items.

9. URGENT ITEMS - NGĀ TAKE WHAKAHIHIRI

There were no extraordinary business items.

Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage, Dr James Graham, closed the meeting with a karakia.

The meeting closed at 4.35pm

Confirmed:

Chairman:

Date:



Hawke's Bay Civil Defence Emergency Management Group Joint Committee

Terms of Reference

1. Preamble

- 1.1 The Hawke's Bay Civil Defence Emergency Management Group was established pursuant to a Terms of Reference dated August 2003 which was subsequently amended in December 2013, and further amended and adopted in December 2016 [and again on 23 March 2020](#). Pursuant to a resolution passed by the Group ~~on 23 March 2020~~ [26 June 2023](#), this Terms of Reference is adopted to replace and supersede all previous versions of the Terms of Reference for the Joint Committee.

2. Parties

- 2.1 Each of the following local authorities is a Member of the Hawke's Bay Civil Defence Emergency Management Group and is a party to this Terms of Reference:

Central Hawke's Bay District Council
Hastings District Council
Hawke's Bay Regional Council
Napier City Council
Wairoa District Council

3. Definitions

For the purpose of this Terms of Reference:

- 3.1 "Act" means the Civil Defence Emergency Management Act 2002.
- 3.2 "Administering Authority" means the Hawke's Bay Regional Council.
- 3.3 "Coordinating Executive Group" (the CEG) means the Coordinating Executive Group to be established under section 20 of the Civil Defence and Emergency Management Act 2002.
- 3.4 "Group" means the Hawke's Bay Civil Defence Emergency Management Group.
- 3.5 "Group Controller" means a person appointed under section 26 of the Civil Defence and Emergency Management Act 2002 and clause 10.1 of this Terms of Reference as a Group Controller.
- 3.6 "Group Plan" means the Hawke's Bay Civil Defence Emergency Group Plan prepared by the Group in accordance with the Act.
- 3.7 "Hawke's Bay Region" for the purposes of this document means the Hawke's Bay region as defined in the Local Government (Hawke's Bay Region) Reorganisation Order 1989, excluding the parts of Rangitikei and Taupo District Councils falling within the area administered by the Hawke's Bay Regional Council.
- 3.8 "[local authority](#) member [or Partner Council](#)" means a Local Authority that is a member of the Civil Defence Emergency Management Group that is the subject of this document.
- 3.9 "4Rs" means Reduction, Readiness, Response, and Recovery.

4. The purpose and term of this Terms of Reference

4.1 The purposes of this Terms of Reference are to:

- 4.1.1 set out the purposes, functions, powers, and duties of the Group and its members in accordance with the requirements of the Act;
- 4.1.2 define the responsibilities of the Group as delegated to the Group by the Members; and
- 4.1.3 provide for the administrative arrangements of the Group.

5. Joint Committee

- 5.1 Pursuant to section 12 of the Act the Parties were united in August 2003 to establish a Group as a Joint Standing Committee now under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002. This choice is irrevocable under section 14(3) of the Act.
- 5.2 In accordance with section 12(2) of the Civil Defence Emergency Management Act 2002, neither clause 30(5) nor (7) of Schedule 7 of the Local Government Act 2002 which provides for a committee to be discharged or reconstituted, or be discharged following the triennial general election, shall apply to the Joint Committee.

6. Membership of the Group

- 6.1 The members of the Group are the Hawke's Bay Regional Council and all those territorial authorities that lie wholly within the boundaries of the Hawke's Bay region. Each member is to be represented on the Group by one person only, being the Mayor or Chairperson of that local authority, or if they are unavailable an alternate representative who has been given the delegated authority to act for the Mayor or Chairperson.
- 6.2 Under section 13(4) of the Act, the alternate representative must be an elected person from that local authority.
- 6.3 Under clause 30(9) of Schedule 7 of the Local Government Act 2002, the powers to discharge any representative of the Group and appoint his or her replacement shall be exercisable only by the local authority member that appointed the representative being discharged.

6.4 Tangata whenua representatives appointed as advisory, non-voting members representing:6.4.1 Mana Ahuriri6.4.2 Maungaharuru-Tangitu Trust6.4.3 Heretaunga Tamatea Settlement Trust6.4.4 Tatau Tatau o Te Wairoa6.4.5 Ngati Kahungunu Iwi Incorporated.**7. Representatives to have full Delegated Authority**

- 7.1 Each local authority member agrees to confer full delegated authority on its representative, or in their absence the alternate representative in order for the Group to exercise the functions, powers, and duties of members under the Act within approved Group budgets.
- 7.2 At meetings of the Group, each local authority member's representative is to have full authority to vote and make decisions on behalf of that Member-local authority without further recourse ~~to that Member~~ in respect of the authority granted under 7.1 above.

- 7.3 If a [local authority](#) member's representative to the Group is not re-elected at the triennial Local Government Elections that representative will cease to be a member of the Group and will be replaced by the elected Mayor or Chairperson of the relevant local authority.
- 7.4 It is the responsibility of each member of the Group to ensure that they have a representative available to participate in the Group, as soon as practicable after their representative is no longer able to represent that member for whatever reason, with the same delegated functions, duties and powers as their predecessor.

8. The Group to give effect to the purposes of the Act

- 8.1 The functions, powers and duties of the Group are specified in sections 16, 17 and 18 the Act. To assist the Group to meet these requirements, the Group adopts the following objectives:
 - 8.1.1 To ensure that hazards (as defined in the Act) and the consequential risks are identified and assessed.
 - 8.1.2 Improve and promote the sustainable management of identified hazards in a way that contributes to the long term social, economic, cultural, and environmental well-being and safety of people and communities.
 - 8.1.3 Encourage and enable communities to achieve acceptable levels of risk (as risk is defined in the Act), including, without limitation
 - (i) identifying, assessing, and managing risks, and
 - (ii) consulting and communicating about risks, and
 - (iii) identifying and implementing cost-effective risk reduction, and
 - (iv) monitoring and reviewing the risk management process.
 - 8.1.4 To require local authorities to co-ordinate, through regional groups, planning, programmes, and activities related to civil defence emergency management across the 4Rs, and encourage co-operation and joint action within those regional groups.
 - 8.1.5 To encourage through partnership and co-ordination, emergency management planning and civil defence emergency management activities amongst the organisations represented on the Co-ordinating Executive Group, other CDEM partners and the Lifeline utility operators that operate within the region.
 - 8.1.6 To ensure an effective and efficient region-wide civil defence emergency management capability to respond to and recover from emergencies.

9. Obligations of [local authority](#) ~~m~~Members

- 9.1 Each [local authority](#) member of the Group will:
 - 9.1.1 In accordance with section 7 and 8 above, appoint their Mayor or Chairperson to the Joint Committee; and
 - 9.1.2 appoint its chief executive officer to the Co-ordinating Executive Group (CEG); and
 - 9.1.3 participate in the preparation of and agree to the content of a Group Plan; and
 - 9.1.4 contribute technical expertise and resources to maintain an effective Group and local level response capability; and
 - 9.1.5 provide to the Group the information or reports that may be required by the Group to discharge its powers, functions and duties under the Act and the Group Plan.
- 9.2 Each local authority ~~Member~~ [Member](#) of the Group will be responsible for the risk reduction, readiness, response and recovery arrangements required of it under the Act, and under the Group Plan or as otherwise agreed by the Group, to the standards agreed by the Group.

10. Delegated Authority

- 10.1 Power to appoint Group Controller. The Group will appoint one or more suitably qualified and experienced persons or person to be the Group Controller for the CDEM Group pursuant to by section 26 of the Act and in accordance with the Governance and Management section of the current Group Plan. The powers delegated to the Group Controller(s) are as defined in the Group Plan.
- 10.2 Appointment of Local Controllers. The Group may from time to time appoint, in accordance with section 27 of the Act and following consultation with the relevant members, one or more persons to be a Local Controller in accordance with the Governance and Management section of the current Group Plan.
- 10.3 Appoint persons who may Declare a State of Local Emergency. The Group will appoint at least one person as a person authorised to declare a state of local emergency for its area and in accordance with the Governance and Management section of the current Group Plan.

11. Civil Defence Emergency Management Group Plan

- 11.1 The Group will prepare, approve, adopt and review a Group Plan in accordance with sections 48 to 57 of the Act.
- 11.2 For the avoidance of doubt each and every obligation, agreement, covenant, responsibility and liability under the Group Plan is binding on and will continue to bind each and every Member of the Group and is and will continue to be enforceable as between each of the Members, against each of the other Members, and every Member of the Group agrees and covenants to carry out and perform all of its obligations under the Group Plan.

12. Maintain the Coordinating Executive Group

- 12.1 In accordance with section 20 of the Act, establish and maintain a Co-ordinating Executive Group consisting of:
 - 12.1.1 The chief executive officer of each Member or a senior person acting on that person's behalf; and
 - 12.1.2 A senior representative of the Police assigned for the purpose by the Commissioner of Police; and
 - 12.1.3 A senior representative of Fire and Emergency New Zealand assigned for the purpose by their Chief Executive; and
 - 12.1.4 The chief executive of a District Health Board in Hawke's Bay representing the District Health Board in Hawke's Bay, or a person acting on their behalf; and
 - 12.1.5 Any other persons that may be co-opted by the CDEM Group to assist the CEG to undertake its responsibilities.

13. Remuneration

- 13.1 Each local authority member of the Group shall be responsible for remunerating its representative on the Group for the cost of that person's participation in the Group.

13.2 Each tangata whenua member will be remunerated \$452 per meeting attended, plus reimbursed mileage to travel to/from meetings at the rate of \$0.83/km. These costs will be divided proportionally among the local authority members.

14. Meetings

- 14.1 The Hawke's Bay Regional Council standing orders will be used to conduct Group meetings.
- 14.2 Other standing orders may be used, subject to the agreement of the Group, and in accordance with section 19(1) of the Act.
- 14.3 The Group shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference. However there will be at least two meetings per year.
- 14.4 In accordance with clause 23 of Schedule 7 of the Local Government Act 2002 the quorum of the Group is all [local authority](#) members.
- 14.5 [A representative may attend any meeting of the Joint Committee by means of audio or audio-visual link unless lawfully excluded.](#)
- 14.6 [A representative may attend a meeting by means of audio or audio-visual link despite –](#)
 - 14.6.1 [clauses 25A\(1\) and \(4\) and 27\(5\)\(a\) of the Local Government Act 2002, and](#)
 - 14.6.2 [any limitation or condition on the use of an audio or audio-visual link, or other contrary provision, that is contained in any standing orders that apply to the meeting.](#)
- 14.7 [A representative who attends a meeting by means of audio or audio-visual link in accordance with this Terms of Reference is to be counted as present for the purposes of \(the quorum\) clauses 23 and 30A of Schedule 7 of the Local Government Act 2002.](#)
- 14.8 In the event that a quorum cannot be achieved, the business at any meeting convened for the Joint Committee may be considered without further notice by a subcommittee of the Joint Committee. The recommendations of this subcommittee will be reported for final decision at the next Joint Committee meeting.

15. Voting

- 15.1 Each [local authority](#) member has one vote at a meeting of the Group or when the Group is required at any time to make a decision in respect of an action to be taken by the Group.
- 15.2 All actions (other than the entering into of contracts within the authorised Group budget) to be taken by the Group must first be approved by way of a majority vote of all members that are present and voting.
- 15.3 The ~~Ministry of Civil Defence and National~~ Emergency Management [Agency](#) shall have observer status on the Group and also the Coordinating Executives Group.

16. Election of Chairperson and Deputy Chairperson

- 16.1 The Group may elect a Group Chairperson and Deputy Chairperson for the Group at the first meeting following the triennial local government elections, [from amongst the local authority representatives](#), and appoint replacements when any of those offices become vacant between elections.
- 16.2 The Group's Chairperson and Deputy Chairperson shall hold office until the first meeting following the triennial general election.

17. Administering Authority

- 17.1 In accordance with section 23 of the Act, the Administering Authority for the Group will be the Hawke's Bay Regional Council. The Administering Authority is responsible for the provision of administrative and related services that may from time to time be required by the Group.

18. Group Emergency Management Office

- 18.1 The Hawke's Bay Regional Council will establish and manage a Hawke's Bay Emergency Management Group Office on behalf of the Group.
- 18.2 The Group Office shall coordinate technical expertise, planning and operational functions, performance monitoring, coordination of Group wide projects and any other functions as are assigned to it by the Group. The Group Office will also maintain at least one Emergency Management Advisor to be co-located in each TLA to support and where appropriate implement local emergency management outcomes.
- 18.3 The Hawke's Bay Regional Council will employ staff for the Group Office as authorised by the Group and manage the office's expenditure in accordance with the principles of the Local Government Act 2002 and amendments.

19. Group Funding and Budget

- 19.1 The proposed annual Group work programme and budget will be signed off by the Group no later than ~~the 30th of 30~~ November of the year ~~proceeding preceeding~~ the year ~~to~~ which the programme and budget will apply.
- 19.2 The Group work programme, and administrative and related services pursuant to section 24 of the Act, will be funded by way of a Targeted Rate Uniform General Charge (UGC) across the area of the Group and administered by the Hawke's Bay Regional Council. In order to set the Targeted Rate UGC, the Group will communicate its agreed programme and budget to the Hawke's Bay Regional Council no later than 1 February of the year which the programme and budget applies.
- 19.3 The Joint Committee is responsible for deciding the civil defence and emergency management levels of service and outcomes to be provided to the community. As the Adminstrating Authority the Hawke's Bay Regional Council is responsible for providing the resources to achieve these outcomes.

20. Good Faith

- 20.1 In the event of any circumstances arising that were unforeseen by the parties at the time of adopting this Terms of Reference, the parties hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of:
- 20.1.1 the members of the CDEM Group collectively; and
- 20.1.2 the Hawke's Bay community represented by the members of the Group collectively.

21. Variations

- 21.1 Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Group.
- 21.2 ~~Amendments to the Terms of Reference may only be made with the unanimous agreement of all local authority members. The Terms of Reference will only be amended upon a unanimous vote and resolution passed by the Group and duly recorded in writing.~~

22. Review of the Terms of Reference

- 22.1 The Terms of Reference will be reviewed and if appropriate amended by the Group at its first meeting following the following the triennial local government elections.
- 22.2 The adoption of an amended Terms of Reference revised under clause 22.1 will be undertaken in accordance with section 21 above.

23.3 [Amendments to the Terms of Reference will come into effect once agreed, by resolution, by all partner councils in accordance with Schedule 7, clause 30A of the Local Government Act.](#)

23. **Adopted**

[The Common Seal](#) [by resolution](#) of the
Central Hawke’s Bay District Council
[Mayor Alex Walker](#)

[The Common Seal](#) [by resolution](#) of the
Hastings District Council
[Mayor Sandra Hazlehurst](#)

~~[Signed under the Common Seal](#)~~ [26 July 2023 by resolution](#) of the
Hawke’s Bay Regional Council
[Chair Hinewai Ormsby](#)

[The Common Seal](#) [by resolution](#) of the
Napier City Council
[Mayor Kirsten Wise](#)

[The Common Seal](#) [by resolution](#) of the
Wairoa District Council
[Mayor Craig Little](#)

Adopted ~~23 March 2020~~ [26 June 2023](#)

HAWKE'S BAY REGIONAL COUNCIL

HB CDEM GROUP JOINT COMMITTEE

26 June 2023

Subject: HB CDEM GROUP JOINT COMMITTEE MANA WHENUA REPRESENTATION

Reason for Report

1. This item proposes a proactive change to the Terms of Reference (ToR) for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee (Joint Committee) and seeks a recommendation from the Joint Committee to each of the Partner Councils to adopt the amended ToR to enable mana whenua representation on the Joint Committee.

Officers' Recommendations

2. Council officers recommend that the Terms of Reference for the Joint Committee is amended to include mana whenua members on the Joint Committee. This is an interim step for the period leading up to the enactment of the Emergency Management Bill (EMB), which is expected to include provisions for mana whenua membership on CDEM Groups at both the governance (Joint Committee) and operational (Coordinating Executive Group [CEG]) levels.
3. The Bill will also introduce a clause that outlines how the principles of Te Tiriti o Waitangi will be enacted in emergency management.

Executive Summary

4. As part of the corrective actions from the report "Strengthening CDEM in Hawke's Bay", it was recognised that the CDEM Group structure, both at the governance and operational levels, did not effectively provide for tangata whenua representation and participation. At the time there was work between Te Puni Kōkiri, iwi, NEMA, and Group Managers to identify changes within the legislation through the *Emergency Management Trifecta Reforms*. It was hoped these changes would give certainty as to how iwi/mana whenua representation, relationships and partnerships could be provided for within CDEM.
5. The resulting EMB was supposed to be introduced in August last year, however due to a number of significant event responses over the last 12 months this was delayed. The EMB is now progressing through the legislative process and this gap is proposed to be closed by provisions added specifically so that "iwi and Māori participation is recognised, enabled, and valued".
6. Although the EMB was introduced in Parliament on 7 June 2023, it is not anticipated to be enacted before the end of this year given Select Committee and Committee of the Whole House stages are still to come, as well as a general election on 14 October 2023.
7. For Hawke's Bay, tangata whenua participation in emergency management is a critical element of the region's recovery from Cyclone Gabrielle and future responses and cannot wait until the lengthy legislative process concludes.

Options Assessment

8. The options available to the Joint Committee are to:
 - 8.1. Wait until the legislative process concludes and the EMB and associated Regulations are enacted to invite tangata whenua to make appointments to the Joint Committee
 - 8.2. Take proactive steps now to enable and invite tangata whenua participation at the

governance level, on the HB CDEM Group Joint Committee, as advisory, non-voting members.

9. In addition to changes proposed to membership and the consequential amendments, staff have taken advantage of this opportunity to propose a change in relation to audio or audio-visual attendance at Joint Committee meetings.

Financial and resource implications

10. It is proposed to initially pay appointed tangata whenua representatives \$452 per meeting attended, plus associated travel reimbursement, which is the current HBRC rate paid to tangata whenua appointees on the Māori Committee.
11. As more detail becomes available on what the EMB provisions are, it is likely the remuneration of members will be reviewed to ensure that they are being remunerated appropriately.

Decision Making Process

12. Council and its committees are required to make every decision in accordance with the requirements of the Local Government Act 2002 (the Act). Staff have assessed the requirements in relation to this item and have concluded:
 - 12.1. The decision does not significantly alter the service provision or affect a strategic asset, nor is it inconsistent with an existing policy or plan.
 - 12.2. The use of the special consultative procedure is not prescribed by legislation.
 - 12.3. The decision is not significant under the criteria contained in Council's adopted Significance and Engagement Policy.
 - 12.4. The persons affected by this decision are everyone in the region, particularly in relation to emergency management.
 - 12.5. Given the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by, or have an interest in the decisions made, Council can exercise its discretion and make a decision without consulting directly with the community or others having an interest in the decision.

Recommendations

That the Hawke's Bay Civil Defence Emergency Management Group Joint Committee:

1. Receives and considers the *HB CDEM Group Joint Committee mana whenua representation* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Joint Committee can exercise its discretion and make the necessary decisions without conferring directly with the community or persons likely to have an interest in the decision.
3. Recommends to each of the partner councils, the adoption of the amended Terms of Reference as proposed (**OR**) as amended as agreed by the Joint Committee.

Authored by:

Leeanne Hooper
TEAM LEADER GOVERNANCE

Approved by:

Ian Macdonald

**HB CDEM GROUP CONTROLLER /
MANAGER**

Attachment/s

- 1** June 2023 amended CDEM Group Joint Committee Terms of Reference
- 2** Emergency Management Act provisions relating to Joint Committee Terms of Reference proposed amendments



Unconfirmed

Minutes of a meeting of the HB Civil Defence Emergency Management Group Joint Committee

Date: 26 June 2023

Time: 1.30pm

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: Cr H Ormsby, Chair
Mayor A Walker, Deputy
Mayor S Hazlehurst – HDC
Mayor C Little – WDC
Cr N Simpson – NCC
B Barber – Ngati Kahungunu Iwi Inc
L Symes – Te Kahui Ohanga o Takitimu (*online from 1.38pm*)

In Attendance: I Macdonald – HB CDEM Group Controller
P Munro – HBRC Te Pou Whakarae
S Tiatia – NEMA (*online*)
B Bayfield – HBRC Interim Chief Executive (*until 3.07pm*)
D Tate – CHBDC Chief Executive
N Bickle – HDC Chief Executive
L Miller – NCC Chief Executive
K Tipuna – WDC Chief Executive
R McLeod – HB Recovery Agency CEO
L Hooper – HBRC Team Leader Governance
P Martin – HBRC Senior Governance Advisor

1. Welcome/Karakia /Apologies

The Chair welcomed everyone and Bayden Barber opened the meeting with a karakia.

2. Conflict of interest declarations

Bayden Barber declared his membership of the Cyclone Gabrielle National Taskforce.

There were no conflicts of interest declared.

3. Confirmation of Minutes of the Extraordinary HB Civil Defence Emergency Management Group Sub-committee meeting on 28 April 2023

CDE11/23 Resolution

Minutes of the Extraordinary HB Civil Defence Emergency Management Group Sub-committee meeting held on Friday, 28 April 2023, a copy having been circulated prior to the meeting, were taken as read and confirmed as a true and correct record; and resolutions made as recommendations to the Joint Committee confirmed in accordance with Terms of Reference clause 14.8¹.

**Hazlehurst/Walker
CARRIED**

4. Richard Gaddum - Waimārama community resilience & leadership

Sandra Hazlehurst introduced Richard Gaddum, who delivered his deputation.

- Following the 2011 Waimarama floods, the community fund-raised for a purpose-built Civil Defence (CD) shed and other equipment, community training was offered and evacuation routes established.

Leon Symes joined the meeting online at 1.38pm

- Until CDEM Group was centralised in 2014, the Waimarama community CD centre had a good relationship with Hastings District Council CD team. The relationship between Waimarama community CD and the CDEM Group is strained.
- Before CDEM Group was centralised there were active community CD centres in rural and urban areas across the region.
- Loss of communications during Cyclone Gabrielle caused major issues.
- Community-based civil defence centres need to be re-established and fully resourced with equipment, e.g. satellite phones, generators, etc, as determined by each community.
- To improve responses to emergencies, particularly in isolated communities, local people on the ground are required – in place and resourced – rather than waiting for outside assistance.
- Tsunami is a major ongoing risk and community preparedness needs to be greatly improved.

CDE12/23 Resolution

That the Hawke's Bay Civil Defence Emergency Management Group Joint Committee receives and notes the *Waimārama Community Resilience & Leadership* presentation from Richard Gaddum.

**Hazlehurst/Walker
CARRIED**

¹ 14.8 In the event that a quorum cannot be achieved, the business at any meeting convened for the Joint Committee may be considered without further notice by a subcommittee of the Joint Committee. The recommendations of this subcommittee will be reported for final decision at the next Joint Committee meeting.

5. **Cyclone Gabrielle HB CDEM Group Response Review Terms of Reference and Framework**

Doug Tate, CHBDC Chief Executive, introduced the item which was taken as read.

- Te Kahui Ohanga o Takitimu (TKO) was acknowledged for their input into the ToR.
- Iwi are particularly interested in outcome 3 - key stakeholder relationships and coordinated approach to emergency management.
- Mana whenua need to be decision makers and there needs to be stronger representation of and partnership with mana whenua throughout an emergency response, including marae as key players.
- All communities need to understand their roles in an emergency and be trained, resourced and prepared for future events.
- ToR do not specifically include examining CD funding.
- Capturing survey responses from Community Connectors is critical and the local councils will feed this information in to the Review Panel.
- The review covers the whole HB CDEM Group structure including governance, councils and Group Emergency Coordination Centre.
- A national review will be undertaken and timeframes for that will be announced soon.

CDE13/23 **Resolutions**

That Hawke's Bay Civil Defence Emergency Management Group Joint Committee:

1. Receives and considers the *Cyclone Gabrielle HB CDEM Group Response Review Terms of Reference and Framework* staff report.
2. Approves the Terms of Reference and Framework for the *Cyclone Gabrielle HB CDEM Group Response Review* as proposed.
3. Endorses the Procurement Plan timeframes and evaluation panel for the *Cyclone Gabrielle HB CDEM Group Response Review* as proposed.

Hazlehurst/Walker
CARRIED

6. **HB CDEM Group Joint Committee mana whenua representation**

Ian Macdonald introduced the item, which was taken as read. Discussions traversed:

- Proposed changes pre-empt those coming with the Emergency Management Bill (the Bill) which also provides for mana whenua representation on the Coordinating Executive Group (CEG)
- Tangata whenua representatives are initially advisory, non-voting members and as soon as it's made possible full participation including voting rights can be established and the ToR updated accordingly.
- The joint committee works together to achieve consensus so while tangata whenua don't technically have voting rights, they will be involved in decision making.

CDE14/23 **Resolutions**

That the Hawke's Bay Civil Defence Emergency Management Group Joint Committee:

1. Receives and considers the *HB CDEM Group Joint Committee mana whenua representation* staff report.
2. Agrees that the decisions to be made are not significant under the criteria contained in Hawke's Bay Regional Council's adopted Significance and Engagement Policy, and that the Joint Committee can exercise its discretion and make the necessary decisions without conferring directly with the community.
3. Adopts the Terms of Reference for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee following, to replace and supersede all previous

versions.

4. Recommends to each of the partner councils, the adoption of the amended Terms of Reference for the Hawke's Bay Civil Defence Emergency Management Group Joint Committee as proposed (following).

**Walker/Little
CARRIED unanimously**

**Hawke's Bay Civil Defence Emergency Management
Group Joint Committee
Terms of Reference**

1. Preamble

- 1.1 The Hawke's Bay Civil Defence Emergency Management Group was established pursuant to a Terms of Reference dated August 2003 which was subsequently amended in December 2013, and further amended and adopted in December 2016 and again on 23 March 2020. Pursuant to a resolution passed by the Group 26 June 2023, this Terms of Reference is adopted to replace and supersede all previous versions of the Terms of Reference for the Joint Committee.

2. Parties

- 2.1 Each of the following local authorities is a Member of the Hawke's Bay Civil Defence Emergency Management Group and is a party to this Terms of Reference:

Central Hawke's Bay District Council
Hastings District Council
Hawke's Bay Regional Council
Napier City Council
Wairoa District Council

3. Definitions

For the purpose of this Terms of Reference:

- 3.1 "Act" means the Civil Defence Emergency Management Act 2002.
- 3.2 "Administering Authority" means the Hawke's Bay Regional Council.
- 3.3 "Coordinating Executive Group" (the CEG) means the Coordinating Executive Group to be established under section 20 of the Civil Defence and Emergency Management Act 2002.
- 3.4 "Group" means the Hawke's Bay Civil Defence Emergency Management Group.
- 3.5 "Group Controller" means a person appointed under section 26 of the Civil Defence and Emergency Management Act 2002 and clause 10.1 of this Terms of Reference as a Group Controller.
- 3.6 "Group Plan" means the Hawke's Bay Civil Defence Emergency Group Plan prepared by the Group in accordance with the Act.
- 3.7 "Hawke's Bay Region" for the purposes of this document means the Hawke's Bay region as defined in the Local Government (Hawke's Bay Region) Reorganisation Order 1989, excluding the parts of Rangitikei and Taupo District Councils falling within the area administered by the Hawke's Bay Regional Council.
- 3.8 "local authority member or Partner Council" means a Local Authority that is a member of the Civil Defence Emergency Management Group that is the subject of this document.
- 3.9 "4Rs" means Reduction, Readiness, Response, and Recovery.

4. The purpose and term of this Terms of Reference

- 4.1 The purposes of this Terms of Reference are to:
 - 4.1.1 set out the purposes, functions, powers, and duties of the Group and its members in accordance with the requirements of the Act
 - 4.1.2 define the responsibilities of the Group as delegated to the Group by the Members, and
 - 4.1.3 provide for the administrative arrangements of the Group.

5. Joint Committee

- 5.1 Pursuant to section 12 of the Act the Parties were united in August 2003 to establish a Group as a Joint Standing Committee now under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002. This choice is irrevocable under section 14(3) of the Act.
- 5.2 In accordance with section 12(2) of the Civil Defence Emergency Management Act 2002, neither clause 30(5) nor (7) of Schedule 7 of the Local Government Act 2002 which provides for a committee to be discharged or reconstituted, or be discharged following the triennial general election, shall apply to the Joint Committee.

6. Membership of the Group

- 6.1 The members of the Group are the Hawke's Bay Regional Council and all those territorial authorities that lie wholly within the boundaries of the Hawke's Bay region. Each member is to be represented on the Group by one person only, being the Mayor or Chairperson of that local authority, or if they are unavailable an alternate representative who has been given the delegated authority to act for the Mayor or Chairperson.
- 6.2 Under section 13(4) of the Act, the alternate representative must be an elected person from that local authority.
- 6.3 Under clause 30(9) of Schedule 7 of the Local Government Act 2002, the powers to discharge any representative of the Group and appoint his or her replacement shall be exercisable only by the local authority member that appointed the representative being discharged.
- 6.4 Tangata whenua representatives appointed as advisory, non-voting members representing:
 - 6.4.1 Mana Ahuriri
 - 6.4.2 Maungaharuru-Tangitu Trust
 - 6.4.3 Heretaunga Tamatea Settlement Trust
 - 6.4.4 Tatau Tatau o Te Wairoa
 - 6.4.5 Ngati Kahungunu Iwi Incorporated.

7. Representatives to have full Delegated Authority

- 7.1 Each local authority member agrees to confer full delegated authority on its representative, or in their absence the alternate representative in order for the Group to exercise the functions, powers, and duties of members under the Act within approved Group budgets.
- 7.2 At meetings of the Group, each local authority member's representative is to have full authority to vote and make decisions on behalf of that local authority without further recourse in respect of the authority granted under 7.1 above.
- 7.3 If a local authority member's representative to the Group is not re-elected at the triennial Local Government Elections that representative will cease to be a member of the Group and will be replaced by the elected Mayor or Chairperson of the relevant local authority.
- 7.4 It is the responsibility of each member of the Group to ensure that they have a representative available to participate in the Group, as soon as practicable after their representative is no longer able to represent that member for whatever reason, with the same delegated functions, duties and powers as their predecessor.

8. The Group to give effect to the purposes of the Act

- 8.1 The functions, powers and duties of the Group are specified in sections 16, 17 and 18 the Act. To assist the Group to meet these requirements, the Group adopts the following objectives:
 - 8.1.1 To ensure that hazards (as defined in the Act) and the consequential risks are identified and assessed.
 - 8.1.2 Improve and promote the sustainable management of identified hazards in a way that contributes to the long term social, economic, cultural, and environmental well-being and safety of people and communities.
 - 8.1.3 Encourage and enable communities to achieve acceptable levels of risk (as risk is defined in the Act), including, without limitation
 - (i) identifying, assessing, and managing risks, and
 - (ii) consulting and communicating about risks, and
 - (iii) identifying and implementing cost-effective risk reduction, and
 - (iv) monitoring and reviewing the risk management process.
 - 8.1.4 To require local authorities to co-ordinate, through regional groups, planning, programmes, and activities related to civil defence emergency management across the 4Rs, and encourage co-operation and joint action within those regional groups.
 - 8.1.5 To encourage through partnership and co-ordination, emergency management planning and civil defence emergency management activities amongst the organisations represented on the Co-ordinating Executive Group, other CDEM partners and the Lifeline utility operators that operate within the region.
 - 8.1.6 To ensure an effective and efficient region-wide civil defence emergency management capability to respond to and recover from emergencies.

9. Obligations of local authority members

- 9.1 Each local authority member of the Group will:
 - 9.1.1 In accordance with section 7 and 8 above, appoint their Mayor or Chairperson to the Joint Committee; and
 - 9.1.2 appoint its chief executive officer to the Co-ordinating Executive Group (CEG); and
 - 9.1.3 participate in the preparation of and agree to the content of a Group Plan; and

- 9.1.4 contribute technical expertise and resources to maintain an effective Group and local level response capability; and
- 9.1.5 provide to the Group the information or reports that may be required by the Group to discharge its powers, functions and duties under the Act and the Group Plan.
- 9.2 Each local authority member of the Group will be responsible for the risk reduction, readiness, response and recovery arrangements required of it under the Act, and under the Group Plan or as otherwise agreed by the Group, to the standards agreed by the Group.
- 10. Delegated Authority**
- 10.1 Power to appoint Group Controller. The Group will appoint one or more suitably qualified and experienced persons or person to be the Group Controller for the CDEM Group pursuant to by section 26 of the Act and in accordance with the Governance and Management section of the current Group Plan. The powers delegated to the Group Controller(s) are as defined in the Group Plan.
- 10.2 Appointment of Local Controllers. The Group may from time to time appoint, in accordance with section 27 of the Act and following consultation with the relevant members, one or more persons to be a Local Controller in accordance with the Governance and Management section of the current Group Plan.
- 10.3 Appoint persons who may Declare a State of Local Emergency. The Group will appoint at least one person as a person authorised to declare a state of local emergency for its area and in accordance with the Governance and Management section of the current Group Plan.
- 11. Civil Defence Emergency Management Group Plan**
- 11.1 The Group will prepare, approve, adopt and review a Group Plan in accordance with sections 48 to 57 of the Act.
- 11.2 For the avoidance of doubt each and every obligation, agreement, covenant, responsibility and liability under the Group Plan is binding on and will continue to bind each and every Member of the Group and is and will continue to be enforceable as between each of the Members, against each of the other Members, and every Member of the Group agrees and covenants to carry out and perform all of its obligations under the Group Plan.
- 12. Maintain the Coordinating Executive Group**
- 12.1 In accordance with section 20 of the Act, establish and maintain a Co-ordinating Executive Group consisting of:
- 12.1.1 The chief executive officer of each Member or a senior person acting on that person's behalf; and
- 12.1.2 A senior representative of the Police assigned for the purpose by the Commissioner of Police; and
- 12.1.3 A senior representative of Fire and Emergency New Zealand assigned for the purpose by their Chief Executive; and
- 12.1.4 The chief executive of a District Health Board in Hawke's Bay representing the District Health Board in Hawke's Bay, or a person acting on their behalf; and
- 12.1.5 Any other persons that may be co-opted by the CDEM Group to assist the CEG to undertake its responsibilities.
- 13. Remuneration**
- 13.1 Each local authority member of the Group shall be responsible for remunerating its representative on the Group for the cost of that person's participation in the Group.
- 13.2 Each tangata whenua member will be remunerated \$452 per meeting attended, plus reimbursed mileage to travel to/from meetings at the rate of \$0.83/km. These costs will be divided proportionally among the local authority members.
- 14. Meetings**
- 14.1 The Hawke's Bay Regional Council standing orders will be used to conduct Group meetings.
- 14.2 Other standing orders may be used, subject to the agreement of the Group, and in accordance with section 19(1) of the Act.
- 14.3 The Group shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference. However there will be at least two meetings per year.
- 14.4 In accordance with clause 23 of Schedule 7 of the Local Government Act 2002 the quorum of the Group is all local authority members.
- 14.5 A representative may attend any meeting of the Joint Committee by means of audio or audio-visual link unless lawfully excluded.
- 14.6 A representative may attend a meeting by means of audio or audio-visual link despite –
- 14.6.1 clauses 25A(1) and (4) and 27(5)(a) of the Local Government Act 2002, and

- 14.6.2 any limitation or condition on the use of an audio or audio-visual link, or other contrary provision, that is contained in any standing orders that apply to the meeting.
- 14.7 A representative who attends a meeting by means of audio or audio-visual link in accordance with this Terms of Reference is to be counted as present for the purposes of (the quorum) clauses 23 and 30A of Schedule 7 of the Local Government Act 2002.
- 14.8 In the event that a quorum cannot be achieved, the business at any meeting convened for the Joint Committee may be considered without further notice by a subcommittee of the Joint Committee. The recommendations of this subcommittee will be reported for final decision at the next Joint Committee meeting.
- 15. Voting**
- 15.1 Each local authority member has one vote at a meeting of the Group or when the Group is required at any time to make a decision in respect of an action to be taken by the Group.
- 15.2 All actions (other than the entering into of contracts within the authorised Group budget) to be taken by the Group must first be approved by way of a majority vote of all members that are present and voting.
- 15.3 The National Emergency Management Agency shall have observer status on the Group and also the Coordinating Executives Group.
- 16. Election of Chairperson and Deputy Chairperson**
- 16.1 The Group may elect a Group Chairperson and Deputy Chairperson for the Group at the first meeting following the triennial local government elections, from amongst the local authority representatives, and appoint replacements when any of those offices become vacant between elections.
- 16.2 The Group's Chairperson and Deputy Chairperson shall hold office until the first meeting following the triennial general election.
- 17. Administering Authority**
- 17.1 In accordance with section 23 of the Act, the Administering Authority for the Group will be the Hawke's Bay Regional Council. The Administering Authority is responsible for the provision of administrative and related services that may from time to time be required by the Group.
- 18. Group Emergency Management Office**
- 18.1 The Hawke's Bay Regional Council will establish and manage a Hawke's Bay Emergency Management Group Office on behalf of the Group.
- 18.2 The Group Office shall coordinate technical expertise, planning and operational functions, performance monitoring, coordination of Group-wide projects and any other functions as are assigned to it by the Group. The Group Office will also maintain at least one Emergency Management Advisor to be co-located in each TLA to support and where appropriate implement local emergency management outcomes.
- 18.3 The Hawke's Bay Regional Council will employ staff for the Group Office as authorised by the Group and manage the office's expenditure in accordance with the principles of the Local Government Act 2002 and amendments.
- 19. Group Funding and Budget**
- 19.1 The proposed annual Group work programme and budget will be signed off by the Group no later than 30 November of the year preceding the year to which the programme and budget will apply.
- 19.2 The Group work programme, and administrative and related services pursuant to section 24 of the Act, will be funded by way of a Targeted Rate Uniform General Charge (UGC) across the area of the Group and administered by the Hawke's Bay Regional Council. In order to set the Targeted Rate UGC, the Group will communicate its agreed programme and budget to the Hawke's Bay Regional Council no later than 1 February of the year which the programme and budget applies.
- 19.3 The Joint Committee is responsible for deciding the civil defence and emergency management levels of service and outcomes to be provided to the community. As the Administering Authority the Hawke's Bay Regional Council is responsible for providing the resources to achieve these outcomes.
- 20. Good Faith**
- 20.1 In the event of any circumstances arising that were unforeseen by the parties at the time of adopting this Terms of Reference, the parties hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of:
- 20.1.1 the members of the CDEM Group collectively and
- 20.1.2 the Hawke's Bay community represented by the members of the Group collectively.

21. Variations

- 21.1 Any member may propose a variation, deletion or addition to the Terms of Reference by putting the wording of the proposed variation, deletion or addition to a meeting of the Group.
- 21.2 Amendments to the Terms of Reference may only be made with the unanimous agreement of all local authority members.

22. Review of the Terms of Reference

- 22.1 The Terms of Reference will be reviewed and if appropriate amended by the Group at its first meeting following the following the triennial local government elections.
- 22.2 The adoption of an amended Terms of Reference revised under clause 22.1 will be undertaken in accordance with section 21 above.
- 23.3 Amendments to the Terms of Reference will come into effect once agreed, by resolution, by all partner councils in accordance with Schedule 7, clause 30A of the Local Government Act.

23. Adopted

_____ by resolution of the
Central Hawke's Bay District Council
Mayor Alex Walker

_____ by resolution of the
Hastings District Council
Mayor Sandra Hazlehurst

26 July 2023 by resolution of the
Hawke's Bay Regional Council
Chair Hinewai Ormsby

_____ by resolution of the
Napier City Council
Mayor Kirsten Wise

_____ by resolution of the
Wairoa District Council
Mayor Craig Little

7. Regional Recovery verbal update

Ross McLeod, Regional Recovery Agency Chief Executive, introduced the item and acknowledged the work of all the agencies contributing to the recovery.

- The first iteration of the Regional Recovery Plan is due to the Minister on Friday (30 June) and is focussed on restoration. The next iteration will consider building back better, including land categorisation matters. This is due to be with central government in September.

CDE15/23 Resolution

That the Hawke's Bay Civil Defence Emergency Management Group Joint Committee receives and notes the *Regional Recovery verbal update*.

**Walker/Hazlehurst
CARRIED**

8. Emergency Management Bill

Ian Macdonald introduced the item with Ian Wilson from NEMA adding detail.

- The Bill is three separate pieces of legislation (Emergency Management Bill, National CDEM Plan, National Disaster Resilience Roadmap) often collectively referred to as the legislation 'trifecta'. It has yet to be read in Parliament and may not be until early 2024
- Name changes from civil defence to emergency management
- Provision for Māori decision-makers at regional governance and management levels, plus NEMA itself will have a National Māori Advisory Group.

- Management/administration of welfare costs during an emergency will be clarified to avoid financial reimbursement issues like those experienced in the wake of Cyclone Gabrielle
- 'Lifelines' becomes 'Critical Infrastructure'. Each sector (e.g. energy) will have a lead agency appointed to oversee the sector to ensure compliance with any infrastructure resilience provisions
- NEMA is preparing templates to help the community prepare submissions to the Bill
- All political parties support the Bill
- Not clear if the Bill will strengthen proactive risk control, e.g. residential zoning.
- JC can present a submission, as can each council.
- Regulations will support the Bill and will be available for scrutiny before coming into force
- A submission on the *Lifelines/Critical Infrastructure, Mana Whenua, Risks and Controls* and *Local Community* provisions will be made by the JC. Comment on the roles and responsibilities of Emergency Management Committees and Councils will be included. CEG will draft the submission with mana whenua and circulate to JC for comment.
- Communities need to be reminded that emergency management is everybody's responsibility, people need to be prepared to look after themselves for the first few days of an emergency event.

Bill Bayfield and Leon Symes left the meeting at 3.07pm

CDE16/23

Resolution

That the HB Civil Defence Emergency Management Group Joint Committee receives and notes the *Emergency Management Bill* staff report.

Simpson/Hazlehurst
CARRIED

9. Operational capability and preparedness update

Ian Macdonald introduced this item with comments and discussions covering:

- Group staff are the key to maintaining response capability – staff are starting to get back into business as usual activities.
- Communities are looking for support to develop response plans and the Group is coordinating community engagement with other agencies and councils.
- It is important that community support is provided urgently, and that it is clearly spelt out who is responsible for what during an emergency.
- Information about and feedback from community response plan meetings will be provided to the JC.

CDE17/23

Resolution

That the Hawke's Bay Civil Defence Emergency Management Group Joint Committee receives and notes the *Operational capability and preparedness update*.

Little/Hazlehurst
CARRIED

Closure:

There being no further business the Chair declared the meeting closed at 3.18pm on Monday 26 June 2023.

Signed as a true and correct record.

Date:

Chair: