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Thursday, 10 August 2023

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

## *Kaupapataka*

# Agenda

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*Te Rā Hui:*  
Meeting date: **Thursday, 10 August 2023**

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*Te Wā:*  
Time: **1.00pm**

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

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

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

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Thursday, 10 August 2023

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

**Hastings District Council**

**Council Meeting**

*Kaupapataka*

# Agenda

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*Tiamana*

**Chair:** Mayor Sandra Hazlehurst

*Mematanga:*

**Membership:**

*Ngā KaiKaunihera*

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

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*Tokamatua:*

**Quorum:**

8 members

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*Apiha Matua*

**Officer Responsible:**

Chief Executive – Nigel Bickle

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*Te Rōpū Manapori me te  
Kāwanatanga*

**Democracy and**

**Governance Services:**

Louise Stettner (Extn 5543)



## *Te Rārangi Take*

# Order of Business

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### 1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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

An apology from Councillor Nepe has been received.

At the close of the agenda no requests for leave of absence had been received.

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### 3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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

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

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

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

There are no minutes to confirm.

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### 5.0 Mayor's Verbal Update 9

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### 6.0 Hastings Parking Study 2022 11

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### 7.0 Treachers Lane Upgrade Project 17

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## Greater Heretaunga Freshwater Catchments (TANK) Plan Change Appeals Mediation Delegations

*Attachment 1 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (g) - The withholding of the information is necessary to maintain legal professional privilege.*

**8.0**

*Attachment 2 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (g) - The withholding of the information is necessary to maintain legal professional privilege.*

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*Attachment 3 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (g) - The withholding of the information is necessary to maintain legal professional privilege.*

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## **9.0 Future Development Strategy Joint Committee Recommendations**

**31**

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## **10.0 Clifton to Tangoio Coastal Hazards Joint Committee - Summary Notes of a Meeting Held on 12 May 2023 and Confirmation of Terms of Reference**

**35**

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## **11.0 Electoral System for the 2025 and 2028 Elections**

**37**

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## **12.0 Appointment of Members of the Hastings District Licensing Committee Policy Review**

**41**

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

**45**

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## **14.0 Extraordinary Council Meeting - 17 August 2023**

**49**

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## **15.0 Minor Items – Ngā Take Iti**

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## **16.0 Urgent Items – Ngā Take Whakahihiri**

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**17.0 Recommendation to Exclude the Public from Items 18 and 19** **51**

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**18.0 Commercial Transaction**

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**19.0 Appointment of Director to Hawke's Bay Airport Ltd**

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Item 5

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

*Te Rārangi Take*

# Report to Council

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

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

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

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

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

That Council receive the report titled Mayor's Verbal Update dated 10 August 2023.

### **Attachments:**

There are no attachments for this report.



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Thursday, 10 August 2023

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

**Item 6**

*Te Rārangi Take*

# Report to Council

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**Nā:** John O'Shaughnessy, Group Manager: Planning & Regulatory Services  
**From:** John Payne, Regulatory Solutions Manager

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*Te Take:* Hastings Parking Study 2022  
**Subject:** Hastings Parking Study 2022

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

1.1 The purpose of this report is to:

- Adopt the Hastings Parking Study 2022 (February 2023 Stantec, **Attachment 1**)
- Implement the recommendations in the study (pages 35 and 36)

1.2 The 2022 Hastings Parking Study provides a review of Council's parking assets, evaluating the supply of public parking in Hastings CBD and surrounding streets, as well as the demand for parking. The purpose of the study was to determine whether there is sufficient parking capacity in the CBD and how to best manage parking demand in light of significant changes in the future.

1.3 Parking demand for on-street parking in the CBD was measured using licence plate recognition (LPR) surveys. Data recorded 68% peak occupancy, however parking surveys reflect a snapshot of activity in an area at that point in time. This may be influenced by multiple factors such as a COVID-19 impacts, a community event, road closures, time of year and weather.

1.4 The recorded peak occupancy rates sit comfortably below 85% occupancy, the industry standard representing an efficient use of the parking resource. This rate translates to around one in every seven spaces available. However, sections of the CBD experienced higher levels of demand at peak times, including parts of Heretaunga, Eastbourne and Russell Streets, as well as the Opera car park.

1.5 The study also explores how parking is managed in Hastings, as well as the strategies and plans that will influence changes to the transport network, allocation of road space and managing parking in the future. Major changes to how our communities move around are identified in local, regional, and national strategies to reduce carbon emissions and enable a shift to walking, cycling and public transport.

1.6 A review of future parking demand and supply in light of future changes such as population and employment growth, removal of minimum parking requirements, residential intensification, emissions reduction targets and changes to the CBD and the transport network was undertaken. Ultimately, the scope and scale of these changes are uncertain and divergent in terms of increasing or decreasing impacts on parking supply and parking demand.

The study includes a suite of short, medium and long-term recommendations to improve the efficiency of existing parking resources and mitigate future issues with changes in supply and demand.

1.7 The recommendations in this report will:

- Feed the information in this report into the revised Hastings City Centre Strategy (A Collective Vision).

## 2.0 Recommendations - Ngā Tūtohunga

A) That Council receive the report titled Hastings Parking Study 2022, dated 10 August 2023, prepared by Stantec.

B) That Council adopts the Hastings Parking Study 2022 and the recommendations as follows:

Recommendation	Benefit	Trigger
<b>Short term (1-2 years)</b>		
Develop parking strategy	Provides a consistent and agreed framework for managing parking across the district <sup>7</sup>	Stage 2
Expand paid parking area. Potentially consider tiered pricing zones, with higher fees in the core retail precinct	Manage parking demand and ensures spaces are valued and used efficiently	85% on-street peak parking occupancy
Install EV chargers in Lyndon and King and Opera carparks	Provides wider coverage of public EV charging infrastructure across the city and more efficient use of spaces in Lyndon Street carpark (currently low utilisation)	Green Funding (HDC)
Increase parking enforcement and consider implementing LPR technology to manage this	Encourages compliance with restrictions and turnover of parking spaces	Approval of LPR Business Case
Trial bike lock ups in Hastings CBD	Provides secure long term bicycle parking	Pending funding - Green Initiative
Continue to review provision of mobility parking, loading zones, motorcycle, bicycle, and EV parking	Provides safe and convenient parking for these users	Ongoing
Review fees of leased parking spaces and consider differential pricing (e.g. more expensive fees in central locations)	Ensures spaces are valued and used efficiently	Annually
Relocate some leased parking to outer CBD off-street carparks	Provides more convenient central spaces for short term users and improves efficiency of outer off-street carparks	85% off-street parking occupancy
Set a cap on daily parking fees in some off-street carparks (e.g. \$10/day)	Provides a convenient and affordable option for casual all day parking	Southern/Northern/Lyndon Road/Eastern (interim measure)
Introduce paid parking at Opera carpark	Manage parking demand and ensures spaces are valued and used efficiently	
Review layout and access (e.g. install barrier arm) of Opera carpark to restrict access during major daytime Toitoi	Provides dedicated parking for Toitoi during conferences and other daytime events	Removal of easements in Opera carpark, adoption of Parking report

Develop framework/undertake monitoring of parking occupancy and duration of stay in the CBD	support frequent monitoring	Provides longitudinal data on parking trends and identifies triggers for changing parking management	Ongoing, LPR to do surveys Stage 2
<b>Medium Term (3-5 years)</b>			
Remove time restrictions and manage parking using graduated pricing (with the exception of P5/P10 spaces and Heretaunga Street)		Provides flexibility for visitors to pay for as long as they need ('park once') while deterring long term/commuter parking	85% parking occupancy
Investigate opportunities to support emerging modes in the city e.g. micromobility (shared scooters, bicycles), car sharing		Provides convenient access to alternative modes and reduces parking demand	Market driven
Parking wayfinding (e.g. improved signage, real time information)		Reduces vehicle circulation and provides information for visitors	85% on-street parking occupancy, following expansion of paid parking area
Increase parking fees		Manage parking demand and ensures spaces are valued and used efficiently	85% on-street peak parking occupancy following expansion of paid parking area
<b>Long Term (6-10 years)</b>			
Review opportunities to redevelop existing off-street carparks		Opportunity to increase off-street parking capacity to mitigate the reduction of on-street parking losses or provide for mixed use development	Increased vibrancy drives demand in CBD

### 3.0 Background

- 3.1 It has been 10 years since Hastings District Council (HDC) undertook a comprehensive review of parking demand in the central city. In that time significant changes have occurred that have impacted on parking supply and demand. HDC are interested in reviewing how efficiently its current parking assets are being used, and how proposed changes in the future will impact on parking demand.
- 3.2 This study explores whether there are opportunities to use parking space differently, or whether future demands will require additional parking capacity or changes to how existing parking is managed in the City Centre.
- 3.3 The purpose of this study is to conduct a review of HDC's current parking demand in the central city and determine whether there is sufficient parking capacity for the next 10 years.
- 3.4 The study incorporates an update of HDC's parking supply inventory and analyses parking survey data captured in June and November 2022.
- 3.5 The outcomes from this analysis provide the baseline for current demands and have been used to inform the future impacts on parking as a result of projected population growth, anticipated transportation mode change, inner city residential development and retail/commercial activity expansion.
- 3.6 The study outlines short-, medium- and long-term recommendations HDC can implement to manage its parking resources more efficiently in response to these future changes in demand and supply.

### 4.0 Discussion

- 4.1 Council held a workshop on the Hastings Parking Study 2022 on 30 March 2023. The report was presented by HDC staff and Kylie Huard from Stantec. The workshop provided an opportunity for

engagement by those attending to get detailed information on parking. In essence, it was acknowledged that the Hastings CBD does not have a parking problem however looking to the future and considering the vision outcomes outlined in the previous 'Hastings City Centre Strategy (A Collective Vision)', there is a need to identify and retain strategic parking sites in the CBD to maintain future options for parking, amenity and residential options.

- 4.2 During the Council workshop, 30 March 2023 several additional issues were raised. These have been investigated as follows:

**Technology** - Concern was raised about the degree of difficulty using the current parking meters.

Council installed the latest technology when replacing the 508 single head lollipop meters in February 2020, however there is now an up-graded model available. The new machines are touch screen design, which are larger and clearer. To replace our existing meter heads, it would cost about \$3,250 per unit (63) \$204,750. The life expectancy of the existing machines is about 10 years (2030)

**Lease parking** – The online application does not allow registration for multiple sites.

Staff have amended the on-line application to allow multiple lease sites to be selected. Finance have agreed to advise every new applicant how many people are on the list ahead of them, when they submit the initial request.

**'Child Friendly' Parking Spaces** for pregnant mothers and parents with young children –

There is no provision under the Traffic Control Devices 2004 Rule for any type of reserved parking other than disabled and EV parking. However, any such 'courtesy parking', although not enforceable, could be self-regulating.

## 5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Adopt the study and recommendations.

Advantages

- Sets a course for prudent parking management for the future.

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

- 5.2 Don't adopt the study and recommendations.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 Many of the recommendations in the study are only triggered if parking reaches >85 percent occupancy. Some actions which can be started:

- Start developing the parking strategy (Transportation lead stage 2)
- Progressing with EV charge stations in some of our off-street car parks
- Start implementing Licence Plate Recognition (LPR) technology for enforcement and occupancy data.

### Attachments:

1 	Hastings Parking Study 2022	PRJ22-92-0042	Under Separate Cover
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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

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

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

Not applicable

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

Not applicable

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

Not applicable

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

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

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

On 14 June 2023 staff attended a Hastings Business Association meeting where an overview of the report and recommendations was discussed. The Business Association were in support of the report.

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### **Risks**

Not applicable

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

Not applicable

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Thursday, 10 August 2023

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Item 7

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

*Te Rārangi Take*

# Report to Council

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*Nā:*  
**From: Colin Hosford, Public Spaces and Building Assets Manager**

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*Te Take:*  
**Subject: Treachers Lane Upgrade Project**

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

- 1.1 The purpose of this report is to seek approval from Council for both the proposed streetscape upgrade of Treachers Lane and for the rollout of bespoke designed hospitality barriers for Havelock North village centre cafés and restaurants.
- 1.2 These proposals have arisen as a result of requests for streetscape improvements from the Havelock North Business Association (HNBA) and numerous hospitality businesses in the village.
- 1.3 Officers recommend Council approve commencing a medium-priced paving upgrade of the existing footpath on Treachers Lane and the endorsement of new decorative barriers for gradual rollout across the hospitality premises throughout the Havelock North CBD.
- 1.4 All proposed actions would be funded via the Havelock North CBD targeted rate.

## **2.0 Recommendations - *Ngā Tūhunga***

- A) That Council receive the report titled Treachers Lane Upgrade Project dated 10 August 2023
- B) That Council approve Option 1 and the recommendation to undertake the medium paving treatment upgrade of Treachers Lane, including;
  - i. The construction of bespoke barriers outside Giant Brewery, in the current financial year
  - ii. The progressive rollout of requested hospitality barriers (endorsed by the Havelock North Business Association) over the following two years.
  - iii. That all works be funded from the Havelock North CBD Targeted Rate.

### 3.0 Background – Te Horopaki

- 3.1 In 2017 Council adopted an overall plan for the upgrading of the town centre streetscape for Havelock North. This involves paving and other landscape items to beautify the streets and make the centre an attractive place to do business and enjoy. To fund this strategy, a targeted rate to all CBD businesses is collected.
- 3.2 The HNBA has requested the upgrade of Treachers Lane as its highest priority project, as well as the related, and the incremental roll out of bespoke hospitality barriers across the many cafés and outdoor dining premises throughout the Village.
- 3.3 Officers have undertaken planning investigations of the requested paving reconstruction that includes landscape improvements. Officers have also engaged local designers to draft up bespoke barrier designs and concepts that will integrate into the new and existing streetscape.
- 3.4 *Targeted Rate*
- 3.5 The paying of new or enhanced streetscape works is funded via a targeted rate which all CBD ratepayers contribute to. This essentially provides an annual income of \$100,000, which is used to enhance the Village in a coherent fashion utilising an approved design palette for paving, lighting and other street furniture.
- 3.6 The work contemplated in this report can appropriately utilise the targeted rate funding stream, with Council's approval.

### 4.0 Discussion – Te Matapakitanga

- 4.1 As noted above, the new paving treatment proposed for Treachers Lane and the associated new hospitality barriers are endorsed by the HNBA.
- 4.2 This request, focussing on Treachers Lane has been driven by the expansion of the hospitality offerings in the area and with it, the desire to cater for outdoor dining, especially in summer months.
- 4.3 Officers provided three plans with different paving options (**Attachment 1**), as well as presenting multiple designs for the bespoke barriers (**Attachment 2**).
- 4.4 *Paving Treatments*
- 4.5 The costings for the three paving options proposed follow. They do not include provision for the hospitality barriers.
- Full Treatment (total footpath reconstruction) – estimated cost -\$175,000
  - Medium Treatment (Main shop front paving replacement while retaining existing concrete footpath on carpark edge) - estimated cost \$120,000
  - Minimum Treatment (new paving outside Giant Brewery only) - estimated cost \$45,000
- 4.6 The HNBA have endorsed the medium treatment option as providing the best looking and cost effective solution, while keeping the targeted rate fund in the positive.
- 4.7 *Bespoke Barrier Designs*
- 4.8 Officers also worked with two designers who developed a total of 36 different designs for the local cafes. These designs were presented to the HNBA for feedback and subsequent approval.
- 4.9 After the first HNBA meeting, the list of designs was markedly reduced to three different, but compatible designs that were returned to the designer for refinement.
- 4.10 These designs seek to represent artistic patterns that reflect the placemaking connection to Wai ora O ngā arawai o Karanema (health of waterways, and the cultural themes of “Kanorau (diversity), kaitiakitanga (environment), Putahitanga (Convergence) The work of the designer, Rakai Karaitiana encapsulates the Te aranga design principles as adopted by Council.

- 4.11 The finalised design combination has also been endorsed by the HNBA as it offers a great cultural connection to Karanema - Havelock North while presenting interchangeable patterns that can be used across the town centre to give individuality to different areas while having a design continuity.
- 4.12 Councillors will also note that the barrier designs resonate with the existing artworks in parts of the Village including the Linda Trubridge's He Taiepa o Nga Parirau "A wall of Wings" and Para Matchett's Te Haaro o te Kaahu water feature.
- 4.13 The HNBA believe the proposed barrier offers a good safety element, provides visual interest, while being functional and individually appealing. It is proposed that officers and the HBA representatives will work with individual café owners on final design selection from the approved pallet.
- 4.14 The barriers would be fabricated locally in three metre modules at a cost of \$3300 per module, installed. If rolled out to all current premises, that have indicated a desire to take advantage of the option, the total cost would be \$125,000.
- 4.15 Rather than have the targeted rate go into deficit, the HNBA endorses the incremental rollout of the barriers over three financial years to ensure the targeted rate stays in a healthy position should other priorities arise.
- 4.16 Funding Options
- 4.17 It is proposed that the Havelock North CBD Targeted rate would fund all the planned works. The fund is currently \$130,000 to the positive and the fund can appropriately be used for this purpose. No other funding streams are required.
- 4.18 HNBA preferred option is to do the medium paving treatment and a roll out of the barriers over three years. The following table shows the project costs in relation to the targeted rate.

Year	Paving cost	Barrier cost	Targeted rate revenue	Balance after work
23/24	\$120,000	\$10,000	\$130,000	\$ 0
24/25		\$60,000	\$100,000	\$ 40,000
25/26		\$55,000	\$100,000	<b>\$ 85,000</b>

## 5.0 Options – Ngā Kōwhiringa

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

- 5.1 Medium paving treatment of Treachers Lane including bespoke barriers outside Giant Brewery in the first year followed by a progressive rollout of all requested hospitality barriers over the next two years.

Advantages

- Supported by HNBA and local businesses
- Can be carried out wholly using targeted rate funding stream
- Shows Council's commitment and support for a strong and vibrant Village CBD.
- Barrier project can be rolled out progressively over three years
- Targeted rate fund remains in a positive state
- Helps reinforce a special place feel for the Village

Disadvantages

- Minor disruption of local businesses.

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

## 5.2 Status quo – do nothing

### Advantages

- Targeted rate funds remain unspent
- No disruption to Treachers Lane businesses.

### Disadvantages

- Contrary to the requests of the HNBA and Council adopted CBD Strategy
- Sends a signal that Council is not supportive of the well-being of Havelock North businesses
- Potential to damage Council’s reputation.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 With approval of Council officers will commence procurement of materials and suitably qualified contractors to undertake the work prior to Labour Weekend 2023.

### Attachments:

1↓	Designs for the bespoke barriers	CG-17-1-00364
2↓	Paving Treatment Options	CG-17-1-00366

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

This proposal promotes the social wellbeing of communities in the present and for the future by the facilitation of outdoor dining spaces and vibrancy to the Havelock North CBD.

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

While only a minor project, the opportunity to embed Te Aranga design principles have been followed and cultural connections to the local area and tangata whenua are woven into the barrier design.

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### Sustainability - *Te Toitūtanga*

The paving and barriers are made from long lasting materials.

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### Financial considerations - *Ngā Whakaarohanga Ahumoni*

The work can be funded by the targeted rate without call on any wider ratepayer funds.

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

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

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

Officers have worked closely with the HNBA on all facets of the project and the designs and timings are supported.

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### Risks

Opportunity: To enhance the Treachers Lane streetscape

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Support from the local Havelock North Community An improved streetscape will help enhance civic pride Positive investment in the Village CBD New streetscape will provide enhanced pedestrian and diner safety and alfresco dining experience	May be some concern over spending funds in a tight fiscal environment

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

Not specific impacts on Rural Community Board

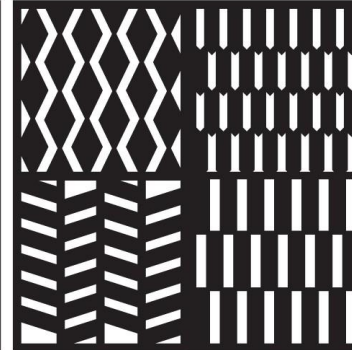
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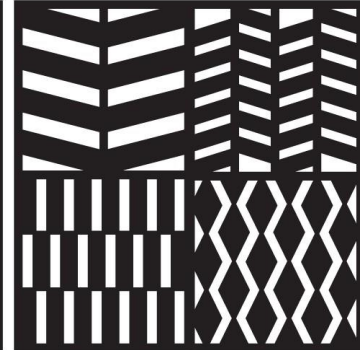
PUTAHI - MUMU 01  
CNC LASER OR WATERJET



PUTAHI - MUMU 02  
CNC LASER OR WATERJET



PUTAHI - MUMU 03  
CNC LASER OR WATERJET













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Thursday, 10 August 2023

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

**Item 8**

*Te Rārangi Take*

# Report to Council

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*Nā:* **Mark Clews, Principal Advisor: District Development**  
*From:*

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*Te Take:* **Greater Heretaunga Freshwater Catchments (TANK) Plan Change**  
*Subject:* **Appeals Mediation Delegations**

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

- 1.1 The purpose of this report is to obtain delegations for staff to agree to any settlements that may be able to be reached in relation to a number of Environment Court Appeals relating to the Hawke’s Bay Regional Council’s (HBRC) Proposed Change No. 9 to the Regional Resource Management Plan (RRMP). Plan Change 9 relates to the future management of fresh water in the Greater Heretaunga Catchments collectively known as the TANK Catchments.
- 1.2 The report summarises the intent of the mediation process and recommends that delegations be given to the Principal Advisor District Development and the Group Manager Infrastructure to agree to any mediated settlements that may be able to be reached, in order to avoid protracted Environment Court Hearing and potential further litigation, provided Councils position in respect of its ability to meet the needs of current and future generations for efficient municipal water is not unduly limited.

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

- A) That Council receive the report titled Greater Heretaunga Freshwater Catchments (TANK) Plan Change Appeals Mediation Delegations dated 10 August 2023.
- B) That Council delegate authority to the Chief Executive or his delegate in conjunction with Council’s solicitors, enter into any proposed consent orders that may be achieved through Environment Court assisted mediation in respect of Appeals to Proposed Plan Change 9 to the Regional Resource Management Plan.

### 3.0 Background – *Te Horopaki*

- 3.1 This issue arises from the HBRC's obligation to implement the 2014 National Policy Statement for Freshwater Management (NPSFM) in the Tutaekuri, Ahuriri, Ngaruroro and Karamu (TANK) catchments.
- 3.2 The NPSFM requires regional councils to set freshwater objectives, including allocation limits and targets for every water body in their region, including aquifers and wetlands, in order to maintain and improve water quality. In this case the HBRC adopted a combined catchment approach to reflect the interconnectedness of the Heretaunga Plains aquifer and the surface water resources in these TANK catchments.
- 3.3 The HBRC elected to use a stakeholder based collaborative planning exercise to determine how water bodies within the TANK catchments should be managed to meet the diverse interests and needs of the community. The process included Hastings District and Napier City Council officers representing the roles and interests in the issue as territorial authorities including:
- Abstracting groundwater for municipal supply and discharging urban stormwater to freshwater receiving bodies
  - Having land use planning responsibilities under the RMA that affect freshwater
  - Advocating for district rural and urban dwellers economic and social wellbeing where this is dependent upon water quality and quantity.
- 3.4 These roles are however, tempered by an overarching responsibility under the Local Government Act to take a sustainable development approach. This includes the need to maintain and enhance the quality of the environment and take into account the cultural wellbeing of people and communities. While it is not the HDC's role to represent Māori values, it is important that they are also respected and accounted for by Council in its position to the extent that they can be.
- 3.5 This Council authorised the Chief Executive to lodge detailed submissions to various proposed provisions in PCC 9 of concern to it, following two workshops and a report presented to the 14<sup>th</sup> July 2020 meeting (Ref 20/517).
- 3.6 The Hearings Commissioner's Decision was released on 9<sup>th</sup> September, with the time for lodging appeals to any aspect of the decision closing on 26<sup>th</sup> October, which coincided with the Local Body election process. Accordingly, the Chief Executive has exercised his delegation, on the advice of staff and Council's solicitor for this case Ms Davidson of Matt Casey KC's office as summarised in the attached memo, to lodge an appeal on limited matters in order to preserve Council's position on aspects central to its statutory water supply and urban development obligations.
- 3.7 In total, 15 other appeals were filed with the Environment Court and staff filed a notice to become an interested party to some of those other appeals (under s 274 Resource Management Act 1991). This was so that Council could participate in mediation where those appeals could affect Council's principal concerns around maintaining priority allocation for municipal supply, including for growth, and protecting drinking water supply. Council would then have a say in the final wording of any amendments to the plan change that may be reached by other parties and monitor and challenge any changes to the plan being made that may have flow-on effects for its principal concerns.
- 3.8 **Appendices 1 and 2** provide more information on the substance of the concerns held and initial positions by officers on Council's behalf taken in respect of them in terms of the Plan Change the Commissioners Decision in relation to submissions on them.

### 4.0 Discussion – *Te Matapakitanga*

- 4.1 After a number of determinations on preliminary matters the Environment Court has now directed that the parties engage in Court assisted mediation to try and reach agreement on as many matters as possible before scheduling a full hearing on the matter remaining in dispute. While no

dates have been set, it is likely that this will occur through September and October of this year. A basic requirement of mediation is that participants have delegated authority to enter into agreement by consent where matters may be able to be resolved.

- 4.2 Council's register of Statutory Delegations and Warrants gives the following staff delegated authority to approve, subject to informal consultation with the Hearings Committee, a memorandum seeking an Environment Court consent order to settle and Appeal under clause 14 of the first schedule of the RMA:
- i) Group Manager: Planning and Regulatory Services
  - ii) Environmental Consents Manager
  - iii) Environmental Policy Manager
  - iv) Team Leader Environmental Policy
- 4.3 While this may be appropriate for Council initiated Plan Changes, none of the staff holding these positions have had any involvement in the process over the last 14 years. This plan change also relates to one of Councils fundamental operation infrastructural operations, namely municipal water supply, rather than land use matters under the control of Council as a Territorial Local Authority. Accordingly they are not likely to be participating in the mediation process to any great extent.
- 4.4 Council's Infrastructure Group Manager, Mr Thew, in addition to having operation as responsibility for the Council functions that sit at the heart of Council's appeal, has participated in the TANK collaborative process from around 2018. In addition he has worked closely with Annette Sweeney of Good Earth Matters with respect to Source Wate Protection Zones, stormwater management and municipal water supply conservation and demand strategies. Ms Sweeney gave expert evidence to the Commissioners on these matters for Council and has been retained to assist Council in the mediation process (but without delegations). It is therefore suggested that Mr Thew been given delegated authority to settle appeals as appropriate.
- 4.5 Mr Clews, Councils Principal Advisor District Development has also been engaged on Council's behalf of the TANK collaborative process since its inception and prior to that represented Councils interest on Plan Changes to the Regional Policy Statement in freshwater management. The latter included the successful resolution of a number of Appeal to the Environment Court through the mediation process, so he is familiar with both the process and substance of the mediation. As a result he is likely to take a lead role in the mediation process in conjunction with Ms Sweeney and Ms Davidson. In order to provide resilience and continuity to the process it is suggested that he also hold a delegation in tandem with Mr Thew to resolve Appeals by consent. Authority to agree individually or severally (preferred) should be retained to allow for any absences, given the timing of the mediation process remains unknown.
- 4.6 For the purposes of this report it would be appropriate to grant the delegation in the first instance to the Chief Executive or his delegate as a matter of general practice, in order to cover all possible contingencies.

## 5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Authorise the Group Manager Infrastructure Mr Thew and the Principal Advisor District Development, Mr Clews, to settle any appeal at mediation on PC 9.

Advantages

- Provides and efficient mechanism for mediated agreements to be settled by Consent.
- Two delegations provides both resilience and robustness to the process for Council.
- Both infrastructural aspect and resource management principles and process are covered through the two appointments

- Both officers have continuity with the process, people and the environmental outcome being sought.
- The delegates will be supported by technical and legal expertise.

#### Disadvantages

- There may be limited opportunities for involvement of Councillors given the nature and timing of the process.

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

- This would effectively involve either not participating in mediation or participating without any delegations.
- The Court and other participants will feel frustrated and annoyed with a decision not to participate and if participating, drawing out the process in order to continually report back to Council for direction and approval position changes.

### 6.0 Next steps – Te Anga Whakamua

It may be useful for the Council to appoint a small working group of Councillors that the delegated staff can brief (verbally if necessary) and obtain political guidance from as the process unfolds. Ideally this would cover the Infrastructure, Strategy and Environmental functions of Council.

#### Attachments:

1	Memo to Councillors Re TANK Appeals Regional Plan Change 9 to the Regional Resource Management Plan Heretaunaga Freshwater Catchments <i>Confidential in accordance with Section 7 (2) (g) of the Local Government Official Information and Meetings Act 1987</i>	EXT-11-02-22-972	Under Separate Cover
2	Memo to CEO briefing possible appeals on Plan Change 9 to the Regional Resource Management Plan TANK Heretaunga catchments <i>Confidential in accordance with Section 7 (2) (g) of the Local Government Official Information and Meetings Act 1987</i>	EXT-11-02-22-970	Under Separate Cover
3	TANK catchments legal memo possible section 274 notices <i>Confidential in accordance with Section 7 (2) (g) of the Local Government Official Information and Meetings Act 1987</i>	EXT-11-02-23-1009	Under Separate Cover

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Thursday, 10 August 2023

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

**Item 9**

*Te Rārangi Take*

# Report to Council

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*Nā:*  
**From: Brett Chapman, Programme Manager Growth**

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*Te Take:*  
**Subject: Future Development Strategy Joint Committee Recommendations**

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

- 1.1 The purpose of this report is to provide a brief recap of the recent meeting of the Napier-Hastings Future Development Strategy Joint Committee ('the Joint Committee').
- 1.2 The second meeting of the Joint Committee was held at Hastings District Council Chambers on 11th July 2023. The following items were presented on the agenda:
  1. "Consideration of Objectives and 'Issues and Options' for the Future Development Strategy."
- 1.3 A full copy of the Joint Committee's agenda can be viewed online.

The staff report in that agenda outlined the purpose of the meeting was to:

1. Adopt the FDS Vision and Objectives following feedback individually by Committee members, based on drafts prepared by the officers and discussed at the last meeting on 27<sup>th</sup> April 2023.
2. Receive an Issues and Options Report, based on the housing demand analysis and the constraints and restraints investigations presented at the last meeting. The Issues and Options report is to be used to underpin the first round of public engagement on the Future Development Strategy.
3. Receive and endorse public engagement proposals (these were set out in the Joint Committee agenda pack) before engaging with the public generally on the opportunities that can be explored to address these constraints and opportunities before developing alternative scenarios for specific evaluation.

## **2.0 Joint Committee Outcomes**

- 2.1 At the Joint Committee's meeting, project staff delivered a presentation on those three matters and responded to a number of comments and questions from members of the Joint Committee.

- 2.2 The issues that the Joint Committee discussed included;
- the level of risk that the community should be exposed to from natural hazards.
  - better recognition of wāhi taonga and sites of significance on the mapping.
  - recognition in the objectives around the part that papakainga plays in the supply of housing.
  - more opportunities for hapu engagement.
  - Ensuring that the Issues and Options report is clear about there being no pre-determination of sites or options.

- 2.3 Following comments and discussion by members of the Joint Committee, the Joint Committee recommended:

A. That the Napier-Hastings Future Development Strategy Joint Committee receive the Draft report titled 'Consideration of Objectives and 'Issues and Options' for the Future Development Strategy' dated 11 July 2023 incorporating the feedback received at the meeting.

B. That a joint report be taken to the three individual councils and Te Kāhui Ōhanga o Takitimu to seek endorsement on the draft Issues and Options report incorporating the vision and objectives and the engagement policy.

C. That the Committee endorses the proposed community engagement process including consultation with marae and hapū groups.

- 2.4 Following feedback from Council at an informal workshop on 25 July 2023, a number of changes to the Issues and Option report have been requested.
- 2.5 It is possible that further changes may be requested from the FDS Joint Committee partners before the report is ready for endorsement therefore it is suggested that the HDC Joint Committee representatives be given delegated authority to endorse the final report on behalf of HDC.

### 3.0 Next steps for FDS project


- 3.1 The next engagement step is intended to provide opportunities for the wider public and stakeholders to suggest different options or approaches for urban development and to express their views on what is of importance or value in developing future scenarios. The 'Issues and Options Report' is a key resource to inform views relative to the challenges and realities of development on and within the Heretaunga Plains and surrounding environments.
- 3.2 The timing of engagement on the Issues & Options report has been discussed by the Technical Advisory Group where it was agreed that engagement should be delayed to avoid any clash with HDC communication on the Future of Severely Affected Land (FOSAL) negotiations and related resilience decisions as a result of Cyclone Gabrielle.
- 3.3 Officers will be seeking further guidance from the Joint Committee about the future timing on engagement and the potential for the FDS timeframes to be extended while the councils maintain focus and resources on the recovery plan.
- 3.4 The draft FDS will be formally consulted on (per the Local Government Act procedures) after March 2024. The FDS may become 'operative' circa October 2024 if endorsed/adopted by all three councils and mana whenua partners.



#### 4.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Future Development Strategy Joint Committee Recommendations dated 10 August 2023.
- B) That Council endorses the Issues & Options Report subject to any further changes requested by the Joint Committee partners.
- C) That Council's representatives on the FDS Joint Committee be given delegated authority to endorse the final Napier – Hastings Future Development Strategy - Issues and Options Report.
- D) That community engagement on the Issues & Options report be deferred until a later date.

#### Attachments:

1 	Issues and Options Report post joint committee update	STR-4-7-23-112	Under Separate Cover
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Thursday, 10 August 2023

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Item 10

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

*Te Rārangi Take*

# Report to Council

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*Nā:*  
From: **Mark Clews, Principal Advisor: District Development**

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*Te Take:*  
Subject: **Clifton to Tangoio Coastal Hazards Joint Committee - Summary Notes of a Meeting Held on 12 May 2023 and Confirmation of Terms of Reference**

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

- 1.1 The purpose of this report is to provide an update on the Clifton to Tangoio Coastal Hazard Strategy Joint Committee meeting held on 12<sup>th</sup> May 2023. As required by the Joint Committee's terms of reference, the project manager's summary notes and the unconfirmed meeting minutes are attached (**Attachments 1 and 2**). In this instance the summary notes are in the form of a report to the Hawke's Bay Regional Council as decisions were required of them in relation to the revised terms of reference and the timeline for notification of the strategy, which are summarised below.
- 1.2 The Joint Committee confirmed the Terms of Reference (attached) for adoption by the three Partner Councils so a decision from this Council is also required. Minor changes were made to the existing Terms of Reference and approved by the partner Councils in November and December 2022 to reflect the decision by the Hawke's Bay Regional Council to take responsibility for approving and implementing the proposed strategy, once it is completed and recommended to them by the Joint Committee. On review by the Technical Advisory Group (TAG), further changes to the Terms of Reference were proposed to update the document to better reflect developments in strategy implementation arrangements and strategy content. A copy of the tracked changes version is attached as **Appendix 3** with the most recent changes shown in **blue** and already adopted 2022 changes in **purple** for completeness. Both Napier City Council and the Hawke's Bay Regional Council have since adopted the changes.
- 1.3 In terms of the forward programme, it was noted that following Cyclone Gabrielle, the February and April 2023 Joint Committee meetings were cancelled and capacity within partner Councils has been severely constrained. As a result, an August 2023 notification for the Strategy to enable the outcome so consultation to be incorporated into the Hawke's Bay Regional Council's 2024 Long Term Plan could not be achieved. As a result, the Joint Committee endorsed a change to the programme to provide for standalone consultation and Long Term Plan Amendment in August/September 2024 taking effect from July 2025. However, they also recommended to the HBRC that it consider

incorporating a funding provision implementation into its upcoming Long Term Plan so as to mitigate against further delay.

- 1.4 The next meeting of the Joint Committee will be held on 11<sup>th</sup> August 2023. With significant work required through 2023, more regular Joint Committee meetings have been scheduled.

## 2.0 Recommendations - *Ngā Tūhunga*

- A) That Council receive the report titled Clifton to Tangoio Coastal Hazards Joint Committee - Summary Notes of a Meeting Held on 12 May 2023 and Confirmation of Terms of Reference dated 10 August 2023 - and the attached Summary Notes, Unconfirmed Meeting Minutes and Terms of Reference.
- B) That the Terms of Reference attached as **Appendix 3** to the report be adopted.

### Attachments:

1 ➡	Summary Notes Report Clifton to Tangoio Coastal Hazards Strategy Joint Committee May 2023	CG-17-1-00369	Under Separate Cover
2 ➡	Minutes of Clifton to Tangoio Coastal Hazards Strategy Joint Committee - Friday, 12 May 2023	STR-14-07-23-776	Under Separate Cover
3 ➡	Clifton to Tangoio Coastal Hazards Strategy Joint Committee Terms of Reference Tracked Changes	CG-17-1-00370	Under Separate Cover

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Thursday, 10 August 2023

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Item 11

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

*Te Rārangi Take*

# Report to Council

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

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**Te Take:**  
**Subject: Electoral System for the 2025 and 2028 Elections**

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

- 1.1 The purpose of this report is to advise the Council that it may, if it so wishes, resolve to change the electoral system for the 2025 and 2028 elections.
- 1.2 The Council may resolve to change from the electoral system used at the last elections. The Council used First Past the Post (FPP) at the last elections. It may resolve to change to Single Transferrable Voting (STV) if it so wishes. These are the only 2 electoral systems available to the Council.
- 1.3 Any changes apply for the next two elections, i.e., 2025 and 2028. Any resolution to change must be made by 12 September 2023.
- 1.4 The matters raised in this report are administrative in nature and do not relate directly to the strategic objectives of the Council.
- 1.5 This report concludes by recommending that the Council decide what electoral process it wishes to use for the 2025 and 2028 local elections.

## **2.0 Recommendations - Ngā Tūtohunga**

- A) That Council receive the report titled Electoral System for the 2025 and 2028 Elections dated 10 August 2023.
- B) That Council agree to use First Past the Post OR Single Transferrable Voting System for the 2025 and 2028 elections.

### 3.0 Background – *Te Horopaki*

3.1 The Local Electoral Act 2001 (LEA) provides local authorities and communities with a choice between FPP or STV for local elections and polls. The choice of electoral system is also devised to help achieve the LEA principle of “fair and effective representation for individuals and communities”.

#### 3.2 “First Past the Post” and “Single Transferrable Vote” Systems

3.3 The Council used FPP as its electoral system for the 2022 elections and all previous elections back to 1989. Under the FPP electoral system electors vote by ticking their preferred candidate(s), and the candidate(s) that receive(s) the most votes is/are declared to be elected.

3.4 The other option permitted under the Local Electoral Act 2001 is the STV system. Under this system electors rank candidates in order of their preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the total number of valid votes which have been cast in the election.

3.5 The number of candidates required to fill all vacancies is achieved by:

- Counting the first preferences of all electors
- A transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota
- By the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters’ second preferences and so on via further exclusions and preferences.

#### 3.6 What is the difference between the 2 electoral systems?

3.7 FPP is a “plurality” electoral system; this means that to get elected a candidate must win the most votes. FPP is a simple system for voters to use.

3.8 STV is a “proportional” electoral system, this means to get elected a candidate must win a proportion of the overall votes cast.

#### 3.9 Deciding which Electoral System to use

3.10 Under the Local Electoral Act 2001:

- Council can resolve to change the electoral system to be used at the next two elections.
- Council can conduct a binding poll of eligible electors on which electoral system to use.
- Electors can demand that a binding poll be undertaken by the presentation to the Council of a petition signed by 5% of the eligible electors.

3.11 Once changed, an electoral system must be used for at least the next two triennia; elections, i.e., the electoral system cannot be changed for one election and then changed back for the next election.

#### 3.12 Future for Local Government Report

3.13 In its report released in June 2023, the Review Panel for the *Future for Local Government* made a number of recommendations to the Government regarding features of representation and electoral processes. Included in these recommendations is for Government to adopt STV as the nationwide method for local elections. Should legislation be progressed in line with this recommendation the Panel suggests changing the public-facing name of STV to be more understandable to voters – it is sometimes called ranked choice voting, which may be a clearer option.

### 4.0 Discussion – *Te Matapakitanga*

4.1 Councils now have the option to decide, by 12 September 2023, whether to stay with their current electoral system to be used at the 2025 and 2028 local elections.

- 4.2 The Council has an obligation to give public notice by the 19<sup>th</sup> of September 2023 of the right for electors to demand a poll on the matter of the electoral system. If the Council does resolve to change the electoral system it must include this information in the public notice and the fact that a poll is required to reverse a resolution to change.
- 4.3 There are no local authorities in Hawke’s Bay that have used (and will be using) STV for its elections. Of the more than 70 local authorities currently in New Zealand, 14 use the STV election process with the majority opting for FPP.
- 4.4 5% of electors may demand a poll on the electoral system at any time. If the poll demand is received after 19 September 2023 the outcome of the poll will not apply until the 2031 elections.

## 5.0 Next steps – *Te Anga Whakamua*

- 5.1 Whether or not a council passes a resolution by 12 September 2023, it must give public notice by 19 September 2023 of the right of 5% of electors to demand a poll on the electoral system to be used at the 2025 and 2028 local elections.

### Attachments:

There are no attachments for this report.

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

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

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

No impact on Māori over and above the general population.

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### Sustainability - *Te Toitūtanga*

N/A

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### Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A

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

This decision has been assessed under the Council's Significance and Engagement Policy as being of low significance. However, as stated earlier, the Council must advertise the public’s right to demand a poll on the electoral system.

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

Communities have an important role to play in the decision. They must be consulted by way of public notice as outlined in the body of this report.

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

N/A

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Thursday, 10 August 2023

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

**Item 12**

*Te Rārangi Take*

# Report to Council

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

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*Te Take:* **Appointment of Members of the Hastings District Licensing Committee Policy Review**  
**Subject:** **Committee Policy Review**

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

- 1.1 The purpose of this report is for Council to consider the adoption of a revised ‘Appointment of Members of the Hastings District Licensing Committee Policy’ (the Policy) (**Attachment 1**). It also informs the Council that this Policy will be used to guide the process to appoint an additional ‘List Member’ of the Hastings District Licensing Committee.
- 1.2 Each council must establish and keep maintained a List of District Licensing Committee members. While the Hastings District Licensing Committee currently has two ‘List Members’ officers recommend increasing this number to ensure sufficient membership going forward.
- 1.3 A report will be brought back to Council with a recommendation from the appointments committee to appoint a new List Member to the Hastings District Licensing Committee.

## **2.0 Recommendations - Ngā Tūtohunga**

- A) That Council receive the report titled Appointment of Members of the Hastings District Licensing Committee Policy Review dated 10 August 2023.
- B) That Council adopt the revised ‘Appointment of Members of the Hastings District Licensing Committee Policy 2023’ set out in **Attachment 1** of this report.
- C) That Council note that the process contained in the adopted ‘Appointment of Members of the Hastings District Licensing Committee Policy 2023’ will be used to guide the appointment of an additional List Member of the Hastings District Licensing Committee.

### 3.0 Background – *Te Horopaki*

- 3.1 Anyone wanting to sell and supply alcohol to the public in New Zealand must apply to their local council for a license. District Licensing Committees (DLCs) consider and decide all applications for licenses and manager’s certificates, s 187 of the Sale and Supply of Alcohol Act 2012 (the Act). DLCs are established under the Act and are administered by councils.
- 3.2 The membership of a DLC must comprise 3 or more members appointed by the council. The current membership of the Hastings District Licensing Committee for the 2022-2025 triennium is:
- Chair: Deputy Mayor Tania Kerr
  - Deputy Chair: Councillor Eileen Lawson
  - Mr George Lyons (Commissioner) – appointed to June 2027
  - Mr Dave Fellows (List Member)
  - Mr Wayne Bradshaw (List Member)
- 3.3 Each council must establish and maintain a list of DLC members. They can have their own list or have a combined list with one or more other councils (section 192). Members must have “experience relevant to alcohol licensing matters” (Sale and Supply of Alcohol Act 2021 section 192(2)).
- 3.4 Councils must appoint 1 member as the Chair, and that person must be either a member of the council or a commissioner. A Deputy Chair is optional but must be an elected member of council. The other members must be appointed off ‘the List’ as per section 192.
- 3.5 Council has a Policy on the Appointment of Members of the Hastings District Licensing Committee that was adopted by Council in 2017.

### 4.0 Discussion – *Te Matapakitnga*

- 4.1 It has been 6 years since the Policy was reviewed and it is timely to undertake updates prior to further appointments being made.
- 4.2 Officers have reviewed the current policy and consider that some minor changes should be made. **Attachment 1** is a marked-up version of the Policy that highlight the changes that officers recommend.
- 4.3 While the Hastings District Licensing Committee has two ‘List Members’ officers recommend increasing the number of List Members to ensure there will continue to be a sufficient pool of list members available to draw upon going forward.

### 5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 That Council adopt the revised Policy.

Advantages

- Ensures that the Policy is kept up to date.

Disadvantages

- None identified.

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

- 5.2 That Council do not adopt the revised Policy.

- No advantages for this option have been identified.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 The next steps, if option one is adopted, will be to advertise for the role of a list member to the Hastings District Licensing Committee. The appointments committee will consider the applications for eligibility and skills and carry out interviews with the shortlisted candidates. A report will be brought back to Council with recommendations from the appointments committee to appoint a new list member to the Hastings DLC.

### Attachments:

<a href="#">1</a>	District Licensing Committee - Policy - With proposed changes	CG-17-1-00365	Under Separate Cover
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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

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

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

N/A

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### Sustainability - *Te Toitūtanga*

N/A

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### Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A

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

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

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

N/A

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

N/A

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Thursday, 10 August 2023

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

Item 1:

*Te Rārangi Take*

# Report to Council

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

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

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

- 1.1 The purpose of this report is to inform the Council of the number of requests under the Local Government Official Information and Meetings Act (LGOIMA) 1987 received from 27 May 2023 to 31 July 2023 and the status of those requests.
- 1.2 This issue arises from the provision of accurate reporting of information to enable effective governance.
- 1.3 This is an administrative report to ensure that Council is aware of the number and types of information requests received and to provide assurance the Council is meeting its legislative obligations in relation to the LGOIMA.
- 1.4 This report concludes by recommending that the LGOIMA requests (as in **Attachment 1**) be noted.

## **2.0 Recommendations - Ngā Tūtohunga**

- A) That Council receive the report titled Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update dated 10 August 2023.
- B) That the LGOIMA requests received from 27 May 2023 to 31 July 2023, as set out in **Attachment 1** of the report be noted.

### **Attachments:**

[1](#) LGOIMA Update - 10 August 2023 Meeting

CG-17-1-00367









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Thursday, 10 August 2023

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Item 14

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

*Te Rārangi Take*

# Report to Council

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*Nā:*  
**From: Nigel Bickle, Chief Executive**

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*Te Take:*  
**Subject: Extraordinary Council Meeting - 17 August 2023**

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

- 1.1 The purpose of this report is to obtain a resolution from the Council to call an extraordinary council meeting for Thursday the 17<sup>th</sup> of August, 1pm in the Council Chamber.
- 1.2 Pursuant to Schedule 7, clause 22(a) of the Local Government Act 2002 an extraordinary meeting of a local authority may be called by a resolution of the local authority.
- 1.3 The general nature of the business to be undertaken at the extraordinary council meeting will be to consider the adoption of the consultation document for the Long Term Plan Amendment required to undertake the category 3 buyout activity. It will also consider a report regarding housing and an appointments paper.
- 1.4 Should Council agree to call this extraordinary council meeting the public will be notified in accordance with legislative requirements.

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

- A) That Council receive the report titled Extraordinary Council Meeting - 17 August 2023 dated 10 August 2023.
- B) That Council agree to call an extraordinary council meeting on Thursday 17 August, 1pm in the Council Chamber.
- C) That Council note that the general nature of business to be undertaken at the extraordinary council meeting will be to consider the adoption of the consultation document for the Long Term Plan Amendment required to undertake the category 3 buyout activity. It will also consider a report regarding housing and an appointments paper.

**Attachments:**

There are no attachments for this report.

# HASTINGS DISTRICT COUNCIL

## COUNCIL MEETING

THURSDAY, 10 AUGUST 2023

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### RECOMMENDATION TO EXCLUDE THE PUBLIC

#### SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

THAT the public now be excluded from the following part of the meeting, namely:

**18 Commercial Transaction**

**19 Appointment of Director to Hawke's Bay Airport Ltd**

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

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<i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i>	<i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i>	<i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i>
<b>18 Commercial Transaction</b>	<b>Section 7 (2) (i)</b> The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). <b>Section 7 (2) (j)</b> The withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage. To protect third party commercial interests.	<b>Section 48(1)(a)(i)</b> Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.
<b>19 Appointment of Director to Hawke's Bay Airport Ltd</b>	<b>Section 7 (2) (a)</b> The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. To protect the privacy of the party seeking reappointment.	<b>Section 48(1)(a)(i)</b> Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

Item ERROR! REFERENCE SOURCE NOT FOUND.