

Thursday, 14 March 2024

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

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Thursday, 14 March 2024**

Te Wā:
Time: **1.00pm**

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

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

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

Thursday, 14 March 2024

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

Council Meeting

Kaupapataka

Agenda

Tiamana

Chair: Mayor Sandra Hazlehurst

Mematanga:

Membership:

Ngā KaiKaunihera

Councillors: Ana Apatu, Marcus Buddo, Alwyn Corban, Malcolm Dixon, Michael Fowler, Damon Harvey, Henry Heke, Kellie Jessup, Tania Kerr (Deputy Mayor), Eileen Lawson, Simon Nixon, Wendy Schollum and Kevin Watkins + 2 x Vacancies

Tokamatua:

Quorum:

8 members

Apiha Matua

Officer Responsible:

Chief Executive – Nigel Bickle

*Te Rōpū Manapori me te
Kāwanatanga*

Democracy and

Governance Services:

Louise Stettner (Extn 5543)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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

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

Leave of Absences had previously been granted to Councillor Lawson, Councillor Buddo and Councillor Kerr

3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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

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

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

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

Minutes of the Council Meeting held Thursday 1 February 2024.
(Previously circulated)

Minutes of the Council Meeting held Tuesday 20 February 2024.
(Previously circulated)

5.0 Foodeast Haumako 2024/25 Draft Statement of Intent 7

6.0 Waimārama Beach Vehicle Access - Community Engagement 9

7.0	Updated Terms of Reference for Risk and Assurance Committee	19
<hr/>		
8.0	Amendment to the Rural Halls Maintenance Fund Policy for 2024	25
<hr/>		
9.0	Public Access to Council Workshops	37
<hr/>		
10.0	Appointment to the Hastings District Council: Tangata Whenua Wastewater Joint Committee	43
<hr/>		
11.0	Petition - To replace the birdbath at Keirunga Gardens	45
<hr/>		
12.0	Requests Received Under The Local Government Official Information and Meetings Act 1987 (LGOIMA) Update	47
<hr/>		
13.0	Proposed Amendments To Schedule Of Meetings	51
<hr/>		
14.0	Minor Items – <i>Ngā Take Iti</i>	
<hr/>		
15.0	Urgent Items – <i>Ngā Take Whakahihiri</i>	
<hr/>		
16.0	Recommendation to Exclude the Public from Item 17	53
<hr/>		
17.0	Foodeast Haumako Ltd Directors Fees	

Thursday, 14 March 2024

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

Item 5

Te Rārangi Take

Report to Council

Nā: Bruce Allan, Deputy Chief Executive
From: Kim Herrick, Strategic Project Manager

Te Take: Foodeast Haumako 2024/25 Draft Statement of Intent
Subject:

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



- 1.1 The purpose of this report is to present to Council the draft Foodeast Statement of Intent 2023/24 for consideration.
- 1.2 The Local Government Act requires all Council Controlled Organisations to prepare a Statement of Intent. A draft is required to be provided by 1 March each year for comment with the final Statement of Intent to be completed by 30 June each year.
- 1.3 On 13 February 2024 a Letter of Expectation (LOE) was issued by the Chief Executive to Foodeast Haumako (**Attachment 1**).
- 1.4 The LOE recognized Foodeast as a strategic asset for the region and the tenanting mix will be critical to success. It also acknowledged the this is a challenging time to be securing foundation tenants. It also noted whilst it is important that financial return expectations of other shareholders are achieved this needs to be aligned with the overall vision of Foodeast and that the key premise of food innovation is not lost.
- 1.5 In response to the Letter of Expectation (LOE) received by the Board, Foodeast Board has issued a draft Statement of Intent (**Attachment 2**).
- 1.6 The draft Statement of Intent is comprehensive and details its key objectives for the 2024/25 year which include key occupancy targets for the Hub, the development of a Commercial Strategy and an updated strategic financial model by June 2024.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Foodeast Haumako 2024/25 Draft Statement of Intent dated 14 March 2024.

- B) That Council provide any feedback to the Board of Foodeast Haumako which will be presented at the Limited Partners meeting on March 27th 2024.

Attachments:

1 	Shareholder Letter of Expectations for Foodeast Limited 2024	CG-17-1-00750	Under Separate Cover
2 	Foodeast Statement of Intent DRAFT	CG-17-1-00749	Under Separate Cover

Thursday, 14 March 2024

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

Te Rārangi Take

Report to Council

Nā: Colin Hosford, Public Spaces and Building Assets Manager
From: Jeff Clews, Public Spaces Asset Planner

Te Take:
Subject: Waimārama Beach Vehicle Access - Community Engagement

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to update Council on community engagement regards restriction of vehicle access on Waimārama Beach.
- 1.2 Council has received 533 items of feedback about vehicle access on Waimārama Beach. There is a range of perspectives from banning vehicles completely to remaining with the current bylaw.
- 1.3 Officers have developed 4 options for improving the management of vehicle access on Waimārama Beach. These options are bylaws and encouraging effective enforcement;
 - The existing Hastings District Council Bylaw 2021 2.4.1 (a)
 - Hastings District Council Bylaw 2021 2.4.1 (a) enacted permanently (365/6 days per year)
 - Hastings District Council Bylaw enacted permanently and extended to south of the Tiakitai Road access point (365/6 days per year)
 - Hastings District Council Bylaw enacted permanently and extended to the beginning of the legal unformed road (Waipuka 2C1). (365/6 days per year)
- 1.4 This Report recommends that Officers continue engagement with communities of interest for Waimārama Beach, based on the 4 options in 1.3, to assess if there is a majority preference for a recommended pathway forward to improve management (via Bylaw amendments) of vehicle access on Waimārama Beach for the improved wellbeing of all communities of interest.
- 1.5 Should Council decide in the future to amend the scope of the current by-law, it will be required to follow the Special Consultative Procedure under the Local Government Act 2002.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Waimārama Beach Vehicle Access - Community Engagement dated 14 March 2024.
- B) That Council note and endorse the Council Officers to continue engagement with all identified communities of interest for Waimārama Beach, around the options in Recommendation C, to assess if there is a majority community preference for a recommended pathway forward to improve management (via Bylaw amendments) of vehicle access on Waimārama Beach for the improved wellbeing of all communities of interest.
- C) Council notes the options in Recommendation B include Bylaws and effective enforcement;
- The existing Hastings District Council Bylaw 2021 2.4.1 (a) (image 1)
 - Hastings District Council Bylaw 2021 2.4.1 (a) enacted permanently (365/6 days per year) (attachment 1)
 - Hastings District Council Bylaw enacted permanently and extended to south of the Tiakitai Road access point. (365/6 days per year) (Refer Attachment 2)
 - Hastings District Council Bylaw enacted permanently and extended to the beginning of the legal unformed road (Waipuka 2C1). (365/6 days per year) (Refer Attachment 3)
- D) Council notes that any future changes to Bylaws will have to be enacted in accordance with the relevant statutory processes.

3.0 Background – *Te Horopaki*

- 3.1 The management of vehicles on Waimārama Beach continues to be a matter of concern for the Waimārama community and beach users. There are a range of perspectives on what usage if any, is appropriate.
- 3.2 In response to consultation with the local community, Council enacted a bylaw to impose a partial ban of vehicles on 25 July 2013. The bylaw is still in effect.
- 3.3 The Hastings District Council Bylaw 2021 2.4.1 (a) states “A person must not drive a vehicle on any part of the beach from which vehicles have been banned by a publicly notified resolution of Council.
- 3.4 The current vehicle ban area is shown below (Image 1) and the notice states “Vehicles are permitted to drive on Waimārama Beach, except for a seasonal ban on a section of Waimārama beach between 8am and 8pm from Labour Weekend through to 30 April each year. The vehicles on beaches are controlled via the Council bylaw and are enforced by police”.

Image 1



- 3.5 Late last year some residents and the Police raised concerns with Council about beach pedestrian safety due to poor driver behaviour.
- 3.6 Council facilitated a drop-in day on 2nd December 2023 at Waimārama Hall, to seek community feedback regards the impacts of vehicles on Waimārama Beach.
- 3.7 Public feedback was also received via My Voice My Choice surveys, email messages and hardcopy feedback forms left at the Waimārama Store until 22nd December 2023.
- 3.8 On 11th December 2023 rocks were placed on a portion of the Waingongoro Stream Recreation Reserve, limiting vehicle access to Waimārama Beach from the existing Tiakitai Road entrance.
- 3.9 This report summarises community feedback to Council received during December 2023.

4.0 Discussion – Te Matapakitanga

4.1 Community Feedback

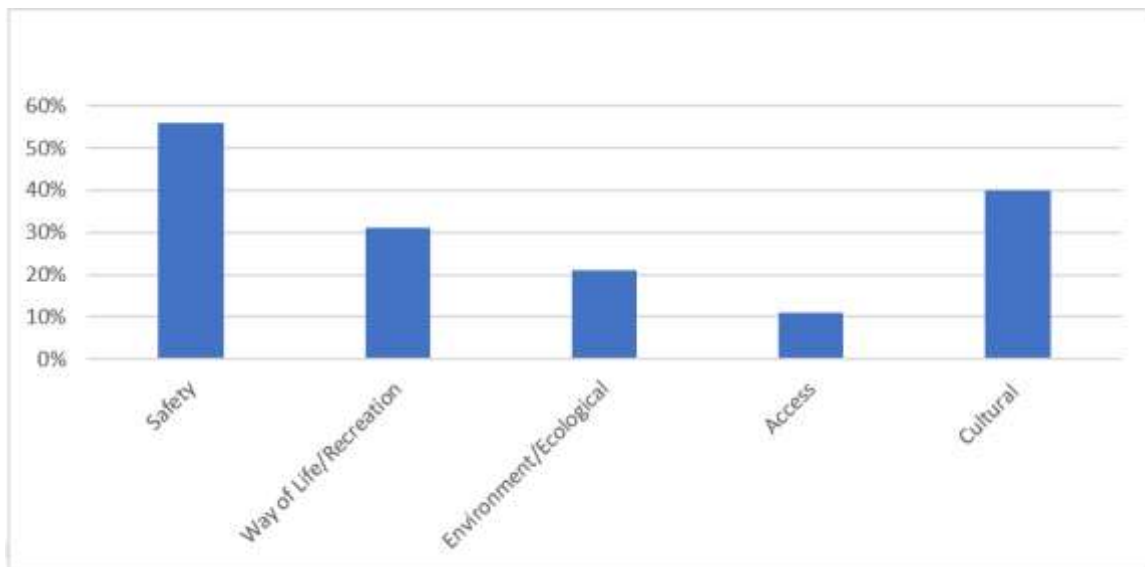
- 4.2 Council has impartially sought community feedback.
- 4.3 The question put to the community was, “Is vehicle use on the beach an issue? Should the rules for vehicles on Waimārama Beach be changed? We want your ideas, so tell us below what you think!”
- 4.4 533 responses were received via various channels. 51% identified themselves as Waimārama residents, 44% as non Waimārama residents and 5% as non-permanent residents.

4.5 Key Themes of the feedback

Themes	Response Summary
Safety	56% of responses mentioned safety as a theme including concerns over public safety, speeding, ‘hoons’, idiots, verbal abuse etc.
Way of Life/Recreation	31% of responses mentioned ‘Way of Life’/Recreation as a theme, including fishing, picnicking, swimming or the coastal ‘way of life’ etc.
Environmental/ Ecological	21% of responses mentioned the environment/ecology as a theme and sought protection of the environment, including sand dunes, pipi beds, flora and fauna etc.
Access	11% of responses mentioned a desire to maintain access as a theme

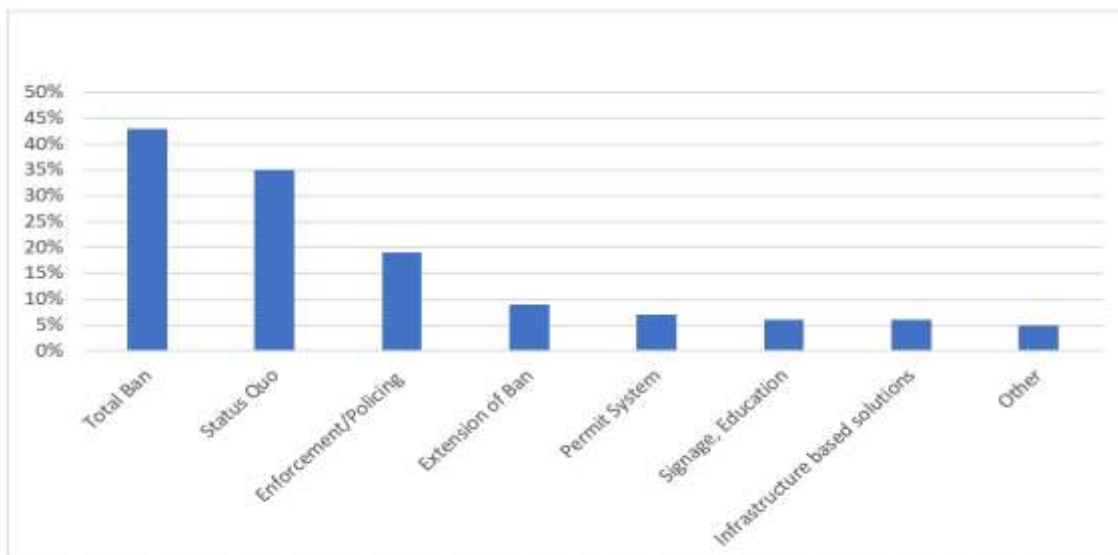
Cultural	4% of responses mentioned cultural themes including the importance of ancestral ties to the land.
-----------------	---

4.6 The following bar graph compares the percentages for the key themes. The percentages total over 100% as several people raised multiple themes in their responses.



- 4.7 It is significant that over half the respondents mentioned safety as a theme, indicating there is a feeling of concern, albeit at a mixed levels around vehicle behaviours on part or all the beach. People feel that these problems are caused by a limited number of users. Not all respondents including those mentioning safety as a theme support stronger vehicle restrictions on the beach.
- 4.8 It is also significant that 31% of respondents mentioned a ‘Way of Life/Recreation’ theme. Many of these respondents supported the status quo, as maintaining vehicle access is essential in allowing them to carry out their preferred beach activities such as fishing or just driving to and finding a more private secluded part of the beach to enjoy.
- 4.9 21% of respondents mentioned an environmental/ecological theme. These respondents favoured either stronger vehicle restrictions or building infrastructure to protect the environment and coastal ecology.
- 4.10 There was a wide array of suggested solutions for addressing the various impacts of vehicle use on Waimārama Beach. These ranged from a total ban (43%) to maintaining the status quo (37%). Other suggestions included increased policing & enforcement, requiring vehicle permits, signage & education and infrastructure improvements.

4.11 The bar chart below illustrates the range of views.



Solution	Response summary
Total Ban	43% (231) of responses mentioned support of a total ban.
Status Quo/Maintain Vehicle Access	37% (195) of responses mentioned maintaining the status quo/maintaining vehicle access to the beach prior to the placement of the rocks at Tiakitai Road.
Enforcement	19% (103) of responses mentioned the need for greater enforcement and policing of the rules (some responses supporting the status quo and greater bans supported greater enforcement and policing).
Extension of the current ban	9% (48) of responses mentioned an extension to the current beach ban whether that is geographic, vehicle type or timing of the ban.
Permit	7% (39) of responses supported some form of permit system.
Additional Signage or education	6% (30) of responses mentioned support for having greater signage or education about the rules.
Infrastructure based solutions	5% (24) of responses mentioned support for infrastructure-based solutions such as cameras, gates or technology.
Other	5% (18) of respondents mentioned a range of other solutions ranging from beach wardens/community enforcement officers, making the beach one way or having a dedicated vehicle area.

Summary of Responses	
Restrict Access (ban or partial)	55% 277 people
Retaining access	45% 224 people

- 4.12 43% of respondents indicated support for a total vehicle ban on Waimārama beach, with safety and environmental reasons being significant. Some of these responses sought to exclude tractors and other vehicles used to launch and transport boats from the beach.
- 4.13 People’s definition of a total ban may differ as some may think of Waimārama Beach as the area directly in front of the Waimārama Domain and considering this area as the most significant part of Waimārama beach.

- 4.14 35% of respondents prefer the status quo. Officers have interpreted this as the status quo prior to the rocks at Tiakitai Road being put in place. The main reason stated to remain with the status quo is that a more restrictive vehicle access interferes with recreational activities and may limit access to private property. Most of these respondents suggest that a minority of people are causing the majority of issues.
- 4.15 19% of respondents mention greater policing and enforcement as a solution. Police are unlikely to have resources for increased enforcement.
- 4.16 Many respondents supported vehicle access to the beach for the purposes of launching and removing boats.
- 4.17 **Legal Considerations**

Road Closure Issues

1. Officers have sought external legal advice. The advice (in draft) concludes that Council can make By-Laws to control vehicles on roads and the beach. The Land Transport Act 1998 provides the ability for Council to make bylaws to restrict vehicle usage on beaches generally, and specifically on unformed roads (including through sand dunes), for certain purposes.

Unformed Legal Road

- 4.18 A submission was made by a local landowner asserting they (and others) had legal access to their properties which relied on an unformed legal road and final access over part of the beach (As a road).
- 4.19 Officers have researched this assertion and have found that an unformed legal road was created under the Māori Affairs Act 1954, section 415 and 419 on 28th September 1993. The unformed legal road was laid out to give access to the following blocks of land; Waipuka 2B4A, 2B4B, 2B4C and 2B3.
- 4.20 The beginning of the unformed legal road is located partway down the boundary where Waipuka 2C1 meets the beach. The above properties require beach access to access the unformed legal road. This would need to be considered in any by-laws, Council may enact in future.

Reserve Management Plan

- 4.21 The Waimārama Reserves Management Plan (RMP) includes actions relevant to beach vehicle access.
- 4.22 Policy 2.11.5 of the RMP states “Maintain Vehicle Access to the Waimārama Beach at Tiakitai and Airini Roads and the south end of Domain Reserve Road.” Should Council make changes to the By-Law or make other restrictions that affect the Waingongoro Stream Recreation Reserve, a change to the RMP would need to be considered.

Next Steps for Council

- 4.23 The 533 community responses have provided Council an indication of the public sentiments regards banning or restrict vehicle access on the beach. There is a variation of opinions and views.
- 4.24 Council told the community it would return with the feedback results and seek views regards options for improved management of vehicles on Waimārama Beach.
- 4.25 Officers have developed the following 4 options based on Bylaws and effective enforcement as a basis for Community discussion for improved management of vehicles on Waimārama Beach.
- 4.26 **Maintain status quo (paragraph 3.4)**
- 4.27 **Extend the duration of current ban area for the full year (attachment 1)**
- 4.28 **Extend the ban area to South of the Tiakitai Road Access for the full year (attachment 2)**

The implication for recreational activities should be minimal as vehicle access is maintained at Tiakitai Road. Some locals will need to drive further as the Airini Road access would be closed. This may benefit users who want to access the northern part of the beach for activities like fishing, swimming or a picnic whilst having the busiest part of the beach for pedestrian use only may enhance their experience.

Some residents may find this unacceptable as the risks to safety and environmental damage will remain.

4.29 **Extend the ban area to the beginning of the legal unformed road (Waipuka 2C1, Waitangi Road, Waimārama) for the full year (attachment 3)**

This option is effectively a ban of all vehicles on Waimārama Beach, except emergency services' vehicles and those launching and retrieving boats. It is the most restrictive of all the options.

This may have a significant impact on those seeking recreational enjoyment that requires vehicle access.

4.30 For comparison a map consolidating all the ban areas is attached (**attachment 4**)

5.0 Options – Ngā Kōwhiringa

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

5.1 That Council note and endorse the Council Officers to continue engagement with communities of interest for Waimārama Beach, to assess if there is a majority community preference for a recommended pathway forward to improve management (via Bylaw amendments) of vehicle access on Waimārama Beach for the improved wellbeing of all communities of interest.

The advantage of this option is Council is demonstrably trying to assess if there is an option to improve the management of vehicle access on Waimārama Beach to improve the social, cultural and environmental wellbeing of communities of interest and the landscape.

Officers see no Disadvantages for this option.

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

5.2 That Council ceases engagement with communities of interest for Waimārama Beach, to assess if there is a majority community preference for a recommended pathway forward to improve management (via Bylaw amendments) of vehicle access on Waimārama Beach for the improved wellbeing of all communities of interest.

5.3 While Council could adopt this option, it would be contrary to our commitment to further engagement and as such officers see no advantages for this option.

6.0 Next steps – Te Anga Whakamua

6.1 Officers will continue engagement with Communities of Interest under a Communications and Engagement Plan.

6.2 Officers will Report to Council on any future recommended changes to Bylaws in accordance with the relevant statutory processes.

6.3 A high-level process map is attached (**Attachment 5**).

Attachments:

1	Waimārama Vehicle Ban Current Ban Area	58217#SF#0005	Under Separate Cover
-------------------	--	---------------	----------------------

2	Waimārama Beach Vehicle Ban Area Tiakitai Road	58217#SF#0002	Under Separate Cover
3	Waimārama Total Beach Vehicle Ban Area Map	58217#SF#0001	Under Separate Cover
4	Waimārama Vehicle Ban Consolidated	58217#SF#0003	Under Separate Cover
5	Waimārama Process Map	58217#SF#0006	Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

This proposal promotes the social wellbeing of communities in the present and future. It does this by providing legislative services to enhance social, cultural, and environmental wellbeing.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Mana whenua hapū of Waimārama are Ngāti Kurukuru, Ngāti Whakaiti, Ngāti Kurukuru, Ngāti Urakiterangi. Waimārama hapū have maintained their mana whenua status for one millenia and have held the beach with high esteem as a gateway to and from Te Moananui a Kiwa The Pacific Ocean.

Mana whenua hapū have great concerns about open access of vehicles to the beach area. A current By-law exists across a restricted part of Waimārama Beach, and a wider exclusion zone has positive impact to mana whenua hapū in the following ways:

Whānau safety and wellbeing – the safety and wellbeing of whānau is paramount for mana whenua hapū as they use the beach. Whānau visiting Waimārama beach is for both the leisure and spiritual wellbeing of whānau, which can be disturbed by the use of vehicles on the beach.

Manaakitanga sharing of the beach – Waimārama beach is a popular cultural tourist destination for foreign and domestic tourists. Across the Māori world, Waimārama is seen as a place of high spirituality and connection with its heritage and genealogical connection to other iwi *tribes*. It is of importance to mana whenua to share the beach and its important cultural stories and genealogies with visitors in a safe way that provides the most memorable cultural experience.

Taiao environmental wellbeing of the beach – the natural beach environment is home to significant flora and fauna with shifting sands, grasses, and lifeforms. Mana whenua hold that free and

uncontrolled vehicle use disturbs the special natural characteristics of Waimārama beach. Protection of the natural environment is of importance to mana whenua.

Tikanga Māori Customary Practices – Waimārama mana whenua have a positive reputation for maintaining Tikanga Māori associated with waimoana oceanic waters. Customary practices include mahinga kai *food gathering*, mahinga toi *arts practice*, karanga, pure, *ritual rites*. Prohibiting vehicle access enables good Tikanga Māori practices for mana whenua hapū.

Wāhi Tapu – the beach area contains many sacred areas and former villages. In recent times these sacred areas have been identified with cultural markers and pou whenua, carved by the late Phil Belcher. The cultural markers indicate to the public the special cultural heritage of Waimārama, positively contributing to the cultural landscape of the area.

Sustainability - Te Toitūtanga

Sustainability outcomes will be considered in any future reports to Council which may recommend any changes to existing Bylaws or Reserve Management Plans.

Financial considerations - Ngā Whakaarohanga Ahumoni

There are no specific financial considerations at this stage.

Significance and Engagement - Te Hiranga me te Tūhonotanga

There is strong community interest in this matter. Councils are undertaking extensive informal engagement with Communities of interest under a managed communications plan.

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

There is strong community interest in this matter. Councils are undertaking extensive informal engagement with Communities of interest under a managed communications plan.

Rural Community Board – Te Poari Tuawhenua-ā-Hapori

Officers will keep the Board appraised of progress.

Thursday, 14 March 2024

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

Item 7

Te Rārangi Take

Report to Council

Nā:
From: **Regan Smith, Chief Risk Officer**

Te Take:
Subject: **Updated Terms of Reference for Risk and Assurance Committee**

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

1.1 The purpose of this report is to present an updated Terms of Reference for the Risk and Assurance Committee to reflect the Committee's role more fully regarding the quality of external audit.

2.0 Reason for Update

- 2.1 The independent member Mr Graham McGlinn has provided Officers with a file note on the role of Councillors and Audit Committees (**Attachment 1** Audit Quality Reviews by Regulators).
- 2.2 In this file note Mr McGlinn summarises four key areas that the Committee should focus on, including; clarity on roles of the Committee, ensuring robust internal controls, providing appropriate challenge and holding management to account for supporting disclosures (Note; the supporting papers referenced in this File Note can be made available on request).
- 2.3 Based on this advice the Risk and Assurance Committee has considered and recommends to Council that a minor update to the Committee's Terms of Reference is made to reflect these focus areas more fully.
- 2.4 The Terms of Reference are amended by expanding the second bullet point to include "Reasonable assurance as to the integrity and reliability of the **reporting on** financial performance of Council, **including quality of audit services**". The emphasis shown reflects the additions (**Attachment 2**).
- 2.5 It should be noted that Mr McGlinn retired from Grant Thornton in 2016 to focus on governance roles and consulting in forensics and litigation support areas. He now practices through his company, McGlinn Consulting Group Limited, which frees him from potential conflicts of interests associated with any large accountancy practices.

3.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Updated Terms of Reference for Risk and Assurance Committee dated 14 March 2024.
- B) That Council approve the amended Terms of Reference for the Risk and Assurance Committee.

Attachments:

- 1 [↓](#) Memo on monitoring quality of audit reports IRB-3-15-24-96
- 2 [↓](#) Risk and Assurance Committee Terms of Reference CG-17-1-00717
updated January 2024



File Note to Audit and Risk Committees

DATE: 29 November 2023

SUBJECT: Audit Quality Reviews by Regulators

Recently regulators in New Zealand and Australia have released their audit quality monitoring reports. These reports cover audits by the larger firms including Audit New Zealand and are focused on entities that the public have invested in.

Whilst the comments are not directly related to Councils, the themes and responsibilities of auditors and audit committees are relevant to Councils. Audit and Risk Committee ("Committee") members need to understand their role is the equivalent to Audit Committees in a listed entity, whilst the Councillors are the equivalent to the Board of Directors.

What is important to note is that a Council is often bigger than many public listed entities in terms of staffing, turnover, assets, and impacts on the community. For these reasons it is important Committees stay abreast of audit quality.

The quality of the audit should be of prime importance to a Committee, however it is tempting for a Committee to focus on price as often it is the one factor that the member can understand. A poor quality audit however creates huge risk for the organisation, and the audit function needs to be adequately funded but it also needs to provide value for money. Value should be considered as quality vs cost with high audit quality being essential. These reports focus on the quality attributes, and the key role of the audit committee in driving audit quality.

THE ROLE OF DIRECTORS (COUNCILLORS), AND AUDIT COMMITTEES (TOGETHER GOVERNANCE)

The reports bring out the need for the audit process to be a team approach between the auditor and the auditee. Governance should focus on [FMA report page 8]:

- **The roles and responsibilities of the board and audit committee chair around engaging with the auditor are clearly defined, understood, and remain fit for purpose.** These roles and responsibilities should be outlined in a comprehensive governance framework that is subject to regular review.
- **Ensuring the entity has robust internal controls covering its financial systems and preparation of financial statements.** Any significant issues with the internal control system identified by the auditors should be managed and resolved.
- **Providing effective and appropriate challenge to ensure the information is reasonable.** The responsibility of challenging management should be clearly outlined in key governance documents and assessed in board evaluations. Where challenge has been applied, we recommend this is appropriately documented either in papers or minutes of meetings.
- **Holding management accountable for supporting accounting treatments and disclosures.** When discussing key judgements and areas of the financial statements, directors should ensure financial disclosures are supported by robust accounting papers.

Chartered Accountants and Advisors specialising in Governance, Forensics, and Litigation Support
Director: Graeme McGlenn BCom FCA FA Specialist CFE CMInstD

The FMA report [Page 29] also specifically identifies where Governance can contribute to audit quality. The report states [emphasis added]:

- Directors should **lead the relationship with their auditor and proactively engage in conversations with the auditors** to produce effective and high-quality information.
- Directors **should be available and ensure significant issues with management are discussed, appropriately addressed and resolved** in a timely manner.
- Directors should **check if information included in audit committee reports is complete and accurate based on their knowledge and understanding.**
- Directors should **ensure there are processes in place to address the risk of error, fraud and management override of controls.**
- Directors should **focus on related party transactions**, and establish if the entity has **monitoring systems in place to verify the completeness and accuracy of related party relationships and transactions.**

The ASIC report highlights the role of Directors and Audit Committees [ASIC page 30]. They state *“Directors have a primary responsibility for the quality of financial reporting, which is supported by high quality audits. Directors and in particular audit committees have key roles to play in supporting audit quality.”*

The ASIC document goes on to summarise the role of the Committee. My comments are in [brackets].

“Many entities have an audit committee whose role is to assist the board of directors to fulfill its corporate governance and oversight responsibilities in areas including annual financial reporting and oversight of the external auditor. The ASX Corporate Governance Principles also state the role of the audit committee is usually to review and make recommendations to the board in relation to:

- *the appointment or removal of the external auditor. [For a Council the auditor is appointed by the Auditor General under the Public Finance Act. Committees need to be aware of the monopolistic aspects of this when considering Audit Quality and pricing]*
- *the fees payable to the auditor for audit and non-audit work*
- *the rotation of the audit engagement partner*
- *the scope and adequacy of the external audit*
- *the independence and performance of the external auditor [Even given the monopolistic nature of the legislation, Committees should actively consider auditor performance as an important control to the legislative position]*
- *any proposal for the external auditor to provide non-audit services and whether it might compromise independence of the external auditor.” [There are strict limits placed on the auditor for other services by the OAG. Notwithstanding this Committee’s should independently assess any other services against independence standards and potential perceptions of independence of the auditor. The starting point should be no other services are to be provided by the auditor and any override of the base premise should be carefully assessed and documented.]*

Of significance to the legislative monopoly that exists in the audit of Councils (and public sector entities) the ASIC report notes *“some audit committees expressed concern in relation to the lack of depth of the audit market and limited choice companies have. We note that the UK also have observed this market concentration issue and recommendations have been made to address the*

issue in that jurisdiction.” Whilst these comments were aimed at the “Big 4” accounting firms, Committees should be also be aware of the “one provider” risks. There are also risks in moving to other providers that may not have sector expertise. This latter risk is one that the OAG is very aware of and has been created by past audit service provider decisions where Audit NZ is the appointed auditor of most Councils.

Given independence requirements, Councils should consider leaving the option for a third party supplier independent of the Council in all respects should the OAG add to the available panel of auditors. I am aware that currently two of the Big 4 undertake audits in the Council sector following the staff shortages arising from Covid. It will be interesting to see if the OAG allow a better insight to fair pricing of quality audits becomes available to price check Audit New Zealand.

READING BOTH REPORTS

I would recommend that all committee members read both reports to build their understanding of the role of the Committee in promoting audit quality.

30 January 2024



RISK AND ASSURANCE COMMITTEE

TERMS OF REFERENCE

Fields of Activity

The Risk and Assurance Committee is responsible for assisting Council in its general overview of financial management, risk management and internal control systems that provide:

- Effective management of potential risks, opportunities and adverse effects.
- Reasonable assurance as to the integrity and reliability of the reporting on financial reporting performance of Council, including quality of audit services.
- Monitoring of Council's requirements under the Treasury Policy.
- Monitoring of Council's Strategic Risk Framework.
- Monitoring of Council's legal compliance.
- Monitoring of Council's health and safety compliance.
- Monitoring significant projects, programmes of work and procurement focussing on the appropriate management of risk.
- Oversight of preparation of the Long Term Plan, Annual Report, and other external financial reports required by statute.

In light of the impacts Cyclone Gabrielle has had on the communities in the district, the Committee will pay particular attention to activities affected within its Fields of Activity, including but not limited to and always in support of the work of Council and the Standing Committees:

- Oversight of cyclone-related insurance claims and issues.
- Monitor funding implications associated with recovery costs, including oversight of the process for recoveries from government.
- Monitor valuation process for cyclone-damaged assets, including impairments particularly relating to roading.
- Support post-cyclone expenditure planning by ensuring good process is applied.

Membership – 7 including 4 Councillors

- Independent Chair appointed by Council.
- Deputy Chair appointed by Council.
- 2 external independent members appointed by Council.
- 1 Heretaunga Takoto Noa Māori Standing Committee member appointed by Council.

Quorum – 4 members

Delegated Powers

Authority to consider and make recommendations on all matters detailed in the Fields of Activity and such other matters referred to it by Council.

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

Thursday, 14 March 2024

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

Item 8

Te Rārangi Take

Report to Council

Nā:
From: Kevin Carter, Community Lead - Recovery

Te Take:
Subject: Amendment to the Rural Halls Maintenance Fund Policy for 2024

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 At the Rural Community Board meeting on 26 February 2024, the Board resolved to recommend to Council that they adopt an amended Rural Halls Maintenance Fund Policy for 2024 (attached as Attachment 1).
- 1.2 The Hastings District Council Rural Halls Maintenance Funding scheme is designed to assist with the building maintenance of Halls in the rural and plains areas of Hastings District.
- 1.3 Post Cyclone Gabrielle, over \$2,400,000 of non-council funding has been used to enhance the Rural Halls from various funders including Red Cross and Ministry for Primary Industry.
- 1.4 Officers recommended that the current scope of the Rural Halls Maintenance Funding Policy be amended to provide all Halls with a smaller, equal grant of \$2,000 to enable them to meet the specific needs of their individual Hall.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Amendment to the Rural Halls Maintenance Fund Policy for 2024 dated 14 March 2024.
- B) That Council approve the amended Rural Halls Maintenance Fund Policy for 2024 (attached as Attachment 1).

3.0 Background – Te Horopaki

- 3.1 This paper was presented to the members of The Rural Halls Subcommittee at the Rural Community Board meeting on 26 February 2024 following a workshop in 2023.

- 3.2 At the Rural Community Board meeting on 26 February 2024 for Agenda Item 5, 'Amendment to the Rural Halls Maintenance Fund Policy for 2024' the Board resolved to:

Councillor Buddo/Councillor Corban	
A)	That the Hastings District Rural Community Board receive the report titled Amendment to the Rural Halls Maintenance Fund Policy for 2024 dated 26 February 2024.
B)	That the Board agree to include the Waiwhare and Puketapu Halls in the Policy.
C)	That the Board recommend to Council that they adopt the amended Rural Halls Maintenance Fund Policy for 2024.
D)	That the Board agree to review the Policy again in 12 months' time.
E)	That the Board agree that Councillor Alwyn Corban member of the Rural Halls Subcommittee be allowed to vote on this item.
CARRIED	

- 3.3 Council currently identifies 21 Rural Halls across the District. Officers recommend Waiwhare and Puketapu Halls are added to the network and included within the new Policy, bringing the total to 23 Halls.
- 3.4 The Rural Halls in the Hastings District are important to the communities around them for providing a venue for social and cultural events, emergency response and a focal point or meeting place for the community.
- 3.5 The current 21 Halls are:

Hall	Address	Organisation
Clive Community Hall	162 Main Road	Clive Community Hall Inc
Farndon Park Hall	Farndon Road	Farndon Park Hall
Haumoana Hall	50 Haumoana Road	Cape Coast Community Group
Kaiwaka (Tareha) Hall	309 Kaiwaka Road	Kaiwaka Hall Committee
Kereru Hall	2306 Kereru Road	Kereru Hall Society
Maraekākaho Church Hall	50 Kereru Road	Maraekākaho Church Hall
Matapiro & Districts Recreation Hall	1288 Matapiro Road	Matapiro District Recreation Society Inc
Pakowhai War Memorial Hall	1917 Pakowhai Road	The Pakowhai War Memorial Board Inc
Patoka War Memorial Hall	1 Hendley Road	Patoka War Memorial & Post Office Trust
Poukawa Hall	142 Poukawa Road	Trustees of Patoka Memorial Hall
Puketitiri Hall (Golf Club)	4840 Puketitiri Road	Puketitiri Hall Committee
Raukawa Hall	1416 Raukawa Road	Raukawa Hall Inc
Sherenden Hall	2129 Taihape Road	Sherenden Hall Society Inc
Te Awanga Community Hall	9 Wellwood Terrace	Cape Coast Community Group
Te Pōhue Hall	53 Ohurakura Road	Te Pōhue & Community Charitable Trust
Tutira Hall	9 Matahorua Road	Tutira Hall Committee
Twyford & Raupare Memorial Hall	Thompson Road	Twyford and Raupare Memorial Recreation Centre Inc
Waikare & District Sports Club	12 Waikare Road	Waikare & Districts Sports Club Inc
Waikoau Hall	800 Waikoau Road	Waikoau Hall Committee

Waimārama & Maraetotara Memorial Hall	2282 Waimarama Road	Hall Management Committee
St Therese Hall Whakatu	13 Essex Crescent	St Therese Hall Whakatu Trust

3.6 The recommended additional Halls are:

Waiwhare Community Hall	27 River Road,	Hall Management Committee
Puketapu Halls	708 Puketapu Road,	Hall Management Committee

- 3.7 The Halls (except for the Haumoana and Kaiwaka Hall) are in community ownership. This takes different forms including Trusts, Incorporated Societies and Charitable Organisations.
- 3.8 Haumoana and Kaiwaka Halls are owned by Hastings District Council but operated by community organisations.
- 3.9 The amended funding allocation is designed to cover basic ongoing operational costs and enable the Hall Committee to apply for funds from other organisations for projects including capital projects.
- 3.10 The Rural Halls Subcommittee currently has an annual allocation of \$50,000. Staff are recommending this is distributed equally to the Rural Halls with each Hall receiving \$2,000 per year.
- 3.11 If all 23 Halls collect their \$2,000 this would equal a total investment of \$46,000.
- 3.12 The remaining budget (\$4,000) would be ringfenced for volunteer training and workshops.
- 3.13 This annual payment will be paid after 1 July upon receiving the relevant information from the Hall Committee. Applicants generally have 12 months to use their grants. However, Committees can hold funding if planning a larger expense in upcoming years.
- 3.14 Funding would be provided directly to the Hall Committee's legal entity. The Hall Committee can then use the funding to support the ongoing operational expenses of the Hall.
- 3.15 To receive their allocated funding each Hall committee will need to provide the following:
- The current usage of the hall over the last 12 months and annual accounts.
 - A long term or strategic plan for the future of the hall including projected usage, planned works and projects for the Hall.
 - An updated building and asset maintenance plan (where rural halls do not have a long-term maintenance plan it is expected that this plan is developed as a priority).

4.0 Discussion – *Te Matapakitanga*

- 4.1 Post cyclone over \$2,400,000 of non-council funding has been used to enhance the Rural Halls from various funders including Red Cross and Ministry for Primary Industry. Some Halls have also received funding directly from other funders.
- 4.2 There are currently several other potential funding avenues available for our Rural Halls including the government's Cyclone Gabrielle Appeal Fund which received \$11.7m from the special Lotto draw in March 2023.
- 4.3 Five Halls have been shortlisted for funding from Ministry of Business Innovation and Employment to install solar panels and batteries to support their resilience.
- 4.4 Given the large amount of capital investment into these Halls it is recommended that all the Halls should develop a building and asset maintenance plan.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Council agrees to amend the current Hastings District Council Rural Halls Maintenance Funding Scheme to provide each Hall with an annual grant of \$2,000 and include Waiwhare and Puketapu Halls in the network.

Advantages

- Provides a small amount of funding to each Hall to support the ongoing costs related to running the facility and asset management.
- Including Waiwhare and Puketapu Halls helps to strengthen the network.

Disadvantages

- The Rural Halls Subcommittee will not be able to support any larger capital projects as extra funding will not be available.

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

- 5.2 Council agrees to continue with the current contestable funding model for the Hastings District Council Rural Halls Maintenance Funding Scheme.

Advantages

Rural Halls can apply for a larger contestable grant.

Disadvantages

Only a small number of Halls will benefit, and this does not help with the ongoing and increasing operational costs of running a Rural Hall.

6.0 Next steps – Te Anga Whakamua

- 6.1 If Council agrees to amend the current Hastings District Council Rural Halls Maintenance Funding Scheme to provide each Hall with an annual grant of \$2,000 the Community Grants and Partnership Advisor will progress with allocating the funding.

Attachments:

[1](#) 2024 Rural Halls Maintenance Fund Policy (draft) CG-17-1-00748

Summary of Considerations - He Whakarāpopoto Whakaarohanga

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

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

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

There is no significant impact

Sustainability - *Te Toitūtanga*

There is no significant impact

Financial considerations - *Ngā Whakaarohanga Ahumoni*

This funding is currently budgeted for, pending Long Term Plan considerations.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

There is no significant impact

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

This report has been received by the Rural Community Board.

Thursday, 14 March 2024

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

Te Rārangi Take

Report to Council

Nā: Louise Stettner, Manager, Democracy & Governance Services
From: Craig Cameron, Group Manager: Strategy and Development

Te Take: **Public Access to Council Workshops**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The Chief Ombudsman, Mr Peter Boshier issued his Report ‘Open for Business A Report on Local Council Meetings and Workshops’ in October 2023.
- 1.2 The Ombudsman wants Councils to attend to the following matters currently.
 - Induction training for staff and elected members must highlight the distinction between the operational and governance arms of local councils.
 - Senior leaders should communicate clear and regular messages to all staff, signalling the council’s commitment to conducting business in a manner that is open, transparent, and promotes accountability and public participation.
 - Councils should have clear and visible public statements about their commitment to conducting business in a manner that is open, transparent, and facilitates accountability and public participation.
 - Ensure pathways exist for council staff to make suggestions about meeting and workshop practices.
 - Consider including a link to information about meetings and workshops prominently on the council’s website landing page.
 - Consider surveying constituents to establish the type of information about meetings and workshops they want to see on the council’s website.
- 1.3 The Ombudsman expects Council to consider matters of accessibility such as live streaming of Workshops and the standard of Records to be kept and published.
- 1.4 Hawke’s Bay Mayors (and Chair) have made a public commitment to making Workshops more accessible for the public.
- 1.5 This Report recommends Council adopt a policy that Workshops are open to the public, to comply with the spirit of the Ombudsman’s recommendations.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Public Access to Council Workshops dated 14 March 2024.
- B) That Council adopt the Policy position, that Workshops are open to the public, unless there are suitably valid reasons for the Workshops to be closed to the public.
- C) That the Chief Executive implements administrative procedures to give effect to Recommendation B.

3.0 Background – Te Horopaki

- 3.1 A Workshop is defined in the Council Standing Orders (adopted on 8 December 2022) as a ‘gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these Standing Orders do not apply.
- 3.2 Workshops may include non-elected members and are also described as briefings.
- 3.3 The Ombudsman confirms in his Report;

This investigation has highlighted to me the important role that workshops play in the decision-making process for councils. Provided an actual and effective decision is not made, deliberative discussion may take place in a workshop. Workshops can be an efficient use of time, in order to convey information which may be voluminous and complex to elected members, and for elected members to give council officials advice to focus their efforts on the range of tenable options. This prevents time and energy being wasted on options that aren't realistic.

However, this is not to say that all workshops should take place behind closed doors or without adequate record keeping. The principles of openness and good administrative practice apply to workshops as much as any other aspect of council business. It is crucial that these are adhered to in order to maintain public trust and avoid perceptions that councils are operating in secret. In this report, I provide guidance on what those principles are, to ensure each council's practices are consistent with good record keeping and the requirement under the Local Government Act 2002 (LGA) to 'conduct its business in an open, transparent, and democratically accountable manner'.

- 3.4 Council Workshops differ from Council meetings as they are not subject to the legal requirements set out in the Local Government Official Information and Meetings Act. While discussions take place in Workshops, decisions can only be made in a properly constituted Council Meeting.

4.0 Discussion – Te Matapakitanga

- 4.1 The Ombudsman expects all councils to make sure their policies and practices meet his expectations of good Workshop practice. This includes opening workshops to the public by default; closing them only where good reason exists.
- 4.2 Hawke's Bay Mayors (and Chair) have indicated their support for “open by default” in relation to Workshops while noting that there will always be situations where it is appropriate to discuss some matters in private.
- 4.3 A commonality of approach is proposed across the region, noting there may be some differences in terms of implementation.

- 4.4 The recommendations contained in the Ombudsman’s Report are not mandatory. It is up to each Council to assess to what extent the recommendations can be reasonably given effect to at this time. Complete implementation of the recommendations contained in the Ombudsman’s Report would require additional staff resource with associated financial implications and training of staff and elected members to understand the new processes, procedures, and implications.
- 4.5 Officers recommend the following adjustments to current administrative procedures, regards Workshops to enable Council to comply with the Spirit of the Ombudsman’s Recommendations.
- Council Workshops will be ‘Open by Default’ to the public.
 - There will be a deliberate Council decision-making process to consider reasons for a Workshop being closed to the public. Reasons may include;
 1. Reasons for withholding information under sections 6 and 7(2) of the LGOIMA that may apply. E.g., commercial reasons or the proposal is subject to negotiation.
 2. Matters in the early stages of conceptual development where the proposal will be the subject of full community engagement and participation.
 3. Other reasons which would render an open workshop unreasonable.
 - The Chair or Chief Executive will decide if the Workshop is closed to the public.
 - Open workshops will be advertised on the Hastings District Council Website monthly.
 - As appropriate / practicable, notes will be taken in accordance with Standing Orders 28.2 for Workshops, with any directions/feedback provided to Officers summarised. Officers responsible for the Workshop, will be responsible for completing an efficient ‘Notes Template’.
 - The Chief Executive will ensure there is a suitable narrative text on the Council Website, which addresses the Ombudsman’s directions to have clear and visible public statements about our commitment to conducting business in a manner that is open, transparent, and facilitates accountability and public participation.
 - Templates for booking and managing workshops will be adjusted to help ensure Officers comply with the appropriate procedures.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Council Workshops are open to the public, unless there are suitably valid reasons for the Workshops to be closed to the public.

Advantages

- Increased openness and transparency of Council business.

Disadvantages

- Additional work to implement the changes.
- There is a risk that officers and elected members may be more guarded in their engagement that may stifle free, frank, and creative discussion.

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

Advantages

- No changes to current process required.

Disadvantages

- Council is not seen to give effect to the recommendations in the Ombudsman’s Report.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If the Council resolves that Workshops will be open to the public, unless there are suitably valid reasons for the Workshops to be closed, Officers will implement Workshop processes as required. It is proposed that these changes be implemented as soon as practicable with a view to workshops being open to the public from April 2024.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

This proposal promotes the social wellbeing of communities in the present and for the future and their ability to participate in Council decision making processes which may have affects for particular communities of interest.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The proposed changes to workshop processes will be absorbed within existing resources and budgets.

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.

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

Proposed changes to Council Workshop processes have been considered and are supported by the Lead Team.

Rural Community Board – Te Poari Tuawhenua-ā-Hapori

The Rural Community Board will be advised of any changes to Council Workshop processes.

Thursday, 14 March 2024

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

Te Rārangi Take

Report to Council

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

Te Take: Appointment to the Hastings District Council: Tangata Whenua
Subject: Wastewater Joint Committee

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

- 1.1 The purpose of this report is for Council to appoint a Tangata Whenua member to the Hastings District Council: Tangata Whenua Wastewater Joint Committee (the Joint Committee).
- 1.2 On 8 December 2022 Council agreed the memberships of all Committees, Subcommittees and External Appointments for the 2022-2025 triennium.
- 1.3 Membership of the Hastings District Council: Tangata Whenua Wastewater Joint Committee comprises of 5 councillors and one councillor alternate and 5 Tangata Whenua representatives, appointed by Council. The Tangata Whenua members are recommended by the two Post-Settlement Governance Entities of Tamatea Pōkai Whenua (3) and Mana Ahuriri Trust (2).
- 1.4 On the 18th of April 2023 the Council made the following appointments to the Joint Committee:
 - Mr Marei Apatu (Tamatea Pōkai Whenua)
 - Ms Beverly Te Huia (Tamatea Pōkai Whenua)
 - Ms Darlene Carroll (Tamatea Pōkai Whenua)
 - Ms Evelyn Ratima (Mana Ahuriri Trust)
- 1.5 Currently there is one vacancy for a Tangata Whenua member from Mana Ahuriri Trust.
- 1.6 On 7 February 2024 Mana Ahuriri Trust advised that the Trust wishes to appoint Albie Baker to the Hastings District Council: Tangata Whenua Wastewater Joint Committee.
- 1.7 Following this appointment, the Joint Committee will have the full complement of Tangata Whenua members on the Joint Committee.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Appointment to the Hastings District Council: Tangata Whenua Wastewater Joint Committee dated 14 March 2024.
- B) That Council appoint Albie Baker as a Tangata Whenua member on the Hastings District Council: Tangata Whenua Wastewater Joint Committee.

Attachments:

There are no attachments for this report.

Thursday, 14 March 2024

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

Te Rārangi Take

Report to Council

Nā: Louise Stettner, Manager, Democracy & Governance Services
From: Colin Hosford, Public Spaces and Building Assets Manager

Te Take:
Subject: Petition - To replace the birdbath at Keirunga Gardens

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

- 1.1 The purpose of this report is to inform the Council about a petition received from lead petitioner Jessica Maxwell on 8 February 2024. The petition will be tabled at the meeting.
- 1.2 The petitioner's prayer reads as follows:
- 1.3 *"We the undersigned, request that the Hastings District Council replaces the birdbath which HDC managers removed from beside the pepper tree in Keirunga Gardens last month. The birdbath at this site was frequented by hundreds of birds on a daily basis and, since its removal, the birdlife in Keirunga has suffered unnecessary hardship and deprivation."*
- 1.4 There are 24 signatories to the petition.
- 1.5 The following action has been undertaken regards the matter raised by this petition.

2.0 Background

- 2.1 As adopted in the Keirunga Gardens Reserve Management Plan, Council has just completed a significant upgrade of the Keirunga Gardens homestead. Officers have worked closely with the Keirunga Arts and Crafts Society (KGACS) to ensure the upgrades have honoured the heritage of the homestead while making it more functional for wider community use.
- 2.2 The upgrade works followed the recommendations of the Conservation Plan prepared for the site. One of the recommendations in the report was to move the birdbath (from under the pepper tree) closer to the homestead, possibly the north lawn, in a location where it could be seen from the homestead.
- 2.3 This proposed action was discussed with members of the KGACS, who manage the site, prior to it being shifted. KGACS members recommended that it be relocated to its new and current position, outside the dining room so it could be seen from the dining room window. It was not positioned on

the north lawn as this was likely to have compromised the ability to use the lawn for larger outdoor functions.

3.0 Issues

- 3.1 The petition requests that Council replaces the birdbath, as it claims its removal has caused the birdlife in Keirunga unnecessary hardship and deprivation.
- 3.2 It is important to note that the birdbath that is referred to in this petition has not been removed completely from Keirunga Gardens. Rather it has been moved some 40 metres, (as the crow flies), from its previous location, to a position on the other side of the homestead.
- 3.3 Officers have been advised by avian experts from Massey University that wild birds seek water from multiple sources and would not be relying on the water from a single birdbath as their sole source of water. They advised that the birdlife would find the birdbath in its new location and suggested that even its total removal would not have an adverse effect on bird welfare.
- 3.4 While the claims made in the petition that the birdlife in Keirunga have suffered unnecessary hardship and deprivation due to the relocation of the birdbath, are refuted by officers, local donors (who wish to remain anonymous) has kindly supplied and installed a new bird bath to enable this matter to be resolved. Officers have accepted this offer and can advise it is now in place.
- 3.5 The report concludes by recommending that the petition be received and that the Council note that this matter has now been resolved so there is no need for any further action to be undertaken.

4.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Petition - To replace the birdbath at Keirunga Gardens dated 14 March 2024.
- B) That the tabled Petition "To Reinstate the Birdbath in Keirunga Gardens" be received.
- C) That Council note that the matter raised in the petition "Reinstate the Birdbath in Keirunga Gardens" has been resolved and no further action is required.

Attachments:

There are no attachments for this report.

Thursday, 14 March 2024

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

Te Rārangi Take

Report to Council

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

Te Take: Requests Received Under The Local Government Official
Subject: 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 1987 (LGOIMA) received from 21 December 2023 to 20 February 2024 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 Officers are currently developing a Charging Policy with regards to information requests that Council receives. In addition to the law and ombudsman guidance that allows for charging in certain circumstances this Policy will provide internal guidance for council staff. We expect to bring a Charging Policy to Council for their endorsement in the coming months.
- 1.5 This report concludes by recommending that the LGOIMA requests (as in **Attachment 1**) be noted.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Requests Received Under The Local Government Official Information and Meetings Act 1987 (LGOIMA) Update dated 14 March 2024.
- B) That the LGOIMA requests received from 21 December 2023 to 20 February 2024, as set out in **Attachment 1** of the report be noted.

Attachments:

1  LGOIMA report for March 2024 meeting

CG-17-1-00745

Thursday, 14 March 2024

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

Te Rārangi Take

Report to Council

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

Te Take:
Subject: **Proposed Amendments To Schedule Of Meetings**

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

1.1 The purpose of this report is to consider amendments to the schedule of Council and Committee Meetings for the 2024 Meetings Calendar which was adopted by Council on 14 November 2023.

This report recommends that the 2024 Meeting Schedule as amended below be adopted.

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

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

If a local authority adopts a schedule of meetings-

a) The schedule-

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

ii) may be amended.

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

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

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Proposed Amendments To Schedule Of Meetings dated 14 March 2024.
- B) That Council adopt changes to the 2024 Schedule of Meetings as follows:

Monday 20 May 2024, at 10am (Was 29 April 2024)	Postponement	Risk and Assurance Committee
Monday 5 August 2024, at 10am (Was 29 July 2024)	Postponement	Risk and Assurance Committee

Attachments:

There are no attachments for this report.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 14 MARCH 2024

Item 16

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:

17 Foodeast Haumako Ltd Directors Fees

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

<i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i>	<i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i>	<i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i>
17 Foodeast Haumako Ltd Directors Fees	Section 7 (2) (h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. To protect the commercial arrangements of Foodeast Haumako.	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.