

Thursday, 23 May 2024

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

Kaupapataka **Agenda**

Te Rā Hui:
Meeting date: **Thursday, 23 May 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, 23 May 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.

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

3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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

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

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

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

Minutes of the Council Meeting held Thursday 18 April 2024.
(Previously circulated)

Minutes of the Council Meeting held Tuesday 30 April 2024.
(Previously circulated)

5.0 Mayor's Verbal Update

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6.0 Te Hā o Waiaroha

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Funding - Arts Inc. Heretaunga

Attachment 1 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 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.

Attachment 2 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 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.

Attachment 3 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 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.

Attachment 4 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 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.

7.0

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8.0 Closure of Paper Road - Okawa

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9.0 Traffic and Parking Controls

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10.0 Category 3 Voluntary Property Buy-out - Timeframe for Programme Completion

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11.0 Approval for Waiving Land Covenant - Waingākau Village

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12.0 Submission on the Fast Track Approvals Bill

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13.0 Waiver of Building / Resource Consent Fees for Cyclone Recovery Residential Building Work

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14.0 Appointment of External Independent Commissioner to Plan Change 6 - Category 3 Landowner Lifestyle Subdivision Provisions

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15.0	Retention of the Takitimu Māori Ward	69
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16.0	2024 Local Government New Zealand Conference, AGM and Remit Process	75
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17.0	Requests Received Under The Local Government Official Information and Meetings Act 1987 (LGOIMA) Update	77
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18.0	Proposed Amendments To Schedule Of Meetings	81
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19.0	Minor Items – <i>Ngā Take Iti</i>	
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20.0	Urgent Items – <i>Ngā Take Whakahihiri</i>	
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21.0	Recommendation to Exclude the Public from Items 22 and 23	83
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22.0	Commercial Transaction	
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23.0	Tōmoana Showgrounds Charitable Trust establishment and Trustee appointment	
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Thursday, 23 May 2024

Item 5

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

Te Rārangi Take

Report to Council

Nā:
From: Sandra Hazlehurst, Mayor

Te Take:
Subject: Mayor's Verbal Update

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

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

2.0 Recommendations - *Ngā Tūtohunga*

That Council receive the report titled Mayor's Verbal Update dated 23 May 2024.

Attachments:

There are no attachments for this report.

Thursday, 23 May 2024

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

Item 6

Te Rārangi Take

Report to Council

Nā: Charles Ropitini, Principal Advisor: Relationships, Responsiveness
From: & Heritage

Te Take:
Subject: Te Hā o Waiaroha

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 Council partners with Mana Whenua in water policy, delivery of water services, co-design of water infrastructure, and co-governance models.
- 1.2 Important outcomes from partnership between Council and Mana Whenua include the facilities at Te Whare o Whiro (Clive Wastewater Treatment Plant) and Te Whare o Waiaroha Hastings Drinking (Water Treatment Plant).
- 1.3 Te Hā o Waiaroha is the core philosophy of the Waiaroha Water Discovery Centre and Treatment Plant. This philosophy was determined by Mana Whenua and adopted by Council as the key method for communicating and teaching Heretaunga Mana Whenua perspectives of water.
- 1.4 The next steps for furthering this approach to partnership is to establish Principles for engagement for policy development.
- 1.5 In keeping with the philosophy to date (and the Waiaroha plant as an example of partnership), the working title for this project is Te Hā o Waiaroha. This title resonates with the key intention of the proposed Policy, which is to establish a set of guiding principles and policy instruments that tie together all water workstreams. Current workstreams include:
 - Wastewater Treatment Plant Consent (9 yearly review)
 - Global Stormwater Consent application
 - Havelock North Streams Management
 - Drinking Water Consent strategy – including demand management and conservation strategies, and consenting pathways
- 1.6 This paper recommends Council endorse The Four Universal Principles as the foundation for developing the Te Hā o Waiaroha Policy, in partnership with Mana Whenua across Hastings District:

- Mātauranga Māori
- Mana Atua
- Mana Tāngata
- Mana Taiao

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Te Hā o Waiaroha dated 23 May 2024.
- B) That Council endorse the Four Principles as the foundation for the Te Hā o Waiaroha Policy:
 - Mātauranga Māori
 - Mana Atua
 - Mana Tāngata
 - Mana Taiao
- C) That Council direct the Chief Executive to continue the next phase of the Te Hā o Waiaroha Policy development in partnership with Mana Whenua.
- D) That Council direct the Chief Executive to work with the other Hawke's Bay Councils and seek endorsement of the principles in Recommendation B to enable alignment of future water policies under 'Local Water Done Well' which is the Coalition Governments' plan for financially sustainable locally delivered water infrastructure and services.

3.0 Background – Te Horopaki

- 3.1 Te Hā o Waiaroha as a Policy has been championed by the Heretaunga Takoto Noa Kōmiti (HTNK).
- 3.2 Te Hā o Waiaroha meets the expectations of the 'Fundamental Concept' of the National Policy Statement for Freshwater Management 2020 (NPSFM).

Te Mana o te Wai is a concept that refers to the fundamental importance of water and recognises that protecting the health of freshwater protects the health and well-being of the wider environment. It protects the mauri of the wai. Te Mana o te Wai is about restoring and preserving the balance between the water, the wider environment, and the community.

- 3.3 HTNK has advised that Council water policies must be founded on mutually understood and agreed principles and/or values. The focus has been to engage with Mana Whenua, honour their mana motuhake, and understand the values they hold for water.
- 3.4 Officers continue to engage with HTNK, the Tangata Whenua Wastewater Committee, and Mana Whenua.
- 3.5 A Working Group (of officers and consultants) is progressing the development of a Te Hā o Waiaroha policy by confirming the Foundational Principles and drafting policy. The Working Group is informed by the HTNK.
- 3.6 Te Mana o Te Wai is used as the framework for engagement with Mana Whenua, recognising their mandated rights and responsibilities (under Te Tiriti, Treaty Settlements, and NPSFM).
- 3.7 The Working Group has reviewed Principles determined by Mana Whenua for previous Council projects to inform current Policy development.

- 3.8 This engagement work and review of existing principles has resulted in the identification of the Four Universal Principles to form the basis of the Te Hā o Waiaroha Policy.
- 3.9 On 8 May 2024 the HTNK at its meeting resolved to recommend that Council endorses the Project and Principles and direct the Working Group to move to the next phase of policy development.

4.0 Discussion – *Te Matapakitanga*

- 4.1 The Policy's scope is to provide guidance for Council officers when delivering water services. It is not intended to be a community-facing policy although the relationships, partnership, and learnings gained from the development process may inform future planning at a community level.
- 4.2 The engagement work to date has largely focused on drawing out thoughts, beliefs, values, and expectations from Mana Whenua. The input and feedback received in hui was vast and varied but themes were identified.
- Mātauranga Māori – the ancestral body of knowledge that underpins Te Ao Māori and how Tangata Whenua perceive and navigate the world. It includes the Māori world view and perspectives, Māori creativity and cultural practices. This principle forms the basis for how the other three principles are considered and applied in the context of Te Mana o Te Wai.
 - Mana Atua – the sacred and spiritual power of the atua and the influence they have over the domains of our natural world. This informs our perspective of wai and how to give effect to its mana and mauri.
 - Mana Tangata – the rights, status, and power of Tangata Whenua (people of this land) that pre-dates the colonization of Aotearoa. It refers to rangatiratanga and the right to participation and determination for natural taonga.
 - Mana Taiao – the inherent and sacred power of the natural world and elements. Closely linked to Mana Atua but refers more specifically to our explicit dependence on te taiao for our prosperity as humans.
- 4.3 The essence of each principle has been loosely articulated with stringent definitions being avoided in the Māori world view.
- 4.4 It is recommended these principles reflect a Mana Whenua perspective and provide the basis for clear expectations for the delivery of water services by Council.

5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Endorse the Four Principles as the foundation for the development of the Te Hā o Waiaroha Policy.

- Mātauranga Māori
- Mana Atua
- Mana Tangata
- Mana Taiao

Advantages

- Endorsing the principles identified by Mana Whenua affirms their contributions and supports our ongoing relationship and partnership.
- Having shared principles for policy development means Council and Mana Whenua can be more efficient because the foundation for the cultural assessments and basis of partnership is already understood.

Disadvantages

- No disadvantages have been identified.

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

- 5.2 No advantages have been identified for not Endorsing the Four Principles as the foundation for the development of the Te Hā o Waiaroha Policy

6.0 Next steps – *Te Anga Whakamua*

- 6.1 The Working Group will continue the next phase of the Te Hā o Waiaroha policy development in partnership with Mana Whenua.

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 environmental, cultural and social wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Covered in the body of the Report.

Sustainability - *Te Toitūtanga*

Reflected in the Report Recommendations.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The Working Group is funded from existing budgets.

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 medium significance.

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

- 9 Oct. 2023 – Te Mana o Te Wai Symposium (external)
- 10 Nov. 2023 – Te Mana o Te Wai cultural development day (internal)
- 24 Jan. 2024 – Group Manager Asset Management endorsement hui (internal)
- 5 Feb. 2024 – Mayor and CEO endorsement hui (internal)
- 21 Feb. 2024 – HTNK and Tangata Whenua Wastewater Committee workshop (internal and external)
- 1 Mar. 2024 – Mana Whenua engagement hui (external)
- 5 Mar. 2024 – Council workshop (internal)
- 20 Mar. 2024 – HTNK informal endorsement hui (internal)
- 8 May 2024 – HTNK Meeting
- 16 May 2024 – Council workshop (internal)

Risks

Opportunity: To improve the water services policy and practice of HDC through meaningful and reciprocal partnership with Mana Whenua.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Enhanced trust and partnership between Council and Mana Whenua. Meaningful policy that gives effect to Mātauranga Māori, Mana Atua, Mana Tangata, and Mana Taiao. Enhanced water services and management practices that are culturally informed and sustainable, restorative, and regenerative.	If Council does not walk alongside Mana Whenua and pursue culturally informed, sustainable, restorative, and regenerative improvements to water services delivery, Council risks forgoing the Rewards as detailed.

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

The RCB will be briefed on Te Hā o Wairarua Policy.

Thursday, 23 May 2024

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

Item 7

Te Rārangi Take

Report to Council

Nā: Megan Peacock-Coyle, Manager - Arts & Culture
From: Emma Morgan, Community Strategies Manager
Kevin Carter, Community Grants and Partnerships Advisor

Te Take:
Subject: Funding - Arts Inc. Heretaunga

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this Report is to address a Council request for an update on the allocation of funding for Arts, Culture and Creativity generally and for Arts Inc Heretaunga (AIH).
- 1.2 This Report provides relevant contextual information for Council on the strategic operations of AIH and seeks a decision (subject to the adoption of the 2024-2034 Long Term Plan) from Council on annual funding allocations for AIH.
- 1.3 Officers recommend a continuation of the existing funding allocation of \$344,000 annually. This funding allocation is identified in the draft Council 2024-2034 Long Term Plan which is currently open for Community Consultation.
- 1.4 AIH is one of the key community organisations supporting the local arts and culture sector. AIH operates the Hastings Community Arts Centre where it delivers community arts development programmes. AIH seeks to ensure art in all its forms is accessible to everyone in the community, and that our artists are enabled and supported to thrive. AIH also delivers events including the cornerstone Hastings Blossom Parade and Hawkes Bay Arts Festival.

The recommended funding allocations are;

- \$178,000 (annually for 3 Council financial years 2025-2027 from the Contestable Community Grants Fund) to support operation of the Hastings Community Arts Centre.
 - \$166,000 (annually for 3 Council financial years 2025-2027 from the Council Events Budgets)) to support delivery of events including the cornerstone Hastings Blossom Parade, Hawke's Bay Arts Festival, and other smaller events.
- 1.5 This is a total annual funding allocation of \$344,000 to AIH and represents a whole of contract commitment of \$1,032,000 over 3 Council financial years.
 - 1.6 A Review of Council Funding Contracts with AIH was completed in May 2023. The Review sought to improve the contract relationship between Council and AIH and deliver improved outcomes. The

Recommendations from the Review will be reflected in future funding contracts with AIH as appropriate and relevant.

- 1.7 Given the quantum of funding for AIH the Report recommends a Business Operational Plan is prepared for the Council Chief Executive, which demonstrates that funding will be invested well to deliver on the milestones in the Funding Contract.
- 1.8 Any Council resolutions regards allocation of funding in future financial years, will need to be subject to the adoption of the 2024 -2034 Long Term Plan (which is anticipated in June 2024) with any resolutions made from this Report, accounted for in the 2024 – 2034 Long Term Plan.

2.0 Recommendations - Ngā Tūtohunga

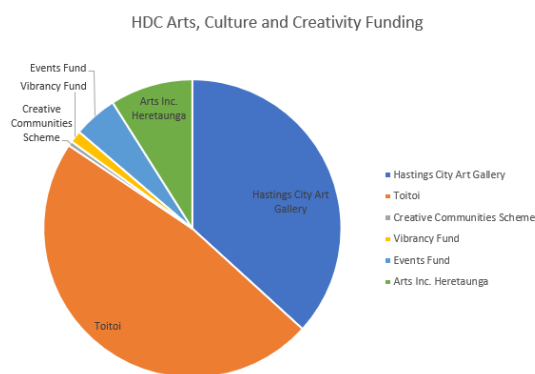
- A) That Council receive the report titled Funding - Arts Inc. Heretaunga dated 23 May 2024.
- B) That Council (subject to the Council adoption of the 2024-2034 Long Term Plan which accounts for these funding allocations to Arts Inc. Heretaunga), approves the following funding allocations to Arts Inc. Heretaunga (AIH).
 - \$178,000 (annually for 3 Council financial years 2025-2027 from the Contestable Community Grants Fund) to support operation of the Hastings Community Arts Centre.
 - \$166,000 (annually for 3 Council financial years 2025-2027 from the Council Events Budgets) to support delivery of events including the cornerstone Hastings Blossom Parade, Hawke's Bay Arts Festival and other smaller events.

This is a total annual funding allocation of \$344,000 to AIH and represents a whole of contract commitment of \$1, 032,000 over 3 Council financial years.

- C) Council delegates the Chief Executive to execute a suitable Contract with AIH which addresses Council's obligations (under the Local Government Act) for the management of funds provided to external organisations once the Chief Executive is satisfied with the AIH business plan for investment of Council funds to deliver on Contract milestones.
- D) Council notes that recommendations from a Review completed in 2023 of the contract relationship between Council and AIH will be reflected in future funding contracts with AIH as appropriate and relevant.

3.0 Background – Te Horopaki

- 3.1 Council's current investment in arts, culture and creativity is approximately \$3.8 million per annum. The majority of this is delivered by Council through the Hastings City Art Gallery and Toitoti. The rating requirement of these two activities is \$3.2 million.



- 3.2 Creative New Zealand funds \$60,000 annually towards the Creative Communities Scheme and Council funds \$20,000 to create two funding rounds per annum of \$40,000. 56 people/organisations were funded over the last 18 months.
- 3.3 An additional funding reserve, the Abbott Bequest is administered by the Landmarks Advisory Group and can be used for public artworks. The current balance is \$106,000.
- 3.4 AIH currently receives \$344,000 per annum from Council plus in-kind support as detailed below,
- \$178,000 to operate the Hastings Community Arts Centre from the Contestable Community Grants Fund (which is managed by the Group Manager Community Wellbeing and Services)
 - \$166,000 to support delivery of events including the cornerstone Hastings Blossom Parade, Hawkes Bay Arts Festival and other smaller events from the Council Events Budgets (which is managed by the Group Manager Marketing and Communications).
- 3.5 AIH's operational model is centred around the Hastings Community Arts Centre. The Council is a principal funder of the Centre which has budgeted annual fixed-cost expenditure of \$375,286. The estimated annual budget to deliver the Art Guide and Trail, Blossom Parade and Hawke's Bay Arts Festival and other events/activities is \$700,000. Council's funding commitment to AIH helps provide AIH a strong case to attract sponsorship, donations, and other funding towards the Festival and other services.
- 3.6 The Hawke's Bay Arts Festival was created by AIH in 2015, to help ensure the arts continued while the Hawke's Bay Opera House was closed for strengthening and refurbishment. The Festival was hosted in a Spiegel tent on the Village Green. The Festival has been hosted at Toitōi since it reopened.
- 3.7 The Blossom Parade funding has been \$46,000 since 2015/16. Council took over the marketing and advertising costs of the Parade in 2021, with the expansion of the Parade to a multi-day festival.
- 3.8 A review of AIH funding contracts was completed in May 2023. The review aimed to improve the contract relationship between HDC and AIH and provided recommendations to deliver better outcomes. The review used a desktop review and interviews with Council officers and the Director of AIH.
- 3.9 The Review Recommendations included;
- Combine the two events contracts.
 - Make all contracts three-yearly with annual monitoring and reviews.
 - Note in-kind support in reporting with a monetary value.
 - Council Officers to be involved in AIH strategic planning.
 - Council to provide an events resource to assist with regulatory requirements.
 - Make the Hawke's Bay Arts Festival a biennial event.
 - Develop processes for budget adjustment requests from AIH.
 - Council funds to be applied towards the shortfall in the Community Arts Centre budgets to allow artists to exhibit for free with only a commission charged not a venue hire fee.
- 3.10 AIH has struggled financially and operated at a forecast loss of \$135,000 in their 2023 financial year. This loss is attributed to a combination of inflation and consequences arising from COVID and Cyclone Gabrielle.
- 3.11 AIH requested an emergency operational grant of \$150,000 from Council in January 2024 to "continue to provide creative experiences that uplift and support the recovery of our community".
- 3.12 In lieu of a Grant Council recommended AIH focus on managing the Community Art Centre as this is a valuable and unique community offering for the arts sector. Council further recommended AIH

prepared a Business Plan, to implement the recommendations from the Review (covered in 3.9) and return to a sustainable delivery model.

- 3.13 AIH has implemented a Strategic Plan to manage through a “new period of opportunities and challenges”. A key objective for AIH is to develop its overall capacity and capability. This year, AIH has reduced its wage expenditure by 40% and contractor costs by 80% and is diversifying fundraising and revenue opportunities with assistance from a consultant.
- 3.14 AIH’s commitment to shift to a biennial Arts Festival model aligns with other regional festivals in New Zealand. This is a more sustainable model for the region and will allow the Festival to refine its focus and point of difference, for example, potentially commissioning new work to be developed in Heretaunga which supports local economic and creative development. The model would alternate between a year of smaller interventions and a major festival. In the past few years, AIH has seen a shift in audience preferences. A biennial festival model will allow a period of research and development for AIH to reposition its services based on an audience-focused approach. 2024 will be a development year with delivery of the major Festival planned for 2025 and biennially thereafter with smaller activities delivered in alternate years.
- 3.15 AIH has sought an increase in their annual Council funding of \$35,460 to a new annual total of \$379,460. \$21,460 of this increase would allow artists to exhibit their work for free.

4.0 Discussion – *Te Matapakitanga*

- 4.1 AIH is a regional delivery organisation that creates opportunities for community creativity. It develops audiences and creatives across connected services. Their activities provide a pipeline to develop artists and audiences. The Hastings Community Arts Centre is the only non-curated space in Heretaunga Hastings.
- 4.2 The Toi-Tū Framework, is a regional strategic framework to support creatives and creativity in Hawke’s Bay. It provides a foundation for the Hawke’s Bay creative eco-system to take a collective impact approach. AIH and Council could be leaders in this process and provide backbone support to other creative and community organisations who want to collaborate towards the shared vision. Council officers recommend that a constructive working partnership between Council and AIH would allow both organisations to share resources, expertise and experience for the benefit of the Heretaunga Hastings community and the region.
- 4.3 A collective impact initiative takes an aligned and collaborative approach to achieve greater outcomes. It can also enable a better business case and leverage for grants, funding, and sponsorship opportunities.
- 4.4 Officers and the new Arts Inc. General Manager have benchmarked the Review recommendations against the AIH Strategic Plan, the Multi-year funding application, the Blossom Parade and Hawke’s Bay Arts Festival deliverables and Toi-Tū Framework. The Review recommendations are still relevant, and a new collective impact approach provides an opportunity for Council and AIH to ‘work smarter’ together to achieve greater outcomes.

5.0 Options – *Ngā Kōwhiringa*

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

5.1 Status quo funding (\$344,000 per annum to AIH)

- \$178,000 Multi-year Community Partnerships Grant (Hastings Community Arts Centre)
- \$166,000 Event Sponsorship (annual Blossom Parade, biennial Hawke’s Bay Arts Festival etc)
- In-kind support from Council officers.

Advantages

- Continued operation of the Community Arts Centre, delivery of the annual Blossom Parade and renewed biennial Hawke's Bay Arts Festival, for Heretaunga Hastings and the region and other events and activities.
- Continued AIH service delivery that contributes to community wellbeing and a vibrant arts sector, while enabling AIH to deliver on its business and strategic plans to support creatives and creativity in Heretaunga Hastings and the region.

Disadvantages

- AIH have sought an increase in Council funding of \$35,450 annually. AIH sustainability and viability may be affected due to no increase in funding.

Option Two

5.2 Increased funding to AIH

Advantages and Disadvantages as discussed in Option One, are positively affected because of increased funding levels.

Option Three

5.3 Decreased Funding to AIH

Council is a principal funder of AIH. They confirm that any reductions in Council funding will adversely affect their viability and sustainability, particularly if they are unable to replace Council funding from other funding or revenue sources.

Attachments:

1	Arts Inc 2022 Accounts Report <i>Confidential in accordance with Section 7 (2) (h) of the Local Government Official Information and Meetings Act 1987</i>	CG-17-1-00853	Under Separate Cover
2	Arts Inc 2024 Multi-year Application <i>Confidential in accordance with Section 7 (2) (h) of the Local Government Official Information and Meetings Act 1987</i>	CG-17-1-00850	Under Separate Cover
3	Arts Inc 2024 Strategy <i>Confidential in accordance with Section 7 (2) (h) of the Local Government Official Information and Meetings Act 1987</i>	CG-17-1-00852	Under Separate Cover
4	Arts Inc 2022 Annual Report <i>Confidential in accordance with Section 7 (2) (h) of the Local Government Official Information and Meetings Act 1987</i>	CG-17-1-00851	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 and cultural wellbeing of communities in the present and for the future.

Māori Impact Statement - Te Tauākī Kaupapa Māori

In its Strategic Plan 2023 - 2024, Arts Inc. Heretaunga states its commitment to becoming a kaupapa-led organisation. Arts Inc. Heretaunga advises that it is partnering with mana whenua and Ngā Toi Māori leaders to work together to find opportunities to support Māori aspirations in a mana enhancing way.

Sustainability - Te Toitūtanga

Arts Inc. Heretaunga states in its Strategic Plan 2023 – 2024 that through its journey towards being kaupapa-led, te ao Māori provides insight into their connection to the whenua. The organisation intends to transition its practices to support community resiliency and will create an action plan to commit to sustainable change.

Financial considerations - Ngā Whakaarohanga Ahumoni

Discussed in the Report.

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

Arts Inc. Heretaunga's funding opportunities were publicly advertised.

The 2023 review of Arts Inc. Heretaunga's contracts was completed in consultation with the Chair and General Manager of Arts Inc.

This report has been prepared in consultation with the General Manager of Arts Inc. Heretaunga and staff across Community Wellbeing and Services and Marketing and Communications.

Risks

Opportunity: Arts Inc. Heretaunga receives funding as an umbrella organisation in the arts, culture and creativity sector:

REWARD – Te Utu	RISK – Te Tūraru
Arts Inc. Heretaunga is enabled to continue the delivery of its services and programmes that contribute to community wellbeing.	Arts Inc. Heretaunga is in a period of re-building which could affect the impact and reach of its delivery in the short-term.

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

Not applicable.

Thursday, 23 May 2024

Item 8

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

Te Rārangi Take

Report to Council

Nā:
From: Bruce Conaghan, Transportation Policy and Planning Manager

Te Take:
Subject: Closure of Paper Road - Okawa

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from Council on whether to proceed with the road stopping process for a paper road in Okawa as stipulated in the Local Government Act 1974, Section 319, Schedule 10.
- 1.2 This issue arises from an approach from the adjoining owner, Woodthorpe Terraces Limited (WTL), to Council seeking to close this section of legal road. The road is a paper road and to Council's knowledge has never had a road formation constructed upon it.
- 1.3 A review of the request has found that Council would not be looking to construct any public road on this section of paper road in the future and therefore would support the request that the road be stopped.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Closure of Paper Road - Okawa dated 23 May 2024.
- B) That Council approve the initiation of the road stopping process for the paper road at Okawa in accordance with Section 319, Schedule 10 of the Local Government Act 1974.

3.0 Background – *Te Horopaki*

- 3.1 Woodthorpe Terraces Limited (WTL) has approached Council seeking to close a section of legal road as shown in blue in Figure 1. The road is a 'paper road' and to Council's knowledge has never had a road formation constructed upon it.

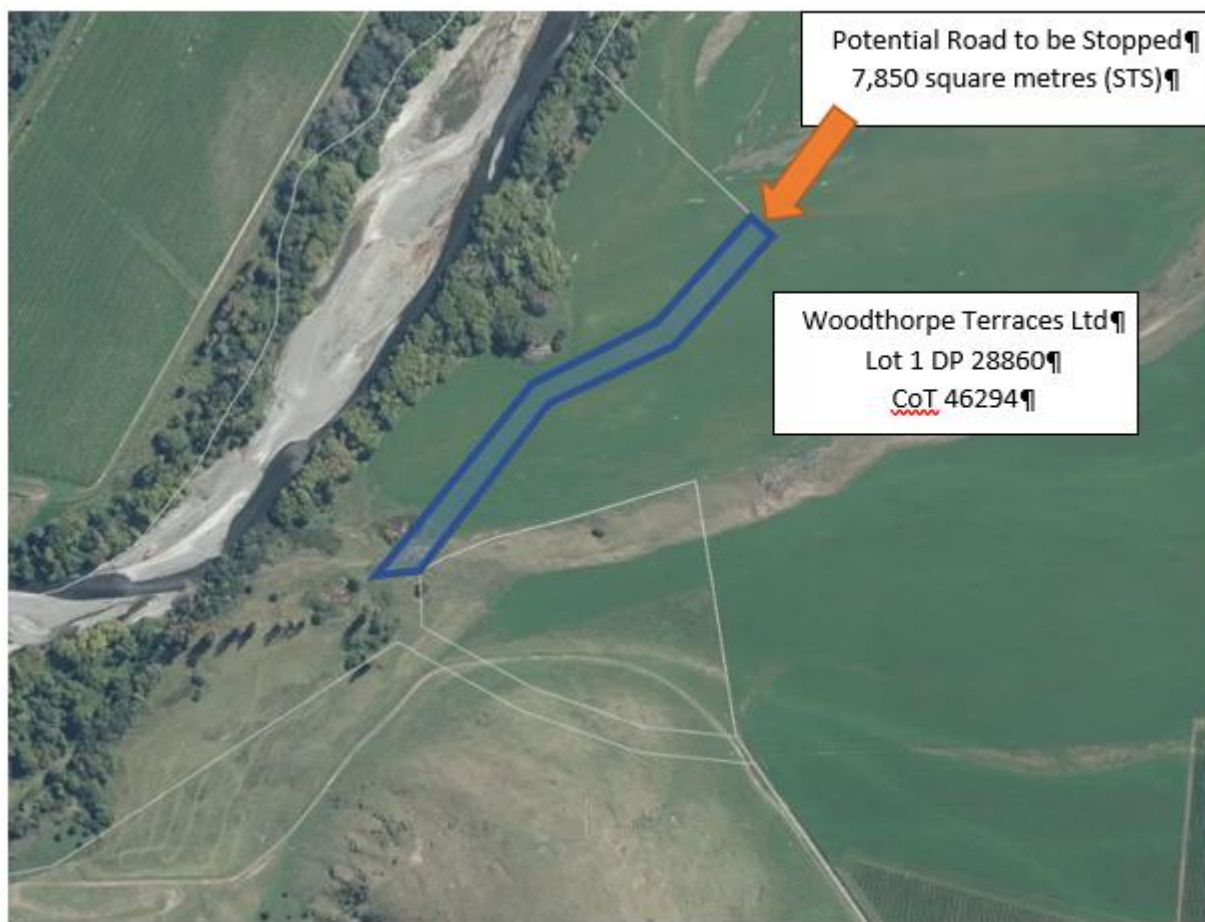


Figure 1 : Aerial showing the alleyway location and adjoining properties

- 3.2 The proposed road to be stopped was a legal road prior to the Napier Earthquake in 1931 when the road legalisation records for this area were lost in the fire following the earthquake although some records have been recreated since that time. In looking at the survey plans attached, it is clear that the paper roads on the property had no physical or legal connecting access to any road, formed or unformed, at either end.
- 3.3 The portion of the paper road of interest has a width of 20.12m and a total length of 390 metres with a subsequent area of 7,850 square metres (subject to survey). From a valuation undertaken, the fair market value for disposal has been assessed to be \$15,000 + GST.
- 3.4 Given the above and the location of the paper road looking to be stopped, retaining it would have minimal if any benefit to Council in terms of future needs. WTL would like to acquire this area of land from Council, if and when the road stopping is successfully completed.

4.0 Discussion – Te Matapakitanga

- 4.1 A review of the request has found that Council would not be looking to construct any public road on this section of paper road in the future and therefore would support the request that the road be stopped. The extent of the paper road looking to be acquired is such that it would not impact on access to the Tutaekuri River if required in the future.
- 4.2 In order to initiate the legal closure of the paper road, agreement in principle to acquire (subject to the road stopping process being completed successfully) from WTL will be required. Consent from the owners of the two adjoining properties and the Hawke's Bay Regional Council will be required.
- 4.3 The stopping of roads and public accessways is detailed in the Local Government Act 1974, Section 319, Schedule 10. In summary:
 - A plan of the proposed stoppage shall be lodged with the office of the Chief Surveyor.

- Council shall give public notice of the proposed stoppage, calling for objections, for a period of at least 40 days.
- If no objections are received Council may declare the road stopped.
- If any objections are received Council may either allow the objections, keeping the accessway open, or send the case to the Environment Court.

4.4 If the road stopping is successful, Council can amalgamate the stopped road with the existing WTL land.

4.5 The overall costs to Council to stop and dispose of the land is in the order of \$6,500 which will be reimbursed by WTL. WTL would arrange for the stopped road to be defined by survey at their cost.

5.0 Options – Ngā Kōwhiringa

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

5.1 Council resolve to initiate the road stopping process and if successful, amalgamate the stopped road with the WTL land.

Advantages

- The portion of paper road with limited use or need would be incorporated with the WTL land providing for additional rates income.

Disadvantages

- There are no identified disadvantages with the proposal for stopping the section of paper road as noted above.

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

5.2 Council resolve not to initiate to road stopping process to effect the land transfer:

Advantages

- Given the location and extent of the paper road as discussed in this report, there would be no advantages in Council retaining the portion of paper road.

Disadvantages

- The portion of paper road with limited use or need would not provide for any rates income.

6.0 Next steps – Te Anga Whakamua

6.1 If Council agrees to initiate the road stoppage and notify the public, the public will be given at least 40 days to raise objections.

6.2 Public notices will include:

- Notice on Council's website.
- Two notices in the local newspaper.
- Flyer drop to residents and businesses in the local area.

6.3 Council will then need to consider any objections received and decide whether to proceed with the road stoppage or not:

- If no objections are received Council may declare the road stopped.
- If any objections are received Council may either allow the objections, keeping the accessway open, or send the case to the Environment Court.

6.4 If Council agrees to stop the road, Council can amalgamate the stopped road with the existing WTL land cost neutral to Council.

Attachments:1 [↓](#) Paper Road - Okawa Survey Plans

CG-17-1-00872

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 in that it retains the ability of public access to the Tutaekuri River corridor.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

All costs to Council with the road stopping would be reimbursed by WTL meaning that there would be no net cost to Council.

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*

Consultation will be undertaken with adjoining landowners and the HBRC if Council is supportive of commencing the road stopping process.

Risks

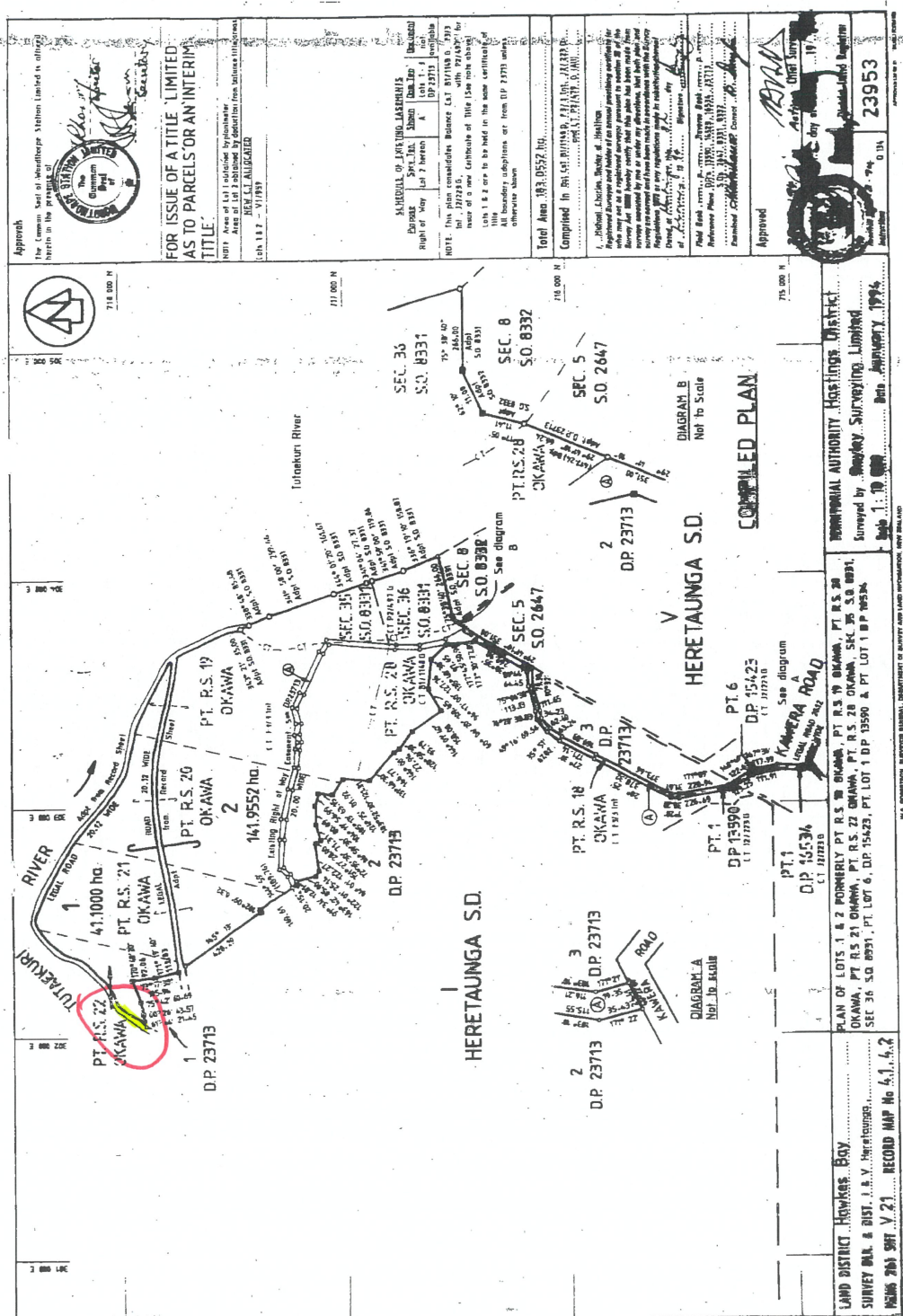
Opportunity: To reduce a portion of Council land which has limited value.

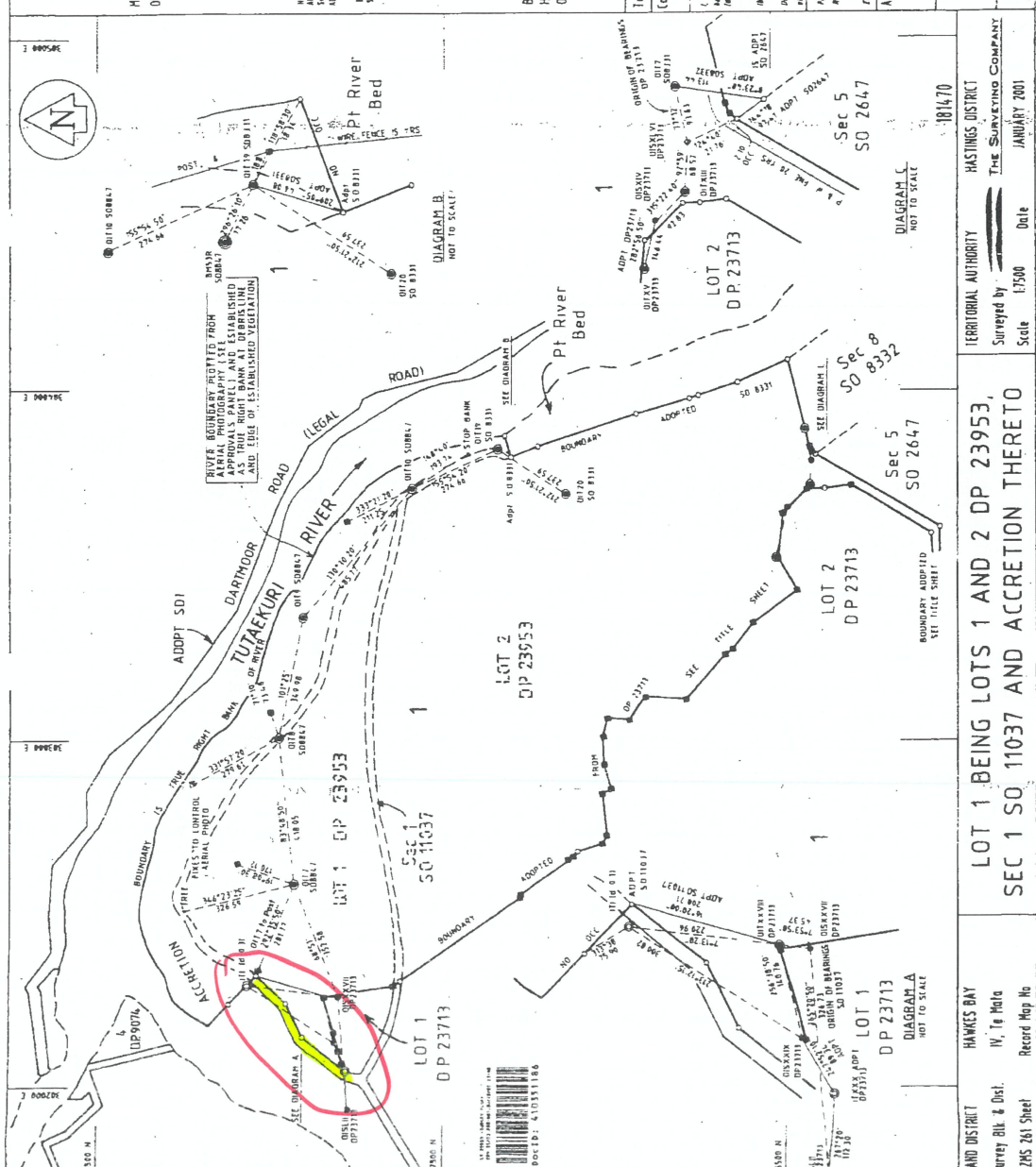
REWARD – *Te Utu*RISK – *Te Tūraru*

The transfer of land would enable that portion of land to be subsequently rated.	Requirement to take any objections to the Environment Court.
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Rural Community Board – Te Poari Tuawhenua-ā-Hapori

No concerns raised from discussion with the relevant Rural Community Board representative.





Thursday, 23 May 2024

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

Te Rārangi Take

Report to Council

Nā:
From: Bruce Conaghan, Transportation Policy and Planning Manager

Te Take:
Subject: Traffic and Parking Controls

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

1.1 The purpose of this report is to obtain a decision from Council on changes to traffic and parking controls on:

- Havelock Road – this change is required to meet consent conditions granted to Foodstuffs North Island (FSNI) for the construction and operation of a new supermarket on a site having access from Havelock Road, Porter Drive, and Cooper Street.
- Heretaunga Street East – this change is required to address safety concerns raised by Grey Power over safety when crossing at the existing zebra crossing near Park Road.
- Brookvale Road – this change is required to provide for a safe crossing point on Brookvale Road with the provision of a new set down and pick up area using the Guthrie Park carpark.

1.2 The report recommends the following changes:

Road	Existing Controls to be Removed / Changed / Added	Proposed Controls
Havelock Road	Zebra Crossing Bus Stop P120 Parking	Zebra Crossing Bus Stop No Stopping At All Times
Heretaunga Street East	Zebra Crossing	Zebra Crossing
Brookvale Road	None	School Patrolled Zebra Crossing

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Traffic and Parking Controls dated 23 May 2024.
- B) That Council approve the following:
 - i. Havelock Road
 - a. That pursuant to section 334 of the Local Government Act 1974 and clauses 2.1 and 8 of the Land Transport Rule : Traffic Control Devices 2004, a pedestrian crossing is to be provided on Havelock Road 117 metres north of the northern kerbline of Porter Drive.
 - b. That pursuant to Clause 5.3.1 (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, parking be prohibited on the eastern side of Havelock Road starting from the northern kerbline of Porter Drive and extending north for 39 metres.
 - c. That pursuant to Clause 5.3.1 (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, a Bus Stop be created on the eastern side of Havelock Road, starting approximately 39 metres north of the northern kerbline of Porter Drive and extending north for west for 15 metres.
 - d. That pursuant to Clause 5.3.1 (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, parking be prohibited on the eastern side of Havelock Road starting from a point 54 metres from the northern kerbline of Porter Drive and extending north for 63 metres.
 - e. That pursuant to Clause 5.3.1 (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, parking be prohibited on the western side of Havelock Road starting from the northern kerbline of Porter Drive and extending north for 76 metres.
 - f. That pursuant to Clause 5.3.1 (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, a Bus Stop be created on the western side of Havelock Road, starting approximately 76 metres north of the northern kerbline of Porter Drive and extending north for west for 12 metres.
 - g. That pursuant to Clause 5.3.1 (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, parking be prohibited on the western side of Havelock Road starting from a point 88 metres from the northern kerbline of Porter Drive and extending north for 32 metres.
 - h. That pursuant to Clause 5.3.1 (i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2021, parking be prohibited on the western side of Havelock Road starting from a point 124 metres from the northern kerbline of Porter Drive and extending north for 44 metres.
 - i. That any previous approvals pertaining to traffic and parking controls to the extent that they are in conflict with the traffic and parking controls described above are revoked.
 - ii. Heretaunga Street East
 - a. That pursuant to section 334 of the Local Government Act 1974 and clauses 2.1 and 8 of the Land Transport Rule : Traffic Control Devices 2004, a pedestrian crossing is to be provided on Heretaunga Street 19 metres southeast of the southeastern kerbline of Park Road North.

- b. That any previous approvals pertaining to parking controls to the extent that they are in conflict with the parking controls described above are revoked.
- iii. Brookvale Road
 - a. That pursuant to Clause 8.4 of the Land Transport Rule: Traffic Control Devices 2004, a zebra crossing be provided on Brookvale Road 12 metres west of the western kerbline of Legorne Lane.
 - b. That pursuant to Clause 8.3 of the Land Transport Rule: Traffic Control Devices 2004, the Board of Trustees of Te Mata Primary School be authorised to appoint two or more persons to act as school patrols on the zebra crossing as described above.
 - c. That any previous approvals pertaining to traffic and parking controls to the extent that they are in conflict with the traffic and parking controls described above are revoked.

3.0 Background – *Te Horopaki*

- 3.1 From time to time, it is necessary to introduce traffic and parking controls and/or amend those that are already in place.
- 3.2 In order that changes are legally established and enforceable, a formal resolution of Council is required.
- 3.3 The following discussion provides the context for the traffic and parking control changes proposed.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Havelock Road – relocation of pedestrian crossing and bus stop:

Foodstuffs North Island (FSNI) was granted Resource Consent (RMA20210322) to construct and operate a new supermarket in Havelock North at 32-34 Havelock Road and 25-27 Porter Drive. The location of the site means that the access would be available from Havelock Road, Porter Drive, and Cooper Street.

Given the nature of the development, it was important to ensure that the impacts of access and egress to the site could be managed to minimise impacts on the surrounding road network especially on Havelock Road and Porter Drive. From a network review, it was identified that the only permitted movements at Havelock Road would be left in / left out / right turn in, and at Porter Drive would be left turn in / left turn out. Servicing by heavy vehicles would be only via Cooper Street which would allow all movements. With Porter Drive, a solid median island centre of the road along the site frontage as shown in Figure 2 will be required to prohibit right turn movements at the Porter Drive access. These formed conditions of the Resource Consent accordingly and impacts on the traffic and parking controls on the roads adjacent to the site.

The proposed traffic and parking control changes will result in the loss of five on-street P120 parking spaces on the western side of Havelock Road. However, the provision of a painted median on Havelock Road will provide an area for waiting to turn into businesses without obstructing traffic flow.

The cost of implementing the proposed traffic and parking controls as described above are borne by FSNI given that these works are a condition of their Resource Consent.

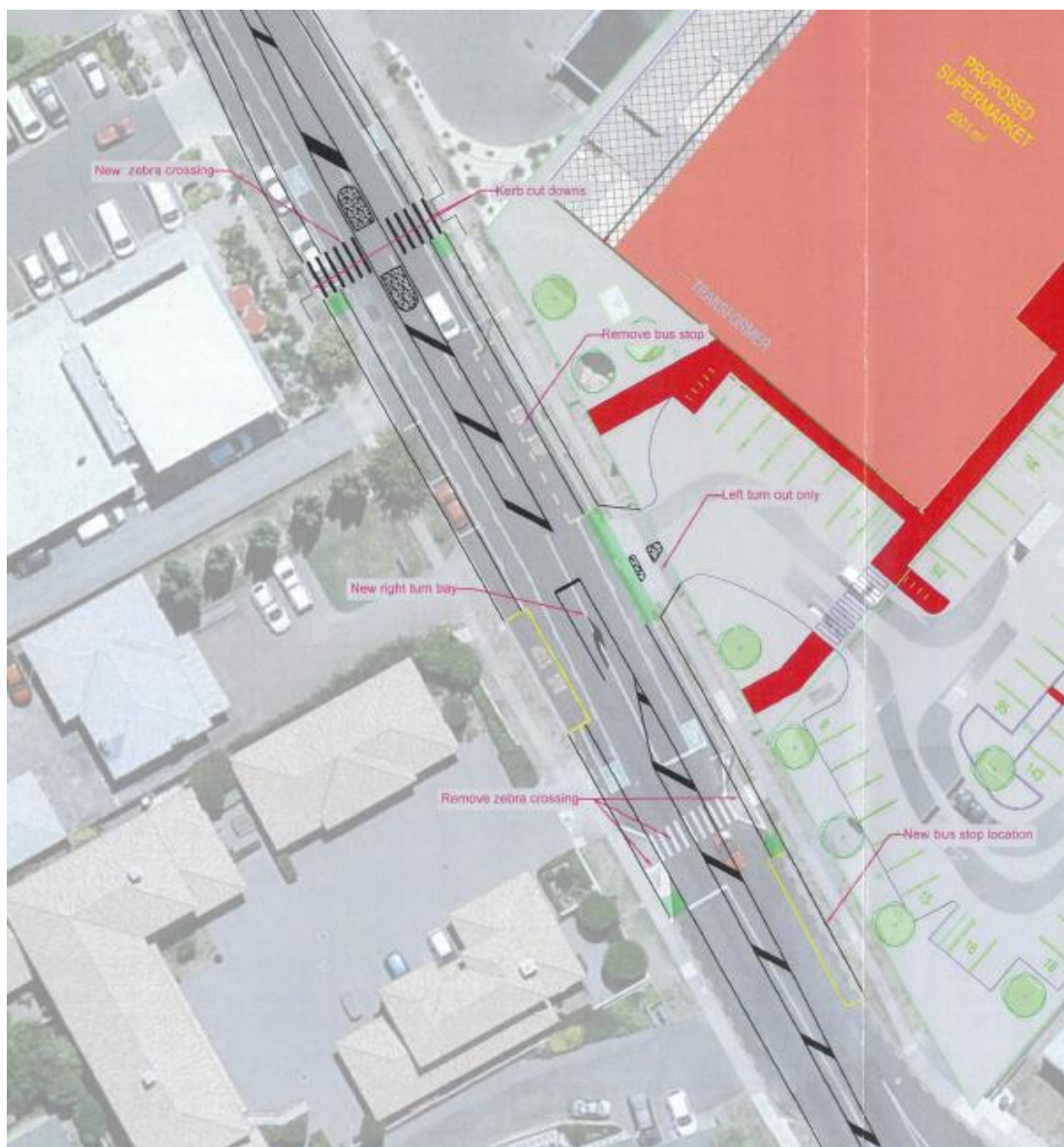


Figure 1 : Location and plan showing the pedestrian crossing and bus stop relocation on Havelock Road north of Porter Drive

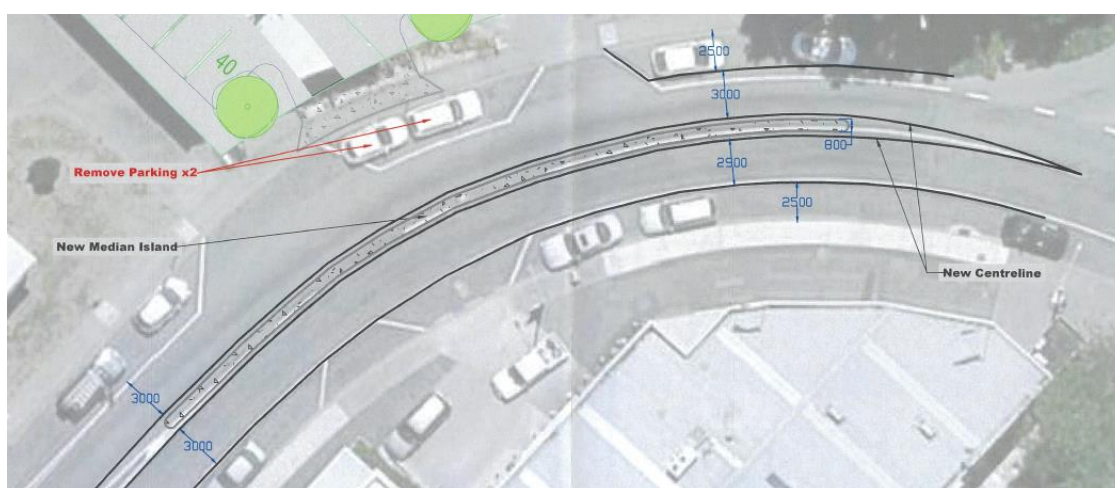


Figure 2 : Location of the physical median island on Porter Drive

4.2 Heretaunga Street East – relocation of pedestrian crossing:

Council has received concerns from Grey Power over the safety for pedestrians at the pedestrian crossing across Heretaunga Street East near Park Road. The concerns relate to motorists turning towards Havelock North failing to give way to pedestrians using the crossing.

The Heretaunga Street East pedestrian crossing is located approximately eight metres south of the Park Road intersection so is in close proximity to the intersection. The limit line for the crossing is located approximately two metres from the intersection.

While there have been no reported crashes involving pedestrians at the crossing over the 2018 to 2022 period, safety concerns over vehicles failing to give way to pedestrians, have been brought to Council's attention over the last two years. The key area of concern involves motorists turning left from Park Road North who are looking to the right to find gaps in southbound traffic. They have limited awareness of a pedestrian waiting to cross or being on the crossing as they make their turn and as such, the motorists are on the crossing itself very quickly. There is a similar situation involving motorists turning right from Park Road South although this is to a lesser extent given that their turn means that they would be able to see the pedestrian crossing and poles ahead.

The site visit noted also that when vehicles are parked in the recessed bays on Heretaunga Street East close to the intersection, visibility for motorists turning from both Park Road South and Park Road North is limited. In such situations, motorists would need to stop to ascertain the at road is clear prior to making their turn or cross the intersection.

Optimally, the pedestrian crossing should be located a short distance further away from the intersection so that it is clearly visible for all approaching vehicles. Council has recognised this and will be relocating the crossing a short distance south of the intersection as shown in Figure 3 to improve safety.

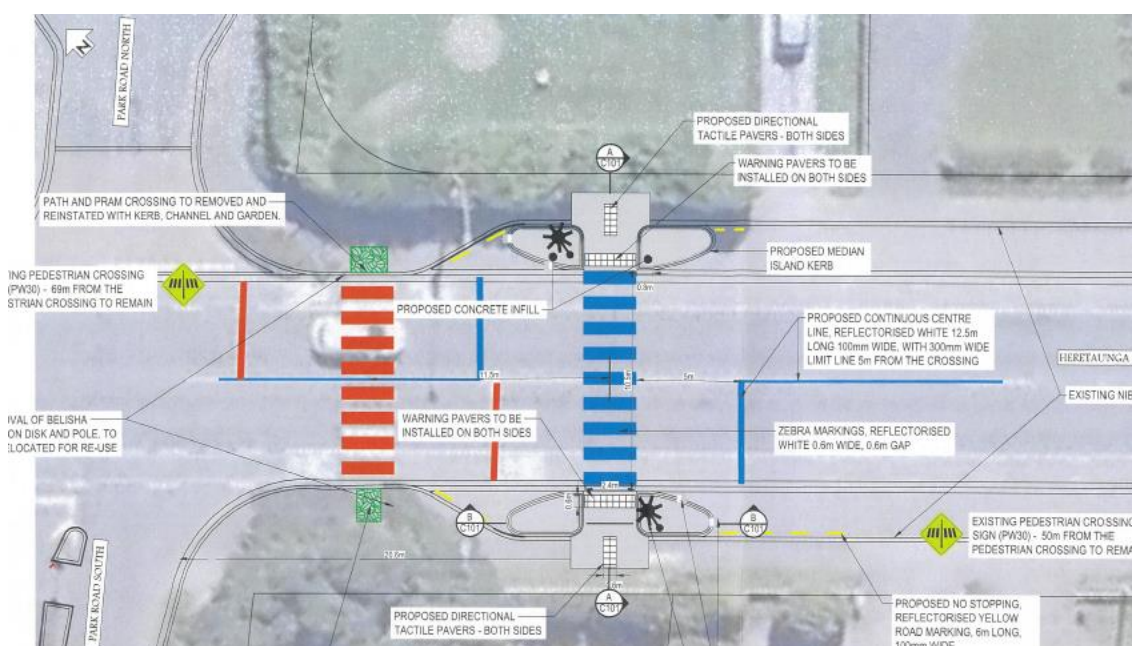


Figure 3 : Location and plan of relocated pedestrian crossing on Heretaunga Street East near Park Road North

4.3 Brookvale Road – new zebra crossing and school patrol operation by Te Mata Primary School:

Council has been working closely with the principals of Te Mata Primary School and Havelock North Intermediate School to look at suitable measures that could be undertaken to reduce congestion at the school frontages and to provide for the safety of students.

It had been noted that access to the schools is available via a walkway at the end of Legorne Lane but there is limited parking in Legorne Lane. From the discussions, one possible option was to use

the carpark in Guthrie Park as a set down and pick up area especially given that there is little use at those times.

From a safety assessment, it was noted that there would be an increase in traffic on Brookvale Road at those times resulting from the increased use of the carpark and an increase in students crossing Brookvale Road to and from Legorne Lane. Given that any crossing point could also cater for access to and from Guthrie Park Given outside of the school times, it was felt that a zebra crossing as shown in Figure 4 would be appropriate. It was also felt that safety at the crossing around set down and pick up times could be increased with the operation of a school patrol. This was discussed with the Principal of Te Mata Primary School who was agreeable for the School to operate a school patrol at the new zebra crossing.



Figure 4 : Location and plan of the Zebra Crossing on Brookvale Road west of Legorne Lane

5.0 Options – Ngā Kōwhiringa

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

5.1 To change the traffic and parking controls as described in this report.

Advantages

- The benefits of the proposed traffic and parking controls would be realised by the community.

Disadvantages

- No disadvantages noted.

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

5.2 No change to the parking controls as described in this report.

- The benefits of the proposed traffic and parking controls would not be realised by the community.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 The Havelock Road traffic and parking control changes on the eastern side of Havelock Road are currently underway and once these are completed, the changes on the western side will be undertaken.
- 6.2 The Heretaunga Street East pedestrian crossing relocation and the new Brookvale Road pedestrian crossing, are to be completed by the end of June 2024.

Attachments:

1 [↓](#) Traffic and Parking Controls

CG-17-1-00849

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 safety and accessibility wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The cost of implementing the proposed traffic and parking controls on Havelock Road and Porter Drive will be borne by the developer as these works are a condition of their Resource Consent.

The cost of the Heretaunga Street East pedestrian crossing relocation and the new Brookvale Road pedestrian crossing are included in current Transportation Minor Safety budgets

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*
Havelock Road

The proposed pedestrian crossing and bus stop relocation formed part of the consent conditions of the non-notified consent granted to Foodstuffs North Island for the Havelock North New World development. However, Council will ensure that the developer informs the adjacent business of the proposed changes.

Heretaunga Street East – relocation of pedestrian crossing

Consultation has been undertaken with the two directly affected parties who have no objections.

Brookvale Road

Consultation has been undertaken with directly affected parties and the proposed crossing is strongly supported by Te Mata Primary School.

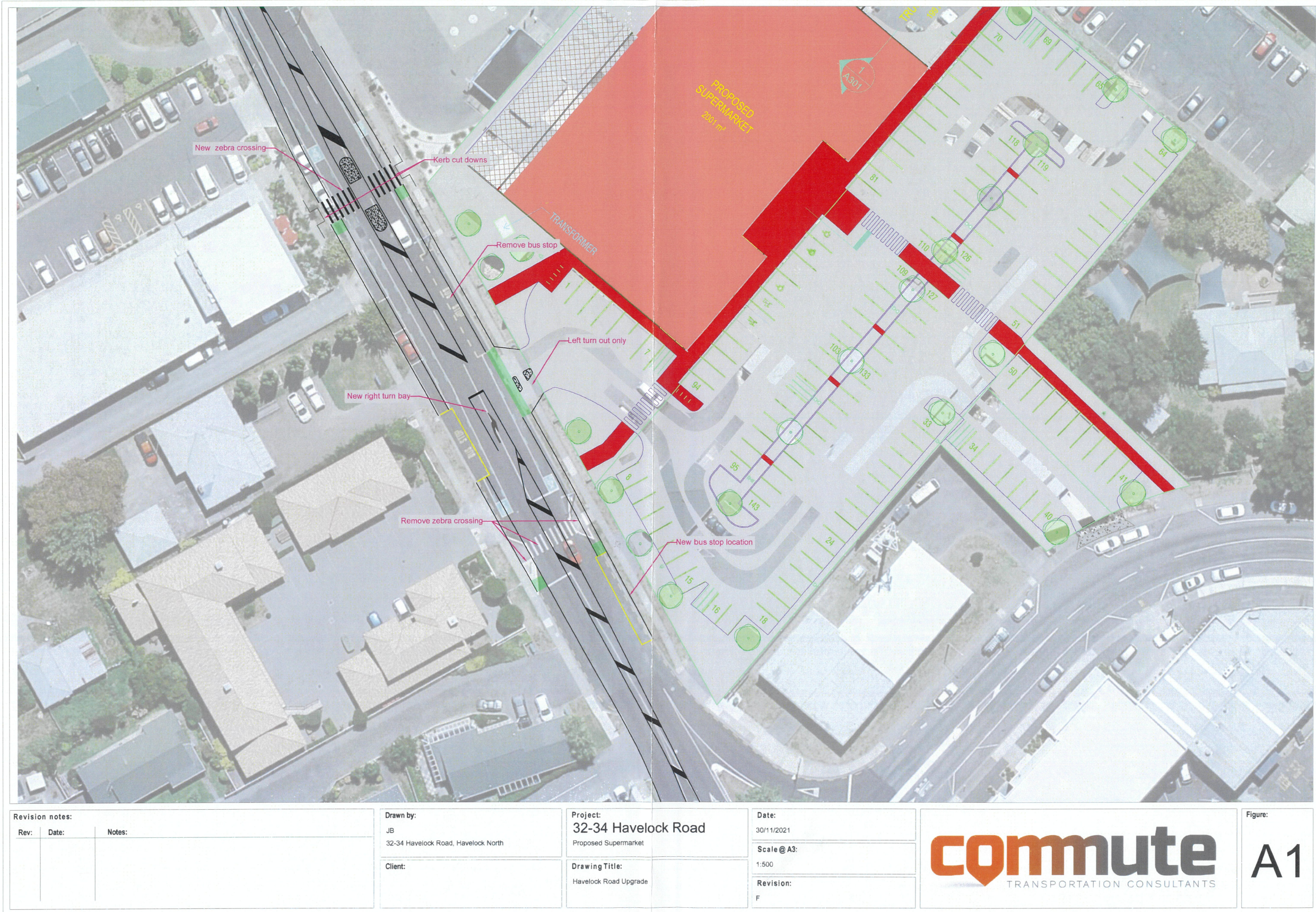
Risks

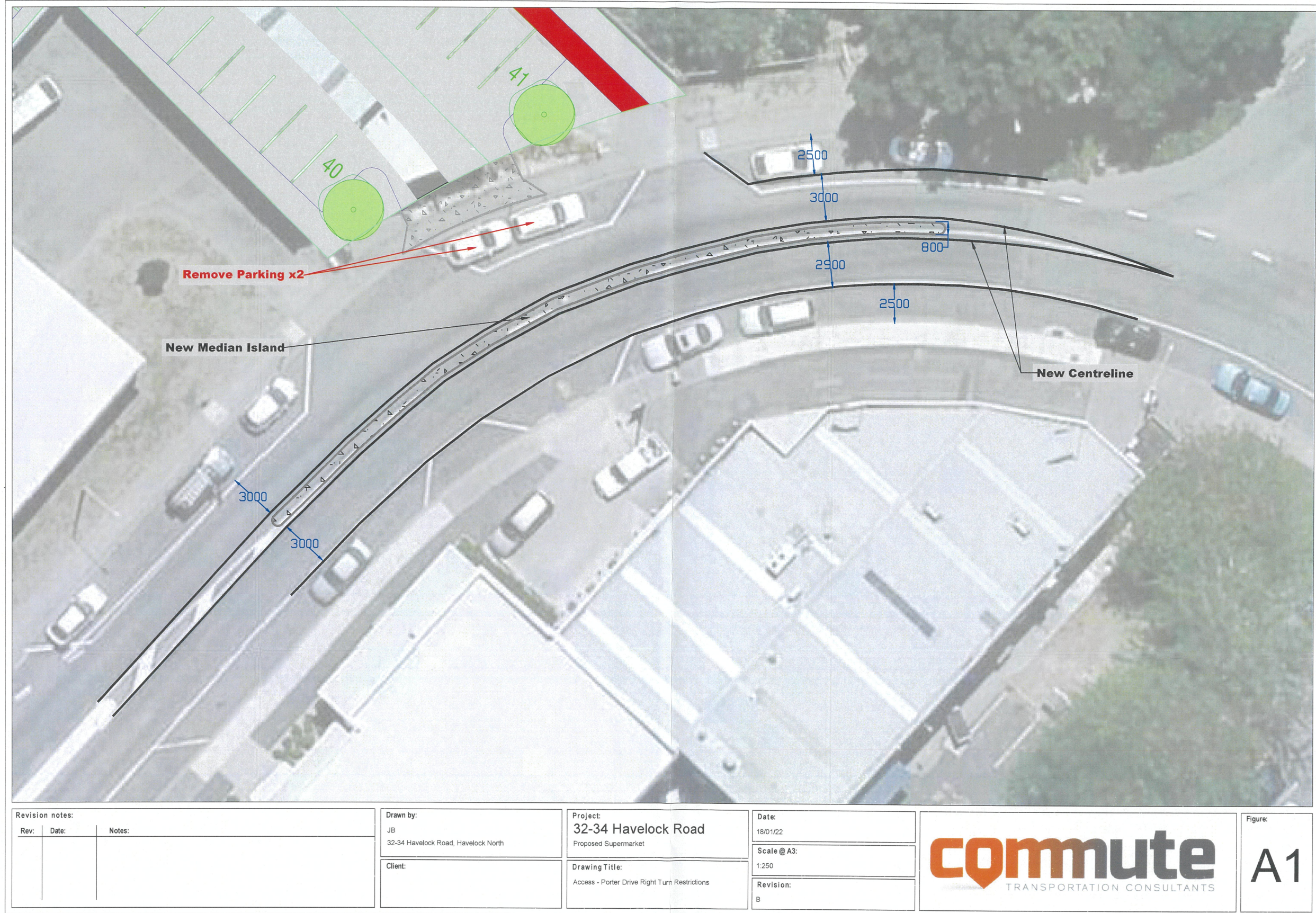
Opportunity: To improve safe and accessibility for the community.

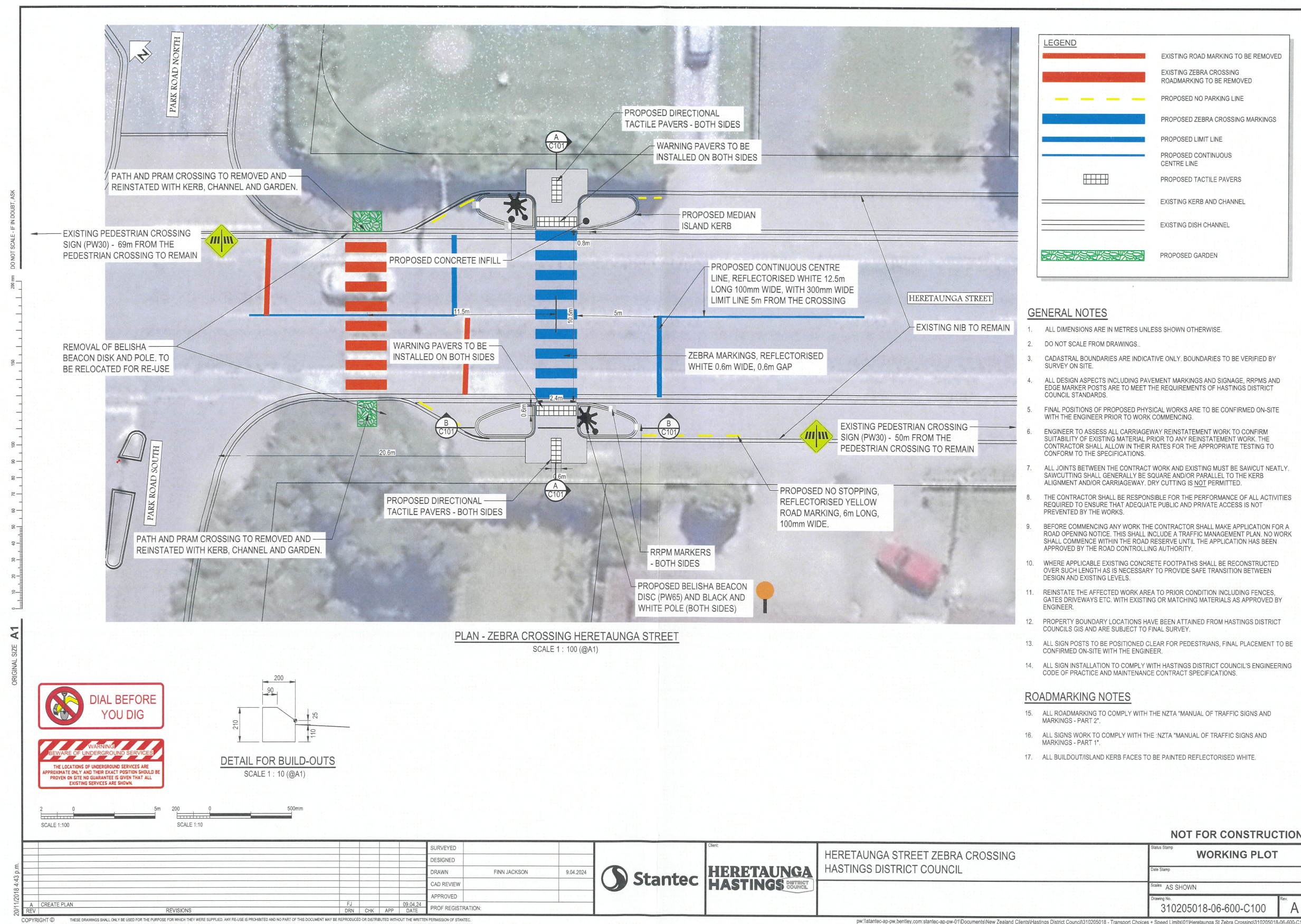
REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Improved safety and accessibility for the community	There are no risks.

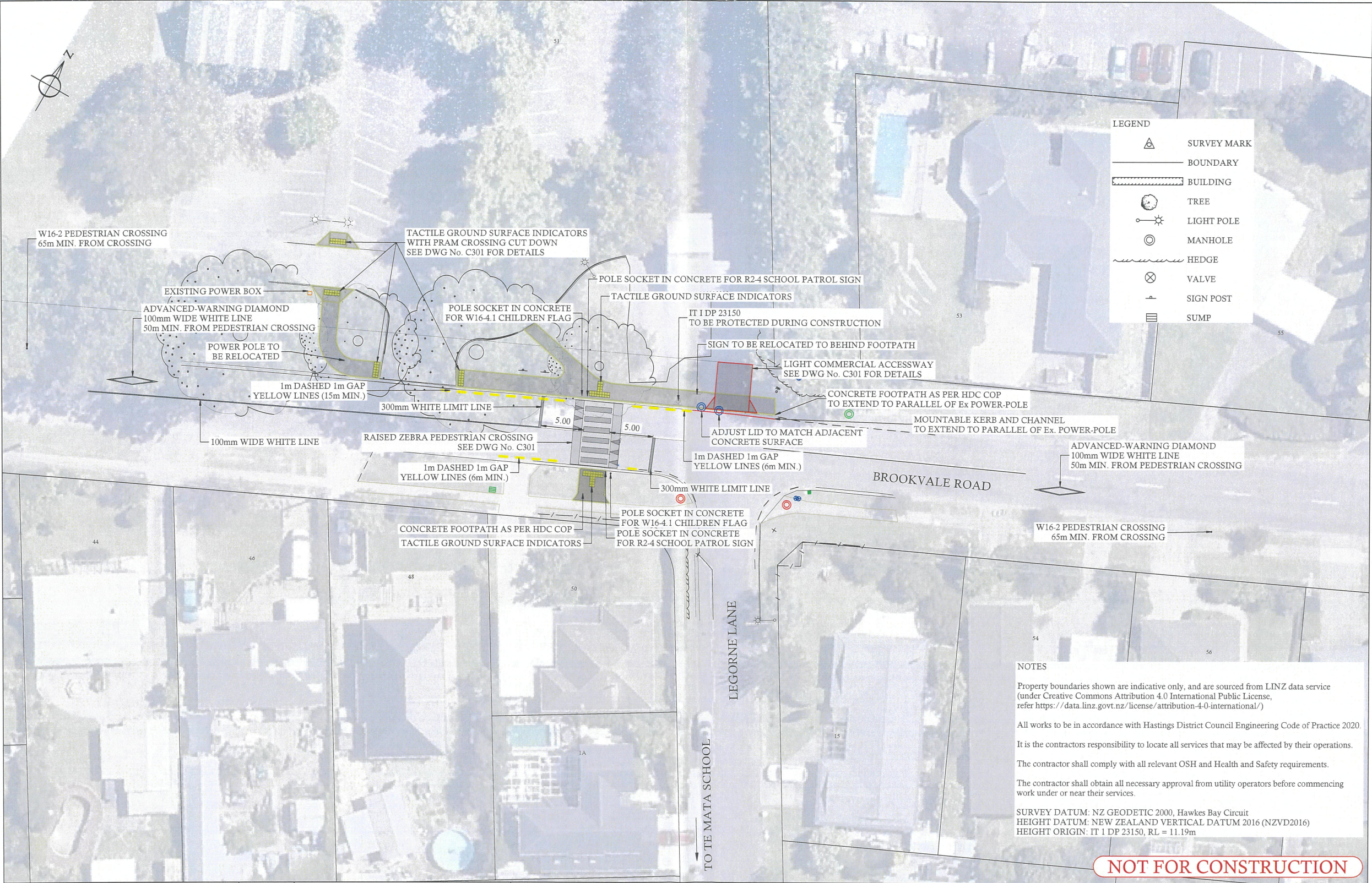
Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

There are no issues that specifically concern the RCB.









			<div>Client</div> <div></div> <div></div> <div>Unit 9, 11 Wakefield Street PO Box 5011, Napier, 4145 NEW ZEALAND Phone +64 6 843 6996 Website: www.civilservices.co.nz</div>	Drawn C. Berdini Nov 2023	Drawing Review J. Prickett Nov 2023	Scale 1:200 (A1) 1:400 (A3)	Title Brookvale Road Crossing School Walking Improvements - Te Mata School Brookvale Rd & Legorne Lane Havelock North, 4130
		Designed C. Berdini Nov 2023		Design Review B. Nikolaisen Nov 2023			
B For Approval 3/11/2023		Surveyed CSHBL July 2023		Approved N. Nikolaisen Nov 2023			
A For Discussion 2/08/2023		Issue APPROVAL		This drawing is copyright and the property of the author and must not be retained, copied or used without the authority of Civil Services (HB) Ltd.			
Revision	Description	Date				Drawing No.	1163-C200
Date Plotted: Fri Nov 3 11:50:21 2023							

Thursday, 23 May 2024

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

Item 10

Te Rārangi Take

Report to Council

Nā:
From: **Gus Charteris, Manager - Recovery & Special Projects**

Te Take: **Category 3 Voluntary Property Buy-out - Timeframe for**
Subject: **Programme Completion**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 Significant progress has been made with the joint Hastings District Council (HDC) and Napier City Council (NCC) Voluntary Buy-out Programme (the Programme). Key highlights include:
- Around 92% of eligible Category 3 property owners ('owners') are engaging, or have engaged, in the process. Forecasts at the start of the Programme assumed a 90% uptake so this assumption has proved to be relatively accurate.
 - As of 15 May 2024, 69% of owners had received an offer, accepted an offer, or settled. Latest forecasts indicate that most owners (except several more complex cases) will have received an offer by mid-September 2024.
 - As of 15 May 2024, around 8% of owners had either chosen not to engage in the process or have had their first meeting and have either chosen not to progress through to valuation or are constrained in some way in moving through to valuation (e.g. there are some joint ownership situations where one owner would like to advance and another owner is reluctant to move forward).
- 1.2 Given the significant progress that is being made with the Programme, officers recommend that it is appropriate to consider the timeframe for programme completion. Clause 9, of the Voluntary Buy-out Policy (the Policy), provides that *'the Policy will be reviewed by the Council on or before 30 June 2025, including as to whether it should continue to apply'*.
- 1.3 Officers recommend;
- The Programme is substantively concluded at the end of 2024 and that the Policy cease to be operative once the last owner who has engaged in good faith in the process prior to the end of August 2024, has been supported through to settlement or chooses to opt out of the process.
 - Provision is made to continue to support any owners who have engaged in the process in good faith and who are working through complex situations, - (e.g. probate, continuing insurance matters,

choosing between the Council-led process or the Kaupapa Māori Pathway), beyond December 2024 if necessary. The Voluntary Buyout Office (VBO) would close and cease to have a physical presence.

- 1.4 An end of 2024 completion would allow 3 months for owners receiving offers in September to consider offers (as provided for under the Policy). For owners who have not yet engaged, or have stalled, the recommendation is that they be encouraged to make final decisions on whether they would like to engage, or re-engage, in the process by the end of August 2024. This would allow 4 weeks for valuations to take place and offers to be constructed by the end of September 2024. If these owners did not engage in good faith (i.e. by accepting an initial meeting with the VBO and/or agreeing to be supported through the valuation stage so that offers can be constructed) before the end of August 2024 then the process would be closed to them.
- 1.5 The benefits of providing clarity on the timeline for programme completion include:
 - Providing those owners who have not yet engaged in the process, or who may have stalled for a variety of reasons, a clear timeframe to consider whether they would like to engage, or resume engagement, in the process.
 - Providing certainty for Council on the operational costs for supporting the Programme.
 - Providing certainty for staff working to support the Programme.
 - Providing options for Council to use available resources e.g. staff and the office at 205 Hastings Street South, for other Council priorities.
- 1.6 Napier City Council has been consulted and their Council will consider a report with the recommendations outlined below at their Council meeting on 6 June 2024.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Category 3 Voluntary Property Buy-out - Timeframe for Programme Completion dated 23 May 2024.
- B) That Council approve that the Voluntary Buy-out Programme (VBP) be substantively concluded effective 31 December 2024.
- C) That Council approve that the Voluntary Buy-out Policy cease to be operative once the last owner who has engaged in good faith in the (VBP) prior to 31 August 2024, has been supported through to settlement or chooses to opt out of the process.
- D) That Council direct the Chief Executive to make provision to support owners who have engaged in the VBP in good faith prior to 31 August 2024 to conclude the VBP after 31 December 2024, if this support is still required.
- E) That Council notes the Chief Executive will make thorough efforts to encourage owners who have not yet engaged in the VBP, or who have stalled for some reason, to make final decisions on whether they would like to engage, or re-engage, in the VBP by 31 August 2024. If these owners are unwilling to engage in good faith (i.e., by accepting an initial meeting with the Voluntary Buyout Office and agreeing to be supported through the valuation stage so that offers can be constructed by 30 September 2024) before 31 August 2024, the VBP will be closed to them.

3.0 Background – Te Horopaki

Progress

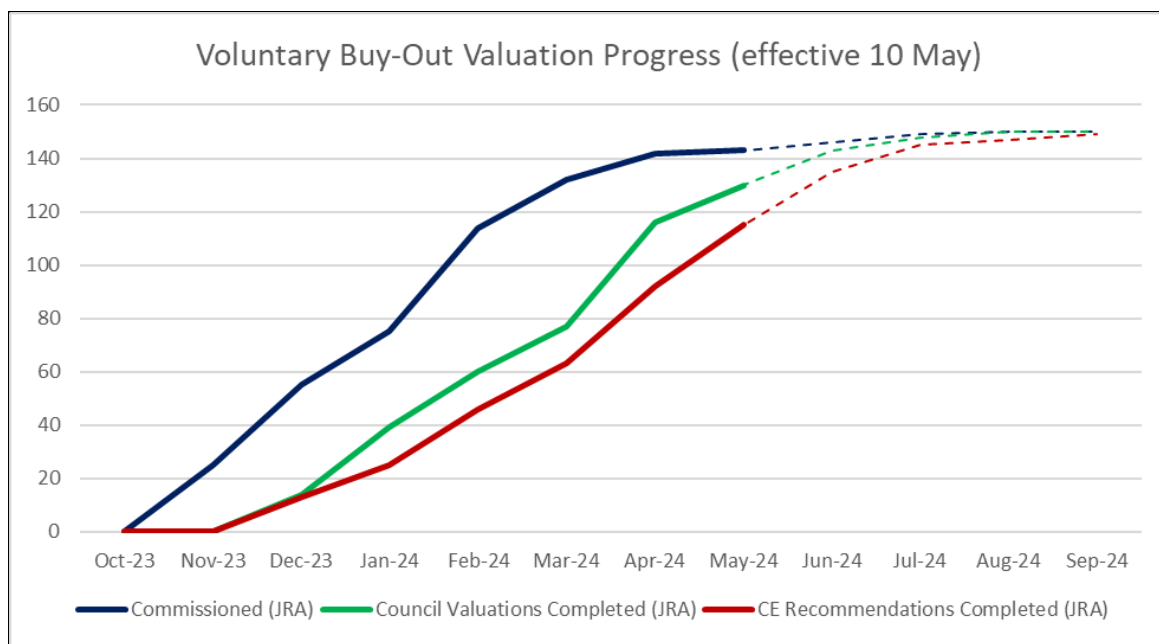
- 3.1 The VBO officially opened its doors on 24 October 2023. Over the last 5 months it has been both implementing and closely monitoring the implementation of the Programme against the Policy's objectives.
- 3.2 Significant progress has been made with the Programme. The table below captures the key data at each stage of the process as at 15 May 2024.

Total Currently Eligible Category 3 Properties	Meetings to Schedule	Meetings Scheduled	Meetings Complete	Valuations Pending	Valuations Complete	Offers Underway	Offers Approved	Settlements Complete
166	9	3	154	28	117	56	59	42
100%	5%	2%	93%	17%	70%	34%	36%	25%

- 3.3 Key points for noting are,

- There are 166 Category 3 properties eligible for a voluntary buy-out from a total of 326 Category 3 properties across Hastings District and Napier City, with 152 of these in the Hastings District.
- 154 initial meetings have been completed so far (93%).
- 8 owners representing 9 properties (7 HDC and 2 NCC), are choosing not to engage in the process at this point. A further 6 owners have stalled in the process for several reasons. Together this represents around 8% of owners.
- 28 valuations are underway or scheduled (17%); 117 have been completed (70%).
- 56 offers are underway (34%); 59 offers have been approved (36%). Overall, 115 properties have offers in front of them; have approved the offer and are awaiting settlement; or have settled (69%).
- 42 properties have settled (25%).

- 3.4 Latest forecasts indicate that most owners (except several more complex cases) will have received an offer by mid-September 2024.



- 3.5 The Voluntary Buy-out Policy (the Policy) provides for an offer to be “open for three months after the Owner receives the offer, and agreements to an extension of time will not be unreasonably withheld

where in the Council's reasonable opinion, substantive progress is being made towards an agreement".

- 3.6 An end of year completion would allow owners 3 months to consider offers received in September. For owners who have not yet engaged, or have stalled, it is recommended that they be encouraged to make final decisions on whether they would like to be supported through the process by the end of August 2024. The VBO will continue to make extensive and proactive efforts to engage with all owners.
- 3.7 This would allow four weeks for valuations to take place and offers to be constructed by the end of September 2024. If these owners did not engage in good faith (i.e. by accepting an initial meeting with the VBO, and agreeing to be supported through to valuation stage so that offers can be constructed) before the end of August 2024, when the process would be closed.
- 3.8 Provision would be made by Council to continue to support owners who have engaged in the process in good faith and who are working through complex situations e.g. probate, continuing insurance difficulties, whether to choose between the Council-led process or the Kaupapa Māori Pathway beyond December 2024 if necessary.

Latest financial forecasts

- 3.9 Council has approved a budget of \$50 million for costs associated with the Category 3 Voluntary Buy-out (VBO) Programme ('the Programme'). These costs include:
- 50% of costs to acquire eligible Category 3 properties or provide Relocation Grants;
 - 50% of 'Transaction costs' (i.e. acquisition and valuation services plus the direct salary costs of VBO staff)
 - 100% of other VBO Office running costs (these costs are subject to a cost share arrangement between HDC and NCC); and
 - 100% of costs relating to demolition, site remediation, and disposal.
- 3.10 Latest financial forecasts indicate that the full cost of the VBO Programme will come in around \$49.7m, just under the \$50 million cap.
- 3.11 The forecasts include an estimated \$12.4m of costs related to demolition, site remediation, and disposal outlined in the table above as well as estimated disposal proceeds of around \$3.8m. Without the proceeds from the sale of land deemed surplus to requirements Council would likely breach the \$50m cap.

Estimated HDC costs and sale proceeds	
• 50% HDC Property Purchases/Relocation Grants	\$38m
• HDC share of 'Transaction costs'	\$2m
• VBO running costs + policy dev costs	\$1m
• Estimated demolition, site remediation, disposal-related costs	\$12.4m
• Estimated sale proceeds	(\$3.8m)
Total HDC costs (net of sale proceeds) NB: HDC cap is \$50m	\$49.7m

- 3.12 The costs relating to Property Purchases/Relocation Grants, associated Transaction costs, and demolition and disposal are directly related to the number of properties supported through the process. The financial forecasts capture these costs for all eligible owners. This Report does not focus on these costs as this is not a driver for consideration of the timeframe for programme completion i.e. these costs will be covered if owners would like to be supported through the voluntary buy-out

process, and engage in good faith so they can be supported while Council staff and process support is available.

3.13 This Report focuses on the costs associated with Council staff (permanent and fixed term) and running the VBO. The table below summarises these costs for the following periods:

- Costs to date (to April 2024).
- The June 23/24 Financial Year (FY).
- The June 24/25 FY if the VBO substantively closed at the end of 2024.
- The June 24/25 FY if the VBO closed at the end of June 2025.

3.14 The following points can be made:

- There would be a notional cost saving of around **\$193,808** to the Programme if the VBO substantively closed at the end of 2024 compared with a closure at the end of June 2025.
- This is made up of a notional cost saving of around **\$154,050** in relation to staff costs and **\$39,758** in relation to VBO operating costs.
- The \$193,808 is not a full cost saving to Council as the lease on 205 Hastings Street South has been extended to 23 May 2027 and staff are on a mix of permanent and fixed term contracts (with 3 finishing at the end of 2024 and 2 others with longer end dates).
- The substantive closure of the VBO would, however, allow 205 Hastings Street South to be used for other Council priorities and the redeployment of permanent staff and those with longer fixed term contracts (even accepting some provision of time and resource will be required to continue to support owners who may need assistance beyond the end of 2024).

Costs	Costs to date (to April 2024)	June FY 23/24	June FY 24/25 Scenario 1 – close VBO end of 2024	June FY 24/25 Scenario 2 – close VBO end of June 2025
VBO staff costs				
Staff costs	\$337,763	\$424,617	\$260,563	\$521,125
Total (less 50% Crown claim on eligible costs)	\$196,610	\$247,961	\$154,051	\$308,101
Office running costs				
Lease + carpark	\$33,123	\$44,540	\$35,148	\$68,046
Laundry	\$175	\$395	\$660	\$1,320
Building maintenance	\$129	\$500	\$250	\$250
Electricity	\$1,980	\$2,640	\$1,980	\$3,960
Cleaning	\$3,516	\$4,923	\$4,220	\$8,440
Total (less NCC cost share)	\$31,139	\$52,998	\$42,258	\$82,016
Total cost to Council	\$227,749	\$300,959	\$196,309	\$390,117

4.0 Discussion – *Te Matapakitanga*

- 4.1 The recommendations in this paper have not been the subject of community or specific owner engagement because the views of each owner about their willingness to proceed are known to the VBO.
- 4.2 The VBO has had the benefit of (initially 4, now 3) Category 3 Connectors, who have been engaging one-on-one with owners over a 5-month period. Owners who have chosen not to engage in the process, or have stalled, have been contacted multiple times by the VBO Connectors to check if there has been any change to their position. These engagements have been recorded in the VBO's contact database. A number of owners have chosen to be supported through the process through this engagement.
- 4.3 The key reasons for owners deciding not to engage in the process at this point or for stalling include:
 - Reluctant to engage further, want to keep living on land.
 - Waiting on insurance settlement. [The VBO has invited owners in this situation to engage prior to settling insurance].
 - Only one owner engaging. [VBO unable to proceed at this point.]
 - Concerns about being able to continue to run business.

Future District Plan changes and relocation options

- 4.4 The report to Council on 14 September 2023 supporting adoption of the Buy-out Policy included a section on future District Plan changes and relocation options. It noted that a parallel or subsequent step was for Council to consider future planning provisions for Category 3 areas. This included a possible plan change to respond to current knowledge about risk associated with residential activity in Category 3 areas and to provide the opportunity for new dwelling sites near the existing community.
- 4.5 The latter has been progressed through Plan Change 6, being advanced through the Severe Weather Emergency Recovery (Resource Management Streamlined Planning Process) Order 2023. Submissions on that Plan Change will be heard by an independent hearings panel in accordance with the Order on 5 June 2024, with an expectation that a decision will be made in the third quarter of the year. The subdivision provisions which will apply to Category 3 landowners because of the Plan Change, are already in legal effect due to a successful application to the Environment Court for an early commencement order.
- 4.6 Steps to address future residential use of Category 3 land have not advanced as quickly. Discussions are taking place with government agencies and adjoining authorities to ensure that a consistent approach is adopted. The expectation remains that, in some form, future activities that would have a high probability of placing people in risk to life situations will be prevented. This will be the subject of a separate report to the Council.

5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Substantively conclude the Voluntary Buy-out Programme at the end of 2024. (31 December 2024)

Advantages

- Provides those owners who have not yet engaged in the process, or who may have stalled for a variety of reasons, a clear timeframe to consider whether they would like to engage, or resume engagement, in the process.
- Proves certainty for Council on the operational costs supporting the Programme.
- Provides certainty for staff working to support the Programme.

- Provides flexibility to Council to use resources e.g. the office at 205 Hastings Street South, for other Council priorities/teams.

Disadvantages

- For a small number of owners this may feel as though Council is placing pressure on them to engage.

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

- 5.2 Do not signal an end to the Voluntary Buy-out Programme and make this decision at a future point.

Advantages

- Will not be perceived as placing pressure on reluctant owners to engage or progress with the process.

Disadvantages

- Does not provide those property owners who have not yet engaged in the process, or who may have stalled for a variety of reasons, a clear timeframe to consider whether they would like to engage, or resume engagement, in the process.
- Is more expensive for Council/ratepayers and does not provide certainty for Council on the operational costs supporting the Programme.
- Does not provide certainty for staff working to support the Programme.
- Limits flexibility to Council to use resources e.g. the office at 205 Hastings Street South, for other Council priorities/teams.

6.0 Next steps – Te Anga Whakamua

- 6.1 Subject to Council decisions:

- Continue to communicate with owners who have yet to engage, or have stalled, to encourage them to make final decisions on whether they would like to engage, or re-engage, in the process by the end of August 2024.
- Support owners who would like to engage or reengage with the process.
- Start planning for a formal closure of the VBO at the end of 2024 and the process and the residual resources that may be required to continue to support owners who have engaged in the process in good faith and are working through complex situations e.g. probate, continuing insurance difficulties, beyond December 2024 if necessary.

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*

The Council has decided to create a new activity to make offers for Residential Properties in Category 3 areas. Activities outlined in this report give further effect to those decisions.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

There is a separate Kaupapa Māori Pathway that the Crown is leading for the Whenua Māori properties that are within Category 3 areas of Heretaunga and Ahuriri. The Councils' Policy does not apply to Whenua Māori within Category 3 areas.

Provision will be made to support General Title properties that are Māori owned and are eligible for the Kaupapa Māori Pathway (and therefore have a choice about which pathway to choose) if owners of these properties choose to utilise the Council-led process instead of the Kaupapa Māori Pathway process.

Sustainability - *Te Toitūtanga*

The Policy's implementation intends to remove the "intolerable risk to life" that resides in dwellings in Category 3 areas. This provides better long-term outcomes for the community and helps remove people from high-risk areas, given that climate change is likely to see the recurrence of extreme weather events.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Addressed in the report.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

The views of each owner about their willingness to proceed are known to the VBO. Owners who have chosen not to engage in the process, or have stalled, have been contacted multiple times by the VBO Connectors to check if there has been any change to their position. These engagements have been recorded in the VBO's contact database and will continue as appropriate.

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

Extensive engagement across Council continues as appropriate to deliver the Programme.

Risks

Addressed in the report.

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

Cyclone Recovery Updates, including from the VBO, are provided to the Rural Community Board.

Thursday, 23 May 2024

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

Item 11

Te Rārangi Take

Report to Council

Nā: Jennifer Bainbridge, Manager Residential & Commercial
From: Development

Te Take:
Subject: Approval for Waiving Land Covenant - Waingākau Village

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 In 2018, Council sold parcels of land totalling 4.682 hectares of land, located in West Flaxmere, to Te Taiwhenua o Heretaunga (TTOH) for residential development. The land is situated within the Flaxmere General Residential Zone and as part of the sale and purchase agreement, Council placed covenants on the title requiring certain standards be met for houses constructed thereon, including that all residential dwellings built on the sites meet a minimum size of 130 m².
- 1.2 From this land, TTOH developed Waingākau Village where they have provided numerous well-built, safe homes for families in the Hastings Community.
- 1.3 TTOH recently requested a waiver of the 130 m² minimum floor area required by the covenant for four specific lots within the Waingākau development. The four houses will instead have floor areas of either 121.4 or 124.5 m². The houses will meet all other requirements of the covenants.
- 1.4 TTOH makes this request to provide warm, safe, dry houses to the market in Flaxmere at an attainable price point.
- 1.5 Request for waivers from covenants are a matter for consideration and decision making by Council as the former owner of the land imposed via the sale process at the time. They are not a regulatory or planning matter.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Approval for Waiving Land Covenant - Waingākau Village dated 23 May 2024.
- B) That Council approve the waiver of the requirement for a minimum floor area of 130m² for the properties at 12, 14, 16 and 18 Rito Place in Flaxmere and instead, accepts the floor area as proposed in the supplied plans. All other requirements of the relevant covenant will remain in force.
- C) That the Chief Executive is delegated to execute the requisite legal processes to give effect to Recommendation B.

3.0 Background – Te Horopaki

- 3.1 In 2018, Council sold 59 parcels of land totalling 4.682 hectares of land located in West Flaxmere, to TTOH for development into what is now known as Waingākau Village.
- 3.2 The land was part of an earlier subdivision effort by Council which had stalled due to market conditions at the time.
 - 3.2.1 The sale of the property was made after a procurement process where Council selected TTOH as having the preferred development proposal which would meet Council's objectives of supporting: diversity in housing choice, healthy, energy efficient homes, and residential development opportunities.
- 3.3 Waingākau Village is a visionary mixed-tenure housing development planned to provide 61 homes on individual lots at a typical residential density within Stage 1-5 of the development. Stage 6 will be made up of 26 medium density sections and higher density will be provided for in Stage 7 around Te Aranga Marae.
- 3.4 The Development brings a variety of housing typologies and tenures to the market enabling families to move up the housing ladder from a warm, safe rental home to first home, to forever home, will all homes built to a high standard.
- 3.5 **Development Scheme Plan**

- <File No. 24/165>

- 3.9 The houses proposed to be developed at 12, 14, 16 and 18 Rito Place in Waingākau Village would have floor areas as follows (Plans are attached as Attachment 1):
- 3.9.1 12 Rito Place (Lot 24 of the development) would be 121.4 m² with three bedrooms.
- 3.9.2 14 Rito Place (Lot 25 of the development) would be 121.4 m² with three bedrooms.
- 3.9.3 16 Rito Place (Lot 26 of the development) would be 124.5 m² with three bedrooms.
- 3.9.4 18 Rito Place (Lots 27 of the development) would be 124.5 m² with three bedrooms.
- 3.10 The designs allow the developer to provide additional homes within the development space in an economical way while still adhering to the design standards for the community.

4.0 Discussion – *Te Matapakitanga*

- 4.1 TTOH has demonstrated a commitment to providing a well-designed community in Waingākau Village. The proposal to change from the required minimum floor space for four homes will have a negligible impact on the wider neighbourhood as it does not affect the streetscape.
- 4.2 The proposed deviation from the minimum floor space does not meaningfully change the design of the house and still attains the goals of the covenants in that the quality of the houses in the development is still maintained.
- 4.3 In this situation Council is acting in a non-regulatory role. Council's oversight of the covenant is as the previous landowner and developer interested in ensuring that the outcomes Council endeavoured to achieve through the land sale are attained.

5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Approve the discreet waiver from the minimum floor size in the covenant for the four listed properties:

Advantages

- Assists in bringing much needed affordable houses to the market to provide homes for our people.
- Allows the developer to adjust designs to ensure best use of the land.

Disadvantages

- Officers see no disadvantages in approving the waiver.

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

- 5.2 Require TTOH to maintain the minimum floor space as stated in the covenant.

Advantages

- Provides consistent application of the covenant requirements.

Disadvantages

- Detracts from TTOH's ability to provide a mixture of housing typologies in line with market requirements, and
- May not allow for the best use of the land as the developer cannot make the small adjustments necessary to maximize the use of land.

Attachments:

1	Waingākau Covenant with HDC(2)	CG-17-1-00867	Under Separate Cover
2	Rito Place(2)	CG-17-1-00868	Under Separate Cover

Item 11

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-Hāpori*

This proposal promotes the social and economic wellbeing of communities in the present and for the future through the provision of quality housing outcomes.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

TTOH are representing Māori interests in the Waingākau development.

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

NA

Thursday, 23 May 2024

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

Item 12

Te Rārangi Take

Report to Council

Nā: Anna Sanders, Senior Environmental Planner Policy (Special Projects)
From:

Te Take: Submission on the Fast Track Approvals Bill
Subject:

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

- 1.1 The Chairperson of Parliament's Environment Committee recently called for submissions on the Fast Track Approvals Bill. The intention of the Bill is to enable a fast-track decision making process for infrastructure and development projects that are considered to have significant regional or national benefits. Submissions opened on 14 March and closed on 19 April 2024.
- 1.2 The Bill seeks similar outcomes to the Covid-19 Recovery (Fast-track Consenting) Act 2020 (now repealed). Hastings District applications that have gone through this process are Wairatahi, a 452-lot development on the edge of Flaxmere which was approved or are still going through this process being the proposed Maraekākaho Quarry. Informed by these applications and process involvement, officers from Hastings District Council and the Napier City Council prepared the appended joint submission. In the case of Hastings District Council across Council inputs were sought.
- 1.3 The submission is supportive of fast-track processes which can enhance timely execution of key strategic projects aligned with the Councils' overarching strategic direction and intent, building greater private sector confidence and certainty around Council actions and investment which is balanced with environmental considerations and outcomes. It also supported the points raised in the joint submission by [Local Government New Zealand \(LGNZ\) and Taituarā](#).
- 1.4 The submission by HDC and NCC focuses on the following key issues of concern:
 - **Implications for Protection of Highly Productive Land**, seeking amendments to require the information included in an application to specifically address the impact of the proposal on highly productive land, and where such land is affected, what alternative sites have been considered and changes to enable Ministers to consider whether the project would have any significant regional or national disbenefits as well as benefits.
 - **Strategic Growth, Out of Sequence Development and Long-Term Costs to Councils**, ensuring Councils be able to appropriately recover all costs that arise from unanticipated

developments. At a time when cost pressures on local councils are significant, there needs to be adequate provision for reasonable cost recovery and funding. Thought needs to be given to recovering servicing costs including upgrades to facilitate what maybe large-scale development proposals, connections, and the ability to recover Development and Financial Contributions. The submission suggests that the FTA could easily address these issues better by enabling decision makers to recommend conditions requiring financial contributions notwithstanding rules in the District Plan. This would ensure a 'user pays' approach to servicing out of sequence development for which it has not been possible to plan.

- **Natural Hazards Resilience**, ensuring effects or natural hazards and climate change are more wholistically considered by requiring applications to have regard to whether a proposal will compromise climate change mitigation and adaptation, resilience, and recovery from natural hazards as well as support these matters.
- **Costs on Council for participation in the Fast Track Consenting Process**, clarity is sought on what costs can be recovered for Councils participating in these processes and that there be an ability to recover all costs.
- **Relationships with Mana Whenua**. Fast track processes have the potential to have a detrimental impact on local mana whenua relationships. As an example, in Hastings, the Fast-Track process for gravel extraction at Maraekākaho commenced without a Cultural Impact Assessment, and there was a perception that Hastings District Council was leading the consent decision making process for this project. Council officers want to ensure that fast-track processes maintain relationships Mana Whenua and there is clarity regards roles and processes.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Submission on the Fast Track Approvals Bill dated 23 May 2024.
- B) That Council notes the Submission (Attachment 1) to the Parliaments Environment Committee on the Fast Track Approvals Bill and records its endorsement of the Submission.

Attachments:

1⇒	Legislation, Bylaws & Standards - Acts & Statutes - Fast Track Approvals Bill 2024 - HDC NCC Fast Track Approvals Bill Submission Final 18 April 2024	LEG-01-2-24-1	Under Separate Cover
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Thursday, 23 May 2024

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

Te Rārangi Take

Report to Council

Item 13

Nā:
From: **Tony Manunui, Building Consents Manager**

Te Take: **Waiver of Building / Resource Consent Fees for Cyclone Recovery**
Subject: **Residential Building Work**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This Report seeks a decision from Council regards the waiver of building / resource consent fees for building recovery works (because of Cyclone Gabrielle) for eligible residential properties beyond 30th June 2024.
- 1.2 At its meeting on 7th September 2023, Council resolved to:
 - Endorse Guidance for Building Consent Applications for properties that were subject to inundation following Cyclone Gabrielle.
 - Waive fees for Cyclone recovery building works for residential dwellings that were subject to red or yellow placards under the Rapid Building Assessment.
 - The Fee waiver was approved up to 30th June 2024 with a budget provision up to \$500,000 funded from the General Rate.
- 1.3 Council to date has waived \$160,147.25 of fees for 80 eligible consents or an average of \$2000 per consent.
- 1.4 Officers recommend that Council continues offering the waiver of building / resource consent fees for residential dwellings that were subject to red or yellow placards under the Rapid Building Assessment. The original intent of the policy decision by Council was to assist affected homeowners with their recovery. Some property owners are still working through insurance settlements and other prerequisite matters that need resolving before they can repair and reinstate their dwelling.
- 1.5 Officers recommend this Policy decision is reviewed again by Council in November 2024, to consider whether it is still relevant.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Waiver of Building / Resource Consent Fees for Cyclone Recovery Residential Building Work dated 23 May 2024.
- B) That Council continue offering the waiver of building / resource consent fees for Cyclone recovery building works for residential dwellings that were subject to red or yellow placards under the Rapid Building Assessment.
- C) That the Chief Executive provides an update to Council in November 2024, on the implementation of Recommendation B, at which time Council will review Recommendation B.
- D) That Council reaffirms its Resolution from 7 September 2023 which provided a budget provision up to \$500,000 funded from the General Rate for the implementation of Recommendation B.

3.0 Background – Te Horopaki

- 3.1 At its meeting on 7 September 2023, Council resolved to waive building / resource consent fees for building recovery works (because of Cyclone Gabrielle) for eligible residential properties to 30 June 2024.
- 3.2 The Council approved fee waivers up to a value of \$500,000 as unbudgeted expenditure in 2023 -24 and required a review of this decision before 30 June 2024. The budget was funded from the General Rate.
- 3.3 Council to date has waived \$160,147.25 of fees for 80 eligible consents or an average of \$2000 per consent.
- 3.4 Officers estimate there may be 35 consents (including 16 in process) to come into Council by 30 June. At an average of \$2000, per consent this would be a remaining fee waiver of approximately \$70,000.
- 3.5 612 properties received red or yellow placards under the Rapid Building Assessment. For house repairs that are 'like for like' or with a comparable material, the homeowner does not need to engage with Council providing they meet the requirements under Schedule 1 of the Building Act 2004 which relates to building work that does not require building consent. This means that work exempt from the requirement to obtain building consent can be undertaken on buildings without the requirement to notify Council. Officers have found that most house repairs are falling into the 'like for like' category.

4.0 Discussion – Te Matapakitanga

- 4.1 It is difficult to forecast the remaining number of properties that will submit a building consent to Council and be eligible for a waiver off consent fees, from the potential eligible group of 612 properties.
- 4.2 The Report recommends Council review the 'waiver of fees' again in November 2024, to assess if the policy decision is still relevant. By this time, it will be @21 months since the Cyclone, and officers expect most/all potentially eligible building consents to have been submitted to Council.
- 4.3 Council has resolved on 7 September 2023, to make a budget provision up to \$500,000 for the waiver of fees. This is forgone revenue and use of unbudgeted funds to cover Councils consent processing costs.
- 4.4 Council will need to approve the ongoing application of unbudgeted funds to consent processing costs if it decides to waive consent fees.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Continue offering the waiver of building / resource consent fees for building recovery works (because of Cyclone Gabrielle) for eligible residential properties on 30 June 2024.

Advantages

- Council will continue to assist affected property owners in their Cyclone Recovery.

Disadvantages

- Council needs to apply unbudgeted funds from the General Rate to pay for consent processing costs.

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

- 5.2 Cease offering the waiver of building / resource consent fees for building recovery works (because of Cyclone Gabrielle) for eligible residential properties from 1 July 2024.

Advantages

- No loss of revenues from consent fees and application of unbudgeted funds.

Disadvantages

- Council may not be meeting it's original policy objectives of assisting eligible property owners with their recovery from Cyclone Gabrielle.

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 has assisted with Community Wellbeing by aiding Cyclone damaged property owners with their recovery.

Māori Impact Statement - Te Tauākī Kaupapa Māori

N/A

Sustainability - Te Toitūtanga

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Covered in the Report

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

N/A

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

The Rural Community Board will be briefed on Councils decision.

Thursday, 23 May 2024

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

Item 14

Te Rārangi Take

Report to Council

Nā:
From: **Rowan Wallis, Environmental Policy Manager**

Te Take: **Appointment of External Independent Commissioner to Plan**
Subject: **Change 6 - Category 3 Landowner Lifestyle Subdivision Provisions**

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

- 1.1 The purpose of this report is to deal with two matters in relation to the hearing of submissions on Plan Change 6 which addresses a subdivision pathway for Category 3 Landowners who have reached a voluntary buy-out agreement.
- 1.2 The first matter is to obtain a Council resolution to amend the Terms of Reference (TOR) of the Hearings Committee to allow for two independent members to consider and make recommendations to the Minister for the Environment on the hearing of submissions on Plan Change 6 - Category 3 Landowner Lifestyle Subdivision Provisions.
- 1.3 The second matter is to consider the appointment of Mr Kitt Littlejohn to sit on the Independent Hearings Panel considering submissions on Plan Change 6.

2.0 First Matter (Hearing Committee Composition)

- 2.1 Plan Change 6 is being processed under the Severe Weather Emergency Recovery (Resource Management – Streamlined Planning Process) Order 2023. This Order in Council requires that an independent panel be appointed to hear the submissions received under the streamlined planning process provided for under the Order and to provide summary reports to the Minister.
- 2.2 Ordinarily, according to the TOR for the Hearings Committee, for Council Initiated Plan Change hearings, all members may attend and take part in the decision-making process unless the Chair exercises the power of delegation to assign any function, power or duty of the Hearings Panel to any one or more Commissioners. Also for Council Initiated Plan Change Hearings, the quorum shall be three members.
- 2.3 As the streamlined planning process under the Order in Council requires an independent panel, the current TOR for the hearing of a Council Initiated Plan Change will need to be amended specifically for Plan Change 6 as follows:

Quorum

- (b) ~~For Council Initiated Plan Change hearings, all members may attend and take part in the decision-making process unless the Chair exercises the power of delegation to assign any function, power or duty of the Hearings Panel to any one or more Commissioners.~~ That two independent commissioners be appointed as hearing panel members for the hearing of submissions and to compile the necessary summary reports for the Minister for the Environment.
- (d) ~~For Council Initiated Plan Change Hearings, the quorum shall be three members.~~ For the Independent Panel considering the Council Initiated Plan Change 6 hearing a minimum of two members is being set with this also being the quorum. This is taking place under the Severe Weather Emergency Recovery (Resource Management – Streamlined Planning Process) Order 2023.

3.0 Second Matter (External Independent Commissioner)

- 3.1 Currently, the Chairman, Mr George Lyons, is the only external independent hearings commissioner appointed to the Hearings Committee. The TOR allow for further external independent commissioners to be appointed by the Council.
- 3.2 Mr Littlejohn has extensive experience and expertise which means that he is well placed to undertake this role. Mr Littlejohn's profile is set out below.

Kitt Littlejohn was a barrister and solicitor of the High Court and now acts an accredited independent hearings commissioner. He has over 25 years' experience in resource management, property, local government and administrative law.

He is a commissioner for other territorial authorities around New Zealand and appears regularly in the Environment Court.

Kitt is a member of the New Zealand Law Society, Auckland District Law Society, New Zealand Bar Association, and the Resource Management Law Association.

4.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Appointment of External Independent Commissioner to Plan Change 6 - Category 3 Landowner Lifestyle Subdivision Provisions dated 23 May 2024.
- B) That Council appoint Mr Kitt Littlejohn as an external independent commissioner to the Independent Hearing Panel addressing Plan Change 6 - Category 3 Landowner Lifestyle Subdivision Provisions.
- C) That Council resolve to amend the Terms of Reference for the Hearings Committee, on a one-off basis, to allow two independent commissioners to consider submissions and provide the required summary reports to the Minister for the Environment regarding Plan Change 6 - Category 3 Landowner Lifestyle Subdivision Provisions, being addressed under the Severe Weather Emergency Recovery (Resource Management – Streamlined Planning Process) Order 2023.
- D) That Council resolve that this specific Independent Hearing Panel comprise:

- Two external Independent Commissioners (with one being the current Chair of the Council's Hearings Committee, Mr George Lyons, acting as the Chair for this hearing); And
- That the quorum for this Independent Hearing Panel shall be two members.

Attachments:

There are no attachments for this report.

Thursday, 23 May 2024

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

Item 15

Te Rārangi Take

Report to Council

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

Te Take:
Subject: Retention of the Takitimu Māori Ward

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This report summarises proposals from the Minister of Local Government regarding changes to the legislative requirements for the establishment of Māori wards within local government and recommends that Hastings District Council (Council) agree to retain its Takitimu Māori ward ahead of legislation being introduced.
- 1.2 Council resolved to establish Māori wards in May 2021 following comprehensive community consultation that indicated strong support for this decision. The opportunity for the Council to make this decision was enabled by provisions within the Local Electoral (Māori Wards and Māori Constituencies) Amendment Bill 2021 which removed the need for a binding poll.
- 1.3 The Local Government Electoral Legislation and Māori Wards and Constituencies Amendment Bill 2024 (the Bill) is set to be introduced into Parliament in late May this year with enactment expected in July. The Bill will contain provisions that look to re-instate the poll provisions for the establishment of Māori Wards that were in place prior to 2021.
- 1.4 The Bill will allow local authorities who have established Māori Wards or have resolved to establish Māori Wards the option to disestablish those wards prior to the 2025 local body elections. Alternatively, local authorities that opt to retain Māori wards will be required to hold a binding poll at the 2025 local elections if they established Māori Wards without holding a poll. The result of that poll would take effect from the 2028 local elections and will be in place for 2 triennial elections - 2028 and 2031.
- 1.5 Council has been consistent in its support of the establishment of Māori Wards and a fair process in which establishment can be enabled. A Council decision to retain its Takitimu Māori ward would support Māori participation in local decision-making and elections and confirm its initial decision to establish Māori wards following comprehensive community consultation.
- 1.6 On May 8, 2024, the Heretaunga Takoto Noa Māori Standing Committee resolved that the Committee wants to retain the Takitimu Māori Ward.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Retention of the Takitimu Māori Ward dated 23 May 2024.
- B) That Council resolve to retain its Takitimu Māori Ward.
- C) Council notes the Heretaunga Takoto Noa Māori Standing Committee at its meeting on 8 May 2024 resolved that the Committee wants to retain the Takitimu Māori Ward.

3.0 Background – Te Horopaki

3.1 Legislative Background

3.2 The Local Electoral Act 2001 (LEA) provides for the establishment of one or more Māori Wards aimed at increasing Māori representation and participation in local authority decision-making.

3.3 The intent of the Local Electoral (Māori Wards and Māori Constituencies) Amendment Act 2021 was to:

- Align the treatment of Māori Wards and Māori constituencies with the treatment of general wards and general constituencies as much as possible; and
- Remove all mechanisms for binding polls to be held on whether Māori Wards or Māori constituencies will be established; and
- Provide local authorities with an opportunity to make decisions on Māori wards and Māori constituencies, considering these changes, in time for the 2022 local elections.

3.4 To achieve this, the following changes were made to the LEA:

- Repeal of the provisions in the LEA that relate to polls on the establishment of Māori wards and constituencies.
- Prohibition of binding council-initiated polls on whether to establish Māori constituencies (while retaining the right for councils to initiate non-binding polls to gauge public sentiment).

3.5 The Government Proposals

3.6 The Government intends to proceed with legislative change with the result that any local authority that has established Māori wards or have resolved to establish Māori wards will have the option to disestablish those wards after the Bill's enactment and prior to the 2025 local body elections.

3.7 A disestablish decision would apply to the 2025 local elections and Council would either be required to complete a shortened Representation Review process by 10 April 2025 or revert to the most recent pre-Māori ward arrangements. Note these options are still to be confirmed via the Bill.

3.8 The Government has also announced that local authorities that opt to retain Māori wards will be required to hold a binding poll at the 2025 local elections if they established Māori wards without holding a poll. The result of that poll will take effect from the 2028 local elections and will be in place for 2 triennial elections (2028 and 2031).

3.9 Essentially, the proposals if enacted, will repeal the current legislation with respect to the establishment of Māori wards to re-instate the poll provisions for establishing Māori wards in place prior to 2021.

3.10 The Bill will restore the binding polls mechanism for the establishment of Māori wards. The binding poll mechanism was removed from the Local Electoral Act 2001 in 2021. Councils will be able to resolve to hold binding polls on Māori wards and people on the electoral roll will be able to petition

their council to hold one. Binding polls will be reinstated with the same policy settings as they were before 2021:

- A petition from 5% of electors on a council's roll at the last local elections will require the council to hold a binding poll;
- Any person on the electoral roll for a council will be able to vote;
- A simple majority will bind a council to an outcome; and
- The outcome of a poll will decide whether a council has Māori wards for the next two local government terms.
- The Bill will also remove the requirement under the Local Government Electoral Legislation Act 2023 for councils to consider Māori wards every six years during their representation reviews if they have not established Māori wards.

3.11 The proposed changes will affect 45 councils across the country, including Council which established Māori wards in accordance with the current provisions.

3.12 Indicative timeframes advised by the Department of Internal Affairs (DIA) are that the Local Government Electoral Legislation and Māori Wards and Constituencies Amendment Bill 2024 ('The Bill') will be introduced in late May 2024 with plans for enactment by July 2024. DIA advise that councils can provide feedback to DIA and the Minister of Local Government and there will be an opportunity to make submissions via a Select Committee process.

3.13 DIA also advise that in August/early September (after the legislation has been passed) councils can reverse their Māori wards decision by resolving to disestablish Māori wards (for councils which established the Māori wards for the 2022 election). A decision to disestablish would apply to the 2025 local elections. If there is no reversal those councils must hold a poll at the 2025 election; with the outcome to apply from 2028.

3.14 *Hastings District Council and Māori Wards*

3.15 The Hastings District Council resolved to establish Māori wards on 18 May 2021. This decision was made following comprehensive public consultation and consideration.

3.16 The 2022 local body triennial elections included the election of Council's three inaugural Māori ward councillors for one single 'Takitimu' Māori Ward covering the entire Hastings District.

3.17 *Hastings District Council's Response to Government Announcements regarding Māori Wards*

3.18 On 23 April 2024, Mayor Hazlehurst wrote to the two local Members of Parliament; Ms Catherine Wedd (Tukituki) and Ms Katie Nimon (Napier) outlining Council's concerns with the Government proposals. A copy of that letter is attached (**Attachment 1**).

3.19 On May 8, 2024, the Heretaunga Takoto Noa Māori Standing Committee received a report summarising the recent government announcements regarding proposed changes to the process for the establishment of Māori wards within Local Government. With respect to this report the Committee made the following unanimous resolutions:

Tom Keefe/Elizabeth Waiwiri-Hunt

A) That the Heretaunga Takoto Noa Māori Standing Committee Meeting receive the report titled Government Announcements regarding Māori Wards dated 8 May 2024.

B) That the Committee wish to retain the Takitimu Māori Ward.

3.20 On 20 May 2024, Local Government New Zealand and Mayors and Chairs around New Zealand signed a letter to the Government outlining opposition to the changes the Government is proposing to Māori wards and constituency poll provisions. Mayor Hazlehurst has signed this letter on behalf of Council. A copy of that letter is attached. (**Attachment 2**).

4.0 Discussion – *Te Matapakitanga*

- 4.1 Council has been consistent in its support of the establishment of Māori wards and a fair process in which these can be established.
- 4.2 With the Heretaunga Takoto Noa Māori Standing Committee confirming their support to retain the Takitimu Māori ward it is an opportune time for the Council to also signal its position ahead of proposed legislative changes.

5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Council resolves to retain Māori wards for Hastings District Council

Advantages

- Aligns with the previous decision by Council to establish Māori wards, which was informed by comprehensive community consultation and engagement.
- Supports the important contributions that Māori are making to local government.
- Supports Māori participation in local decision-making and elections.
- Supports the relationships that Council has with mana whenua.

Disadvantages

- Officers have not identified any disadvantages with this decision.

- 5.2 Option Two – Disestablish Māori Wards – Te Kōwhiringa Tuarua

Advantages

- Officers have not identified any advantages with this decision.

Disadvantages

- The advantages detailed in 5.1 would be forgone.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 Officers will monitor Crown decisions re legislative changes affecting Māori wards and Report to Council as required, including opportunities to submit to any legislative processes.
- 6.1 Should Council resolve to retain its Māori ward, Council will (pending legislative enactment) be required to hold a binding poll at the 2025 local elections. The result of that poll will take effect from the 2028 local elections and will be in place for 2 triennial elections (2028 and 2031).
- 6.2 Should Council consider that it may not wish to retain its Māori ward a report will be written for Council's consideration following the Bill's enactment in August/early September that will seek a decision regards the retention or disestablishment of Māori wards for Council. A disestablish decision will apply to the 2025 local elections.

Attachments:

1⇒	Letter from Mayor of Hastings to Local MPs - Māori Wards	CG-17-5-00030	Under Separate Cover
2⇒	Draft - letter from LGNZ Mayors and Chairs on Māori wards and constituencies	CG-17-1-00888	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, economic, environmental, and cultural wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Māori wards support the provision of fair representation for Māori and honour the principles of the Treaty of Waitangi, including the principles of participation and partnership. The Takitimu Māori Ward supports Māori participation in decision-making and elections.

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

If the Council decides to retain its Māori ward, the indicative cost of a Poll is \$75,000. This does not include any communication strategy that Council may deliver in support.

A decision to disestablish its Māori ward may trigger the need for a shortened Representation Review that is likely to incur costs of a similar indicative amount.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

Hastings District Council established Māori Wards on 18 May 2021. This decision was made following comprehensive public consultation and engagement between 23 April and 12 May 2021. It was publicised across print, social media, traditional media channels, on Council's website, through flyers to rural areas that may not have online or receive print newspapers, and hard copies and submission boxes were made available at the Council Customer Services Centre, libraries and community centres. The consultation also included hui and kāhohi ki te kāhohi (face to face) meetings.

In total 2089 responses were received with 76 per cent in support of establishing Māori Wards and 24 per cent against. Those in support said Māori Wards would honour Te Tiriti O Waitangi, acknowledge

mana whenua, ensure a Māori perspective in the Council Chamber, remove barriers for representation, and improve working relationships.

Risks

Opportunity: To confirm Council's decision to retain its Takitimu Māori Ward.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<p>Shows Council's continued commitment to the retention of Māori Wards.</p> <p>Allows Council to actively participate in the Select Committee process and strongly advocate for a fair process to establish Māori wards.</p> <p>Supports positive relationships with Mana Whenua.</p> <p>Supports Māori participation in decision-making and elections.</p>	<p>None identified.</p>

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

Officers have not consulted the Rural Community Board on this report; however, the Board were involved in the initial Council decision to establish Māori Wards in 2021.

Thursday, 23 May 2024

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

Item 16

Te Rārangi Take

Report to Council

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

Te Take: **2024 Local Government New Zealand Conference, AGM and Remit**
Subject: **Process**

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

- 1.1 The purpose of this report is to: nominate Councillors for attendance at the 2024 Local Government New Zealand (LGNZ) Conference and Excellence Awards to be held at Tākina Convention Centre in Wellington from Wednesday 21 – 23 August. The LGNZ Annual General Meeting (AGM) is also taking place on the 21st of August.
- 1.2 LGNZ has invited elected members of all councils to submit a remit to the LGNZ AGM. It is not proposed that Council submit a remit to the AGM this year.
- 1.3 Prior to the LGNZ AGM, other councils from around the country may seek support from Hastings District Council for their respective remits to proceed to the AGM for consideration. This report recommends that Council delegate to Mayor Hazlehurst the authority to provide Hastings District Council's support for any remits where this is sought.

Conference

- 1.4 LGNZ's 2024 AGM will be held in person on Wednesday 21 August at Tākina Convention Centre in Wellington, ahead of the LGNZ Conference opening later that afternoon and concluding on 23 August. Further details on this event can be viewed on the Conference website – lgnzconference.co.nz.
- 1.5 This year the Conference is shining a light on localism – using local knowledge and power to tackle unique challenges and opportunities in cities, districts, and regions across the country. The proposed Programme includes a range of speakers; panel discussions and topics related to the purposes of local government.
- 1.6 In recent years the Council has generally agreed on three or four councillors to accompany the Mayor and Chief Executive to the conference. To manage costs it is recommended that two Councillors attend the conference this year.

1.7 Last year, Council agreed that the following Councillors accompany the Mayor and Chief Executive to last year's LGNZ Conference: -

- Councillor Dixon
- Councillor Buddo
- Councillor Schollum
- Councillor Harvey (Alternate)
- Councillor Jessup

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled 2024 Local Government New Zealand Conference, AGM and Remit Process dated 23 May 2024.
- B) That Council delegate to the Mayor the authority to support other council's remits on behalf of Hastings District Council to allow these to proceed to the LGNZ AGM for consideration.
- C) That the following two Councillors accompany the Mayor (Presiding Delegate) and attend the LGNZ Conference to be held 21 – 23 August and Annual General Meeting to be held in person on 21 August.

Councillors

Councillor (Alternate)

Chief Executive (Second Alternate).

Attachments:

There are no attachments for this report.

Thursday, 23 May 2024

Item 17

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 March 2024 to 20 April 2024 and the status of those requests as at the 20 April 2024.
- 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 23 May 2024.
- B) That the LGOIMA requests received from 21 March 2024 to 20 April 2024, as set out in **Attachment 1** of the report be noted.

Attachments:

1 [LGOIMA Report 21 March - 20 April 2024](#)

CG-17-1-00887

Local Government Official Information and Meetings Act 1987

LGOIMA – Report to Council – 21 March 2024 – 20 April 2024

	Requests Received	Responses to requests	Responses with information fully released	Responses with information partially withheld	Responses with information fully withheld or declined	Average number of working days to respond	Requests resulting in a complaint to Ombudsman
	20	17	15	0	2	9.5	0

Requests received since last reported to Council

Completed	17		
Outstanding	3		
Month	From	Subject	Estimated Time(hours)
From 21 March 2024	Jenna Ward, HBDHB	Flaxmere demographics	1.5
	Sheryl Smith, Langley Twigg	Waiohiki 1D2B6B2C	1
	Hannah Clow, Free Speech Union	Rainbow Storytime Event	
April	Nicole Bidart, Pattle Delamore Partners	918 Gordon Road	1.5
	Dan Tosswill	Youth support	2
	Sue Grey	Fluoridation	2
	David Renouf	Lights on during the day	1.5
	Sunita, Haus of Flash	Rainbow Storytime Event	3
	Sebastian Nilsson, Ray White	37 Gillies Crescent, Waimarama	1
	Anusha Bradley, Radio NZ	Racing in Maraekakaho	1
	Shane Aitchison, Opal Kiwi Packaging	1249 Ada Street	1
	Jessica Maxwell	Dam Safety Assurance Programme	
	Jessica Maxwell	2012 Annual Plan Safety Review	Declined
	Mary Byrne	Fluoridation	
	Antony DeGreat	Rainbow Events since 2015	2
	Chris Lord, Height Project Management	Council/Public pools	1
	Mark Atkin	Fluoride	2
	Sean Rush	Tonkin & Taylor Report	Declined
	Katie Fitzgerald, Radio NZ	Mayor’s Uber usage	1
	Kerry Dillon	Usage of te reo	2

Month	From	Subject	Estimated Time(hours)
	Jessica Maxwell	Havelock North spillways	
	Steve Norman	Fluoride	2

Thursday, 23 May 2024

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

Item 18

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 23 May 2024.
- B) That Council adopt changes to the 2024 Schedule of Meetings as follows:

To: Thursday 1 August 2024, 9am (Was 6 June 2024)	Meeting Postponed	Strategy and Recovery Committee
Thursday 20 August 2024	Meeting Cancelled	Strategy and Recovery Committee

Attachments:

There are no attachments for this report.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 23 MAY 2024

Item 21

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:

22 Commercial Transaction

23 Tōmoana Showgrounds Charitable Trust establishment and Trustee appointment

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>
22 Commercial Transaction	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. Commercially Sensitive.	Section 48(1)(a)(i) Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.
23 Tōmoana Showgrounds Charitable Trust establishment and Trustee appointment	Section 7 (2) (a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. to protect the individual recommended in the report and enable Council to have a free and frank discussion on the appointees merits..	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.