

Thursday, 23 May 2024

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

Ngā Minitī

Minutes

Te Rā Hui:
Meeting date: **Thursday, 23 May 2024**

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

Time start - end **1.00pm – 4.04pm**

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

Ngā Minitī

Minutes

Te Rārangi Upoko

Table of Contents

Item	Page No.
1. Opening prayer - <i>Karakia</i>	2
2. Apologies & Leave of Absence - <i>Ngā Whakapāhatanga me te Wehenga ā-Hui</i>	2
3. Conflicts of Interest - <i>He Ngākau Kōnatunatu</i>	2
4. Confirmation of Minutes - <i>Te Whakamana i Ngā Minitī</i>	2
5. Mayor's Verbal Update	2
6. Te Hā o Waiaroha	3
7. Funding - Arts Inc. Heretaunga	3
8. Closure of Paper Road - Okawa	4
9. Traffic and Parking Controls	4
10. Category 3 Voluntary Property Buy-out - Timeframe for Programme Completion	6
11. Approval for Waiving Land Covenant - Waingākau Village	7
13. Waiver of Building / Resource Consent Fees for Cyclone Recovery Residential Building Work	7
12. Submission on the Fast Track Approvals Bill	8
14. Appointment of External Independent Commissioner to Plan Change 6 - Category 3 Landowner Lifestyle Subdivision Provisions	8
15. Retention of the Takitimu Māori Ward	8
16. 2024 Local Government New Zealand Conference, AGM and Remit Process	9
17. Requests Received Under The Local Government Official Information and Meetings Act 1987 (LGOIMA) Update	9

18.	Proposed Amendments To Schedule Of Meetings	10
19.	Minor Items - <i>Ngā Take Iti</i>	10
20.	Urgent Items - <i>Ngā Take Whakahihiri</i>	10
21.	Recommendation to Exclude the Public from Items 22 and 23	10

Thursday, 23 May 2024

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

Ngā Minitī

Minutes

Kua Tae ā-tinana: **Chair - Tiamana:** Mayor Sandra Hazlehurst
Present: **Councillors - 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

Kua Tatū:
In attendance: Chief Executive - Nigel Bickle
Deputy Chief Executive - Bruce Allan
Group Manager: Planning and Regulatory Services - John O'Shaughnessy
Group Manager: Strategy and Development – Craig Cameron
Group Manager: Community Wellbeing and Services – Rebekah Dinwoodie
Group Manager: Marketing and Communications – Naomi Fergusson
General Counsel – Scott Smith
Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness and Heritage – Petera Hakiwai
Principal Advisor: Relationships, Responsiveness and Heritage – Charlie Ropitini
Director – Growth and Development – Raoul Oosterkamp
Manager – Arts and Culture – Megan Peacock-Coyle
Communities Strategies Manager – Emma Morgan
Community Grants and Partnerships Advisor – Kev Carter
Transportation Policy and Planning Manager – Bruce Conaghan
Manager – Recovery and Special Projects – Gus Charteris
Manager 'Business Projects' Planning and Delivery – Dean Ferguson
Manager Residential and Commercial Development – Jennifer Bainbridge
Strategic Policy and Evaluation Advisor – Paige Gear
Senior Environmental Planner Policy (Special Projects) – Anna Sanders
Building Consents Manager – Tony Manunui
Environmental Policy Manager – Rowan Wallis
Manager: Democracy and Governance Services – Louise Stettner
Democracy and Governance Advisor – Lynne Cox
Democracy and Governance Advisor – Caitlyn Dine

Kei Konei: Mike Paku (Chair of the Heretaunga Takoto Noa Māori Committee) – item 6
Also present: Honey-Lee Blakeney-Cabot (Piki Projects) – item 6
Jade Baker and John Eaden - Arts Inc Heretaunga – item 7

1. OPENING PRAYER - KARAKIA

The opening prayer was given by the Principal Advisor: Relationships, Responsiveness and Heritage, Charlie Ropitini.

2. APOLOGIES & LEAVE OF ABSENCE - NGĀ WHAKAPĀHATANGA ME TE WEHENGĀ Ā-HUI

Mayor Hazlehurst/Councillor Apatu

That Leave of Absence be granted to Councillor Watkins for 17 July to 19 July.

CARRIED

3. CONFLICTS OF INTEREST - HE NGĀKAU KŌNATUNATU

Councillor Apatu declared a conflict of interest in relation to Item 7 and left the table when this item was addressed.

Mayor Sandra Hazlehurst declared a conflict of interest in relation to Item 23 and left the room when this item was addressed.

4. CONFIRMATION OF MINUTES - TE WHAKAMANA I NGĀ MINITI

Councillor Watkins/Councillor Dixon

That the minutes of the Council Meeting held Thursday 18 April 2024 be confirmed as an accurate record.

CARRIED

Councillor Watkins/Councillor Dixon

That the minutes of the Council Meeting held Tuesday 30 April 2024 be confirmed as an accurate record.

CARRIED

5. MAYOR'S VERBAL UPDATE

(Document ref 24/76)

Mayor Hazlehurst gave a verbal overview of the events and activities in the Hastings District over the past month.

Mayor Hazlehurst/Councillor Schollum

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

CARRIED

6. TE HĀ O WAIAROHA

(Document ref 24/185)

Chair of the Heretaunga Takoto Noa Māori Committee, Mike Paku, spoke to the report and responded to questions from the meeting.

Councillor Jessup/Councillor Apatu

- 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.

CARRIED

7. FUNDING - ARTS INC. HERETAUNGA

(Document ref 24/105)

Communities Strategy Manager, Emma Morgan and Manager Arts and Culture, Megan Peacock-Coyle introduced The General Manager of Arts Inc. Heretaunga, Jade Baker and President of the Arts Inc. Heretaunga Board, John Eaden, who spoke to the report and responded to questions from the meeting.

Councillor Apatu declared a conflict of interest in relation to item 7 and left the table for this item.

The meeting adjourned at 1.55pm

And resumed at 2.01pm

Councillor Dixon/Councillor Nixon

- 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 AHI will be reflected in future funding contracts with AIH as appropriate and relevant.
- E) Council notes that the \$120,000 primarily allocated to support delivery of the Arts Festival (annual allocation for 3 years with a whole of contract commitment of \$360,000) in Recommendation B for delivery of events, is subject to Council approval of a Business Plan which details the events programme and expected outcomes. A future Council decision may amend the \$120,000 funding allocation. This Council approval will inform the Chief Executives delegation in Recommendation C).

CARRIED

8. CLOSURE OF PAPER ROAD - OKAWA

(Document ref 24/163)

Councillor Kerr/Councillor Buddo

- 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.

CARRIED

9. TRAFFIC AND PARKING CONTROLS

(Document ref 24/195)

Transportation Policy and Planning Manager, Bruce Conaghan spoke to the report and responded to questions from the meeting.

Councillor Buddo/Councillor Watkins

- 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 kerblines 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.

CARRIED

10. CATEGORY 3 VOLUNTARY PROPERTY BUY-OUT - TIMEFRAME FOR PROGRAMME COMPLETION

(Document ref 24/166)

Manager Recovery and Special Projects, Gus Charteris, spoke to the report and responded to questions from the meeting.

Councillor Schollum/Councillor Apatu

- 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.

CARRIED

11. APPROVAL FOR WAIVING LAND COVENANT - WAINGĀKAU VILLAGE

(Document ref 24/165)

Councillor Watkins/Councillor Lawson

- 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.

CARRIED

The meeting agreed to take item 13 out of order.

13. WAIVER OF BUILDING / RESOURCE CONSENT FEES FOR CYCLONE RECOVERY RESIDENTIAL BUILDING WORK

(Document ref 24/162)

Officers distributed during the meeting an update on Fee Waivers for Building / Resource Consents, which provided a breakdown of costs (attached as CG-17-1-00963).

Councillor Kerr/Councillor Corban

- 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.

CARRIED

Attachments

- 1 Update on Fee Waiver's for Building / Resource Consents (CG-17-1-00963)

12. SUBMISSION ON THE FAST TRACK APPROVALS BILL

(Document ref 24/141)

Councillor Schollum/Councillor Apatu

- 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.

CARRIED

14. APPOINTMENT OF EXTERNAL INDEPENDENT COMMISSIONER TO PLAN CHANGE 6 - CATEGORY 3 LANDOWNER LIFESTYLE SUBDIVISION PROVISIONS

(Document ref 24/175)

Councillor Kerr/Councillor Buddo

- 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.

CARRIED

Meeting adjourned at 2.34pm

And resumed at 2.46pm

15. RETENTION OF THE TAKITIMU MĀORI WARD

(Document ref 24/196)

Mayor Sandra Hazlehurst spoke to the report and the importance of retaining the Takitimu Māori Ward.

Mayor Hazlehurst/Councillor Schollum

- 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.

CARRIED

16. 2024 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE, AGM AND REMIT PROCESS

(Document ref 24/169)

It was noted at the meeting that the Rural Community Board Chair Jonathan Stockley and Deputy Chair Isabelle Crawshaw will be attending the Local Government Community Board Conference.

Councillor Dixon/Councillor Jessup

- 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.

Councillor Henry Heke

Councillor Ana Apatu

Chief Executive (Second Alternate).

CARRIED

17. REQUESTS RECEIVED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 (LGOIMA) UPDATE

(Document ref 24/159)

Manager Democracy and Governance Services, Louise Stettner, responded to questions from the meeting.

Councillor Kerr/Councillor Harvey

- 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.

CARRIED

18. PROPOSED AMENDMENTS TO SCHEDULE OF MEETINGS

(Document ref 24/179)

Councillor Kerr/Councillor Schollum

- 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
Tuesday 28 May 2024, 2pm (Was 3pm)	Change of Start Time	Council

CARRIED

19. MINOR ITEMS - NGĀ TAKE ITI

There were no additional business items.

20. URGENT ITEMS - NGĀ TAKE WHAKAHIHIRI

There were no extraordinary business items.

21 RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 22 AND 23

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Watkins/Councillor Dixon

THAT the public now be excluded from the following parts 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.

CARRIED

The meeting closed at 4.04pm

Confirmed:

Chairman:

Date: