

Tuesday, 27 August 2024

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

*Ngā Minitī*

# Minutes

*Te Rā Hui:*  
Meeting date: **Tuesday, 27 August 2024**

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

Time start - end **9.30am – 12.05pm**

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# Minutes

*Te Rārangi Upoko*

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*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, Hana Montaperto-Hendry, Wendy Schollum, Heather Te Au-Skipworth and Kevin Watkins

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*Kua Tatū:*  
**In attendance:** Chief Executive - Nigel Bickle  
Deputy Chief Executive - Bruce Allan  
Group Manager: Democracy and Strategy – Craig Cameron  
Group Manager: Marketing and Communications – Naomi Fergusson  
Acting Group Manager: Planning and Regulatory – Caleb Sutton  
Chief Financial Officer – Graham Watson  
POU AHUREA MATUA: Principal Advisor: Relationships, Responsiveness and Heritage – Petera Hakiwai  
Manager: Democracy and Governance Services – Louise Stettner  
Democracy and Governance Advisor – Caitlyn Dine  
Senior Advisor: Democracy and Governance – Lynne Cox

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*Kei Konei:*  
**Also present:** Jill McDonald – St Andrew’s Hastings  
Bayden Barber – Chair of the Ngāti Kahungunu Iwi Incorporated Board  
Mike Paku – Chair of the Heretaunga Takoto Noa Māori Standing Committee and Chair of Te Taiwhenua o Heretaunga  
Henare O’Keefe – Hastings Ambassador  
Tania Hopmans (via zoom) – Chair of the Maungaharuru-Tangitū Trust  
Members of the public were also present in the gallery  
Jade Baker, Jude Minor and John Eaden – Item 6

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## 1. OPENING PRAYER - *KARAKIA*

The opening prayer was given by Jill McDonald from St Andrew's Hastings.

POU AHUREA MATUA: Principal Advisor: Relationships, Responsiveness and Heritage, Petera Hakiwai delivered a mihi.

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

Mayor Hazlehurst/Councillor Apatu

That the apologies for absence from Councillor Nixon be accepted.

That leave of absence be granted to:

Councillor Jessup from 30 August to 2 September 2024

Councillor Montaperto-Hendry from 30 October to 1 November 2024

CARRIED

## 3. CONFLICTS OF INTEREST - *HE NGĀKAU KŌNATUNATU*

Councillor Apatu declared a conflict of interest in relation to Item 6.

Councillor Harvey declared a conflict of interest in relation to Public Excluded Items 11 and 13.

Councillor Lawson declared a conflict of interest in relation to Public Excluded Item 11.

## 4. CONFIRMATION OF MINUTES - *TE WHAKAMANA I NGĀ MINITI*

There were no minutes confirmed.

## 5. MĀORI WARD DECISION

(Document ref 24/369)

Mayor Hazlehurst welcomed everyone to the meeting, including Bayden Barber and Mike Paku.

The Mayor addressed the meeting and acknowledged the inaugural Takitimu Māori Ward Councillors, Councillor Ana Apatu, Councillor Kellie Jessup, Councillor Heather Te Au-Skipworth and previous Councillor Renata Nepe.

Chief Executive, Nigel Bickle and Manager, Democracy and Governance Services, Louise Stettner, spoke to the report and responded to questions from the meeting.

Councillors Te Au-Skipworth, Schollum, Kerr, Harvey, Jessup, Watkins and Heke addressed the meeting.

Bayden Barber, Tania Hopmans (via zoom) and Mike Paku addressed the meeting.

Councillor Te Au-Skipworth/Councillor Harvey

- A) That Council receive the report titled Māori Ward Decision dated 27 August 2024.
- B) Council notes that it understands the spectrum of views held by the community with respect to Māori Wards, from consultation processes with the community in 2021 and leading into 2022.
- 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.
- D) Council notes that a resolution to affirm retention of Council's Takitimu Māori Ward will result in a Binding Poll alongside the 2025 election.
- E) Council notes that a resolution to disestablish Council's Takitimu Māori Ward means that Council will need to resolve how representation arrangements for the 2025 Election will be set, - either revert to the 2019 Election arrangements OR undertake a shortened Representation Review under the Local Electoral Act 2001.
- F) That the Council resolve to:
- G) Retain the Takitimu Māori Ward for the 2025 Local Government Election.
- H) That Council delegate the Chief Executive to seek advice regards Council:
  - Resolving not to administer a Binding Poll regards retention of Māori Wards in parallel with the 2025 Local Government Elections.
  - Participating in the collective actions of New Zealand Territorial Local Authorities to petition the Crown seeking equal treatment of Māori and not requiring Binding Polls as a pre requisite for Māori representation in Local Government in New Zealand.

CARRIED

The meeting adjourned at 10.40am

And resumed at 11.01am

## **6. ARTS INC. HERETAUNGA BUSINESS PLAN - HAWKE'S BAY ARTS FESTIVAL**

(Document 24/375)

Councillor Apatu declared a conflict of interest in relation to item 6 and left the table for discussion of this item.

Group Manager: Marketing and Communications, Naomi Fergusson, spoke to the report and responded to questions from the meeting.

It was noted that in paragraph 4.8.6 of the report, that due to the timing of this funding decision there would be one festival delivered in 2025 and pending continued funding a second smaller festival in 2026, there will be no event delivered in 2024.

Councillor Dixon/Councillor Fowler

- A) That Council receive the report titled Arts Inc. Heretaunga Business Plan - Hawke's Bay Arts Festival dated 27 August 2024.
- B) That Council uplift the report titled Arts Inc. Heretaunga Business Plan – Hawke's Bay Arts Festival which was 'left to lie on the table and not further discussed at the meeting' per section

25.2 (d) of the Hastings District Council Standing Orders at the Council meeting on Thursday 8 August 2024.

- C) That Council notes it’s resolution from the Council Meeting held on 23 May 2024, in respect of Agenda Item 7 ‘Funding - Arts Inc. Heretaunga’ (AIH) namely - *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).*
- D) That Council approve the AIH Business Plan detailing the events programme and expected outcomes of the Hawke’s Bay Arts Festival. (Attached as Attachment 3).
- E) That Council approves a grant of \$120,000 annually for two financial years (2024/25 to 2025/2026 from the Events budget) to support the delivery of the biennial Hawke’s Bay Arts Festival.
- F) That Council delegate and direct the Chief Executive to execute a Contract for Service between Council and AIH, which addresses Section 17A (5) of the Local Government Act 2002 relating to Council funding. This Contract will have clear milestones and performance measures for the Festival with associated phased disbursement of funds. Subject to adherence to Contract Dispute Resolution processes, Council will be able to cancel the Contract for non-achievement of milestones, thus mitigating any future funding risks.
- G) That Council notes the Chief Executive will ensure Council Officers actively manage the Contract for Service in Recommendation F to protect Council interests and help ensure AIH sustainability and delivery of sought after Festival outcomes.

CARRIED

## 7. PROPOSED AMENDMENTS TO SCHEDULE OF MEETINGS

(Document ref 24/385)

Mayor Hazlehurst/Councillor Kerr

- A) That Council receive the report titled Proposed Amendments To Schedule Of Meetings dated 27 August 2024.
- B) That Council adopt changes to the 2024 Schedule of Meetings as follows:

From Friday 20 September 2024, 10:30am  To  Monday 7 October 2024, 1pm  Council Chamber	Postponement	Joint Waste Futures Project Steering Committee
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Thursday 19 September 2024, 1pm Council Chamber	New Meeting	Council
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CARRIED

**8. MINOR ITEMS - NGĀ TAKE ITI**

There were no additional business items.

**9. URGENT ITEMS - NGĀ TAKE WHAKAHIHIRI**

There were no extraordinary business items.

**10 RECOMMENDATION TO EXCLUDE THE PUBLIC FROM ITEMS 11, 12, 13 AND 14**

SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Councillor Kerr/Councillor Schollum

**THAT the public now be excluded from the following parts of the meeting, namely;**

**11 Brookvale Development Agreements & Land Acquisition**

**12 Flaxmere Commercial Transaction**

**13 Wairatahi Development Agreement**

**14 Puketapu Bridge Replacement - Approval of Separable Portion 4 of the Contract**

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>
<b>11 Brookvale Development Agreements &amp; Land Acquisition</b>	<b>Section 7 (2) (i)</b> The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	<b>Section 48(1)(a)(i)</b> Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

		To protect ongoing third party negotiations.	
<b>12</b>	<b>Flaxmere Commercial Transaction</b>	<b>Section 7 (2) (i)</b>  The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  To enable completion of sale and purchase negotiations..	<b>Section 48(1)(a)(i)</b>  Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.
<b>13</b>	<b>Wairatahi Development Agreement</b>	<b>Section 7 (2) (i)</b>  The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  To protect third party negotiations.	<b>Section 48(1)(a)(i)</b>  Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.
<b>14</b>	<b>Puketapu Bridge Replacement - Approval of Separable Portion 4 of the Contract</b>	<b>Section 7 (2) (h)</b>  The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.  Commercially Sensitive Information.	<b>Section 48(1)(a)(i)</b>  Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.

CARRIED

The meeting closed at 12.05pm

Confirmed:

Chairman:

Date: