

Thursday, 27 June 2024

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

Kaupapataka
Agenda

Te Rā Hui:
Meeting date: **Thursday, 27 June 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, 27 June 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, Hana Montaperto-Hendry, Simon Nixon, Wendy Schollum, Heather Te Au-Skipworth and Kevin Watkins

Tokamatua:

Quorum:

8 members

Apiha Matua

Officer Responsible:

Chief Executive – Nigel Bickle

*Te Rōpū Manapori me te
Kāwanatanga*

Democracy and

Governance Services:

Louise Stettner (Extn 5543)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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

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

Leave of Absence had previously been granted to Councillor Heke

3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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

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

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

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

Minutes to be circulated.

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| 18.0 | Recommendation to Exclude the Public from Items 19, 20, 21, 22, 23, 24 and 25 | 63 |
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19.0 Civic Honours Nominations 2024

20.0 Proposal to lease Property

21.0 305 Heretaunga Street East

22.0 Kererū Gorge Culvert Replacement - Procurement Methodology

23.0 Appointment of Independent Chair to Risk and Assurance Committee

24.0 Flaxmere Commercial Transaction

Appointments to Cyclone Gabrielle Recovery Road Infrastructure Works
**25.0 Suppliers Panel & Award of the Contract Package of Work for Taihape Road
Slip Remedial Works**

Thursday, 27 June 2024

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 27 June 2024.

Attachments:

There are no attachments for this report.

Thursday, 27 June 2024

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

Te Rārangi Take

Report to Council

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

Te Take: Recommendation to Make The Hastings District Plan Fully
Subject: Operative

1.0 Executive Summary - Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The Resource Management Act 1991 (RMA) requires Council to have a District Plan (Plan) to manage the physical and natural environment. The Plan guides how Hastings District's land and resources can be used, developed, or protected, to avoid or lessen the impact of any adverse effects. It sets out the rules and standards for land uses in Hastings District.
- 1.2 The Drafting of the District Plan and ongoing Review of the Plan is a continuous and substantial Council strategic project which is managed by the Environmental Policy Team of Council.
- 1.3 While the Plan is going through the review process it is referred to as the "Proposed District Plan" When a plan is proposed the Resource Management Act provides an opportunity at the notification stage for any member of the community to make submissions on the plan. The Council's decisions on the submissions are then able to be appealed. Once all the appeals on a plan are settled, the Council must make the Plan operative. Once the plan is made operative this initiates a 10-year period within which the plan must be reviewed again.
- 1.4 47 Appeals received by the Environment Court in respect of the District Plan have now been resolved. The last Appeal, lodged by Maungaharuru Tangitū Trust was recently settled and signed off by the Environment Court.
- 1.5 Clause 17 of Schedule 1 of the Resource Management Act (RMA) 1991, allows Council to approve all (or part) of a plan when it is beyond challenge by submission or appeal.
- 1.6 This Report recommends:
 - Council makes the Proposed Hastings District Plan (includes both text and maps) fully operative.
 - The Chief Executive is directed to carry out requisite procedural steps to make the Plan operative including public notification and affixing of the Council Common Seal.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receives the report titled Recommendation to Make The Hastings District Plan Fully Operative dated 27 June 2024.
- B) That Council adopt the Decisions Version of the Proposed Hastings District Plan 2015 with amendments and the Environment Court consent order for ENV-2015-WLG-000054 (Maungaharuru Tangitū Trust) as it applies to Section 16.1 'Wāhi Taonga District Wide Activity'.
- C) That Council makes the entire Hastings District Plan fully operative in accordance with Clause 17 Schedule 1 of the Resource Management Act 1991.
- D) That Council directs the Chief Executive to carry out requisite procedural steps to make the Plan operative including public notification and affixing of the Council Common Seal

3.0 Background - Te Horopaki

- 3.1 The District Plan is a legal document, prepared every 10 years in accordance with the Resource Management Act 1991 (RMA). The RMA requires Council to have a District Plan to manage the physical and natural environment. The Plan guides how the Hastings District's land and resources can be used, developed, or protected, to avoid or lessen the impact of any adverse effects. It sets out the rules and standards for land uses in Hastings District.
- 3.2 The Environmental Policy Team (EPT) began reviewing the entire District Plan in the 2012 / 2013 Council year with the proposed District Plan being publicly notified for submissions in 2013. A total of 838 written original and further submissions were received on the Proposed Plan. Oral and written submissions were considered by the Hearings Panel.
- 3.3 In September 2015, the Proposed Plan as amended by decisions on submissions by the Hearings Panel, was adopted for public notification by Council. Notification of these decisions resulted in 47 Appeals to the Environment Court. The Appeals related to specific plan provisions and some submissions sought rezonings for specific sites.
- 3.4 The appeals process including decisions is managed entirely by the Environment Court. Council is automatically a party to the proceedings. The Court encourages appeals to be mediated.
- 3.5 Council's Environmental Policy Team have been working with Parties since 2015 seeking a satisfactory outcome for the 47 Appeals and reporting on progress to the Environment Court.
- 3.6 Officers, along with legal support, have been made available to the Court to attend mediations and hearings, discuss or clarify matters in the Hearing reports, provide evidence, and offer any other relevant information requested.
- 3.7 Council at its Meeting on 20 February 2020 resolved:

'That the Council approve the Decisions Version of the Proposed Hastings District Plan 2015 for partial adoption, with amendments as per Environment Court consent orders for public notification on 12 March 2020 in accordance with Clause 17 Schedule 1 of the Resource Management Act 1991. The exclusion relates to the appeal by Maungaharuru Tangitū Trust and Section 16.1 'Wāhi Taonga District Wide Activity'.
- 3.8 The appeal by Maungaharuru Tangitū Trust related to Section 16.1 of the Plan 'Wāhi Taonga District Wide Activity' and associated appendices.

3.9 Council and Maungaharuru Tangitū Trust have worked collaboratively on resolving this Appeal. This work has resulted in the inclusion of additional Wāhi Taonga sites to the District Plan together with a set of Plan provisions which sit alongside these sites of cultural value.

4.0 Discussion – *Te Matapakitanga*

- 4.1 The RMA requires Council to have a District Plan.
- 4.2 The final decision on Appeals is made by the Environment Court with it issuing a Consent Order. The content of the Consent Orders is what determines any changes to the Proposed District Plan.
- 4.3 Clause 17 of Schedule 1 of the RMA allows Council to approve all or part of the Plan when it is beyond challenge by submission or appeal.
- 4.4 All appeals have been resolved so Council can now consider making the Proposed Hastings District Plan fully operative.

5.0 Options – *Ngā Kōwhiringa*

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

5.1 Make the Hasting District Plan Fully Operative

Advantages

- This is the culmination of the resolutions of all appeals reflects the decisions of the Environment Court.
- Meets the legislative requirements of the RMA.

Disadvantages

- Officers have not identified any disadvantages with this option.

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

Leave the Hastings District Plan in a Partially Operative State

Advantages

- Officers have not identified any advantages with this option and the advantages noted in 5.1 above would not be realised.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 If the recommendation is adopted, then under Clause 17, Schedule 1 of the Resource Management Act the Council Common Seal will be affixed to the District Plan giving effect to this decision.

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 decision contributes to the purpose of local government by the performance of a regulatory function through the provision of a District Plan which will help to create an attractive and healthy environment for people, promote the best use of natural resources and be responsive to community needs.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

A wāhi taonga identifies areas, places or sites that are significant to Māori. In this instance, the resolution of the Maungaharuru Tangitū Trust appeal involves appropriate recognition and protection of wāhi taonga sites of significance to their iwi.

Sustainability - *Te Toitūtanga*

Having an operative District Plan gives effect to the purpose and principles of the Resource Management Act which are to promote the sustainable management of natural and physical resources.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Costs have been provisioned for in operational 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 moderate significance.

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

No consultation is needed on this decision. Consultation and engagement occurred through the Hastings District Plan review and appeal processes.

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

The Rural Community Board was involved in the Hastings District Plan review process.

Attachments:

There are no attachments for this report.

Thursday, 27 June 2024

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

Item 7

Te Rārangi Take

Report to Council

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

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

1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga

- 1.1 Use of vehicles on Waimārama Beach is currently controlled by a Council bylaw.
- 1.2 This Report recommends Council amend the existing bylaw to reflect community feedback regards vehicles on Waimārama Beach (Beach).
- 1.3 Council has undertaken extensive informal consultation with communities of interest and received over 1200 items of feedback from the community. The feedback has a range of perspectives from banning vehicles completely to remaining with the current bylaw.
- 1.4 Council at its meeting on 14 March 2023 resolved;
 - 1) That Council note and endorse the Council Officers to continue engagement with all identified communities of interest for Waimārama Beach, around the options in Recommendation C, to assess if there is a majority community preference for a recommended pathway forward to improve management (via Bylaw amendments) of vehicle access on Waimārama Beach for the improved wellbeing of all communities of interest.
 - 2) Council notes the options in Recommendation B include Bylaws and effective enforcement;
 - The existing Hastings District Council Bylaw 2021 2.4.1 (a) (image 1)
 - Hastings District Council Bylaw 2021 2.4.1 (a) enacted permanently (365/6 days per year) (attachment 1)
 - Hastings District Council Bylaw enacted permanently and extended to south of the Tiakitai Road access point. (365/6 days per year) (Refer Attachment 2)
 - Hastings District Council Bylaw enacted permanently and extended to the beginning of the legal unformed road (Waipuka 2C1). (365/6 days per year) (Refer Attachment 3)
- 1.5 Officers have continued to engage with Beach communities of interest as required by the Council resolutions.

- 1.6 Over the last few years Officers have anecdotally detected a growing desire, within the community to limit vehicle access to the Beach. Consultation over the last year has indicated an increased desire for change compared to previous community engagement.
- 1.7 There is support both for a total ban of vehicles on the Beach, and for the current bylaw.
- 1.8 Despite the range of feedback, clear themes emerged regards public safety and environmental protection.
- 1.9 Officers are recommending amendments to the bylaw to address the emergent themes in 1.8 and support recreational usage of the Beach.
- 1.10 Officers recommend Council extend the bylaw to cover most of the Beach on a year-round basis, while making provision for vehicle access over designated parts of the Beach. The bylaw amendments are mapped and attached as (Attachment 5).
- 1.11 This option attempts to address;
- Adjoining landowners concerns about the impacts of vehicles damaging the environment and putting beach users' welfare at risk.
 - Recreation access where vehicles can drive onto the beach in the Tiakitai Road and Paparewa areas.
 - Beach user safety and environmental concerns by banning vehicles from most of the Beach.
- 1.12 The matter of enforcement is a concern for Beach users. Police enforce the Beach vehicle bylaw and the Beach is a road for the purpose of transport legislation. Police can have limited resources during their periods of peak demand and where other demands are more serious than vehicles on the Beach. The option in 1.11 may allow for simpler vehicle enforcement on the Beach with limited Police resources.
- 1.13 The recommended amendments to the bylaw, have not been specifically consulted on as an option. Officers recommend the amendment strikes a 'middle ground' in addressing matters discussed in 1.8 and 1.11.
- 1.14 The current bylaw provides a mechanism for Council to ban vehicles from parts of the beach by Council resolution. As such, Council can alter the time period and/or extent of the existing ban area via a new resolution without needing to create a new bylaw.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Waimārama Beach - Vehicle Access dated 27 June 2024.
- B) That Council adopt for community consultation the following option and draft resolution.
 - i. **Extend the vehicle ban from the southern end adjacent to the end of Harper Road going north to a point 1.7km north of Tiakitai Road year-round with specified Vehicle Restriction areas available for limited purposes (hybrid version):**

That pursuant to Hastings District Council's Consolidated Bylaws, Chapter 2 Public Places, Section 2.4.1(a), Council hereby prohibits the use of motor vehicles on a portion of Waimārama Beach as shown marked in the blue/ green hatched areas on the map below except for:

Blue area

Vehicles otherwise authorised by Council, including emergency services' vehicles, police vehicles and surf lifesaving vehicles.

Green area

Vehicles otherwise authorised by Council, including emergency services' vehicles, police vehicles and surf lifesaving vehicles.

Vehicles used solely for the purpose of recreational fishing, launching vessels, mobility card holders

Area that motor vehicles are prohibited (shown in blue and green hatched areas)



Legal description of vehicle prohibition area (blue hatched area)

The ban on the use of motorised vehicles on Waimārama beach extends between

The southern extremity, being the seaward extension of the southern boundary (on a bearing of 96° 39') of Lot 2 DP546089 at the end of Harper Road;

and

The northern extremity, being a line across the beach opposite the midpoint of the eastern (seaward) boundary of Waipuka 2C1 block.

Legal description of limited access area (green hatched area)

Southern green shaded area

That area of the beach extending from the seaward extension of the southern boundary of Waimārama 3A2 Block, northwards along the beach for 350 meters

Northern green shaded area (by Tiakitai Road)

That area of beach extending 250m north and 150m south of the seaward extension of the common boundary between Waimārama 2E block and Tiakitai Road (on a bearing of 116° 22'). The northern extent of this area is coincident with the seaward extension of the common boundary between Waimārama 2E and Waimārama 2F2 blocks.

C) That Council notes the current bylaw adopted by Council on July 25th 2013, to impose a partial ban of vehicles on a strip of Waimārama Beach provides a mechanism for Council to ban vehicles from parts of the beach by Council resolution. As such, Council can alter the time period and/or extent of the existing ban area via a new resolution without needing to create a new bylaw.

D) That Council directs the Chief Executive in respect of Recommendation B) to;

Publish the draft resolution and supporting material.

Directly notify per section 22AD(3) Land Transport Act 1998

- The occupiers of any properties adjoining the “road” (in this case the Beach) to which the proposed bylaw would apply; and
- Any affected local community; and
- The Commissioner of Police; and
- Any other organisation or road user group that the Council considers affected; and
- The New Zealand Transport Agency.

Ensure a two-week period is provided for people to make submissions.

Schedule a hearing if Council wishes to hear from people.

Summarise all submissions for consideration at a Council meeting.

- E) Council notes the Chief Executive will report back to Council on completion of Recommendations B) and D).

3.0 Background – *Te Horopaki*

- 3.1 For the last ten years, vehicles on Waimārama Beach have been and continue to be an issue of growing concern for many residents in Waimārama and the wider community.
- 3.2 In response to community concerns, Council, enacted a bylaw on July 25th 2013, to impose a partial ban of vehicles on a strip of Waimārama Beach largely adjacent to the beach frontage of the Waimārama Domain. This bylaw remains in effect. The Hastings District Council Bylaw 2021 2.4.1 (a) states “A person must not drive a vehicle on any part of the beach from which vehicles have been banned by a publicly notified resolution of Council.”
- 3.3 The current vehicle ban area is shown below (Image 1). The full notice states “Vehicles are permitted to drive on Waimārama Beach, except for a seasonal ban on a section of Waimārama Beach between 8am and 8pm from Labour Weekend through to 30 April each year. The vehicles on beaches are controlled via the Council bylaw and are enforced by Police”.

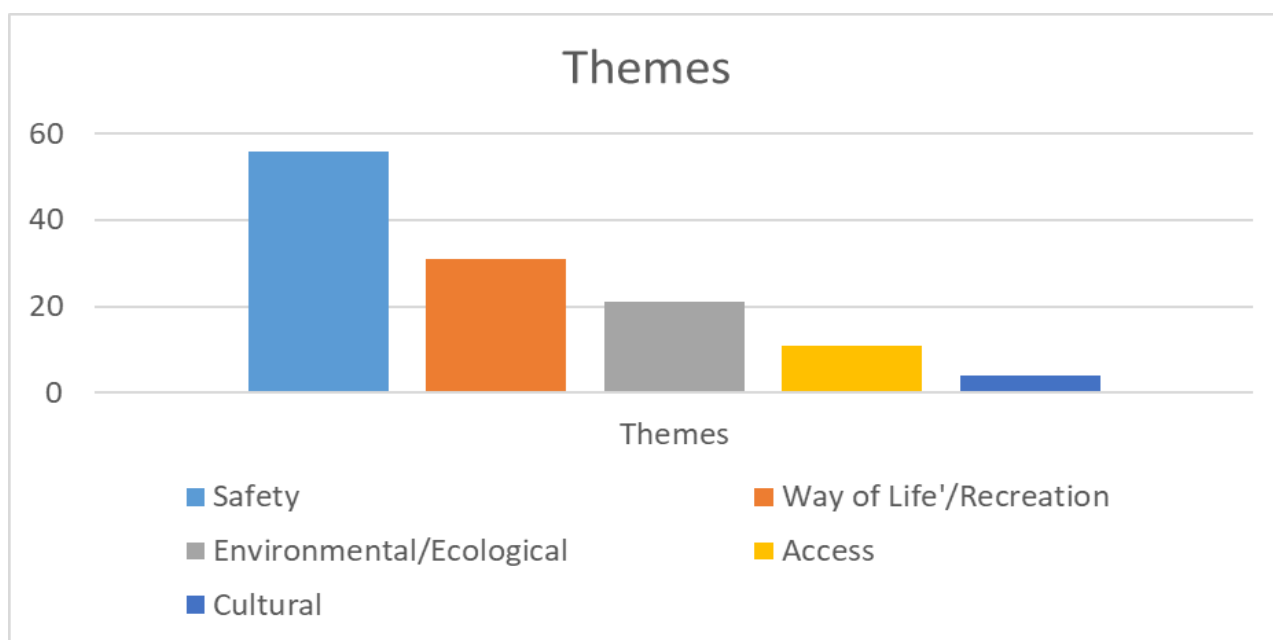
Image 1



- 3.4 In late 2023, a group of residents, supported by the Police, raised concerns with Council about beach users’ safety due to unsafe driver behaviour.
- 3.5 Council held a drop-in day on 2nd December 2023 at the Waimārama Hall to canvass wider community feedback on the issue.
- 3.6 The question put to the community at the drop-in day was broad in scope and asked the community, “*Is vehicle use on the beach an issue? Should the rules for vehicles on Waimārama Beach be changed? We want your ideas, so tell us below what you think!*”
- 3.7 Public feedback was also received via a My Voice My Choice survey, email messages and written feedback, up until 22nd December 2023. 533 responses were received of which 51% identified themselves as Waimārama residents, 44% as non Waimārama residents and 5% as non-permanent residents.
- 3.8 Community feedback from the first round was reported to Council on 14 March 2024. The key themes from the consultation are summarised below:

| Themes | Response Summary |
|----------------------------------|--|
| Safety | 56% responses mentioned safety as a theme including concerns over public safety, speeding, 'hoons', idiots, verbal abuse etc. |
| Way of Life/Recreation | 31% responses mentioned 'Way of Life'/Recreation as a theme, including fishing, picnicking, swimming or the coastal 'way of life' etc. |
| Environmental/ Ecological | 21% responses mentioned the environment/ecology as a theme and sought protection of the environment, including sand dunes, pipi beds, flora and fauna etc. |
| Access | 11% responses mentioned a desire to maintain access as a theme |
| Cultural | 4% of responses mentioned cultural themes including the importance of ancestral ties to the land. |

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



3.10 The feedback showed some key themes, especially for public safety with 56% of responses concerned about driver behaviour on the Beach. There was a diversity in views re how vehicles on the Beach could be better managed.

3.11 31% of respondents mentioned a 'Way of Life/Recreation' theme. Many of these respondents supported the current bylaw as maintaining vehicle access allows them to do their preferred Beach activities such as fishing or driving to a spot on the beach to enjoy.

3.12 21% of respondents mentioned an environmental/ecological theme. These respondents favoured either stronger vehicle restrictions or building infrastructure to protect the environment and coastal ecology.

3.13 Suggested solutions for addressing the impacts of vehicle use on the Beach ranged from a total ban (43%) to maintaining the status quo (37%). Other suggestions included increased policing & enforcement, requiring vehicle permits, signage & education and infrastructure improvements.

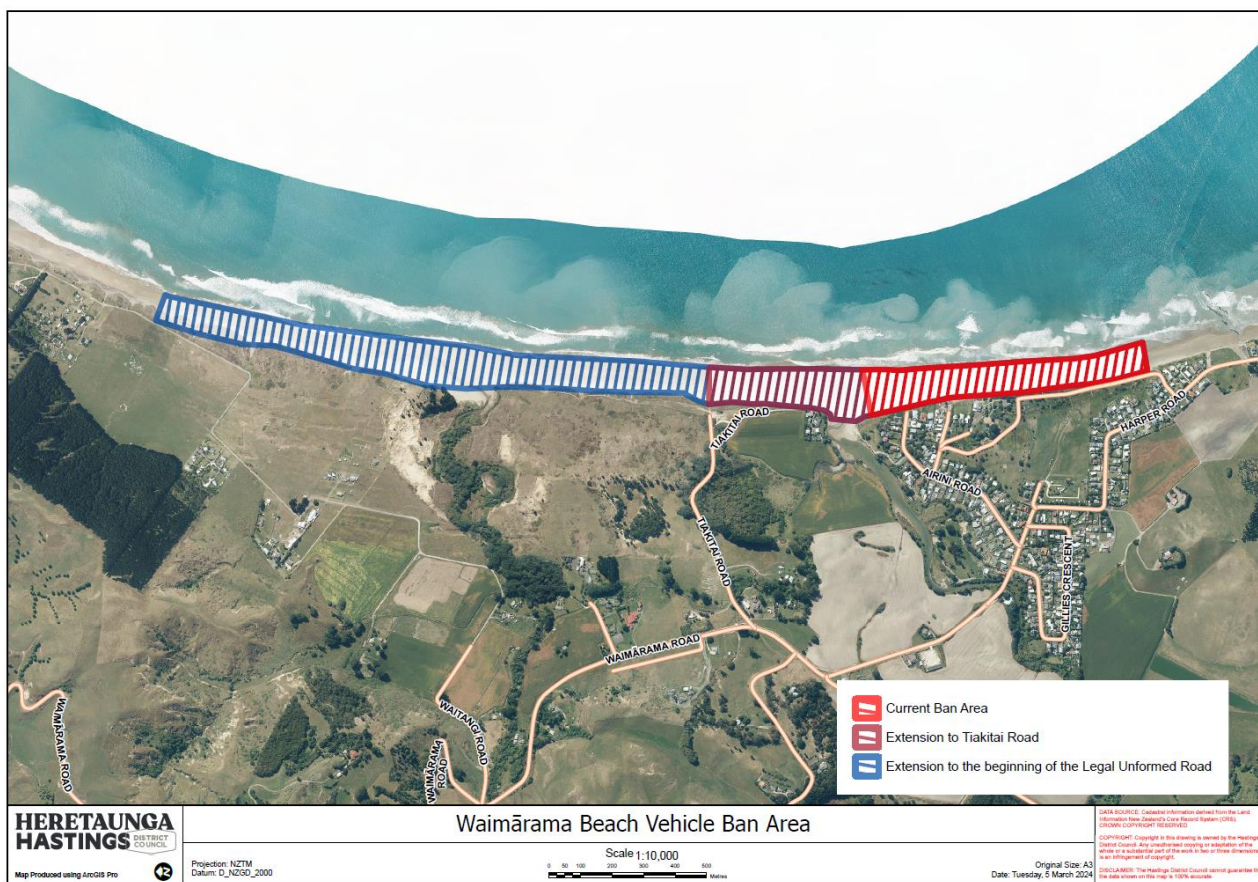
3.14 On 11th December 2023, large rocks were placed on a portion of the Waingongoro Stream Recreation Reserve and beach entry point, limiting vehicle access to the Beach from the existing Tiakitai Road

entrance. Vehicle access has been limited to the Airini Road access point and at the Harper Road boat access tracks.

3.15 **Community Feedback Since the Council Meeting on 14 March 2024.**

3.16 Council resolved to further consult on four potential options.

- Option 1: Keep the current vehicle ban area, in force 8am to 8pm every day from Labour Weekend Saturday to April 1.
- Option 2: Retain the current vehicle ban area but extend it to year round.
- Option 3: Extend the ban northwards up to but not including Tiakitai Road access, year-round.
- Option 4: Extend the vehicle north, to a point 1.7kms north of the Tiakitai Road access, year-round.



3.17 On 20th April a community drop-in day was held at the Waimārama Hall, where residents could give their written feedback and ask questions regarding the options and the process. On 24th April a drop-in day was held at Waimārama Marae, for Mana Whenua to give their written feedback and ask questions regarding the options and process.

3.18 A mail drop with feedback forms and info-sheets was delivered to all Waimārama residents at the beginning of the second consultation process with feedback to be provided to Council by 10 May 2024.

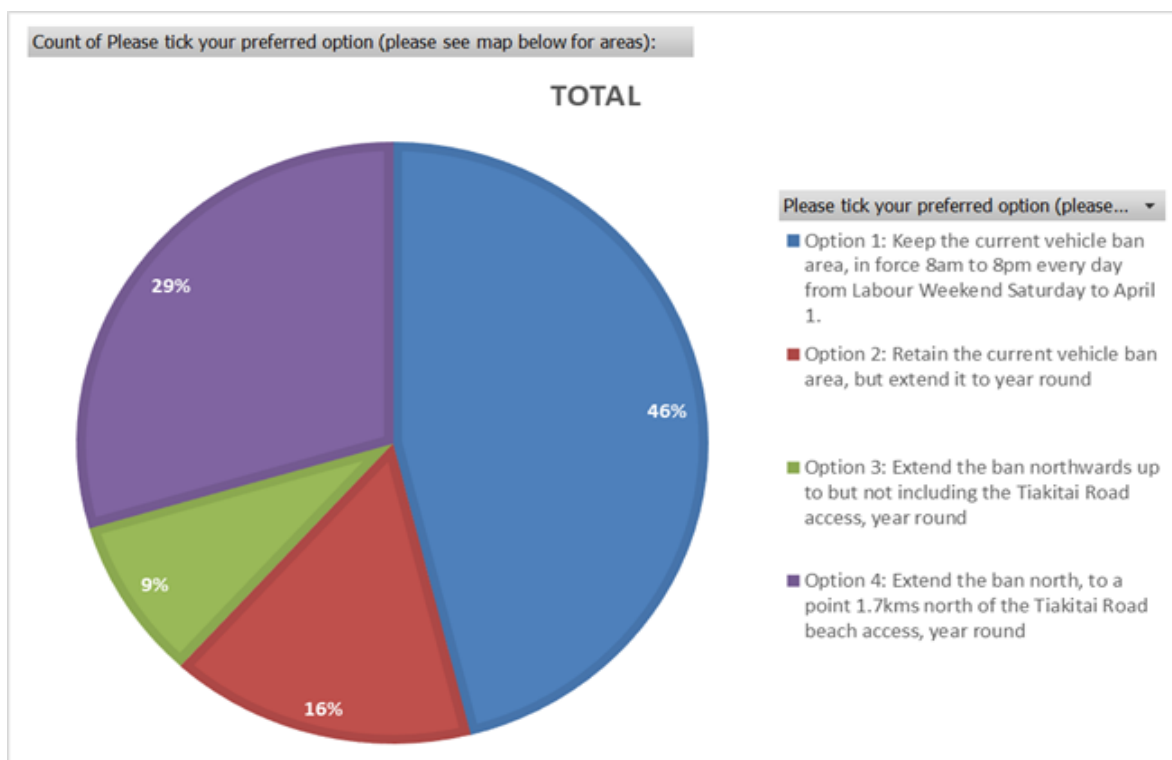
4.0 Discussion – Te Matapakitanga

4.1 Community Feedback

4.2 Council received 721 items of feedback via My Voice My Choice and hardcopy forms. There continues to be a range of views on the Beach vehicle issues and possible solutions.

| Option | # Responses |
|---|-------------|
| Option 1: Keep the current vehicle ban area, which is in force from 8am to 8pm ever day from Labour Weekend Saturday to April 1 | 332 |
| Option 2: Retain the current ban area, but extend it to year-round | 113 |
| Option 3: Extend the ban northwards up to but including the Tiakitai Road access, year-round | 63 |
| Option 4: Extend the ban north, to a point 1.7km north of the Tiakitai Road beach access, year-round | 213 |

4.3 The following pie graph breaks down of all responses as a percentage.

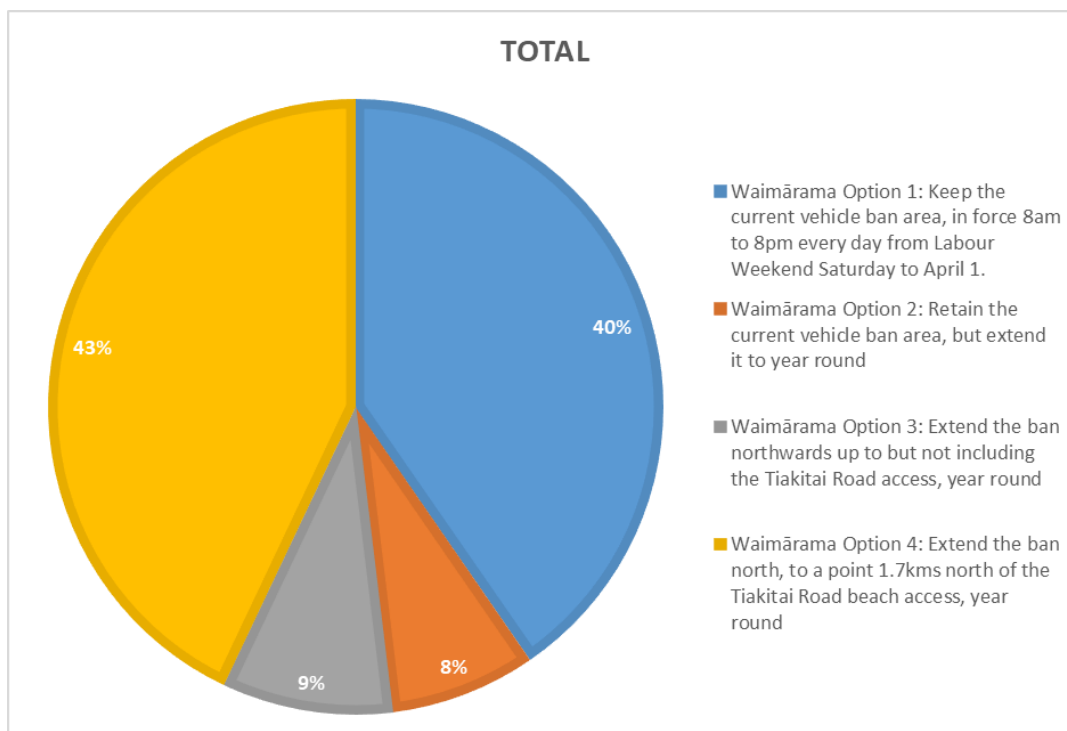


4.4 The following table records the preferences of people who identified as Waimārama locals.

| Option | # Responses |
|---|-------------|
| Option 1: Keep the current vehicle ban area, which is in force from 8am to 8pm ever day from Labour Weekend Saturday to April 1 | 73 |
| Option 2: Retain the current ban area, but extend it to year-round | 16 |
| Option 3: Extend the ban northwards up to but including the Tiakitai Road access, year-round | 16 |
| Option 4: Extend the ban north, to a point 1.7km north of the Tiakitai Road beach access, year-round | 75 |

4.5 Waimārama responders were evenly split between option 1 and option 4.

4.6 The following pie graph illustrates the preferences of those identified as Waimārama locals.



4.7 Officers also met with local representatives of emergency responders. No major issues were raised by Fire and Emergency New Zealand, St Johns Ambulance, Hawke’s Bay Emergency Management, Surf Lifesaving, and Police regarding any impacts of the options.

Police reiterated their concerns for Beach user safety due to bad driving behaviours. The responses in 4.7 are attached as **(Attachment 6)**.

4.8 **Mana Whenua Workshop**

4.9 Council held an open workshop on 6 May 2024 to hear Mana Whenua views and on issues regarding vehicles on Waimārama Beach. There was a strong view from local Mana Whenua that vehicles should not be on Waimārama Beach.

4.10 **Environmental Groups’ Feedback**

Forest and Bird

4.11 Forest and Bird prefer Option 4, as they believe this option best addresses concerns about the ecological impact of vehicles on beaches. They expressed concern over the lack of resource to enforce bylaws.

Recreational Fishers

4.12 Recreational fishers want vehicle access to the northern part of the beach as they believe this offers the best fishing opportunities, away from rocks and swimmers in the southern part of the beach. Many Fishers use vehicles to carry their gear as it is often too heavy to carry over longer distances. Fishers prefer Option 1

4.13 **Other Considerations**

4.14 Concerns were raised during the consultation process and Council workshop, regarding vehicle access to the southern part of the Beach, particularly if an extension to the current ban area were enacted, as traffic may be re-directed to this part of the beach.

4.15 Considering 4.15, Officers recommend extending the ban area to the southern extent of the Beach setting aside a 350m section for vehicles launching and retrieving vessels at the two boat ramps. This recommendation is mapped and attached as **(Attachment 5)**.

4.16 Enforcement

4.17 Waimārama Beach is considered a road under the Land Transport Act 1998 and therefore laws under this Act apply. The beach has a speed limit of 20km/h.

4.18 A key concern of most of the submitters is bylaw enforcement. Some who want the bans extended suggest that enforcement will be easier as vehicles would be effectively locked out, thus reducing vehicle numbers, and making it easier for Police to apprehend offending drivers.

4.19 Conversely some who want retention of vehicle access, suggest that policing and enforcement will keep the small minority who create the problems under control, thus negating the need for extending the ban.

4.20 Police have agreed that enforcement is challenging as they don't have the resources to monitor beaches all year round. Council does not have the authority to enforce the by-law as the Beach is a road so enforced by Police.

4.21 Permits

4.22 The use of permits has been suggested to control vehicle access and behaviour. Permits would still rely on Police enforcement.

4.23 Ecological Protection

4.24 Some recreation vehicle users drive over and through the dune landscape. This is a fragile ecology that typically doesn't tolerate vehicles which can destroy native flora, and lead to hastening coastal erosion. The feedback asked for Council to do more to protect the Beach environment such as the dunes and pipi beds from damage caused by vehicles.

4.25 The dunes are special to the Waimārama community and wider community as they contribute to the natural landscape, biodiversity and intertwine with local cultural values that include wāhi tapu sites. They are a unique habitat and home to native flora and fauna.

4.26 Installation of fencing to provide a barrier for 2.2km of dunes on the Beach is estimated to cost \$160,000.

4.27 Additional Signage

4.28 Officers recommend additional signage to educate vehicle users on the Beach rules is appropriate.

4.29 Recommended Option

4.30 Council has undertaken widespread and thorough community engagement and consultation on this issue. The process has attracted over 1200 individual feedback items. This process has disclosed a range of views on the important issue of how to manage vehicles on Waimārama Beach.

4.31 Analysis of the community feedback indicates a preference for changes to the current bylaw. 60 % of Waimārama respondents have indicated they want an extension of the current ban in some form, whether to extend the ban to Tiakitai Road, to cover the whole beach or to retain the current area with a time extension. The remaining 40% prefer the status quo. The wider community feedback is similar with 54% seeking change to the bylaw.

4.32 Based on analysis of feedback Officers recommend Council extend the bylaw to cover most of the Beach on a year-round basis, while making provision for vehicle access over designated parts of the Beach. The bylaw amendments are mapped and attached as (Attachment 5).

4.33 This option attempts to address;

- Adjoining landowners concerns about the impacts of vehicles damaging the environment and putting beach users' welfare at risk.
- Recreation access where vehicles can drive onto the beach in the Tiakatai Road and Paparewa areas.

- Beach user safety and environmental concerns by banning vehicles from most of the Beach.
- 4.34 This option allows for two vehicle access areas for permitted activities, being a 400metre strip at the Tiakitai Road access point and a 350metre strip between the two boat ramps at Paparewa Reserve (**attachment 5**).
- 4.35 If Council enacts an amended bylaw, new signage would be installed at the main entrances to the Beach and awareness campaigns about the ban would be delivered.
- 4.36 Enforcement of the bylaw by having two clearly delineated areas available to legitimate vehicle users, may be more effective with limited Police resources.
- 4.37 50% of respondents supported a year-round ban. Officers recommend a full year ban as limited vehicular access options for permitted activities will be available year-round.
- 4.38 Officers believe this Option will achieve the outcomes sought by many responders and make for simpler enforcement.

Process for Bylaw Amendment

- 4.39 Officers have sought legal advice. The commentary in this section has been reviewed by engaged Counsel.
- 4.40 The current bylaw provides a mechanism for Council to ban vehicles from parts of the beach by Council resolution. As such, Council can alter the time period and/or extent of the existing ban area via a new resolution without needing to create a new bylaw.
- 4.41 A new resolution is not considered to be significant under the Local Government Act 2002 (LGA) or the Council's Policy on Significance and Engagement, and as such, the special consultative procedure is not considered necessary. However, given the level of interest and engagement, a consultation period of around two weeks to allow people to comment on the proposed new resolution is recommended as both prudent and appropriate. A hearing is not required but may be offered if Council wishes to allow the opportunity for people to speak to their submissions.
- 4.42 It is considered reasonable for persons identified in Section 22AD(3) of the Land Transport Act 1998 (LTA) to be specifically notified as part of the consultation process.
- 4.43 The specified persons of relevance under the LTA are:
- The occupiers of any properties adjoining the "road" (in this case the Beach) to which the proposed bylaw would apply; and
 - Any affected local community; and
 - The Commissioner of Police; and
 - any other organisation or road user group that the Council considers affected; and
 - The New Zealand Transport Agency.
- 4.44 The following process as per the LGA is recommended:
- 1 Council decides to adopt a draft version of the resolution and make determinations as to the extent of consultation to be undertaken.
 - 2 The proposed resolution and supporting material (as per section 82A LGA) is published and the persons identified in s 22AD(3) Land Transport Act are directly notified.
 - 3 A two-week period is provided for people to make submissions.
 - 4 Schedule a hearing if Council wishes to hear from people.
 - 5 Consider all submissions at a Council meeting.

5.0 Options – Ngā Kōwhiringa

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

5.1 **Extend the vehicle ban from the southern end adjacent to the end of Harper Road going north to a point 1.7km north of Tiakitai Road year-round with specified Vehicle Restriction areas available for limited purposes (Attachment 5)**

5.2 Advantages

- Addresses adjoining landowners concerns about the impacts of vehicles damaging the environment and putting beach users' welfare at risk.
- Recreation access where vehicles can drive onto the beach in the Tiakatai Road and Paparewa areas.
- Addresses Beach user safety and environmental concerns by banning vehicles from most of the Beach.

Disadvantages

- Vehicle access to the northern parts of the Beach is no longer be available. This may adversely affect some recreational users such as those wanting to use a vehicle to access more remote parts of the beach.

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

5.3 **“Vehicles are permitted to drive on Waimārama Beach, except for a seasonal ban on a section of Waimārama beach between 8am and 8pm from Labour Weekend through to 30 April each year. (section 3.3)**

5.4 Advantages

- This option received the largest portion of support from the public (but noting this was less than 50% of the total responses).
- Safety is maintained over the main part of the beach over the busiest time of the year.
- The effect on recreation is unchanged from the current situation.
- There is no impact on access to private properties.

Disadvantages

- Vehicle safety concerns outside of the time period and on the northern part of the Beach are expected to persist.
- Environmental/ecological concerns relating to vehicles on the beach are not addressed.
- This does not address concerns raised by more than 50% of respondents who support some form of additional vehicle restrictions on the beach, with more than 50% supporting options involving a year-round ban.

6.0 Next steps – Te Anga Whakamua

6.1 If the Council decides to progress a change to the existing bylaw, Officers will carry out the process discussed in 4.45.

Attachments:

| | | | |
|---|---|---------------|-------|
| 1 | Waimārama Current Ban Area | 58217#SF#0005 | Vol 1 |
| 2 | Waimārama Vehicle Ban Area Tiakitai Road | 58217#SF#0002 | Vol 1 |
| 3 | Waimārama Vehicle Ban Area 1.7km North of Tiakitai Road | 58217#SF#0001 | Vol 1 |
| 4 | Waimārama Vehicle Ban Consolidated Map | 58217#SF#0003 | Vol 1 |
| 5 | Waimārama Hybrid Option Map | 58217#SF-0010 | Vol 1 |
| 6 | Emergency Responders - Waimārama Beach | 58217#SF-0007 | Vol 1 |
| 7 | Summary of Effects | 58217#SF-0008 | Vol 1 |

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

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

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

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

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

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

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

Taiao environmental wellbeing of the Beach – the natural beach environment is home to significant flora and fauna with shifting sands, grasses, and lifeforms. Mana whenua hold that free and uncontrolled vehicle use disturbs the special natural characteristics of Waimārama beach. Protection of the natural environment is of importance to mana whenua.

Tikanga Māori Customary Practices – Waimārama mana whenua have a positive reputation for maintaining Tikanga Māori associated with waimoana oceanic waters. Customary practices include

mahinga kai *food gathering*, mahinga toi *arts practice*, karanga, pure, *ritual rites*. Prohibiting vehicle access enables good Tikanga Māori practices for mana whenua hapū.

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

Sustainability - *Te Toitūtanga*

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

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Financial costs are covered in operational budgets.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

There is strong community interest in this matter. Council has undertaken an extensive engagement with communities of interest.

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

There is strong community interest in this matter. Councils has undertaken an extensive engagement with communities of interest.

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

Officers will update the Rural Community Board on 24 June 2024.

Thursday, 27 June 2024

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

Item 8

Te Rārangi Take

Report to Council

Nā:
From: **Lex Verhoeven, Strategy Manager**

Te Take: **Adoption of 2024-2034 Long Term Plan and Development**
Subject: **Contributions Policy**

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

- 1.1 The purpose of this report is to obtain a decision from the Council on the adoption of the 2024-34 Long Term Plan (LTP) and Development Contributions Policy. It is a legal requirement of the Local Government Act 2002 (the Act) to have adopted a Long-Term Plan prior to 1 July 2024.
- 1.2 This report is an administrative matter (it includes the decisions previously made by Council) and concludes by recommending that the 2024-34 Long Term Plan and Development Contributions Policy be adopted (documents to be circulated separately).
- 1.3 At the Council meeting commencing 11 June 2024 (concluding 18 June) the Council completed all the relevant provisions contained within the Act regarding the preparation of a Long-Term Plan and amendment to a Development Contributions Policy.
- 1.4 A copy of the minutes of the 11 June meeting will be circulated separately. The key decisions are captured within the minutes and have not been replicated here in full. Decisions of note were:
 - **Frimley Pool** – The Council resolved to keep the Frimley Pool open for the 2024/25 season subject to operational fitness. Council directed the Chief Executive to review the ongoing operational feasibility of the Frimley Pool and report back to Council with recommendations for inclusion in the 2025/26 Annual Plan.
 - **Cyclone Targeted Rate** – The Council resolved to introduce a Cyclone Recovery Targeted Rate as outlined within the LTP Consultation Document effective from 1 July 2024.
 - **Nice to Have Projects Plan** – The Council resolved to adopt the “Nice to Have Projects” plan as outlined within the LTP Consultation Document.
 - **Development Contributions Policy & Consenting Fees**– The Council resolved the following:
 - That Council ratifies the growth plan as outlined in the Long-Term Plan Consultation Document.

- That Officers submit the Development Contributions Policy to Council for adoption on 27 June incorporating identified improvements to the Policy for clarity.
 - That Council ratifies the increase in Building and Resource consent charges as set out in the Draft Long-Term Plan and proceeds to implement the identified opportunities for improvement within Council's consenting activities.
 - **Overall Funding Plan** – The Council resolved to implement the 5-year Funding Plan as outlined in the Long-Term Plan Consultation Document, setting the increase in rating revenue to 19% in the 2024/25 year.
- 1.5 The final step in the Long-Term Plan process is one of technical compliance with the provisions of the Act. No final Audit review is required given Hastings District Council have utilised the modified provisions of the Severe Weather Emergency Recovery legislation.
 - 1.6 Before Council can resolve to set the rates for the 2024/25 financial year, Council must first adopt the Long-Term Plan which confirms the budget for the year. The resolution setting the rates for the 2024/25-year forms part of this Council agenda.
 - 1.7 The final plan will be made available to the public on/or before 27 July 2024 in accordance with the Act.
 - 1.8 Schedule 10 and section 100(2) of the Local Government Act 2002 requires a statement concerning the balancing of the budget if Council is resolving not to balance its operating budget in any year covered by the long-term plan. An implication of the decision regarding the Overall Funding Plan is that the Council Budget will remain unbalanced until Year 4 of the Long-Term Plan 2024-34.
 - 1.9 The Council have considered this matter giving regard to maintaining service levels, maintaining service capacity and the integrity of its assets within the funding available. A key factor has also been the overlay of Cyclone Gabrielle on its financial position in the short-medium term.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Adoption of 2024-2034 Long Term Plan and Development Contributions Policy dated 27 June 2024.
- B) That the minutes of the Council meeting held on Tuesday 11 June (concluding 18 June 2024) be confirmed as a true and substantive record of the decisions made in respect of submissions to the Long-Term Plan 2024-34 and Development Contributions Policy.
- C) That Council delegate to the Chief Executive any inconsequential updates and/or omissions and corrections to the Long-Term Plan and Development Contributions Policy for completeness.
- D) That Council resolves not to balance its operating budget for the first 4 years of the 2024-34 Long Term Plan. The reasons for the resolution being the impact on community affordability (after the consideration of submissions) and the cumulative impact of both base budget financial pressure in conjunction with the financial impact of Cyclone Gabrielle. The Council's Financial Strategy outlines its pathway to financial sustainability with the unbalanced budget being a short-term financial decision.
- E) That Council adopt the Development Contributions Policy in accordance with section 102(1) of the Local Government Act 2002.
- F) That Council adopts the 2024-34 Long Term Plan in accordance with section 93(3) of the Local Government Act 2002.

Attachments:

There are no attachments for this report.

Thursday, 27 June 2024

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

Te Rārangi Take

Report to Council

Nā: Richard Elgie, Management Accountant - Development
From: Contributions

Te Take:
Subject: Resolution to Set the Rates for the 2024/25 Financial Year

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from the Council to adopt the Resolution to set Rates for the 2024/25 Financial Year commencing 1 July 2024.
- 1.2 Following consultation, Council will adopt its 2024/34 Long Term Plan at its meeting on 27 June 2024. Council now needs to set and assess the Rates described in its Rating Policy and Funding Impact Statement in order to collect the revenue needed for the 2024/25 Financial Year commencing 1 July 2024.
- 1.3 This Report concludes by recommending that the Council set the Rates as detailed, as well as the payment due and penalty dates set out in the recommendations. All Rates are shown as inclusive of Goods and Services Tax of 15%.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Resolution to Set the Rates for the 2024/25 Financial Year dated 27 June 2024.
- B) That pursuant to Sections 23, 24 and 57 of the Local Government (Rating) Act 2002 the Hastings District Council sets the Rates on rating units in the District for the financial year commencing on 01 July 2024 and ending on 30 June 2025 and sets the due dates and penalty dates for the 2024/25 financial year, as follows:

INTRODUCTION

Hastings District Council has adopted its 2024/34 Long Term Plan. This has identified the Council's budget requirement, and set out the rating policy and funding impact statement. The Council hereby sets the rates described below to collect its identified revenue needs for 2024/25 commencing 01 July 2024. All rates are inclusive of Goods and Services Tax.

GENERAL RATES

A general rate set and assessed in accordance with Section 13 of the Local Government (Rating) Act 2002, on the land value of all rateable land within the district on a differential basis as set out below:

| Differential Group Name | Factor | Cents per Dollar of \$ LV |
|---|--------|---------------------------|
| Differential Rating Area One | | |
| Residential | 1 | 0.317538 |
| Residential Clive | 0.81 | 0.257205 |
| Residential Non-Urban (Including Townships and Small Settlements) | 0.76 | 0.241329 |
| Horticulture / Farming | 0.68 | 0.215926 |
| CBD Commercial | 3.00 | 0.952613 |
| Other Commercial | 2.75 | 0.873229 |
| Commercial Non-Urban – Peripheral | 2.35 | 0.746213 |
| Differential Rating Area Two | | |
| Residential | 0.85 | 0.136185 |
| Lifestyle / Horticulture / Farming | 1 | 0.160218 |
| Commercial | 1.65 | 0.264360 |

UNIFORM ANNUAL GENERAL CHARGE

A uniform annual general charge set and assessed in accordance with Section 15 of the Local Government (Rating) Act 2002, of \$234 on each separately used or inhabited part of a rating unit within the district.

TARGETED RATES

All differential categories of targeted rates areas are as defined in the Funding Impact Statement for 2024/25. For the purposes of the Havelock North Promotion, Hastings City Marketing, Hastings CBD Targeted Rate, Havelock North Parking, Havelock North CBD Targeted Rate, and Security Patrols (Hastings and Havelock North), a commercial rating unit is one that fits the description as set out under DRA1 CBD Commercial and DRA1 Other Commercial in Part B of the Funding Impact Statement for 2024/25.

COMMUNITY SERVICES & RESOURCE MANAGEMENT RATE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on a differential basis, on each separately used or inhabited part of a rating unit in the district as follows:

| Differential Category | Factor | \$ per SUIP |
|---|--------|-------------|
| Differential rating area one | | |
| Residential | 1 | \$603 |
| CBD Commercial | 1 | \$603 |
| Other Commercial | 1 | \$603 |
| Residential Clive | 0.75 | \$453 |
| Residential Non-Urban (Including Townships & Small Settlements) | 0.75 | \$453 |
| Horticulture / Farming | 0.75 | \$453 |
| Commercial Non-Urban (Peripheral) | 0.75 | \$453 |
| Differential rating area two | | |
| Residential | 1 | \$369 |
| Lifestyle / Horticulture / Farming | 1 | \$369 |
| Commercial | 1 | \$369 |

CYCLONE RECOVERY TARGETED RATES

Two targeted rates set and assessed for the purposes of funding the costs of Cyclone Gabrielle recovery. The first as a rate in the dollar of land value and the second as a fixed amount.

All land in the Hastings District will be allocated to either Differential Rating Area One or Differential Rating Area Two. These areas are defined on Council map 'Differential Rating Areas' and are based on broad areas of benefit from the Council's services and facilities. The costs of cyclone recovery have been allocated into the two rating groups with 67% of costs assigned to Differential Rating Area One and 33% of costs allocated to Differential Rating Area Two.

A differential targeted rate set and assessed in accordance with Section 16, Schedule 2 Clause 6, and Schedule 3 Clause 3 of the Local Government (Rating) Act 2002, on the land value of all rateable land within the district. The rate is set on a differential basis, based on the location of the land within the district. This is applied to the same two differential rating areas as defined and used for the general rate:

| Location | Cents per Dollar of \$ LV |
|------------------------------|---------------------------|
| Differential Rating Area One | 0.020467 |
| Differential Rating Area Two | 0.020332 |

A differential targeted rate set and assessed in accordance with Section 16, Section 18 (2) and Schedule 2 Clause 6 of the Local Government (Rating) Act 2002, as a fixed amount per rating unit in the district. The rate is set on a differential basis, based on the location of the land within the district: This is applied to the same two differential rating areas as defined and used for the general rate:

| Location | \$ per Rating Unit |
|------------------------------|--------------------|
| Differential Rating Area One | \$127 |
| Differential Rating Area Two | \$323 |

HAVELOCK NORTH PROMOTION

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within Havelock North as defined on Council Map "Havelock North Promotion Rate", of 0.092638 cents per dollar of land value.

SWIMMING POOL SAFETY

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, as a fixed amount on every rating unit where a swimming pool (within the meaning of the Fencing of Swimming Pools Act 1987) is located, of \$88 per rating unit.

HAVELOCK NORTH PARKING

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on a differential basis, on each separately used or inhabited rating unit located within Havelock North as defined on Council Map “Havelock North Parking Rate Map”, as follows:

| Differential Category | Factor | \$ per SUIP |
|---------------------------|--------|-------------|
| Residential | 1 | \$35 |
| CBD Commercial/Other Comm | 3 | \$105 |
| All others | 1 | \$35 |

HASTINGS CITY MARKETING

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating units located within Hastings as defined on Council Map “Hastings City Marketing Rate Map”, of 0.199507 cents per dollar of land value.

HASTINGS CBD TARGETED RATE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within Hastings as defined on the Council Map “Hastings CBD Targeted Rate Map”, of 0.141267 cents per dollar of land value.

HAVELOCK NORTH CBD TARGETED RATE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within Havelock North as defined on Council Map “Havelock North CBD Upgrades Map”, of 0.049832 cents per dollar of land value.

SECURITY PATROLS

Targeted rates set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on the land value of any commercial rating unit located within each respective Council Map defined “Hastings Area - Security Patrol Map” and “Havelock North Security Patrol Area Map”, as follows:

Hastings Security Patrol Area - 0.090661 cents per dollar of land value.

Havelock North Security Patrol Area - 0.043539 cents per dollar of land value.

SEWAGE DISPOSAL

A differential targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, based on the provision or availability to the land of the service. The rate is set as an amount per separately used or inhabited part of a rating unit.

A differential targeted rate for all non-residential rating units classified as “connected”, based on the use to which the land is put. The rate is an amount for each water closet or urinal after the first.

The rates apply to connected or serviceable rating units in all areas excluding those in the Waipatiki scheme area.

The rates for the 2024/25 year are:

| Category | Factor | \$ per SUIP |
|-----------------|--------|-------------|
| (1) Connected | 1 | \$400 |
| (2) Serviceable | 0.5 | \$200 |

Where connected, in the case of non-residential use, the differential charge for each water closet or urinal after the first is as follows:

| Differential category | Factor | Charge Per Water Closet After the First |
|--|--------|---|
| Schools/Churches | 0.13 | \$52 |
| Chartered Clubs / Rest Homes / Prisons / Commercial Accommodation providers / Hospitals / Child Care Centres | 0.40 | \$160 |
| HB Racing Centre / A&P Showgrounds / Regional Sports Park | 0.25 | \$100 |
| All other Non-Residential | 0.80 | \$320 |

WAIPATI KI SEWAGE DISPOSAL

A differential targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, based on the provision or availability to the land of the service. The rate is set as an amount per separately used or inhabited part of a rating unit.

A differential targeted rate for all non-residential rating units classified as “connected”, based on the use to which the land is put. The rate is an amount for each water closet or urinal after the first.

The rates apply only to connected or serviceable rating units in the Waipatiki scheme area.

The rates for the 2024/25 year are:

| Category | Factor | \$ per SUIP |
|-----------------|--------|-------------|
| (1) Connected | 1 | \$800 |
| (2) Serviceable | 0.5 | \$400 |

Where connected, in the case of non-residential use, the differential charge is set for each water closet or urinal after the first as follows:

| Differential Category | Factor | Charge Per Water Closet and Urinal After the First |
|--|--------|--|
| Schools/Churches | 0.13 | \$104 |
| Chartered Clubs / Rest Homes / Prisons / Commercial Accommodation providers / Hospitals / Child Care Centres | 0.40 | \$320 |
| All other Non-Residential | 0.80 | \$640 |

WASTEWATER TREATMENT

A differential targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, based on the provision or availability to the land of the service. The rate is set as an amount per separately used or inhabited part of a rating unit.

A differential targeted rate for non-residential rating units classified as “connected”, based on the use to which the land is put. The rate is an amount for each water closet or urinal after the first.

The rates apply to connected or serviceable rating units in all areas excluding those in the Waipatiki scheme area.

The rates for the 2024/25 year are:

| Category | Factor | \$ Per SUIP |
|-----------------|--------|-------------|
| (1) Connected | 1 | \$103 |
| (2) Serviceable | 0.5 | \$51.50 |

Where connected, in the case of non-residential use, the differential charge is set for each water closet or urinal after the first as follows:

| Differential Category | Factor | Charge Per Water Closet and Urinal After the First |
|--|--------|--|
| Schools/Churches | 0.13 | \$13.39 |
| Chartered Clubs / Rest Homes / Prisons / Commercial Accommodation providers / Hospitals / Child Care Centres | 0.40 | \$41.20 |
| HB Racing Centre / A&P Showgrounds / Regional Sports Park | 0.25 | \$25.75 |
| All other Non-Residential | 0.80 | \$82.40 |

WATER SUPPLY

Targeted rates set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit and based on the provision or availability to the land of the service, for each water supply service, on a differential basis as follows.

The rates for the 2024/25 year are:

| Water Supply Area | Connected (Factor 1 Per SUIP) | Serviceable (Factor 0.5 Per SUIP) |
|-------------------|----------------------------------|--------------------------------------|
| Water Rate | \$700 | \$350 |

The Council has water supply services for Hastings, Havelock North, Flaxmere, Waipatu, Haumoana/Te Awanga, Clive, Whakatu, Omahu, Paki Paki, Waimarama, Waipatiki, Whirinaki, Te Pohue.

WATER BY METER

A targeted rate set and assessed in accordance with Section 19 of the Local Government (Rating) Act 2002, on the volume of water supplied as extraordinary water supply, as defined in Hastings District Council Water Services Policy Manual (this includes but is not limited to residential properties over 1,500m² containing a single dwelling, lifestyle lots, trade premises, industrial and horticultural properties) of \$1.17 per cubic metre of water supplied over and above the typical household consumption as defined in the Hastings District Council Water Services Policy Manual.

RECYCLING

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit and based on the provision or availability to the land of the service provided in the serviced area. The service areas are set out in council maps "Recycling Map incl Clive Whakatu", "Recycling Map incl Hastings, Flaxmere, Havelock North", "Recycling Map incl Haumoana Te Awanga" and "Recycling incl Whirinaki".

Rating units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will not be charged the rate.

The rate for 2024/25 is \$110 per separately used or inhabited part of the rating unit.

REFUSE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit in the serviced areas, differentiated based on the use to which the land is put and location.

Rating units which Council officers determine are unable to practically receive the Council service and have an approved alternative service will not be charged the rate. The Council maps “Refuse Map Incl Clive Whakatu”, “Refuse Map incl Hastings”, “Refuse Map Incl Haumoana Te Awanga” and “Refuse Map Incl Whirinaki” set out the serviced areas.

Residential rating units currently receive a weekly collection. Commercial rating units located within the Hastings area as defined on Council Map “Hastings CBD Targeted Rate Map”, and located within the Havelock North area as defined on Council Map “Havelock North CBD Upgrades Map” currently receive a twice weekly collection.

The rates for the 2024/25 year are:

| Differential Category | Factor | \$ Per SUIP |
|-----------------------|--------|-------------|
| Residential | 1 | \$180 |
| Commercial CBD | 2 | \$360 |

WAIMARAMA REFUSE

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002, on each separately used or inhabited part of a rating unit located within Waimarama as defined on Council Map “Waimarama Refuse Collection”, and based on the provision or availability to the land of the service provided, of \$170 per separately used or inhabited part of the rating unit.

WAIMARAMA SEA WALL

A targeted rate set and assessed in accordance with Section 16 of the Local Government (Rating) Act 2002 on a differential basis, on each separately used or inhabited part of a rating unit within each individual zone defined on Council Map “Waimarama Sea Wall Map Zones 1-3” of the following amounts per separately used or inhabited part of the rating unit:

Zone 1 shall pay 67% of the cost to be funded, whilst Zone 2 shall pay 23% of the cost and Zone 3 10% of the cost, based on the extent of the provision of service.

| Zone 1 | Zone 2 | Zone 3 |
|--------|--------|--------|
| \$394 | \$277 | \$102 |

DUE DATES AND PENALTY DATES

Due Dates for Payment and Penalty Dates (for Rates other than Water by Meter Rates):

The Council sets the following due dates for payment of rates (other than Water by Meter) and authorises the addition of penalties to rates not paid on or by the due date, as follows:

Rates will be assessed in quarterly instalments for an equal amount and are payable on the due dates below:

| Instalment | Due Date | Penalty Date |
|------------|------------------|------------------|
| 1 | 23 August 2024 | 28 August 2024 |
| 2 | 22 November 2024 | 27 November 2024 |
| 3 | 21 February 2025 | 26 February 2025 |
| 4 | 23 May 2025 | 28 May 2025 |

A penalty of 10% will be added to any portion of rates (except for Water by Meter) assessed in the current year which remains unpaid after the relevant instalment due date, on the respective penalty date above.

Arrears Penalties on Unpaid Rates from Previous Years

Any portion of rates assessed in previous years (including previously applied penalties) which are unpaid on 05 July 2024 will have a further 10% added, to be added on 8 July 2024, and if still unpaid, again on 08 January 2025.

Due Dates for Payment and Penalty Dates (for Water by Meter Rates):

For those properties that have a metered water supply, invoices will be issued either three-monthly or six-monthly. The due dates for both options are set out in the following table:

| Instalment | 3 Monthly Invoicing Due Date | Penalty Date |
|------------|------------------------------|-----------------|
| 1 | 24 October 2024 | 30 October 2024 |
| 2 | 24 January 2025 | 29 January 2025 |
| 3 | 24 April 2025 | 30 April 2025 |
| 4 | 25 July 2025 | 30 July 2025 |
| Instalment | 6 Monthly Invoicing Due Date | Penalty Date |
| 1 | 24 January 2025 | 29 January 2025 |
| 2 | 25 July 2025 | 30 July 2025 |

A penalty of 10% will be added to any portion of rates for water supplied by meter, which remains unpaid after the relevant instalment due date, on the respective penalty date above.

With the reasons for this decision being:

The Council is required to collect funds from rates on properties to undertake the functions outlined in the 2024/34 Long Term Plan.

3.0 Background – Te Horopaki

- 3.1 At its meeting on 27 June 2024, Council will adopt its 2024/34 Long Term Plan which identifies the Council's budgetary requirements for the forthcoming financial year.
- 3.2 It now needs to set and assess the Rates described in its Rating Policy and Funding Impact Statement in order to collect the revenue needed for the 2024/25 Financial Year commencing 1 July 2024.

4.0 Discussion – *Te Matapakitanga*

- 4.1 To enable the Rates to be levied on properties for 2024/25, the Council needs to pass the resolution to set the Rates for the 2024/25 Financial Year in accordance with Sections 23 and 24 of the Local Government (Rating) Act 2002.
- 4.2 The Rates have been calculated to ensure that the correct revenue is collected to meet the budget.

5.0 Options – *Ngā Kōwhiringa*

- 5.1 The resolution enables the collection of Council's rate funding requirement based on the budget and policies adopted in the 2024/34 Long Term Plan. This is the only option that allows Council to collect rates to fund the expenditure requirements.
- 5.2 More information about the options that the Council considered in its Long Term Plan deliberations which influence these Rates recommendations can be found in the agenda and minutes for the deliberations held on 11th June 2024.

Attachments:

There are no attachments for this report.

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

This proposal promotes the social, economic, environmental, and cultural wellbeing's 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 outcome of this report and recommendation will enable Council to generate the budgeted rates income.

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 high significance.

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

The budget used to set Rates for the 2024/25 financial year was consulted upon through the 2024/34 Long Term Plan.

Risks

The rates resolution and Funding Impact Statement have been reviewed by Lizzy Wiessing, Barrister in June 2024 to ensure compliance with the legislative requirements of the Local Government Act and Local Government (Rating) Act and amendments have been made to both documents following the review.

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

Due to time constraints, officers have not been able to provide the Rural Community Board with information on the impacts for Rating Area 2.

Thursday, 27 June 2024

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

Item 10

Te Rārangi Take

Report to Council

Nā: Bruce Allan, Deputy Chief Executive
From: Craig Thew, Group Manager: Asset Management

Te Take: Local Waters Done Well - Terms of Reference
Subject: Local Waters Done Well - Terms of Reference

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to recommend that Council adopts the “Terms of Reference for Hawke’s Bay Water” (the Terms of Reference). The Terms of Reference are set out in **Attachment 1**.
- 1.2 The Terms of Reference set out the basis for the four councils of Wairoa District, Central Hawke’s Bay District, Hastings District and Napier City (the Councils) to engage the Hawke’s Bay Regional Recovery Agency to programme manage the work required to enable the Councils to make a decision on whether to proceed with a joint Water Service Entity for Hawke’s Bay (Hawke’s Bay Water).
- 1.3 The work will include the development of a business case for a joint entity and work toward the development of Water Services Delivery Plans to be required under the Government’s Local Waters Done Well Legislative and Policy Framework.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Local Waters Done Well - Terms of Reference dated 27 June 2024.
- B) That Council Adopt the Local Waters Done Well Terms of Reference set out in Attachment 1.
- C) Council notes that with the adoption of the Local Waters Done Well Terms of Reference, Council will:
 - i. endorse the hiring of Project Management support, within the Regional Recovery Agency (RRA), to work on the Hawke’s Bay Water programme.
 - ii. endorse the use of \$1.33m plus GST of Local Water Done Well Support Package Funding (previously Council Transition Support for the four Hawke’s Bay Councils and

other Department of Internal Affairs funds) toward the deliverables outlined in the Terms of Reference.

iii. support the Hawke's Bay Water work programme and process, including:

- Engagement with mana whenua
- Providing expertise from Council officers to support the process.

D) Council notes that as legislation progresses and further Government policy is released, the Terms of Reference may need to be altered as appropriate for context.

3.0 Background – *Te Horopaki*

- 3.1 Central Government has set out the initial policy decisions and proposed legislative changes for the delivery of local water infrastructure and services aimed at achieving the implementation of its Local Water Done Well (LWDW) policy framework.
- 3.2 The first Bill, passed into law in February 2024, repealed the previous Government's water services legislation and restored continued council ownership and control of water services.
- 3.3 The second Bill – Local Government (Water Services Preliminary Arrangements) Bill – is currently at select committee and is anticipated to be passed in August 2024. This Bill establishes the LWDW framework, and the transitional arrangements for a new water service system for New Zealand.
- 3.4 Areas of this Bill include:
- 3.4.1 Requiring councils (either individually or collectively) to develop Water Services Plans by mid-2025.
- 3.4.2 Requiring councils to provide baseline information about water services operations, assets, revenue, expenditure, pricing, and projected capital expenditure.
- 3.4.3 Providing specific consultation and decision-making processes that Territorial Authorities (TAs) may use to establish, join, or amend Council Controlled Organisations (CCOs) that will deliver water services.
- 3.5 The final Bill is expected to be introduced in December 2024, with policy decisions expected to be announced early in the second half of this year.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Under the LWDW legislative framework, the Councils can determine, supported by a feasible business case, whether they wish to establish a regional water services entity. The Councils have signalled through the Mayors and Chief Executives that there is interest in undertaking business case work collectively to support decision making. This has led to the development of the attached Terms of Reference.
- 4.2 In recognition of the existing cross-council coordination function of the Regional Recovery Agency (RRA), it has been agreed between Wairoa District Council, Napier City Council, Hastings District Council and Central Hawke's Bay District Council that the Hawkes Bay Regional Recovery Agency (RRA) will take on the role of coordinating and programme managing the region's approach to LWDW.
- 4.3 The Terms of Reference sets out the detail of this proposed arrangement, covering the objectives and scope of the work, the approach the RRA will take, oversight and reporting, as well as information on the approach, deliverables, timeline, and budget.
- 4.4 It is intended that the work will be funded by the Councils using remaining Three Waters Transition Funding and in some cases Better Off Funding previously allocated or set aside for Council use. At

this stage funding of \$1.33 Million has been identified for the project work. Of which \$500,000 has been set aside by Council from unallocated Transitional Funding provided by the DIA to support the transition towards the 3 Waters entity under the previous Government. It has been confirmed that this funding is available for this purpose. It has also been confirmed by the Department of Internal Affairs (DIA) that this is likely to be the only purpose for which this unallocated funding can be used.

- 4.5 Hastings District Council has offered to be the entity that will receive all allocated funding for this work and will be the engaging entity for all consultant support on behalf of the region. The RRA is not an entity in its own right and it is important that this work is clearly separated from its core recovery role.
- 4.6 The focus of this work will be to enable a decision on whether to pursue a joint water services entity for Hawke's Bay. The work will include business case development, work toward developing Water Services Delivery Plan(s) and work on funding and balance sheet separation issues and a range of other matters that will support Council decision making.
- 4.7 Adopting the Terms of Reference does not lock the Council into proceeding with a joint Water Service Entity for Hawke's Bay. The work to be completed under the Terms of Reference will enable the Councils to make properly informed decisions about a joint Water Services Entity and, as importantly, how to address requirements on the Councils under the LWDW framework.
- 4.8 The draft Terms of Reference is being presented to all four Councils over that last week of June and first week of July for adoption.

5.0 Options – *Ngā Kōwhiringa*

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

5.1 Adopt the draft Terms of Reference:

Advantages

- The attached draft Terms of Reference has been developed with input from the four Hawkes Bay Councils, the RRA and advisors already engaged to support the process to-date.
- There is little downside from progressing this work. The funding previously allocated to support Councils three waters reform transition is available from the DIA to be used for this purpose and likely that this will be the only purpose that these funds will be available for.
- By approving the Terms of Reference, Council is not committing itself to proceeding any further, but will provide the Councils with the necessary information to support the decision-making process of establishing a Hawkes Bay Water Entity or not.

Disadvantages

- The only identified disadvantage at this time is that this work may be a distraction for staff already heavily engaged with a large programme of work.

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

5.2 Reject the request to approve the draft Terms of Reference.

- There is no identified reason noted by Officers to support this option.

6.0 Next steps – *Te Anga Whakamua*

6.1 If all Councils adopt the Terms of Reference, the next steps will be to:

- 6.1.1 Publicly announce the agreement of the four Councils to undertake this initial programme of work.
- 6.1.2 Recruit a Project Manager to undertake the programme of work set out in the Terms of Reference.

6.2 If one or more Councils determine not to adopt the Terms of Reference, Councils will need to determine how best to proceed to meet emerging requirements on them under the LWDW framework.

Attachments:

[1](#) Proposed ToR - Hawke's Bay Water

CG-17-1-00958

Vol 1

Item 10

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 all the wellbeing's for communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Engagement with mana whenua and PSGE's is identified in the draft Terms of Reference as an important component of the process. Details of how this will be undertaken will be developed in the first stage of the work programme.

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Council is requested to commit \$500,000 of unallocated transitional funding provided through the Department of Internal Affairs allocated to support the transition to the new 3 Waters entity under the previous government. This funding is currently not available for any other purpose.

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 at this time. Should a recommendation be made that a Hawke's Bay Water Services Entity be created, then significant consultation will be required at that time.

Risks

Risks associated with this stage of the work are limited to not developing a robust process in developing the business case for change. The RRA is will assemble an experienced team of advisors and consultants while utilising staffing resources from the four Councils to do this work to a high standard.

Hawke’s Bay has the opportunity to be a first mover in developing a business case under the LWDW Policy Framework and hence additional support may be forthcoming from the government to help this programme.

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

N/A

Thursday, 27 June 2024

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

Te Rārangi Take

Report to Council

Nā:
From: Craig Cameron, Group Manager: Strategy and Development

Hawke's Bay Regional Economic Development Agency

Te Take:
Subject: 'Letter of Expectations' Issued from the 'Governance Group' of the
'Matariki Regional Economic Development Strategy'

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

- 1.1 The purpose of this Report is for Council to receive the 'Draft Letter of Expectations' (Letter) issued to the 'Hawke's Bay Regional Economic Development Agency' by the Matariki Governance Group of the Matariki Regional Economic Development Strategy. (Effective 23 June 2024). A copy of the 'Letter of Expectations' is attached as **(Attachment 1)**.
- 1.2 Establishment of REDA began in March 2022 under the oversight of an Establishment Group comprising representatives from each of the core stakeholders, business, Māori and Councils.
- 1.3 The Matariki Governance Group (MGG) provides guidance to REDA and accountability for strategic direction, offering a co-governance layer to the operation of REDA. REDA has responsibility for delivering on aspects of the Matariki Regional Development Strategy.

2.0 Recommendations - *Ngā Tūhunga*

- A) That Council receive the Report titled Hawkes Bay Regional Economic Development Agency (REDA) dated 27 June 2024.
- B) That Council receive the draft 'Letter of Expectations' issued from the 'Governance Group' of the 'Matariki Regional Economic Development Strategy' to the REDA. (Attachment 1).

Attachments:

[1](#) Draft Letter of Expectations Matariki Board

CG-17-1-01022

Vol 1

Thursday, 27 June 2024

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

Item 12

Te Rārangi Take

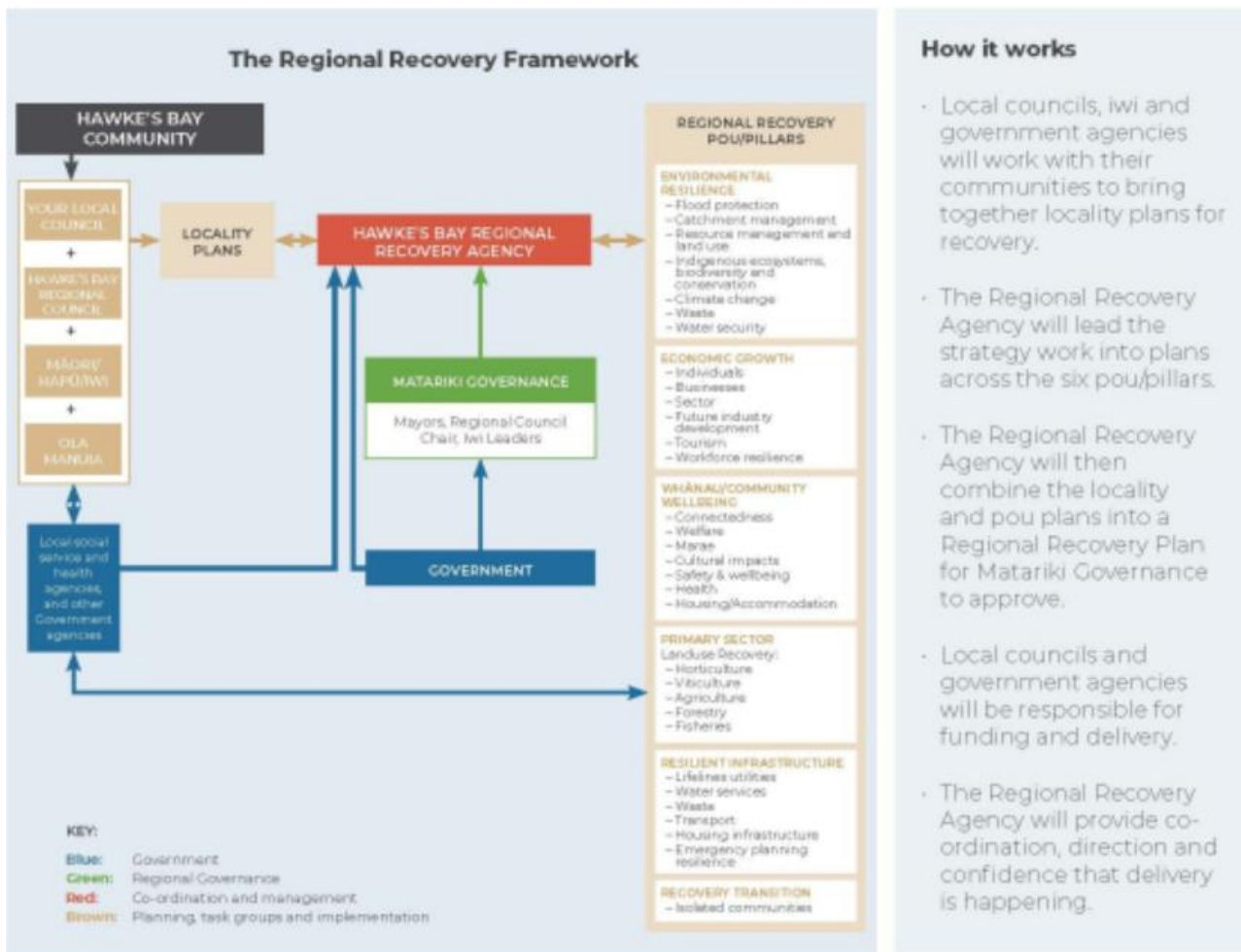
Report to Council

Nā: **Craig Cameron, Group Manager: Strategy and Development**
From:

Te Take: **Hawke's Bay Regional Recovery Agency**
Subject: **Te Matau-a-Maui Hawke's Bay Regional Recovery Plan 2.0**

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

- 1.1 The Hawke's Bay Regional Recovery Agency (RRA) has been established to lead and coordinate recovery efforts (from Cyclone Gabrielle) across the Hawke's Bay Region, and to provide coordination between the region, Government and government agencies.
- 1.2 The Regional Recovery Framework is explained in the Image below.



- 1.3 The RRA has issued to the Matariki Governance, ‘Te Matau-a-Maui Hawke's Bay Regional Recovery Plan 2.0’. (The Plan)
- 1.4 The Plan (2nd iteration) represents a collective path forward in terms of building a resilient set of communities and laying the foundation for a more prosperous and equitable region. In recognising the progress already made and the work currently in motion, the Plan sets out the region’s goals for the future and the programmes required to deliver them.
- 1.5 The Plan is attached as (Attachment 1).

2.0 Recommendations - Ngā Tūhunga

- A) That Council receive the Report titled ‘Hawkes Bay Regional Recovery Agency Te Matau-a-Maui Hawke’s Bay Regional Recovery Plan 2.0’ dated 27 June 2024.
- B) That Council notes the Hawke’s Bay Regional Recovery Agency has issued to the Matariki Governance Group, for the Cyclone Gabrielle Recovery, - ‘Te Matau-a-Maui Hawke's Bay Regional Recovery Plan 2.0’, which is the 2nd iteration of a Hawke’s Bay Regional Recovery Plan. (Attachment 1).

Attachments:

Thursday, 27 June 2024

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

Te Rārangi Take

Report to Council

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

Te Take:
Subject: Submission on the Local Government (Electoral Legislation and Māori Constituencies) Amendment Bill


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

- 1.1 This report is to inform Council of the submission made to Parliament's Justice Committee on the Local Government (Electoral Legislation and Māori Constituencies) Amendment Bill (the Bill).
- 1.2 Parliament called for submissions on the Bill on 24 May 2024, with a closing submission date of 29 May 2024. Given the very short submission timeframe there was insufficient time for officers to report a draft submission to a Council meeting prior to the conclusion of the submission period.
- 1.3 In brief, the Bill proposes to reinstate the right to a local referendum on the establishment or ongoing use of Māori wards or Māori constituencies.
- 1.4 The Bill would:
 - Reinstate binding polls on Māori wards and Māori constituencies.
 - Require councils to hold a binding poll at the 2025 local elections if they established Māori wards or Māori constituencies since 2020 and did not hold a poll. This applies to Council.
- 1.5 A submission on behalf of Council was lodged with Parliament's Justice Committee on 29 May 2024, (a copy is in **Attachment 1**). Deputy Mayor Tania Kerr presented an oral submission to the Justice Committee on 4 June 2024.
- 1.6 The submission was based on the report to the Council meeting on 23 May 2024 where the Council resolved to retain its Takitimu Māori Ward. This Report noted that officers would monitor Crown decisions regarding legislative changes affecting Māori wards and report to Council as required, including opportunities to submit to any legislative processes.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Submission on the Local Government (Electoral Legislation and Māori Constituencies) Amendment Bill dated 27 June 2024.
- B) That Council notes the submission (Attachment 1) to the Parliament’s Justice Committee on the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.

Attachments:

| | | | |
|---|---|-------------|-------|
| 1  | Submission - Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill | CG-15-24-48 | Vol 1 |
|---|---|-------------|-------|

Thursday, 27 June 2024

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

Te Rārangi Take

Report to Council

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

Te Take: Requests Received Under The Local Government Official
Subject: Information and Meetings Act 1987 (LGOIMA) Update

1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga

- 1.1 The purpose of this report is to inform the Council of the number of requests under the Local Government Official Information and Meetings Act 1987 (LGOIMA) received from 21 April 2024 to 20 May 2024 and the status of those requests as at the 20 May 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 Tūhunga

- A) That Council receive the report titled Requests Received Under The Local Government Official Information and Meetings Act 1987 (LGOIMA) Update dated 27 June 2024.
- B) That the LGOIMA requests received from 21 April 2024 to 21 May 2024, as set out in **Attachment 1** of the Report be noted.

Attachments:

[1](#) LGOIMA report - April - May 2024

CG-15-24-49

Local Government Official Information and Meetings Act 1987

LGOIMA – Report to Council – 21 April 2024 – 20 May 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 |
|--|-------------------|-----------------------|---|---|---|---|--|
| | 12 | 12 | 10 | 2 | 0 | 10 | |

Requests received since last reported to Council

| Completed | 12 | | | | | |
|---------------------------|-----------------------------------|--|-----------------------|--|--|--|
| Outstanding | 0 | | | | | |
| Month | From | Subject | Estimated Time(hours) | | | |
| From 21 April 2024 | Anne Gibbs | Beach access at Tiakitai Road | 2 | | | |
| | Casey Tapara | Number of residences and businesses in Whakatu | 1 | | | |
| | Kim Hobson, Access Security | IT products and databases | 1.5 | | | |
| | Antony DeGreat | Rainbow Storytime #2 | 1 | | | |
| | Jamie Sutton | Logo brand costs | 1 | | | |
| | Tim Carter | Camping ground licences | 1.5 | | | |
| May | Angela McFlynn, McFlynn Surveying | Copy of legal opinion | 1.5 | | | |
| | Kevin Tinker | Fluoride | 3 | | | |
| | Tawhana Chadwick | Correspondence Woodley and Ngahuka | 3 | | | |
| | Sinead Gill, Stuff | Catering for LTP Hearings | 1 | | | |
| | Jessica Maxwell | Historical Documents Register | 1 | | | |
| | Bibby Ronberg | Rebranding costs | 1 | | | |

Thursday, 27 June 2024

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

Te Rārangi Take

Report to Council

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

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

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

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

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

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

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

If a local authority adopts a schedule of meetings-

a) The schedule-

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

ii) may be amended.

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

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

2.0 Recommendations - Ngā Tūtohunga

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

| | | |
|---|-------------|---|
| Monday, 15 July 2024, 1pm, Council Chamber | New Meeting | HDC: Tangata Whenua Wastewater Joint Committee |
|---|-------------|---|

Attachments:

There are no attachments for this report.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 27 JUNE 2024

Item 18

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:

- 19 Civic Honours Nominations 2024
- 20 Proposal to lease Property
- 21 305 Heretaunga Street East
- 22 Kererū Gorge Culvert Replacement - Procurement Methodology
- 23 Appointment of Independent Chair to Risk and Assurance Committee
- 24 Flaxmere Commercial Transaction
- 25 Appointments to Cyclone Gabrielle Recovery Road Infrastructure Works Suppliers Panel & Award of the Contract Package of Work for Taihape Road Slip Remedial Works

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> |
|--|--|---|
| 19 Civic Honours Nominations 2024 | 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 privacy of nominees pending decision-making in the selection process.. | 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. |

| | | | |
|----|--|---|---|
| 20 | Proposal to lease Property | <p>Section 7 (2) (b) (ii) The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.</p> <p>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. Commercial sensitivity.</p> | <p>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.</p> |
| 21 | 305 Heretaunga Street East | <p>Section 7 (2) (i) 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 commercial negotiations.</p> | <p>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.</p> |
| 22 | Kererū Gorge Culvert Replacement - Procurement Methodology | <p>Section 7 (2) (c) (ii) The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to damage the public interest.</p> <p>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. Confidential business information and protect Councils negotiation position.</p> | <p>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.</p> |
| 23 | Appointment of Independent Chair to Risk and Assurance Committee | <p>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 privacy of the individual being recommended and to enable free and frank discussion.</p> | <p>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.</p> |
| 24 | Flaxmere Commercial Transaction | <p>Section 7 (2) (i) 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.</p> | <p>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.</p> |
| 25 | Appointments to Cyclone Gabrielle Recovery Road Infrastructure Works Suppliers Panel & Award of the Contract Package of Work for Taihape Road Slip Remedial Works | <p>Section 7 (2) (i) 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). Reserve the ability for Council to complete negotiations and consider commercially sensitive information.</p> | <p>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.</p> |