

Tuesday, 17 June 2025

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

Kaupapataka **Agenda**

Te Rā Hui:
Meeting date: **Tuesday, 17 June 2025**

Te Wā:
Time: **9.00 AM**

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**

Tuesday, 17 June 2025

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), Hana Montaperto-Hendry, Simon Nixon, Wendy Schollum, Heather Te Au-Skipworth and Kevin Watkins and one councillor vacancy

Tokamatua:

Quorum:

8 members

Apiha Matua

Officer Responsible:

Chief Executive – Nigel Bickle

Te Rōpū Manapori me te

Kāwanatanga

Democracy and

Governance Services:

Louise Stettner (Extn 5543)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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

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

Leave of Absences had previously been granted to Councillor Kerr and Councillor Schollum

3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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

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

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

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

No minutes to be confirmed.

Whakatū West Stormwater Scheme - consideration of submissions

Attachment 6 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

Attachment 7 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

Attachment 8 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

Attachment 9 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (a) - The

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Attachment 10 to this report is confidential in accordance with the Local Government Official Information and Meetings Act 1987 Section 7 (2) (a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

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6.0 Minor Items – Ngā Take Iti

7.0 Urgent Items – Ngā Take Whakahihiri

Tuesday, 17 June 2025

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

Item 5

Te Rārangi Take

Report to Council

Nā: Lex Verhoeven, Manager - Strategy
From: Steve Cave, 3 Waters Manager

Te Take: Whakatū West Stormwater Scheme - consideration of
Subject: submissions

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to put before Council the feedback received during the consultation process on the Whakatū West Stormwater Scheme proposal, and to seek a decision on that proposal.
- 1.2 A total of 41 out of 61 properties (67%) have provided feedback. This includes submissions made to the proposal and the return of landowner preference forms which were used to help inform Council of landowners specific views in regard to their property/s (these are circulated in a separate attachment for Councillors and contain specific and private property information).
- 1.3 3 submitters have opted to present to Council and these submissions will be heard at the commencement of the meeting as follows:
 - DG Logistics (submission in separate attachment)
 - Silver fern Farms (submission attached to report)
 - Graeme Lowe Tannery (submission in separate attachment)
- 1.4 The body of the report overviews that feedback in more detail but below is a summary of the key feedback points.
- 1.5 A total of 41 responses were received to the question of whether landowners supported the Whakatū West Stormwater Scheme. 34 responses (83%) indicated their support.
- 1.6 A key part of the consultation related to the funding of the scheme. So, despite good support for the scheme itself, a variety of views were received regarding scheme funding. The following table categorises the responses. These categories are defined by both the number of scheme properties and by the value share of the proposed annual targeted rate (Councillors should note that the proposed rate has a 10-year term so the total contribution to the scheme will be 10 times the figures in the table). Based on the number of properties responding the support is reasonably evenly split.
- 1.7 However, based on the analysis of who would be paying the proposed targeted rate, then there is a clear preference towards those that either do not approve of the scheme or consider more work needs to be done in respect of funding.

Funding Support Summary	Number of props	% Total	\$ Value	% Total
Yes	19	31%	235,881	27.79%
No or Amend Proposal	22	36%	376,662	44.37%
No Response	20	33%	236,358	27.84%
	61	100%	\$848,902	100.00%

- 1.8 Arguably the more important parameter to consider is the support represented by the proportion of the value of the targeted rate that would be levied.
- 1.9 It should be noted that the No Response rate in the table above does not reflect the efforts undertaken to engage with landowners. At least 5 properties (accounting for a further 17% of the total land area) have either attended landowner meetings or been spoken to during this process. Officers will update Council at the meeting of any late responses received.
- 1.10 The following key themes have emerged from the consultation process:
- Some landowners have their own stormwater solutions/historical agreements which they consider need to be factored into the funding model;
 - Some landowners recently developing land holdings have invested in on-site stormwater solutions to meet Hawke's Bay Regional Council consenting conditions, which they consider need to be factored into the funding model;
 - Some landowners having contributed to the previous gravity scheme consider that they have already made contributions;
 - Some landowners agree with the proposal, particularly those in the lower lying areas (and may pursue further action to achieve a scheme solution);
 - Some landowners have made their agreement to funding the scheme conditional on there being no further cost;
 - Some landowners have questioned whether the public good input into the project should be greater and whether the criteria used are too narrow;
 - Numerous questions and comments (particularly at landowner meetings) have centred on the adequacy of the stopbanks, the existing gap in the stopbank and dredging of the river. Some landowners want to see these matters attended to before considering the scheme proposal.
 - Some comments made regarding communication and hasty timeframes;
 - Some landowners have raised different time payment period;
 - Some comment made on the extent of contribution to the scheme from Unison;
 - Some landowners wish to see further work done on the equity and fairness of the rating strategy;
 - Perception of some landowners that Cyclone Gabrielle impacts are not representative of the design storm;
 - Some landowners have chosen not to engage or want more time to consider the scheme and its impact.
- 1.11 The report overviews three legitimate decision pathways following the hearing and consideration of submissions, having now completed this process in accordance with the Local Government Act 2002. Note: A material modification to the rating strategy for implementation on 1 July 2025 is not recommended and would come with some procedural risk.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Whakatū West Stormwater Scheme - consideration of submissions dated 17 June 2025.
- B) That Council determine a course of action as broadly outlined within the options section of this report.

3.0 Background – Te Horopaki

- 3.1 The Whakatū West Stormwater Scheme proposal follows a number of discussions and consideration of concepts. After a level of due diligence was completed, the concept then progressed to detailed design for a pumped stormwater and detention solution for the scheme area. The proposal would consist of a pump station and detention areas, that will provide for a 1:50 year storm event level of service.
- 3.2 The new scheme area is defined from rain on grid modelling data and is based on the catchment that collects stormwater in a 1:50 storm event.
- 3.3 Landowner meetings were held on 24th March and 7th April to outline the proposal, address various landowners' queries and overview a potential funding strategy.
- 3.4 The Council adopted the full Statement of Proposal for consultation on 29 April and that proposal has been open for consultation since that time through to 6 June 2025. A landowner meeting was also held on 26 May, attended by 18 property owners (both in person and online).
- 3.5 The proposed rating strategy centres on a simple catchment approach whereby all properties contributing stormwater into the collecting catchment would be rated for the scheme based on the land area of their property. This is a similar approach to the funding of the earlier gravity system which was installed. The Statement of Proposal sought landowner views on this approach. The Statement of Proposal has been attached for reference.

4.0 Discussion – Te Matapakitanga

- 4.1 The feedback to the proposal is mixed. It reflects the organic nature of this industrial development overtime, dating back to a system of rural drains administered by the Hawke's Bay Regional Council. It also reflects the range of on-site stormwater mitigation measures that property owners have taken over time to meet consent conditions.
- 4.2 It also reflects to some degree the land topography, in that it essentially is a basin that fills with water, therefore lower lying properties may be perceived to benefit more from the scheme.
- 4.3 Good support for the scheme itself was received with 82% support from the responses received.
- 4.4 However, the responses to the funding of the scheme are more challenging and are outlined below.
- 4.5 In terms of Council decision making the onus on Council is to follow a proper process as set out in the Local Government Act 2002. The Council then needs to during its decision-making process give consideration to the views and preferences of persons likely to be affected by, or to have an interest in the matter (section 78 LGA 2002).
- 4.6 To assist Council to understand the views and preferences (particularly of those directly impacted by the proposal) a landowner preference form was distributed to each property owner. This was in addition to the standalone consultation process which was open to both landowners and the wider community. The Council will also need to consider that feedback in both written form and from those that have chosen to present their views to Council (section 83 LGA 2002).

4.7 The following table categorises the responses. These categories are defined by both the number of scheme properties and by the value of proposed annual targeted rate share:

Scheme Survey Responses	Number of props	% Total	\$ Value	% Total
Yes	19	31%	235,881	27.79%
No	15	25%	168,910	19.90%
Amend Proposal	7	11%	207,753	24.47%
No Response	20	33%	236,358	27.84%
	61	100%	848,902	100.00%

4.8 The following key themes have emerged from the consultation process:

- Some landowners have their own stormwater solutions/historical agreements which they consider need to be factored into the funding model;
- Some landowners recently developing land holdings have invested in on-site stormwater solutions to meet Hawke's Bay Regional Council consenting conditions, which they consider need to be factored into the funding model;
- Some landowners having contributed to the previous gravity scheme consider that they have already made contributions;
- Some landowners agree with the proposal, particularly those in the lower lying areas (and may pursue further action to achieve a scheme solution);
- Some landowners have made their agreement to funding the scheme conditional on there being no further cost;
- Some landowners have questioned whether the public good input into the project should be greater and whether the criteria used are too narrow;
- Numerous questions and comments (particularly at landowner meetings) have centred on the adequacy of the stopbanks, the existing gap in the stopbank and dredging of the river. Some landowners want to see these matters attended to before considering the scheme proposal.
- Some comments made regarding communication and hasty timeframes;
- Some landowners have raised different time payment period;
- Some comment made on the extent of contribution to the scheme from Unison;
- Some landowners wish to see further work done on the equity and fairness of the rating strategy;
- Perception of some landowners that Cyclone Gabrielle impacts are not representative of the design storm;
- Some landowners have chosen not to engage, or want more time to consider the scheme and its impact

4.9 The Council has facilitated the funding of schemes in the past across the district via a targeted rate, with a time payment option – in this case over a ten-year duration. There is no definitive scheme support number in any legislation that provides guidance to Council in its decision making. This is a judgement for Council having considered the requirements on Council set out in 4.5 and 4.6 above, and the feedback outline in 4.7.

4.10 Historically the Council has sought majority support (at levels broadly around 70-80% plus) before proceeding with setting targeted rates for ring-fenced proposal such as this. It could be argued that the bar for community support is at the higher end of the continuum here given the significance of the funding impact on property owners. Councillors should note that the figures in the landowner's

preference forms reflect the indicative annual targeted rate for a property which would be reflected as a separate line on their rates invoice, therefore the total contribution to the project cost (including GST and financing) would be 10 times that figure (given the proposed 10-year term of the rate).

4.11 Public Good

- 4.12 Some submitters have raised the issue of public good input into the project. The determination of public good is a judgement for Council to make and a matter the Council may want to turn its mind to further.
- 4.13 Good public policy principles would suggest that Council should consider what these wider benefits might be to the broader community. It should also consider the equity and fairness of its funding approach here relative to other industrial growth nodes, and projects it may have supported in the past with similar characteristics. The Council will need to be mindful that public good is essentially paid by all ratepayers as a contribution to the scheme and will need supporting reasoning with any decision. The Council should also be mindful that any significant public good contribution has not been through a broader community feedback process.
- 4.14 Below are the relevant extracts and discussion from the Statement of Proposal in respect of the consideration of public good:

The matter of "Public Good" is a standard consideration when assessing funding for new projects.

The Council have undertaken an assessment and have determined that no primary public good benefits exist over and above other growth development areas in the Hastings District. The infrastructure in these other areas has been funded on a "Private Beneficiary" basis in the form of Development Contributions.

Ancillary public good benefits that were determined were:

- *Increased productivity and job creation*
- *Better links and connectivity (throughfare to Whakatū township)*
- *Enhanced flooding protection of some critical infrastructure*

These benefits were considered similar to other growth areas (funded on a private beneficiary basis), more localised in nature to the Whakatū area or in the case of protecting critical infrastructure (the responsibility of the particular asset/property owner).

Given that the primary drivers and beneficiaries of the project are private in nature, the Council have assessed this project as a predominantly landowner cost to be funded. This is based on the following key landowner benefits:

- *Property flood protection;*
- *Potential uplift in property value;*
- *Better insurance prospects;*
- *Business continuity in a storm event;*
- *Ability to retain and attract tenants.*
- *Land development potential (for some properties)*

This approach maintains a level playing field with the funding approach to other development areas and accords with the Council's approach to funding other similar projects where the protection of private assets is involved.

Whilst difficult to quantify any ancillary public good benefit, the Council considers that the circa \$600k of public funding, which has been advanced to the project for the investigation and design phase, to constitute the full and final public good Council contribution. This equates to approximately 10% of the total project cost.

5.0 Options – Ngā Kōwhiringa

Option One

5.1 **Confirm the setting of a targeted rate on landowners commencing from 1 July 2025 for a 10-year term, on the general basis outlined within the Statement of Proposal (with or without minor modifications):**

Advantages

- Would resolve a long-standing matter in respect of stormwater risk in the Whakatū West area and enable further development of some land holdings.
- No further cost and manages project cost escalation risk.

Disadvantages

- Not majority support. The financial implications on properties are significant, and the feedback suggests that there will be some discontent with this decision, particularly from some larger contributing landowners. That could present itself with some legal risk.

Option Two

5.2 **Do not confirm the setting of a targeted rate on landowners and cease further work on the scheme proposal:**

Consequences of not progressing with a scheme upgrade.

Detailed below are comments specific to this option.

Current level of service

The current level of service provided by the outlet gravity pipe is to a 1 in 5-year rain event excluding climate change adjustments. This means that over time (next 30 to 50 years), the level of service will be reduced through more frequent and higher intensity rain.

The current scheme also caters for overland flow via pipes, open drains and swales within the roads to convey stormwater to the gravity pipe in larger 1 in 50 year events however, excess surface flow still results in ponding and flooding within properties due to the natural topography of the land. Eventually, all overland and piped flow, discharges into the low-lying land at Johnston Way. This is a natural detention basin that is connected to the gravity outlet pipe via the Works Drain.

Future Impacts

Without further upgrades, the frequency of effects can be expected to increase over time. The impact of overland flow on properties and roads will be marginally increased however they will be experienced more regularly. Most of the future impacts will be to the lowest lying parts of the catchment in and around Johnston Way. The detention area may be inundated more frequently and be wetter for longer periods further reducing its development potential. The frequency of flooding to properties in Johnston Way will be increased due to the inability of the gravity pipe to pass increased flows from more regular higher intensity events.

The current gravity pipe system is not dependent on the natural detention area (that sits across several private properties) to deliver the design level of service (1 in 5) but it does provide buffer to the impact of larger rain events that compromise gravity discharge when the Clive River is in flood and to store overland flow from the catchment above.

Legal Obligations

The Council has obtained legal advice regarding explicit obligations to provide stormwater services in the Whakatū Industrial area.

The officer's advice is that there are no explicit obligations. The fact that land is zoned Industrial does not mean that it can be developed for industrial purposes without the need in individual cases to address the effects of that development.

Zoning is a technique to give effect (through policies and rules etc) to the obligations of a Council under the relevant provision of the RMA. It does not, of itself, constitute a warranty by Council, or place an obligation on Council to ensure, that the land can be so used without imposing more obligations on Council.

Councils will often exercise functions as a local authority under the Local Government Act 2002 to facilitate industrial (or other) development in areas identified as generally appropriate (such that as by zoning). In that context Councils will often take the lead on infrastructure development for the benefit of the landowners within the zone, but there is no obligation to do so.

Status Quo Outlook

If the detention area remains in its current state, it will continue to provide buffer storage for larger rain events as it has done so even prior to development in the Whakatū Industrial Area or the Stage 1 stormwater scheme. Increased effects (flooding in and around Johnston Way) will be driven by climate change factors and an inability for stormwater to be adequately managed via the gravity pipe alone. Ongoing constraints on the use of private land where detention occurs will continue to impact property owners who have a desire to develop their land that floods.

Advantages

- Would meet the preferences of those either opposed to the scheme or opposed to paying for the scheme.
- Would mean no further cost to Council.
- Would bring this matter to a conclusion, with landowners understanding the risks and making their own risk mitigation decisions.

Disadvantages

- Would leave the catchment without an upgraded or improved level of service.
- With climate change the level of service will decline over time.

Option Three

- 5.3 **Defer a decision at this time and instruct officers to do further work on any elements of the scheme proposal (i.e. the rating strategy) or other components as directed by Council. Bring back the work to dovetail with the 2026/27 Annual Plan and seek a decision from the newly elected Council at that time.**

Advantages

- Would provide more time to work through matters with landowners to arrive at a refined rating strategy (and other outstanding matters) in respect of the scheme.
- The Council would continue to seek a return on its investment toward the scheme concept and design cost it has funded.

Disadvantages

- A targeted rate would not be in place for the 2025/26 financial year. Delaying a final decision and delaying potential construction of the scheme, which may increase the scheme cost.
- The Council may incur other costs exploring a differential rating system.

6.0 Next steps – Te Anga Whakamua

6.1 The broad options for Council are outlined above. This is a decision for Council, having considered the information presented to support this consultation process.

Attachments:

1	Download Submission - Silverfern Farms	CP-01-01-25-78	
2	Download Submission - Toby Payton	CP-01-01-25-80	
3	Download Submission - Stephen Ricketts	CP-01-01-25-81	
4	Download Submission - Bill Nimon	CP-01-01-25-83	
5	Download Submission - Mark Cozens (Unison)	CP-01-01-25-87	
6	Whakatu West Industrial Area Scheme Funding	CG-17-1-01618	Under Separate Cover
	Responses		
	<i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>		
7	Submission - DG Logistics Ltd	CP-01-01-25-77	Under Separate Cover
	<i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>		
8	Submission - Graeme Lowe Tannery Ltd	CP-01-01-25-79	Under Separate Cover
	<i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>		
9	Submission - Bruce Reay (PLL Properties)	CP-01-01-25-82	Under Separate Cover
	<i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>		
10	Submission - DJ Monty Family Trust	CP-01-01-25-84	Under Separate Cover
	<i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>		
11	Submission - BLH Limited	CP-01-01-25-85	Under Separate Cover
	<i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>		
12	Submission - Aku Combs	CP-01-01-25-86	Under Separate Cover
	<i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>		

13	Submission - Neil Hammond <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-88	Under Separate Cover
14	Submission - Whakatu Properties <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-89	Under Separate Cover
15	Submission - Nuprop Limited <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-90	Under Separate Cover
16	Submission - Loraine Midgley <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-91	Under Separate Cover
17	Submission - Freshco Limited <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-92	Under Separate Cover
18	Submission - Tony Ashworth <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-93	Under Separate Cover
19	Submission - Bidfood Ltd <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-94	Under Separate Cover
20	Submission - VCVB Limited <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-95	Under Separate Cover
21	Submission - Kenah Family Trust <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-96	Under Separate Cover
22	Submission - Toto Investments <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-97	Under Separate Cover
23	Submission - LAMZ Services <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-98	Under Separate Cover
24	Submission - Aaron Michael Bourke <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-99	Under Separate Cover
25	Submission - Devco Ltd (Brad Nicol) <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-100	Under Separate Cover

26	Submission - Brad Nicol (Sun Properties) <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-101	Under Separate Cover
27	Submission - Whakatu Investments (Shane Brooker) <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-102	Under Separate Cover
28	Submission - Johnston Way Developments Ltd <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-103	Under Separate Cover
29	Submission - Gunn Investments Ltd <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-104	Under Separate Cover
30	Submission - Mike Walmsley <i>Confidential in accordance with Section 7 (2) (a) of the Local Government Official Information and Meetings Act 1987</i>	CP-01-01-25-105	Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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

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

This proposal promotes both the economic and environment wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Aspects of the proposed scheme of particular interest to Māori are proposed to be considered via the consenting process for the scheme.

Sustainability - *Te Toitūtanga*

Sustainability and environmental considerations associated with the scheme will be addressed via the consenting process for the scheme with the Hawke's Bay Regional Council.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The Rating Strategy and other financial considerations were addressed within the Statement of Proposal developed in accordance with the Local Government Act 2002.

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 significance to the affected landowners in the Whakatū West Scheme area. Therefor a consultative process in accordance with the Local Government Act 2002 has been followed.

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

See above.

Risks

A matter of procedural risk has been addressed in the report.

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

Not Applicable



Silver Fern Farms Limited
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Strategy Manager
Hastings District Council
Private Bag 9002
Hastings 4156

lexfv@hdc.govt.nz

6 June 2025

To whom it may concern,

RE: WHAKATU WEST STORMWATER SCHEME

Silver Fern Farms (SFF) appreciate the opportunity to comment on the Whakatu west stormwater scheme and would like to express our position regarding our contribution and the overall design and benefits of the scheme.

SFF wants to be clear from the outset that we fully support the need for a stormwater solution in this area. However, we have serious concerns regarding the fairness, equity, and effectiveness of the current proposal, particularly as it relates to our properties at 75 and 97 Rangitane Road.

Our concerns are detailed below:

1. Disproportionate Financial Burden with Minimal Direct Benefit

Our properties are being asked to contribute approximately one-fifth of the total cost of the scheme, which is a significant and disproportionate share relative to the immediate benefits we receive. For such a high level of investment, we expect to see meaningful protection and outcomes for our site.

2. Scheme Does Not Address Key Flooding Risk to Our Property

The proposed pump station has been designed to accommodate a 1-in-50-year rainfall event, such as Cyclone Gabrielle. However, the flooding that affected our property during that event did not come from stormwater runoff alone; it came through a breach in the stop bank from the adjacent Karamu Stream.

Until this vulnerability is directly addressed, any investment into a broader stormwater solution will not provide the necessary protection for our site. There must be a clear and enforceable commitment to repair the stop bank as part of the scheme. SFF are aware that Hastings District Council (HDC) have been liaising with Hawkes Bay Regional Council on this matter, but without a clear progression to repair this, the fundamental risk remains unmitigated.

3. Existing Resource Consent

SFF holds an existing Resource Consent to discharge stormwater and cooling water into the adjacent Karamu stream. During the site visit on 15th April 2025, HDC representatives confirmed that there is

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available capacity within the proposed stormwater scheme to accommodate additional stormwater flows that are currently not connected.

HDC advised that SFF may continue to utilise its existing infrastructure for regular discharges. However, during rainfall events exceeding the 1-in-5-year threshold, surplus stormwater could be redirected into the new scheme. This redirection would require additional infrastructure to connect, at SFF cost.

It also remains unclear whether the proposed scheme can accommodate the site's cooling water discharge (currently incorporated with stormwater), given the significant volumes involved. This aspect requires further clarification from HDC.

While incorporating a future provision to redirect both stormwater and cooling water could enhance operational flexibility, the current understanding is that the proposed diesel-powered pump station associated with the proposed scheme is intended for infrequent, high-volume events and not designed for day-to-day operation.

Given the uncertainty around cooling water accommodation and the cost of the required infrastructure, connecting to the new scheme at this stage appears to be a significantly costly exercise with unclear benefit compared to the continued operation under the existing resource consent.

4. Lack of Clarity on Whakatu Swale System Support for Our Site

It is unclear how the existing Whakatu swale system supports our property specifically, especially given our disproportionate financial contribution. As one of the largest contributors, we should be receiving proportionate consideration in the benefits and protection offered. This is not currently demonstrated in the proposal, as the swale network only services a small portion of our boundary along Whakatu Road.

Overland flow along our Rangitane Road boundary has the potential to enter a roadside drain however this has not been developed to accommodate a 1-in-50-year rainfall event.

Additionally, as discussed during the site visit on 15th April 2025, HDC advised SFF would need to pay for additional reticulation between Nimons and the SFF boundary along Whakatu Road to enter the existing network. This connection would still only provide drainage from a small proportion of our property.

5. Inconsistent Treatment of Other Landowners

SFF note that at least one business with vacant land in the area has opted out of the scheme, stating they will self-manage their stormwater if the land is developed. This raises two concerns:

- It appears inequitable that some landowners can opt out while others are expected to shoulder the financial burden.
- If those landowners develop later, they may be required to use a significant portion of their land for on-site retention (i.e., catchment ponds), which is not only inefficient but does not contribute to a cohesive regional solution.

This situation undermines the collaborative intent of the scheme and creates the possibility of a fragmented, less-effective stormwater management system over time.

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6. Lack of Transparency Around Key Infrastructure Details

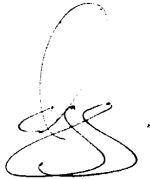
SFF also seek clarity on the location of the proposed pump station. This critical piece of infrastructure does not appear to be included in the presentation materials. As a major contributor to the scheme, we believe this information should be readily available for review and consultation.

Concluding Comment

SFF support a long-term stormwater solution for the Whakatu area, but the proposed scheme lacks critical protections for our site, places an undue financial burden on us, and appears to offer disproportionate benefits elsewhere.

SFF are more than happy to discuss this further and would like to be heard at the Council hearing scheduled for 17th June 2025. Please do not hesitate to contact me by email at cory.hogg@silverfernfarms.co.nz.

Yours sincerely,



Cory Hogg
Site Manager - Silver Fern Farms Pacific

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6/6/25, 12:30 PM

Wufoo · Entry Detail

HDC - Whakatu West Stormwater Scheme

COMPLETE #7

CREATED



PUBLIC
Jun 6th 2025, 11:17:39 am

IP ADDRESS



115.189.85.135

* Name

Toby Payton

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20 Memorial Park Ave
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* Email

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*** Please indicate whether or not you wish to speak to your submission at a Council Meeting set down for hearing submissions on 17 June 2025.**

No

What are the main topics in your submission?

1) Poor communication and lack of genuine engagement with community, 2) Proposed targeted rate is disproportionate 3) Stopbank integrity

Please tell us your views here.

1) Poor communication and lack of community engagement:

I have concerns around the level of engagement with the community given there were only 12 landowners present at the last council meeting and 5 online. I am told there were even less at the previous meetings. As I understand there are 54 landowners, therefore a very small percentage seem to have been engaged. I was also informed of this process very late in the piece. First information was received on the 22nd of April - this was dated 31 March and mentioned the 'last meeting took place on 7th of April' so I'd received this information 2 weeks after the fact. I understand there was another meeting that took place before this. Therefore I have serious concerns around how many other landowners are in the same position and potentially unaware that this is being proosed.

2) Proposed targeted rate is disproportionate

There are many properties in the Whakatu 'catchment zone' that do not flood at all. Therefore it is completely disproportionate and simply unfair to expect all landowners to pay the same rate as the those that are in lower lying areas. In the statement of proposal it notes:

'Some rough order modelling was undertaken based on a differentiated rate allocating more of the cost to low lying properties but subsequently discounted due to the lack of confidence in the accuracy of the judgements having to be made that would underpin a differential in the timeframe of the preparation of this Statement of Proposal. This is a point the Council could consider drawing out via the consultative process on the Statement of Proposal'

This seems to suggest that there was not enough time within the consultative process to consider proportioning the rate dependant on land which floods and does not. This is an extremely important point and needs to be fleshed out further. It is simply not good enough to not consider this as an option because the council did not have enough time.

In addition to this point, there is an argument to state that all landowners contribute to the runoff. I would dispute this in relation to my property as it falls towards the Clive river. Any councillor is welcome to come out to the property to survey this or sight it with their own eyes.

3) Stopbank integrity

At the last meeting, there was a comment raised as to the integrity of the stopbank. There was a general feeling that these had not been properly re-established since the cyclone nor could the council effectively explain why. As we all know there is simply no point having any pump station whatsoever if this is not addressed.

In summary, I would like to state that I do NOT support the stormwater scheme solution and I do NOT support the targeted rate as proposed in the document. I would potentially consider a proportioned rate towards those properties that are flood affected but would need further more detailed information in relation to this.

Finally I would also like to add that I did not appreciate the scaremongering tactics from the Strata consultant at the last meeting where he warned landowners about insurance etc. I would have thought such a consultant should be independent and it certainly didn't seem that way.

HDC - Whakatu West Stormwater Scheme

COMPLETE #1

CREATED



PUBLIC
May 13th 2025, 12:39:01 pm

IP ADDRESS



* Name

Stephen Ricketts

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4172
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* Phone number

0274475299

* Email

stephen.ricketts@kenidevelopments.co.nz

* Please indicate whether or not you wish to speak to your submission at a Council Meeting set down for hearing submissions on 17 June 2025.

No

What are the main topics in your submission?

Consideration must be given to recent property developments such as ours at 46 Whakatu Road (Mitre 10 Distribution Centre) who have had to provide significant mitigation measures already.

Please tell us your views here.

Whilst I agree with the proposals for a new stormwater scheme, consideration must be given to recent property developments such as ours at 46 Whakatu Road (Mitre 10 Distribution Centre) who have had to provide significant mitigation measures already. As part of our consent process we were forced to install a stormwater mitigation scheme due to the lack of an area scheme. As a part of the build process, we were required to install 150,000L storage capacity for stormwater, as well as significant in-ground catchment and distribution pipework. Our scheme has been designed in such a way that flows of stormwater off the property are pumped into the roadside swale in a controlled fashion so as not to over-run the immediate area. All this came at significant cost of both installation and maintenance. It is therefore not appropriate that a blanket rating scheme is applied to properties such as ours. We are in effect being taxed again as we will not derive any value from the area wide scheme.

HDC - Whakatu West Stormwater Scheme

COMPLETE

#6

CREATED



PUBLIC
Jun 5th 2025, 4:12:28 pm

IP ADDRESS



* Name

Bill NIMON

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PO Box 8145, Havelock North 4157
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Hawkes Bay
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New Zealand

* Phone number

021 745585

* Email

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*** Please indicate whether or not you wish to speak to your submission at a Council Meeting set down for hearing submissions on 17 June 2025.**

No

What are the main topics in your submission?

Doubling of the rates.
Pump station and detention area stormwater scheme solution

Please tell us your views here.

As a landowner, our feedback from our tenants on the effective doubling of the rates for ten years is impossible. The landlord is the meat in the sandwich; therefore, this is untenable.

We do not support the pump station and detention area stormwater scheme solution as our property has a gaping hole in the stop bank which makes the scheme pointless.

Also, our property by its resource consents is required to capture all water that falls on our property. The entire property is designed for the water to flow into the raingarden in the center, not out onto the road then to a pump station. This would be a major cost to change.

We feel that our property should not be included in this scheme. We feel that the stop bank removal was a major mistake and contributed to the major flooding during Cyclone Gabrielle.

Bill Nimon
LUCKNOW HOLDINGS

HDC - Whakatu West Stormwater Scheme

COMPLETE #5

CREATED



PUBLIC
Jun 5th 2025, 1:58:19 pm

IP ADDRESS



* Name

Mark Cozens

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021739503

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*** Please indicate whether or not you wish to speak to your submission at a Council Meeting set down for hearing submissions on 17 June 2025.**

No

What are the main topics in your submission?

Support for the Whakatu Industrial Area - New Storm-water Scheme Proposal.

Please tell us your views here.

Unison is very happy to support the New Whakatu Industrial Area Storm-water Scheme Proposal.

This scheme when completed will greatly improve Unison's ability to maintain a reliable electricity supply in the Whakatu area. The pumping station will improve resilience against flooding for not just Unison's ground mounted assets in this area, but also to Unison's Rangitane Rd Zone Substation located just off Johnston Way in the heart of the industrial area.

It is important to note that with changing weather patterns, the regularity of some weather events seem to be increasing. And having this proposed pumping station will greatly reduce the risk and cost of flooding in the Whakatu area.

Thank you for providing support for this project.