

Thursday, 24 February 2022

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

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Thursday, 24 February 2022**

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**

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HASTINGS DISTRICT COUNCIL
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TE KAUNIHERA Ā-ROHE O HERETAUNGA

Thursday, 24 February 2022

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: Bayden Barber, Alwyn Corban, Malcolm Dixon, Damon Harvey, Tania Kerr (Deputy Chair), Eileen Lawson, Simon Nixon, Henare O'Keefe, Peleti Oli, Ann Redstone, Wendy Schollum, Sophie Siers, Geraldine Travers 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 5018)

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 Kerr

3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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

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

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

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

Minutes of the Council Meeting held 9 December 2021.

(Previously circulated)

Minutes of the Extraordinary Council Meeting held 14 December 2021.

(Previously circulated)

5.0 Minor Amendment to Raureka Parks Reserve Management Plan

7

6.0 Updated Risk Framework and Strategic Risk Register

13

7.0	Draft Annual Plan 2022/2023 - Chief Executive Overview	15
8.0	Recommendations from the Hastings District Rural Community Board Meeting held on 14 February 2022	19
9.0	Proposed Amendments to Appointments to Committees, Subcommittees, Joint Committees and External Organisations	21
10.0	Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update	25
11.0	2022 Meeting Schedule Changes	29
12.0	Minor Items – <i>Ngā Take Iti</i>	
13.0	Urgent Items – <i>Ngā Take Whakahihiri</i>	
14.0	Recommendation to Exclude the Public from Item 15	31
15.0	Commercial Acquisition	

Thursday, 24 February 2022

Item 5

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

Te Rārangi Take

Report to Council

Nā:
From: **Rachel Stuart, Public Spaces Planning Manager**

Te Take:
Subject: **Minor Amendment to Raureka Parks Reserve Management Plan**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The Raureka Parks Reserves Management Plan (Raureka RMP) is a high level plan that sets out policies and objectives for the management of three Raureka Parks: St Leonards Park, Ebbett Park and Whenua Takoha Park. It was adopted in February 2019.
- 1.2 In September 2021 Council received a request from Playcentre Aotearoa to lease up to 1000m² of land at St Leonards Park to build and operate a playcentre facility.
- 1.3 In order to build a playcentre facility at St Leonards Park, Playcentre Aotearoa must obtain (1) a lease to exclusively occupy part of St Leonards Park; and (2) the required resource and building consent to build and operate a playcentre on St Leonards Park.
- 1.4 The request and procedural and legislative options were presented to Council on 28 October 2021, where it was resolved to authorise officers to commence the required process under the Reserves Act 1977 to amend the Raureka Parks RMP to specify the location and acceptability of a playcentre on St Leonards Park. Providing for the playcentre in the RMP would mean it is a permitted activity under the operative Hastings District Plan, subject to compliance with other relevant standards and terms. The process also provided the opportunity to update the plan to recognise that all 3 Raureka Reserves (St Leonards Park, Ebbett Park and Whenua Takoha Reserve) are now all held subject to the provisions of the Reserves Act 1977.
- 1.5 A public notice was published on 4 December 2021, notifying Council's intention to amend the Raureka Reserves Management Plan to recognise the Reserves Act status of the reserves, and to allow for the construction and operation of a playcentre facility on St Leonards Park. The submission period closed on 14 January 2022, with a total of four (4) submissions received – all of which supported the proposal.
- 1.6 This report concludes by recommending that the proposed amendments to the Raureka Parks RMP be adopted.

2.0 Recommendations - Ngā Tūtohunga

- A) That the Council Meeting receive the report titled Minor Amendment to Raureka Parks Reserve Management Plan dated 24 February 2022.
- B) That the Council amend those sections of the Raureka Parks Reserves Management Plan as identified in **Attachment 1** and adopt the amended Raureka Parks Reserves Management Plan as identified in **Attachment 2**.

3.0 Background – Te Horopaki

- 3.1 This report relates to a request by Playcentre Aotearoa to lease up to 1000m² of land at St Leonards Park from Hastings District Council to build and operate a playcentre facility.
- 3.2 The acceptability of the request, and legislative requirements to follow were considered by Council at its meeting on 28 October 2021. At this meeting it was resolved to authorise officers to commence the required process under the Reserves Act 1977 to amend the Raureka Parks Reserve Management Plan to specify the location and acceptability of a playcentre on St Leonards Park in Raureka, Hastings. The process also provided the opportunity to update the plan to recognise that all 3 Raureka Reserves (St Leonards Park, Ebbett Park and Whenua Takoha Reserve) were now all held subject to the provisions of the Reserves Act 1977.
- 3.3 The sections of the Raureka Parks RMP with proposed amendments are identified in **Attachment 1**, with a marked up version of the Raureka Parks RMP included in **Attachment 2**.
- 3.4 Legal advice determined that the proposed text amendments were minor in nature, therefore did not constitute a comprehensive review of the Reserve Management Plan. However, in order to be transparent with the community and to meet the notification requirements of the District Wide Reserve Management Plan for leases for exclusive use, Officers recommended that the proposed amendments were publicly notified, with any submissions received reported to Council for consideration as part of its decision making. There is no requirement for a public hearing of submissions although if the number or nature of the submissions warrant one, then a hearing may have been considered appropriate.

4.0 Discussion – Te Matapakitanga

- 4.1 Public Notice was published in the Hawke's Bay Today on 4 December 2021, with neighbouring property owners and tenants adjoining St Leonards Park notified with an information sheet in their letterbox. The public notice and information sheet directed interested parties to the My Voice My Choice website, which included all of the proposed changes to the text of the Raureka Parks RMP, Concept Plan showing the proposed location of the Playcentre building, as well as frequently asked questions relating to the proposal. Officers also made direct contact with those property owners directly adjoining the proposed location for the playcentre building to advise them of the proposal.
- 4.2 The closing date for submissions was 14 January 2022, with four (4) submissions received. All submissions received were in support of the proposal.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 The recommended option is to amend those sections of the Raureka Parks Reserves Management Plan as identified in **Attachment 1** and adopt the amended Raureka Parks Reserves Management Plan as shown in **Attachment 2**.

Advantages

- St Leonards Park is classified a Local Purpose Reserve subject to the Reserves Act 1977, of which playcentres are identified as suitable activities, and the proposed amendments to the Raureka Parks RMP are consistent with these provisions;
- The proposed amendments to the Raureka Parks RMP were publicly notified, with all four (4) submissions received in support of the proposed amendments;
- Playcentre Aotearoa will still be required to meet the provisions of the Operative District Plan and Building Act requirements.

Disadvantages

- The public will not be able to access a small area of St Leonards Park that will be exclusively occupied by Playcentre Aotearoa (subject to first obtaining required resource and building consents).

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

- 5.2 Option Two is status quo, and that no amendments be made to the Raureka Parks RMP to make provision for a playcentre building on St Leonards Park. This would require Playcentre Aotearoa to apply for a Non-Complying resource consent to build and operate a playcentre building, which would be potentially expensive and time consuming.
- 5.3 Given the proposal to provide for the Playcentre within the Park has been the subject of public notification and no objections have been received, there is no apparent benefit to be gained by requiring a separate resource consent process to be gone through. It is noted that playcentres are specifically identified in the Reserves Act 1977 as acceptable activities within Local Purpose reserves, such as St Leonards Park.

6.0 Next steps – Te Anga Whakamua

- 6.1 In the event that Council resolves to amend the Raureka Parks RMP as recommended in this report, the next steps to be followed were identified by Council at its meeting on 28 October, as follows:
- C) *That if the amendments to the Raureka Parks RMP to specify the location of playcentre on St Leonards Park are adopted by Council following public consultation, that the Chief Executive has delegated authority to enter into a conditional lease with Playcentre Aotearoa to lease up to 1000m² of land at St Leonards Park for a total term (original and any renewal periods) of not more than 33 years, at an annual rent determined in accordance with Council's policy, with the conditions being:*
- Playcentre Aotearoa to obtain at their cost any required land use resource consent on terms satisfactory to both parties (Council's granting of a consent in a regulatory capacity is not deemed approval of the terms of the resource consent for the purposes of the agreement to lease); and*
 - Playcentre Aotearoa to obtain at their cost, building consent for a building of a design approved by Council as landowner (Council's granting of a building consent in a regulatory capacity is not deemed approval of the building design for the purposes of this agreement to lease).*
- 6.2 Officers will liaise with Playcentre Aotearoa to ensure compliance with the above resolutions.
- 6.3 It is also noted that programmed work on the new carpark and upgrades to the existing playground at St Leonards Park will also be progressing this year. Both projects are identified in the Raureka Parks RMP.

Attachments:

1⇒	Proposed Text Amendments Raureka Parks Reserves Management Plan	CFM-17-42-2-22-97	Under Separate Cover
2⇒	Raureka Parks Reserve Management Plan - Proposed Amendments	CFM-17-42-2-22-98	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-Hāpori*

This proposal promotes the social wellbeing of communities in the present and future. It does this by providing local infrastructure and recreation facilities which connects communities and maintains places and spaces for recreation to ensure the wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

There are no known Tangata Whenua considerations.

Sustainability - *Te Toitūtanga*

The provision of a lease to Playcentre Aotearoa to enable the construction of a purpose built playcentre will enable the continued provision of playcentre services to Hastings, following their relocation from Cornwall Park.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The amendment to the Raureka Parks Reserve Management Plan will have minimal financial implications. The Plan will be updated online, with only a small number (less than 10 copies) required to be reprinted and made available in hard copy.

The lease will include annual rental to be paid at the appropriate rate set annually by the Council in either the Long Term Plan or Annual Plan. All costs associated with the construction of the new building, including resource and building consents will be at the full cost of Playcentre Aotearoa.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This report has been assessed under the Council's Significance and Engagement Policy as being of low significance and does not trigger Council's significance policy as no funding is sought.

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

Public Notice was published in the Hawke's Bay Today on 4 December 2021, with neighbouring property owners and tenants adjoining St Leonards Park notified with an information sheet in their letterbox. The public notice and information sheet directed interested parties to the My Voice My Choice website, which included all of the proposed changes to the text of the Raureka Parks RMP, Concept Plan showing proposed location of the Playcentre building, as well as frequently asked questions relating to the proposal. Officers also made direct contact with those property owners directly adjoining the proposed location for the playcentre building to advise them of the proposal. The Minister of Conservation has delegated decision-making powers for reserve management plans to local administering bodies.

Risks

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<ul style="list-style-type: none"> A Reserve Management Plan that accurately reflects the classification of the Raureka Reserves under the Reserves Act 1977. Transparency of process, to enable the community to be involved in the decision making process in a positive way; consistent with the requirements of the Reserves Act 	<ul style="list-style-type: none"> The level of risk is considered to be low.

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

There are no known implications for the Rural Community Board.

Thursday, 24 February 2022

Item 6

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

Te Rārangi Take

Report to Council

Nā: Regan Smith, Risk and Corporate Services Manager
From: Steffi Bird, Risk Assurance Advisor

Te Take:
Subject: Updated Risk Framework and Strategic Risk Register

1.0 Purpose and summary - Te Kaupapa Me Te Whakarāpopototanga

1.1 The purpose of this report is to present the annual update of the Hastings District Council (HDC) Enterprise Risk Management Policy and Framework, and the HDC Strategic Risk Register that have been endorsed by Risk and Assurance Committee for approval by Council.

1.2 Risk Framework Update

1.3 The HDC Enterprise Risk Management Policy and Framework is required to be reviewed annually. The attached Version 5.1 of the Framework (**Attachment 1**) is the annual review that has been reviewed and endorsed by the Risk and Assurance Committee.

1.4 Changes to the document are indicated by a vertical line in the margin, and are summarised below:

- A cross reference has been added to the Hastings District Council Water Safety Plan.
- Sections have been added to describe how opportunity risks should be handled.
- A scale to assess the level of impact on the community has been added.
- The HDC Risk Appetite statement has been updated to reflect the Strategic Priority Areas in the 2021 – 2031 Long Term Plan.

1.5 Strategic Risk Register Update

1.6 A revised Strategic Risk Register has been compiled by the Risk and Assurance Committee reflecting the current operating context. The key changes to the risk register, (**Attachment 2**), include:

- Introduction of the risks 'Cyber Security Threat' and 'Truth Decay'. Further reading on the phenomenon of Truth Decay and its implications for Council are detailed in the attached RAND research report (**Attachment 3**).

Note: The RAND Corporation is a non-profit, nonpartisan research organization that helps improve policy and decision making through research and analysis. The Corporation is an

American based global policy think tank created in 1948 to offer research and analysis to the United States Armed Forces. It is financed by the U.S. government and private endowment, corporations, universities and private individuals.

- Introduction of an 'Environmental, Social, Governance (ESG) & Cultural Failure' risk, which supersedes and captures the following risks previously included in the register: *Inequitable resource allocation, Governance failure, and Increasing social inequity.*
- Minor change in title and description for the 'Spatial & Asset Management Planning' risk to focus on 'Growth Planning'.

- 1.7 The Risk and Assurance Committee recognises that due to the current dynamic operating environment the level of uncertainty relating to existing strategic risks is increasing, and new risks are emerging, which requires a nimble approach to managing strategic risk for Council. The Committee will continue to monitor current and emerging risks, and assess their impact on Council's strategic objectives. Council will be kept informed of the discussions at Risk and Assurance Committee through the quarterly reporting to Operations and Monitoring Committee.

2.0 Recommendations - Ngā Tūtohunga

- A) That the Council Meeting receive the report titled Updated Risk Framework and Strategic Risk Register dated 24 February 2022.
- B) That the Council adopt:
- Hastings District Council Enterprise Risk Management Policy and Framework Version 5.1.
 - Hastings District Council Strategic Risk Register 2022.

Attachments:

1⇒	DRAFT HDC Enterprise Risk Management Policy and Framework V5.1	PMD-9-3-22-48	Under Separate Cover
2⇒	HDC Strategic Risk Register January 2022	PMD-9-3-22-49	Under Separate Cover
3⇒	Truth Decay - An Initial Exploration of the Diminishing Role of Facts and Analysis in American Public Life - RAND	PMD-9-3-21-46	Under Separate Cover

Thursday, 24 February 2022

Item 7

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

Te Rārangi Take

Report to Council

Nā: Lex Verhoeven, Strategy Manager
From: Nigel Bickle, Chief Executive

Te Take:
Subject: Draft Annual Plan 2022/2023 - Chief Executive Overview

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

- 1.1 The purpose of this report is to obtain decisions from the Council on the key matters and budget considerations for incorporation in the 2022/2023 Annual Plan.
- 1.2 The commentary below outlines the cost pressures facing Council and the measures taken to present a draft budget that is in line with that forecast for Year 2 (2022/23) in the Long Term Plan (LTP) for both Rating Areas 1 and 2. The report also outlines a number of new initiatives which have been included within the 2022/23 Annual Plan. The draft budget position compared with the LTP forecast is:

	Total Rating Requirement
LTP Year 2	6.4%
Draft Annual Plan 22/23	6.6%

Overview and discussion

- 1.3 The 2022/23 Draft Annual Plan process involves the further refinement of the annual budget contained for that year within the Council's Long Term Plan (Year 2 of the LTP). It is an opportunity to fine tune budget allocations and priorities and to consider new proposals and contextual factors which may have emerged since the LTP was adopted in June 2021.
- 1.4 The key initiatives signed off by Council that comprised Year Two of the Long Term Plan remain in the 2022/23 budget. These priority areas will compliment continued delivery of existing or improved levels of service across the wide range of Council activities.
- 1.5 In short, about \$2 million of additional base budget costs (and new initiatives) have been largely offset from a range of savings, efficiencies and funding adjustments. That has the impact of

increasing the forecast LTP rate requirement marginally from 6.4% to 6.6%. This fiscal position also includes the Council decision to support a Regional Economic Development Agency, and some enhancement in organisational capacity to meet Council's level of service expectations in respect of engagement and communication. This is discussed further in the "Overall Budget Outcome" section below.

- 1.6 In addition the Council has made previous decisions to accelerate our planning for growth preparedness and allocated proceeds from previous surpluses to facilitate the commencement of that work programme.

Budget Context

- 1.7 In line with the approach taken during previous annual planning processes, staff have taken the opportunity to further refine financial forecasts and look at baseline expenditure.
- 1.8 Hastings District Council (along with all other local authorities) is required to use an appropriate inflation index within its budgets from Year 2 through to Year 10 of its Long Term Plan. The Local Government Cost Index (LGCI) has been specifically prepared for this purpose by the Bureau of Economic Research (BERL) for the local government sector. It is the standard that the Auditor General expects to be used in the development of a Council's LTP.
- 1.9 It was also developed to recognise that the actual "basket of goods" a local authority purchases (i.e pipes in the ground, bitumen on the road etc) representing the LGCI is somewhat different to the basket of goods a household purchases, commonly measured by the consumer price index (CPI).
- 1.10 The latest release of the index from BERL (in October 2021) had actually reduced marginally the inflation indices from those that were used when the LTP budgets were developed. They do not however account for regional variation and the period of sustained growth being experienced in our district, which is impacting parts of our organisation. For these reasons officers have retained the LTP inflation indices within the Annual Plan budget.
- 1.11 In general, fees and charges remain unchanged aside from inflation adjustments. There are no consequential changes to report to Council.

Overall Budget Outcome

- 1.12 As outlined in 1.5 above the proposed overall increase in rating requirement is **6.6%**. The key budget pressures are:
 - **Insurance** – an additional \$400,000 has been incorporated based on the most recent advice from our insurers. Officers are signalling the need for a full review of Council's insurance cover, given the ongoing cost pressures being experienced in this area.
 - **Parks Maintenance** – an increased allowance to cover ongoing amenity enhancements in this activity which need ongoing maintenance.
 - **Three Waters Maintenance and Environmental Pollution** – an increased maintenance allowance to reflect actual costs, along with funding to address environmental pollution.
 - **HR and IT systems and licences** – adjustments to reflect actual costs associated with system functionality improvements and licensing.
- 1.13 In addition to the base budget pressures above, two new budget items have been included to facilitate the following based on previous Council direction:
 - **Regional Economic Development Entity** – funding to enable the preferred option from the Stage 2 review of local government investment in Business and Industry support across the Hawke's Bay Region (Council recommendation 9 December 2021 meeting). It was recommended that the HDC contribution (\$454,572) would come from a combination of additional rates and operational budget savings (without impacting on current levels of service and internal operations). That has been achieved with additional rates of \$171,000, overlapping functions/reallocations \$183,000 and other budget savings of \$100,572.

- **Communication and Engagement** – Council have signalled the need for greater emphasis on engagement, communication and connection with the network of communities that make up the Hastings District. Adjustments to Council’s staffing complement are included to meet this need.

- 1.14 A range of savings, efficiencies and funding adjustments have gone a long way to offsetting much of the increases in cost outlined above.
- 1.15 The above represents the overall budget position (subject to the Council’s consideration of a number of items which have been excluded from the budget at this time). These will be considered at the workshop scheduled for 24 February 2022.

Compliance with Council’s Financial Strategy

- 1.16 A requirement of the Annual Plan is to report on compliance against Council’s Financial Strategy contained within the Long Term Plan. All of Council’s key fiscal parameters are well within the policy limits set out in the strategy.
- 1.17 Officers recommend that further tracking of the impact of inflationary pressure is undertaken through to June 2022 when the Council’s year-end position is closer to being finalised, and if necessary any further refinements are made then. It is important to remember that the LGCI is based on the projected medium term trajectory of the economy, but adjustments for local context and/or shorter term economic drivers and new opportunities are prudent adjustments to make within the Annual Plan environment. A recent paper to the Rural Community Board has highlighted inflationary pressure on the transportation programme along with Waka Kotahi funding challenges.

Development Contributions Policy

- 1.18 In conjunction with the Annual Plan budget process each annual review also looks at refinements that need to be made to the development contributions charging regime. Changes to account for revised capital project budgets are likely to result in some increase in the charging regime within the Development Contributions Policy.

Other Matters

- 1.19 Any other matters of interest to the community which may come from the 24 February workshop will also be highlighted within the Annual Plan documentation.

Annual Plan Documentation and Engagement

- 1.20 A mock-up of the consultation document will be circulated to Councillors in due course. The document serves both as an informative update to the community about Year Two LTP priorities and will include the Council’s decision in regard to the establishment of a Regional Economic Development Entity along with any other significant matters that may come from the Council workshop on 24 February.
- 1.21 No specific community engagement has been planned at this time, as the 2022/23 Annual Plan primarily focuses on delivering the Year Two LTP work programme which has already been discussed with the community. At the time of writing it is also unclear as to what may be prudent from an engagement perspective in respect of the covid-19 settings.
- 1.22 The usual formats for the community to have their say will be in place.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Council Meeting receive the report titled Draft Annual Plan 2022/2023 - Chief Executive Overview dated 24 February 2022.
- B) That the Council resolves in terms of section 82 (3) of the Local Government Act 2002, that the principles set out in that section have been observed in such a manner that the Hastings District Council considers, in its discretion, is appropriate for the decisions made during the course of this meeting.
- C) That the Draft 2022/23 Annual Plan be prepared on the basis of this report and supporting documentation (including decisions made at this meeting, and direction given at the 24 February workshop) and that the Draft Annual Plan and Consultation Document be reported back for Council adoption on 31 March 2022.

Attachments:

There are no attachments for this report.

Thursday, 24 February 2022

Item 8

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

Te Rārangi Take

Report to Council

Nā:
From: **Vicki Rusbatch, Senior Advisor Democracy & Governance Services**

Te Take:
Subject: **Recommendations from the Hastings District Rural Community Board Meeting held on 14 February 2022**

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

- 1.1 The purpose of this report is to advise that the recommendations from the Hastings District Rural Community Board meeting held on 14 February 2022 require ratification by Council.
- 1.2 The Hastings District Rural Community Board recommendations to be ratified are set out below.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Council Meeting receive the report titled Recommendations from the Hastings District Rural Community Board Meeting held on 14 February 2022 dated 24 February 2022.
- B) That the following recommendations of the Hastings District Rural Community Board meeting held 14 February 2022 be ratified:
- 6. Dog Control Fees from 1 July 2022**
- a) That the Rural Community Board recommends that Council:
- Review the ongoing benefit of the selected owner programme.
 - Review the public good or rates contribution to dog control.
 - Consider a section 17A review of the selected owner programme and how it is funded.

And that Council note the reasons for the Rural Community Board's recommendations are:

- Increased costs due to public confrontation and the need to patrol in pairs;
 - due to the number of unregistered dogs, noting this category of dogs causes the higher number of issues;
 - not every dog owner pays dog registration fees;
 - ongoing increases in fees may cause a reduction in compliance;
 - that the benefit of the dog control programme is felt by the wider community including non-dog owners and the appropriateness of the funding being mostly derived from owners of dogs who do not cause many issues.
- b) That the Council note that the Rural Community Board's recommendations relating to the Dog Registration Fees from 1 July 2022 will be submitted to the Council Meeting to be held on 31 March 2022.

7. Rural Transportation Activity Report

That the Hastings District Rural Community Board strongly recommends that the Council submit a proposal to the Ministry of Primary Industries to request increased advance notice where forestry activity will affect areas outside of the land parcel and to allow use of forest quarry aggregate on territorial authority roads and that these issues be taken to Local Government NZ Zone 3 and Community Boards.

Attachments:

There are no attachments for this report.

Thursday, 24 February 2022

Item 9

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 Appointments to Committees, Subcommittees, Joint Committees and External Organisations

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


- 1.1 The purpose of this report is to seek Council approval for proposed amendments to the Schedule of Appointments to Committees, Subcommittees and other External Organisations – 2019-2022, namely:
 - Councillor Harvey has requested that he be removed from the Joint Waste Futures Projects Steering Committee, and for Council to appoint a replacement HDC councillor on that Committee.
- 1.2 The Joint Waste Futures Projects Steering Committee was established as a Joint Committee with Napier City Council under Clause 30A of Schedule 7 of the Local Government Act 2002.
- 1.3 Membership comprises three Napier City Councillors and three Hastings District Councillors. Hastings District Council members are currently: Councillors Redstone, Siers and Harvey.
- 1.4 The Terms of Reference for the Joint Waste Futures Projects Steering Committee are attached to this report.
- 1.5 The report concludes by recommending that Council appoint a replacement Councillor on the Joint Waste Futures Projects Steering and that the Schedule of Appointments to Committees, Subcommittees and other External Organisations – 2019-2022 be amended accordingly.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Council Meeting receive the report titled Proposed Amendments to Appointments to Committees, Subcommittees, Joint Committees and External Organisations dated 24 February 2022.

- B) That the Council appoint Councillor xxxxx on the Joint Waste Futures Project Steering Committee, and that the Schedule of Appointments to Committees, Subcommittees and other External Organisations – 2019-2022 be amended accordingly.

Attachments:

- 1  Terms of Reference Joint Waste Futures Projects CG-16-2-01007
Steering Committee

3. Joint Waste Futures Projects Steering Committee

Background

Section 43 of the Waste Minimisation Act 2008 states that a territorial authority must adopt a Waste Management and Minimisation Plan (WMMP) which provides:

- Objectives, policies and methods for effective and efficient waste management and minimisation.
- Collection, recovery, recycling, treatment and disposal services.
- Facilities for waste management.
- Waste minimisation activities including education and public awareness; and
- A framework for funding implementation, grants and advances of money.

In 2014 the Joint Council Waste Futures Project Steering Committee was established to oversee and manage a range of programmes and interventions to achieve effective and efficient waste management and minimisation within the Omarunui Landfill catchment.

The WMMP must be reviewed every 5 years. Council adopted the WMMP in 2019.

Purpose

- To be responsible for overseeing, supporting, monitoring and reporting progress toward achieving the intent of WMMP.
- To represent the interests of Council in the WMMP.
- To review the Joint Waste Management and Minimisation Plan at least every six years to meet the requirements of the Waste Management Act 2008.

Members (6 Councillors)

- Chair – Councillor from one Council elected by Group.
- Deputy Chair – Councillor from the other Council elected by Group.
- 2 other HDC Councillors.
- 2 other NCC Councillors.

Status

By agreement of the local authority member, the Joint Waste Futures Joint Project Steering Committee has been established as a Joint Committee under clause 30A of Schedule 7 of the Local Government Act 2002.

DELEGATED AUTHORITY

The Joint Committee will have responsibility and authority to:

- 1) Accept and hear submissions on the joint Waste Management and Minimisation Plan 2017-2023, and report back to the individual Council on an as required basis.
- 2) To make recommendations to each participant Council on the Waste Management and Minimisation Plan.
- 3) To monitor performance and progress to give effect to the purpose of the WMMP and to make recommendations to the constituent Councils accordingly.

Administering Authority and Servicing

Hastings District Council shall administer the Joint Committee meetings.

• Meetings

The Hastings District Council's Standing Orders will be used to conduct the Joint Committee meetings.

The Joint Committee shall meet as and when required as agreed for the achievement of the purpose of the joint committee.

Quorum

The quorum at any meeting shall be not less than four (4) including not less than two representatives of each of the member bodies.

Voting

- The members shall strive at all times to reach a consensus.
- Each representative shall be entitled to one vote at any meeting.
- There shall be no casting vote.

Variations

Any member may propose an amendment (including additions or deletions) to the Terms of Reference which may be agreed to by the Joint Committee.

Variations to the Terms of Reference must be referred to the constituent Councils for ratification.

Term of Office

The primary purpose of this Joint Committee is the approval and adoption, by both Councils, of the Waste Management and Minimisation Plan 2018. However the Joint Committee will continue to meet as and when required to oversee performance of the WMMP in operation.

Thursday, 24 February 2022

Item 10

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 Act (LGOIMA) 1987 received in October, November and December 2021 and the status of those requests as at the end of December 2021.
- 1.2 This issue arises from the provision of accurate reporting 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 While there was 1 outstanding LGOIMA response as at the end of December 2021, it was responded to within the required legislative timeframe.
- 1.5 This report concludes by recommending that the LGOIMA requests (as in **Attachment 1**) be noted.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Council Meeting receive the report titled Requests Received under the Local Government Official Information and Meetings Act 1987 (LGOIMA) Update dated 24 February 2022
- B) That the LGOIMA requests received in October, November and December 2021, as set out in Attachment 1 (IRB-2-01-22-2737) of the report be noted.

Attachments:

1 

LGOIMA requests - October - December 2021

IRB-2-01-22-2737

Item 10

Local Government Official Information Requests - Status Report, Q2 2021/22

	Requests Received	Responses to Requests	Responses with information partially withheld	Responses with information fully withheld	Average number of working days to respond	Requests resulting in a complaint to Ombudsman
October - December	24	23	5	0	9.8	0
Completed						
Outstanding						
Month	From	Subject				
October	Middlemore DHB	Animal Management Service				
	Hutt City Council	Financial Delegations to the Chief Executive				
	Ministry of Primary Industries	Exporter Information Statements				
	Stuff	Detailed Strength Assessment on a building				
	J Gorman	Bylaws under the Burial and Cremation Act 1964				
	AUT	Council initiatives on sport and physical activity 2018-2021				
	D Bailey	Resource consent rock revetment wall, Clifton				
	Height Project Management Ltd	Trade Waste information				
	NZ Taxpayers' Union	Council's Art Collection				
	Radio NZ	Cameras				
	Friends of Eskdale Park	Management Plan Eskdale Park and Hawke's Bay Mountain Bike Club				
November	D Renouf	Road repairs, patches, join levels				
	Willis Legal	Information relating to a property				
	L Day	Results of citizen's satisfaction surveys				
	J Ayling	Code of Conduct relating to Councillor's speech				
	Solicitor – Russell McVeagh	Consents relating to retirement villages and aged care facilities				
	J Stewart	Code of Compliance Certificates for past 5 years				
	Chapman Tripp	Street furniture advertising contracts and assets				
	P Parkinson	Vaccination status and rates				
	COLFO	Small bore and claybird ranges in the District				
	K Sickorez	Paintball business				
December	C Wong	Information on Building Consent				
	S Neilson	Vegetation on a property				
	RNZ	CCTV Cameras				

Thursday, 24 February 2022

Item 11

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: 2022 Meeting Schedule Changes

1.0 Executive 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 2022 Meetings Calendar which was originally adopted by Council on 28 October 2021.

This report recommends that the 2022 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 the Council Meeting receive the report titled 2022 Meeting Schedule Changes dated 24 February 2022.
- B) That the Council adopt changes to the schedule of meetings for 2022 as follows:

District Planning and Bylaws Subcommittee	Rescheduled	From Wednesday 2 March 2022 to Wednesday 23 March 2022, 10am
District Planning and Bylaws Subcommittee	Rescheduled	From Wednesday 22 June 2022 to Wednesday 6 July 2022, 10am
District Planning and Bylaws Subcommittee	Rescheduled	From Wednesday 24 August 2022 to Wednesday 7 September 2022, 10am
Strategy and Policy Committee	Rescheduled	From Tuesday 8 March 2022 to Tuesday 22 March 2022, 1pm
Operations and Monitoring Committee	Rescheduled	From Thursday 24 March 2022 to Thursday 10 March 2022, 1pm
Operations and Monitoring Committee	Rescheduled	From Thursday 26 May 2022 to Thursday 19 May 2022, 1pm

Attachments:

There are no attachments for this report.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 24 FEBRUARY 2022

Item 14

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:

15 Commercial Acquisition

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>
15 Commercial Acquisition	<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.</p> <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). Issue contains commercially sensitive information which is the subject of ongoing 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>