

---

Monday, 29 May 2023

---

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council**

**Hastings District Rural Community Board Meeting**

*Kaupapataka*

# Agenda

---

*Te Rā Hui:*  
Meeting date: **Monday, 29 May 2023**

---

*Te Wā:*  
Time: **2.00pm**

---

*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](mailto:democracy@hdc.govt.nz)**

---

*Te Āpiha Matua:*  
Responsible  
Officer: **Transportation Manager - Jag Pannu**

---

**Watch Council meetings  
streamed live on our website  
[www.hastingsdc.govt.nz](http://www.hastingsdc.govt.nz)**

## Hastings District Rural Community Board – Terms of Reference

The Community Board is a separate entity to the Council. The role of the Community Board is set out in Section 52 of the Local Government Act 2002. The Council is authorised to delegate powers to the Community Board.

### Membership (7 members)

- Chair (elected by the Board).
- Deputy Chair (elected by the Board).
- 4 Elected Community Board Members.
- 1 Mōhaka Ward Councillor.
- 1 Kahuranaki Ward Councillor.
- 1 Takitimu Ward Councillor.
- 1 non-voting Youth Council appointee.

### Quorum – 4 members

#### DELEGATED POWERS

##### General

- 1) To maintain an overview of services provided by Council within the Community Board's area.
- 2) To represent, and act as an advocate for, the interests of the community represented.
- 3) To consider and report on all matters referred to the Board by Council, or any matter of interest or concern to the Community Board.
- 4) To communicate with community organisations and special interest groups within the community.
- 5) To undertake any other responsibilities that are delegated to it by Council.
- 6) To appoint a member of the Community Board to organisations approved by the Council from time to time.

### Long Term Plan/Annual Plan/Policy Issues

Authority to make a submission to the Long Term Plan/Annual Plan process on activities, service levels and expenditure (including capital works priorities) within the Board's area or to make a submission in relation to any policy matter which may have an effect within the Board's area.

### Roading and Traffic

Authority to exercise the Council's powers and functions in relation to roads within the Board's area under the following sections of the Local Government Act 1974:

- Section 335 (vehicle crossings);
- Section 344 (gates and cattle stops);
- Section 355 (overhanding trees).

Authority to exercise the Council's statutory powers in accordance with Council policy (including any relevant powers conferred by bylaw) over roads within the Board's area in respect of;

- Road user behaviour at intersections.
- Controls on stopping or overtaking.
- Controls on turning.

- Pedestrian safety.
- Footpath maintenance and improvements.
- Accident investigation studies, lighting and other safety works.

For the avoidance of doubt, nothing in this delegation authorises a Community Board to deal with a matter, in the exercise of delegated authority, in a manner which is in conflict with any policy or decision of Council or any standing committee of Council in relation to the same matter.



---

Monday, 29 May 2023

---

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council**

**Hastings District Rural Community Board Meeting**

*Kaupapataka*

# Agenda

---

*Heamana*

**Chair:** Jonathan Stockley

**Deputy Chair:** Isabelle Crawshaw

Vicki Scoular and Abby Morley

*Mematanga:*

Committee Members:

*Ngā KaiKaunihera*

**Councillors:** Ana Apatu, Marcus Buddo and Tania Kerr

Youth Council appointee: - Leo Guo

---

*Tokamatua:*

Quorum:

4 members

---

*Apiha Matua:*

Officer Responsible:

*Kaiwhakahaere Rōpū*

Transportation Manager: Jag Pannu

---

*Te Rōpū Manapori me te*

*Kāwanatanga:*

Democracy & Governance

Services:

Louise Stettner (Ext 5543)



## *Te Rārangi Take*

# Order of Business

---

### *Apologies – Ngā Whakapāhatanga*

- 1.0** At the close of the agenda no apologies had been received.  
At the close of the agenda no requests for leave of absence had been received.
- 

### **2.0** *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.

---

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

- 3.0** Minutes of the Hastings District Rural Community Board held Monday 5 December 2023.  
*(Previously circulated)*
- 

- 4.0** **Forestry Update: Compliance officer (HBRC)** **9**
- 

- 5.0** **Rural Transportation Activity Report** **11**
- 

- 6.0** **Cyclone Gabrielle Recovery Update** **19**
- 

- 7.0** **Community Resilience Plans** **35**
-

---

**8.0 Annual Plan 2023/24 update and related matters 37**

---

**9.0 Review of Standing Orders 39**

---

**10.0 Code of Conduct 45**

---

**11.0 Minor Items – *Ngā Take Iti***

---

**12.0 Urgent Items – *Ngā Take Whakahihiri***

---

---

Monday, 29 May 2023

---

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hastings District Rural Community Board**

**Item 4**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

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

---

**Te Take:**  
**Subject:** Forestry Update: Compliance officer (HBRC)

---

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

- 1.1 Environmental Compliance Officer, Lily Scrimgeour from Hawke's Bay Regional Council, will present a PowerPoint presentation and give a verbal overview and introduction to her role.

## **2.0 Recommendations - Ngā Tūtohunga**

That the Hastings District Rural Community Board receive the report titled Forestry Update: Compliance officer (HBRC) dated 29 May 2023.

### **Attachments:**

There are no attachments for this report.



---

Monday, 29 May 2023

---

Item 5

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hastings District Rural Community Board**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

*Nā:*  
From: **Adam Jackson, Transportation Operations Manager**

---

*Te Take:*  
Subject: **Rural Transportation Activity Report**

---

## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 This report is to update the Rural Community Board with the Rural Transportation Programmed Project Status and Activities Report.
- 1.2 This report concludes by recommending that the report be received.

## **2.0 Recommendations - *Ngā Tūhunga***

That the Hastings District Rural Community Board receives the report titled Rural Transportation Activity Report dated 29 May 2023.

## **3.0 2022/2023 Major Works Programme**

- 3.1 The 2022/23 financial year is the second portion of the 2021-24 Long Term Plan programme.
- 3.2 The following is the status of the final Area Wide Pavement Treatment programme for the 2022/23 financial year and beyond.

Road	Section	Status/Impact
Kererū Road	Kererū Road – Section 3	Designed – to be done pending confirmation of available funds.
Mt Erin Road	School Road to Te Aute Road	Complete
Kahurānaki Road	Km7 to km9	AWPT project. Survey is complete and design is underway. Build now likely to be in 2024/25.
Waimārama Road	Before quarry hill	AWPT project. Survey is complete and design is underway. Costs on other projects has meant this work will be deferred until the 23/24 season.

- 3.3 The following is the status of the low cost/low risk (old minor safety), and Road to Zero programme for the 2022/23 financial year.

Road	Section	Status/Impact
Taihape Road	Various sites	Price has been approved. Works deferred due to TC Gabrielle priorities
Kererū Road	Various	Crash reduction study complete. Quick wins* being delivered through maintenance contract.
Dartmoor Road	Various	Crash reduction study complete. Quick wins* being delivered through maintenance contract.
Kahurānaki Road	Various	Crash reduction study complete. Quick wins* being delivered through maintenance contract.

\*Quick wins are a variety of very low cost items that require no design. Examples are the replacement of edge marker posts, replacing faded signs, road marking etc.

#### 4.0 Bridge Update

- 4.1 Peach Gully Bridge strengthening works on Waimārama Road is complete.
- 4.2 Rosser Road Bridge strengthening works is commencing in late February.
- 4.3 Aropaoanui Low Level and Lambs Hill No.1 strengthening works have been awarded. Aropaoanui work is no longer needed due to bridge being damaged during ex TC Gabrielle. Lambs Hill #1 is in progress. To be completed during June.
- 4.4 Kaiwaka Bridge Strengthening works is on hold until construction access is available.
- 4.5 Seafield No. 1, Mokamoka and Awanui designs are underway with a view to construct next financial year.
- 4.6 A separate report to Council will be presented to increase the budget allocation to complete the bridge strengthening programme.

#### 5.0 Emergency Reinstatement 2022/23

- 5.1 As at 30 April 2023 we have experienced four events that have necessitated reinstatement costs over and above those budgeted for in the 2022/23 financial year. The table below summarises two of these:

Event	Spent to Date
March 2022 Storm	\$121,140
October/November Storm	\$606,618
<b>Total</b>	<b>\$727,758</b>

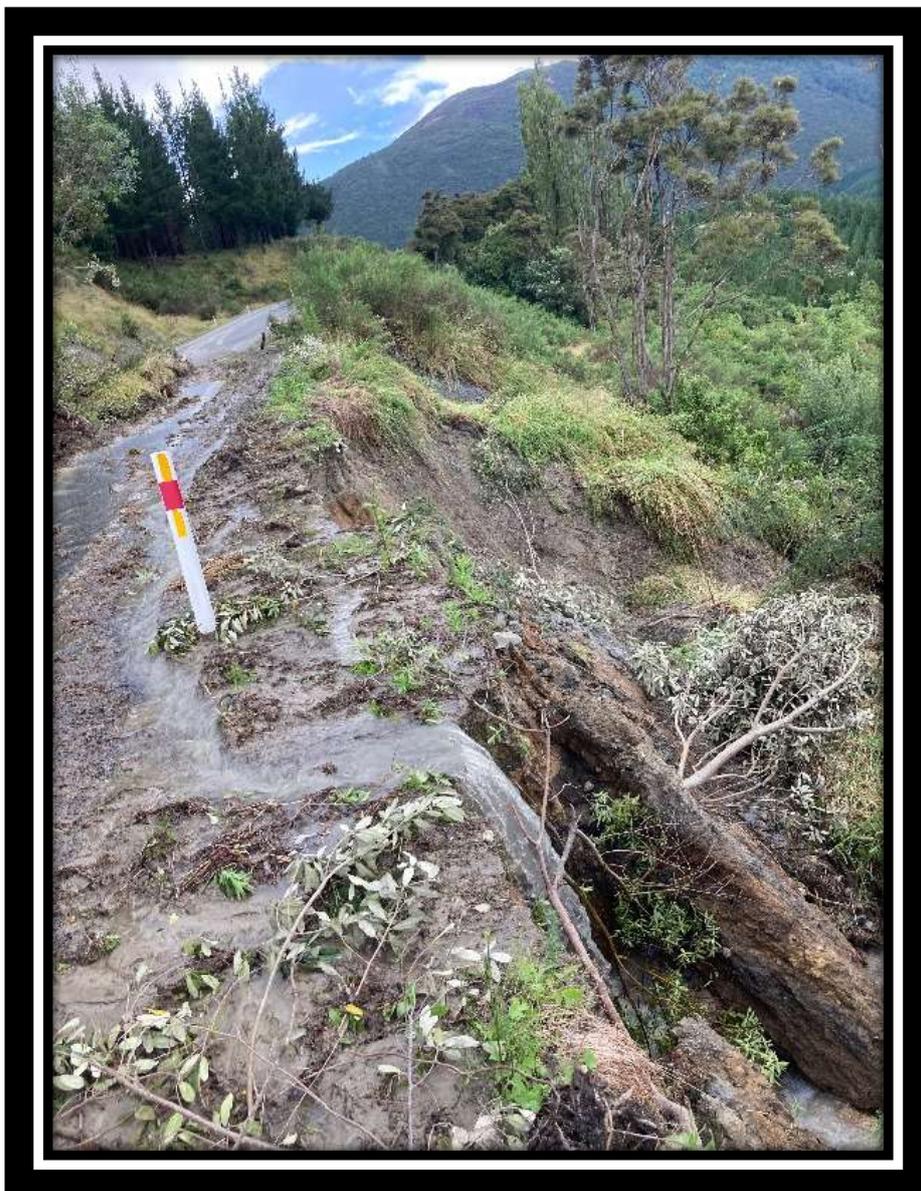
5.2 A few photos showing damage to infrastructure are shown below, and more are in the appendices of this report.



**Big Hill Road Slip**



**Soldiers Settlement Road – Tree Fallen**



**Taihape Road Slip**

## **6.0 Ex TC Hale**

- 6.1 During January 2023 ex Tropical Cyclone Hale did significant damage to the roading network. Initial estimates of the damage was approximately \$1,500,000 and work was well underway remediating the damage that occurred.
- 6.2 Up to 14<sup>th</sup> February \$744,888 had been spent on these repairs. Due to the severity of the next storm event (ex TC Gabrielle) any costs associated with either incomplete, or works not yet started are now included in the ex TC Gabrielle works.
- 6.3 Waka Kotahi have advised that the new Funding Assistance Rate (FAR) of both ex TC Hale, and ex TC Gabrielle are normal FAR plus 40% which equates to a 93% subsidy on those costs up to at least 30 June 2023.

## **7.0 Ex TC Gabrielle**

- 7.1 On 14th February 2023 ex TC Gabrielle bore down on the district causing devastating destruction, killing 11 people throughout our district cutting off thousands of customers overnight and into the following day/s.

- 7.2 The total scale of destruction is still being evaluated, but initial estimates of damage costs for Hastings District Councils total roading infrastructure is over \$600M.
- 7.3 The bridges values at over \$150,000 are insured, and our insurance will cover some of the costs to replace the structures. It is important to note that the available insurance is capped, so it will not cover all the replacement costs that will be incurred.
- 7.4 The split between rating areas will be heavily rating area 2 leaning with at least 95% of the total cost falling to rating area 2 roads. The current cost burden on Hastings District is not yet known at the time of writing this report although even if the 7% share is maintained throughout the recovery phase – this would equate to \$42M of unplanned expenditure over the recovery period.
- 7.5 To the end of April, \$39.7M has been spent as part of the cyclone response and recovery phases. Of this, \$29.15M is on the rural road element. A separate report will be written by the Finance team once more information is available regarding the levels of funding assistance available to Council, and will detail how the known shortfall can be funded.
- 7.6 Prominent information relating to damage on the rural network:
- 16 bridges destroyed requiring complete rebuilds
  - 30 other bridges requiring significant structure repairs
  - Over 1000 major slips
  - Thousands of blocked or broken culverts
- 7.7 Prominent updates and achievements to date are:
- Five (5) temporary bridges have been built so far with more under construction. Completed bridge structures are Rissington, Whanawhana, Ellis Wallace, Arapaoanui, Dartmoor, and Matapiro.
  - Updates are continually posted to the Council website for road status regarding bridges. The website address is: <https://www.hastingsdc.govt.nz/services/roads-and-streets/road-works/>
  - All but 2 communities have been reconnected with road access. Mangatutu (3 June), and Moeangiangi (9 June) are the remaining communities yet to be connected with a robust road connection.
  - 60-80 work crews are still working on the road network daily responding to the storm effects.
- 7.8 Bridges
- Immediately following the event, all bridges were inspected within the first 3 weeks. This activity is usually undertaken by our contractors over a 1 year period. These assessments identified all immediate needs, and actions required to salvage what was left of the bridge stock, and to ensure we did not lose any more than those already identified as destroyed.
  - A design philosophy has been adopted, and Engineering assessments and design is underway in accordance with the philosophy. At a high level, the philosophy forms the basis for the assessment and design of remedial options for cyclone damaged sites across the network. The criteria and tier structure adopted ensure that an appropriate level of geotechnical investigation and design is carried out based on traffic volumes and the importance of the route to local communities across the network.

## 7.9 Slips

- Over 1000 slips remain on the road network, with most of the overslips repaired (material fallen onto the road), but the vast majority of underslips are yet to be fixed. Some require advanced engineering design solutions implemented costing many millions of dollars each.
- A design philosophy has been adopted to manage the underslips.
- The criteria and tier structure adopted ensures that an appropriate level of geotechnical investigation and design is carried out based on assessment of geotechnical risk, traffic volumes and the importance of the route to local communities across the network. It also informs HDC of the risk and resilience expectations associated with the approach.

## 7.10 Culverts

- A large number of culverts were destroyed, blocked or broken during the storm. In many instances temporary culverts have been installed to create access to the communities.
- Inspections are well underway to re-inspect all culverts to assess the damage incurred, and the most appropriate permanent repair. This activity usually takes 2 people 2 years to do, but we will complete this in one month.
- Some temporary installations will remain in place, but some require installing larger culverts, or more culverts at that location. In some instances large culverts will be replaced with larger structures that now classify them as bridges (larger than 3.4m<sup>2</sup> in area).

## 8.0 Rural Community Communications

8.1 An opportunity exists to provide formal communication from the Rural Community Board to its constituents, with transportation often being a key feature.

8.2 This report offers opportunities for the Board to consider for future correspondence. Messages can include:

- Resealing season information – loose chip, drive with care, treat new seal carefully to avoid damage etc
- Storm impacts
- Potholes and pavement repairs
- Reaffirming our 06 8715000 24/7 service

8.3 Four (4) community meetings have been held post ex TC Gabrielle. These have been at Pūtōrino, Tūtira, Waikoau and Kereru. Further meetings are being planned. Key messages to these communities has been gratitude for the patience of the rural communities while all the utility and network providers restore access, and for their assistance in the immediate aftermath of the storm to reconnect communities. Council officers use these meetings to remind the communities to seek information from the HDC websites, and to call the 06 8715000 number for any request for work, or guidance from officers.

## 9.0 Locality Plan

9.1 As part of the central government appointed Regional Recovery Group's (RRG) approach to the recovery from cyclone Gabrielle, the RRG will develop a "Regional Recovery Plan" for the Hawke's Bay region. This plan will cover everything from building back resilient infrastructure, to community wellbeing and environmental resilience.

- 9.2 To form the Regional Recovery Plan, the RRG has commissioned entities to write Locality Plans for localities within the region. HDC has been commissioned to write the Heretaunga Locality Plan, which covers the locality of the whole district.
- 9.3 The first edition of the Locality Plan was submitted to the RRG in April, but this was a high level, conceptual locality plan. The second edition of the Locality Plan is due in late August. This edition will have more detailed cost estimates and programs of work for the Resilient Infrastructure pou that the transport recovery program falls under.

## 10.0 Waka Kotahi Update

- 10.1 Verbal update provided by Waka Kotahi staff.

## 11.0 Works Update

- 11.1 **Attachment 1** will provide the Board with a photographic snapshot of activities undertaken between November 2022 and April 2023.

### Attachments:

<a href="#">1</a>	RCB Photos - February 2023 to May 2023	TR-8-23-10121	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 report promotes the performance of regulatory functions for the purpose of providing safe, reliable and efficient transport networks.

---

### Māori Impact Statement - *Te Tauākī Kaupapa Māori*

No known impacts for tangata whenua over and above the impact on the rural district as a whole.

---

### Sustainability - *Te Toitūtanga*

This is a progress report and sustainability issues are not addressed.

---

### Financial considerations - *Ngā Whakaarohanga Ahumoni*

The works identified within this report are within existing budgets.

---

---

**Significance and Engagement - *Te Hiranga me te Tūhonotanga***

This report has been assessed under the Council's Significance and Engagement Policy as being of minor significance. Individual projects will have been addressed under the significance and engagement policy during the planning and decision making phase of those projects.

---

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

No consultation is required as part of this report.

---

**Risks**

Risk management and mitigation issues have been addressed in project planning and organisational health and safety policies. The major risk noted in this report is the potential for increase in tender costs in the maintenance contract rewrite. There are many ways to manage this risk such as decreased level of service, increased funding (and rate take), loan funding projects and negotiations with successful tenderer.

---

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

The Rural Community Board will have an interest in the operations and transportation activities within the DRA2 rating area.

---

---

Monday, 29 May 2023

---

Item (

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hastings District Rural Community Board**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

**Nā:** Matt Adamson, Strategy and Policy Advisor  
**From:** Annette Hilton, Strategy, Policy, Project and Evaluation Advisor  
Craig Cameron, Interim Recovery Manager

---

**Te Take:** Cyclone Gabrielle Recovery Update  
**Subject:**

---

## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 This report largely replicates an update provided to Council on 18 April addressing the impacts of Cyclone Gabrielle and the progress made on recovery to date. This report has been updated for the 29 May Rural Community Board meeting. Its purpose is to update the Board on:
- Response and recovery activities following Cyclone Gabrielle.
  - The ongoing role of Council in the recovery of Hastings District and Hawke’s Bay Region.
  - Indicative demands that Council response and recovery actions are placing on Council resources including the Council’s financial resources. The implications of recovery expenses (some currently unbudgeted) are discussed.

**This Report acknowledges the devastation inflicted by Cyclone Gabrielle and expresses condolences on behalf of the Mayor, Council, and Council staff for the loss of life and harm caused on many fronts to our communities.**

- 1.2 Cyclone Gabrielle has permanently changed the landscape and lives of residents in the Hastings District. It is one of the worst major disasters in our history, causing;
- Loss of life,
  - Displacement of hundreds of residents from their homes,
  - Hundreds of millions of dollars in damage to Council infrastructure,

- Billions of dollars of negative consequences to the regional economy in respect of damage to productive capacity and foregone revenues,
  - Social, economic, and mental health trauma for many in our communities.
- 1.3 Council has been and continues to be heavily invested in response and recovery activities following the Cyclone. Council acknowledges that there is an expectation from the Community that all efforts should be made to progress recovery actions.
- 1.4 Many Council activities following the Cyclone remain reactionary following the normal principles of 'Coordinated Incident Management' (The operating model of Civil Defence responses). These include:
- Re-establishing access (roading & bridges) to all communities
  - Restoration of lifeline services and infrastructure
  - Enabling access to temporary / emergency accommodation
  - Inspection of affected properties
  - Property inspection follow-up activities and provision of information to Government for its potential decisions regarding managed retreat for land deemed no longer suitable/safe for housing
  - Management and disposal of silt and other flood-related waste
  - Logistics and supplies to isolated communities
  - Provision of information and referral/navigation services
- 1.5 Council is applying significant financial and staff resource to helping its community in a time of extreme hardship. Community assistance in time of emergency is a core function of councils and the wider public sector.

## 2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Rural Community Board receive the report titled Cyclone Gabrielle Recovery Update dated 29 May 2023.
- B) That the Rural Community Board note the information, activity and actions outlined in this report.

## 3.0 Background – *Te Horopaki*

### Cyclone Gabrielle

- 3.1 Cyclone Gabrielle caused significant damage across large areas of the North Island during 13-14 February 2023. It resulted in the declaration of a National State of Emergency on 14 February. The following information matrix provides some context for the scale of the Cyclone's consequences for the Hastings District. Note there are many other areas where the effects of Cyclone Gabrielle have been felt (e.g., marae, rural communities, primary sector, etc). The matrix is a snapshot of some of the key areas for Hastings District Council.

Impact	Consequences
<p><u>Deaths and Injuries</u></p> <ul style="list-style-type: none"> <li>8 people deceased in Hawke's Bay</li> <li>334 Accident Compensation Corporation claims related to the Cyclone in the Hastings District (As at 10 May 2023)</li> </ul>	<p>Additional injuries and deaths following events have significant effects on community and economic wellbeing.</p> <p>There is also the psychological toll on individuals and whānau. This is expected to be a continuing consequence over the coming months and years.</p>
<p><u>Evacuations and Displaced People</u></p> <ul style="list-style-type: none"> <li>300+ rescues by Emergency Services</li> <li>1900+ people in evacuation centres (peak number)</li> <li>1200+ Whānau displaced from their homes</li> </ul>	<p>The need to rescue and evacuate such a significant number of people required Council to resource and staff Civil Defence centres and community led evacuation centres across the District.</p> <p>There has also been a heavy demand placed on temporary accommodation as a result of so many people being displaced. MBIE's Temporary Accommodation Service (TAS) continues to work to house displaced residents.</p>
<p><u>Damage to Buildings</u></p> <ul style="list-style-type: none"> <li>103 Red Placards</li> <li>747 Yellow Placard</li> <li>950 total building inspections completed (As at 9 May 2023)</li> </ul> <p><u>Key:</u></p> <p>Red = NO ACCESS (This means the building has been seriously damaged or is at risk from further hazards.)</p> <p>Yellow = RESTRICTED ACCESS (This means the building has been damaged and may need to be vacated in the short term, or occupied by authorised people only, or entry is at people's own risk.)</p>	<p>Council building inspectors completed a significant number of building inspections and were supported by inspectors from other agencies during the immediate response to the event.</p> <p>Due to some communities remaining isolated, there are still areas potentially requiring building inspections.</p> <p>In the longer term affected residents will have to manage housing demolition, rebuild, repair and engage with insurance companies.</p> <p>Some residents are also awaiting Government decisions regarding managed retreat. The Government will decide if land is to be deemed no longer suitable/safe for housing. Processes regarding compensation for land affected by managed retreat will be also yet to be announced by Government.</p>
<p><u>Road and Bridge Works</u></p> <ul style="list-style-type: none"> <li>16 bridges destroyed</li> <li>28 bridges significantly damaged</li> <li>600+ culverts need replacement</li> <li>100km+ roads to be rebuilt</li> <li>1000+ slips need remediation</li> </ul>	<p>Local and regional roads suffered extensive damage following the Cyclone. Some rural communities were isolated as a result, and a small number of households remain so. This resulted in a need to provide crucial welfare supplies into these communities for extended periods of time.</p> <p>An estimated \$600k per day was spent on roading and access restoration at the height of emergency works and this continues to be an area demanding a high level of investment.</p>

	In the long term, there will be significant roading and bridge projects required as Council moves from temporary to permanent access solutions.
<u>Waste Recovery (Estimated Quantities)</u> <ul style="list-style-type: none"> <li>• Silt – 3.5 million m<sup>3</sup></li> <li>• Household waste – 20,000 tonnes</li> <li>• Rural waste – 138,000 tonnes</li> <li>• Demolition waste – 25,000 tonnes</li> <li>• Vehicles &amp; Machinery – 20-50,000 units</li> <li>• Discarded clothing – 5x 20ft shipping containers of unwanted/unusable clothes</li> <li>• Greenwaste – Not quantified.</li> </ul>	<p>Flooding from Cyclone Gabrielle resulted in large amounts of waste requiring disposal. A significant component of this was silt brought by rivers breaching their banks. Silt was deposited over several rural and peri-urban areas (e.g., Esk Valley and Pakowhai). This caused damage to properties and productive land.</p> <p>The Landfill and Transfer Station were closed for several days following the event and when reopened, were placed under considerable strain with demand far exceeding usual levels. Council along with Hawke’s Bay Regional Council continue to identify alternative sites to collect and store silt and flood damaged waste.</p> <p>The increased waste following the flood will bring forward the requirement for a new valley at Ōmarunui Landfill. It is also likely to require additional resourcing to support Council work in this space.</p>
<u>3 Waters</u> <ul style="list-style-type: none"> <li>• Drinking Water Supplies</li> <li>• Wastewater</li> <li>• Stormwater</li> </ul>	<p><u>Drinking Water</u></p> <p>Some of the district’s small drinking water supplies were impacted by the Cyclone, in particular, Te Pōhue, Whirinaki and Esk.</p> <p>All three are now back online. An unknown number of private water supplies have also been affected. These remaining issues are likely to take some time to resolve.</p> <p><u>Wastewater</u></p> <p>Power to the Waste Water Treatment Plant was out for several days. Council was able to maintain levels of service through back-up diesel generators.</p> <p>There were some minor wastewater overflows across the network due to floodwaters entering the system. Septic tanks were also affected. Council are working with contractors to assist affected properties.</p> <p><u>Stormwater</u></p> <p>Power was lost to many stormwater pumpstations following the event. Streams in the Havelock North area were affected by fallen trees and slips.</p> <p>In the short term this means significant work is required to clear debris from drains and streams.</p>
<u>Welfare and Support Services</u> <ul style="list-style-type: none"> <li>• Civil Defence (Emergency) Payments – 20,000+</li> <li>• Rural &amp; Isolated Communities – 1000s of food parcels delivered</li> </ul>	<p>Cyclone Gabrielle caused considerable demand for community and government welfare support. A multi-agency approach was deployed to attempt to understand and meet the welfare needs of local communities.</p>

<ul style="list-style-type: none"> <li>Community Hubs – Staffed by Council and volunteers</li> </ul>	<p>In the short term, this was reflected in considerable demand for food and essential supplies which required a regional and local distribution centre to be established.</p> <p>In the medium to long term, demand on government and community organisations for support is likely to remain higher than normal as economic, health and cultural impacts are worked through by communities.</p>
<p><u>Rural Sectors</u></p> <ul style="list-style-type: none"> <li>Access restrictions</li> <li>Damage to productive soils <ul style="list-style-type: none"> <li>3950 ha. affected by silt</li> </ul> </li> <li>Damage to farming infrastructure</li> <li>Isolated Rural Communities</li> </ul>	<p><u>Access</u></p> <p>Heavy rainfall and flooding from Cyclone Gabrielle had a significant impact on both the Kaweka and Tūtira Wards of the District. Damage to State Highway 2 at Devil’s Elbow and the destruction of the Waikare Bridge resulted in isolation for the Tūtira area and prevented access from Napier to Wairoa. State Highway 5 is now open while State Highway 2 is now open to day time traffic as of 14 May</p> <p><u>Patoka, Puketitiri, Rissington and Upper Dartmoor</u></p> <p>Temporary stock access was provided via a Tractor Driven Stock Trailer across the Tutaekuri River at Dampney Road and then out via the Taihape Road. The Tractor was provided by Hawkes Bay Regional Council (HBRC) and funded by Ministry of Primary Industries (MPI). Animals were also driven across the river at Dampney Road and across the temporary culvert bridge at Rissington. Temporary bridges at Rissington and Dartmoor Road have allowed residents, stock and farm supplies to return to normal. Further rainfall events may compromise parts of the roading network, but substantial progress is being made on repairs to minimise this risk.</p> <p><u>Tūtira, Putorino</u></p> <p>This area remains the most at risk from further rainfall events over winter. While Waka Kotahi is repairing the Devil’s Elbow, it remains fragile with traffic control measures in place. The delay in opening this has affected Council teams ability to access the network beyond this point for repairs.</p> <p>Stock management is being controlled by a MPI Funded coordinator. There remains pressure to get animals out of this area ahead of winter. While traffic controls are constraining this work, steady progress is being made.</p> <p>Grass cover remains high with the mild fine weather allowing farmers to hold onto animals for the short periods while transport is arranged.</p> <p>The May installation of a Bailey bridge at Waikare will allow more resilience over winter with a good connection to Wairoa and further north.</p> <p><u>Heretaunga Plains Production Damage</u></p> <p>Stop bank overtopping and the associated water, debris and silt damage has devastated large production areas in Dartmoor, Puketapu, Pakowhai, Korokipo, Ōmarunui and Eskdale and a small area of Twyford. This has involved considerable damage or</p>

	<p>loss of owners and worker accommodation, outbuildings, and equipment. Field crops were destroyed and some orchards, have suffered total losses for this season and some face associated tree deaths.</p> <p>Council has commissioned modelling of the financial implications of these losses and the flow on effects for employment and business survival.</p> <p><u>Forestry</u></p> <p>Forestry operations have been curtailed due to the flood related closure of Pan Pac and the limited access through State Highway 2 and some HDC Roads. Large forestry and earthmoving equipment have been redeployed to assist in the clean-up.</p> <p><u>Ongoing Recovery Needs Assessment</u></p> <p>HDC is currently meeting with the Rural Advisory Group, Community Groups and Farming Leaders to assess further assistance needs for the next 6 months. A \$100m funding package has been requested through the Heretaunga Locality Plan.</p>
<p><u>Economic Effects</u></p> <p>Projected impact to the national economy ~\$10-\$20 billion</p>	<p>The cost of Cyclone Gabrielle will have consequences on the local community for years to come. Gross Regional Product (market value of goods and services produced for a given period) may decline in the short term and primary sector output will take some time to recover.</p> <p>Council will continue with its Annual Plan and Long Term Plan (LTP) Processes. The LTP describes Council’s activities and the community outcomes it aims to achieve. It must include information on activities, goods or services provided by Council, and specific funding and financial management policies and information – to demonstrate how the LTP will be funded.</p> <p>Council will need to integrate recovery priorities and consequent funding mechanisms into its Annual Plan and LTP processes. This is ‘unknown territory’ for Council and staff. Council will need to implement new legislation as it is promulgated.</p>
<p><u>Council Staffing</u></p> <p>Approximately 170 staff assisted the Council Incident Management Team operations during the Cyclone response.</p> <p>Most staff in the Asset Management Group were seconded to Council infrastructure response operations and Building Teams to building assessment works.</p> <p>Staff continuing in ‘business as usual functions’ had to cope with substantial workloads due to re-deployment of their colleagues.</p>	<p>28 Full Time Equivalent Staff, (including staff &amp; consultants) are assigned to response / recovery transition operations.</p> <p>Asset Management and Building Team staff are still heavily committed to response operations and most of the Strategy and Development Group is deployed to the Hastings District Locality Plan and Council Internal Recovery Plan development.</p> <p>Group Managers are working through their ongoing staff requirements to deliver their regular work programmes and Council’s response and recovery works.</p>

## Role of Council

- 3.2 Section 3(d) of the Civil Defence Emergency Management Act (CDEM) 2002, requires local authorities to co-ordinate through Regional Groups, - planning, programmes and activities related to civil defence and emergency management across the areas of reduction, readiness, response and recovery. This is the function of Hawkes Bay Civil Defence Emergency Management Group (Group).
- 3.3 Section 17(d) CDEM 2002, requires the Group (and its members) to respond to and manage the adverse effects of emergencies in its area. Council deploys its own resources to respond to the emergency under the regional leadership of the Group. The below diagram illustrates the relationship between national, regional and local elements during a response.

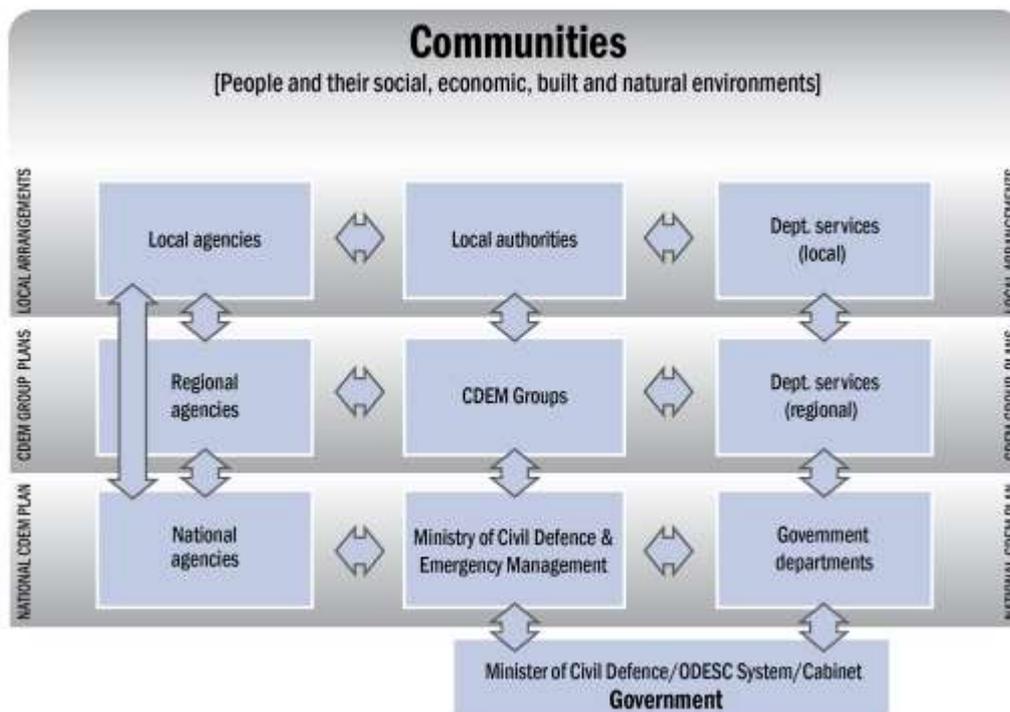


Figure 1: Inter-relationships between core CDEM agencies and other government departments and agencies who support communities to manage emergencies.

- 3.4 Section 17(e) CDEM 2002, requires the Group (and members) to plan and carry out recovery activities. Council has a key role in this through locally led recovery planning and delivery of recovery services.
- 3.5 Section 10 of the Local Government Act 2002 (LGA) requires Council to promote the social, economic, environmental and cultural wellbeing of communities and enable local democratic decision making.
- 3.6 Recovery planning will seek to address the damage that has been done to the wellbeing of Hastings communities through the Cyclone.

## Council Response Actions

- 3.7 The Mayor declared a State of Local Emergency under section 68 of CDEM Act in the early hours of Tuesday 14 February 2023. This declaration was latter superseded by the Minister declaring a State of National Emergency.
- 3.8 The Chief Executive had instructed an Incident Management Team (IMT) be established within Council on Monday morning 13 February 2023. The IMT is led by a 'Local Controller', who manages the Council response under the direction of the CDEM Group Controller.
- 3.9 The Council IMT ran 24 hours per day, 7 days per week until Monday 20 February.
- 3.10 The IMT ran under weekly Operational Orders which set objectives and taskings for the week. Primary Objectives included the items detailed in 1.4.

3.11 Controllers ran the IMT under a Co-ordinated Incident Management Structure (CIMS). The purpose of CIMS is to enable staff to respond effectively to incidents through appropriate coordination across functions and organisations. CIMS establishes common structures, functions and terminology in a framework that is flexible, modular, and scalable so that the framework can be tailored to specific circumstances. This allows Controllers to engage with and integrate with CDEM Group, other Councils and Emergency Services as there is a commonality of operating platform and sharing of intelligence.

**Council Recovery Actions**

3.12 Recovery can be considered to have four phases. The timeframes are indicative and based on the authors estimate of what is realistic.

1. Recovery in Response
2. Immediate Recovery / Short Term                      30 June 2023
3. Medium Term Recovery                                      30 June 2024
4. Long Term Recovery                                         30 June 2025 and beyond.

3.13 Council is still very much in Phase 1. Staff resource is also being committed to planning activities for Phase 2, which are covered in the Discussion section.

3.14 The Council recovery actions for Phases 1 and 2, continue to address the items detailed in 1.4.

**4.0 Discussion – *Te Matapakitanga***

**Hawke’s Bay Regional Recovery Agency**

4.1 The Hawke’s Bay Regional Recovery Agency (HBRRRA) has been established to oversee recovery at the regional level. The Interim Recovery Manager (and Chief Executive Officer) is Ms Keriana Brooking. The HBRRRA is governed by an Oversight Board and the Matariki Governance Group. The HBRRRA will work closely with the National Cyclone Recovery Taskforce led by Sir Brian Roche.

4.2 HBRRRA staffing and resource arrangements are still being confirmed. The initial work of the HBRRRA has focused on engagement with Government and national agencies and guiding the development of Locality Plans across the region. The HBRRRA is responsible for submitting an initial Recovery Plan to Government on behalf of local authorities and communities to inform Budget 2023 decision making.

4.3 This Regional Recovery Plan, and the actions in it, will be organised around the six Pou in the Hawke’s Bay Recovery Framework.

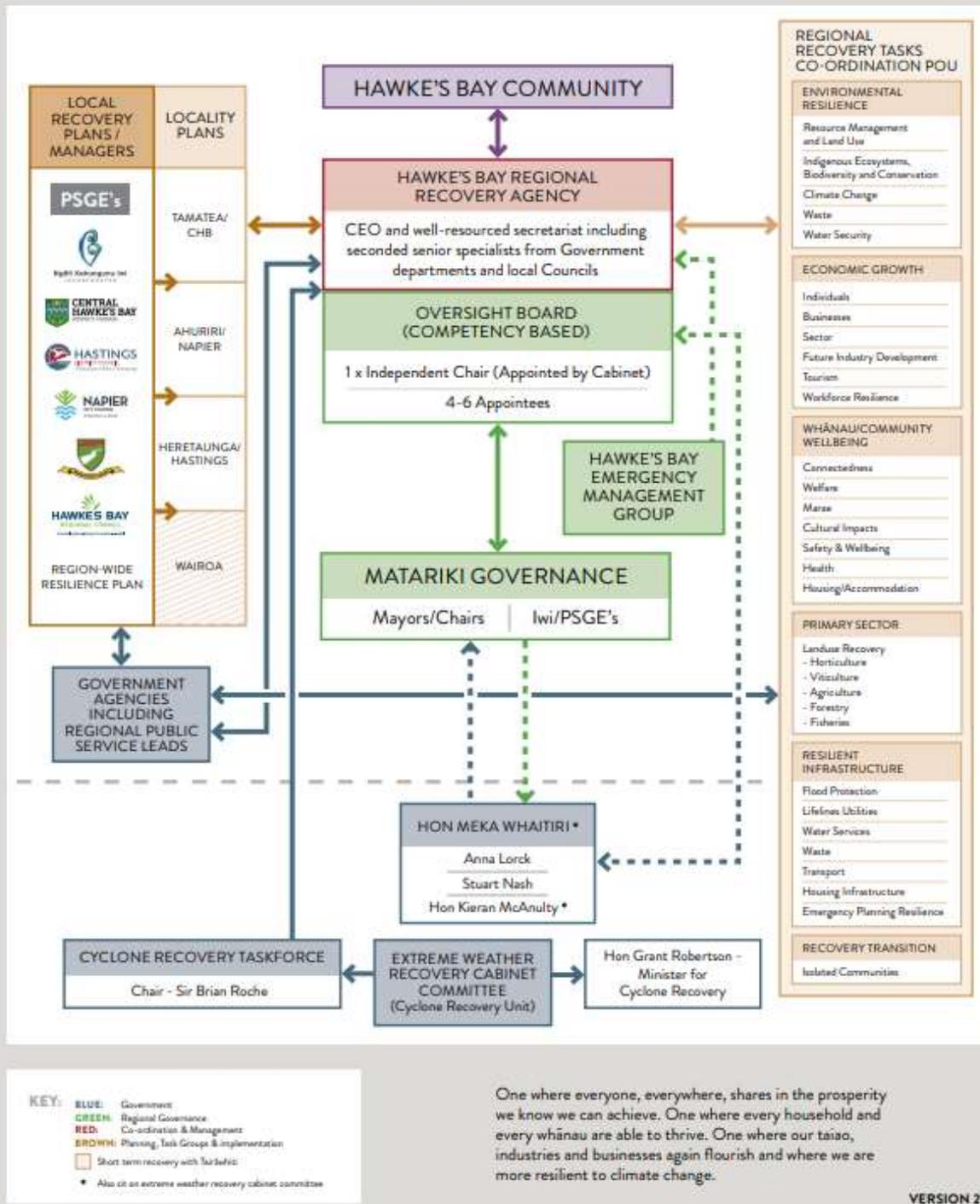
Environmental Resilience	Economic Growth	Whānau / Community Wellbeing
Primary Sector	Resilient Infrastructure	Recovery Transition.

The Hawkes Bay Recovery Framework is shown in the Figure below.

# Hawke's Bay Recovery Framework

## BUILDING BACK BETTER, SAFER AND SMARTER

- GENUINE PARTNERSHIP WITH MĀORI • ADDRESSING INEQUITIES • STRONGER PRODUCTIVE ECONOMY
- FIT-FOR-PURPOSE INFRASTRUCTURE AND LIFE-LINES • CLIMATE RESILIENCE AND ADAPTATION
- WORKING WITH TE TAIAO NOT AGAINST



Item 6

Figure 2: Hawke's Bay Regional Recovery Framework

### Heretaunga Locality Plan

4.4 The HBRRA is coordinating regional-level planning across Te Matau-a-Māui for recovering from the impacts of the Cyclone. Developing a regional-level plan requires an understanding of recovery priorities at a local level.

- 4.5 Plans for local authority areas (Tamatea/Central Hawkes Bay, Ahuriri/Napier, Heretaunga/Hastings, and Wairoa) have been developed to understand how each locality intends to recover from the impacts of Cyclone Gabrielle. The plans include the recovery actions that will be taken, decisions, and how actions will be funded and delivered.
- 4.6 Locality Plans provide an opportunity for local councils, Māori, Hapū and Iwi to express their recovery priorities so these can be included in a regional-level Recovery Plan that will be shared with central Government to identify where support may be needed.
- 4.7 Council provided an initial set of budget bids to the HBRRRA on 14 April and the first edition of the Heretaunga Locality Plan (HLP) was completed on 28 April. The HLP is attached to this report (Attachment 1). The HLP has been developed with Mana Whenua partners and Government and community stakeholders. This is the first of several editions of our Locality Plan with a more comprehensive HLP being developed over the coming months. This will address the medium and long-term recovery priorities and objectives for our Community. Significant public engagement will be part of developing future HLP iterations.

#### **Hastings District Council Recovery Plan**

- 4.8 Whilst working on the HLP, officers are also working on preparing a draft Hastings District Council Recovery Plan.
- 4.9 The Council Recovery Plan will be operational and internal in its focus. It will recommend investment decisions to ensure that Council can complete projects to restore and enhance our public infrastructure and community resilience. The Plan will outline the specific actions that Council will need to complete and how these will be funded and delivered.
- 4.10 Officers seek to have a draft Council Recovery Plan completed by 30 June 2023. The Plan will back capture response & immediate recovery actions going through to 30 June 2023, then focus on the Medium Term.

#### **Council Recovery Activities**

- 4.11 Council has and continues to undertake significant work to support both the response and recovery from Cyclone Gabrielle. The matrix below provides a snapshot of the scale and complexity of activities being undertaken to assist with our immediate recovery and the progress that has been made to date.

<b>Cyclone Response Activity</b>	<b>Response Activity Delivery</b>
<p><b><u>Road Access to Communities</u></b></p> <p>Road access to a large number of rural areas in the district was severely damaged by the Cyclone. Approximately 100 kilometres of road is in need of rebuilding.</p> <p>Council is focusing on restoring road access to the remaining isolated households at Moeangi Station and Te Kuta Station</p> <p>Council is working through prioritising its other infrastructure recovery needs, including the bridge rebuild and repair work and culvert and slip repair work.</p>	<p><b><u>Update as at 19 May 2023</u></b></p> <p><b><u>Roads &amp; Bridges Update</u></b></p> <p><b>Whanawhana Bailey Bridge</b> – Opened 15 May.  <b>Ellis-Wallace Bailey Bridge</b> – Estimated opening beginning of June.  <b>Moeangi Station Low-level Crossing</b> – Estimated opening 9 June.  <b>Mangatutu Low-level Crossing</b> – Estimated opening 3 June.  <b>Crystal Twin Culvert</b> - Design is complete and temporary access has been reinstated.  <b>McVicar's Culvert</b> - Temporary access reinstated.</p>

	<p><b>Crownthorpe Bridge</b> - Due to be complete at the end of June.</p> <p><b>Redclyffe Bridge</b> – Demolition of broken sections in progress. Earliest potential opening date is end of June.</p> <p><b>Rissington Bailey Bridge</b> – Opened 31 March</p> <p><b>Arapaoanui Low Level</b> – Opened 16 March</p> <p><b>Dartmoor Bailey Bridge</b> – Opened 5 April</p> <p><b>NB:</b> Solutions for the remaining structures including Brookfield, Darkeys Spur No1, Puketapu and Kereru Rd Gorge bridges are being investigated.</p>
<p><b><u>Flood Damaged Waste Removal and Receipt Operations</u></b></p> <p>Council contractors have now made their way around most of the worst affected areas in the district to collect flood-damaged household items for free. The initial collections aimed to assist residents with the removal of interior household items such as carpet, appliances, furniture, clothing and GIB.</p> <p>Although we have completed majority of the flood-damaged household collections – we are still continuing to distribute FlexiBins to impacted residents.</p>	<p><b>Flood-damaged household waste collected as at 30 April</b></p> <p>15,709.29 tonnes collected  10 outstanding jobs  493 completed jobs</p> <p>450+ Flexibins delivered</p> <p>Total spend to date - \$1,975,819.87  Expected spend to 30 June - \$2,611,819.87*</p> <p>*Excludes Flexibin and Landfill costs</p>
<p><b><u>Silt Management, Removal and Receipt Operations</u></b></p> <p>A Silt Recovery Taskforce has been established to address the millions of cubic metres of silt that washed down Hawke’s Bay’s rivers from the hills during Cyclone Gabrielle, devastating homes and properties.</p> <p>The taskforce, put together by Hawke’s Bay Regional Council and Hastings District Council, has developed a comprehensive action plan focused on six zones with dedicated contractors.</p> <p>It will likely take three-four years for silt recovery depending on the scope and amount of silt to be collected.</p> <p>Contractors collect silt from orchards, farms, roads and residential properties. The contractors are also responsible for picking up any remaining flood-damaged household items within their zones.</p>	<p><b>Update as at 19 May 2023</b></p> <p><b>Jobs Received</b></p> <p>375 Hawke’s Bay Rural  15 Hastings District Urban  8 Private jobs logged</p> <p><b>Silt Collected</b></p> <p>Estimated 250,000 m3</p> <p><b>Silt Estimated to Collect</b></p> <p>1 million m3 +</p> <p><b>Workforce</b></p> <p>14 Contractors engaged  26 Crews working  ~900 truck movements per day</p>

### Council Civil Defence Transition Operations

Current estimates for completing transition activities are listed below. Overall, it is expected that the project team can be released by 30 June 23:

- Isolated community support: 30 May 23
  - Households at Moeangi Station, Te Kuta Station remain isolated until the Waipunga Rd Bridge has been reinstated. The bridge is expected to be completed by 30 May.
  - Turnbull Rd/Waipunga Rd residents road access is very vulnerable to small amount of rain. They have indicated that no further supplies are needed, but this situation is being monitored by the Transition team navigators.
- Operational decommissioning: 30 June 23
- Bulk fuel decommissioning: 30 September 23 (*Note: from the end of June, it is expected that this work can be handed over to a recovery function*)
- Winter re-escalation plan Initial draft: 30 May 23

Up to 9 staff, made up of a mix of permanent, casual and contracted staff, are involved in delivering transition activities.

### Building Inspection and Planning Operations

Building inspectors continue to assess flood-damaged properties and provide placard (stickered) homes with building recovery process information. Re-assessments have also commenced where repairs have been completed (or otherwise) and placards have been both upgraded and downgraded.

Homes are being demolished as 'total losses' as directed by insurance companies; however, a large number of owners are holding back from commencing repairs until a decision has been made around managed retreat.

Planning Staff are providing a range of information to enable high risk areas to be identified by the Cyclone Recovery Taskforce (headed by Sir Brian Roche) for the purposes of hazard analysis. The Government, via the Taskforce, has indicated preliminary information is expected to be shared by the end of this month.

### Emergency Housing Operations

Staff are supporting households by providing information on how to register with the Temporary Accommodation Service (TAS).

There are currently 238 registrations for Temporary Accommodation Service in Hawke's Bay.

The highest number of registrations are from Waiohiki, Fernhill/Omahu, Eskdale, Pakowhai and Puketapu which reflect the communities of need.

### Temporary Accommodation Service (MBIE) data as at 10 May 2023

#### **Hastings District (Numbers relate to number of Whanau placed, not individuals)**

Actively managed	21
Future need	35
Placed in TAS Supply	99
Registered	0
<b>Grand total</b>	<b>155</b>

#### Key:

Placed in TAS Supply = Currently in TAS Supplied accommodation

Actively Managed = Awaiting suitable accommodation that meets their specific needs

Future Need = current situation means they are not quite ready to use TAS

### **Impacts on Council Finances**

- 4.12 The financial impacts of Cyclone Gabrielle are going to be felt for many years to come. While the initial response and transition to recovery phases which Council are working through this financial year will be largely recoverable, there will still be large unbudgeted expenditures that Council will not be reimbursed for and will impact on Council's ability to operate within its overall 2022/23 budget.
- 4.13 It has been previously documented in other reports to Council that in situations like this Council will receive funding through a number of sources which can largely be categorised into three groups:

#### **Confirmed funding sources**

- Material Damage and Business Interruption – all claims for damage to insured buildings have been made. Excluded from the insurance schedule are public toilets and playgrounds with damage incurred at the Esk and Puketapu Parks. The Material Damage insurance deductible is \$10,000.
- Bridge insurance – a loss limit is in place for the local share component (assumed 40%) for \$10m with an insurance deductible of \$250,000. Assessors are still working through the damage caused, however the 40% share for the local share could add up to the full loss limit insured.
- NEMA Welfare support – staff are currently working through the claim process for welfare costs which are 100% recoverable. Welfare costs are those incurred *caring for directly affected people (accommodating, transporting, feeding, and clothing people as a result of an emergency)*. There will be some costs incurred during the response which will not be eligible for this funding support. At the time of writing, it is not yet known what that level of unfunded response costs will be.
- Waka Kotahi have advised that for the local roads for the current financial year, their subsidy will increase from 53% to 93% share of the response costs or until the \$250m allocated by the Government has been utilised. HDC's allocation of this funding pool is currently \$45m with a forecast to 30 June 2023 of \$60m. At the time of writing, officers are continuing to work with Waka Kotahi to determine the subsidy arrangement for the 2023/24 financial year.

#### **Potential funding availability**

- Waste Collection – while \$15m has been made available for this purpose, the criteria set by NEMA for its allocation does make it challenging for Council to meet. As at 31 March 2023 \$3.1m had been incurred with collections continuing into April and until such time as the service is no longer required.
- NEMA 60:40 funding split for damage to underground infrastructure. While there is a \$1.5m threshold before a claim can be made on Council's 40% share of the loss through the membership of the Local Authority Protection Programme (LAPP), the threshold for the government's 60% share is \$2m. Given the lower LAPP threshold, there may be the opportunity to make a small claim for damage caused to underground assets.
- Silt Collection – The Government has announced that \$70m has been made available to help Hawke's Bay council's process and dispose of debris and silt with a further \$63m allocated to Hawke's Bay commercial activities. The current understanding is that the commercial funds are available to support growers and farmers collect up debris and silt from their properties with the council funding available to be used to transport that debris and silt to the designated sites. Officers are currently working with the other Councils in the region to determine how this funding should be apportioned. Officers have been working alongside HBRC in establishing the Joint Silt Taskforce which has identified a number of sites to receive collected silt and debris and a process for assessment and collection. A Heads of Agreement is being developed which will cover how this funding will be apportioned and who is responsible for collecting the different types of waste from the different areas.

#### **No external funding available**

- Uninsured assets – Playgrounds, car parks, public toilets and trees are not included on the material damage insurance schedule and therefore uninsured with any costs incurred with cleaning up damage and / or replacing assets to be met 100% by the ratepayer.
- Rates Remissions – the decision was made to remit rates and waive late payment penalties for red and yellow placard properties. This has been taken up by a number of property owners with \$782,015 remitted as at 10 May, with further applications being received for yellow placard properties.

#### Overall Council Financial Forecast

- 4.14 Given the cost escalations being felt across Council’s activities in 2022/23 it was forecast that Council would likely be operating at a close to breakeven scenario at best with the potential for a rating deficit quite possible. With the additional expenditure incurred in response to Cyclone Gabrielle it is now fully expected that a rating deficit will be incurred in 2022/23 despite the large proportion of external funding that will be received to support Council’s response and road to recovery.
- 4.15 Officers have completed a forecast on the likely rating deficit which was presented to the Performance and Monitoring Committee on 11 May 2023. As expected, Cyclone Gabrielle has had a significant impact on the forecasted year end result. The overall size of the projected rating deficit with the cyclone impacts included is conservatively estimated at \$17m, noting that there are a number of cyclone related funds that Council will be applying for reimbursement of costs but are yet to have confirmation of their approval.
- 4.16 Whilst the projected deficit of \$17m is significant, it is projected as a worst case scenario as there are opportunities for external funding to reduce this burden and decisions for Council on how certain activities are funded. The most significant of these is the projected \$4.2m local share component of the transportation repair costs (noting that Waka Kotahi are funding 93% or \$55.8m of the estimated \$60.0m repair cost to 30 June) where council will have choices on how this is funded from using Rating Area 2 Flood and Capital Reserves, debt or leaving as part of the overall rating deficit.

#### Rating Area 2 Forecast

- 4.17 In terms of Rating Area 2 (RA2), the forecast deficit is estimated at \$8.1m and includes the full impact of the cyclone. There are several potential options and opportunities to offset this forecast difference in terms of RA2 in particular.
- 4.18 Essentially the main drivers for the rating deficit is through the impact of the collection of flood damaged household waste (\$4.3m) and the local share of the roading emergency reinstatement works \$2.7m. The roading deficit has been reduced by assuming that the unused local share of business as usual works of \$1.3m would be applied to cover this shortfall, if this is not the case then the roading deficit could be up to \$4m.
- 4.19 It is likely that there will be some additional income from NEMA through welfare claims along with some reimbursement of waste collection costs. In addition, there are some reserves that relate directly to RA2, these have been listed below:

<b>Rating Area 2 Reserves:</b>	<b>Balances</b>
Rural Flood & Emergency	\$1.2m
General Purpose Reserve RA2	\$0.6m
Capital Reserve – RA2	\$1.9m
<b>Total Reserves</b>	<b>\$3.7m</b>

- 4.20 The Rural Community Board and Council will have the opportunity in September when the year-end financial result has been finalised to make decisions in regards to the allocation of reserves to reduce any financial deficit.

- 4.21 The development of the 2024-34 Long Term Plan will need to address the funding required to meet the likely deficits incurred in 2022/23 and 2023/24 and rates increases will be elevated as a result.
- 4.22 The 2024-34 LTP will also need to address the implications of any funding shortfall with the roading, and bridge rebuild programme. All indications to-date are costs in excess of \$800m to be incurred over the next 5 to 10 years and with uncertainty from Council's funding partner Waka Kotahi the impact on debt is currently unknown but likely to be significant.
- 4.23 The last 7 years since the Havelock North Water crisis has reinforced the need for Council to maintain debt headroom for major events. Since that time Council has had to invest \$100m to build resilience and upgrade the drinking water network to a fully compliant treated network; has responded to earthquake prone buildings like the Category 1 Heritage Opera House and Municipal Buildings with over \$30m invested; identified significant capacity upgrades required in the Wastewater network to support growth and now has to respond to the largest flooding event this region has experienced. Maintaining debt headroom is critical for Council going forward and all efforts must be placed on maximising Central Government support for this rebuild.
- 4.24 Given most of the roading damage has occurred on the rural roads, Council will need to consider the viability through the 2024-34 Long Term Plan process of maintaining the Urban (RA1) and Rural (RA2) rating areas. Under the current funding arrangements Rating Area 2 will likely incur large rate increases depending on the level of subsidy received from Waka Kotahi.

#### Rates Remissions

- 4.25 In addition to the remissions made available to properties with red and yellow placard buildings, Council will receive a report in June requesting changes to the Rates Remission policy to enable further remissions to be provided. Included in the recommended policy change will be the following:

Rate remission for severely eroded or impacted properties, includes those properties with crop or pasture damage, where the land has become unusable or uneconomic or the ownership of the land has become indeterminate or uneconomic (such as a club becoming defunct):

- Upon application, Council may provide remission up to 100% of rates and current penalties, for a period of 2 years, or earlier if the land is deemed by Council to be unusable. After the 2 year period Councils 'Rates Postponement – Natural Calamity' policy would then be available for further rates relief.
  - Further information required to support the application would include photos of damage and expectations of how long the land is likely to be unusable.
- 4.26 The application of rates remissions can be a very expensive exercise for Council as any reduction in rates income directly affects the rates income available to support council's activities like contributing to the local share required to maintain and rebuild the roading network.
- 4.27 Any changes to Council's Rates Remission Policy requires consultation with the community which under the Local Government Act would take 6 weeks. Officers are however hopeful that an Order in Council requesting a legislative change where it is reduced to 2 weeks will be approved by Cabinet, allowing for a much quicker consultation process and therefore earlier implementation.

## **5.0 Options – Ngā Kōwhiringa**

- 5.1 This Report is an update for the Rural Community Board on progress with response and recovery from the consequences of Cyclone Gabrielle. No decision is sought.

## **6.0 Next steps – Te Anga Whakamua**

- 6.1 Work on response activity and recovery planning continues in order to meet community needs and legislative obligations. Council is engaging in both regional and local recovery discussions with appropriate partners to help shape appropriate Locality and Recovery plans. This work includes

drawing together recovery focused information in relation to the assets and other areas of responsibility Council has stewardship over. This work will be presented to Council and relevant partners at the appropriate juncture.

**Attachments:**

1 	Heretaunga Locality Plan Final	PRJ23-17-0034	Under Separate Cover
---	--------------------------------	---------------	----------------------------

---

Monday, 29 May 2023

---

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hastings District Rural Community Board**

**Item 7**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

*Nā:*  
From: **Regan Smith, Risk & Corporate Services Manager**

---

*Te Take:*  
Subject: **Community Resilience Plans**

---

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

- 1.1 Regan Smith, Risk & Corporate Services Manager will deliver a presentation to update the Board on the development of Community Resilience Plans following Cyclone Gabrielle.

## **2.0 Recommendations - *Ngā Tūtohunga***

That the Hastings District Rural Community Board receive the report titled Community Resilience Plans dated 29 May 2023.

### **Attachments:**

There are no attachments for this report.



---

Monday, 29 May 2023

---

Item 8

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hastings District Rural Community Board**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

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

---

*Te Take:*  
Subject: **Annual Plan 2023/24 update and related matters**

---

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

- 1.1 The purpose of this report is to provide a brief update to the Board regarding the 2023/24 Annual Plan process, and update on the Long-Term Plan Amendment and Draft Development Contributions Policy.
- 1.2 No recommendations, beyond receiving the update report are sought from the Board.
- 1.3 **Annual Plan 2023/24 – Background**
- 1.4 At its meeting dated 18 April 2023, the Council resolved not to consult on the Annual Plan for 2023/24. There is a provision within the Local Government Act 2002 that allows for this if nothing new or consequential has arisen for the year that requires consultation with our community. This provision has been used by many Councils in the past. The key reasons for this course of action are:
  - Given the impacts of Cyclone Gabrielle the 2023/24 work programme is still in a state of significant uncertainty and therefore any conversation around alternative budget considerations with the community would be adding little value;
  - The overall district wide proposed budget is essentially the Long Term Plan (5.7%) , with a further allowance for the inflationary pressures being felt across Council activities to set a budgeted increase in rates revenue for the coming year of (8.5%), which does not trigger any consultation requirements as nothing fundamentally new requires community discussion;
  - Another key contributor to the higher than projected rate increase is the effects of the purchase of the Tōmoana Showgrounds, which the community was consulted on in the 2022/23 Annual Plan consultation process which included information on the ongoing financial considerations of owning and operating this land;

- Within the proposed budget, funds may be reallocated to meet community recovery needs;
  - Both the community and the Council are focussed on the recovery phase from the cyclone. Council efforts are best directed at that recovery, as are the efforts of key staff across the organisation. It is those same key staff that would be required to participate in any consultation process including evaluating and responding to submissions that are involved in Recovery Planning.
  - The 2023/24 year will see a key focus on putting together the Council's Long Term Plan required under legislation, this covers a period of 10 years and will be the best vehicle to engage the community around future priorities for the Hastings District.
- 1.5 At the time of preparing this report the forecast rates increase for the Rural Community is 7.1% for the 2023/24 year, subject to finalisation by June 2023 (this forms part of the overall 8.5% district wide increase mentioned earlier). This compares favourably with the 7.1% which was forecast in the Long Term Plan. Officers expect the final budget number to be broadly in line with that Long Term Plan forecast.
- 1.6 **Long Term Plan Amendment and Draft Development Contributions Policy - Background**
- 1.7 The Council have on a number of occasions been briefed and considered the need to plan for and deliver additional network capacity (particularly wastewater) in order to provide future development capacity.
- 1.8 A proposal has been formalised and is out for public consultation, with the Council planning to hear feedback and make decisions in June 2023. The growth infrastructure investment proposal has consequential impacts on the charging of Development Contributions (Councils main way of funding growth infrastructure), therefore that Policy is a key component of the consultation process.

## 2.0 Recommendations - *Ngā Tūtohunga*

That the Hastings District Rural Community Board receive the report titled Annual Plan 2023/24 update and related matters dated 29 May 2023.

### Attachments:

There are no attachments for this report.

---

Monday, 29 May 2023

---

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hastings District Rural Community Board**

**Item 9**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

*Nā:*  
**From: Matt Adamson, Strategy and Policy Advisor**

---

*Te Take:*  
**Subject: Review of Standing Orders**

---

## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The Local Government Act 2002 requires community boards to adopt a set of standing orders. Their content is largely informed by the Local Government Act and the Local Government Official Information and Meetings Act 1987 (LGOIMA).
- 1.2 The Hastings District Rural Community Board Standing Orders provide a framework of rules for fair and transparent decision making that inspires public confidence in local democracy. In this regard, Standing Orders should be reflective of best practice and easy to use.
- 1.3 The current version of Standing Orders was last updated in January 2021. Local Government New Zealand (LGNZ) has recently released new guidance and has suggested some minor amendments. A revised Rural Community Board Standing Orders has been prepared based on this guidance and relevant legislative changes that have occurred.
- 1.4 No major changes are proposed to the Standing Orders. Minor updates have been made and headings are now presented in both English and Te Reo Māori. It is proposed to retain the same optional clauses that are present in the current Standing Orders. These include the Chair possessing a casting vote, members being able to attend meetings virtually, and retaining Option C as the default provision for speaking and moving motions.

## 2.0 Recommendations - Ngā Tūtohunga

- A) That the Hastings District Rural Community Board receive the report titled Review of Standing Orders dated 29 May 2023.
- B) Notes that any amendment to Standing Orders requires a vote of no less than 75% of members present.
- C) Note that the default provision for speaking and moving amendments is Option C unless a Chair, or meeting, agree to apply one of the other two options (clause 22.2 or 22.3) at specific meetings.
- D) That the Hastings District Rural Community Board adopts the revised Standing Orders.

## 3.0 Background – Te Horopaki

- 3.1 It is good practice for a governance body to review its standing orders at the beginning of a triennium to ensure they align with current sector best practice and legislative updates. Despite this, standing orders continue in force until they are amended and there is no legal requirement to adopt new standing orders at the beginning of a triennium.
- 3.2 LGNZ issued updated guidance to Council’s in September 2022 which suggests several minor amendments to their Standing Orders Template. These suggestions have come from local government experts and reflect a programme of continuous improvement.
- 3.3 Officers have reviewed the Rural Community Board Standing Orders based on the latest advice and this report presents a revised set of Standing Orders (**Attachment 1**) for adoption. Note that any amendments to standing orders require a vote of no less than 75% of members present.

## 4.0 Discussion – Te Matapakitanga

- 4.1 These Standing Orders have been amended where appropriate to provide clarification and ensure legislative alignment. Headings have also been updated to include Te Reo Māori translations which were provided by LGNZ. Table 1 outlines the amendments that have been incorporated in the revised Standing Orders.

Standing Order	Changes made to the current Rural Community Board Standing Orders
Definitions	<p>New definitions and amendments:</p> <ul style="list-style-type: none"> <li>• Matariki as a public holiday</li> <li>• Member of the Police</li> <li>• Appointed member</li> <li>• Emergency under “meeting”</li> <li>• debate</li> <li>• conflict of interest,</li> <li>• division,</li> <li>• Item,</li> <li>• leave of the hui,</li> <li>• officer,</li> <li>• open voting, and</li> <li>• pecuniary interest</li> <li>• definition of chair and presiding member tweaked</li> </ul>

	<ul style="list-style-type: none"> <li>• definition of workshops tweaked with change to standing orders advice</li> <li>• definition of seconder expanded by addition of 'amendment'.</li> </ul>
3.5	Motion to suspend standing orders – 'may' replaced with 'must identify the specific standing orders to be suspended'.
5.2	Removal of chair or deputy chair – deleted as covered by other provisions.
7.2	Confirmed that the District Licensing Committee does not need to be reconstituted.
9.1	Preparation of an agenda – amended to make it clear that a chief executive prepares an agenda on behalf of the Chair and 'must' consult the Chair, or person acting as Chair, when preparing it.
9.5	Chair's recommendation – an addition, to make it clear that any recommendation by a chair must comply with the decision-making provisions of Part 6, LGA 2002.
12.2	Statutory reference inserted - s. 50 LGOIMA.
12.4	Public may record hui - slight amendments to improve practicality.
13.3	Leave of absence – amended to remove ambiguity.
13.13 & 13.16	To confirm that if a chair is concerned that confidential information might be at risk, they may terminate an audio and/or audio-visual link
18.5	Release of public excluded information - requirement that the Chief Executive will inform the subsequent hui, has been deleted due to administrative impracticality.
19.1	Decisions by majority vote - tweaked to better align with statutory reference in Schedule 7, LGA 2002.
21.12	Clarification made to the option that allows a member who moves a motion to reserve their right of reply.
23.1	Proposing and seconding – amended to make it clear that movers and seconders are NOT required to stay for the subsequent debate.
23.5	Amendments to be relevant - this Standing Order has been expanded with a list of reasons that can be used for not accepting amendments.
23.6 (previous)	'Chair may recommend an amendment' - deleted.
23.6 (formerly 23.7)	Foreshadowed amendments – changes to better communicate intent.
23.10 (formerly 23.11)	Withdrawal of motion – changes made to clarify standing order intent.
27.7	Repeat notices of motion – the phrase, 'in the opinion of the Chair', deleted as not helpful.

28.2	Matters recorded in the minutes - new bullet point (i) added to clarify that “items tabled at the hui” should be included in the minutes.
Appendix 8	Specific standing order references provided when listing the powers of a chair where relevant.

Table 1: Suggested amendments to Standing Orders

- 4.2 The Rural Community Board previously adopted Option C as the default provision for speaking and moving motions. Information on this is contained in clause 22.4. It is not proposed to change this default position. However, the Chair or a meeting may agree to use a more formal mechanism (Option A or B) at specific meetings, should they be considered more appropriate.
- 4.3 The suggested amendments are illustrated as tracked changes in **(Attachment 1)**. The LGNZ Guide to Standing Orders is also attached **(Attachment 2)**. This serves as an interpretive aid to the Standing Orders and provides additional information and rationale on some subjects.

## 5.0 Options – Ngā Kōwhiringa

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

- 5.1 To adopt the revised Standing Orders.

Advantages

- The revised Standing Orders are up to date with legislative changes at the time of writing. The suggested changes provide greater clarity, reflect best practice and are easier to understand and use.

Disadvantages

- There is a risk that members are not sufficiently familiar with the revised Standing Orders. This risk can be mitigated by providing training sessions on the new Standing Orders which will be incorporated in the member induction.

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

- 5.2 Decline to adopt the revised Standing Orders.

Advantages

- None identified.

Disadvantages

- A decision not to adopt the revised Standing Orders would mean that the Rural Community Board’s Standing Orders are not reflective of current best practice.

## 6.0 Next steps – Te Anga Whakamua

- 6.1 If adopted, the revised Standing Orders will replace the existing Rural Community Board Standing Orders from the date of this meeting.

### Attachments:

<a href="#">1</a>	DRAFT Rural Community Board Standing Orders - Revised 2022-25 Triennium	PRJ22-20-0025	Under Separate Cover
<a href="#">2</a>	LGNZ Guide to Standing Orders 2022	PRJ22-20-00015	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 social, cultural, economic, and environmental wellbeing of Hastings in the present and the future through providing effective and efficient governance rules and procedures.

---

### Māori Impact Statement - *Te Tauākī Kaupapa Māori*

N/A

---

### Sustainability - *Te Toitūtanga*

N/A

---

### Financial considerations - *Ngā Whakaarohanga Ahumoni*

N/A

---

### 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. The matters covered by Standing Orders concern procedural aspects of public meetings that are of low interest to the public. The Rural Community Board is legally required to have Standing Orders in place.

---

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

The review of these Standing Orders has involved consultation with LGNZ.

---

### Risks

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Provides a set of guidelines grounded in best practice which support the efficient and effective conduct of meetings.	Ongoing legal compliance is a significant risk for Council. Regular reviews of key documents such as Standing Orders mitigates this risk.

---

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

---

---

N/A

---

---

Monday, 29 May 2023

---

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*

**Hastings District Council: Hastings District Rural Community Board**

**Item 10**

*Te Rārangi Take*

# Report to Hastings District Rural Community Board

---

*Nā:*  
**From: Matt Adamson, Strategy and Policy Advisor**

---

*Te Take:*  
**Subject: Code of Conduct**

---

## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The purpose of this report is to obtain a decision from the Rural Community Board to adopt a new Code of Conduct.
- 1.2 The Code of Conduct is designed to ensure that governance is undertaken with the highest degree of integrity while also providing a safe and rewarding environment in which all elected members can thrive. The Code sets boundaries on standards of behaviour and provides a means of resolving situations if elected member/s breach those standards.
- 1.3 The Rural Community Board has not adopted a Code of Conduct since December 2003. Strictly speaking, this Code still applies, although Members are likely unaware of it, and it is not published on the Council website.
- 1.4 The Code of Conduct has been reviewed in light of updated guidance, including a new model code published by Local Government New Zealand (LGNZ). The revised Code has been rewritten to better reflect current best practice which includes a greater emphasis on behaviours that are inconsistent with the Code and incorporation of Te Tiriti o Waitangi principles.
- 1.5 Council adopted a new Code of Conduct on 8 December 2022. The Rural Community Board are asked to adopt one which is substantively the same in order to ensure consistency in standards across Council governing bodies.

## 2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Rural Community Board receive the report titled Code of Conduct dated 29 May 2023.
- B) That the Rural Community Board revoke the Code of Conduct adopted on 1 December 2003.
- C) That the Rural Community Board note the new requirements in the Local Government Act 2002 in relation to members' pecuniary interests.
- D) That the Rural Community Board note that Council has appointed the Chief Executive (or their delegate) as the registrar for the purposes of section 54G of the Local Government Act 2002.
- E) That the Rural Community Board note the draft Code of Conduct reflects the Code of Conduct adopted by Council on 8 December 2022.
- F) That the Rural Community Board note that Members desire to see issues resolved at the lowest possible level and wish to utilise informal dispute resolution mechanisms wherever feasible and safe.
- G) That Rural Community Board adopts the draft Code of Conduct 2023.

## 3.0 Background – *Te Horopaki*

- 3.1 A code of conduct is required under clause 15, Schedule 7 of the Local Government Act 2002. This also requires adoption of a code and any amendments to it, to be approved by a vote of at least 75% of members present.
- 3.2 While the current Code has not had to be used many times since it was last adopted, it is important that the standards of behaviour and processes contained in it are fit for purpose and members are well aware of them.
- 3.3 The below paragraphs show the information put forward to Council when they considered the adoption of an identical Code of Conduct in December 2022.

## 4.0 Discussion – *Te Matapakitanga*

- 4.1 In September 2022, LGNZ issued a new model Code of Conduct. This has been developed over the past three years in consultation with councils around Aotearoa. Councils current Code of Conduct is based on the 2016 LGNZ Model Code and as such, there are several changes which have been considered for the revised Code being presented for adoption. These include:
  - A clearer distinction between the Code of Conduct and the process for considering complaints
  - Additional criteria for assessing complaints
  - A greater emphasis on behaviours that are inconsistent with the Code
  - Incorporation of Te Tiriti principles
  - Illustrative case studies of behaviour found to be inconsistent with the Code
  - A policy for dealing with alleged breaches
  - Two optional clauses concerning
    - A single step or two step assessment process

- Whether recommendations from an investigator should be binding or non-binding.
- 4.2 Officers have reviewed the Model Code in light of the status quo and any unique requirements of Hastings District Council. While the Model Code has a different layout and tone to the current Council Code, much of the substantive content is the same.
- 4.3 Several provisions which are in the current Council Code but not the Model Code have been retained. These are still considered useful in adding clarification around certain points (e.g., roles and responsibilities, and conflicts of interest).
- 4.4 The revised Code carries through the LGNZ Draft Policy for Dealing with Alleged Breaches. This contains guidance for assessing the significance of an alleged breach and clarifies that only elected members or the Chief Executive (CE) can make a complaint under the Code. The CE is provided with full discretion on whether to formally lodge any complaints made to them by staff or the public as a code of conduct complaint. This discretion does not exist for complaints made by elected members.
- 4.5 The revised Code clarifies that members involved in a complaint are not left to meet any reasonable costs created by doing so. It also makes clear that members who make or are subject to complaints are entitled to appropriate and reasonable support. This includes access to confidential counselling through Council's Employee Assistance provider.

## 5.0 A single step or two step assessment process

- 5.1 The LGNZ Model Code provides the ability to adopt either a single step or two step process for assessing complaints.
- 5.2 The single step process was what was used by Council previously. The chief executive refers all complaints to an independent investigator who determines whether the complaint is valid and, if so, recommends action(s) appropriate to the level of materiality or significance of the breach.
- 5.3 The two-step process would require the chief executive to refer all complaints to an initial assessor who determines whether the complaint is valid and, if so, can recommend that the parties undertake mediation. Where the nature of a breach is significant and where mediation is not an option (or not agreed to) then the initial assessor will refer the complaint to an independent investigator, who may also re-assess the complaint.
- 5.4 Both options provide for a degree of independence, however the two-step process is designed to quickly address those complaints which have a low degree of materiality with minimum expense to the Council.
- 5.5 Council agreed to use a two-step assessment process in their recently adopted Code. Note: this is in addition to informal mechanisms for resolving disputes among Members that sit outside the Code.

## 6.0 Binding or non-binding recommendations from an investigator?

- 6.1 LGNZ note that a key principle is that the process for investigating an alleged breach must be politically independent and be seen to be so. The mechanism that is currently used by Council of an independent investigator ruling on a complaint and making recommendations is designed to achieve this. However, the perception of independence and objectivity may be lost if it is elected members who decide the nature of an action to be taken when a complaint is upheld.
- 6.2 One solution is for the Council to agree to be bound by an independent investigator's recommendations. This would remove the discretion that Council currently has in considering actions to take in response to a Code of Conduct complaint that has been upheld.
- 6.3 The Rural Community Board may wish to consider adopting this approach if it believes it to be necessary for reasons of independence and transparency. While Code of Conduct complaints are infrequent at Hastings District Council, they have the potential to be very divisive and the process of members having to decide what action should be taken against a fellow member who has been found in breach may damage team cohesion.

6.4 At the Council meeting on 8 December, Council agreed that rulings from an independent investigator should be binding.

## 7.0 Local Government (Pecuniary Interests) Amendment Act 2002

7.1 The Local Government Act was recently amended to require local authorities to maintain and publish a register of pecuniary interests for members. This aims to provide consistency across local authorities and improve transparency. It also aligns the requirements for local government with those of Members of Parliament in disclosing information about their pecuniary interests. The requirements apply to the Mayor, Councillors and Community Board members but not external appointees to committees/subcommittees.

7.2 The amendments concern four main obligations for councils:

- Keep a register of members' pecuniary interests
- Appoint a registrar to compile and maintain the register
- Make a summary of the information publicly available
- Ensure that information contained in the register is only used in accordance with the purpose of the register and is retained for seven years after the date on which a member provides the information.

7.3 A pecuniary interest is defined as a "...matter or activity of financial benefit to the member." However, threshold limits exist for what is required to be disclosed and a full list of requirements is provided on page 21 of the draft Code of Conduct. There are two broad categories of information that must be disclosed in returns:

- Information relating to the elected member's position – as a business owner, employee, trustee, etc; and
- Information relating to the elected member's activities – as recipients of gifts or payments.

7.4 Council has agreed to appoint the Chief Executive as the registrar under the Act who is responsible for compiling the Register, ensuring compliance with the Privacy Act 2020 and providing advice and guidance to members in connection with their obligations.

7.5 If an elected member does not comply with these obligations, it constitutes an offence which can be punished by a fine of up to \$5,000.

7.6 The timeframes for making declarations are set out in the legislation and are as follows:

- Year 1: the day that is 120 days after the date on which the member comes into office under section 115 of the Local Electoral Act 2001;
- Year 2: the last day of February in the second year of the triennium;
- Year 3: the last day of February in the third year of the triennium.

7.7 This means that, for Year 1, the calculation of the due date is as follows:

- 8 October 2022 – Polling day
- 13 October 2022 – Public notice of the final election result given as per section 86 of the Local Electoral Act
- 14 October 2022 – Members come into office (as per section 115 of the Local Electoral Act 2022)
- 15 October 2022 – Day 1 of the 120 day period
- 11 February 2023 – Due date for members returns

7.8 Members obligations under this amendment are in addition to and do not affect the members existing obligations under the Local Authority (Members' Interests) Act 1968. These are also outlined in the draft Code of Conduct at page 20.

## 8.0 Options – Ngā Kōwhiringa

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

8.1 That the Rural Community Board adopts the revised Code of Conduct as attached.

Advantages

- Incorporates current best practice and legislative updates
- Acknowledges obligations to adhere to Treaty principles
- Consistent with the Council Code of Conduct
- Better outlines what constitutes unacceptable behaviours under the Code.

Disadvantages

- Discretion in deciding actions in response to a Code breach is lost.

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

8.2 The Rural Community Board declines to adopt the revised Code of Conduct.

Advantages

- The current Code of Conduct stays in force.

Disadvantages

- An opportunity to capture local government sector learning from the last five years contained in the LGNZ Model Code is lost.

## 9.0 Next steps – Te Anga Whakamua

9.1 The revised Code of Conduct if adopted, will be published to the Council website. A copy will also be provided to all elected members.

### Attachments:

<a href="#">1</a>	Draft Rural Community Board Code of Conduct - 2022-25 Triennium	23/35	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 the wellbeing of communities in the present and for the future by supporting effective, efficient, and harmonious Council governance arrangements.

---

**Māori Impact Statement - Te Tauākī Kaupapa Māori**

The revised Code of Conduct refers to the principles of Te Tiriti o Waitangi for the first time and acknowledges Council's obligations to act consistently with these.

---

**Sustainability - Te Toitūtanga**

N/A

---

**Financial considerations - Ngā Whakaarohanga Ahumoni**

N/A

---

**Significance and Engagement - Te Hiranga me te Tūhonotanga**

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of low significance.

---

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

Consultation has occurred with Councillors through a briefing in November 2022. The adoption of a Code is a legal requirement under the Local Government Act 2002.

---

**Risks**

Updating the Code of Conduct regularly ensures that potential actions taken under it are consistent with legislation and current legal precedent.

There is a risk in not adopting the optional clause for an investigators ruling to be binding on the Council that the actions taken following a breach of the Code may be seen as politically motivated. However, the presence of this clause would remove Council discretion in setting penalties for a breach of the Code.

---

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

N/A

---