



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL



Strategy and Wellbeing Committee Meeting Agenda

Thursday, 26 August 2021

9.00am

Council Chamber, 28-32 Ruataniwha
Street, Waipawa

Together we Thrive! E ora ngātahi ana!

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1 KARAKIA**2 APOLOGIES****ACKNOWLEDGEMENT OF VISITORS****3 DECLARATIONS OF CONFLICTS OF INTEREST****4 STANDING ORDERS****RECOMMENDATION**

THAT the following standing orders are suspended for the duration of the meeting:

- 21.2 Time limits on speakers
- 21.5 Members may speak only once
- 21.6 Limits on number of speakers

And that Option C under section 22 General procedures for speaking and moving motions be used for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

5 CONFIRMATION OF MINUTES

Strategy and Wellbeing Committee Meeting - 1 July 2021

RECOMMENDATION

That the minutes of the Strategy and Wellbeing Committee Meeting held on 1 July 2021 as circulated, be confirmed as true and correct.

- Presentation from Youth Inspire Festival for the Future.

**MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL
STRATEGY AND WELLBEING COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA
ON THURSDAY, 1 JULY 2021 AT 9.00AM**

PRESENT: Mayor Alex Walker (Apology)
Deputy Mayor (Chair) Kelly Annand
Cr Jerry Greer
Dr Roger Maaka
Cr Kate Taylor
Cr Exham Wichman (Apology)
Cr Tim Aitken
Cr Brent Muggeridge
Cr Gerard Minehan
Cr Pip Burne

IN ATTENDANCE: Monique Davidson (Chief Executive)
Doug Tate (Group Manager, Customer and Community Partnerships)
Joshua Lloyd (Group Manager, Community Infrastructure and Development)
Brent Chamberlain (Chief Financial Officer)
Caitlyn Dine (Governance and Support Officer)

1 APOLOGIES

Mayor Walker apology noted.
Councillor Wichman apology noted.

2 DECLARATIONS OF CONFLICTS OF INTEREST

NIL

3 STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr Kate Taylor
Seconded: Cr Gerard Minehan

THAT the following standing orders are suspended for the duration of the meeting:

- 20.2 Time limits on speakers
- 20.5 Members may speak only once
- 20.6 Limits on number of speakers

And that Option C under section 21 General procedures for speaking and moving motions be used for the meeting.

Standing orders are recommended to be suspended to enable members to engage in discussion in a free and frank manner.

CARRIED

4 CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

Moved: Cr Gerard Minehan

Seconded: Cr Jerry Greer

That the minutes of the Strategy and Wellbeing Committee Meeting held on 6 May 2021 as circulated, be confirmed as true and correct.

CARRIED

5 REPORT SECTION**6.1 COMMITTEE RESOLUTION MONITORING REPORT****PURPOSE**

The purpose of this report is to present to the Committee the Strategy and Wellbeing Resolution Monitoring Report. This report seeks to ensure the Committee has visibility over work that is progressing, following resolutions from Committee.

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan

Seconded: Cr Pip Burne

That, having considered all matters raised in the report, the report be noted.

CARRIED

Mrs Davidson presented this report.

6.2 STRATEGY AND WELLBEING COMMITTEE PRIORITY REPORT**PURPOSE**

The purpose of this report is for the Strategy and Wellbeing Committee to receive a report on the progress of key committee priorities.

COMMITTEE RESOLUTION

Moved: Cr Kate Taylor

Seconded: Cr Gerard Minehan

That, having considered all matters raised in the report, the report be noted.

CARRIED

Mrs Davidson presented this report, followed on with a presentation from Mayors Taskforce for Jobs. Mrs Wiggins then spoke to the May Solid Waste Dashboard.

6.3 COMMUNITY PRIDE AND VIBRANCY FUND- SILENT MOVIE**PURPOSE**

The purpose of this report is to inform the Strategy and Wellbeing Committee of the event funded by the Community Pride and Vibrancy Fund namely the Charlie Chaplin, Silent Movie held at Russell Park on Friday 2 April 2021, in accordance with Councils Community Funding Policy.

COMMITTEE RESOLUTION

Moved: Cr Kate Taylor

Seconded: Cr Pip Burne

That, having considered all matters raised in the report, the report be noted.

CARRIED

Mrs Cover presented this report alongside David Selfe from The Old Dairy Factory Events.

6.4 COMMUNITY PRIDE AND VIBRANCY FUND - READERS AND WRITERS FESTIVAL**PURPOSE**

The purpose of this report is to inform the Strategy and Wellbeing Committee of the event funded by the Community Pride and Vibrancy Fund namely the Readers and Writers – Between the Lines Finale held at the Central Hawkes Bay Museum on Sunday 23 May 2021, in accordance with Community Funding Policy.

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan

Seconded: Cr Kate Taylor

That, having considered all matters raised in the report, the report be noted.

CARRIED

Mrs Cover presented this report alongside Michelle Goodman who is part of the Between the Lines Committee.

| |
|---|
| 6.5 DELETION OF INDOOR HEATED SWIMMING POOLS POLICY AND SWIMMING POOLS POLICY |
| PURPOSE The matter for consideration by the Council is the deletion of two policies being the Indoor Heated Swimming Pools Policy and the Swimming Pools Policy. |
| COMMITTEE RESOLUTION Moved: Cr Kate Taylor Seconded: Cr Tim Aitken That having considered all matters raised in the report: a) That Council delete the Indoor Heated Swimming Pool Policy and the Swimming Pools Policy. CARRIED |

Mrs Leaf presented this report. Councillor Burne noted a conflict of interest as she is part of the CHB Community Trust.

| |
|--|
| 6.6 REVIEW OF SMOKEFREE AND VAPEFREE POLICY |
| PURPOSE The matter for consideration by the Council is the adoption of the reviewed Smokefree and Vapefree Policy. |
| COMMITTEE RESOLUTION Moved: Cr Jerry Greer Seconded: Cr Kate Taylor That having considered all matters raised in the report: a) That the reviewed Smokefree and Vapefree Policy, as attached, is adopted. CARRIED |

Mrs Harrison presented this report.

6.7 REVIEW OF LOCAL APPROVED PRODUCTS POLICY**PURPOSE**

The matter for consideration by the Council is the review of the amended Local Approved Products Policy for adoption.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

a) The amended Local Approved Products Policy, as attached, is adopted.

Amendment

Moved: Cr Tim Aitken

Seconded: Cr Gerard Minehan

That the amended LAPP attached and in addition increase the sale of LAPP from 100 metres to 300 metres from a sensitive site is adopted.

In Favour: Crs Roger Maaka, Jerry Greer, Kate Taylor, Kelly Annand, Tim Aitken, Gerard Minehan and Pip Burne

Against: Cr Brent Muggeridge

CARRIED 7/1

Mrs Harrison presented this report.

6.8 REMITS FOR CONSIDERATION AT LGNZ 2021 AGM**PURPOSE**

The purpose of this report is for Council to consider its position in relation to the 2021 LGNZ AGM Remits.

RECOMMENDATION

1. That, having considered all matters raised in the report, the report be noted.
2. Remit 1: That LGNZ advocate that the provisions that were added to the RMA, that restricted tree protection, be repealed urgently and that this change be carried through into new resource management legislation, thereby restoring the right to councils to adopt and enforce locally appropriate policies to protect trees in their district. That LGNZ advocate to use the current RMA reform process to ensure these changes are carried through into new legislation.
3. Remit 2: That LGNZ request the Valuer General amend the relevant legislation to allow for Local Government to address the growing disparities between the rating valuation of forestry land and other land uses.
4. Remit 3: That Local Government New Zealand (LGNZ) advocate to central government for provision of funding to enable Councils to engage in civics education for high school children.
5. Remit 4: That the power the Chief Executive has under the Local Government Act (42, 2 (da)) for "facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001" be removed and placed with the Electoral Commission.
6. Remit 5: That LGNZ works with central government in a) developing consistent emission inventory standards for use by local and regional authorities, and b) setting science-based emissions reduction targets to support delivery on our National Determined Contribution (NDC) under the Paris Agreement and on our nationwide emissions budgets being established by government via advice from the Climate Change Commission.
7. Remit 6: That LGNZ works with the Government to:
 - Conduct an urgent review of the Work and Income New Zealand (WINZ) Accommodation Supplement (AS) system zones in partnership with Territorial Authorities.
 - Schedule a two yearly review of the WINZ AS system zones in partnership with Territorial Authorities ongoing.
8. Remit 7: That LGNZ works with Government to obtain legal protection/indemnity from the Crown in favour of all Councils, and/or to implement a warranty scheme, for any civil liability claim brought against a Council with regards to building consent functions carried out by Consentium (a division of Kāinga Ora), as any such costs should not be borne by ratepayers.

AMENDMENT

Moved: Cr Gerard Minehan

Seconded: Cr Tim Aitken

That, having considered all matters raised in the report, the report be noted with the removal of Remit 1.

CARRIED

AMENDMENT

Moved: Cr Kate Taylor
Seconded: Cr Tim Aitken

That Council's position on Remit 1 be considered at the discretion of the Mayor and Deputy Mayor after further investigation on what this would mean for Central Hawke's Bay.

CARRIED

Mrs Davidson presented this report.

6 DATE OF NEXT MEETING**COMMITTEE RESOLUTION**

Moved: Cr Gerard Minehan
Seconded: Cr Pip Burne

THAT the next meeting of the Central Hawke's Bay District Council Strategy and Wellbeing Committee be held on 26 August 2021.

CARRIED**7 TIME OF CLOSURE**

The Meeting closed at 11:01am.

The minutes of this meeting were confirmed at the Strategy and Wellbeing Committee Meeting held on 26 August 2021.

.....
CHAIRPERSON

6 Report Section

6.1 COMMITTEE RESOLUTION MONITORING REPORT

File Number: COU1-1411

Author: Caitlyn Dine, Governance & Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Resolution Monitoring Report [↓](#)

PURPOSE

The purpose of this report is to present to the Committee the Strategy and Wellbeing Resolution Monitoring Report. This report seeks to ensure the Committee has visibility over work that is progressing, following resolutions from Committee.

RECOMMENDATION

That, having considered all matters raised in the report, the report be noted.

SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as not significant.

DISCUSSION

The monitoring report is **attached**.

IMPLICATIONS ASSESSMENT

This report confirms that the matter concerned has no particular implications and has been dealt with in accordance with the Local Government Act 2002. Specifically:

- Council staff have delegated authority for any decisions made;
- Council staff have identified and assessed all reasonably practicable options for addressing the matter and considered the views and preferences of any interested or affected persons (including Māori), in proportion to the significance of the matter;
- Any decisions made will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- Unless stated above, any decisions made can be addressed through current funding under the Long-Term Plan and Annual Plan;
- Any decisions made are consistent with the Council's plans and policies; and
- No decisions have been made that would alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or would transfer the ownership or control of a strategic asset to or from the Council.

NEXT STEPS

An updated Resolution Monitoring Report will be presented at the next Committee meeting on 21st October 2021.

RECOMMENDATION

That, having considered all matters raised in the report, the report be noted.



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

Strategy and Wellbeing Committee Resolution Monitoring Report August 2021

| Key | |
|-----------|--|
| Completed | |
| On Track | |
| Off Track | |

| Item Number | Item | Council Resolution | Resolution Date | Responsible Officer | Progress Report |
|-------------|---|--|-----------------|--------------------------|--|
| 6.60 | Environmental Sustainability Fund Application | a) Approve the Hunterpark Kindergarten Environmental and Sustainability funding Application up to a maximum funding of \$10,000. | 22/10/2020 | Jordy Wiggins | On Track - Hunter Park Kindergarten are continuing the build of their sustainable water use / rain garden and environmental outdoor area. Council has paid invoices to date for composting facilities and is expecting a further and final invoice for completed work. |
| 6.20 | Committee Priority Report | That the Strategy and Wellbeing Committee write to the Ministry for the Environment to champion to increase the size of symbols and numbers on recycling products. | 6/05/2021 | Josh Lloyd/Jordy Wiggins | Council Officers have reached out to the Ministry for the Environment through existing operational channels to get insight into how best to approach the topic. A letter has been written and sent awaiting feedback. |

| | | | | | |
|------|---|---|-----------|--------------------------|---|
| 6.30 | Environmental and Sustainability Fund application - Sustainable Ewe | <p>a) that the Committee approve up to \$10,000 from the Environmental and Sustainability Fund for the creation of a customised trailer that will be owned Council and leased to Sustainable Ewe at a 'peppercorn' rental for environmental purposes, subject to conditions including lease costs and term to be negotiated.</p> <p>b) That report updates through the Strategy and Wellbeing Committee on an annual basis are provided and picked up through monitoring reports.</p> | 6/05/2021 | Josh Lloyd/Jordy Wiggins | Complete - Sustainable Ewe received their new shiny trailer in July and it has already been out in the community. |
| 6.50 | Deletion of indoor heated swimming pools policy and swimming pools policy | a) that Council delete the indoor swimming pool policy and the swimming pools policy | 1/07/2021 | Jennifer Leaf | The policy has been deleted from the website and noted as no longer in use. |
| 6.60 | Review of smokefree and vapefree policy | a) that the reviewed smokefree and vapefree policy, as attached, is adopted | 1/07/2021 | Lisa Harrison | Smokefree and Vapefree Policy adopted and updated on the Council Website. |
| 6.70 | Review of local approved products policy | <p>a) the amended local approved products policy, as attached, is adopted.</p> <p>b) that the amended LAPP attached and in addition increase the sale of LAPP from 100 metres to 300 metres from a sensitive site is adopted.</p> | 1/07/2021 | Lisa Harrison | Local Approved Products Policy adopted (with minor wording change) and updated on the Council Website. |

| | | | | | |
|------|---|--|-----------|------------------|---|
| 6.80 | Remits for consideration at LGNZ 2021 AGM | <p>1. That, having considered all matters raised in the report, the report be noted.</p> <p>2. Remit 1: That LGNZ advocate that the provisions that were added to the RMA, that restricted tree protection, be repealed urgently and that this change be carried through into new resource management legislation, thereby restoring the right to councils to adopt and enforce locally appropriate policies to protect trees in their district. That LGNZ advocate to use the current RMA reform process to ensure these changes are carried through into new legislation.</p> <p>3. Remit 2: That LGNZ request the Valuer General amend the relevant legislation to allow for Local Government to address the growing disparities between the rating valuation of forestry land and other land uses.</p> <p>4. Remit 3: That Local Government New Zealand (LGNZ) advocate to central government for provision of funding to enable Councils to engage in civics education for high school children.</p> <p>5. Remit 4: That the power the Chief Executive has under the Local Government Act (42, 2 (da)) for "facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001" be removed and placed with the Electoral Commission.</p> <p>6. Remit 5: That LGNZ works with central government in a) developing consistent emission inventory standards for use by local and regional authorities, and b) setting science- based emissions reduction targets to support delivery on our National Determined Contribution (NDC) under the</p> | 1/07/2021 | Monique Davidson | All Seven remits were passed with majority support at the LGNZ 2021 AGM. These remits now form advocacy work that LGNZ will lead on behalf of the sector. |
|------|---|--|-----------|------------------|---|

| | | | | | |
|--|--|---|--|--|--|
| | | <p>Paris Agreement and on our nationwide emissions budgets being established by government via advice from the Climate Change Commission.</p> <p>7. Remit 6: That LGNZ works with the Government to:</p> <ul style="list-style-type: none">• Conduct an urgent review of the Work and Income New Zealand (WINZ) Accommodation Supplement (AS) system zones in partnership with Territorial Authorities.• Schedule a two yearly review of the WINZ AS system zones in partnership with Territorial Authorities ongoing. <p>8. Remit 7: That LGNZ works with Government to obtain legal protection/indemnity from the Crown in favour of all Councils, and/or to implement a warranty scheme, for any civil liability claim brought against a Council with regards to building consent functions carried out by Consentium (a division of Kāinga Ora), as any such costs should not be borne by ratepayers.</p> <p>AMENDMENT</p> <p>That having considered all matters raised in the report, the report be noted with the removal of Remit 1</p> <p>That Councils position on remit 1 be considered at the discretion of the Mayor and Deputy Mayor after further investigation on what this would mean for Central Hawkes Bay</p> | | | |
|--|--|---|--|--|--|

6.2 STRATEGY AND WELLBEING COMMITTEE PRIORITY REPORT

File Number: COU1-1411

Author: Monique Davidson, Chief Executive

Authoriser: Monique Davidson, Chief Executive

Attachments:

1. Waste Free CHB Dashboard [↓](#)
2. Environmental and Sustainability Strategy Reporting [↓](#)
3. Snapshot of Economic and Social Development Priorities Progress [↓](#)

RECOMMENDATION

That, having considered all matters raised in the report, the report be noted.

PURPOSE

The purpose of this report is for the Strategy and Wellbeing Committee to receive a report on the progress of key committee priorities.

SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as not significant.

BACKGROUND

Following the 2019 Triennial Local Body Elections, Council took the time to reset Council priorities, and agree on priorities for Committees.

The purpose of the Strategy and Wellbeing Committee is to determine specific outcomes that need to be met to deliver on the vision and direction of Council, and set in place the wellbeing strategies, policies and work programmes to achieve set goals and targets.

To develop, approve, review and recommend to Council (where applicable) statutory and nonstatutory policy, plans, bylaws and strategies to:

- Focus on the social, economic, cultural and environmental wellbeing of Central Hawke's Bay through the development of vision and strategy while identifying and promoting community aspirations.
- Integrate an all of wellbeing approach to strategy, plan and policy development.
- Have effective statutory plans and bylaws to protect the community through a focus on the social, economic, cultural and economic wellbeings.

The Strategy and Wellbeing Committee is responsible for:

- developing and adopting strategies, plans and policies that advance the Council's vision and goals, and comply with the purpose of the Local Government Act
- monitoring the implementation and effectiveness of strategies, plans and policies

- monitoring the success of the key strategic relationships that support the implementation of key wellbeing related initiatives
- general coordination of Council policy and decisions.

The Strategy and Wellbeing Committee has delegations to:

- develop and adopt strategies, plans and policies that advance the Council's vision and goals, and comply with the purpose of the Local Government Act.
- monitor the implementation and effectiveness of strategies, plans and policies.
- make full decisions on the distribution of the Pride and Vibrancy Fund, Environmental and Sustainability Fund and any other contestable community fund.
- receive decisions of the Creative New Zealand Committee and CVOS Committee.
- make recommendations to council regarding the distribution of Ruataniwha and Aramoana/Ruahine Ward Reserves.

The Committee has delegations to establish a special committee, working group or community forum as needed.

DISCUSSION

The monitoring report which provides an update on the key priorities of the Committee is below, noting that Officers will be working to refresh its reporting templates to Strategy and Wellbeing Committee to better reflect the significant amount of work occurring in this space.

| Key Priority | Responsible Officer | Progress Update |
|---|---------------------|--|
| <ul style="list-style-type: none"> • Lead and monitor the implementation of the Waste-Free CHB Strategy. | Josh Lloyd | <p>On Track</p> <p>Collective efforts and initiatives under the banner of environmental and waste management have been branded as 'Waste Free CHB' (a listed Council Priority). The initiatives completed or in progress include the 2019 WMMP, 2019 Environmental and Sustainability Strategy, 2020 Section 17a Review, 2020 targeted Communications Campaign and recent contractor performance improvements.</p> <p>Focus is currently being applied to operational enhancements through the roll out of new and improved recycling collection services across the District. These changes are in progress and will continue to be a feature of reporting for more iterations of this report.</p> <p>The attached dashboard attached provides a summary of operational activities that support a Waste Free CHB. The dashboard contains data up</p> |

| Key Priority | Responsible Officer | Progress Update |
|--|---------------------|--|
| | | to June only as July data required verification at the time of reporting. This data will be provided at the next reporting opportunity. |
| <ul style="list-style-type: none"> Lead the delivery of the Social Housing Strategic Framework. | Doug Tate | <p>On Track</p> <p>The Housing Strategic Framework is an area where results are taking considerably longer to materialise, recognising the significant complexity and interrelatedness of the activity. Its also important to consider Councils overall role.</p> <p>Since the last reporting period, Kainga Ora (KO) have announced the purchase of 8 2 bedroom units in Waipukurau. An action since this meeting has been the formation of a team with KO who will work to help prioritise tenants and to support KO in identifying opportunities for whanau (particularly single men or couples) to relocate from large dwellings to these new units.</p> <p>Kainga ora have continued to identify additional staff and a wider Tamatea taskforce to deliver on the Housing Strategic Framework will meet in 6-7 weeks following a further meeting with Te Taiwhenua o Tamatea representatives, and Heretaunga Tamatea Settlement Trust on opportunities to align on housing opportunities in Tamatea/Central Hawke's Bay.</p> <p>Discussions with Kainga Ora are continuing, particularly around focusing on a placebased solution for housing in Central Hawke's Bay, and will take priority as part of the wider Tamatea Housing Taskforce discussions. This is a major area of focus over the next eight weeks.</p> <p>A proposed policy for retirement housing on the back of Councils Section 17a Review on Retirement Housing will be coming to a future Strategy and Wellbeing Committee Meeting. This follows work by Councillor Burne and Councillor Minehan in shaping the policy advice and a subsequent workshop with Council. Work</p> |

| Key Priority | Responsible Officer | Progress Update |
|--|---------------------|---|
| | | <p>continues with the installation of heating and other upgrades funded through the 2021 – 2031 LTP.</p> <p>Work on the Porangahau Road Growth Cell remains a priority, with a submission to the District Plan now complete on the growth precinct. Officers also met again with the landowners during the period also. Now called the Waipukurau South Growth Precinct Plan (WSPGG) to align with the terminology of the RMA, at the time of writing, officers are preparing an application to the Infrastructure Acceleration Fund to aid the development site. The development of this site and the successful receipt of funding will aid housing significantly, potentially adding over 900 sections over the next ten years to Waipukurau in an already residentially zoned area.</p> |
| <ul style="list-style-type: none"> Monitor the implementation of the Economic Development Strategy. | Karina Campbell | <p>On track</p> <p>A detailed status report will be provided at the next Committee meeting in October including what actions have been implemented so far and a review of the remaining programmes. An example / snapshot of some of the work underway can be found in the attachment which is also reported through the Bi-Monthly Organisation Report but gives a picture of the incredible work happening across this space.</p> |
| <ul style="list-style-type: none"> Monitor the implementation of the Environmental Strategy. | Josh Lloyd | <p>On Track</p> <p>While a number of planned actions are on track and progressing well, several are behind schedule and have not been prioritised among other work – namely the roll out of changes to recycling services.</p> <p>A detailed update on the implementation and delivery of the Environmental and Sustainability is provided as an appendix to this report and will become a regular reporting feature.</p> <p>The Strategy (adopted in 2019) has been live for two years and is programmed for review in 2022 at which time it will be considered further in light of the four wellbeings and relationship to other</p> |

| Key Priority | Responsible Officer | Progress Update |
|---|------------------------------------|---|
| | | Council strategies and frameworks. |
| <ul style="list-style-type: none">Review the current Community Wellbeing Strategy and then monitor the implementation of a revised Social Development Strategy. | Karina Campbell & Christine Renata | On track The review of the Strategy is currently underway and a detailed approach will be workshopped at the next Committee meeting in October. Meanwhile work continues across the library, community development and Mayors Taskforce for Jobs portfolio's to implement actions of current strategy and action plans. An example / snapshot of some of the work underway can be found in the attachment which is also reported through the Bi-Monthly Organisation Report but gives a picture of the incredible work happening across this space. |

| Key Priority | Responsible Officer | Progress Update |
|--|---------------------|---|
| <ul style="list-style-type: none"> Implement the Tuhono Mai Tuhono atu Māori / Iwi Engagement Strategy. | Pam Kupa | <p>On Track</p> <p>The Tu Hono Mai Tuhono atu Strategy has been implemented over the past 8 months. There has been progress made in the following areas.</p> <p>Whiriwhiria – Council iwi relationships</p> <p>An increased number of meetings with marae and Post Settlement Entities have led to further indepth hui with different hapu around priorities and relationship building. These meetings have increased hapu and iwi voice & confidence and opportunities for future engagement with council. One page information sheets and engagement strategies have been drafted about each entity providing a good snapshot of Tamatea marae and hapu iwi life.</p> <p>Tikanga – Language & Place</p> <p>Council governance, executive leadership and staff have made several inroads into cultural development and learning Te Ao Māori & Te Reo Māori. Performance measures have been included into cultural development for all staff. To support the implementation of Te Reo 26 staff have enrolled in level 2 Te Reo with EIT providing the education. The first noho (overnight stay) on Rakautatahi marae occurred recently with great attendance. The development of an in council Android phone application was implemented in May of this year by the Te Kupenga group (five councils Maori Officers) to assist in upskilling and educating staff. The community will get a sense of who and what Māori support is available for Te Reo, Mahi Toi & Tamateatanga in the next few weeks during Te Wiki o te reo Māori, an opportunity to dive deeper and launch into our Māori world. Kurawaka (training facility for tikanga) in Porangahau provides a safe haven for our governance and executive leadership team to share some unique insights into Te Ao Maori and in turn council life.</p> <p>Oranga – People & Prosperity</p> <p>Building capacity & leadership amongst iwi and hapu has been ongoing. Assisting Te Taiwhenua o Tamatea with a number of projects has increased capacity on a number of levels for example accreditation as a social service provider, human resourcing management activity. Increases the opportunity for hapu and iwi to work with it's own people in a unique way and collaborate with others more confidently.</p> <p>Rauemi – infrastructure and resources</p> <p>The formation of a governance group from Mataweka and Tapairu marae within the PMO space to advise and provide some level of communication on projects has been established.</p> <p>The opportunity for partnership hui between Taiwhenua and Council is on the table (meeting set down for the 31st of August (TBC).</p> <p>An invite to hui with individual marae will be sent out over the next few weeks.</p> |

| Key Priority | Responsible Officer | Progress Update |
|--|------------------------------------|---|
| <ul style="list-style-type: none"> Monitor development and implementation of Community Plans. | Karina Campbell & Christine Renata | <p>On track</p> <p>Ongaonga and Takapau plans are complete and adopted in March 2021. The focus of these plans are now on implementation with a number of actions across the plans underway.</p> <p>Tikokino completed their first consultation session in July and first draft of community plan will be sent to Tikokino working group for review in the next fortnight.</p> <p>Otane community plan work will commence later this year.</p> |

IMPLICATIONS ASSESSMENT

This report confirms that the matter concerned has no particular implications and has been dealt with in accordance with the Local Government Act 2002. Specifically:

- Council staff have delegated authority for any decisions made;
- Council staff have identified and assessed all reasonably practicable options for addressing the matter and considered the views and preferences of any interested or affected persons (including Māori), in proportion to the significance of the matter;
- Any decisions made will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses;
- Unless stated above, any decisions made can be addressed through current funding under the Long-Term Plan and Annual Plan;
- Any decisions made are consistent with the Council's plans and policies; and
- No decisions have been made that would alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council or would transfer the ownership or control of a strategic asset to or from the Council.


NEXT STEPS

The Strategy and Wellbeing Committee will receive an updated monitoring report at its next meeting on the 21st October 2021.

RECOMMENDATION

That, having considered all matters raised in the report, the report be noted.

Solid Waste Dashboard - June 2021



Refuse and Recycling

| CHB Recycling Tonnages (MT) | | | | | | | | | | | | |
|-------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 | Jan-21 | Feb-21 | Mar-21 | Apr-21 | May-21 | Jun-21 |
| Glass tonnage sold | | | | | | | | 29.4 | | | 11.5 | 17.5 |
| Amber Unprocessed Glass | | | | | | | 26.4 | | | | 36.9 | |
| Flint Unprocessed Glass | | | | | | | 19.8 | 14.0 | | | 26.1 | 25.3 |
| Green Unprocessed Glass | | | | | | | | | 59.0 | 20.6 | | |
| Mixed Unprocessed Glass | | | | | | | | | | | | |
| Contaminated Glass (landfill) | | | | | | | | | | | | |
| Total Glass (MT) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 46.2 | 43.4 | 0.0 | 0.0 | 74.5 | 42.8 |
| Commingle & Fibre | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 | Jan-21 | Feb-21 | Mar-21 | Apr-21 | May-21 | Jun-21 |
| Landfill (contaminated) | | | | | | | | | 10.5 | 2.2 | | |
| MRF (Earthcare) | | | | | | | 18.7 | 30.1 | 4.0 | 16.8 | 37.4 | 47.1 |
| Total Commingle & Fibre (MT) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 18.7 | 30.1 | 14.4 | 19.0 | 37.4 | 47.1 |

| CHB Refuse Tonnages (MT) | | | | | | | | | | | | |
|------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 | Jan-21 | Feb-21 | Mar-21 | Apr-21 | May-21 | Jun-21 |
| Refuse | | | | | | | | | | | | |
| Greenwaste (contaminated) | | | | | | | | | | 8.7 | 18.0 | |
| Landfill | | | | | | | | 318.6 | 240.1 | 206.4 | 217.0 | 192.3 |
| Total Commingle & Fibre (MT) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 318.6 | 240.1 | 215.2 | 235.0 | 192.3 |

| Refuse: | Refuse/Green waste | Comingled: | Grand Total: |
|---------|--------------------|------------|--------------|
| | 192.29 | 0.00 | 47.11 |
| | | | 239.40 |

metric tonne

Central Hawkes' Bay

Waste Track

Service Exception Totals June

| Category | Refuse | Metals/Plastic/Fiber | Glass | Totals |
|-------------------------------|--------|----------------------|-------|--------|
| Bin Not Out | 784 | 4318 | 6674 | 11776 |
| Cardboard no flattened | 0 | 0 | 0 | 0 |
| Contamination | 0 | 46 | 48 | 94 |
| Non Recyclables | 0 | 4 | 9 | 13 |
| Incorrectly mixed Recyclables | 0 | 40 | 24 | 64 |
| Unwashed/Cleaned Recyclables | 0 | 2 | 15 | 17 |
| Replace Crate | 0 | 0 | 0 | 0 |
| Too Heavy | 0 | 0 | 28 | 28 |
| Tree Cut Req. | 0 | 0 | 0 | 0 |
| Unofficial Bag | 1 | 13 | 14 | 28 |
| Total Exception | 785 | 4377 | 6764 | 11926 |

- Operational key issues:
- Hardfill/Timber area been filled and levelled out ready for blocks.
 - Tyre pile removed taken off site by Tiger Tyres
 - Installation of safety rail around bank at WTS.
 - Tarping up bay water pooling issue fixed
 - Installation of cameras have proved invaluable already.
 - Cardboard being put out on commercial runs - excessive
 - Getting stuck at landfill when dropping off loads both Hook truck and rear compactor.
 - Erecting sheds to contain paint/chemicals and storage for tools etc.

Solid Waste - June

- MFE Landfill Audit conducted on 16 June, in general MFE were happy with the current operations at the Farm Road Landfill however there were a few recommendations made by MFE to ensure better compliance to assist with our unmanned kiosk. Our team are working towards implementing those recommendations.
- Themba attended the Waste Minz Resource Recovery Study Tour from Mon 15 to Wed 17 June. The tour visited a number of sites that focus on resource recovery and Themba will be sharing his learnings in the next staff meeting.
- Waste Free CHB hosted the Waipawa Composting Workshop in early June. Good turn out and another chance to collaborate with Sustainable Ewe to deliver this free workshop.
- The team supported our wider Council team by providing a recycling pod at the Matariki event. The pod and staff were onsite to educate people about good recycling. Photos below.
- Alot of work going on in our transfer stations, repurposed the old glass bunkers slabs to delineate the timber, concrete and greenwaste at Waipukurau TS. An extra safety rail has been erected at the site also - this was identified as high risk for falls from height.



Monthly KPI

The percentage of kerbside collection complaints that are resolved within agreed timeframes.
Target 90% Actual 91%

Quarterly KPI (Apr/Jun)

A minimum of two Waste Free CHB events in CHB per quarter
Target 100% Actual 100%

Bees Wax Wrap Workshop (Libraries) + Waipukurau Composting Workshop + Waipawa Composting Workshop + Matariki Event

Clean Up Week 2021

13-19 SEPTEMBER

Council will identify areas through out our district to help facilitate communities who want to take part in Clean Up Week 2021.

Through our social media platforms, we will advise communities of areas that they could 'clean up' and flow all clean up week activities through to the Keep NZ Beautiful Week for full community ownership.

- Council coordinating a full-closure of SH2 between Waipawa and Waipukurau on Sunday 12th September for roadside clean up
- Solid Waste team will provide free Council rubbish bags and offer pick up of waste for free disposal.
- Our communications teams will run competitions through out the week to encourage participation.
- Customer and Community partnerships team to help with liasing and organising community groups, individuals, schools etc with sites identified through out the district

WASTE FREE CHB

- E Waste Day - Saturday 18th September - Waipukurau RTS
- Haz-Mobile - Sunday 19th September - Waipukurau RTS
- Second Hand Sunday - Dates TBC - DW

Solid Waste Dashboard - June 2021

Farm Road Landfill - Higgins

Work Plan - 2021

Increased visibility and communication with Solid Waste Contract Partners to ensure levels of service and operational issues are being managed to a high standard and to industry best practice.

Proposed review of the Smart Environmental Contract, update the Landfill Management Plan and Solid Waste Bylaw.

Work in partnership with the CHB community to bring Waste Free CHB to life and to deliver on actions and objectives set out in the WMMP and Environmental and Sustainability Strategy.

Support the schedule of school programming from Zero Waste and Enviroschools to ensure CHB tamariki are receiving sustainability and waste minimisation education.

Review/audit of the current weighbridge/ticketing system.

| CENTRAL HAWKES BAY LANDFILL CONDUCTIVITY READINGS - MAY 2021 | | | |
|---|----------|------|-----------|
| DATE | Sub-soil | Dam | Rain (mm) |
| 1-Jun-21 | 1079 | 993 | 6 |
| 2-Jun-21 | 1096 | 989 | |
| 3-Jun-21 | 1121 | 984 | |
| 4-Jun-21 | 1126 | 989 | |
| 7-Jun-21 | 1137 | 994 | |
| 8-Jun-21 | 1135 | 989 | 2 |
| 9-Jun-21 | 1137 | 993 | |
| 10-Jun-21 | 1147 | 991 | 8 |
| 11-Jun-21 | 1150 | 987 | 9 |
| 14-Jun-21 | 1163 | 989 | |
| 15-Jun-21 | 1170 | 986 | 7 |
| 16-Jun-21 | 1179 | 991 | |
| 17-Jun-21 | 1174 | 996 | |
| 18-Jun-21 | 1181 | 1005 | |
| 21-Jun-21 | 579 | 589 | 66 |
| 22-Jun-21 | 570 | 583 | 45 |
| 23-Jun-21 | 562 | 571 | 35 |
| 24-Jun-21 | 587 | 590 | |
| 25-Jun-21 | 601 | 611 | |
| 28-Jun-21 | 735 | 748 | |
| 29-Jun-21 | 706 | 779 | 3 |
| 30-Jun-21 | 815 | 805 | |

| GPS Co-ordinates | | | | |
|------------------|---------------|-----------|----------|----------|
| Date | Weight (kg) | Elevation | Easting | Southing |
| 25.6.2021 | 8,000 | 206 | 17636857 | 4003390 |
| 25.6.2021 | 6,000 | 203 | 17636857 | 4003390 |
| 25.6.2021 | 8m3 | 205 | 17636859 | 4003390 |
| 25.6.2021 | 9,800 | 207 | 17636861 | 4003391 |
| 25.6.2021 | 7,000 | 203 | 17636862 | 4003387 |
| 25.6.2021 | 6,900 | | 17636860 | 4003394 |
| TOTAL | 37,700 | | | |

WASTE FREE CHB



A snapshot of the new Kerbside Recycling Collection Service

| Kerbside Recycling Collection data / 16 – 20 th August | | | |
|---|--|--|---|
| Towns | Total Number of crates collected | Total Number of crates stickered – Compliance 'Your crate was collected today but it might not next week...' | Total number of crates not collected – Non Compliance sticker |
| Waipukurau PINK | 836 Glass – 227 Plastics + Cans – 339 Fibre – 270 Rubbish Bags – 392 | 13 | 7 |
| Waipukurau YELLOW | 1023 Glass – 285 Plastics + Cans – 392 Fibre – 346 Rubbish Bags – 485 | 16 | 13 |
| Waipawa | 677 Glass – 190 Plastics + Cans – 266 Fibre – 221 Rubbish Bags – 339 | 12 | 5 |
| Otāne | 238 | 0 | 5 |
| Ongaonga | 47 | 0 | 0 |
| Takapau | 170 | 0 | 1 |
| Tikokino | 69 | 0 | 1 |

| Kerbside Recycling Collection Data / 9 th – 13 th August | | | |
|--|--|--|---|
| Towns | Total Number of crates collected | Total Number of crates stickered – Compliance 'Your crate was collected today but it might not next week...' | Total number of crates not collected – Non Compliance sticker |
| Waipukurau PINK | 526 Glass – 178 Recycler (Plastics & Cans + Fibre) – 348 Rubbish – 325 | 3 | 3 |
| Waipukurau YELLOW | 814 Glass – 232 Recycler (Plastics & Cans + Fibre) – 582 Rubbish – 526 | 7 | 12 |
| Waipawa | 839 Glass – 263 Recycler (Plastics & Cans + Fibre) – 576 Rubbish – 407 | 8 | 34 |
| Otāne | 258 | 0 | 4 |
| Ongaonga | 57 | 0 | 0 |
| Takapau | 193 | 0 | 3 |
| Tikokino | 57 | 2 | 2 |

Environmental and Sustainability Strategy 2019

Monitoring Report

August 2021

Councils Environmental and Sustainability Strategy – 2019 (the Strategy) provides strategic direction to Councils activities with respect to managing and leading environmental outcomes across the District. The Strategy at its core contains four key themes:

1. Leading the way in environmental sustainability
2. Ensuring environmental vitality through our way of working
3. Connecting our people and place
4. Building a more sustainable economy

Each theme has a number of associated actions and focus areas that together are designed to deliver on the Strategy's vision statement:

Together we are:

"Successful environmental guardians, ensuring future generations THRIVE here"

This update is part of routine reporting on progress against a number of the actions listed within the Framework.

| Theme | Outcome | Action | Update (Aug 2021) |
|---|--|--|--|
| Leading the way in environmental sustainability | We are a good example to the rest of New Zealand, leading the way in environmentally friendly and sustainable business practices | Obtain membership on a Sustainable Business Network, complete an audit and plan to reduce Council's emissions and build sustainability into purchasing decisions | On track - A waste assessment and carbon benchmark assessment are programmed for August/September 2021 and will be reported on in subsequent reports. |
| | We continue to demonstrate leadership in environmental and sustainability matters locally and on the national stage | Formally establish the Community Environmental and Sustainability Reference Group | Behind / Off Track - This action has not been prioritised as focus has been given to the roll out of waste management operational services. |
| | | Council monitors and reports on the progress made in the Environmental and Sustainability Strategy | On track - This report represents the first formal reporting of progress against actions in the Strategy. It will be a regular feature at S&W Committee meetings going forward. |
| Ensuring environmental vitality through our way of working | We will successfully meet our legal obligations | Complete Review of District Plan | On track - Review of District Plan is underway with submissions received and now being considered. The proposed District Plan considers environmental outcomes through many chapters with particular focus on the protection of natural environments. |
| | | Investigate long term water supply storage solutions | Behind / Off Track - This action has not been prioritised as it relates to wider inter-regional complex dynamics about water security. |
| | | Implement the Solid Waste Management and Minimisation Plan | On track - The WMMP is being implemented as an operational plan. |
| | | Continue investment in infrastructure to meet resource consent conditions, specifically those related to discharges to waterways | On track - Significant investment is underway and programmed through |

| | | | |
|--|--|---|--|
| | | | the Long Term Plan on wastewater and Stormwater assets |
| | | Council where possible will continue to seek external funding to support various environmental and sustainability initiatives | On track - Council continues to actively pursue external funding opportunities. Focus has been given to ensuring continued access to Waste Levy Funding which makes up a significant portion of annual budgets. Recently an application has been submitted to an external fund for the installation of 2 weigh bridges. |
| | We will do more than meet compliance. We will work in a way that ensures environmental vitality – our environment is strong, lively and healthy. | Council and the Tuki Tuki Water Task Force will continue to work together with Regional and Central Government on a sustainable water retention solution for the community. | On track – Council continue to be an active promoter and leader of Regional water security initiatives. The Task Force / Leaders Forum is on a period of hiatus but Council continue to support efforts to improve security to long-term water across the district. This includes continued voice and advocacy, support and funding of the Leaders Forum and investment in Water Holdings Ltd among others. |
| | | Continue to improve water supply infrastructure to reduce leakage and waste | On track - Council prioritised a step-change in water reticulation renewal investment in the 2021 LTP. This will greatly see leaks and wastage reduced. |
| | | Proactively work towards meeting resource consent conditions by monitoring and addressing issues as they arise. | On track - Significant progress has been made and is further planned for compliance against wastewater treatment and discharge consents. Consent compliance at the District Landfill is improving with more active management and measurement |

| | | | |
|--|--|---|--|
| | | | resulting in recent operational improvements to the site. |
| | | Support Hawke's Bay Biodiversity Strategy and Action Plan | On track - Council continue to be a funder and supporter of Biodiversity Hawke's Bay. |
| | We will monitor our progress towards environmental vitality and develop a plan for action | Undertake State of Environment Report and report back to Council and Community | Behind / Off Track – These actions to be completed together in the later part of 2021. They have not been a focus internally to date among competing priorities for resource. It is planned to complete the reporting and subsequent action planning on the back of the planned and programmed carbon and waste assessments to commence in August 2021. |
| | | Develop a State of the Environment Action Plan | |
| Connecting Our People and Place | We are aware of our unique natural environment and how to care for it | Provide readily accessible information about environmental sustainability. | On track - Council provide a range of information on its public website and through targeted campaigns about recycling, re-use and reduction approaches. |
| | We are in partnerships with organisations and individuals that can help us be successful environmental guardians | Continue to provide support and resources for the Hawke's Bay Biodiversity Strategy and Action Plan – to protect, stabilise and enhance biodiversity. Signatory to the Biodiversity Accord. | On track - Council remain a signatory to the accord and continue to support the efforts of Biodiversity Hawke's Bay and the biodiversity action plan. |
| | | Complete Village Planning to identify projects of interest and plan to complete | On track - Town Centre and Community Planning is underway and complete in some townships. Pride in place remains a strong theme and managing waste is core to this. |
| Building a more sustainable economy | We attract business that our natural environment can sustain | Complete Economic Development Assessment to determine opportunities sustained by our natural environment | On track - The ED Action Plan is currently being reviewed including the listed 68 actions. This review will be |

| | | | |
|--|--|---|--|
| | We encourage businesses to operate sustainably | Develop an Economic Development Strategy incorporating sustainable development | presented back to this Committee in October and will incorporate specific reference to sustainable development outcomes |
| | | Provide and facilitate access to information about sustainable business practices | Behind / Off Track - This action has not been prioritised as focus has been given to the roll out of waste management operational services. |
| | | Encourage businesses to practice end of life product stewardship | Behind / Off Track - This action has not been prioritised as focus has been given to the roll out of waste management operational services. |

SOCIAL AND ECONOMIC DEVELOPMENT

Safer Central Hawke's Bay

The Safer Central Hawke's Bay coalition has met once in this reporting period. A Safer CHB Teams site has been established which will enhance and streamline access to documents for all coalition members. An initial workshop for the new Road Safety workstream was held with the development of an agreed action plan underway.

Positive Ageing

The Positive Ageing Forum has met twice during this reporting period.

June 15-22 was Elder Abuse week and the network worked together to raise awareness of this concerning issues that continues to affect our older residents.

The network also continues to work together to try and mitigate the impact of the change in service provision from Banks in the district. The combination of the removal of cheques, closure of local branches and reduced banking hours of those banks still with a presence in the district continue to impact on many of our residents.

The HBDHB have consulted the network to better understand how they can enable better access for this cohort to access COVID vaccinations.

The network is also developing an information pack to assist older drivers who are confronted with the challenge of whether they can continue to drive. The pack will provide information on where to access local support for those older residents and their families who are affected by this issue.

Disability Reference Group

The Disability Reference Group have met once during this reporting period. Over half of the \$11,000 required for a community beach wheelchair has been raised.

The network have also been consulted with by the HBDHB to better understand how they can enable better access for this cohort to access COVID vaccinations.

COMMUNITY FUNDING

Creative Communities Fund

The next round of Creative Communities Funding opens on 3 August 2021.

Community Voluntary Organisation Support Fund (CVOS)

The CVOS fund opened on 12 July 2021 with the closing date for applications is 6 August 2021.

Community Pride and Vibrancy Fund

The Community Pride and Vibrancy Application has received two applications in this reporting period.

The first application was for the Matariki Ki Tamatea event which occurred on Friday 18 June 2021. The Fund provided \$4,885.00 towards this event. It was well received with many of the local community coming out and participating.

The second application was for a CHB Park Run, the fund purchased an AED machine which allows for the Park Run to become established within Central Hawke's Bay. The Park Run event will occur on a weekly basis at Russell Park and will be part of a wider array of Park Run Events within New Zealand therefore it is hoped will draw people from outside the district into Central Hawke's Bay. A start date for Park Run is yet to be established.

Sport New Zealand Rural Travel Fund

The next round of the Sport New Zealand Rural Travel Fund will open in November 2021.

COMMUNITY PLANS

Community Planning for the Tikokino district is underway. An enthusiastic local working group has formed and met with Elected Members and Council staff in April for initial talks and planning. A successful community workshop was held on Sunday 18th July with over 45 Tikokino residents attending the event and council officers will work closely with the working group to progress the plan.

CULTURAL ENGAGEMENT – TUHONO MAI TUHONO ATU

The primary focus for Councils Pou Whatua continues to build on turning Tuhono mai Tuhono Atua into a plan for implementation and establishing the formation of relationships across the district and wider region.

Other priority areas for cultural engagement have included:

- Continuing to implement components of cultural competency into our council work culture
- Establishing approaches and processes for engagement with hapu and iwi, that are driven by hapu and iwi
- Supporting the continued establishment of capacity and capability within local Maori infrastructure.
- Regular Pou Whatua advisory meetings schedule with governance and executive leadership teams.
- Working with a range of external planners on various projects to initiate engagement with hapu and iwi
- Identifying engagement workgroups within hapu and iwi and nurturing these relationships

Te Kupenga

The Te Kupenga team of Maori Managers across the five councils focus has been on finding space to meet due to central government reform there have been many meetings with ongoing attendance required in each district locally and regionally. The Te Kupenga Te Reo application continues to increase in popularity with over 1000 uploads.

ECONOMIC DEVELOPMENT

Economic Recovery

The projects initiated from funding gains we have secured from the Crown Infrastructure Partners Fund and the Provincial Growth Fund are now well under way.

Tukituki trails extension project

Over the June July period, work on the Tuki Tuki trails has continued to push ahead.

Berm walking and cycling trails

Work has continued to maintain the new and old Tukituki trail berm trails. The blackberry has started to breakdown which means these trails are nearly rideable. The project has kept on one staff member for this work who is working out really well.

Kahahakuri Creek bridge

The contract went to Abseil access who have started are currently working through the consent process. Although this process is taking a bit of time once it has proceeded the bridge construction will happen quickly.

Limes and pathways

BT Agriculture have started resurfacing the stopbank from Higgins carpark to Lindsay bush. Hawke's Bay Regional Council are blocking some access points from cars for this process and also extra signage will go up.



Worker Redeployment Package – Vegetation management

The PGF funded vegetation management programme has been extended for another 8 weeks to use the remainder of the funding. The tranche has employed 4 people who have been adversely affected by covid. This has seen a number of gardens around town getting a revamp. This team has been led by George Frederic of Recreational Services who is helping with garden design.

Rakei Ora – Bringing Wellbeing to Marae Tihei Tamatea

The Rakei Ora project team finished on the 25th June, although the project still has outstanding work a lot of it will be completed by trades including painting and flooring it is tracking well to be completed by the 31st August 2021.

We have had some excellent outcomes for the team with gaining further employment. Some success stories include Numi Jackson has secured a full-time role with Recreational services, Kris Taylor has secured a job with Downers, Sandra Te Whaiti has got a job with Traffic Management NZ, other are working in planting programmes around CHB and further training is being provided.

Below is a picture of the certificate being presented at the final lunch along with the working at heights certificates

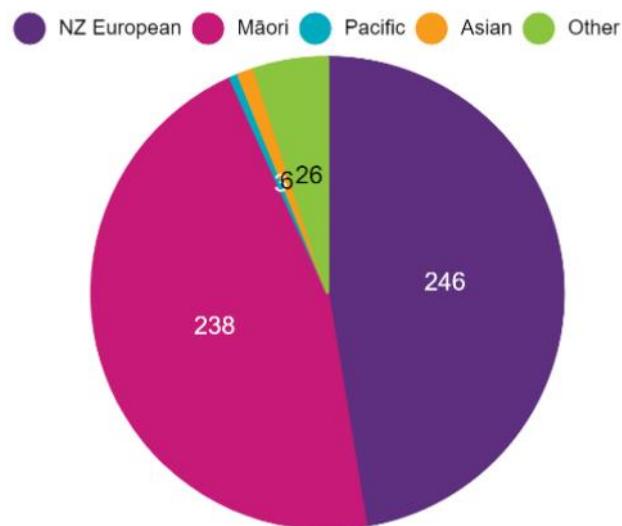
**Jobs in Central Hawke's Bay - Turanga Mahi ki Tamatea**

The Jobs in Central Hawke's Bay team continues to support local jobseekers and employers to connect the dots and facilitate sustainable employment in our community – Local Jobs for Local People! This external funding from the Ministry of Social Development (MSD) through Mayors Taskforce for Jobs will continue for another year through to June 2022.

New job seekers continue to visit the Mobile Employment Hub with 50 new referrals in the last 2 months!



Ethnicity Breakdown



On Wednesday 23rd June 2021 the Education & Farming Pilot successfully completed with eight local jobseekers securing long term sustainable employment as a result of this pilot. This initiative was a partnership between MSD and Jobs for Central Hawke's Bay, which funded six months' work experience in either education or farming for 11 participants, enabling them to learn on the job. Pastoral care was provided to every participant, with the hope that they would secure long-term, sustainable employment.



The success of this initiative has led to the development of Te Māhūri, a broader paid work experience programme, supporting local business to employ staff to develop and grow local skills and talent.

Some of our current initiatives are:

Life Coaching with Complete Coaching HB

Providing one on one coaching and support to our youth, helping them set goals and take steps to secure employment. To date of the 15 participants that have been referred, 12 have moved into sustainable employment supported with ongoing pastoral care for up to 6 months, the 2 others are still being coached and 1 has opted out of continuing with the coaching.

CONNECT Driver Licensing

Working with job seekers to overcome driver licensing barriers to secure employment. 132 referred for licensing support. As of 13th May 2021, 11 learner licenses, 4 restricted licenses, and 2 full licenses have been achieved and 21 are still engaged in learning.

Growing Great Entrepreneurs in Central Hawke's Bay

Jobs in Central Hawke's Bay has facilitated two courses in partnership with Hawkes Bay Chamber of Commerce which provides support to those looking to start or grow their business. 11 participants have completed the course with the next course set to start on 15th July.

Business After 5

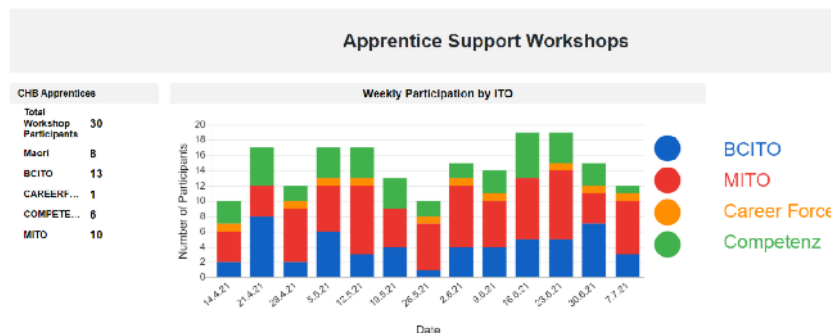
A monthly networking event for local businesses to connect, encourage and support each other. Each event features a short keynote speaker on a relevant topic and then time for casual networking and discussion. The next BA5 is Tuesday 10th August, and the theme is "Is your business accessible for all?"

CHB Business Network - Workshops

Following some of our BA5 events we have facilitated more in-depth workshops around social media support and employment law.

Skills, Training and Employment Network

Working towards sustainable employment outcomes through training, support, and collaboration. The network is made up of local organisations who work together to share training and employment opportunities, identify potential challenges and barriers and how to overcome them. One example of this is our Apprentice Support Workshops, the network's various contacts with young apprentices identified a need for a dedicated learning space for our local trainees.



Apprenticeship Support Workshops

These workshops are open to any locally based apprentices, providing a facilitated learning space with access to internet and computers and monthly visits from BCITO, MITO and Career Force training advisors. The first three months has been a great success, with 30 different participants attending who are training as: builders, mechanics, engineers, diversional therapists, forestry and plasterers.

"This initiative from the council has been a great idea. We here at SNT have around 8 apprentices and most of them seem to struggle to find time to do their bookwork outside of work hours. Having a dedicated time each week to carry this out has been great and have had nothing but good feedback from all of our guys. Making this a permanent feature available to all apprentices within CHB is essential. My only suggestion is that if it does become a permanent thing that the trade ITOs need to be more involved. As some of the unit standards are tricky and need specialist help from time to time." **Robby Smith**, General Manager, Stevenson & Taylor

We are excited to welcome Angela Ross to the Jobs in Central Hawke's Bay team as our Youth Transitions Coordinator, she will be working with Youth within our community to help them build pathways into training and sustainable employment. This additional role is funded by MSD through the Mayor's Taskforce for Jobs. We are also currently seeking a Business Connector to join the team; this role will connect directly with local business offering support to see them THRIVE – as local businesses grow this will create more employment opportunities.

He Ringa Whānau Ora

He Ringa Whānau Ora has been well received in the community and kaimahi are busy working with a number of individuals and whānau who are experiencing the impacts of drug addiction. The work is challenging however the uniqueness of the programme and the Mātauranga Māori approach to wellbeing is already proving beneficial to those accessing the service.

Ngā ara Tipuna ki Tamatea

This project continues to be a priority focus and is on track for project completion substantially by September 2021. In our previous report at the time of writing the construction team had identified a large area of ground with asbestos in it at Hunter Park. This required the draw down of contingency from the Provincial Growth Fund and the removal of over 90 tonnes of asbestos and contaminated soil, having a major impact on the delivery of work and the balance of programming at other sites.

All of the structures are now in, with signage and the remaining installation aspects the last pieces to be installed. This will follow with planting.

The last key structure will be a pou on the top of the Hunter Park/Pukekaihai that will be unveiled as part of the Official opening at this time proposed for 15 October.

We are still experiencing delays in the operational aspects of the project, with significant delays from the Charities Office in the processing of both the IP and Operational Trust. Recruitment for the business development manager role for the project has now closed and at the time for writing, hui was being held on the next steps.

Communications continue to be a focus as we build up to the opening of the project, being well-received by the wider community.



CENTRAL HAWKE'S BAY TOURISM

Tourism

Central Hawke's Bay Visitor Guide

Hawke's Bay Tourism have printed an additional 10,000 copies of the Central Hawke's Bay Visitor Guide to add to distribution bringing the total number of copies of the 2021 Central Hawke's Bay Visitor Guide to 20,000 copies. Local cafes have said they are very popular and are often taken by people on their way through. The guides are in both Napier and Hastings I-sites and distributed via Visitor Point locations throughout Hawke's Bay -The booklet consists of five "Journeys" based on the findings from the Tourism Infrastructure Needs Assessment as well as promoting 26 Central Hawke's Bay businesses.

Spring Fling

The Spring Fling Programme has been finalised and will be published in the Hawke's Bay today and CHB Mail as well as all digital platforms on the 29th of July. General ticket sales go live on 3rd August.

The Spring Fling has over 1700 new members on the email database as part of a database acquisition promotion: sign up and win a Spring Fling Weekend. This promotion will run until 22 July hopefully seeing this number increase.

The programme has returning favorites such as Taniwha Daffodils, Ongaonga Victorian Market and Waipawa Spring Festival Duck Day and six brand new events with a Garden Trail, Herb Masterclass, and picnic in the peonies.

6.3 CLASS 4 GAMBLING AND BOARD VENUE POLICY - STATEMENT OF PROPOSAL FOR ADOPTION

File Number: COU1-1411

Author: Lisa Harrison, Customer Relationships and Experience Manager

Authoriser: Doug Tate, Group Manager Customer and Community Partnerships

Attachments: 1. **Class 4 Gambling and Board Venue Policy - Statement of Proposal**
[!\[\]\(c694a3ff3b077d76910920a6a1593ab4_img.jpg\)](#)

PURPOSE

The matter for consideration by the Council is to adopt a Draft Class 4 Gambling and Board Venue Policy for public consultation as required by Section 102(5) of the Gambling Act 2003 and Section 97 of the Racing Industry Act 2020

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

- a) That the attached Draft Class 4 Gambling and Board Venue Policy – Statement of Proposal be adopted for consultation.**

EXECUTIVE SUMMARY

Council is required by the Gambling Act 2003 and the Racing Industry Act 2020 to review and consult on a Class 4 Gambling and Board Venue Policy every three years. This review was due to be completed by February 2021. While there has been a delay in this review, the existing Policy still applies.

Council has the ability to set limits around the number of gaming machines, although Council cannot force any existing lawful venue to reduce gaming machine numbers currently in operation. Council can also limit the location of any new venue and may allow existing venues to relocate.

Over the last decade the number of gaming machines and venues has reduced significantly, while total gaming machine profits has reduced moderately. A key decision for Council to consider is whether or not to 'lock in' the ratio of gaming machines to population.

The proposed policy also proposes to remove the ability to relocate a venue and proposes to retain the location requirements for any new venue in the future. While this will limit the ability for the existing venues to move to a different location (say into a new building), this will give certainty to residents on the location of this type of activity and encourage investment on these sites.

BACKGROUND

Council is required by the Gambling Act 2003 (the Act) and the Racing Industry Act 2020 to review and consult on a Class 4 Gambling and Board Venue Policy every three years. This should have been completed by February 2021 in accordance with best practice, however s102(6) of the Act allows for the existing Policy to continue to apply.

The Policy must be consulted on using the Special Consultative Procedure under the Local Government Act 2002 (minimum one month for submissions). Council must consider the social impacts of gambling.

Council in this Policy review has to strike a balance between permitting responsible gambling and minimising harm to the community as required by the Act.

When reviewing a policy, the Council must have regard to the social impact of gambling in the District. Council also needs to consider the benefits to the community from the grant funding that is generated by the corporate societies that run the venues.

Class 4 gambling involves the use of an electronic gaming machines outside a casino. It may only be conducted by a corporate society and the net proceeds can only be used for authorised purposes. The Council is required to have a Class 4 Venue Policy which:

- Must specify whether or not class 4 venues may be established in the District and if so, where they may be located; and
- May specify any restrictions on the maximum number of machines that may be operated at a class 4 venue.
- May consider whether to include a relocation policy.
 - A relocation policy sets out if and when the Council will grant consent for an existing venue to transfer the gaming machines to a new venue (within the District) to which a class 4 venue licence applies. The idea is that a business can move into a different or new building without losing its existing rights to operate as a venue.

A society must apply for Council's consent before it:

- Establishes new gaming machine venues; or
- Increases the number of machines that may be operated from existing venues (there are maximum numbers specified in the Act).

The Department of Internal Affairs administers the regulations that apply to the actual operation, administration and funds distribution of the gaming machines.

All current licensed class 4 venues that have not ceased operations for more than a six-month period and were licensed on or before 17 October 2001 may have up to 18 gambling machines. All venues licensed after the 17 October 2001 may only be granted a licence to have a maximum of 9 machines. Central Hawke's Bay District currently has two class 4 gambling venues which were both licenced on or before 17 October 2001. This means that there can be a maximum 18 machines per premise. In April 2021, Air Rescue Services Ltd applied to have an additional 7 gaming machines as they currently had 11. Due to the legislation, this was granted. While the current 2020 figures show 29 gaming machines in the District. This will increase to 36 in 2021.

Council's Board Venue Policy, which is currently named the Class 4 Gambling and Board Venue Policy, is required under Section 96 of the Racing Industry Act 2020, must specify whether or not new Board venues may be established in the District and, if so, where they may be located. Section 97 specifies that the policy must be reviewed every 3 years as part of the Class 4 Gambling Policy and must use the special consultative procedure under the LGA 2002.

This is a new Act but the requirements for a Council Board Venue Policy are the same as under the old Racing Act 2003. Demand for these venues has reduced significantly over time with most activity carried out online. Council only has jurisdiction over setting the numbers and locations of standalone TAB venues, not TAB outlets or agencies that are part of a business or bar.

DISCUSSION

There has been a steady and significant decline in the number of Class 4 Gambling Machine Venues and numbers over the last five to ten years.

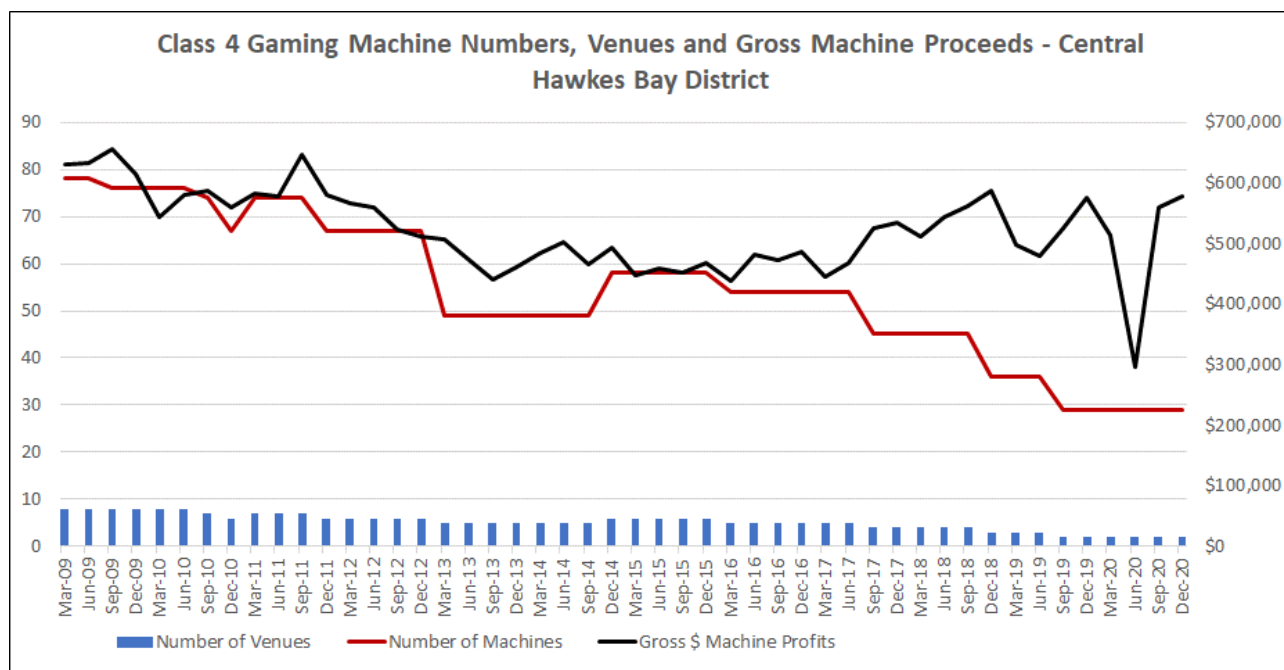
These trends can be summarised as:

1. Machine numbers have fallen significantly from 76 in 2009 to 29 in 2020.
2. Venue numbers have also dropped from 8 in 2009 to 2 in 2020.
3. Overall gambling has **not** fallen significantly with total Gross Machine Profits (GMP) dropping just 5.9% from December Quarter 2009 to December Quarter 2020. The reduction is a larger 24.7% if these numbers are adjusted for inflation (CPI increased 18.8% over the 11 years).

GMP per machine has increased 147% to just under \$20,000 per machine per quarter. This compares to the NZ average of around \$17,000 on the same basis.

Class 4 gambling machines can only be located in a premise that has a liquor license. The general decline of these licensed establishments (due to changing societal trends and more stringent drink – drive rules) has resulted in less venues.

The conclusion is that the majority of people using the Class 4 gambling machines have moved to the remaining two venues in the District, however there has been a reasonable decline in use of this form of gambling. This outcome is consistent with the intent of the current and past policies as Council has sought to reduce the community harm from Class 4 gambling machines.



Comparatively to other rural and provincial Councils Central Hawke's Bay now has a low number of Class 4 gaming machines to residents ratio at 526 residents per machine. Central Hawke's Bay has 0.2% of these Class 4 gaming machines generating 0.23% of the Gross Machine Proceeds (GMP - the amount being gambled net of winnings) in NZ with 0.3% of the population.

In contrast Tararua District has 175 residents per Class 4 gaming machine, and Hastings 313 residents per Class 4 gaming machine. The New Zealand average is 342 residents per machine. Class 4 gaming machines tend to be concentrated in urban areas with the highest deprivation and highest proportions of Maori and Pacific Peoples.

The following table summarises the number of residents per machine trend for Central Hawke's Bay.

Class 4 gambling venues and machines in Central Hawkes Bay District

| As at December | Number of Venues | Number of Machines | # of Residents per machine * | % of New Zealand Machines |
|-----------------------|-------------------------|---------------------------|-------------------------------------|----------------------------------|
| 2020 | 2 | 29 | 526 | 0.20 |
| 2019 | 2 | 29 | 414 | 0.20 |
| 2018 | 3 | 36 | 326 | 0.24 |
| 2017 | 4 | 45 | 267 | 0.29 |
| 2016 | 5 | 54 | 262 | 0.33 |
| 2015 | 6 | 58 | 238 | 0.35 |
| 2014 | 6 | 58 | 277 | 0.35 |
| 2013 | 5 | 49 | 270 | 0.28 |
| 2012 | 6 | 67 | 199 | 0.38 |
| 2011 | 6 | 67 | 182 | 0.37 |
| 2010 | 6 | 67 | 177 | 0.36 |
| 2009 | 8 | 76 | 171 | 0.39 |

* As at June each year

Comparison with other selected Councils as at December 2020

| | Number of Venues | Number of Machines | % of all Machines in New Zealand | Estimated Population (June 2020) | % of NZ Population | Number of residents per Machine |
|-------------------|-------------------------|---------------------------|---|---|---------------------------|--|
| CHBDC | 2 | 29 | 0.20 | 15,250 | 0.30 | 526 |
| Kaipara | 7 | 60 | 0.41 | 25,200 | 0.50 | 420 |
| NZ average | 1,068 | 14,781 | 100% | 5,084,300 | 100% | 342 |
| Hastings | 18 | 281 | 1.90 | 88,000 | 1.73 | 313 |
| Rangitikei | 5 | 58 | 0.40 | 15,750 | 0.31 | 267 |
| Clutha District | 11 | 71 | 0.48 | 18,300 | 0.36 | 258 |
| South Wairarapa | 4 | 49 | 0.33 | 11,400 | 0.22 | 233 |
| Hurunui | 8 | 61 | 0.41 | 13,300 | 0.26 | 218 |
| Hauraki | 9 | 119 | 0.81 | 21,400 | 0.42 | 180 |
| Tararua | 8 | 108 | 0.73 | 17,900 | 0.37 | 175 |
| Opotiki | 4 | 57 | 0.39 | 10,000 | 0.20 | 175 |
| Wairoa | 4 | 58 | 0.39 | 8,960 | 0.18 | 154 |
| Ruapehu | 7 | 89 | 0.60 | 12,800 | 0.25 | 144 |

Central Hawke's Bay has relatively few machines compared to other areas in New Zealand. There is still a substantial amount of gambling expenditure being lost by the residents who use the machines.

| March Year | Gross Machine Profits | % Change Previous Year |
|------------|-----------------------|------------------------|
| 2021 | \$1,936,896 | -7.6% |
| 2020 | \$2,094,893 | -4.5% |
| 2019 | \$2,193,042 | 7.5% |
| 2018 | \$2,039,711 | 8.3% |
| 2017 | \$1,883,789 | 3.7% |
| 2016 | \$1,817,139 | -4.7% |
| 2015 | \$1,907,183 | 2.7% |

Note – Gross Machine Profits are the total amount gambled LESS payouts from winnings.

Benefits from Class 4 Gambling - Distribution of Gaming Machine Profits

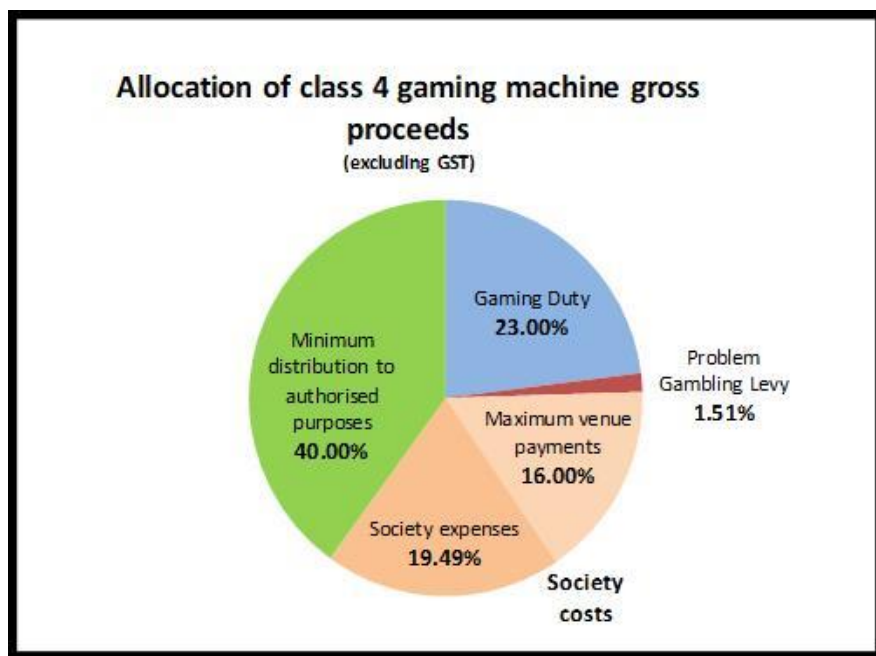
A minimum of 40% of GMP must be distributed back to the community through grants. For Central Hawkes Bay the following minimum in grants was:

2019 - \$832,000

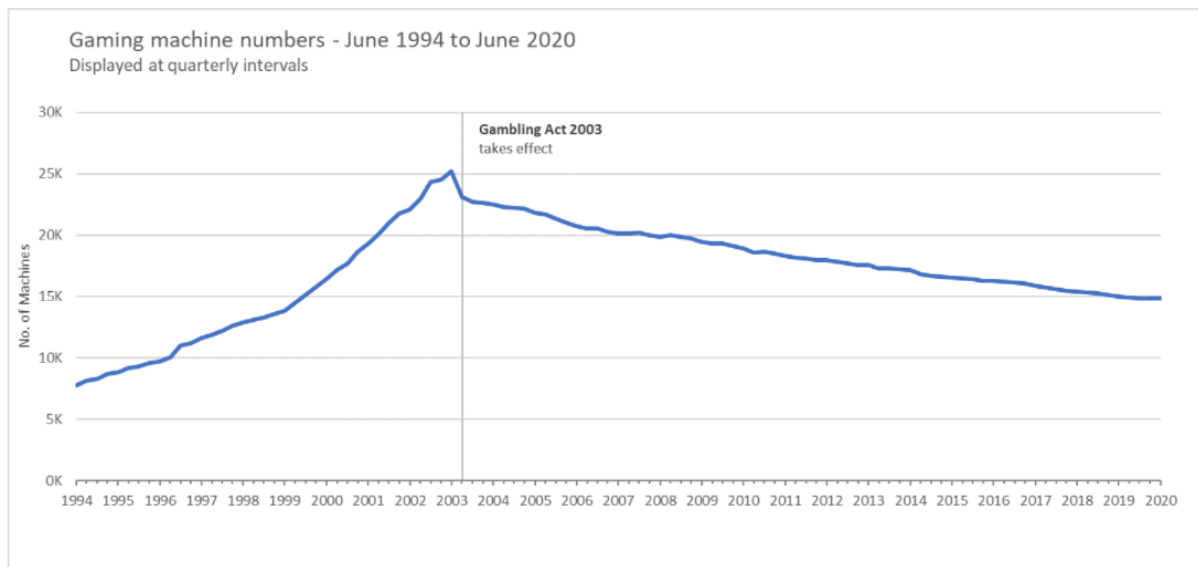
2020 - \$780,000

In addition, there are a number of businesses and jobs supported by the activity, as well as revenue to government and the societies that own the machines. The level of grants to the community is significant and will be important to a range of recreational and community groups. The Department of Internal Affairs carries out audits and monitors the venue payments and society expenses.

Council therefore must consider the level of harm against the benefits that the community receives from this gambling activity.



The drop in venues and class 4 gaming machines is consistent with the wider New Zealand trends. Many Councils have adopted sinking lid policies. Coupled with changes to drink driving limits, online gambling and other legislation, including structural building (earthquake prone) regulations, there has been a significant reduction in the number of the older large pubs. Many of these businesses were also class 4 gaming venues.



Recent trends show that gambling has shifted to more on-line activity. This is very hard to regulate and control and Council has no ability to do so. The gaming industry argues that removing the physical venues just results in unregulated gambling that creates more harm.

The percentage of problem gamblers seeking help in Central Hawke's Bay as a proportion of the NZ total is roughly the same as the population would suggest (0.2% of clients in 2020 against 0.3% of estimated resident population). The number of serious problem gamblers that seek help remains low. The main issue for the community is that there are residents that do not seek help and do have financial issues due to gambling problems.

Ministry of Health – Service User Data – Problem Gambling

| June Year Ending | New Clients* | Total Clients# | % of NZ Total Clients |
|------------------|--------------|----------------|-----------------------|
| 2020 | 4 | 9 | 0.20 |
| 2019 | 3 | 11 | 0.23 |
| 2018 | 7 | 11 | 0.20 |
| 2017 | 3 | 6 | 0.10 |
| 2016 | 0 | 4 | 0.06 |
| 2015 | 5 | 7 | 0.10 |
| 2014 | 6 | 14 | 0.19 |
| 2013 | 6 | 8 | 0.12 |
| 2012 | 6 | 8 | 0.13 |
| 2011 | 3 | 11 | 0.18 |
| 2010 | 9 | 15 | 0.24 |
| 2009 | 12 | 14 | 0.23 |
| 2008 | 8 | 16 | 0.36 |
| 2007 | 4 | 14 | 0.33 |
| 2006 | 4 | 10 | 0.30 |
| 2005 | 15 | 18 | 0.56 |

* New Clients – The number of clients that have contacted an intervention service for the first time in the period for psychosocial support either by phone or face-to-face in this territorial authority

Total number clients assisted in this year in this territorial authority (includes new clients and clients who first contacted a service in a previous year).

Council has a number of options regarding this policy review. Three include:

- the ratio of residents to gaming machines,
- the location of new venues and the minimum distance from sensitive activities,
- whether to have a relocation policy for existing venues.

These options are set out in the Act and the proposed policy on these issues form the basis of the public consultation. These options are explored in the Options Analysis below.

RISK ASSESSMENT AND MITIGATION

Council must (under the Act) have regard to the social impact of gambling in the District. There are very few residents registered as problem gamblers with the Hawkes Bay District Health Board. Harm from this form of gambling has reduced over the last decade as machine numbers and venues have fallen.

Growth in Class 4 gambling machines is likely to create additional harm to the most vulnerable in the community. To mitigate this, it is proposed that the residents to machine ratio cap on Class 4 gambling machine numbers be increased to reflect the current numbers. This will remove the ability of another venue to be established as it will only be permitted to have one or two more machines (as population increases the number allowed will marginally increase). Under the current policy ratio of 300 residents per machine an additional 21 machines could be established (two + additional venues).

FOUR WELLBEINGS

This policy is primarily impacting on the social wellbeing (the harm from gambling are overrepresented by the most vulnerable and poorest in the community), but there is a minor impact on the Economic Wellbeing from the businesses involved in operating the gaming machines.

There is also a positive contribution to the social wellbeing from grant distributions to community organisations and residents of around \$800,000 a year.

DELEGATIONS OR AUTHORITY

Council is required to adopt the draft Policy and Statement of Proposal before the Special Consultative Procedure commences.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed. This draft Policy requires a Special Consultative Procedure as specified in the LGA 2002. In the previous consultations there has been modest to minimal public interest, although that may be different if Council proposed to relax the restrictions. Council can expect submissions from the gaming societies and the hospitality sector that will ask Council to relax the restrictions on gaming machine numbers.

This policy does not involve Council assets or result in additional operational requirements (after the final adoption of the Policy).

Controls on gaming machine numbers and locations are usually supported by local iwi.

The proposed policy settings continue the long-standing Council position of aiming to reduce the number of gaming machines and venues to reduce harm to the community.

OPTIONS ANALYSIS

Officers have considered the options that Council has in reviewing this policy.

The cap on gaming machine numbers is proposed to be tightened (the ratio to increase) to reflect the current actual numbers. The restrictions on location are proposed to be kept as per the current Policy, and it is proposed to remove the ability of venues to relocate.

Overall, Council is proposing to 'lock in' the gains made over the last decade and remove the possibility of gaming machine numbers increasing again.

| Policy Setting | Possible Benefits | Possible Negative Impacts |
|---|--|---|
| Option – Status Quo <ul style="list-style-type: none"> Retain the cap at 300 residents per machine Relocations allowed Restrictions on any new / relocated venues to be >100metres from sensitive sites / activities | <p>Allowing more machines to operate would possibly increase the level of grant funding available and increase employment. The grant funding increases are likely to be modest as GMP per machine would likely fall.</p> <p>Restrictions on location continues to mitigate potential harm.</p> <p>Relocations allow businesses to invest in new premises that generally have better controls on gambling harm, and may provide safer premises in general (e.g. from earthquakes).</p> | <p>Would allow 2 new venues to be established with 9 machines each. This is not consistent with the legislation and Council policy of reducing gambling harm.</p> <p>Relocations make it easier for existing premises to continue operating.</p> |
| Option 2 – More restrictive <ul style="list-style-type: none"> Increase ratio of max number of machines to 500 per resident 'Sinking lid' Remove ability for relocations / mergers | <p>Increasing the current ratio Cap from 300 to 500 would reflect the current number of machines operating. Setting the number higher (say 600) would continue to seek further reductions in machine numbers. Either would lock in the recent reductions in venues and machines. On the current policy 2 new venues could be established with the full 9 machines each allowed.</p> <p>A sinking lid provision would set a target of machines or the number of residents per machine that is more restrictive than the current numbers. Any reduction in machine numbers from closures or reductions would not be able to be replaced. This has a similar impact as increasing the ratio number above.</p> | <p>The current venue and machine numbers are low compared to the NZ average and many rural Districts.</p> <p>Further reductions from the current numbers may:</p> <ul style="list-style-type: none"> inhibit general hospitality growth. reduce grant funding for the community over time. cause further movement toward online gambling which is unregulated. Will not allow for new Class 4 gambling opportunities in District <p>Removing ability to relocate will remove options for existing businesses and could result in loss of employment / grants. Given only two venues are currently operating this could be seen as overly restrictive.</p> |
| Option 3 – Less Restrictive <ul style="list-style-type: none"> Remove or reduce cap ratio to <300 per resident | <p>Possible additional employment and community grants.</p> | <p>Would allow more than 2 new venues to be established with 9 machines each. This is not consistent with the legislation and Council policy of reducing gambling harm.</p> <p>Grants are unlikely to increase much as evidenced by the modest reductions seen as venues and machines reduced over the last decade.</p> |

| | <u>Option 1</u> | <u>Option 2</u> | <u>Option 3</u> |
|---|--|--|---|
| | Status Quo | More Restrictive | Less Restrictive |
| Financial and Operational Implications | There are no obvious implications. | There are no obvious implications. | There are no obvious implications. |
| Long Term Plan and Annual Plan Implications | There are no obvious implications. | There are no obvious implications. | There are no obvious implications. |
| Promotion or Achievement of Community Outcomes | Status quo option supports the promotion of the economic wellbeing of the community but does not fully take into consideration the social and cultural impacts of the community. | More restrictive option supports the promotion of community outcomes by adequately ensuring community views are considered. This option balances the economic, social and cultural outcomes. | Less restrictive option does not support the promotion of community outcomes. While this option would potentially increase the economic wellbeing of the community it would negatively impact the social and cultural impacts of the community. |
| Statutory Requirements | Council are required to meet the requirements of the Gambling Act 2003 and the Racing Act 2020. | Council are required to meet the requirements of the Gambling Act 2003 and the Racing Act 2020. | Council are required to meet the requirements of the Gambling Act 2003 and the Racing Act 2020. |
| Consistency with Policies and Plans | Is consistent with the Central Hawke's Bay District Council Governance Policy Framework but not consistent with our Community Wellbeing Strategy. | Is consistent with the Central Hawke's Bay District Council Governance Policy Framework and Community Wellbeing Strategy. | Is consistent with the Central Hawke's Bay District Council Governance Policy Framework but not consistent with our Community Wellbeing Strategy. |

Recommended Option

This report recommends Option 2 – More Restrictive for the Draft Policy.

NEXT STEPS

The adopted Draft Policy will need to be advertised for public consultation:

- On the Council website,
- Copies available in libraries and Council service centres,

- Advertised in local print media.

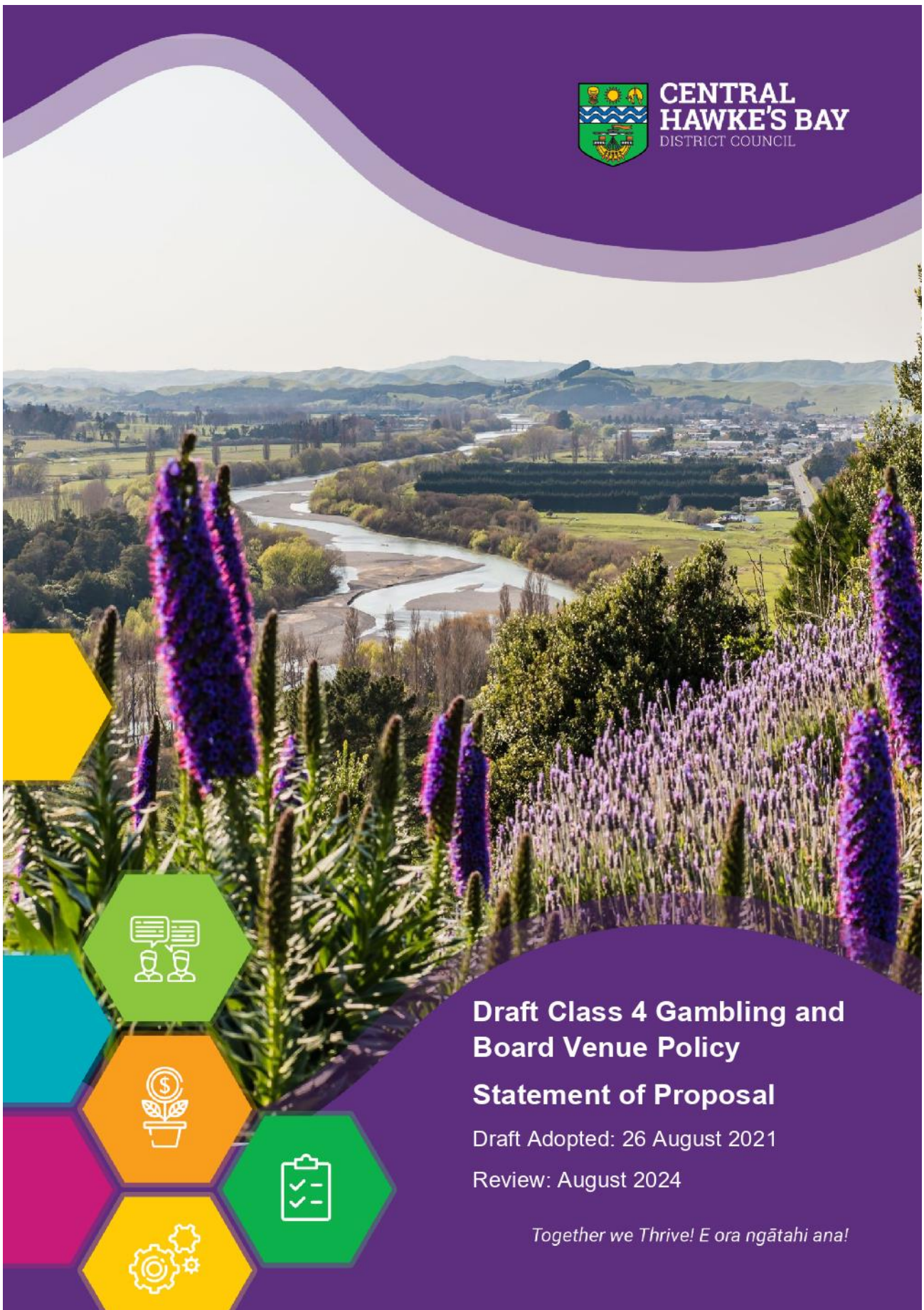
Dates will need to be set for the close of submissions and any hearing (if required). The submissions and final staff recommendations will come back to Council for consideration and adoption of the final Policy.

RECOMMENDATION

- a) That the attached Draft Class 4 Gambling and Board Venue Policy – Statement of Proposal be adopted for consultation.



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL



Draft Class 4 Gambling and Board Venue Policy

Statement of Proposal

Draft Adopted: 26 August 2021

Review: August 2024

Together we Thrive! E ora ngātahi ana!

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Class 4 Gambling and Board Venue Policy
ADOPTED 26 August - REVIEW August 2024

E ora ngātahi ana!

Introduction

The Gambling Act 2003 (the Act) requires the Central Hawke's Bay District Council to adopt a Class 4 Gambling Venue Policy for the District. Section 97 of the Racing Industry Act 2020 also requires that a Board Venue Policy for the District is included as part of the Class 4 Gambling Venue Policy. Both policies must be adopted in accordance with the Special Consultative Procedure set out in the Local Government Act 2002 and must be reviewed every three years.

Class 4 gambling involves the use of an electronic gaming machine outside a casino. It may only be conducted by a corporate society and the net proceeds can only be used for authorised purposes.

A society must apply for Council's consent before it:

- Establishes new gaming machine venues; or
- Increases the number of machines that may be operated from existing venues (there are maximum numbers specified in the Act).

Council is able to include a relocation policy to allow existing operators to relocate with the same number of machines. Council had a relocation policy in the 2018 Policy, but this has been removed in the 2021 review.

Class 4 gambling machine numbers have fallen significantly from 76 in 2009 to 29 in 2020, while Venue numbers have also dropped from 8 in 2009 to 2 in 2020. Compared to other rural and provincial areas, Central Hawkes Bay District (CHB) now has a low number of Class 4 gaming machines at 526 residents per machine. CHB has 0.2% of these Class 4 gaming machines generating 0.23% of the GMP in NZ with 0.3% of the population.

Overall gambling expenditure has fallen just 25% (inflation adjusted) from 2009.

Application

The Act and the Racing Industry Act 2020 together state that the Gambling Venue and Board Venue Policies:

- Must specify whether or not Class 4 Venues (hereafter referred to as Gambling Venues) may be established in the District, and if so, where they may be located.
- May specify any restrictions on the maximum number of Gaming Machines that may be operated at any Gambling Venue. The Gambling Act 2003 established a maximum limit of nine (9) machines for new venues and those venues that obtained a licence after 17 October 2001.
- May consider whether to include a relocation policy and the distance from sensitive activities.
 - A relocation policy sets out if and when the Council will grant consent for an existing venue to transfer the gaming machines to a new venue (within the district) to which a class 4 venue licence applies.
- The Council must specify whether or not new Board Venues may be established in the district and, if so, where they may be located. This policy only applies to standalone venues and not other venues such as clubs and bars where TAB betting services are provided.

In the development of this policy Council must have regard for the social impacts of gambling on the Central Hawke's Bay district community. Council also needs to consider the benefits to the community from the grant funding that is generated by the corporate societies that run the venues.

Policy Objectives

The purpose of the Act is to:

- a) control the growth of gambling; and
- b) prevent and minimise the harm caused by gambling, including problem gambling; and
- c) authorise some gambling and prohibit the rest; and
- d) facilitate responsible gambling; and
- e) ensure the integrity and fairness of games; and
- f) limit opportunities for crime or dishonesty associated with gambling; and
- g) ensure that money from gambling benefits the community; and
- h) facilitate community involvement in decisions about the provision of gambling.

The purpose of the Central Hawke's Bay District Council's Class 4 Gambling Venue and Board Venue Policy is:

- To provide for the continued availability of Class 4 Gambling within Central Hawke's Bay District in accordance with the purpose and intent of the Act.
- To establish an appropriate maximum level of opportunities for Class 4 Gambling activities in the Central Hawke's Bay District in order to avoid or minimise the harm caused by problem gambling.
- To ensure Gambling Venue Operators act responsibly and promote harm minimisation.
- To facilitate community involvement in decisions about the provision of gambling.

Economic and social impact of gambling in the District

Council recognises that there are benefits and costs to the community from gambling activities. A minimum of 40% of Gross Machine Profits (the amount gambled net of winnings) must be distributed back to the community through grants. For CHB the following minimum in grants was:

2019 - \$832,000

2020 - \$780,000

In addition, there are a number of businesses and jobs supported by the activity, as well as revenue to government and the societies that own the machines. The level of grants to the community is significant and will be important to a range of recreational and community groups. The Department of Internal Affairs carries out audits and monitors the venue payments and society expenses.

Recent trends are that gambling has shifted to more on-line activity. This is very hard to regulate and control and Council has no ability to do so. Trying to remove all Class 4 gaming machines would likely just drive more people to on-line gambling.

| Policy Setting | Possible Benefits | Possible Negative Impacts |
|---|--|---|
| <p>Option – Status Quo</p> <ul style="list-style-type: none"> Retain the cap at 300 residents per machine Relocations allowed Restrictions on any new / relocated venues to be >100metres from sensitive sites / activities | <p>Allowing more machines to operate would possibly increase the level of grant funding available and increase employment. The grant funding increases are likely to be modest as GMP per machine would likely fall.</p> <p>Restrictions on location continues to mitigate potential harm.</p> <p>Relocations allow businesses to invest in new premises that generally have better controls on gambling harm, and may provide safer premises in general (e.g., from earthquakes).</p> | <p>Would allow 2 new venues to be established with 9 machines each. This is not consistent with the legislation and Council policy of reducing gambling harm.</p> <p>Relocations make it easier for existing premises to continue operating.</p> |
| <p>Option 2 – More restrictive</p> <ul style="list-style-type: none"> Increase ratio of max number of machines to 500 per resident 'Sinking lid' Remove ability for relocations / mergers | <p>Increasing the current ratio Cap from 300 to 500 would reflect the current number of machines operating. Setting the number higher (say 600) would continue to seek further reductions in machine numbers. Either would lock in the recent reductions in venues and machines. On the current policy 2 new venues could be established with the full 9 machines each allowed.</p> <p>A sinking lid provision would set a target of machines or the number of residents per machine that is more restrictive than the current numbers. Any reduction in machine numbers from closures or reductions would not be able to be replaced. This has a similar impact as increasing the ratio number above.</p> | <p>The current venue and machine numbers are low compared to the NZ average and many rural Districts.</p> <p>Further reductions from the current numbers may:</p> <ul style="list-style-type: none"> inhibit general hospitality growth. reduce grant funding for the community over time. cause further movement toward online gambling which is unregulated. Will not allow for new Class 4 gambling opportunities in District <p>Removing ability to relocate will remove options for existing businesses and could result in loss of employment / grants. Given only two venues are currently operating this could be seen as overly restrictive.</p> |

| Policy Setting | Possible Benefits | Possible Negative Impacts |
|--|--|---|
| Option 3 – Less Restrictive <ul style="list-style-type: none"> Remove or reduce cap ratio to <300 per resident | Possible additional employment and community grants. | <p>Would allow more than 2 new venues to be established with 9 machines each. This is not consistent with the legislation and Council policy of reducing gambling harm.</p> <p>Grants are unlikely to increase much as evidenced by the modest reductions seen as venues and machines reduced over the last decade.</p> |

Council in this Policy review has to strike a balance between permitting responsible gambling and minimising harm to the community as required by the Act.

Council has considered the issues and options and is proposing to further restrict the ability of new venues to be established. The two remaining venues are considered sufficient to allow residents access to class 4 gaming machines.

In order to 'lock in' the minimisation of harm to the community from recent reductions in gaming machines and venues, this Policy proposes to remove the ability to relocate an existing venue, and to increase the limit on class 4 gaming machine numbers to 1 per 500 residents from 1 per 300 residents in the 2018 Policy.

Location of Class 4 Gambling Venues and Board Venues

No new Class 4 Gambling Venue shall be established where the total number of Gaming Machines in Central Hawke's Bay District exceeds the number of machines specified under Section 7 of this Policy.

A new Class 4 Gambling Venue and/or TAB (NZRB) Venue shall not be established in any zone other than within the Business Zones of Waipukurau and Waipawa as defined in the Central Hawke's Bay District Plan.

Consent will not be granted for a new Class 4 Gambling Venue or Board Venue where the location of the proposed venue is incompatible with other predominant uses of the proposed premises.

Consent will not be granted for a new Class 4 Venue at which the primary activity is associated with family dining, family activities (e.g., cinemas) or children's activities.

No new Class 4 Gambling Venue or TAB (NZRB) Venue may be closer than 100 metres pedestrian distance of any school, early childhood centre, kindergarten, place of worship or other community facility.

Predominant Activity of Class 4

A new Class 4 Gambling Venue and/or TAB (NZRB) Venue shall only be established in a premises having an on-licence (where the principal purpose is the sale of liquor, and that the area is designated restricted) or club licence for the sale of liquor.

Every application must be able to satisfy Council that the primary purpose of the proposed venue is not the provision of Class 4 Gambling activities.

Class 4 Gambling and Board Venue Policy
ADOPTED 26 August - REVIEW August 2024

E ora ngātahi ana!

Any venue which operates as a brothel, as defined in Section 4 of the Prostitution Reform Act 2003, will not be granted a venue consent.

Subject to the provisions above, Class 4 Gambling Venues may be established in locations commonly used for organised sporting or other recreational non-profit purposes.

Number of Gaming Machines Allowed District Wide

The total number of Gaming Machines in Central Hawke's Bay District, as specified by the Department of Internal Affairs, may not exceed the ratio of one machine per 500 residents, as determined by the latest Census data.

The cap on total numbers of Gaming Machines specified in Section 7 will apply from the date this policy is adopted.

Relocation Policy

Council will not allow the relocation of a venue to which a Class 4 Venue Licence currently applies. The merging of existing venue conditions and transferred venue conditions is not permitted.

This Policy does not affect any new Class 4 Gambling Venue where a licence to operate Gaming Machines was held for the same premises by any operator within the previous six months.

Number of Gaming Machines Allowed Per Venue

This section does not affect any Class 4 Gambling Venue established on or before 17 October 2001. All current licensed Class 4 venues that have not ceased operations for more than six months, do not require consent from the Council to continue their operations.

Class 4 Gambling Venues established between 18th October 2001 and 18th March 2004 shall be allowed a maximum of nine (9) Gaming Machines.

Class 4 Gambling Venues established after 18th March 2004 shall be allowed a maximum of nine (9) Gaming Machines, subject to Section 7.

Should two (2) or more existing Class 4 Gambling Venues merge; the merged venue shall be allowed a maximum of nine (9) Gaming Machines, subject to Section 7.

In all circumstances the number of Gaming Machines proposed for the venue will not result in the total number of Gaming Machines in the Central Hawke's Bay District exceeding the number of machines specified under Section 7 of this Policy. If this limit is exceeded, the number of machines will not be approved accordingly.

Any venue wishing to increase the number of Class 4 Gaming Machines additional to the number of machines operated as at the adoption date of this Policy may not do so if the proposed increase results in the total number of machines in the Central Hawke's Bay District exceeding the number of machines specified under Section 7 of this Policy.

Applications

Applications for Council consent for a new Class 4 Gambling Venue or Board Venue must be made on an approved form and must provide:

- Name and contact details for the application.
- Street address of premises proposed for the Class 4 Gambling Venue consent or Board Venue consent.
- The names of all owners and managers.
- Details of liquor licence(s) applying to the proposed premises (if applicable).
- Evidence of Police approval for owners and managers to apply for consent to establish a Class 4 Gambling Venue or Board Venue consent.
- A copy of the proposed gambling harm minimisation policy and staff training programme.
- A site plan covering both Class 4 Gambling activities and other activities proposed for the venue, including details of each floor of the venue.
- Evidence of the pedestrian distance to the nearest school, early childhood centre, kindergarten, place of worship or other community facility.

Application Fees

Application fees will be set by Council and shall include consideration of:

- The cost of processing the application, including any consultation and hearings involved,
- the cost of triennially reviewing the Class 4 gambling venue and Board Venue policy,
- A contribution to the cost to Council of inspecting Class 4 Gambling Venues and Board Venues to ensure compliance with consent or licence conditions.

Fees will be reviewed together with the Policy on a three-yearly basis.

Policy Review

This policy will be reviewed on a three-yearly basis.

This policy may be reviewed at any time where there is an urgent concern or request from the community.

Commencement of Policy and Review

This draft policy was adopted on 26 August 2021. The final policy will be adopted on xxxx and come into effect from the date of adoption.

Definitions

Class 4 Gambling: Gambling that utilises or involves electronic gaming machines, otherwise known as “pokie machines”.

Class 4 Gambling Venue: Any venue that conducts Class 4 Gambling activities outside a casino.

Community Facility: Land or buildings which are used in whole or in part for the assembly of persons for such purposes as deliberation or social entertainment or similar purposes and including buildings used for clubrooms, arts, museum and cultural community premises, cinemas, theatres, conference rooms, church halls, marae and meeting rooms, but not including a chartered club or building designed specifically for indoor recreation.

Pedestrian Distance: the shortest distance a person on foot would take as opposed to the same distance in a straight line.

Problem Gambler: A person whose gambling causes harm or may cause harm, as defined in the Gambling Act 2003.

Board Venues - standalone TAB venues. There are none of these venues currently in Central Hawkes Bay.

6.4 DELETION OF DISTRICT LICENSING COMMITTEE APPOINTMENT OF MEMBERS POLICY AND UPDATE OF COMMITTEE TERMS OF REFERENCE 2019-2022

File Number: COU1-1411

Author: Lisa Harrison, Customer Relationships and Experience Manager

Authoriser: Doug Tate, Group Manager Customer and Community Partnerships

Attachments: 1. 2.15 District Licensing Committee Appointment of Members [↓](#)
2. Updated Committee Terms of Reference 2019-2022 [↓](#)

PURPOSE

The matter for consideration by the Council is the deletion of 2.15 District Licensing Committee Appointment of Members Policy and to update the Committee Terms of Reference 2019 – 2022.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

- a) That 2.15 District Licensing Committee Appointment of Members Policy is deleted and**
- b) That the updated Committee Terms of Reference 2019-2022 is approved.**

EXECUTIVE SUMMARY

The District Licensing Committee Appointment of Members Policy was last reviewed in June 2018. The purpose of this Policy was to articulate the process for how appointments were to be made regarding the District Licensing Committee. This process is very clearly set out in the Sale and Supply of Alcohol Act 2012 (the Act) under section 192, which deems this policy to be irrelevant and does not meet the purpose of the Central Hawke's Bay Governance Policy Framework.

In deleting this policy, we are recommending updating the Committee Terms of Reference 2019-2022 to include the District Licensing Committee Terms of Reference which includes the requirements for appointing members to the District Licensing Committee.

BACKGROUND

The District Licensing Committee Appointment of Members Policy was originally adopted on 18 June 2015. The purpose of this policy was to articulate the process for how appointments were made to the District Licensing Committee. The Policy was then reviewed again in June 2018. At the time this policy was adopted, Council did not have a Governance Policy Framework.

In June 2020 Council adopted the Central Hawke's Bay District Council Governance Policy Framework. The purpose of the framework is to:

- Clearly identify the collection of Governance Policies at Central Hawke's Bay District Council that Elected Members are responsible for.
- Mapping the policies according to nature and type provides an overall picture of what is included in the policy portfolio.
- Further understanding of each group of policies and the scope of Councillors decision making is provided through a brief description of the policy, the types of decisions that can be made and the general considerations involved with good decision making.
- To demonstrate the integration between the policies in the portfolio connections with other policies are identified.
- Finally, to assist Council Staff and Elected Members develop a policy review work programme the high-level review timeframes for each policy are indicated.

The District Licensing Committee Appointment of Members Policy was due for review in June 2021. This policy is no longer fit for purpose and serves no importance, nor does it fit within our current Governance Policy Framework.

The current District Licensing Committee members are:

- Cr Gerard Minehan (Chairperson)
- Cr Exham Wichman (Deputy Chairperson)
- Tania Kerr (Commissioner)
- Mark Williams (List Member)
- Sally Butler (List Member)

Under section 192 of the Act, a territorial authority must establish and maintain a list of committee members. Under section 191 of the Act, in order for a meeting to occur where the Committee must consider and determine an opposed application for a licence, managers certificate or an application for renewal of a licence or manager's licence, there must be a quorum of 3 members.

The rationale behind having list members on the District Licensing Committee is to ensure that we can achieve a quorum of Committee Members, in the event that the Chair and Deputy Chair are unable available to be present achieve a quorum.

RISK ASSESSMENT AND MITIGATION

The changes recommended are minor in nature. There is minimal risk to approve the deletion of the District Licensing Committee Appointment of Members Policy and Update of the Committee Terms of Reference 2019-2022. Overall, the adoption of the proposed changes will streamline and support a single document that provides clarity on appointments.

FOUR WELLBEINGS

The changes recommended in this report are in support of the four wellbeing of local government with a strong focus on the social and economic factors.

DELEGATIONS OR AUTHORITY

The Strategy and Wellbeing Committee has the delegations to approve the deletion of this Policy and to update the Committee Terms of Reference 2019-2022.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as minor.

Under section 192 of the Act, it clearly states what the requirements are in relation to the appointment of District Licensing Members.

As a territorial authority it is our obligation to meet the requirements of the Act.

OPTIONS ANALYSIS

There are two options for Council to consider which are:

| | <u>Option 1</u> | <u>Option 2</u> |
|---|--|--|
| | 2.15 District Licensing Committee Appointments of Members Policy is deleted and that the updated Committee Terms of Reference 2019-2022 is approved | Status Quo - Retain 2.15 District Licensing Committee Appointment of Members Policy |
| Financial and Operational Implications | This option will ensure that the Term's of Reference are in one reference document being the Committee Terms of Reference 2019-2022. | There are no obvious implications. |
| Long Term Plan and Annual Plan Implications | There are no obvious implications. | There are no obvious implications. |
| Promotion or Achievement of Community Outcomes | Option one supports promotion of community outcomes by adequately ensuring community views are considered. | Option two supports promotion of community outcomes by adequately ensuring community views are considered. |
| Statutory Requirements | Council is required to meet the requirements of the Sale and Supply of Alcohol Act 2012. | Council is required to meet the requirements of the Sale and Supply of Alcohol Act 2012. |
| Consistency with Policies and Plans | Is consistent with the Central Hawke's Bay District Council Governance Policy Framework requirements. | Is not consistent with the Central Hawke's Bay District Council Governance Policy Framework requirements. |

Recommended Option

This report recommends **Option One**, That, 2.15 District Licensing Committee Appointments of Members Policy is deleted and that the Committee Terms of Reference 2019-2022 is approved for addressing the matter.

This recommendation will ensure that the Committee Terms of Reference 2019-2022 is up to date to include the District Licensing Committee Terms of Reference and that the current District Licensing Committee Appointments of Members Policy is deleted as it is no longer required.

NEXT STEPS

If the recommended option is approved, officers will ensure that the policy register is updated and that the relevant changes/updates are made on the Council website.

RECOMMENDATION

- a) That 2.15 District Licensing Committee Appointment of Members Policy is deleted and**
- b) That the updated Committee Terms of Reference 2019-2022 is approved.**

| Central Hawke's Bay District Council DISTRICT LICENSING COMMITTEE APPOINTMENT OF MEMBERS | POLICY MANUAL | |
|---|----------------|-------------|
| | Document # | 2.15 |
| | Approved by: | Council |
| | Adoption Date: | 18-06-2015 |
| | Last Amended: | New |
| | Review Date: | June 2018 |
| | Page: | Page 1 of 3 |

1. Introduction

- 1.1. Following a change in legislation, the newly enacted Sale and Supply of Liquor Act 2012 ("the Act") requires that the Council appoint one (1) or more District Licensing Committees (DLC) as required to deal with licensing matters for its District. The Committee must be ready to take on this role from 19 December 2013.
- 1.2. The District Licensing Committee must consist of three (3) members appointed by the Council. The Council must appoint one (1) member as the Chairperson, and that person must either be a member of the Council or a Commissioner appointed to the District Licensing Committee by the Chief Executive Officer of the Council on the recommendation of the Council.
- 1.3. The other two members of the District Licensing Committee must be appointed from the Councils list of persons approved to be members of the District Licensing Committee.
- 1.4. This list consists of persons who have experience relevant to Liquor Licensing matters, but are not involved with, nor have the appearance of being involved with, the alcohol industry; nor can they be a Police Constable, a Medical Officer of Health, an Inspector or an employee of the Territorial Authority.
- 1.5. Appointments made to the list of approved persons can be for a period of up to five (5) years, and they can then be approved for one (1) or more periods of up to 5 years.
- 1.6. The District Licensing Committee is responsible for considering and determining all applications, and renewals, for Licenses and Managers Certificates. The Committee is also responsible for the consideration and determination of Temporary Authorities and Special Licences made under the Act.
- 1.7. A Quorum of the Committee may consist of the Chairperson sitting alone to determine uncontested applications. Where objections are received to an application, then the quorum must consist of the full three (3) member committee.
- 1.8. The Council may also appoint a member of the Council to act as a Deputy Chairperson, to act in place of the Chairperson. This is to allow for times when the Chairperson is unable to act due to illness, absence or other sufficient reason.
- 1.9. The Purpose of this Policy Document is to guide the Council on the process for the appointment of the members of this committee.

2. Appointment of Members of the Committee

2.1 Statutory Requirements

- i) Section 192 of the Act details the statutory requirements of persons appointed to the Committee.

- ii) A Territorial Authority must establish, maintain and publish its own list of persons approved to be members of the District Licensing Committee. This may be carried out jointly with another Territorial Authority.
- iii) A Territorial Authority must not approve a person to be included on that list unless that person has experience relevant to alcohol licensing matters.
- iv) A person must not be included on the list if the Territorial Authority believes that the person has, directly or by virtue of his or her relationship with another person, such that involvement or appearance of involvement with the alcohol industry that he or she could not perform his or her duties without actual bias or the appearance of bias; or that person is a constable, a Medical Officer of Health, an inspector or an employee of the Territorial Authority.

2.2 Territorial Authority Requirements

- i) The Council considers that, in addition to the statutory requirements, any person that it appoints to the Committee should also possess;
 - Intellectual ability
 - An understanding of Regulatory issues
 - Either regulatory experience, or other experience that is relevant to the activities of the committee
 - Sound judgement
 - A high standard of personal integrity
 - The ability to work as part of a team.

2.3 Appointment Process

- i) Appointment of the Chairperson and the Deputy Chairperson shall be by Resolution of the Council.
- ii) Appointments to the Committee of the other members shall be made through an Appointments Committee. The Appointments Committee shall be made up of the Chairperson, Deputy Chairperson, and Secretary (Chief Executive) of the District Licensing Committee.
- iii) The Appointment Committee will be responsible for determining the manner in which the appointments process will be undertaken and the terms and conditions of the selected candidate.
- iv) The Appointments Committee will identify a shortlist of candidates whom it considers meets the above criteria, conduct interviews, and recommend names of approved persons for appointment to the District Licensing Committee and / or inclusion on the District Licensing Committee Members List.
- v) Council will decide whether to accept the candidates and if so, how many.

3. Appointment Period (Section 192)

Any appointment to the District Licensing Committee shall be for an initial period of up to five (5) years.

4. Resignation or Removal (Section 194)

A member of the District Licensing Committee may resign from the committee at any time by providing a written resignation to the Territorial Authority.

In the case of the Chairperson, or the Deputy Chairperson, they shall cease to be the Chairperson if he or she ceases to be a member of the Territorial Authority.

The Territorial Authority may at any time remove a member of the District Licensing Committee for inability to perform the functions of office, bankruptcy, neglect of duty, or misconduct, proved to the Territorial Authority's satisfaction.

5. Appointment by Advertisement

Where the Territorial Authority decides to advertise a vacancy, the appointments committee will consider applications.

A shortlist of candidates will be made and interviewed by the appointments committee and a recommendation made to Council.

6. Appointment Without Advertisement

Where the Council decides not to advertise a particular vacancy, it will refer the matter to the Appointments Committee. The committee will identify a shortlist of candidates whom it considers meet the above criteria and will forward those to the Council together with a report explaining why these candidates meet the criteria. The committee may make a recommendation.

7. Final Appointment

The Council will make a decision in a public-excluded session (thus protecting the privacy of natural persons). Public announcement of the appointment will be made as soon as practicable after the Council has made its decision.

An elected member who is under consideration to fill a particular vacancy may not take part in the discussion or vote on that appointment.

8. Conflicts of Interest

Members of the Committee will avoid situations where their actions could give rise to a conflict of interest.

9. Remuneration

Remuneration of members of the committee is a matter that is determined by the Ministry of Justice.



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL



Committee Terms of Reference

2019 - 2022

Version Control

| Version | Changes | Adopted |
|---------|---|------------------|
| 1.0 | Document Creation | 13 November 2019 |
| 1.1 | Updates and changes to membership | 11 February 2021 |
| 1.2 | Proposed Changes to Regulatory Hearings Panel | 29 July 2021 |
| 1.3 | Proposed Inclusion of District Licensing Committee Terms of Reference | 26 August 2021 |



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

***Together
we thrive!***

COUNCIL

The purpose of the Central Hawke's Bay District Council is to enable democratic local decision making to promote the social, economic, environmental and cultural well being of the Central Hawke's Bay District in the present and for the future.

Council is made up of the Mayor and 8 Councillors (elected members). They are responsible for determining local policy and legislation, and defining the overall vision for the Central Hawke's Bay District. Council makes decisions on behalf of the ratepayers and residents.

In meeting its purpose, the Central Hawke's Bay District Council has a variety of roles:

- Facilitating solutions to local needs
- Advocacy on behalf of the local community with central government, other local authorities and other agencies
- Management of local infrastructure including network infrastructure (e.g. roading, water supply, waste disposal, libraries, parks and recreational facilities).

Environmental management planning for the current and future needs of the local district.

COMMITTEES OF THE WHOLE

| Strategy and Wellbeing Committee | Finance and Infrastructure Committee |
|---|---|
| <p>The purpose of the Strategy Committee is to determine specific outcomes that need to be met to deliver on the vision and direction of council related to wellbeing, and set in place the strategies, policies and work programmes to achieve set goals and targets.</p> <p>To develop, approve, review and recommend to Council (where applicable) statutory and nonstatutory policy, plans, bylaws and strategies to:</p> <ul style="list-style-type: none"> • Focus on the social, economic, cultural and environmental wellbeing of Central Hawke's Bay through the development of vision and strategy while identifying and promoting community aspirations. • Integrate an all of wellbeing approach to strategy, plan and policy development. • Have effective statutory plans and bylaws to protect community through a focus on the social, economic, cultural and economic wellbeings. | <p>The purpose of the Finance and Infrastructure Committee is to oversee financial and nonfinancial performance, including the delivery of the Council's Capital Programme.</p> <p>To develop, approve, review and recommend to Council (where applicable) statutory and non-statutory policy, plans, bylaws, strategies and projects:</p> <ul style="list-style-type: none"> • To monitor Council activities and services performance against budget, Annual Plans, the Long Term Plan, Annual Reports and corporate and financial policies. • The Finance and Infrastructure Committee also receives enforcement and compliance performance activity reporting to ensure financial and non-financial performance oversight of its regulatory functions. • To provide governance oversight of Council's operational programmes, services, activities and projects related infrastructural assets. • To enable the progress of the Council's operational activities, projects and services. |

STANDING COMMITTEE'S

| Risk and Assurance | Regulatory Hearings Panel | Chief Executive Performance and Employment Committee |
|---|---|---|
| <p>The purpose of the Risk and Assurance Committee is to contribute to improving the governance, performance and accountability of the Central Hawke's Bay District Council by:</p> <ul style="list-style-type: none"> • Ensuring that the Council has appropriate financial, health and safety, risk management and internal control systems in place. • Seeking reasonable assurance as to the integrity and reliability of the Council's financial and non-financial reporting. • Providing a communications link between management, the Council and the external and internal auditors and ensuring their independence and adequacy. • Promoting a culture of openness and continuous improvement. | <ul style="list-style-type: none"> • To conduct hearings and/or determine under delegated authority applications for consent and all other matters required to be heard and determined by way of a Hearing under the Resource Management Act 1991. • To conduct hearings and/or determine under delegated authority applications relating to the Dog Control Act 1996 and any other matters required for determination by Council under legislation as determined by Council. | <p>Oversees the performance of the Chief Executive in line with the performance agreement and his/her ongoing relationship with the Council, and report regularly to the Council on his or her performance.</p> |

| OTHER COUNCIL SPECIAL COMMITTEES (EXCLUDING WORKING GROUPS) | | |
|--|------------------------------|----------------|
| District Licensing Committee (DLC) | Civic Awards Panel Committee | CVOS Committee |
| The DLC is responsible for considering and determining all applications, and renewals, for Liquor Licenses and Managers Certificates. The Committee is also responsible for the consideration and determination of Temporary Authorities and Special Licences made under the Sale and Supply of Alcohol Act (SSAA) 2012. | | |

| CENTRAL HAWKE'S BAY DISTRICT COUNCIL | |
|--------------------------------------|--|
| Membership | Her Worship the Mayor Alex Walker (Chair) Deputy Mayor Kelly Annand (Deputy Chair) Councillor Brent Muggeridge, Councillor Pip Burne, Councillor Tim Aitken, Councillor Gerard Minehan, Councillor Kate Taylor, Councillor Exham Wichman, Councillor Jerry Greer. |
| Meeting frequency | The council shall meet every 8 weeks or as required. |
| Quorum | As set by Standing Orders. |
| Purpose | <p>The purpose of the Central Hawke's Bay District Council is to enable democratic local decision-making to promote the social, economic, environmental and cultural well-being of the Central Hawke's Bay District in the present and for the future.</p> <p>Council is made up of the Mayor and 8 Councillors (elected members). They are responsible for determining local policy and legislation, and defining the overall vision for the Central Hawke's Bay District. Council makes decisions on behalf of the ratepayers and residents.</p> <p>In meeting its purpose, the Central Hawke's Bay District Council has a variety of roles:</p> <ul style="list-style-type: none"> • Facilitating solutions to local needs • Advocacy on behalf of the local community with central government, other local authorities and other agencies • Management of local infrastructure including network infrastructure (e.g. roading, water supply, waste disposal, libraries, parks and recreational facilities) • Environmental management planning for the current and future needs of the local district. |
| Responsibilities | <p>The Council's terms of reference include the following powers which cannot be delegated to committees, officers or any other subordinate decision making body.</p> <p>The power to:</p> <ol style="list-style-type: none"> 1. make a rate 2. make a bylaw 3. borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan 4. adopt a Long Term Plan or Annual Plan and Annual Report 5. appoint a Chief Executive |

| | |
|--|---|
| | <ol style="list-style-type: none"> 6. adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Governance Statement 7. adopt a remuneration and employment policy 8. approve or amend Council's Standing Orders 9. approve or amend the Code of Conduct for elected members 10. appoint and discharge members of committees 11. establish a joint committee with another local authority or other public body <p>In addition, Council can:</p> <ol style="list-style-type: none"> 1. approve a proposed plan under the Resource Management Act 1991 2. approve Council policy and strategy 3. remove chairpersons of committees, subcommittees 4. approve Council's recommendation to the Remuneration Authority for the remuneration of elected members 5. approve the Triennial Agreement 6. approve the Local Governance Statement 7. make decisions on representation reviews 8. appoint or remove trustees, directors or office holders to Council CCOs or COs 9. approve the recommendation of a hearings commissioner on a proposed plan, plan change or variation (including private plan change) and 10. approve a proposed plan or a change to a district plan under clause 17 of the First Schedule <p>Council will specifically retain oversight of the District Plan, Long Term Plan and Annual Plan process and decisions.</p> |
| Delegations | Council cannot delegate any of the responsibilities outlined above. |
| Professional Development and Learning | <p>Council will participate in the Elected Member Governance Training "Tipu" run by LGNZ.</p> <p>Council will engage in further professional development as required.</p> |

| STRATEGY AND WELLBEING COMMITTEE | |
|----------------------------------|--|
| Membership | <p>Deputy Mayor Kelly Annand (Chair)</p> <p>Her Worship the Mayor Alex Walker, Councillor Brent Muggeridge, Councillor Pip Burne, Councillor Tim Aitken, Councillor Gerard Minehan, Councillor Kate Taylor, Councillor Exham Wichman, Councillor Jerry Greer.</p> <p>*NB – In the absence of the Chair, the Mayor will Chair the meeting.</p> |
| Meeting frequency | The committee shall meet every 8 weeks or as required. |
| Quorum | As set by Standing Orders |
| Purpose | <p>The purpose of the Strategy Committee is to determine specific outcomes that need to be met to deliver on the vision and direction of council, and set in place the wellbeing strategies, policies and work programmes to achieve set goals and targets.</p> <p>To develop, approve, review and recommend to Council (where applicable) statutory and nonstatutory policy, plans, bylaws and strategies to:</p> <ul style="list-style-type: none"> • Focus on the social, economic, cultural and environmental wellbeing of Central Hawke's Bay through the development of vision and strategy while identifying and promoting community aspirations. • Integrate an all of wellbeing approach to strategy, plan and policy development. • Have effective statutory plans and bylaws to protect community through a focus on the social, economic, cultural and economic wellbeings. |
| Responsibilities | <p>The Strategy and Wellbeing Committee is responsible for:</p> <ul style="list-style-type: none"> • developing and adopting strategies, plans and policies that advance the Council's vision and goals, and comply with the purpose of the Local Government Act • monitoring the implementation and effectiveness of strategies, plans and policies • monitor the success of the key strategic relationships that support the implementation of key wellbeing related initiatives • general coordination of Council policy and decisions. |
| Delegations | <p>The Strategy and Wellbeing Committee has delegations to:</p> <ul style="list-style-type: none"> • developing and adopting strategies, plans and policies that advance the Council's vision and goals, and comply with the purpose of the Local Government Act • monitoring the implementation and effectiveness of strategies, plans and policies • Make full decisions on the distribution of the Pride and Vibrancy Fund, Environmental and Sustainability Fund and any other contestable community fund. • To receive decisions of the Creative New Zealand Committee and CVOS Committee. • Make recommendations to council regarding the distribution of Ruataniwha and Aramoana/Ruahine Ward Reserves. |

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| | This committee has delegations to establish a special committee, working group or community forum as required. |
|--|--|

| FINANCE AND INFRASTRUCTURE COMMITTEE | |
|--------------------------------------|---|
| Membership | <p>Councillor Brent Muggeridge (Chair)</p> <p>Her Worship the Mayor Alex Walker, Deputy Mayor Kelly Annand, Councillor Brent Muggeridge, Councillor Pip Burne, Councillor Tim Aitken, Councillor Gerard Minehan, Councillor Kate Taylor, Councillor Exham Wichman, Councillor Jerry Greer</p> <p>*NB – In the absence of the Chair, the Mayor will Chair the meeting.</p> |
| Meeting frequency | The committee shall meet every 8 weeks or as required. |
| Quorum | As set by Standing Orders |
| Purpose | <ul style="list-style-type: none"> • To assist Council to oversee financial and nonfinancial performance, including the delivery of the Council's Capital Programme. To monitor Council activities and services performance against budget, Annual Plans, the Long Term Plan, Annual Reports and corporate and financial policies. • The Finance and Infrastructure Committee also receives enforcement and compliance Performance activity reporting to ensure financial and non-financial performance oversight of its regulatory functions. • To provide governance oversight of Council's operational programmes, services, activities and projects related to infrastructural assets. • To enable the progress of the Council's operational activities, projects and services. |
| Responsibilities | <p>The Finance and Infrastructure Committee is responsible for:</p> <ul style="list-style-type: none"> • Developing and adopting plans, projects and policies that advance the Council's vision and goals in relation to its key Financial Strategy and Infrastructure Strategy while complying with purpose of the Local Government. • Monitoring the financial and non-financial performance of the organisation with a particular emphasis on the delivery of the capital works programme. implementation and effectiveness of strategies, plans and policies • Specifically monitor and provide oversight of significant projects, including reviewing business cases and agreed on next steps on significant projects. • The Finance and Infrastructure Committee is responsible for assisting Council in its general overview of procurement and tender activity. |

| | |
|--------------------|--|
| Delegations | <p>The Finance and Infrastructure Committee has delegations to:</p> <ul style="list-style-type: none">• Developing and adopting plans, projects and policies that advance the Council's vision and goals in relation to its key Financial Strategy and Infrastructure Strategy while complying with purpose of the Local Government.• Monitoring the financial and non-financial performance of the organisation with a particular emphasis on the delivery of the capital works programme, implementation and effectiveness of strategies, plans and policies• Specifically monitor and provide oversight of significant projects, including reviewing business cases and agreed on next steps on significant projects.• The Finance and Infrastructure Committee is responsible for assisting Council in its general overview of procurement and tender activity. The committee will accept and consider tenders which exceed the Chief's Executive's delegated authority to approve, for projects approved by Council through an Annual Plan or Long Term Plan. The Committee will make a recommendation to Council on the outcome of a tender process for resolution when above delegations.• The Finance and Infrastructure Committee has delegation to approve or award contracts beyond the Chief Executive's delegated authority within the parameters of approved AP/LTP Budgets up to \$4 million. <p>This committee has delegations to establish a special committee, working group or community forum as needed.</p> |
|--------------------|--|

| RISK AND ASSURANCE COMMITTEE | |
|------------------------------|---|
| Membership | <p>Chair (Independent Chair yet to be appointed)</p> <p>Councillor Tim Aitken (Deputy Chair)</p> <p>Her Worship the Mayor, Councillor Brent Muggeridge, Councillor Jerry Greer, Gerard Minehan.</p> |
| Meeting frequency | The Committee shall meet every 8 weeks or as required. |
| Quorum | As set by Standing Orders |
| Purpose | <p>The purpose of the Risk and Assurance Committee is to contribute to improving the governance, performance and accountability of the Central Hawke's Bay District Council by:</p> <ul style="list-style-type: none"> • Ensuring that the Council has appropriate financial, health and safety, risk management and internal control systems in place. • Seeking reasonable assurance as to the integrity and reliability of the Council's financial and non-financial reporting. • Providing a communications link between management, the Council and the external and internal auditors and ensuring their independence and adequacy. • Promoting a culture of openness and continuous improvement. |
| Responsibilities | <p>The Council delegates to the Risk and Assurance Committee the following responsibilities:</p> <ul style="list-style-type: none"> • To monitor the Council's treasury activities to ensure that it remains within policy limits. Where there are good reasons to exceed policy, that this be recommended to Council. • To review the Council's insurance policies on an annual basis. • To review, in depth, the Council's annual report and if satisfied, recommend the adoption of the annual report to Council. • To work in conjunction with Management in order to be satisfied with the existence and quality of cost-effective health and safety management systems and the proper application of health and safety management policy and processes. • To work in conjunction with the Chief Executive in order to be satisfied with the existence and quality of cost-effective risk management systems and the proper application of risk management policy and processes, including that they align with commitments to the public and Council strategies and plans. • To provide a communications link between management, the Council and the external and internal auditors. • To engage with Council's external auditors and approve the terms and arrangements for the external audit programme. • To engage with Council's internal auditors and approve the terms and arrangements for the internal audit programme. • To monitor the organisation's response to the external and internal audit reports and the extent to which recommendations are implemented. • To engage with the external and internal auditors on any one off assignments. • To work in conjunction with management to ensure compliance with applicable laws, regulations standards and best practice guidelines. |

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| Delegations | <p>Subject to any expenditure having been approved in the Long Term Plan or Annual Plan the Risk and Assurance Committee shall have delegated authority to approve:</p> <ul style="list-style-type: none"> • Risk management and internal audit programmes. • Terms of the appointment and engagement of the audit with the external auditor. • Additional services provided by the external auditor. • The proposal and scope of the internal audit. <p>In addition the Council delegates to the Risk and Assurance Committee the following powers and duties:</p> <ul style="list-style-type: none"> • The Risk and Assurance Committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors or external auditors, and, where appropriate, recommend action(s) to Council. • The Risk and Assurance Committee can recommend to Council: <ul style="list-style-type: none"> • Adoption or non-adoption of completed financial and non-financial performance statements. • Governance policies associated with Council's financial, accounting, risk management, compliance and ethics programmes, and internal control functions, including the: Liability Management Policy, Treasury Policy, Sensitive Expenditure Policy, Fraud Policy, and Risk Management Policy. • Accounting treatments, changes in generally accepted accounting practice (GAAP). • New accounting and reporting requirements. <p>The Risk and Assurance Committee may not delegate any of its responsibilities, duties or powers.</p> |
| Professional and Development Learning | <p>All members will participate in a Risk and Assurance Governance Training in the first year of membership.</p> |

| CHIEF EXECUTIVE EMPLOYMENT AND PERFORMANCE COMMITTEE | |
|--|--|
| Membership | Her Worship the Mayor Alex Walker (Chair) Deputy Mayor Kelly Annand, Councillor Tim Aitken, Councillor Brent Muggeridge |
| Meeting frequency | As required and agreed with the Chair, but at least three times a year |
| Purpose | Oversees the performance of the Chief Executive in line with the performance agreement and his/ her ongoing relationship with the Council, and report regularly to the Council on his or her performance. |
| Responsibilities | To monitor performance of the Chief Executive. To ensure that the Council is fulfilling its duties as a good employer under schedule 7 of the Local Government Act, 2002. |
| Delegations | The Council delegates to the Chief Executive Employment and Performance Committee the following powers, duties and responsibilities: <ul style="list-style-type: none"> • To oversee the employment of the Chief Executive in accordance with the Local Government Act, 2002. • To recommend to Council the methodology and specific performance measures to carry out the review of the performance of the Chief Executive. • The delegated authority to employ independent expertise to assist with any review or advice up to a maximum of \$10,000 before seeking approval from Council. • To recommend to Council on matters relating to the Chief Executive's employment and remuneration. • The committee have delegations to make variations to the Chief Executive Employment agreement so long as it is pursuant to the Local Government Act. • The committee will delegate the approval of leave, professional development and expenses, within approved budgets, to the Mayor. |
| Professional Development and Learning | All members will participate in Chief Executive Employment and Performance Training in the first year of membership. |

| REGULATORY HEARINGS PANEL | |
|-----------------------------|--|
| Membership | <p>Councillor Tim Aitken – Regulatory Hearings Panel Chair (Panel)</p> <p>Councillor Pip Burne</p> <p>Councillor Kate Taylor (Panel)</p> <p>Councillor Jerry Greer (Panel)</p> <p>Commissioner Eileen von Dadelszen (Chair and Panel)</p> <p>Commissioner George Lyons (Chair and Panel)</p> <p>Commissioner Janeen Kydd-Smith (Chair and Panel)</p> <p>Commissioner Robert Schofield (Chair and Panel)</p> <p>Commissioner Mick Lester (Chair and Panel)</p> <p>Commissioner Dr Roger Maaka (Panel)</p> <p>Commissioner Loretta Lovell (Panel)</p> <p>Commissioner Liz Lambert (Panel)</p> <p>Commissioner Grey Wilson (Panel)</p> <p>Commissioner Lucy Cooper (Panel)</p> <p>Under the delegated authority of Council to the Chief Executive, the Chief Executive has the ability to introduce additional Commissioners onto the panel, to provide essential specialist skills and/or to manage conflicts of interest (perceived or potential) that may arise from time to time.</p> |
| Meeting Frequency | As and when required |
| Purpose | <ul style="list-style-type: none"> To conduct hearings and/or determine under delegated authority applications for consent and all other matters required to be heard and determined by way of a Hearing under the Resource Management Act 1991. To conduct hearings and/or determine under delegated authority applications relating to the Dog Control Act 1996 and any other matters required for determination by Council under legislation as determined by Council. |
| Hearing Appointments | <p>When determining the make-up of resource consent and other Hearing Panels, the following factors must be taken into account by the Chief Executive in consultation with the Regulatory Hearings Panel Chair:</p> <p>(s) any conflict of interest (perceived or potential) between Committees and/or Committee Member where the Panel member is an elected member or Independent Commissioners</p> <p>(b) any conflict of interest identified by the Chair or raised by applicants and/or submitters;</p> <p>(c) the need for specific expertise in particular cases;</p> <p>(d) the need to manage the workload of Councillors and Commissioners by allocating the resource consent and other statutory policy process hearing workload among Commissioners and Councillors, depending on</p> |

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| | <p>commitments, availability, with a particular focus that no perceived or potential bias to particular Councillor or Independent Commissioners occurs;</p> <p>(e) the need for any particular local knowledge.</p> |
| Delegations: | <p>All delegations to this Panel are to be exercised within the framework of the Council's adopted regulatory policies, plans, strategies, policy guidelines and by-laws.</p> <p>The Council delegates to the Regulatory Hearings Panel the following powers, duties and responsibilities:</p> <ul style="list-style-type: none"> • Implementation of the Resource Management Act, the Operative District Plan and other regulatory Acts and Regulations in terms of judicial and regulatory responsibilities. • All powers, duties and discretions under the Resource Management Act 1991¹ to allow the above matters to be undertaken other than: <ul style="list-style-type: none"> • The consideration or hearing of any application where the Council is the applicant • The making of a recommendation on a requirement for a Designation or a Heritage Order where the Council is the Requiring Authority • Exercising the power of delegation. • All Council's powers, duties and discretions in respect to the Dog Control Act 1996 in terms of judicial and regulatory responsibilities and the monitoring of the implementation of Council's regulatory service delivery functions under that Act. • In terms of judicial and regulatory service delivery responsibilities, and monitoring and implementation of these listed regulatory functions all: <ul style="list-style-type: none"> • Powers, duties and discretions vested in the Council by the Crown Minerals Act 1991. • Powers, functions and discretions under Building (Pools) Amendment Act 2016. • Powers, duties and discretions pursuant to Section 78 232 of the Building Act 2004 with the exception of the power to set fees and charges. • Determining any Appeals to a Determination made by the Chief Executive under the Council's Consolidated Part 3 (Public Safety) Clause 4 – Liquor. • Pursuant to Section 34A of the Resource Management Act 1991 and clause 32 of Schedule 7 of the Local Government Act 2002 the Council directs that: <ul style="list-style-type: none"> • Commissioners appointed to Joint Hearings shall be a member of the Regulatory Hearings Panel together with not less than |

¹ Note: For the avoidance of doubt, the Regulatory Hearings Panel is not delegated the functions, powers and duties to hear and make decisions on submissions made in relation to a proposed plan, policy statement, plan change or variation under the RMA. Such functions, powers and duties are delegated to a Panel of accredited RMA hearings commissioners appointed by the Council on an as needed basis.

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| | <p>one or more than two others. One of who shall, if possible, be a member representing the Ward in which the site subject to the application is located.</p> <ul style="list-style-type: none">• Commissioners appointed to deal with all other matters shall be a member of the Regulatory Hearings Panel together with not less than one other, who shall, if possible, be a member representing the Ward in which the site subject to the application is located. |
| Professional Development, Learning and Qualifications | <p>In accordance with Section 39B of the Resource Management Act 1991, all persons appointed to a Hearing Panel shall hold a current Making Good Decisions Certification, except where there are exceptional circumstances in accordance with Ministry for the Environment best practice guidelines.</p> |

| DISTRICT LICENSING COMMITTEE | |
|------------------------------|---|
| Membership | <p>The DLC must consist of three members appointed by the Central Hawke's Bay District Council (Council). The Council must appoint one member as the Chairperson, and that person must either be a member of the Council or a Commissioner appointed to the DLC by the Chief Executive Officer of the Council on the recommendation of the Council.</p> <p>The other two members of the DLC must be appointed from the Councils list² of persons approved to be members of the District Licensing Committee.</p> <p>The Council may also appoint a member of the Council to act as a Deputy Chairperson, to act in place of the Chairperson. This is to allow for times when the Chairperson is unable to act due to illness, absence or other sufficient reason.</p> <p>Appointment of the Chairperson and the Deputy Chairperson shall be by Resolution of the Council.</p> <p>Current Members:</p> <ul style="list-style-type: none"> • Councillor Gerard Minehan (Chair) • Councillor Exham Wichman (Deputy Chair) • Commissioner Tania Kerr • List Member Sally Butler • List Member Mark Williams <p>In the case of the Chairperson, or the Deputy Chairperson, they shall cease to be the Chairperson if he or she ceases to be a member of the Council.</p> |
| Meeting frequency | As and when required |
| Quorum | A Quorum of the Committee may consist of the Chairperson sitting alone to determine uncontested applications. Where objections are received to an application, then the quorum must consist of the full three-member committee. |
| Purpose | The DLC is responsible for considering and determining all applications, and renewals, for Liquor Licences and Managers Certificates. The Committee is also responsible for the consideration and determination of Temporary Authorities and Special Licences made under the Sale and Supply of Alcohol Act 2012 (SSLA). |

² s192 SSLA - This list consists of persons who have experience relevant to Liquor Licensing matters, but are not involved with, nor have the appearance of being involved with, the alcohol industry; nor can they be a Police Constable, a Medical Officer of Health, an Inspector or an employee of the Territorial Authority.

Appointments made to the list of approved persons can be for a period of up to five years, and they can then be approved for one or more periods of up to five years.

A Territorial Authority must establish, maintain and publish its own list of persons approved to be members of the District Licensing Committee. A Territorial Authority must not approve a person to be included on that list unless that person has experience relevant to alcohol licensing matters.

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| <p>Responsibilities</p> | <p>Administer the Council's alcohol licensing framework as determined by the SSLA.</p> <ol style="list-style-type: none"> 1. to consider and determine applications for licences and manager's certificates, 2. to consider and determine applications for renewal of licences and manager's certificates, 3. to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136, 4. to consider and determine applications for the variation, suspension, or cancellation of special licences, 5. to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280, 6. with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority, 7. to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175, and 8. any other functions conferred on licensing committees by or under this Act or any other enactment. <p>The Committee may make recommendations to Council. While the DLC is a committee of Council and receives Council administrative support, it operates as an independent quasi-judicial body. DLC decisions can be appealed to the Alcohol and Regulatory Licensing Authority (ARLA).</p> |
| <p>Delegations</p> | <p>The power to make decisions on Liquor licenses, Managers Certificates, Temporary Authorities and Special Licences are set out in the SSLA.</p> <p>Appointments to the Committee of the other members shall be made through an Appointments Committee process that:</p> <ul style="list-style-type: none"> • Is made up of the Chairperson, Deputy Chairperson, and Secretary (Chief Executive or Chief Executive's delegated officer) of the DLC. • Is responsible for determining the manner in which the appointments process will be undertaken and the terms and conditions of the selected candidate. • will identify a shortlist of candidates whom it considers meets the above criteria, conduct interviews, and recommend names of approved persons for appointment to the DLC and / or inclusion on the DLC Members List. • Recommend to Council the preferred appointment(s) for confirmation. <p>The Council considers that, in addition to the statutory requirements, any person that it appoints to the Committee should also possess:</p> <ul style="list-style-type: none"> • An understanding of Regulatory issues • Either regulatory experience, or other experience that is relevant to the activities of the committee • A high standard of personal integrity • The ability to work as part of a team. <p>The Council may at any time remove a member of the DLC for inability to perform the functions of office, bankruptcy, neglect of duty, or misconduct, proved to the Council's satisfaction.</p> |

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| Professional Development and Learning | Members of the District Licensing Committee are required to complete both on-line training provided by LGNZ and attend any other relevant training offered through the District Licensing Committee (DLC) Network. |
| Remuneration | Remuneration of members of the Committee is a matter that is determined by the Ministry of Justice. |

6.5 CEMETERIES POLICY FOR ADOPTION

File Number: COU1-1411

Author: Jennifer Leaf, Places & Open Spaces Manager

Authoriser: Doug Tate, Group Manager Customer and Community Partnerships

Attachments: 1. Existing Cemeteries Policy [↓](#)
2. Draft Cemeteries Policy [↓](#)

PURPOSE

The matter for consideration by the Council is the adoption of the Draft Cemeteries Policy.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

- a) **The Draft Cemeteries Policy be adopted and the existing Cemeteries Policy be deleted.**

BACKGROUND

The former Cemeteries Policy was adopted 18 May 2017 and is due for review. Note that it must be considered in conjunction with the Cemeteries Bylaw which appears to have been created in 2008 and re-adopted in 2018.

There is a need to review the existing policy, however, there are a number of activities planned or underway that recommend a more thorough review at that time. Currently, the Burials and Cremations Act 1964 is under review and recently published its summary of submissions but has yet to finalise the Act. Council has also identified the need for a Cemeteries Strategy which has been funded in 2024 of the LTP. With this other work planned or underway, the nature of this review has been to place the policy into the new template, ensure that there are no conflicts with the existing bylaw, and address any policy matters raised in operation in recent years. Overall, the policy intent in this review has not changed.

The recommended changes to the 2017 policy which are now in the attached draft are:

- Updated references to Standards (was a new one on Memorials in 2018) and the Bylaw, plus links to current LTP, Fees etc.
- Added some text on the Purpose regarding the review of the Cemeteries and Burial Act
- Added some text to give some context under Introduction including number, names, and status of our cemeteries.
- Added a section to support the policy of providing up-to-date burial records
- Added definition for 'Family'
- Removed most of the section 'Veteran Affairs NZ' and just added a bullet under Service Cemeteries. And added a definition of Partner.

DISCUSSION

The Cemeteries Policy falls within the Community Facilities Activity Management Plan area of the Central Hawkes Bay District Council's Governance Policy Framework and states: "Elected Members are responsible for approving Activity Management Plans (and Policies) but are assisted in their decision making by information provided by Activity Managers. This Policy, once adopted, will provide agreed direction that has involved consideration between the alignment of the strategic management of the cemeteries activity, its associated assets, and long-term approach to the provision and maintenance, and the provided levels of service.

During this review it was considered what other local authorities have in this space. The Act says that councils may make bylaws and this is what most Councils but not all seem to have done. Fewer councils just have a policy and some have both. The main reason for a bylaw is to control or prohibit certain behaviours. The policy is to set direction for the service provided.

We understand that the policy does not fit neatly into Councils Governance Policy Framework, blurring the framework between what is operational procedure and governance policy. We recommend that despite this challenge, Council adopt the policy which is largely unchanged, with major review undertaken in 2024 as part of the Cemeteries Management Plan Review.

RISK ASSESSMENT AND MITIGATION

The responses to decisions made around burials and ash interments, how people adorn family and friends’ graves, and express their grief in public cemeteries can be an emotive one. Without further knowledge of outcome of the Act under review and consultation with our community the intent is to continue status quo with only minimal changes. This keeps the risk low and as is until a more comprehensive review in a few years’ time.

FOUR WELLBEINGS

The Cemeteries activity and related policy primarily relate to the cultural, social, and environmental well-beings.

DELEGATIONS OR AUTHORITY

The Local Government Act 2002 specifies that one of Council’s key responsibilities is to develop and adopt policies. This directional policy falls within the Strategy and Wellbeing Committee as identified in the Governance Policy Framework.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed of low significance. The draft policy and its changes has a low impact on a small number of people. Future cemetery planning work in 2024 will provide the opportunity for community engagement and consultation that will inform the next iteration of the policy.

OPTIONS ANALYSIS

Three possible options are:

- 1. Adopt the Draft Cemeteries Policy as is,
- 2. Adopt the Draft Cemeteries Policy with amendments, or
- 3. Do not adopt the Draft Cemeteries Policy and direct officers to do more work.

| | <u>Option 1</u> | <u>Option 2</u> | <u>Option 3</u> |
|---|---|--|---|
| | Adopt the Draft Cemeteries Policy | Adopt the Draft Cemeteries Policy with amendments | Do not adopt the Draft Cemeteries Policy and direct officers to do more work. |
| Financial and Operational Implications | There are no known financial implications and operational implications makes the policy consistent with the bylaw | Same as Option 1, but depending on amendment. | Continues with the status quo until a new policy is adopted. Could be unplanned cost and resource not fully anticipated at this time. |

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| Long Term Plan and Annual Plan Implications | No changes to the adopted Long Term Plan or Annual Plans. Aligns with programme outlined in LTP. | No changes to the adopted Long Term Plan or Annual Plans | No changes to the adopted Long Term Plan or Annual Plans |
| Promotion or Achievement of Community Outcomes | The Cemeteries activity supports a proud district, strong communities, and connected citizens. | The Cemeteries activity supports a proud district, strong communities, and connected citizens. | The Cemeteries activity supports a proud district, strong communities, and connected citizens. |
| Statutory Requirements | Council has a statutory role to provide cemeteries via the Burial and Cremations Act 1964, however, there is no statutory requirement to have a cemeteries policy. | Council has a statutory role to provide cemeteries via the Burial and Cremations Act 1964, however, there is no statutory requirement to have a cemeteries policy. | Council has a statutory role to provide cemeteries via the Burial and Cremations Act 1964, however, there is no statutory requirement to have a cemeteries policy. |
| Consistency with Policies and Plans | There does not appear to be any conflict with the bylaw | There does not appear to be any conflict with the bylaw | There does not appear to be any conflict with the bylaw |

Recommended Option

This report recommends option one, Adoption of the Draft Cemeteries Policy for addressing the matter.

NEXT STEPS

Officers will update the policy review sheet, remove 'draft', add dates, set controls and make the document final. Finally, make available on website in the policy section.

RECOMMENDATION

That having considered all matters raised in the report:

- a) The Draft Cemeteries Policy be adopted and the existing Cemeteries Policy be deleted.**

| Central Hawke's Bay District Council | POLICY MANUAL | |
|--------------------------------------|----------------|-------------|
| | Document # | 6.2 |
| | Approved by: | Council |
| | Adoption Date: | 18-05-2017 |
| | Last Amended: | 07-05-2015 |
| | Review Date: | May 2020 |
| | Page: | Page 1 of 3 |

CEMETERIES POLICY

1. Council will provide for orderly and respectful burials at all cemeteries in harmonious surroundings; to provide up-to-date burial records; and to carry out improvements as required to provide long-term burial space.
2. To have an orderly and equitable system for reserving plots at cemeteries.
3. The sale of reserve plots be restricted to one plot and then only in conjunction with the burial of a member of the same family.
4. Families who already have reserved plots must use these before further reserve plots can be purchased.

Headstones and Memorials

1. No Person may carry out any work in a cemetery including constructing or altering a memorial other than in a manner expressly authorised by Council. Work does not include the placement of floral tributes.
2. Applications for consent to erect a memorial must be made on the Council's Memorial Application Consent form.
3. An application for consent shall be accompanied by:
 - (a) The plans for the memorial including materials and dimensions
 - (b) The wording of any proposed epitaph or inscription and associated insignia and graphics
4. A Memorial must meet the following requirements:
 - (a) The applicant is the Plot Holder, the Plot Holder's family or their agent.
 - (b) No graphics are to be put on the back of a memorial – this area is to be limited to the Family surname only.
 - (c) No offensive graphics, insignia, words, phrases or offensive nick names are allowed.
 - (d) Maximum size for insignia and photographs to be 120mm high x 120mm wide.
 - (e) No more than two insignia and one photograph per headstone.
 - (f) The memorial must be approved by Council staff prior to installation. If approval is not granted the applicant can request that the decision be reviewed at a public excluded Council meeting. This decision will be final and binding.
 - (g) The foundations and any work described on the plan must comply with either;
 - i) The requirements of Veterans' Affairs New Zealand in the case of memorials in the Services Section of the Cemetery or
 - ii) NZS4242:1995 Headstone and Cemetery Monuments or its amendments, and the Headstone Specifications set by Council.
 - (h) The memorial headstone is constructed of granite stone or other material approved by Council.

CHBDC Policy Manual - Document # 6.2 CEMETERIES POLICY - Adoption Date 18.05.2017

5. The Council may at the plot holders expense remove or restore to its original condition any memorial that is:
 - (a) Erected or altered in breach of this policy, or
 - (b) In such disrepair that the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967 apply.

Maintenance of Headstones Policy

1. The upkeep of headstones is the responsibility of relatives of the deceased or any other persons entitled to maintain the monument.
2. Where any headstone, monument or grave is a danger to persons frequenting or working in a cemetery, relatives of the deceased will be sought and asked to make the headstone, monument or grave safe.
3. If no relatives can be found, Council will remove the headstone or monument and restore the gravesite in grass.
4. Where Council removes the headstone or monument and restores the gravesite in grass, the name of the person or persons buried in the grave will be recorded on a plaque either:
 - a) on the gravesite; or
 - b) on a memorial cairn erected on the cemetery site.

Exclusive Right of Burial Policy

1. Any exclusive right of burial granted by the reservation of a plot will expire after sixty years from the date of acquisition. Upon the expiration of the exclusive right of burial, Council will notify the owner in writing and, at its discretion, may offer a renewal of the exclusive right of burial. If the plot is no longer required, the owner will surrender the right of renewal and Council will refund the fee paid upon acquisition. Council may then dispose of the plot in any manner it thinks fit.
2. Any owner of the exclusive right of burial may, with the Council's consent, transfer their interest to any other person.

Services Cemeteries

1. Services Cemeteries are legislated for under Section 15 of the Burial and Cremation Act 1964 and amendments.
2. Council to provide land for the exclusive right of burial for persons who have been on operational service in her Majesty's Forces and their spouses/partners. Council may make application to Veterans' Affairs New Zealand for funding to support the establishment and ongoing maintenance and development of the Service Cemetery.
3. Ex-service personnel who have had war service, or service that is defined as equivalent to war service and their spouses/partners may be buried in a Services Cemetery. A burial plot/ashes plot is provided free of charge however payment of the interment fees as set out by Council is required.

CHBDC Policy Manual - Document # 6.2 CEMETERIES POLICY - Adoption Date 18.05.2017

Veteran Affairs New Zealand

- Arrange Installation and replacement of plaques through an installation contract.
- Arrange for payment of the maintenance grant. These amounts are based on the area taken up by the Services Cemetery and cannot be exceeded. These amounts are reviewed regularly.
- Arrange for the payment of agreed development costs. All requests for capital works such as landscaping and development work are considered, but priority is given to the provision of new berms.
- Arrange yearly liaison visits.

For current Levels of Service, refer to the CHBDC LTP: Council Activities - Cemeteries.

For financials, refer to Schedule of Fees and Charges.

For further information refer to CHBDC Cemeteries Bylaw [Part 14] 2008 and NZS 4242 Headstones and Cemetery Monuments 1995 (specifying minimum structural design criteria, performance and renovation requirements for cemetery monuments).



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL

Cemeteries Policy

Adopted: **DRAFT**

Review: xxxx

Together we Thrive! E ora ngātahi ana!

Central Hawke's Bay District Council

DRAFT

Draft Cemeteries Policy Review
ADOPTED xxxx - REVIEW xxxx

E ora ngātahi ana!

Central Hawke's Bay District Council

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Draft Cemeteries Policy Review
ADOPTED xxxx - REVIEW xxxx

E ora ngātahi ana!

Central Hawke's Bay District Council

DRAFT

Draft Cemeteries Policy Review
ADOPTED xxxx - REVIEW xxxx

E ora ngātahi ana!

Central Hawke's Bay District Council

Introduction

Cemeteries play an important role in our society by not only providing a site for departed family members to be put to rest but supporting our sense of community and history. Cemeteries reflect the history of local people and cultures that founded and influenced our District but are also an expression of the different cultures of today's residents.

The population of Central Hawkes Bay District is now growing and associated with this are the changing demographics and increasing cultural diversity. The management of cemeteries needs to meet changes in community expectations and enhance sustainable use of cemetery reserve land.

Council has a statutory role in providing cemeteries via the Burial and Cremation Act 1964. The Central Hawkes Bay District Council manages 15 cemeteries. They are well maintained and are peaceful places for family and friends and are open to visitors 365 days a year during daylight hours. They are:

| Cemetery | Location | Status |
|------------------------------|--|--|
| Ashley Clinton Cemetery | 324 Mill Road, Ashley Clinton | Open – approximately 7 years remaining |
| Central Hawke's Bay District | 13 Warwick Road, Waipawa. Adjacent to the Waipawa Cemetery | New and a large area for future burials |
| Church Knoll | 3375 Pourerere Road, Pourerere | Unofficial and closed cemetery, reserve land |
| Elsthorpe | 2629 Kahuranaki Road, Patangata | Open |
| Forest Gate (Ongaonga) | 82 Blackburn Road, Ongaonga | Open |
| Kaikora North | Knorp Street, Otane | Closed |
| Makaretu | 127 Clinton-Makaretu Road, Ashley Clinton | Open |
| Old Hampden Bush | 16 Holden Road, Tikokino | Closed |
| Otane | State Highway 2 Otane | Maximum capacity. Only interring in reserved burial plots or ash plots |
| Porangahau | Adjacent to the Anglican Church of St Michael and All Angels, C31-33 Keppel Street, Porangahau | Open |
| St. Peter's Church | 5a Church Street, Waipawa | Unofficial and closed – passive reserve |
| Takapau | 4456 State Highway 2, Takapau | Open |
| Tikokino Hampden Bush | 15 Cemetery Road, Tikokino | Open |
| Waipawa | 31 Cemetery Road, Waipawa and adjacent to the newer Central Hawke's Bay Cemetery | Open |
| Waipukurau | 166 Porangahau Road, Waipukurau | Maximum capacity. Only interring in reserved burial plots or ash plots |

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Central Hawke's Bay District Council

Policy Objectives

This policy sets the direction to ensure our cemeteries are a safe way to care for our deceased, are managed efficiently and with standards that protect public health and the environment.

This Policy should be read in conjuncture with the Central Hawkes Bay District Council Bylaws – Part 14 Cemeteries. The government is currently reviewing the Burial and Cremation Act 1964 and the Cemetery Bylaw may be reviewed following on from the enactment of amendments to this Act.

Intent of this policy is to:

- Maintain peaceful and reflective spaces that are appropriate and sensitive to all cemetery users
- Set out rules that ensure an orderly and equitable system for reserving plots at cemeteries
- Provide up-to-date burial records
- Carry out improvements as required to provide long-term burial space

Application

Allocation of Plots

Plots are allocated by the Council staff. Where a request is made for a particular plot, agreement to such a request is at the sole discretion of the Places and Open Spaces Manager who will endeavour to accommodate such a request providing this does not conflict with effective operational management of the cemetery.

Reserving Plots for Future Use

1. Council recognises that families and close relatives often wish to be interred in close proximity. The allocation of plots is carefully managed to ensure the best use of available cemetery space and resources.
2. Pre-purchasing plots is permitted at the time of an interment if the family of the deceased wish to reserve a plot adjacent to the burial. The sale of reserve plots is restricted to one plot and then only in conjunction with the burial of a member of the same family or close relative.
3. Families who already have reserved plots must use these before further reserve plots can be purchased.
4. Family and Families is defined as - Grandparent, parent, sibling, child, spouse, civil union partner, de facto partner of the deceased.

Headstones and Memorials

1. No Person may carry out any work in a cemetery including constructing or altering a memorial other than in a manner expressly authorised by Council. Work does not include the placement of floral tributes.
2. Applications for consent to erect a memorial must be made on the Council's Memorial Application Consent form.
3. An application for consent shall be accompanied by:
 - (a) The plans for the memorial including materials and dimensions

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- (b) The wording of any proposed epitaph or inscription and associated insignia and graphics
4. A Memorial must meet the following requirements:
 - (a) The applicant is the Plot Holder, the Plot Holder's family or their agent.
 - (b) No graphics are to be put on the back of a memorial – this area is to be limited to the Family surname only.
 - (c) No offensive graphics, insignia, words, phrases or offensive nick names are allowed.
 - (d) Maximum size for insignia and photographs to be 120mm high x 120mm wide.
 - (e) No more than two insignia and one photograph per headstone.
 - (f) The memorial must be approved by Council staff prior to installation. If approval is not granted the applicant can request that the decision be reviewed at a public excluded Council meeting. This decision will be final and binding.
 - (g) The foundations and any work described on the plan must comply with either;
 - i. The requirements of Veterans' Affairs New Zealand in the case of memorials in the Services Section of the Cemetery, or
 - ii. NZS4242:2018 Headstone and Cemetery Monuments, and the Headstone Specifications set by Council.
 - (h) The memorial headstone is constructed of granite stone or other material approved by Council.
 5. The Council may at the plot holders expense remove or restore to its original condition any memorial that is:
 - (a) Erected or altered in breach of this policy, or
 - (b) In such disrepair that the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967 apply.
 6. Adornment of graves and ash plots are managed in a way to maintain peaceful and reflective spaces that are appropriate and sensitive to all cemetery users as well as minimise harm to visitors, maintenance staff, and the environment. The Council encourages visitors to limit the use of plastic and select tributes made of natural materials and confine their decoration to the beam headstone area.

Maintenance of Headstones and Safety

1. The upkeep of headstones is the responsibility of relatives of the deceased or any other persons entitled to maintain the monument.
2. Where any headstone, monument or grave is a danger to persons frequenting or working in a cemetery, relatives of the deceased will be sought and asked to make the headstone, monument or grave safe.
3. If no relatives can be found, Council will remove the headstone or monument and restore the gravesite in grass.
4. Where Council removes the headstone or monument and restores the gravesite in grass, the name of the person or persons buried in the grave will be recorded on a plaque either:
 - a) on the gravesite; or
 - b) on a memorial cairn erected on the cemetery site.

Cemetery Records

1. All Cemetery applications and interment records are kept on file
2. Cemetery maps are kept updated.

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3. Reservation and interment data are entered into Council's digital record-keeping system
4. Photos of newly installed plaques and headstones are added and/or updated into Council's digital record-keeping system.
5. Links are made available from the Council's website for the public to access cemetery records.

Exclusive Right of Burial

1. Any exclusive right of burial granted by the reservation of a plot will expire after sixty years from the date of acquisition (under s of the Burial and Cremations Act 1964). Upon the expiration of the exclusive right of burial, Council will notify the owner in writing and, at its discretion, may offer a renewal of the exclusive right of burial. If the plot is no longer required, the owner will surrender the right of renewal and Council will refund the fee paid upon acquisition. Council may then dispose of the plot in any manner it thinks fit.
2. Any owner of the exclusive right of burial may, with the Council's consent, transfer their interest to any other person.

Services Cemeteries

1. Services Cemeteries are legislated for under Section 15 of the Burial and Cremation Act 1964 and amendments.
2. Council will provide land for the exclusive right of burial for persons who have been on operational service in her Majesty's Forces and their spouses/partners. Council may make application to Veterans' Affairs New Zealand for funding to support the establishment and ongoing maintenance and development of the Service Cemetery.
 - a. Council staff will work with Veteran Affairs New Zealand to arrange for maintenance grants and capital works.
3. Ex-service personnel who have had war service, or service that is defined as equivalent to war service and their spouses (including partners - persons who have lived in a relationship in the nature of marriage), may be buried in a Services Cemetery. A burial plot/ashes plot is provided free of charge however payment of the interment fees as set out by Council is required.
 - a. The Council will on application consider the interment of the spouse/partner prior to the death of the qualifying veteran. Approval is at the discretion of the Manager.

References

For current Levels of Service, refer to the current CHBDC Long Term Plan: Council Activities – Places and Open Spaces - Cemeteries. [long-term-plan-final.pdf \(chbdc.govt.nz\)](#)

For the costs of Cemetery services, refer to Schedule of Fees and Charges. [Current Fees & Charges | Central Hawke's Bay District Council \(chbdc.govt.nz\)](#)

For further information on the hours of operations and other operational rules refer to CHBDC Cemeteries Bylaw [Part 14] 2018 [CHBDC:Part 1:2008](#), and NZS 4242:2018 Headstones and Cemetery Monuments (specifying minimum structural design criteria, performance and renovation requirements for cemetery monuments).

Burial and Cremation Act 1964

Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967 Cremation Regulations 1973

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Health Act 1956

Health (Burial) Regulations 1946

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6.6 DELETION OF SOLID WASTE POLICY

File Number: COU1-1411

Author: Josh Lloyd, Group Manager - Community Infrastructure and Development

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Solid Waste Policy [↓](#)

PURPOSE

The matter for consideration by the Committee is the deletion of the Solid Waste Policy 2014.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

- a) **That the Solid Waste Policy 2014 be deleted**

BACKGROUND

Council adopted a Solid Waste Policy in 2014 to provide broad guidance on the services that Council would provide for the management of refuse and recycling in the District. The Policy is brief in nature and can be summarised as stating:

- Council will provide cost-effective services for refuse disposal
- Council supports and promotes awareness and education of recycling, re-use practices
- There will be formal criteria for how waste is accepted at Council facilities

The Policy was due for review in 2017 but has not been reviewed. In the same period, Council have progressed and adopted a number of new governance documents including the completion of a Section 17a Review, the update of the WMMP (twice), the creation of an Environmental and Sustainability Strategy and the adoption of 3 Long Term Plans.

DISCUSSION

Officers are proposing to delete the existing Solid Waste Policy (the Policy) as it is considered outdated, superseded by new documents and not adding any value to decision making or direction to Officers or the public.

Specifically, it is considered that the WMMP and Environmental and Sustainability Strategy remove the need for the Policy. The table below provides detail on the content within the Policy and a comment on how it is proposed to be managed following deletion.

| Policy Position | Proposal to Manage After Deletion |
|---|---|
| Council will provide a cost-effective Recycling and Refuse Disposal System using the goals and methods of the Solid Waste Management and Minimisation Plan. | This position is inherent within Councils WMMP and adopted LTP |
| Council supports and promotes the education and principles of its 'Reuse, Recycle and Reducing Waste Strategy' | This position is built into Councils WMMP and Environmental and Sustainability Strategy |
| All waste deposited or disposed of at a Council-owned Waste Facility shall pay a fee for the disposal of that waste as per the CHBDC LTP Appendix 1: Schedule of Fees and Charges or negotiated contract. | This position is built within Councils fees and charges schedule adopted with the LTP |
| The types of waste accepted at a Council- | This position is covered within Councils |

| | |
|--|--|
| owned Waste Facility shall be governed by the Waste Acceptance Criteria for the District Landfill (defined in the Landfill Management Plan). | operational processes and management approaches including specific contracts with customers of the landfill and guided by the Landfill Management Plan |
|--|--|

RISK ASSESSMENT AND MITIGATION

The risks associated with the proposed and recommended deletion of the Policy are considered low due to the explained mitigations in the table in the section above whereby each policy position is shown to be covered by a new document of appropriate significance and mandate.

The primary risk/s and mitigations are detailed below for further clarity.

| Risk | Mitigation |
|---|---|
| Council loses ability to clearly articulate its direction on key Policy positions | Each policy position has been replaced in either the LTP, WWMP or Environmental and Sustainability Strategy |
| Community/stakeholders cannot easily interpret and adhere to Councils direction on key Policy positions | Each policy position has been replaced in either the LTP, WWMP or Environmental and Sustainability Strategy |

FOUR WELLBEINGS

The recommendation of this report has ability to impact most significantly on Environmental wellbeing. The proposal to delete the Policy is not considered to alter Council's current commitment to Environmental wellbeing either positively or negatively as it is suggested purely that the Policy be deleted with its core components covered/replicated in other documents that already exist.

DELEGATIONS OR AUTHORITY

This report is coming to Committee as the adoption, altering or deletion of this sort of Policy can only be completed by Council or Committee as per the direction of Councils adopted Governance Policy Framework.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as being of some importance.

OPTIONS ANALYSIS

The following options are provided:

Option 1 – Committee resolve to delete the Policy

Option 2 – Committee resolve not to delete the Policy and provide guidance/direction on next steps

| <u>Option 1</u> | <u>Option 2</u> |
|--|---|
| Committee resolve to delete the Policy | Committee resolve not to delete the Policy and provide guidance/direction on next steps |

| | | |
|---|--|--|
| Financial and Operational Implications | <p>There are not considered to be any financial implications by deleting the Policy.</p> <p>Operationally deleting the Policy will provide clarity for officers who work routinely already with the new documents that supersede the Policy.</p> | <p>There are no financial implications of not deleting the Policy.</p> <p>Officers consider that not deleting the Policy would be operationally sub-optimal.</p> |
| Long Term Plan and Annual Plan Implications | There are no LTP or AP implications of either option. | |
| Promotion or Achievement of Community Outcomes | As no Policy positions are proposed for change, there are not considered to be any positive or negative impacts on the promotion or achievement of community outcomes. | Not deleting the Policy will maintain status quo. |
| Statutory Requirements | There are no relevant specific statutory requirements. | |
| Consistency with Policies and Plans | Deleting the Policy will remove the current and future risk for inconsistency between the Policy and existing policies and plans. | Maintaining the Policy maintains a risk (considered manageable) of inconsistency between the Policy and existing policies and plans. |

Recommended Option

This report recommends **option 1 - Committee resolve to delete the Policy** for addressing the matter.

NEXT STEPS

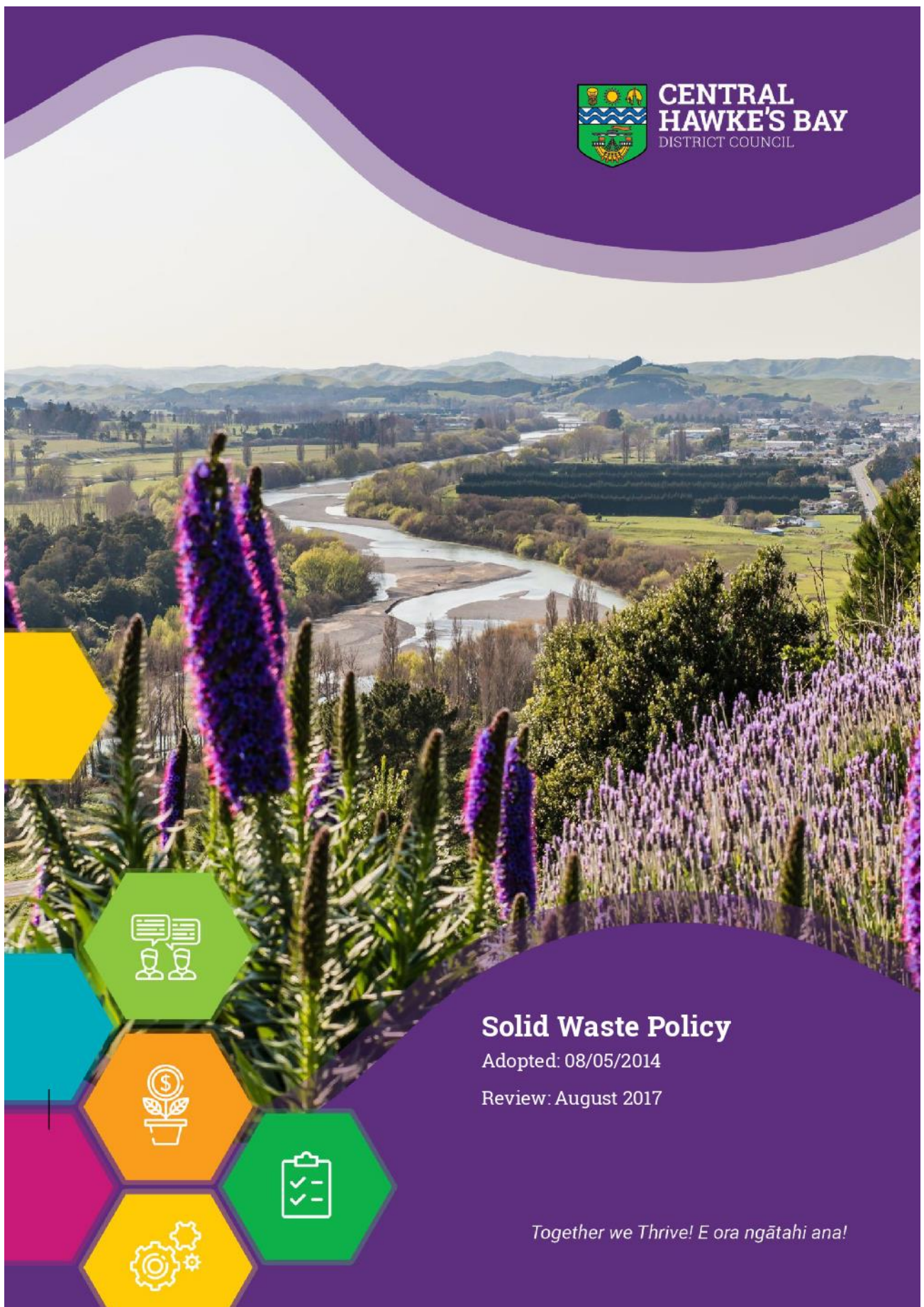
Should the Committee resolve to delete the Policy, Officers will remove it from internal and external facing sites.

RECOMMENDATION

- a) That the Solid Waste Policy 2014 be deleted**



**CENTRAL
HAWKE'S BAY**
DISTRICT COUNCIL



Solid Waste Policy

Adopted: 08/05/2014

Review: August 2017

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Solid Waste Policy

Council will provide a cost-effective Recycling and Refuse Disposal System using the goals and methods of the Solid Waste Management and Minimisation Plan.

Council supports and promotes the education and principles of its 'Reuse, Recycle and Reducing Waste Strategy'.

All waste deposited or disposed of at a Council-owned Waste Facility shall pay a fee for the disposal of that waste as per the CHBDC LTP Appendix 1: Schedule of Fees and Charges or negotiated contract.

The types of waste accepted at a Council-owned Waste Facility shall be governed by the Waste Acceptance Criteria for the District Landfill (defined in the Landfill Management Plan).

Supporting Documentation

- CHB Solid Waste Management and Minimisation Plan
- Waste Minimisation Act 2008
- CHBDC Solid Waste Bylaw [Part 6] 2008
- CHBDC Landfill Management Plan
- CHBDC Delegations Register
- CHBDC LTP Appendix 1: Schedule of Fees and Charges
- Local Government Act 2002
- Resource Management Act 1991

Solid Waste Policy
ADOPTED 08/05/2014 - REVIEW August 2017

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7 DATE OF NEXT MEETING

RECOMMENDATION

THAT the next meeting of the Central Hawke's Bay District Council Strategy and Wellbeing Committee be held on 21 October 2021.

8 TIME OF CLOSURE