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- 1 KARAKIA
- 2 APOLOGIES
- 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

Ordinary Council Meeting - 23 September 2021

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 23 September 2021 as circulated, be confirmed as true and correct.

MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL COUNCIL MEETING HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA ON THURSDAY, 23 SEPTEMBER 2021 AT 9.00AM

PRESENT: Mayor Alex Walker

Deputy Mayor Kelly Annand

Cr Jerry Greer Cr Exham Wichman Cr Brent Muggeridge

Cr Tim Aitken Cr Gerard Minehan Cr Kate Taylor Cr Pip Burne

IN ATTENDANCE: Monique Davidson (Chief Executive)

Brent Chamberlain (Chief Financial Officer)

Doug Tate (Group Manager, Customer and Community Partnerships)

Joshua Lloyd (Group Manager, Community Infrastructure and Development)

Darren de Klerk (Director Projects and Programmes)
Caitlyn Dine (Governance and Support Officer)

1 KARAKIA

Cr Taylor presented the Karakia

2 APOLOGIES

That the apology of Kaiārahi Matua Maaka be noted.

Introductions of new staff.

3 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Annand declared a conflict of interest in the organisation report, she is the general manager of Connect Driver Licensing and noted contract negotiations are not done by her they are completed by her chairperson.

4 STANDING ORDERS

RESOLVED: 21.87

Moved: Cr Kate Taylor Seconded: Cr Gerard Minehan

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.

CARRIED

CONFIRMATION OF MINUTES 5

RESOLVED: 21.88

Cr Kate Taylor Moved: Seconded: Cr Pip Burne

That the minutes of the Ordinary Council Meeting held on 29 July 2021 as circulated, be confirmed

as true and correct.

CARRIED

6 **REPORTS FROM COMMITTEES**

6.1 MINUTES OF THE STRATEGY AND WELLBEING COMMITTEE MEETING HELD ON 26 AUGUST 2021

RESOLVED: 21.89

Deputy Mayor Kelly Annand

Seconded: Cr Exham Wichman

RECOMMENDATION

That the minutes of the meeting of the Strategy and Wellbeing Committee held on 26 August 2021 be received.

CARRIED

6.2 MINUTES OF THE FINANCE AND INFRASTRUCTURE COMMITTEE MEETING HELD **ON 12 AUGUST 2021**

RESOLVED: 21.90

Moved: Cr Brent Muggeridge Seconded: Cr Jerry Greer

RECOMMENDATION

1. That the minutes of the meeting of the Finance and Infrastructure Committee held on 12 August 2021 be received.

CARRIED

6.3 MINUTES OF THE RISK AND ASSURANCE COMMITTEE MEETING HELD ON 16 SEPTEMBER 2021

RESOLVED: 21.91

Moved: Cr Tim Aitken Seconded: Cr Kate Taylor

RECOMMENDATION

1. That the minutes of the meeting of the Risk and Assurance Committee held on 16 September 2021 be received.

CARRIED

7 REPORT SECTION

7.1 ADOPTION OF ANNUAL REPORT 2020/2021

PURPOSE

The matter for consideration by the Council is to adopt the Annual Report for the Year Ended 30 June 2021.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report and following the recommendation of the Risk and Assurance Committee:

a) That Council adopt the Annual Report and Annual Report Summary for the year ended 30 June 2021.

AMENDMENT

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Brent Muggeridge

b) That council delegates to the Chief Executive any final minor changes for completion of the Annual Report.

CARRIED

Mr Chamberlain presented this report.

7.2 THREE WATERS REFORM - UPDATE TO COUNCIL AND ENDORSEMENT OF FEEDBACK TO GOVERNMENT

PURPOSE

The purpose of this report is to update Council on the Government's 30 June 2021 and 15 July 2021 Three Waters Reform announcements, which change the reform process previously outlined in 2020, the specific data and modelling Council has received to date, the implications of the revised Three Waters Reform proposal for Council and alternative service delivery scenarios and next steps (including uncertainties).

RESOLVED: 21.92

Moved: Cr Gerard Minehan Seconded: Cr Jerry Greer

That having considered all matters raised in the report:

- a. That Council **notes** the Government's 30 June and 15 July 2021 Three Waters Reform announcements.
- b. That Council **notes** officers' advice on the accuracy of the information provided to Council in June and July 2021 as a result of the RFI and WICS modelling processes.
- c. That Council **notes** officers' analysis of the impacts of the Government's proposed three water service delivery model on the Central Hawke's Bay community and its wellbeing, including the impacts on the delivery of water services and water related outcomes, capability and capacity, on Central Hawke's Bay District Council's sustainability (including rating impact, debt impact, and efficiency) and **notes** that based on this analysis, an alternate model to the Government proposal is preferred with the preference being for the development of a Hawke's Bay Regional entity to deliver 3 waters services.
- d. That Council **notes** the analysis of three waters service delivery options available to Council at this time provided in this report.
- e. That Council **notes** that a decision to support the Government's preferred three waters service delivery option is not lawful (would be ultra vires) at present due to section 130 of the Local Government Act 2002 (LGA), which prohibits Council from divesting its ownership or interest in a water service except to another local government organisation, and what we currently know (and don't know) about the Government's preferred option.
- f. That Council **notes** that it cannot make a formal decision on a regional option for three waters service delivery without doing a Long Term Plan (LTP) amendment and ensuring it meets section 130 of the LGA.
- g. That Council **notes** that the Government intends to make further decisions about the three waters service reform model after 30 September 2021.
- h. That Council **notes** that it would be to expect to gain an understanding of the community's views once Council has further information from the Government on the next steps in the reform process.
- i. That Council **requests** the CEO to seek guidance on and/or give feedback to the Government (via a formal letter) on:
 - the following areas of the Government's proposal that Council needs more information on:
 - Commercial arrangements between Entity C and existing suppliers, stakeholders or partners

- 2. The decision-making process for this reform programme and the current proposal/s
- 3. Service delivery and response challenges for the new entity and how it will meet customer needs
- 4. Financial implications of the proposals and modelling
- 5. Governance and ownership considerations
- 6. Pricing and charging mechanisms
- 7. Prioritisation of work (maintenance and capital works) under the new entity
- 8. Challenges and opportunities during any transition/change process
- 9. Support from Government for the proposed and preferred Hawke's Bay model
- the following changes to the Government's proposal/process:
- 1. The establishment of a Hawke's Bay Regional model for the delivery of 3 waters services
- 2. That Central Hawke's Bay is guaranteed representation in any proposed governance structure of a newly established entity
- 3. That the reform process be clarified, and that community are formally and meaningfully engaged to provide feedback
- j. That Council **notes** that the CEO will report back further once they have received further information and guidance from Government, LGNZ and Taituarā on what the next steps look like and how these should be managed.
- k. That Council **in noting the above**, **agrees** it has given consideration to sections 76, 77, 78, and 79 of the Local Government Act 2002 and in its judgment considers it has complied with the decision-making process that those sections require (including, but not limited to, having sufficient information and analysis that is proportionate to the decisions being made).

CARRIED

AMENDMENT

Moved: Cr Gerard Minehan Seconded: Cr Jerry Greer

- i. the following changes to the Government's proposal/process:
- 4. That we demand Central Government to take a stronger lead and work with the sector in better informing and communicating with community about the multiple reform programmes with a particular emphasis on the difference between 3 Waters Reform, and Water Services Bill. We request that the Government provide clear and concise reassurance about the combined vision of the multiple reform programmes that effect Local Government, and how that relates to the constitutional makeup of democracy in New Zealand.

Mrs Davidson, Mr Lloyd and presented this report.

Meeting adjourned at 10:44am for a morning tea break.

Meeting resumed at 11:00am.

7.3 RESOLUTION MONITORING REPORT

PURPOSE

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

RESOLVED: 21.93

Moved: Cr Jerry Greer Seconded: Cr Exham Wichman

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

CARRIED

Mrs Davidson presented this report.

7.4 DISTRICT LICENSING ANNUAL REPORT 2020/2021

PURPOSE

The purpose of this report is that Council is required to report annually on the proceedings and operations of the District Licensing Committee under section 199 of the Sale and Supply of Alcohol Act 2012.

RESOLVED: 21.94

Moved: Cr Pip Burne Seconded: Cr Kate Taylor

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

CARRIED

Mrs Harrison presented this report.

7.5 ANNUAL DOG CONTROL POLICY AND PRACTICES REPORT 2020/2021

PURPOSE

The purpose of bringing this report to Council is to formally report on the effectiveness of the Central Hawke's Bay District Council's dog policy and control practices. This report is required under the Dog Control Act 1996.

The report includes statistics for registrations and complaint investigation, as well as key achievements for the reporting period.

RESOLVED: 21.95

Moved: Cr Kate Taylor Seconded: Cr Exham Wichman

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

CARRIED

Mrs Harrison presented this report.

7.6 RESIDENT'S OPINION SURVEY RESULTS 2021

PURPOSE

The purpose of this report is to provide elected members with the overall highlights received from the 2021 Resident's Opinion Survey.

RESOLVED: 21.96

Moved: Cr Gerard Minehan Seconded: Cr Kate Taylor

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

CARRIED

Mr Tate presented this report.

Page 285 Cr Taylor would like to see the locations.

7.7 HAWKE'S BAY LOCAL AUTHORITY SHARED SERVICES - COUNCIL CONTROLLED ORGANISATION EXEMPTION

PURPOSE

To obtain a decision from the Council to continue to exempt the Hawke's Bay Local Authority Shared Services Limited (HBLASS) from the requirements imposed on Council Controlled Organisations (CCOs) under the Local Government Act 2002 (LGA).

RESOLVED: 21.97

Moved: Cr Pip Burne Seconded: Cr Kate Taylor

That having considered all matters raised in the report:

- a) the report titled 'Hawke's Bay Local Authority Shared Services Council Controlled Organisation Exemption' be received.
- b) the exemption of Hawke's Bay Local Authority Shared Services (HBLASS) from the Council Controlled Organisation requirements (Local Government Act Section 7(3)) is approved.
- c) noting that all five Hawke's Bay Councils are required to resolve that the HBLASS Limited be exempted from being a CCO be noted.
- d) Council will actively support shared and common goal setting, decision-making, resourcing including financial contribution, staff and communication.

CARRIED

Mr Chamberlain presented this report.

8 MAYOR AND COUNCILLOR REPORTS

8.1 MAYOR'S REPORT FOR SEPTEMBER 2021

EXECUTIVE SUMMARY

The purpose of this report is to present Her Worship the Mayor's report.

This report will be presented to Council on the day.

RECOMMENDATION

That the Mayor's report for September 2021 be received.

This report was not tabled on the day.

8.2 STRATEGY AND WELLBEING COMMITTEE CHAIR REPORT

PURPOSE

The purpose of this report is to present the Strategy and Wellbeing Committee Chair Report.

RESOLVED: 21.98

Moved: Cr Gerard Minehan

Seconded: Cr Pip Burne

That the Strategy and Wellbeing Committee Chair Report for September 2021 be received.

CARRIED

Cr Annand presented this report.

8.3 FINANCE AND INFRASTRUCTURE COMMITTEE CHAIR'S REPORT

PURPOSE

The purpose of this report is to present the Finance and Infrastructure Committee Chair Report.

This report will be presented to Council on the day.

RECOMMENDATION

That the Finance and Infrastructure Committee Chair Report be noted.

This report was not tabled on the day.

8.4 RUATANIWHA WARD REPORT

PURPOSE

The purpose of this report is to present the Ruataniwha Ward Report.

This report will be presented to Council on the day.

RESOLVED: 21.99

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Jerry Greer

That the Ruataniwha Ward Report for September 2021 be received.

CARRIED

Cr Annand presented this report.

8.5 ARAMOANA/RUAHINE WARD REPORT

PURPOSE

The purpose of this report is to present the Aramoana/Ruahine Ward Report.

RESOLVED: 21.100

Moved: Cr Tim Aitken Seconded: Cr Kate Taylor

That the Aramoana/Ruahine Ward Report for September 2021 be received.

CARRIED

Cr Aitken presented this report.

9 CHIEF EXECUTIVE REPORT

9.1 BI MONTHLY ORGANISATION PERFORMANCE REPORT AUGUST - SEPTEMBER 2021

PURPOSE

The purpose of this report is to present to Council the organisation report for August - September 2021.

RESOLVED: 21.101

Moved: Mayor Alex Walker Seconded: Cr Tim Aitken

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

CARRIED

Mrs Davidson presented this report.

Council moved to public excluded at 12:00pm

10 PUBLIC EXCLUDED BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED: 21.102

Moved: Cr Brent Muggeridge

Seconded: Deputy Mayor Kelly Annand

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution				
10.1 - Resolution Monitoring Report - Public Excluded	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7				
	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities					
	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)					
10.2 - Central Hawke's Bay Consumers Power Trust 2021 Trustee Election	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting woul be likely to result in the disclosur of information for which good				
	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority	reason for withholding would exist under section 6 or section 7				
10.3 - August District Plan Key Projects Status Report	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good				
	s7(2)(g) - the withholding of the information is necessary to	reason for withholding would exist under section 6 or section 7				

	maintain legal professional privilege	
10.4 - C1126 - Extension of Desludging Contract	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage,	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
	negotiations (including commercial and industrial negotiations) s7(2)(j) - the withholding of the information is necessary to prevent the disclosure or use of official information for improper gain or improper advantage	
10.5 - C1148 - Tikokino Road Water Main (Stage 2 and 3) - Tender Outcome Report	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.6 - C1173 - Tender Outcome Report (3 Waters Consultancy Support Panel)	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(h) - the withholding of the information is processary to enable	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
	information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	

CARRIED

11 DATE OF NEXT MEETING

RESOLVED: 21.103

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Exham Wichman

THAT the next meeting of the Central Hawke's Bay District Council be held on 17 November 2021.

CARRIED

Cr Taylor closed the meeting with a karakia.

12 TIME OF CLOSURE

The Meeting closed at 1:07pm.

The minutes of this meeting were confirmed at the Council Meeting held on 17 November 2021.

	 	•••	•••	 ••	 -	 	•	 ••	 	 -		 -	 •	 -	 	

CHAIRPERSON

6 REPORTS FROM COMMITTEES

6.1 MINUTES OF THE STRATEGY AND WELLBEING COMMITTEE MEETING HELD ON 21 OCTOBER 2021

File Number:

Author: Caitlyn Dine, Governance & Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Minutes of the Strategy and Wellbeing Committee Meeting held on

21 October 2021

RECOMMENDATION

1. That the minutes of the meeting of the Strategy and Wellbeing Committee held on 21 October 2021 be received.

The Committee refers the following recommendations to Council:

Item 6.1 Page 17

MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL STRATEGY AND WELLBEING COMMITTEE MEETING HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA ON THURSDAY, 21 OCTOBER 2021 AT 9.00AM

PRESENT: Deputy Mayor (Chair) Kelly Annand

Cr Jerry Greer Cr Kate Taylor Cr Exham Wichman Mayor Alex Walker Cr Tim Aitken

Cr Brent Muggeridge Cr Gerard Minehan Cr Pip Burne

IN ATTENDANCE: Doug Tate (Group Manager, Customer and Community Partnerships)

Monique Davidson (Chief Executive)

Joshua Lloyd (Group Manager, Community Infrastructure and Development)

Dylan Muggeridge (Strategic Planning and Development Manager)

Caitlyn Dine (Governance and Support Officer)

1 KARAKIA

Councillor Taylor presented the karakia.

2 APOLOGIES

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan Seconded: Cr Kate Taylor

That the apology of Kaiārahi Matua Maaka be noted.

CARRIED

Councillor Muggeridge was late and arrived at 9:15am.

2 DECLARATIONS OF CONFLICTS OF INTEREST

NIL

3 STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr Kate Taylor Seconded: Cr Pip Burne

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.

CARRIED

4 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Mayor Alex Walker Seconded: Cr Jerry Greer

That the minutes of the Strategy and Wellbeing Committee Meeting held on 26 August 2021 as circulated, be confirmed as true and correct.

CARRIED

Student Brooke Pawai – St Josephs School presented her speech on Nga Ara Tipuna. Student Connor Hansen – Takapau Primary School presented his speech on the Environment.

5 REPORT SECTION

6.1 STRATEGY AND WELLBEING 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

RECCOMENDATION

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 Exham Wichman Seconded: Cr Gerard Minehan

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

CARRIED

Mrs Davidson introduced this report. Followed by staff presentations:

Mrs Wiggins presented Waste Free CHB

Mr Tate presented Social Housing

Mrs Campbell presented Economic Development

Mr Lloyd presented Environmental Strategy

Mrs Campbell presented Community Wellbeing Strategy

Whaea Kupa presented Tūhono Mai Tūhono Atū

Mrs Renata presented Community Planning

6.3 THRIVING PLACES AND SPACES PROGRAMME

PURPOSE

The purpose of this report is to present the Committee with an overview of the Thriving Places and Spaces programme. This report also provides the Committee oversight of the community engagement strategy for the next steps of the programme, and procedurally seeks a resolution in accordance with Section 41(5) of the Reserves Act 1977, pertaining to community engagement in the development of reserve management plans.

COMMITTEE RESOLUTION

Moved: Cr Brent Muggeridge Seconded: Cr Jerry Greer

- a) That, having considered all matters raised in the report, the report be noted.
- b) That the discussion documents and high-level engagement plan presented in the attachments to the report be noted
- c) That the Thriving Places and Spaces Programme be used to assist in the development of reserve management plans, and to satisfy Section 41(5) of the Reserves Act 1977, with community engagement in November 2021 – January 2022 providing the opportunity for initial community input into development of these plans.

CARRIED

Mr Muggeridge presented this report.

Moved to report 6.5 before report 6.4.

6.5 COMMUNITY PRIDE & VIBRANCY FUND - WHAKANUIA MATARIKI KI TAMATEA FESTIVAL

PURPOSE

The purpose of this report is to inform the Strategy and Wellbeing Committee of the event funded by the Community Pride & Vibrancy Fund namely the Whakanuia Matariki Ki Tamatea Festival held at Russell Park, Waipukurau on Friday 18 June 2021, in accordance with the Community Funding Policy.

COMMITTEE RESOLUTION

Moved: Cr Exham Wichman Seconded: Cr Kate Taylor

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

CARRIED

Te Rangimarie Ngarotata presented this report alongside Phil Morris.

6.4 ECONOMIC DEVELOPMENT ACTION PLAN UPDATE

PURPOSE

The purpose of this report is to bring Committee members up to date on the implementation of the Economic Development Action Plan (2019) so far and highlight key activities that have been completed across the seven work streams in the Plan. Ongoing implementation status updates will be provided as part of regular Strategy and Wellbeing Committee priority reporting.

COMMITTEE RESOLUTION

Moved: Cr Kate Taylor Seconded: Mayor Alex Walker

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

CARRIED

Mrs Campbell presented this report.

6.6 ANNUAL COMMUNITY GROUP REPORTING SUMMARY

PURPOSE

The purpose of this report is to provide to the Strategy and Wellbeing Committee for its formal receipt, reports from community partners and organisations required annually or biennially.

COMMITTEE RESOLUTION

Moved: Cr Kate Taylor Seconded: Cr Pip Burne

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

CARRIED

Mr Tate presented this report.

6 DATE OF NEXT MEETING

RECOMMENDATION

THAT the next meeting of the Central Hawke's Bay District Council Strategy and Wellbeing be held in 2022.

7	TIME	\sim E	\sim 1	00	
/	TIME	OF	ĿL	.OSI	UKE

The Meeting closed at 10.46am.	
	CHAIRPERSON

6.2 MINUTES OF THE FINANCE AND INFRASTRUCTURE COMMITTEE MEETING HELD ON 7 OCTOBER 2021

File Number:

Author: Caitlyn Dine, Governance & Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Minutes of the Finance and Infrastructure Committee Meeting held

on 7 October 2021

RECOMMENDATION

1. That the minutes of the meeting of the Finance and Infrastructure Committee held on 7 October 2021 be received.

The Committee refers the following recommendations to Council:

Item 6.2 Page 23

MINUTES OF CENTRAL HAWKES BAY DISTRICT COUNCIL FINANCE AND INFRASTRUCTURE COMMITTEE MEETING HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA ON THURSDAY, 7 OCTOBER 2021 AT 9.00AM

PRESENT: Chairperson Brent Muggeridge

Cr Tim Aitken

Deputy Mayor Kelly Annand

Cr Gerard Minehan Cr Kate Taylor Cr Pip Burne

IN ATTENDANCE: Joshua Lloyd (Group Manager, Community Infrastructure and Development)

Monique Davidson (Chief Executive)

Nicola Bousfield (Group Manager, People and Business Enablement) Via

Zoom

Brent Chamberlain (Chief Financial Officer) Via Zoom

Darren de Klerk (Director Projects and Programmes) via Zoom

Caitlyn Dine (Governance and Support Officer)

1 KARAKIA

Cr Taylor lead the Karakia.

2 APOLOGIES

COMMITTEE RESOLUTION

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Pip Burne

That the apology of Mayor Walker, Dr Maaka, Cr Wichman and Cr Greer be noted.

CARRIED

3 DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

4 STANDING ORDERS

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan

Seconded: Deputy Mayor Kelly Annand

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

CARRIED

5 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan Seconded: Cr Tim Aitken

That the minutes of the Finance and Infrastructure Committee Meeting held on 12 August 2021 as

circulated, be confirmed as true and correct.

CARRIED

6 REPORT SECTION

6.1 RESOLUTION MONITORING REPORT

PURPOSE

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

COMMITTEE RESOLUTION

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Pip Burne

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

CARRIED

Mrs Davidson presented this report.

Cr Muggeridge noted that the item Draft Financial Report and Carry Forwards for the 2020/2021 Financial Year should be noted as Completed as the annual plan has been adopted.

6.2 FINANCE AND INFRASTRUCTURE COMMITTEE PRIORITY REPORT

PURPOSE

The purpose of this report is to present to the Finance and Infrastructure Committee an update on key priorities.

COMMITTEE RESOLUTION

Moved: Cr Pip Burne Seconded: Cr Tim Aitken

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

CARRIED

MOTION

Moved: Chairperson Brent Muggeridge

Seconded: Cr Kate Taylor

That Council urgently seek Waka Kotahi investment and decisions into safety concerns of two key intersections in Waipawa and Waipukurau, and note Councils grave concerns about the lack of urgency on this matter.

CARRIED

Mrs Davidson presented this report.

6.3 KEY PROJECT STATUS REPORT - BIGWATERSTORY

PURPOSE

Following the conception of **#thebigwaterstory**, Council set about implementing the programme. A programme manager was appointed and focus given to defining the projects that form the programme in greater detail.

More recently in mid 2020, Council created a project management office (PMO) to oversee and deliver the growing capital programme.

The purpose of this key project status report serves as an opportunity to formally report to elected members on the progress of each of the projects in the relevant programme and their expected delivery against time, scope, budget and quality standards against the larger programme objectives.

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan Seconded: Cr Kate Taylor

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

CARRIED

Mr de Klerk presented this report.

6.4 KEY PROJECT STATUS REPORT - BIGWASTEWATERSTORY

PURPOSE

Following the conception of #thebigwaterstory, Council set about implementing the programme. A programme manager was appointed and focus given to defining the projects that form the programme in greater detail.

Council have recognised the growing programme, and in mid 2020 a project management office (PMO) was established and is growing as the programme and opportunities grow.

The six wastewater plants form a significant programme of works themselves, and we have prudently decided to report on the progress of these six wastewater plants and their subsequent upgrades and re-consenting separately from #thebigwaterstory. This programme has been named #thebigwastewaterstory.

The purpose of this key project status report serves as an opportunity to formally report to elected members on the progress of each of the projects and their expected delivery against time, scope, budget and quality standards against the larger programme objectives.

COMMITTEE RESOLUTION

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Pip Burne

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

CARRIED

Mr de Klerk presented this report.

6.5 SUMMARY OF ANNUAL COMMUNITY HALLS MEETING

PURPOSE

The purpose of this report is to present to Council for its receipt the annual reports from each of the district's rural halls covering the period 1 July 2020 – 30 June 2021.

COMMITTEE RESOLUTION

Moved: Cr Tim Aitken Seconded: Cr Kate Taylor

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

CARRIED

Mrs Leaf presented this report.

6.6 ELECTED MEMBERS EXPENSES FOR JULY 2021 TO AUGUST 2021

PURPOSE

The purpose of this report is to update the Committee on the Elected Members' Expenses for the four months covering July 2021 to August 2021.

COMMITTEE RESOLUTION

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Gerard Minehan

1. That, having considered all matters raised in the report, the Elected Members Expenses for July 2021 to August 2021 report be noted.

CARRIED

Mr Chamberlain presented this report.

6.7 REVIEW OF TERMS OF REFERENCE FOR THE HAWKES BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE

PURPOSE

The purpose of this report is to seek a resolution to disestablish the Hawke's Bay Water Governance Joint Committee.

COMMITTEE RESOLUTION

Moved: Cr Kate Taylor Seconded: Cr Pip Burne

That having considered all matters raised in the report:

a) That the Committee receives the "Review of Terms of Reference for the Hawke's Bay Drinking Water Governance Joint Committee" report.

b) That the Committee Recommends to Council that:

- a. The Hawke's Bay Drinking Water Governance Joint Committee be disestablished, having concluded the functions for which it was set up, and that governance oversight of drinking water safety be transferred to the Regional Leaders' Forum.
- b. The Hawke's Bay Drinking Water Joint Working Group be retained and report directly to the Regional Leaders' Forum, with a report on its future institutional and administrative support to be prepared for consideration and approval by the Regional Leaders' Forum.

CARRIED

Mr Lloyd presented this report.

Meeting adjourned for a morning tea break at 10:20am

Meeting resumed at 10:45am into public excluded business.

RESOLUTION TO EXCLUDE THE PUBLIC

COMMITTEE RESOLUTION

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Kate Taylor

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
7.1 - Public Excluded Resolution Monitoring Report	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good
	s7(2)(b)(i) - the withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret	reason for withholding would exist under section 6 or section 7
	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	
7.2 - Receipt of and Confirmation of Legal Approach - Waipukurau Centennial Library and Waipukurau Memorial Hall	s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
7.3 - Acquisition of Land for the provision of a Pound Facility.	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the	

making available of the information would be likely otherwise to damage the public interest

s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

CARRIED

6 DATE OF NEXT MEETING

COMMITTEE RESOLUTION

Moved: Cr Gerard Minehan

Seconded: Deputy Mayor Kelly Annand

THAT the next meeting of the Central Hawke's Bay District Council Finance and Infrastructure

Committee be held in 2022 .

CARRIED

2 TIME OF CLOSURE

The Meeting closed at Meeting closed 11:59am.	
	CHAIRPERSON

7 REPORT SECTION

7.1 RESOLUTION MONITORING REPORT

File Number: COU1-1400

Author: Monique Davidson, Chief Executive
Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Resolution Monitoring Report 4

PURPOSE

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

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 goodquality 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 to the next Council meeting in 2022.

RECOMMENDATION

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

Item 7.1 Page 31



Council Resolution Monitoring Report November 2021 🛭

Key	
Completed	
On Track	
Off Track	

Off Track					
Item Number	Item	Council Resolution or Action	Resolution Date	Responsible Officer	Progress Report
	Adoption of Non Rateable income funding strategic framework	a) That Council adopt the Non-rateable Income Funding Strategic Framework. b) That progress towards achieving the outcomes of the Non-rateable Income Funding Strategic Framework be reported to the Finance and Planning Committee as part of the regular work programme updates.	10/04/2019	Monique Davidson	On Track - Work continues on the implementation of this strategy. The Finance and Infrastructure Committee and Council as a whole, have worked through a number of key policy input as part of the Long Term Plan 2021 - 2031. Following the adoption of the Long Term Plan, attention will turn to further review policy and programmes. An update on this policy work will be presented to Council in the near future. The attraction of non-rateable income continues to be a huge success, and significant attention is now going into ensuring the implementation of those projects, that have external funding attached to it. Of specific note is that work has begun on the review of Council's investment policy, which is currently with the Risk and Assurance Committee before progressing to the Finance and Infrastructure Committee.
7.2	Implementation of Dust Suppression Policy	a) That Council approve targeting external funding through the creation of business cases to support investment in sealing to control dust by reallocating \$50,000 from existing carry forward budgets b) That Council reprioritise \$200,000 of the existing Land Transport budget/work programme to contribute to sealing of roads to control dust if required.	23/05/2019	Josh Lloyd	On Track - Council have completed the necessary pre- planning and prioritisation work to move forward with a sealing programme for 2021/22 and future years. A detailed work programme will be available in coming weeks pending final design and costing aspects. Alongside the additional rated income, Council are continuing to work with Waka Kotahi on a case for further investment.
	Pound Facility	That Council approve additional capital expenditure of \$297,000 in the 2019/20 for the development of a pound facility in Central Hawke's Bay.	23/05/2019	Lisa Harrison	Sale and Purchase Agreement has been signed by both parties. External consultant working on completing due diligence as part of S & P agreement in unision with providing an updated conceptual design to meet budget requirements.

	Water Security Framework - Allocation of Funding	a) That \$250k from the rural reserve fund is tagged for supporting water security initiatives in Central Hawke's Bay. b) That council supports a collaborative approach at both a local and regional level for development of water security initiatives. c) That council requests staff bring back a framework which includes further information on the potential role of Central Hawke's Bay district council together with water Holdings CHB, HBRC and the Tukituki taskforce, for understanding issues of water security and creating a local package of solutions.	23/05/2019	Monique Davidson	On Track - Council adopted an additional resolution on the 13th February giving the Chief Executive delegated authority to spend up to \$50,000 on helping advance the work of the Tukituki Leaders Forum. A report updating Council on this work is included was included the agenda for 3 June 2020. In August 2020, Council approved \$58,000 of financial support to Water Holding's Hawke's Bay to fund the science charges related to the IP they hold. With Tukituki Leaders Forum and Tukituki Taskforce no longer continuing, the Chief Executive no longer has any mandate to spend any further funding from the \$250,000 tagged without resolution of Council. \$71,000 has been spent of the \$250,000 to date. Council continues to support and advocate on water security. Hawke's Bay Regional Council have agreed to continue to provide regular upgrades to Council on the Water Security Programme.
	Land Transport Section 17(a)	That Council adopt the completed and attached Land Transport Section 17(a) Report and support Officers to programme and complete work to meet the recommendations.	29/08/2019	Josh Lloyd	On Track - the Land Transport Strategic Framework was a key document in informing the recently update Asset Mgmt. Plan and work programme to be included in the LTP and RLTP. Officers have developed a means of reporting on the numerous listed initiatives within the Framework and this will be reported routinely at Finance and Infrastructure Committee meetings
	Elected Members' Remuneration and Expenses Policy	That the council review the Elected Members' Remuneration and Expenses Policy including the childcare provision and its content before the next triennium.	14/11/2019	Monique Davidson	On Track - This work is programmed as per timeframes requested and will come back to be conisdered by Council at the first meeting of 2022.
1	Water Security Framework - Allocation of Funding	b) That Council give the Chief Executive delegations to utilise and make financial decisions of no more than \$50,000.00 from the \$250,000 tagged for the delivery of Water Security Initiatives. c) That Council in granting these delegations note that the \$50,000.00 will in principle be used to advance engagement and work within the Tukituki Leaders Forum, and specifically to ensure Central Hawke's Bay District Council has the required resources to contribute in a meaningful way.	13/02/2020	Monique Davidson	On Track - Update as above. No further action at this stage required.
	Motion (resolved) - Reserve Fund Replenishment	That Council requests the Chief Executive investigate options and lead a process as part of the Long Term Plan, for Council to consider an approach to the replenishment of key reserve funds and further, that this work considers external funding options.	13/02/2020	Monique Davidson	On Track - No progressive work has progressed on this item, given the affordability constrains presented in the Long Term Plan 2021-2031 timeframe. While provision has been included in the budgets for the replenishment of the Adverse Events Fund, at this stage no further replenishment of the Ward funds has been considered. This work will be further reviewed during the development and review of Councils current Investment Policy, where options for Community Endowment and partnerships with existing foundations will be considered.

Section 17a Review Solid Waste	Council receive the Solid Waste Section 17a Report, prepared in accordance with the requirements of Section 17a of the Local Government Act 2002.	18/11/2020	Josh Lloyd	On Track - The majority of service delivery changes have been rolled out with the completion of the trial of rural trailers nearing completion.
	2) That Council adopt the combination of options in principle for inclusion in the 2021 Long Term Plan; • That Council provide a 3rd crate for recycling collection and extend services to Otane, Takapau, Ongaonga and Tikokino; and that Council includes a wheelie bin in the consultation options with community. • That Council provide a 1201 wheeled bin for kerbside refuse from Year 3 of the Long Term Plan 2021-2031; and that Council includes status quo in the consultation options with community. • That the Recycling Drop off Centres in Otane, Takapau, Ongaonga and Tikokino close from Year 1 of the Long Term Plan 2021-2031; • That Council plan for a centralised Central Hawke's Bay Recovery and Refuse Centre in between Waipukurau and Waipawa in Year 10 on the Long Term Plan, and on opening the Centre, the Waipawa and Waipukurau Transfer Stations are closed; • 5a, to provide a regular rural recycling collection service at designated rural and coastal sites in partnership with existing local community organisations or groups; • That Council direct Officers to regularly report back to Council or Committee on the progress of the various food waste collection trials occurring in New Zealand with a plan to 'follow fast' those that have successfully implemented systems;			
	That Officers report back to Council on green and food waste collection options for Annual Plan 2022/2023.			
Community Petition	1. That the Council receives the petition. 2. That the Mayor responds to community member Dean Rangi as the instigator and submitter of the petition. 3. That Council strongly advocate on behalf of community and urge NZTA to improve safety through the Waipawa township. 4. That Council advocates via the Regional Land Transport Plan for inclusion of this road safety project.	18/11/2020	Josh Lloyd	On Track - Officers continue to work closely with Waka Kotahi to improve pedestrian safety on the state highway through Waipawa. A recent request has been sent to Waka Kotahi to attend/lead a community meeting to front the issue/s.

7.3	Regional economic development review -	a) That Council receive the Section 17a Review Economic Development	11/02/2021	Monique Davidson	On Track - Business Hawke's Bay have announced their
	section 17A review	Report, prepared in accordance with the requirements of the Section 17a of			decision to wind up. We are committed to work
		the Local Government Act 2002.			constructively and positively through the upcoming transition
		b) That Council receive the report titled Review of Local Government			period together with BHB, to give certainty as soon as
		Investment in Business and Industry Support Across the Hawke's Bay			possible and enable the great work programmes and
		Region.			initiatives to continue. All five councils formally received the
		c) That Council endorse participation in the second stage of the review			report on local government investment in business and
		process with a more detailed investigation of the recommendations set out			industry support across the region in the past weeks and
		in the Giblin Group report.			have agreed to further investigation and refinement of how
		d) Ehat Council endorses engagement with Treaty Partners and other			to build a new regional economic development agency,
		regional stakeholders on the opportunity to create an enduring Economic			alongside regional partners. The five Councils are working
		Development Delivery Platform with the appropriate scale and mandate to			through planning the second stage of the review. The
		better guide and direct economic development activity to priority areas and			transition of the business hub has successfully occurred, and
		issues.			focus now turns to developing appropriate resources for
		e) That Council support the opportunity to embed a partnership with Māori			Matariki and completing engagement of the second stage of
		in the new Economic Development Delivery Platform.			the Economic Development Review. The reccomendatoin for
		f) what this Council endorses the five Councils' commitment to keeping the			a Regional Economic Development Agency will be brought to
		Hawke's Bay Business Hub open.			the 9 December Extraordinary Council meeting for Council to
					consider.
7.5	Kairakau Water Upgrade - Project Update	1.	3/06/2021	Darren de Klerk	On Track
	(Hardness)	process - with an expected budget of \$140,000 for treatment equipment.			
					02/11 > Tender outcome report tabled 02/11 - project
		b) That Council approve to in the short term collect the hardness treatment			progressing to design/ build
		waste (brine) on site and tanker off site periodically at a lower CAPEX, but			
		ongoing OPEX - within budget increase requested above.			procurement plan for ELT approval meeting 13/07 drafted.
					Tender expected to be issued to market late July. Hui held
		c) That Council continues to investigate the longer term solutions for			with Mana Whenua.
		discharge of the by-product from the softening process.			
					Tender outcome report planned for late September/ early
		d) That Council increase the project budget from \$850,000 to \$990,000			October 2021 to be taken to relevant DFA.
		using existing Long Term Plan 2021 - Year one set budgets.			

7.6	LONG TERM PLAN 2021 - 2031 DRAFT	a)Ehat Council adopt Option 1 as set out in the Long Term Plan 2021 – 2031	13/05/2021	Josh Lloyd/Jordy	On Track - The roll out of the new recycling services is well
	DELIBERATIONS REPORT: CHALLENGE 3 -	for Challenge 3, specifically that Council selects the following service		'''	underway. Kerbside collections have been extended to new
	CREATING A WASTE FREE CHB	delivery approach for Solid Waste:			townships and are going well. Education and engagement
					campaigns continue to support the roll out of these new
		1.Extend the recycling and rubbish service at an increase of \$42,000 per			services. The rural trailer scheme has been trialled for 6
		year, and			weeks and is proving popular with participants.
		2. Entroduce a wheeled bin refuse service in year 3, and			
		3. Entroduce a 3 crate system for recycling, and			
		4. Elose the drop off centres in Otane, Takapau, Tikokino and Ongaonga			
		and the create a targeted rural recycling scheme.			
		b)压hat the submitters are thanked for their comments, which are			
		acknowledged and further that the information contained in this report is			
		provided to submitters.			
		provided to submitters.			
		c) That Council increases the UAGC contribution to Solid Waste activities			
		from \$35k to \$70k.			
		110111 \$35K to \$70K.			
7.11	LONG TERM PLAN 2018-2028 DRAFT	a)Ehat the submitters are thanked for their comments which are	12/05/2021	Doug/Jennifer	On Track - Items a and b of this resolution are complete.
/.11	DELIBERATION REPORTS: PLACES AND OPEN	acknowledged and further that the information contained in this report is	13/03/2021	Doug/Jeilillei	with resolution D, substantially being included as part of the
	SPACES	provided to the submitters.			wider Thriving Places and Spaces for the Future work
	JACES .	provided to the submitters.			programme.
		b)图hat Council encourage the clubs of Russell Park to actively participate in			
		Councils Community Facility Plan, intended to commence this calendar			
		year, subject to the confirmation of funding in the 2021 – 2031 Long Term			
		Plan.			
		Plan.			
		diverse Council and an about the second of t			
		d) Ethat Council reconsiders the request for temporary changing rooms,			
		following the completion of the Community Facilities Plan, wider club			
		feedback relating to the timing and scope of any multisport hub project for			
		Russell Park and an assessment of actual demand and need, either in the			
		2022/23 Annual Plan or as an Officer report.			
		That Council supports the concept of the development of the sports hub			
		project at Russell Park. Recognising it as a key strategic asset for Central			
		Hawkes Bay.			
	1.1 (1.0		22/22/227		Complete - Annual Report has been finalised and uploaded
7.1	Adoption of Annual Report 2020/2021	a) Ethat Council adopt the Annual Report and Annual Report Summary for	23/09/2021	Brent	to Council's website
		the year ended 30 June 2021.			
		b) Ethat council delegates to the Chief Executive any final minor changes for			
		completion of the Annual Report .			

Council Meeting Agenda 17 November 2021

7.2		That Council requests the CEO to seek guidance on and/or give feedback to	23/09/2021	Monique	Off Track - Letter was sent to the Minister and DIA. Since
	endorsement of feedback to Government	the Government (via a formal letter) on:			then the government have announced their intention to
		●Ehe following areas of the Government's proposal that Council needs more			legislate and mandate 3 Waters Reform. Council have
		information on:			publicaly noted its objection to this decision, and
		1.Eommercial arrangements between Entity C and existing suppliers,			communiticating this through a number of vehciles.
		stakeholders or partners			
		2. The decision-making process for this reform programme and the current			
		proposal/s			
		3. Service delivery and response challenges for the new entity and how it			
		will meet customer needs			
		4. Einancial implications of the proposals and modelling			
		5. Sovernance and ownership considerations			
		6.Pricing and charging mechanisms			
		7.Prioritisation of work (maintenance and capital works) under the new			
		entity			
		8.Ehallenges and opportunities during any transition/change process			
		9. Support from Government for the proposed and preferred Hawke's Bay			
		model			
		● Ehe following changes to the Government's proposal/process:			
		1.0The establishment of a Hawke's Bay Regional model for the delivery of 3			
		waters services			
		2. Inhat Central Hawke's Bay is guaranteed representation in any proposed			
		governance structure of a newly established entity			
		3. That the reform process be clarified, and that community are formally			
		and meaningfully engaged to provide feedback			
		4. Inhat we demand Central Government to take a stronger lead and work			
7.7	Hawkes Bay Local Authority Shared Services -	a) The report titled 'Hawke's Bay Local Authority Shared Services — Council	23/09/2021	Brent	Complete - Other Councils have also passed their
/./	Council Controlled Organisation Exemption	Controlled Organisation Exemption' be received.	23/03/2021		resolutions to renew the exemption.
	Council controlled Organisation Exemption	b)Ehe exemption of Hawke's Bay Local Authority Shared Services (HBLASS)			
		from the Council Controlled Organisation requirements (Local Government			
		Act Section 7(3)) is approved.			
		c)Boting that all five Hawke's Bay Councils are required to resolve that the			
		HBLASS Limited be exempted from being a CCO be noted.			
		d) Douncil will actively support shared and common goal setting, decision-			
		making, resourcing including financial contribution, staff and			
		communication.			

7.2 ADOPTION OF MEETING SCHEDULE 2021

File Number: COU1-1400

Author: Monique Davidson, Chief Executive
Authoriser: Monique Davidson, Chief Executive
Attachments: 1. 2022 Meeting Schedule 3

PURPOSE

The purpose of this report is for Council to confirm the Council Meetings and Hearings Schedule for 2022. Also included in the Schedule are the 2022 District Plan hearings and deliberation dates for Councillor reference.

RECOMMENDATION

That having considered all matters raised in the report:

1. That the Council Meetings and Hearings Schedule for 2022 be adopted.

SIGNIFICANCE AND ENGAGEMENT

This report requires a decision but is assessed as not significant per Council's significance and engagement policy.

BACKGROUND

Council may adopt a schedule of meetings for Council and Standing Committees for the 2021 calendar year in accordance with Schedule 7 Clauses 19(5)(a)(b) and 19(6)(a)(ii) of the Local Government Act 2002 (LGA).

DISCUSSION

Having Council meetings, Committee meetings and workshops provides for open and transparent decision-making by Council, while allowing Councillors and Managers the opportunity to continue informal discussion on various issues facing Council, Local Government and the community.

At any time during the year there is provision under the LGA to hold extraordinary Council meetings to deal with urgent matters.

Council is required to publicly notify Council meetings, and the adoption of a schedule ensures for seamless operational management of both public notification and development of agendas.

The **attached** proposed schedule is recommended.

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.
- Any decisions made will help meet the current and future needs of communities for goodquality 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

On adoption of the 2022 Meeting & Hearings Schedule, Council Officers will publicly notify and prepare for meetings.

RECOMMENDATION

That having considered all matters raised in the report:

1. That the CHBDC Meetings and Hearings Schedule for 2022 be adopted.

Council Meeting Agenda 17 November 2021



Central Hawke's Bay District Council Meetings & Hearings Schedule 2022

January	February		March		April		May		June		July		August	September	October		November	December
												Т	1					
													2			1		
								1	DP Hearing 4				3			2		
								2	DP Deliberations 4				4 Ordinary Council	1 Strategy and Wellbeing		3		1 Workshop
				1	DP Deliberations 2			3	DP Deliberations 4	1	DP Deliberations 6		5	2		4		2
1				2				4		2	!		6	3	1	5		3
2				3		1		5		3		Т	7	4	2	6		4
3 New Years Day obs.				4		2		6	Queens Birthday	4	ı		8	5	3	7		5
4 Public Holiday obs.	1	1		5		3		7		5	;		9	6	4	8		6
5	2	2		6		4		8		6	;	1	0	7	5	9		7
6	3	3	Workshop	7	Ordinary Council	5	Strategy and Wellbeing	9	Ordinary Council	7	Strategy and Wellbeing	1	1	8	6	10	Ordinary Council	8 Ordinary Council
7	4	4		8		6	-	10		8	3	1	2	9	7	11		9
8	5	5		9		7		11		9		1	3	10	8 ELECTION DAY	12		10
9	6	6		10		8		12		10		1	4	11	9	13		11
10	7 Waitangi day	7		11		9	DP Hearing 3	13	DP Hearing 5	11	DP Hearing 7	1	5	12	10	14		12
11	8	8		12			DP Hearing 3		DP Hearing 5		DP Hearing 7	1	.6	13	11	15		13
12	9	9		13		11	DP Hearing 3	15	DP Hearing 5	13	DP Hearing 7	1	7	14	12	16		14
13	10 Ordinary Council	10	Strategy and Wellbeing	14		12	DP Deliberations 3	16	DP Deliberations 5	14	DP Deliberations 7	1	8 Finance & Infrastructure	15 Risk and Assurance	13	17		15
14	11	11		15	Good Friday	13	DP Deliberations 3	17	DP Deliberations 5	15	DP Deliberations 7	1	9	16	14	18		16
15	12	12		16		14		18		16	5	2	0	17	15	19		17
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21	18	18	DP Deliberations 1	22		20			Matariki	22	!	2	6	23	21 Hawkes Bay	25		23
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Item 7.2- Attachment 1

7.3 RETIREMENT HOUSING POLICY - REVIEW FOR ADOPTION

File Number:

Author: Jennifer Leaf, Places & Open Spaces Manager

Authoriser: Doug Tate, Group Manager Customer and Community Partnerships

Attachments: 1. Existing Retirement Housing Policy 4 12

2. Draft Retirement Housing Policy J.

PURPOSE

The matter for consideration by the Council is the adoption of the Retirement Housing Policy.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

a) The new Retirement Housing Policy be adopted, and the existing retirement housing policy be deleted.

BACKGROUND

The current Retirement Housing Policy was adopted on 14 December 2017.

In 2019, Council adopted its Housing Strategic Framework. The overarching aim of the Framework is to 'support our community to Thrive through access to a home - He āhuru mōwai, e taurikura ai te hāpori'. This aim is supported by four strategic goals.

This body of work focusses on the achievement of Goal 4: 'Retirement Housing is provided in the most efficient and effective way'. Goal Four is supported by two result areas:

- 1. Our retirement housing is sustainable and managed to provide the most efficient and effective outcomes to our community in the widest sense.
- 2. Our Central Hawke's Bay People can retire in Central Hawke's Bay.

During 2020, Council carried out a service and delivery review of its retirement housing portfolio. This met the requirement of Section 17a of the Local Government Act 2002. Following the adoption of the final report of the Section 17a Review of the delivery of Retirement Housing Services and the 'ongoing policy review work programme', that is part of Council's Governance Policy Framework, the review of the existing Retirement Housing Policy began. A working group including Councillors brought its recommendations and sought feedback at a Council workshop on 1 July 2021 where a range of discussions occurred.

The attached Draft Retirement Housing Policy proposed for adoption is the outcome of those efforts.

Following recent lockdown and restrictive alert levels, Council officers sent a letter to all tenants notifying them of operating matters and updating them of our visit and the opportunity to view and give feedback on the Draft Retirement Housing Policy.

This occurred on Thursday, 21 October. The team met with the following tenants:

Kingston Place /Limbrick: 10 tenants

Ruahine Place: 5 tenants

Wellington Road 3 tenants

Tenants were appreciative of the visit and the opportunity to have a first-hand say in the policy. A few had a look at the document and had no comment or "looks fine to me." A few took the draft policy away and were asked to provide feedback as soon as possible. It was noted that a few of the copies shared at Kingston/Limbrick had a print error in them and Council returned and provided a corrected copy where this was known to have occurred.

One tenant called later with concerns. This tenant's concern was that they couldn't 'sign-off on it' as they did not understand what it meant by Councils 'Revenue and Financing Policy" and that they were yet to see figures that showed that Council was not making a profiteering from the activity or that they had clear reasoning for increasing rental fees. This person also did not like seeing the range of potential rentals fees in the policy (e.g. 75%-95%) and would rather have a fixed amount along with concern of rental rate increases. Officers are recommending no change at this point, as a fixed price percentage would limit any potential to increase or decrease the fees relative to the funding requirements of the activity.

Outside of the financials and 'ambiguous wording' the individual was 'happy with' the objectives an intended application of the draft policy.

As of finalising this report one other tenant has provided feedback, 'market prices are a worry.' Other feedback related operational matters. There was no other substantial feedback.

DISCUSSION

The Retirement Housing 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 retirement housing activity, its associated assets, and long-term approach to the provision and maintenance, and the provided levels of service.

RISK ASSESSMENT AND MITIGATION

Risk associated with this policy is considered quite low, and the policy actually mitigates risks in that it provides clearer direction for staff to consistently carry out its operational activities

FOUR WELLBEINGS

This decision aligns with the four wellbeing's in the following ways:

- 1. Social and Cultural: Having affordable housing supports our residents to live in their community where their social and cultural connections are.
- 2. Economic: Provision of the policy identifying that Council will provide housing in an efficient, effective, and sustainable manner supports economic well-being.
- 3. Environmental: There are no obvious benefits or negatives to environmental wellbeing.

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.

The Policy has been reviewed by the Strategy and Wellbeing Committee and due to timing is being presented at Councils meeting this calendar year, rather than waiting for the next Strategy and Wellbeing Committee in the new calendar year.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as of some significance in that it has impacts on the users of the service. The matters were generally consulted on during the Long Term Plan process following the Section 17a service and delivery review.

OPTIONS ANALYSIS

The options with this report are:

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

	Option 1	Option 2	Option 3
	Adopt the Retirement Housing Policy	Adopt the Retirement Housing Policy with amendments	Do not adopt the Retirement Housing Policy and direct officers to do more work.
Financial and Operational Implications	There are minimal financial implications from the existing (2014) policy, with the new policy providing clearer expectations in setting rents. Operationally, direction is much clearer in who the service is for and outcomes to be achieved with service.	Same as Option 1, however relative to amendments proposed.	Continues with the status quo until a new policy is adopted.
Long Term Plan and Annual Plan Implications	As the service is rates neutral Officers will recommend annual changes to the 'Fees and Charges' to best achieve the objectives of the policy.	As the service is rates neutral, Officers will recommend annual changes to the 'Fees and Charges' to best achieve the objectives of the policy.	As the service is rates neutral Officers will recommend annual changes to the 'Fees and Charges' to best achieve the objectives of the policy.
Promotion or Achievement of Community Outcomes	The Retirement Housing activity supports strong communities, connected citizens, and durable infrastructure.	The Retirement Housing activity supports strong communities, connected citizens, and durable infrastructure.	The Retirement Housing activity supports strong communities, connected citizens, and durable infrastructure.
Statutory Requirements	The Policy is in line with required Healthy Homes Standard and Tenancy regulations	Policy is in line with required Healthy Homes Standard and Tenancy regulations	Policy is in line with required Healthy Homes Standard and Tenancy regulations, however is relative to the extent of Council change

Consistency with policies and plans.

The policy is consistent with the Housing Strategic Framework adopted in 2019 and the Revenue and Financing Policy, dependent on amendments

The existing policy lacks clarity.

The policy is consistent with the Housing Strategic Framework adopted in 2019 and the Revenue and Financing Policy

Recommended Option

This report recommends Option One, Adoption of the Retirement Housing 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 Retirement Housing Policy be adopted, and the existing retirement housing policy be deleted.

Control Hazyko's Ray District Council	POLICY MANUAL			
Central Hawke's Bay District Council	Document #	6.9		
	Approved by:	Council		
	Adoption Date:	14-12-2017		
RETIREMENT HOUSING POLICY	Last Amended:	14-12-2017		
	Review Date:	December 2020		
	Page:	Page 1 of 1		

- 1. Council will provide Retirement Housing to a good standard.
- 2. This activity shall have no rates input.
- 3. All prospective tenants should be aged sixty (60) years or over.
- All prospective tenants are required to fill in a full application form (link below) and meet the required criteria.
- 5. Prospective tenants may be means-tested by the Council.
- Prospective tenants that are current home owners and/or have sizeable assets may not be considered for Retirement Housing.
- 7. The Utilities Manager will undertake the allocation of tenants for all retirement flats.
- 8. The Retirement Housing waiting list of prospective tenants is held in the Utilities Office.
- For applications to be held on the Retirement Housing waiting list, all Council required criteria must have been met.
- 10. Vacant Retirement Housing will be allocated from the Retirement Housing waiting list which will be run on a 'first in, first served' basis and/or special circumstances.
- Retirement Housing Rules and Regulations will be adhered to as listed in the Retirement Housing Agreement Document (link below).

Conditions including Council Rights and Responsibilities are covered under The Residential Tenancies Act 1986.

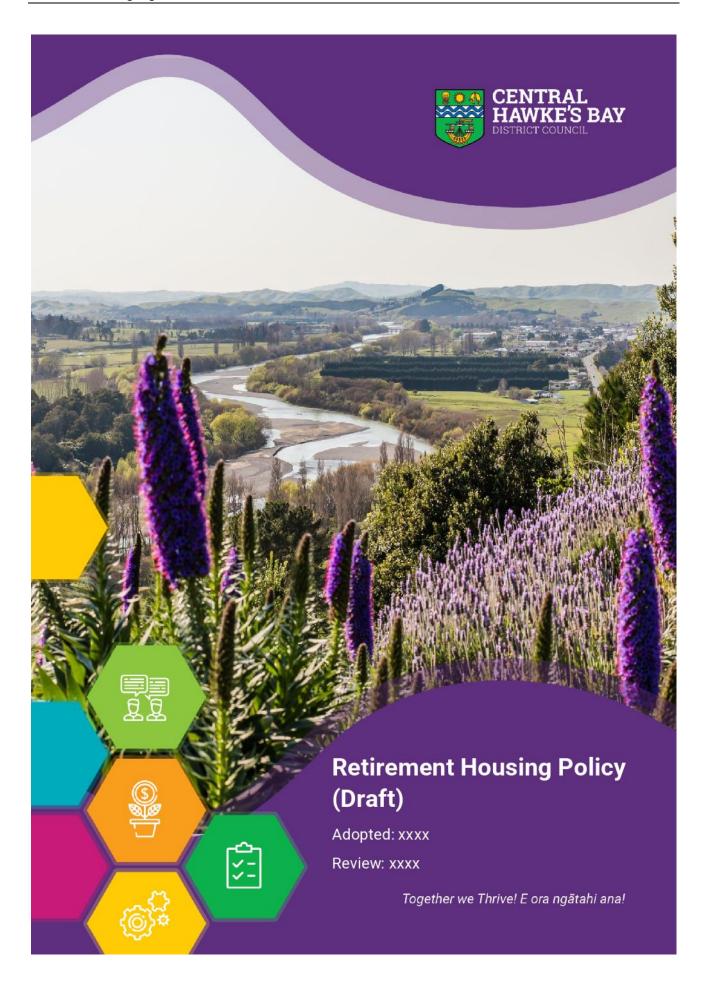
Rental Management

 Income derived from Retirement Housing rentals will be set to recover both the cost of the operation of the Retirement Housing activity and to set funds available to the Retirement Housing Reserve Account.

Links

N:\17/18\Properties\Retirement Housing\Agreement Document.doc N:\17/18\Properties\Retirement Housing\Application form.doc

CHBDC Policy Manual - Document # 6.9 RETIREMENT HOUSING POLICY-Adoption Date 14-12-2017



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Retirement Housing Policy ADOPTED xxxx - REVIEW xxxx E ora ngātaki ana!

1

Introduction

Council provides retirement housing in three locations: 24 units at Kingston Place, Waipawa; 20 units at Ruahine Place and 4 units on Wellington Road, both in Waipukurau. The units were built between 1969 and 1983.

In 2019, Council adopted its <u>Housing Strategic Framework</u>. The overarching aim of the Framework is to 'support our community to Thrive through access to a home - He āhuru mōwai, e taurikura ai te hāpori'. This aim is supported by four strategic goals. This body of work focusses on the achievement of Goal 4: 'Retirement Housing is provided in the most efficient and effective way'. Goal Four is supported by two result areas:

- Our retirement housing is sustainable and managed to provide the most efficient and effective outcomes to our community in the widest sense.
- 2. Our Central Hawke's Bay People can retire in Central Hawke's Bay.

Council carried out a service and delivery review in 2020 of its Retirement Housing activity. The review meets the requirements of Section 17A of the Local Government Act 2002. The Retirement Housing Section 17a Report was adopted in October 2020, the outcome being that Council would continue to offer Retirement Housing, but the rental fees would need to increase considerably to meet the Revenue and Financing Policy. The increased rents included the need to increase reserves to fund future renewals and some upgrades. Investment in new housing was deferred.

The above combined with the Governance Policy Framework sets the stage for this directional policy.

Levels of Service

As part of the development of the 2021-2031 Long Term Plan levels of service statements were adopted to reflect the main aspects of the Council's intended service delivery. The Level of Service Statement for the Retirement Housing Activity is:

Council provides safe, well maintained, and comfortable community housing for our Retired Community

Policy Objectives

The policy objectives represent the key principles that help govern decision-making. They set forth the outcomes to be achieved by the actions within the application section. The basis of operating the retirement housing activity is based on the three following objectives:

- To house the most 'in need' independent living older CHB residents This means:
 - a. Providing basic fit for purpose warm and dry living environment to enable independent living in the community for as long as practicable
 - b. Priority for long-term residents and connections to the CHB community
- 2. To be Not-for-profit but sustainably self-funding including long term renewals and upgrades

Retirement Housing Policy ADOPTED xxxx - REVIEW xxxx E ora ngātahi ana!

2

This means:

- a. Meet mandatory rental standards
- b. Reflect the needs of the tenants and are fit for purpose
- c. Increase the number of units over time
- 3. To be a supportive property owner with consideration for the safety and wellbeing of its tenants. This means:
 - a. Assist residents to access the accommodation supplement
 - b. Communicate with next of kin and/or community service providers when diminished independent living is noted or reported.

Application

Eligibility Criteria

Units are tenanted on a first come-first serve basis for those that meet all the eligibility criteria of (NB: this does not affect existing tenants):

- 1. New tenants minimum age will be the standard eligible age for Super (currently 65+)
- 2. Be a resident of Central Hawke's Bay district for at least three years unless there are extenuating circumstances (strong family connections and/or history)
- 3. Capable of independent living and suitability to live in a close communal environment
- 4. Have limited financial means as determined by
 - a. Hold a Community Service Card (gross income below \$31,568 a year currently)
 - b. Asset limit of \$33,000 single, \$55,000 a couple

Changes in Circumstances

- 1. A tenant's eligibility to occupy a retirement housing unit will be re-assessed if reasonable grounds exist to suspect a tenant's eligibility to occupy the unit may have changed.
- 2. Where it is apparent that there are existing or impending eligibility issues for medical reasons, Council will in the first instance seek to facilitate the provision of the appropriate social service support. Subsequent to this, if the tenant is clearly unable to meet the eligibility criteria on an ongoing basis Council will give the tenant notice to vacate. This is based on the need to: protect the interests and wellbeing of the tenant and their personal safety; protect the interests and wellbeing of other tenants; ensure Council continues to have housing available to those most in need.

Financial Management

- The Retirement Housing units our maintained using good asset management practices and are fit for purpose
- 2. Rents are set at a level that is commensurate with the Revenue and Finance Policy and the activity is rates neutral
- 3. Rents are reviewed against market movements annually and will fall in a range of 75%-90% of market
- 4. There is support for tenants to access the accommodation supplement

Retirement Housing Policy ADOPTED xxxx - REVIEW xxxx E ora ngātahi ana!

3

References

Governance Policy Framework:

 $\frac{https://chbdcouncil.sharepoint.com/:b:/s/polandplan/EQhWOL_X63xJsllO1YOzyUoB4zWZihyPbYC6ARzUzN}{WLgQ?e=ZJ1Pmm}$

Housing Strategic Framework 2019-2029:

 $\frac{https://chbdcouncil.sharepoint.com/:b:/s/polandplan/EfeqQdzjd2lFhJnrdThGwa0B5mhryY9jljx-v77QxJJNWg?e=d55KH0}{}$

Retirement Housing Section 17a Review October 2020:

 $\frac{https://chbdcouncil.sharepoint.com/:b:/s/commengagement/Ef7aobUATXBGhmEaf2VPEhwBUsSyHrkixyFDS}{NvWetmt4g?e=a60GJm}$

Retirement Housing Operational Policy (Draft) to be added once approved by ELT

Retirement Housing Policy ADOPTED xxxx - REVIEW xxxx E ora ngātaki ana!

4

7.4 CREATION OF PUBLICLY CONTESTABLE PRIVATE WATER SUPPLY FUND

File Number: COU1-1400

Author: Josh Lloyd, Group Manager - Community Infrastructure and

Development

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Private Water Supply Fund - Policy 4 1

PURPOSE

The matter for consideration by the Council is the adoption of a new policy (the Private Water Supply Fund Policy) for a publicly contestable fund to support Private Water Supplies (the Private Water Supply Fund).

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

- a) Council ADOPT the Private Water Supply Fund Policy
- b) Council NOTE the detail within the Private Water Supply Fund including the delegations for approving access to the fund, the eligibility criteria and the application process.

BACKGROUND

As part of its three waters reform programme, Government has introduced new regulations for drinking water across the country. The Water Services Act 2021 seeks to ensure that drinking water suppliers provide safe drinking water to consumers through a new drinking water regulatory and risk management framework.

The Act requires more of councils and private drinking water suppliers:

- At least once every three years, all councils will be required to identify drinking water suppliers in their communities and carry out drinking assessments to determine water supply demand, safety, quality, and any potential risks.
- By 2028, all unregistered drinking water suppliers, including rural, marae, and papakainga will need to meet the new Water Services Act, drinking water standards, and rules, or be using an acceptable solution (defined in the Act).

The bulleted requirements above refer specifically to 'Water Suppliers'. This definition has changed under the Water Services Act 2021 and importantly now includes a very large number of small supplies / suppliers who have not previously had to meet drinking water standards.

A Water Supplier under the Water Services Bill 2021 includes those who provide water for drinking to more than one property as well as a range of other activities as set out below further below. These Water Suppliers will come under the administration and regulation of Taumata Arowai. Some examples of the types of Water Suppliers that will come under the administration of Taumata Arowai (as currently provided in the Bill) are:

- A bore or other drinking water supply to a group of residences within one rural property
- > A bore or other water source supplying a community hall or commercial business
- A café or other small business supplied by a rainwater tank
- A bore or other drinking water supply to a multi-dwelling building (such as multiple separate apartments contained in a single building).

In 2021, Hawke's Bay Councils embarked on a collaborative project to better understand private supply schemes and those that will now be classified as a Water Supplier. The 'Private Drinking

Water Supply Project' seeks to prepare councils for new obligations and includes the development of a contestable fund and process developed where private schemes could seek assistance or funding for support and/or physical works to meet new standards and is described below.

The Private Drinking Water Supplier Project

Napier City Council, Hastings District Council, Wairoa District Council and Central Hawke's Bay Council are collaborating on this project with the following objectives:

- Determine the number and location of private water suppliers in the Hawke's Bay Region based on existing information held by councils and other stakeholder agencies
- Develop and test an assessment and engagement approach with a sample of private water suppliers
- Ensure that Hawke's Bay Councils understand how best to assess private water supplies; support their communities to provide safe drinking water; understand their resource and capacity requirements for the new requirements
- Where possible, influence the way these assessments are carried out, both in terms of the methodology and communications and engagement approach, across the rest of New Zealand.

The Councils are seeking to capture information and work with a sample of private drinking water suppliers across the Hawke's Bay region to:

- Better understand our communities' private drinking water suppliers, and their expectations and needs
- Trial and develop a framework for water supply assessments in the future
- Understand how the new regulations might be implemented within the community.

This is an important project for Private Drinking Water Suppliers which will provide support and assistance to:

- Help them understand what the Water Services Act changes mean for them and the community they provide drinking water to.
- A technical assessment on their drinking water supply and recommendations to help them plan for meeting their obligations.
- Provide an opportunity to give feedback on the implications of the proposed regulations and acceptable solutions directly to Taumata Arowai (the regulator).
- The opportunity to apply for funding via Council incentive fund/grant to help meet the requirements of the Act and new standards.

Officers are seeking support to create a Private Drinking Water Supply Fund Policy to support the establishment and delivery of the Private Drinking Water Supply Fund. The Fund is open only to those in the community who will be classed as a Water Supplier under the Water Services Bill 2021 and will therefor come under the administration and regulation of Taumata Arowai.

The total funding available is \$600,000 apportioned as follows:

- Napier City Council \$150,000
- Hastings District Council \$150,000
- Central Hawke's Bay District Council \$150,000
- Wairoa District Council \$150,000

Central Hawkes Bay District Council currently have an existing single policy for the governance and direction of 4 publicly contestable funds. This existing Policy could be amended to include the new fund however the finite timeframe of the proposed new fund means that the existing policy

would have to be amended once now to include the new fund and then amended again in future to remove it when it is exhausted.

DISCUSSION

Officers are seeking support to create a Private Water Supply Fund Policy to support the establishment and delivery of the Private Water Supply Fund.

Due to the nature of allocating public funds to private residents, community groups or others, it is considered appropriate that this activity is governed/controlled by a formal Policy (refer delegations Policy if this is actually mandated somewhere at Council). In this case, for private water supplies, the available funding is capped to a total exhaustible amount of \$150,000 to be allocated at a maximum amount of \$10,000 per applicant. The funding can be used for operational, capital or professional services with respect to the applicants own private supply scheme.

Council have already made decisions for the allocation of the 3 Waters Reform Funding to be used on this listed initiative to investigate and support private water supplies. Through that decision, delegation was given to Council Officers to deliver and execute projects/programmes as needed.

Officers are seeking further endorsement of Council now to formally establish the Private Drinking Water Supply Fund and Policy due to it being Councils approach to date to gain Council endorsement for the granting of public money.

The establishment of this policy will provide criteria to enable officers to assess applications from community organisations and to allocate funding from the COVID-19 stimulus funding for three waters. The Private Drinking Water Supply project supports the Water Services Act 2021 for the continuous improvement of the quality of drinking water services.

Beyond the adoption of the Fund and Policy today, delegation will be given again to Officers to execute and deliver on the Fund in accordance with the Policy.

A copy of the Policy with detail about the Private Water Supply Fund is appended.

The Policy is intended to be consistent regionally.

RISK ASSESSMENT AND MITIGATION

Refer financial risk/delegations.

Refer perception/communications/engagement risk (fairness...)

FOUR WELLBEINGS

The establishment of the fund creates an opportunity from those in our diverse communities to remove financial barriers to securing safe and reliable drinking water for themselves and their whanau or others.

DELEGATIONS OR AUTHORITY

Council have already made decisions for the allocation of the 3 Waters Reform Funding to be used on this listed initiative to investigate and support private water supplies. Through that decision, delegation was given to Council Officers to deliver and execute projects/programmes as needed.

Officers are seeking further endorsement of Council now to formally establish the Private Water Supply Fund and Policy due to it being Councils approach to date to gain Council endorsement for the granting of public money.

Beyond the adoption of the Fund and Policy today, delegation will be given again to Officers to execute and deliver on the Fund in accordance with the Policy.

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

	Option 1 Adopt Private Water Supply Fund Policy	Option 3 Do not approve Private Water Supply Fund Policy and Fund.
Financial and Operational Implications	There are no financial or operational implications. The funds have already been set aside by Council for regionally collaborative workstreams, of which this is one.	Not approving the fund would mean Officers need to find another means of utilising the available funding which is to be spent by April 2022 or must be returned to Central Government.
Long Term Plan and Annual Plan Implications	The fund is aligned with Councils continued narrative about the improvement of drinking water assets and standards for the community.	NA
Promotion or Achievement of Community Outcomes	The fund will create direct opportunities for members of the community to improve their own access to safe and reliable drinking water.	NA
Statutory Requirements	The fund supports the promotion of the Water Services Act 2021	NA
Consistency with Policies and Plans	NA	NA

Recommended Option

This report recommends option 1 Adopt Private Water Supply Fund Policy for addressing the matter.

NEXT STEPS

If the recommended option is adopted, Officers will continue to work with Regional counterparts to establish the fund and promote it within the community.

RECOMMENDATION

That having considered all matters raised in the report:

- a) Council ADOPT the Private Water Supply Fund Policy
- b) Council NOTE the detail within the Private Water Supply Fund including the delegations for approving access to the fund, the eligibility criteria and the application process.



Central Hawke's Bay District Council

Purpose

This Policy details the formal process that will be undertaken to assess community applications for funding from COVID-19 stimulus funding for three waters. The total funding available for the Private Drinking Water Supply Fund is \$600,000 apportioned as follows:

- Napier City Council \$150,000
- Hastings District Council \$150,000
- Central Hawke's Bay District Council \$150,000
- Wairoa District Council \$150,000

Private Drinking Water Supplier Fund

This grant fund is contestable, so success will be dependent on the application meeting the grant criteria, the priority of the grant purpose compared with others, and the grant money available.

Applications to the fund are open from 1 December 2021 until 30 April 2022.

Applicants must complete the online application form at www.hb3waters.nz and may provide any supporting documentation.

- The Fund is open only to those in the community who will be classed as a Water Supplier under the
 Water Services Bill 2021 and will therefor come under the administration and regulation of Taumata
 Arowai. Some examples of the types of private drinking water supplies that will come under the
 administration of Taumata Arowai (as currently provided in the Bill) are:
 - > A bore or other drinking water supply to a group of residences within one rural property
 - A bore or other water source supplying a community hall or commercial business
 - > A café or other small business supplied by a rainwater tank
 - A bore or other drinking water supply to a multidwelling building (such as multiple separate apartments contained in a single building).
- Funding is capped at \$10,000 per applicant
- All applications will be assessed and approved by the Council officers responsible for threewaters
 infrastructure, and reported back monthly to the Hawke's Bay Regional Leaders Forum.
- Applicants will be notified via email as to the outcome of their application.
- All applicants must provide confirmation and evidence (eg; receipt) to Council within 6 months of
 the grant being made. Failure to do this could negate future council funding requests from the
 applicant.
- Funding cannot be used for ongoing operations costs of a drinking water system.
- · Funding cannot be used to pay Council water rates.

Private Drinking Water Supply Fund Policy Document ID tba Version 1 Page 1 of 3

Eligibility of Grant Funding

- · Applications will demonstrate alignment with one or more stated Hawke's Bay project objectives to:
 - Better understand our communities' suppliers, their expectations and needs
 - Understand how the new regulations might be best implemented
 - > Develop together and trial a framework for water supply assessments
 - Support our communities through a contestable fund to assist participants in thispilot project with costs associated with new regulations.
- Applications must demonstrate intent to engage with Councils and provide transparency about the performance of drinking water & associated systems.
- Applications will support the objectives of the Water Services Act 2021 for the continuous improvement of the quality of drinking water services.
- If the applicant is an individual they must be a New Zealand citizen or permanent residentof New Zealand; if the application is from a group or organisation, the Private Drinking Water Supply must be based in the Hawke's Bay region.

Monthly Applications

The applications will be assessed and approved by officers using the following process andevaluation structure:

- Applications will close on the last day of each month.
- Within 5 working days after the applications closing date, Council officers with relevant knowledge will assess the applications based on the following criteria:
- Applications will demonstrate alignment with one or more stated Hawke's Bay PrivateDrinking Water Supply project objectives to:
 - > Better understand our communities' suppliers, their expectations and needs
 - Understand how the new regulations might be best implemented
 - Develop together and trial a framework for water supply assessments
 - Support our communities through a contestable fund to assist participants in thispilot project with costs associated with new regulations.
- Applications must demonstrate intent to engage with Councils and provide transparencyabout the
 performance of drinking water and associated systems.
- Applications will support the objectives of the Water Services Act 2021 for the continuous improvement of the quality of drinking water services.
- All applications and approvals for funding will be reported back monthly to the Hawke's BayRegional Leaders Forum.
- Applicants will be notified via email as to the outcome of their application.
- All applicants must provide confirmation and evidence (eg; receipt) to Council within 6 months of the
 grant being made. Failure to do this could negate future council funding requests from the applicant.

Private Drinking Water Supply Fund Policy Document ID tba Version 1 Page 2 of 3

Evaluation Scoring

The following scoring scale will be used by evaluation team members to ensure consistent evaluation across all applications.

90, 95 or 100	Demonstrates exceptional compatibility with project objectives, eligibility and improvement of the quality of drinking water services
75, 80 or 85	Requirements are fully aligned with the project objectives, eligibility and improvement of the quality of drinking water services
60, 65 or 70	Requirements are adequately aligned with the project objectives, eligibility and improvement of the quality of drinking water services
50 or 55	Adequate, with some deficiencies that are not likely to have any adverseeffect
40 or 45	Barely aligned and would need considerable adjustment to meetrequirements, if selected
35 or less	Not aligned or does not demonstrate an ability to improvement of the quality of drinking water services

Where a score less than 60 but greater than 35 is awarded, the evaluator(s) may request further information to determine if the applicant is capable and appears likely to improve such that the project will be completed to an adequate standard. If subsequent information does not confirm ability to complete the project to an adequate standard, the applicant shall be recommended as being ineligible and awarded a grade of 35 or less. Any improvement to the proposal accepted atthis stage shall not vary the grade awarded.

Document security

It is important for the integrity of the evaluation process that the applicant's documentation is effectively controlled to ensure that there can be no suggestion of inappropriate transfer or use of information. Documents should be kept securely at all times.

Policy Review

The review timeframe of this policy will be no longer than every two years.

Private Drinking Water Supply Fund Policy Document ID tha Version 1 Page 3 of 3

7.5 WAIPUKURAU SECOND SUPPLY/ WAIPAWA LINK - PROJECT UPDATE

File Number: COU1-1400

Author: Darren de Klerk, 3 Waters Programme Manager

Authoriser: Monique Davidson, Chief Executive

Attachments: Nil

RECOMMENDATION

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

PURPOSE

The matter for consideration by the Council is to receive a further update on the progress of the development of the investigation, design and construction for the Waipukurau Second Water Supply/ Waipawa Link project.

SIGNIFICANCE AND ENGAGEMENT

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

BACKGROUND

This paper provides an update on the Waipukurau Second Water Supply/ Waipawa Link Project. The aim of this project being to:

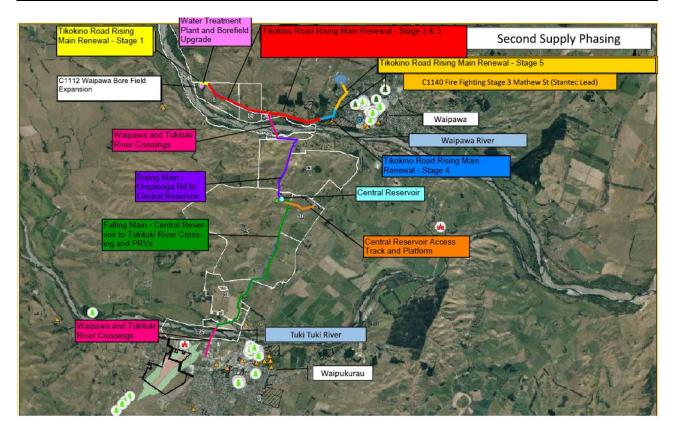
- Enhance the resilience of Waipawa and Waipukurau water supply system More robust infrastructure with lower risk of damage, increased redundancy, and longer response window.
- Ensure the supply can reliably meet demand / level of service targets Consistent compliance with DWSNZ (Drinking Water Standards NZ), consistent water supply provided at the right quantity and pressure.
- Improve the ability to service sustainable growth, both within the existing township boundary but also in adjacent areas. Sufficient water available for sustainable growth, infrastructure that delivers water to areas of desired growth.

DISCUSSION

This paper presents a general update on the project – following an update at the August 2021 Finance and Infrastructure committee – this is a light touch update.

Design work progresses, construction is underway on pipe upgrades on Tikokino Road, and engagement continues with landowners and mana whenua.

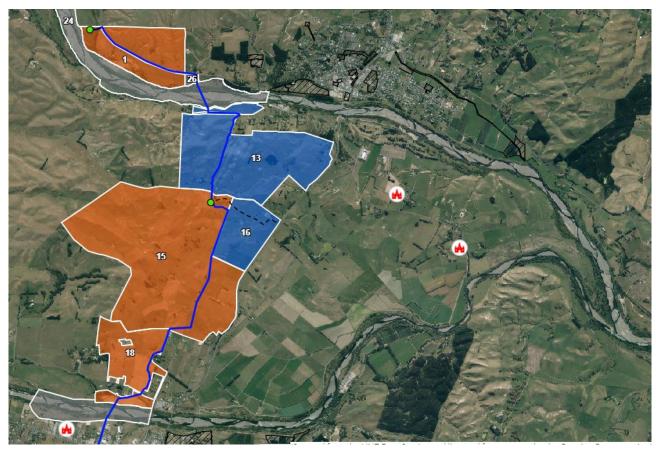
The map below identifies and provides and overview of the different sub projects within the programme.



SUMMARY UPDATES

Land

There are 7 directly affected landowners identified including LINZ, with valuations for compensation having been performed across all of these lots. Engagement has been occurring for circa 6-9 months and generally support for the project is relatively consistent and assessed as either a moderate or low risk.



Key notes:

- Continued willingness by majority of affected landowners to engage in fair and reasonable negotiations.
- Challenges with negotiations at the borefield site are reflected in the land compensation.
- Independent valuations received by Council are in general in line with initial desktop assessments used to establish project budget.
- One additional landowner requirement from a further previously unaffected property for pipeline easement. Anticipated advisor costs and compensation have increased accordingly, but within wider Land and Easement budget.

In closing the project team are reasonably confident of ability to negotiate agreement within proximity to estimated compensation.

Budget

Officers as signalled in the 3rd June presentation, the project was set a budget of \$11.5m in October 2020 when the DIA funding was announced for Tranche One. The design was in very early stages with no due diligence along the route having taken place and minimal iwi or landowner engagement, as the project has progressed over the last 9-12 months, the budget understanding has progressed further.

Below sets out the budget range officers are currently expecting the project to be completed for. At present time officers are expecting the project to be circa \$13.86m, but with value engineering and other aspects to be developed, expect the budget range may be less as outlined further in the key points below.

The position of the project budget at the November 2021 is as follows:

Activity	Budget - Oct 2020	Estimate - Nov 21	Spend to Date	Funding Available	Funding Detail
Council Costs	362,780	362,780	141,531		
Design	1,769,349	2,450,338	1,152,463	2,200,000	3 Waters Reform
Land Easements and					2018 LTP Carry
Acquisitions	650,000	850,000	283,061	5,642,918	Forward
Pipelines (~11km)	4,230,000	4,173,730	323,498	7,066,000	2021 LTP Y1-3
Central Reservoir (3-6ML)	2,500,000	3,299,450			
Borefield/ Treatment Plant	1,720,000	1,277,476	121,312		
Contingency	267,871	1,453,074			
TOTAL	11,500,000	13,866,848	2,021,865	14,908,918	

Land and Easements – The February 2021 estimate placed this work stream at \$910k, we believe this will now be under \$850k. This is resultant from the design and coordination tasks performed to date.

Reservoir – Master-planning across all three towns is underway to assess best long term sizing and refine proposed locations for each reservoir, treating the three towns as one combined reticulation system. In addition, understanding geotechnical has assisted in refining product recommendations to a steel tank (subject to council endorsement), with a potential capital improvement of circa \$0.7 – \$1.1 M. Note further study is required to validate this.

River crossings – we have not been able to progress geotechnical study on the river crossing however this remains a further technical area of focus as access, investigation and design develops.

Water Treatment plant – we have not currently focused on the water treatment plant as a priority however this will become a focus as design develops.

Pipeline – Expected cost savings as we move away from installation in roadway and with the need for reinstatement and traffic management.

Two earlier pipeline projects recently tendered have provided tendered amounts less than engineer's estimates, while more recent estimates have been above engineers estimates.

The cashflow at present is not an issue and is outlined as per the below;

BUDGET	2020-20	21	2021-2022	2	2022-2023	2	2023-2024		TOTAL
LTP 2018 3W Reform LTP 2021 TOTAL	\$ 5,642, \$ 1,100, \$ 6,742,	000 \$ \$	1,100,000 2,333,000 3,433,000	\$ \$	2,333,000 2,333,000	\$ \$	2,400,000 2,400,000	\$ \$ \$	5,642,918 2,200,000 7,066,000 14,908,918
Spent to Date	\$ 1,362,	594 \$	659,272					\$	2,021,865

Community Communications and Engagement

The communications and engagement plan has been updated as the project has developed.

Council signalled the upcoming project during Long Term Plan pre-engagement and provided more in-depth consultation on the project during March 2021 LTP consultation.

The CHBDC website provides detailed information on the project and ongoing updates for all interested parties.

https://www.chbdc.govt.nz/our-district/projects/bigwaterstory/waipukurau-second-drinking-water-supply/

Wider and more in-depth community communication will begin once landowners and iwi are sufficiently engaged with the project, and it has reached a greater level of certainty.

Direct Engagements

- Coordination with the intended due diligence, procurement and land acquisition strategy has been ongoing and sensitive to topics raised by Tangata Whenua, as well as sympathetic to directly affected Landowners. Indirectly affected landowners adjacent to the intended pipeline route have also received initial notifications for the due diligence work, with a copy of the project memo so they were aware of any contractors working alongside their properties. Wider engagement will proceed once iwi and landowner engagement has progressed and as the project develops in accordance with the developed strategy.
- Affected landowners Direct engagement with affected landowners has been ongoing for the last 6-9 months with general support for the project. Some issues have arisen on landowner compensation expectations at the borefield and progressing the river crossing easement from Tikokino Road to the Waipawa river. These are progressing however may take further time to develop with the affected parties. Expectations are this process will take a further 3-4 months to conclude and is progressing largely as originally programmed.
- Landowners Compensation Compensation discussion have been held so landowners understand the process. Valuations have been performed and circulated for review by the directly affected landowners. Expectations are this process will take a further 3-4 months to conclude and is progressing largely as originally programmed.
- Tangata Whenua Following the information and meeting request circulated in January to local marae's seeking engagement. Officers held a Hui on the 25th June with Tangata Whenua from the Mataweka marae, Tapairu marae and Rakautatahi marae, discussing the project generally. Cultural concerns raised relate to the physical crossing of rivers with pipes, and the mixing of river waters (Waipawa & Tukituki), and the longer term control on maintenance (100yr+). Tangata Whenua are not currently in support of crossing the river with a water pipe. Four direct hui with the representatives from Mataweka and Tapairu have

been held, and more recently the introduction of representatives from Te Whatuapiti and Waipukurau community marae have bolstered the cultural guidance group for the project.

Engagement has also recommenced with the Heretaunga Tamatea Settlement Trust in the last 2 months.

A community and iwi bus trip is planned for early December 2021 – this is planned to combine the interest in future wastewater projects in Waipawa, Otāne and Waipukurau alongside the water project and help educate and demystify the river crossing and technical concepts.

Risk Management

Updated below risks carried from previous Council papers.

Project Risk	Update and Mitigation	Position
Waipawa borefield ability to produce the additional water required to supply Waipukurau	The production bore comfortably yields 50 L/s. Water quality is being confirmed.	Updated
Consenting and groundwater take limitations	A preliminary water take application has been accepted by HBRC, effectively ring fencing the required allocation of 155 L/s. Consent risks remain as subject to the Borefield affected landowner agreement. A third party review by GHD and PDP has recently been undertaken and has allowed us to revisit and update the application. A focus is on modelling water demand and supply requirements across the 3 towns.	Updated
Land acquisition and landowners willing to work with council for easements and land sites.	Landowner compensation packages have been developed and are generally in line with initial expectations used to establish project budget. Next stage will require circulation of packages to landowners for comment. Refer TPG summary report. The Borefield landowner compensation has been progressed in advanced with the compensation negotiation scheduled for 10th August.	Updated
Project delays due to currently unknown factors like ground conditions, land access.	Due diligence has been performed with the exception of the river crossing locations. No unexpected issues have been identified at this stage. Investigations on progressing the river crossings remain in discussion with Tangata Whenua, however given the expressed cultural concern on crossing rivers this is currently carried as an unresolved consent and engagement risk.	Updated
The tension between decision making to meet reform and grant funding	The technical viability of the project is well progressed with clear operational oversight and input with no identified technical or landowner obstacles. The	Updated

investment decisions.	exception being geotechnical conditions in the river. DIA funding is now better managed and reduces the pressure to make decisions to spend capital. 1. Tangata Whenua River crossing support and consenting timeframes.	
	Final landowner agreements carrying reputational risk.	
	Council support for continued Capital expenditure.	
crossing two rivers.	Investigations have been paused due to Tangata Whenua concerns at crossing the river. A request to allow riverside investigations is in discussion. Progressing this remains at this stage an engagement risk for the project.	Carried
implicating reservoir and	Due diligence has been performed, information included as part of this paper. Council decision on officers recommendation is required.	Monitor
Additional Risks Identified		
conditions.	Identification of level of budgeting confidence at 80%. Value Engineering planned alongside design development to seek further opportunities.	Carried
	CHBDC have developed a procurement strategy for review and approval as part of this paper considering Industry Capacity and Technical requirements. This is also aligned to a master cashflow.	Monitor
consenting delays on River	Tangata Whenua engagement has commenced, concerns at crossing the river with pipe have been presented by mana whenua. Further engagements are planned with the formation of a PGG guiding the project, will require information and time to develop.	Updated
	Procurement strategy identified a logical and achievable delivery programme. Altering this to one of the alternative plans identified may incur further slippage in the schedule or affect quality of deliverables.	New

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 goodquality 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

- Continue to develop the project programme in line with the objective to take a no regrets approach to investment and ensure no investment is made on assets that may be redundant in the future prior to a council decision and full commitment to the project.
- Continue to develop investigations and design and bring forward identified projects for coupling to the Second Supply.
- Develop masterplan reservoir size and location into a reticulation concept across all three towns to support Second Supply central reservoir design.
- Continue to develop discussions with Mana Whenua prior to committing to any decisions.
- Continue to engage and update the community consistent with the communications plan.
- Prepare a comprehensive Go/ No Go decision paper for presenting to council in approx.. March 2022. This should outline and give greater confidence in;
 - o Community and iwi engagement
 - Budget to complete
 - Deliverability
 - Consenting
 - Timeframe to complete
 - Contingency Plan B and C
 - Alignment to LTP, Council objective and project investment objectives
 - Focus on quantifying the wider benefits this project will being in terms of projects that may not be required
 - The ability to undertake other projects currently stalled
 - The wider benefit to the network

RECOMMENDATION

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

7.6 REVIEW OF LOCAL ALCOHOL POLICY

File Number: COU-1400

Author: Lisa Harrison, Customer Relationships and Experience Manager

Authoriser: Doug Tate, Group Manager Customer and Community Partnerships

Attachments: 1. Local Alcohol Policy 4 1

2. Letter of Support from the Hawke's Bay District Health Board 4 🖫

PURPOSE

The matter for consideration by the Council is the review of the Local Alcohol Policy.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

a) That the current Local Alcohol Policy is retained, and that the Policy is not reviewed until 2023/2024.

EXECUTIVE SUMMARY

The Central Hawke's Bay Local Alcohol Policy (LAP) was due for review in September 2021, in accordance with Councils Policy Programme, which is currently a 3 yearly cycle.

Central Hawke's Bay District Council's first LAP was adopted in September 2018. The current LAP was adopted after considerable work was carried out to ensure that it met the purpose of an LAP, which is to encourage the responsible sale, supply and consumption of alcohol and focus on reducing alcohol related harm. The Council also wanted to ensure that we consulted with the community about what they would like to see included in the LAP.

BACKGROUND

Local Alcohol Policies (LAPs) allow local authorities, in consultation with their community, to put in place a set of decisions that must be considered by District Licensing Committees (DLCs) in granting licenses. By having one in place, it allows communities to place rules and restrictions on licensing in their district, including limiting locations, density as well as adding additional conditions.

In practice, the process for putting a LAP in place can be complex and challenging as there are several parties who have an interest in the outcome.

In August 2015, the Central Hawke's Bay District Council published its Provisional LAP. Foodstuffs North Island Limited (Appellant) appealed element 2.4.4 to the Alcohol Regulatory and Licensing Authority (known as ARLA) as they submitted it was contrary to the District Plan. The element proposed that no licensed premises could be established within the Residential Zone. As the District Plan is the overriding document, Council accepted that the element was unreasonable because the District Plan places no such limits.

With agreement reached, ARLA issued a consent order directing Council to reconsider element in December 2017. Council then followed guidance as set out by ARLA. This resulted in us advising ARLA mid-year that we had amended the Provisional LAP by deleting this element and had also notified all of those who submitted on this element of the proposed change, and their right to appeal, as per the process set out to us.

ARLA advised on 1 August that they approved of the amendment. The final Local Alcohol Policy, as approved by ARLA, was presented to Council in September 2018 for approval and was adopted.

ARLA was established under the Sale and Supply of Alcohol Act 2012. ARLA is the overarching national body set up to ensure that the law is fairly applied. ARLA has up to three district court judges (of whom will be the Chair) and any number of other members. Its functions are:

- determining applications for new and renewed licences and Manager's Certificates that have been referred to it by DLCs (s.170(a))
- determining appeals against
 - decisions of DLCs (s.170(b))
 - draft local alcohol policies (s.170(c)
- giving direction or statements to DLCs (ss.172,176)
- advising people of the appropriate DLC to go to (s.173)
- referring matters to DLCs for enquiry and report (s.175)
- determining enforcement applications variation, suspension or cancellation of licences and Managers' Certificates (s.170(d))
- undertaking other functions conferred on it by any Act.

The LAP is now due for review as per our policy review programme. Prior to bringing this report to Council we sought feedback from our external agencies, being the Hawke's Bay District Health Board and New Zealand Police, regarding whether they had any concerns about the current LAP and if there was a desire from those external agencies to make any significant change. We have received written feedback from the Hawke's Bay District Health Board. **Attached** is the letter of support including a suggestion to include in our LAP around child focussed events.

DISCUSSION

The purpose of having a LAP is to encourage the responsible sale, supply and consumption of alcohol and focus on reducing alcohol related harm. A LAP enables a Local Authority to:

- limit the location of licences in particular areas or near certain types of facilities such as in specific neighbourhoods or near schools or churches (this doesn't apply to special licences)
- limit the density of licences by specifying whether new licences or types of licences should be issued in a particular area (this doesn't apply to special licences)
- impose conditions on groups of licences, such as a 'one-way door' condition that would allow patrons to leave premises but not enter or re-enter after a certain time
- restrict or extend the maximum opening hours set in the new Act.

A LAP can have different conditions for different areas within the council's district.

Council is not required to have a Local Alcohol Policy. If a Council does have a LAP they must:

- develop a draft LAP in consultation with Police, licensing inspectors and Medical Officers of Health
- 2. Consult the community on the draft policy using the special consultative procedure in the Local Government Act 2002
- 3. Prepare a provisional policy based on consultation feedback
- 4. Give public notice of the provisional policy. The LAP can be appealed at this stage
- 5. Adopt the provisional policy. A provisional policy becomes final 30 days after it's publicly notified (or after any appeals are resolved)
- 6. Give public notice of the LAP's adoption and the date it'll come into effect (as determined by council resolution).

In 2015 Central Hawke's Bay District Council carried out a thorough consultative process as part of developing a Provisional Local Alcohol Policy. It is now 3 years since the LAP was adopted. Under section 97 of the Sale and Supply of Alcohol Act (the Act) it states the timeframe of which a LAP should be reviewed and what process should be followed:

Local alcohol policies to be reviewed every 6 years

A territorial authority that has a local alcohol policy must review it, using the special consultative procedure, —

- (a) no later than 6 years after it came into force; and
- (b) no later than 6 years after the most recent review of it was completed.

Based on the Act, we are not required to consult on the current LAP until 2023/2024.

RISK ASSESSMENT AND MITIGATION

Officers have assessed the risks associated with making no changes to the current LAP and have deemed it to be very low risk.

FOUR WELLBEINGS

Council is not required to have a LAP, however Council has acknowledged the influence an effective LAP can have on the community. The LAP aligns with the four wellbeings in the following ways:

Cultural and Social

The LAP takes into the account the cultural and social impact that drinking can have in our community from the harm that can be caused by excessive or inappropriate consumption of alcohol. The current LAP includes restrictions on the location and number of premises in our district, restricting opening hours and setting conditions in relation to the different types of licences.

Economic

The LAP has a requirement to ensure the sale, supply and consumption of alcohol should be undertaken safely and responsibly while also ensuring that our local businesses are able to thrive. The LAP gives our local businesses a clear set of requirements to meet as part of their licensing obligations which also sit alongside the requirements placed on businesses in the Sale and Supply of Alcohol Act 2012.

Environmental

There are no new obvious positive or negatives outcomes relating to the environment from this decision.

DELEGATIONS OR AUTHORITY

The Local Government Act 2002 specifies that one of Council's key responsibilities is to develop and adopt policies. Due to the significance of this policy and timing, this report is coming to Council for adoption.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as of some importance as the LAP prescribes a set of decisions made by Council and the wider community about the sale and supply of alcohol in its district.

OPTIONS ANALYSIS

Two possible options for Council to consider are:

Option One - Status Quo retain current Local Alcohol Policy

That the current LAP is not reviewed until 2023/2024 and is still current.

Option Two - Review the Local Alcohol Policy

That the Council undertake a review of the Local Alcohol Policy and follow the prescribed process noted in Section 97 of the Sale and Supply of Alcohol Act 2012.

	Option 1	Option 2
	Status Quo – Retain current LAP	Review current Local Alcohol Policy as per Section 97 of the Sale and Supply of Alcohol Act 2012
Financial and Operational Implications	There are no financial implications in this decision.	There would be financial implications due to special consultative process noted in the Local Government Act 2002. This would require legal counsel as part of this review.
Long Term Plan and Annual Plan Implications	There are no LTP or AP implications in this decision.	Budget would need to be included in the 2023/2024 Annual Plan.
Promotion or Achievement of Community Outcomes	The existing LAP currently achieves the promotion of strong communities and a proud and prosperous district.	A review of the LAP would ensure that the community was connected to local decision making.
Statutory Requirements	This policy meets the requirements of The Sale and Supply of Alcohol Act 2012.	This policy meets the requirements of The Sale and Supply of Alcohol Act 2012.
Consistency with Policies and Plans	The current LAP is consistent with our Governance Policy Framework which clearly articulates how governance policies sit in the bigger picture and informs the work programme for review of policies.	The current LAP is consistent with our Governance Policy Framework which clearly articulates how governance policies sit in the bigger picture and informs the work programme for review of policies.

Recommended Option

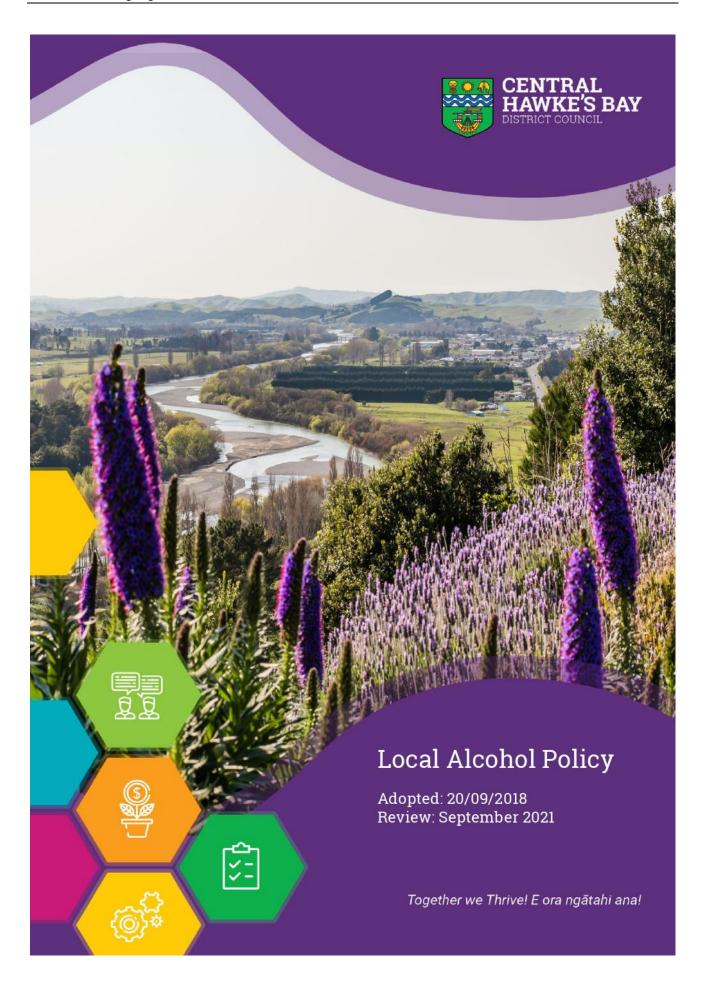
This report recommends Option One – Status Quo to retain the current Local Alcohol Policy for addressing the matter.

NEXT STEPS

To update the policy review programme to include a new review timeframe for the Local Alcohol Policy and to update the current Local Alcohol Policy to include the new review date.

RECOMMENDATION

a) That the current Local Alcohol Policy is retained, and that the Policy is not reviewed until 2023/2024.



LOCAL ALCOHOL POLICY

1 INTRODUCTION

- 1.1 The Sale and Supply of Alcohol Act 2012 (the Act) has the following objects:
 - a. That the sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
 - b. The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
- 1.2 Harm is defined very widely and includes:
 - a. Any crime, damage, death, disease, disorderly behaviour, illness or injury, and harm to individuals or the community, either directly or indirectly caused by excessive or inappropriate alcohol consumption.
- 1.3 The Act allows territorial authorities to make a local alcohol policy (LAP). The LAP is a set of policies, made by the Council in consultation with its community, about the sale and supply of alcohol in its geographical area. Central Hawke's Bay District Council has decided to develop a LAP for its district to set restrictions and conditions for the sale and supply of alcohol within the district.
- 1.4 Once a LAP comes into force, the Council's District Licensing Committee (DLC) and the Alcohol Regulatory and Licensing Authority (ARLA) must have regard to the policy when they make decisions on license applications.
- 1.5 Through a LAP the community is able to:
 - a. Limit the location of licensed premises in particular areas or near certain types of facilities, such as schools or churches:
 - b. Limit the density of licensed premises by specifying whether new licenses or types of licenses should be issued in a particular area;
 - c. Impose conditions on groups of licenses, such as a 'one-way door' condition that would allow patrons to leave premises but not enter or re-enter after a certain time;
 - d. Recommend discretionary conditions for licenses;
 - e. Restrict or extend the default maximum trading hours set in the new Act, which are
 - 8am 4am for on-licenses (such as pubs, cafes and restaurants)
 - 7am 11pm for off-licenses (such as bottle stores and supermarkets)

Criteria for Considering License Applications

- 1.6 The purpose of the LAP is to provide local guidance for the District Licensing Committee in deciding whether to issue a licence.
- 1.7 Under section 105 of the Act, the District Licensing Committee has to have regard to a range of matters in addition to "any relevant local alcohol policy" – when considering a license application. The types of matters include:
 - a. The object of the Act;
 - b. The suitability of the applicant;
 - c. The design and layout of any proposed premises;
 - d. Whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the licence;
 - e. Whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licenses but-
 - ... it is nevertheless desirable not to issue any further licences.
- 1.8 The Act says that a licence may be refused if the issue of the licence or the consequence of the issue of the licence would be inconsistent with the LAP (section 108). This requirement does not apply for the renewal of licences. The Act also says that a licence may be made subject to conditions if the issue of the licence, or the consequence of the issue of the licence, would be inconsistent with the LAP (section 109).

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CHB POLICY MANUAL - DOCUMENT #2.1, LOCAL ALCOHOL POLICY ADOPTED 20 SEPTEMBER 2018

Goals of the LAP

- 1.9 The Local Alcohol Policy provides direction for the District Licensing Committee so that licensing decisions:
 - a. Contribute to Central Hawke's Bay being a safe and healthy district;
 - b. Reflect local communities' character and amenity and their values, preferences and needs;
 - c. Encourage licensed environments that foster positive, responsible drinking behaviour and minimise alcohol related harm.

Objectives of the LAP

- 1.10 The objectives of the LAP are to provide a policy which:
 - a. Reflects the views of local communities as to the appropriate location, number, hours and conditions that should apply to licensed premises within their communities;
 - b. Provides certainty and clarity for applicants and the public as to whether a proposed license application will meet the criteria of the LAP;
 - c. Provides effective guidance for the decisions of the District Licensing Committee and the Alcohol Regulatory and Licensing Authority.

Types of Licences

- 1.11 The types of licences provided for within this LAP are:
 - a. On-licences where the licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there (Section 14 of the Act);
 - b. Off-licences where the licensee sells alcohol from a premises for consumption somewhere else (Section 17 of the Act)
 - c. Club licences where the licensee, can sell and supply alcohol for consumption on the club premises by authorised customers (Section 21 of the Act)
 - d. Special licence which can be either on-site of off-site licences
 - On-site where the licensee can sell or supply alcohol, for consumption there, to people attending an event described in it (Section 22 of the Act)
 - Off site where the licensee can sell the licensee's alcohol, for consumption somewhere else, to people attending an event described in it (Section 22 of the Act)

Notes:

- Some premises hold more than one licence for example an on-licence bar may also hold an offlicence and be able to sell alcohol which is consumed off the premises.
- The Act allows special licences to be issued for up to 12 months. Special licences are not subject to the default maximum operating hours for on-licences.

Definitions

1.12 In this LAP, unless the context otherwise requires:

TERM	DEFINITION
Alcohol area	in relation to a single area condition, means the area described in the condition
Bottle store	means retail premises where (generally speaking) at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else, excluding cellar doors (refer section 32(1))
Bar	In relation to a hotel or tavern, means a part of a hotel or tavern used principally or exclusively for the sale or consumption of alcohol (refer section 5(1))
Cafe	has the same meaning as restaurant in terms of the licence

CHB POLICY MANUAL - DOCUMENT #2.1, LOCAL ALCOHOL POLICY ADOPTED 20 SEPTEMBER 2018

E ora ngātahi ana! 3

Cellar door	means a small shop located on a winery property, which is limited to providing the following services and products to its customers:
	Tastings of the wine grown and produced from the winery property only; and
	 Sale of packaged wine grown and produced from the winery property only, for consumption elsewhere.
Club	means a body that —
	 Is a body corporate having as its object (or one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or Is a body corporate whose object is not (or none of whose object is) gain;
	 or Holds a permanent club charter (refer section 5(1))
Grocery Store	grocery store means a shop that –
	 Has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and Comprises premises where –
	 A range of food products and other household items is sold; but The principal business carried out is or will be the sale of food products (refer sections 5(1) and 33(1))
Licensed Premises	means any premises for which a licence is held.
Restaurant	means premises that –
	 Are not a conveyance; and Are used or intended to be used in the course of business principally for supplying meals to the public for eating on the premises (refer section 5(1))
Supermarket	means premises with a floor area of at least 1000 m2, including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items (refer section 5(1))
Tavern	means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public.
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E ora ngātahi ana! 4

PROVISIONS

2.1 Hours for off-licences

2.1.1 The following maximum trading hours apply to all off-licensed premises in the Central Hawke's Bay District Council's territorial area, excluding mini-bar sales and special licences:

Maximum trading hours	Bottle Stores / Grocery Stores / Supermarkets
Monday to Sunday	7am to 11pm

Maximum trading hours	Taverns
Monday to Sunday	9am to 11pm

2.2 Hours for on-licences

2.2.1 The following maximum trading hours apply to all on-licensed premises that are restaurants or cafes in the Central Hawke's Bay District Council's territorial area:

Maximum trading hours	Restaurants / Cafes	
Monday to Sunday	8am to 1am the following day	

2.2.2 The following maximum trading hours and one way door restrictions apply to all on-licensed premises that are taverns / bars / nightclubs / clubs in the Central Hawke's District Council's Bay territorial area

Maximum trading hours	Taverns / Bars / Pubs / Night-clubs / Clubs	
Monday to Sunday	8am to 1am the following day	
One-way door restriction	Discretionary conditions where appropriate	

Note:

Where a LAP has defined maximum trading hours, the District Licensing Committee has discretion to set the permitted trading hours as more restrictive than the maximum trading hours in the LAP.

2.3 Special Licences

2.3.1 Restrictions on hours will be imposed if the District Licensing Committee considers it appropriate in respect of any environmental or other considerations which may require constraints on the hours of operation. Such issues may be raised by the Licensing Inspector, Police or other relevant affected parties.

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CHB POLICY MANUAL – DOCUMENT #2.1, LOCAL ALCOHOL POLICY ADOPTED 20 SEPTEMBER 2018

2.3.2 The following one-way door restrictions apply to all premises in respect of which an on-site special license is issued:

One-way door restriction	Discretionary conditions where appropriate
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Note:

The hours (opening and closing) and duration of a special licence are set, having regard to the nature of the event, or series of events. Special licences may be issued both for off-site consumption; wine sales from a market stall, or for on-site consumption; at a private function or when a bar has a special licence to open earlier / close later for significant events. For premises holding existing on-licences, the conditions of a special licence premises will specify a closing time as permitted by the on-licence, generally requiring the premises to close at / before 1am.

2.4 Location of Premises

- 2.4.1 From the date this LAP comes into force, no further off-licences are to be issued for premises being a bottle store unless that bottle store is located on land zoned 'Business'.
- 2.4.2 From the date this LAP comes into force, no further on-licences are to be issued for any new premises being a tavern unless that tavern is located on land zoned 'Business', or appropriate resource consent has been granted to operate a tavern within the rural zone or township zone.
- 2.4.3 From the date this LAP comes into force, no further off-licences are to be issued for any new premises being a tavern unless that tavern is located on land zoned 'Business', or appropriate resource consent has been granted to operate a tavern within the rural zone or township zone.

Note:

The LAP can go further than the District Plan or be more restrictive in its provisions but cannot permit activities not allowed (prohibited) by the District Plan. The Operative District Plan for Central Hawke's Bay provides for licensed premises within the 'Business', 'Township' and 'Rural' zones as a permitted activity with hours of operation limited to 7am – 11pm Sunday to Thursday, and 7am to 1am the following day Friday and Saturday.

2.5 Discretionary Conditions

Note:

The Act provides for the LAP to include policies to guide the District Licensing Committee and the Alcohol Regulatory and Licensing Authority as to discretionary conditions that are appropriate. This policy guidance is in addition to the particular provisions of the Act in relation to the discretionary provisions including s117 of the Act which permits the Committee and the Authority to any issue any licence subject to "any reasonable conditions not inconsistent with this Act".

2.5.1 On-Licences

Conditions relating to the following matters are considered generally appropriate for on-licensed premises:

CHB POLICY MANUAL – DOCUMENT #2.1, LOCAL ALCOHOL POLICY ADOPTED 20 SEPTEMBER 2018

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- Provision of additional security (staff) after 'x' hour
- Provision of effective exterior lighting
- Restriction on the size and time of 'last orders'
- Restriction on the use of outdoor areas after 'x' hour
- One-way door restrictions
- That where a licence is granted for the first time (first time meaning premises where the prospective
 licensee has never held a liquor licence previously or is operating a premises that has never been a
 licensed premises before), the trading hours may be more restrictive than the maximum trading hours
 contained in this LAP.

The following conditions may be appropriate for on-licensed premises such as BYO restaurants:

- Qualified manager to be on duty during busy periods e.g. Friday and Saturday nights.
- That where a licence is granted for the first time (first time meaning premises where the prospective
 licensee has never held a liquor licence previously or is operating a premises that has never been a
 licensed premises before), the trading hours may be restrictive than the maximum trading hours
 contained in this LAP.

Conditions relating to the following matters may be appropriate for on-licensed Club premises depending on the size and nature of the club:

 A requirement for a qualified manager to be present when alcohol is available for sale during busy periods e.g. more than 100 people on the Club premises.

Conditions relating to the following matters may be appropriate for all on-licensed premises depending on the size and nature of an event:

 A requirement for provision of an Alcohol Management Plan where alcohol is available for sale at a proposed event, or series of events, that will attract more than 500 people to the licensed premises.

2.5.2 Off-Licences

Conditions relating to the following matters are appropriate for bottle stores:

- Supervised designation of all bottle stores to ensure unaccompanied minors do not enter bottle stores
- Display of safe drinking messages / material
- Prohibit display of alcohol related advertising signs / sandwich boards on public footpaths outside / within the immediate vicinity of licensed premises.

2.5.3 Special Licences

Conditions relating to the following matters are appropriate for special licenses:

- · Any special licence for a series of events should not be for a period exceeding 6 months
- No premises should have more than 20 events under special licence in any 12 month period.
- A requirement for provision of an Alcohol Management Plan where alcohol is available for sale at a proposed, event or series of events, that will attract more than 500 people to the event.

E ora ngātahi ana! 7

CHB POLICY MANUAL – DOCUMENT #2.1, LOCAL ALCOHOL POLICY ADOPTED 20 SEPTEMBER 2018





28th September 2021

Lisa Harrison Customer Relationship and Experience Manager Central Hawke's Bay District Council 28-32 Ruataniwha Street Waipawa 4210

Dear Lisa

LOCAL ALOCHOL POLICY REVIEW

Thank you for your email dated the 27th September 2021 advising that the current Local Alcohol Policy is due for review.

The Hawke's Bay District Health Board fully supports the Central Hawke's Bay Local Alcohol Policy (LAP). We strongly believe that a LAP is a package of measures which, when used comprehensively, can significantly minimise high rates of hazardous drinking and subsequent alcohol-related harm.

A LAP which has the effect of reducing the overall availability of alcohol has significant potential to further minimise alcohol-related harm and improve community well-being. Measures that reduce accessibility and availability of alcohol have particular benefits for those who experience significant inequities in harm (i.e. Māori and those socioeconomically disadvantaged). The LAP can support other harm reduction interventions in Hawke's Bay and assist in sending a strong signal to communities regarding the harms associated with alcohol consumption.

Over the past few years, we have seen the positive effects from having a LAP including:

- Reduced trading hours less than the default hours in the Act
- One way door policy in place

The LAP also represents the voice of the community. The Hawke's Bay DHB feels very strongly that alcohol should not be on school grounds when children are present. It is widely understood that schools act as role models for children, families and communities. Allowing alcohol to be sold or promoted in a setting where minors are present further normalises alcohol use in every day settings.

We request that Councils show leadership by taking a strong position on alcohol consumption on school grounds, as part of school fundraisers and assist to denormalise alcohol use by promoting alcohol-free events/alcohol-free council owned facilities especially where minors are present.

POPULATION HEALTH

Napier Health Centre, 76 Wellesley Road, Napier 4110, PO Box 447, Napier 4140, New Zealand Telephone 06 834 1815 Website: www.hawkesbay.health.nz

Wairoa District Council recently put the following clause in their LAP and we would encourage Central Hawke's Bay District Council to consider adding this clause.

CHILD FOCUSSED EVENTS

6 3.1 Licences will not be granted for child-focussed events. A child focussed event is an event that is centred around minors. This includes but is not limited to galas, children's sports games, school kapa haka events, etc.

Yours sincerely,

Dr Bridget Wilson

Medical Officer of Health

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7.7 ADOPTION OF CLASS 4 GAMBLING AND BOARD VENUE POLICY

File Number: COU1-1400

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 4

2. 1. Class 4 Gambling and Board Venue Policy Submission - Te Rangihaeata Oranga - Hawke's Bay Gambling Harm J

3. 2. Class 4 Gambling and Board Venue Policy Submission - Grass Roots Trust J

4. 2. Class 4 Gambling and Board Venue Policy Submission - Grass Roots Trust - Supporting Information 4.

5. 2. Class 4 Gambling and Board Venue Policy Submission - Grass Roots Trust - Supporting Information - Approved Grants J

6. 3. Class 4 Gambling and Board Venue Policy Submission - Kathryn Bayliss 4

PURPOSE

The matter for consideration by the Council is to present received submissions to the Class 4 Gambling and Board Venue Policy Statement of Proposal for Councils consideration, as part of considering the adoption of a reviewed Class 4 Gambling and Board Venue Policy.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report:

- 1. That the submissions on the Class 4 Gambling and Board Venue Policy Statement of Proposal be received.
- 2. That Council thank submitters for taking the time to provide feedback on the Class 4 Gambling and Board Venue Policy Statement of Proposal.

And following deliberation:

3. That Option Two – the more restrictive option of the Class 4 Gambling and Board Venue Policy Statement of Proposal be adopted.

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 venues 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 was 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.

Council released a Statement of Proposal for consultation on 20th September. This closed on 18th October with three submissions being received. This report presents those submissions for Council's deliberations and recommends **option 2** for adoption.

BACKGROUND

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 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.

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. Gambling 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 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 Limited 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 due to the additional 7 gaming machines being granted under the current legislation and policy in place.

Council's Board Venue Policy, which is included in Councils combined Class 4 Gambling and Board Venue Policy, is required under Section 96 of the Racing Industry Act 2020 and must specify whether or not new board venues may be established in the district and, if so, where they may be located.

The Racing Industry Act 2020 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.

On 20th September 2021 Council released its Statement of Proposed. Council has now completed consultation with the community and key stakeholders on the Class 4 Gambling and Board Venue Policy with submissions closing on 18 October 2021. Three submissions have been received and this next section of the report outlines the submissions.

DISCUSSION

This section of the report outlines the basis of the Statement of the Proposal and the submissions received.

Class 4 Gambling Machines

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 dropping just 5.9% from the December Quarter 2009 to the 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).

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.

The Statement of Proposal

The Class 4 Gambling and Board Venue Policy Statement of Proposal that went out for consultation provided three options. In preparing these options officers considered the following:

- Requirements of the Gambling Act 2003 and the Racing Industry Act 2020.
- The purpose of a Class 4 Gambling and Board Venue Policy
- The steady and significant decline in the number of Class 4 Gambling Machine Venues and numbers over the last 5 years
- The benefits from Class 4 Gambling
- The harm that Problem Gambling brings to the Community

Within the statement of proposal there were three options for consideration:

Option One – Status Quo

- Retain the cap at 300 residents per machine
- Relocations allowed
- Restrictions on any new/relocated venues to be >100metres from sensitive sites/activities

Option Two – More Restrictive

- Increase ratio of max number of machines to 500 per resident
- 'Sinking lid' policy
- Remove ability for relocations/mergers of machines

Option Three – Less Restrictive

Remove or reduce cap ratio to <300 per resident

Submissions Received

Council has received three submissions regarding the Class 4 Gambling and Board Venue Policy Statement of Proposal. Of the three submissions received, two were in favour of **option two**, the more restrictive of the options.

As a reminder, the key aspects of options two includes:

- Increasing ratio of max number of machines to 500 per resident
- 'Sinking lid' policy
- Remove ability for relocations/mergers of machines

Submitter one, who is in favour of **option two** will be speaking regarding their submission.

Submitter three, who was also in favour of **option two** has made the following comments in relation to their submission but did not wish to speak:

Option two... "Prevents an increase in venues and machines. It helps minimise the harm caused by problem gambling. Gambling is irresponsible. Money would be better spent elsewhere".

The final submitter (submitter two) was in favour of **option one** which is status quo, this includes:

- Retain the cap at 300 residents per machine
- Relocations allowed
- Restrictions on any new/relocated venues to be >100metres from sensitive sites/ activities.

Submitter two notes in their submission that:

"Council's option two of the 2021 Statement of Proposal effectively introduces a Sinking Lid Policy and removes the ability for venues to relocate premise. There is no evidence that suggests a sinking lid policy reduces venue and gaming machines numbers, and that the removal of the policy provisions that allow venue relocations will reduce gambling".

They also state in their submission that by removing the relocation provisions in the policy that this may pose a health and safety risk as operators do not have the option to move out of earthquake prone, dangerous or insanitary premises.

Attached are copies of the three submissions received.

None of the submissions suggest changes to the Options outlined in the Statement of Proposal. Officers' recommendation, supported by two of the three submissions received in relation to the Class 4 Gambling and Board Venue Policy Statement of Proposal, continues to be that **Option Two** is the recommended option.

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 addition 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

Social and Cultural

Gambling can have serious social and cultural impacts on our community, and this must be taken into account when reviewing this policy. However, there is also a positive contribution to the social wellbeing of our community from grant distributions to community organisations and residents of around \$800,000 a year which a number of our community groups/organisations require in order to continue to operate in the community.

Economic

There is a potential impact on the economic wellbeing from the businesses involved in operating the gaming machines should they wish to relocate their business.

DELEGATIONS OR AUTHORITY

Council adopted, as required, the draft Policy and Statement of Proposal on the 26 August 2021. Consultation was completed between 20th September – 18 October 2021.

We now present the submissions to Council for their consideration including the adoption of the Class 4 Gambling and Board Venue Policy, following consultation.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed. Council must adopt a Class 4 Gambling and Board Venue Policy as per the Gambling Act 2003 and the Racing Industry Act 2020. Council has completed the consultation period as per the Special Consultative Procedure under the Local Government Act 2002. Council has received three submissions, one from a gaming society, one from a member of the community and one from a gambling harm organisation.

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 alongside the submissions received in relation to this matter.

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.

Included below are the three options from the Class 4 Gambling and Board Venue Policy Statement of Proposal, as well as a fourth option which is to start again.

Policy Setting	Possible Benefits	Possible Negative Impacts
Option – Status Quo Retain the cap at 300 residents per machine Relocations allowed Restrictions on any new / relocated venues to be >100metres from sensitive sites / activities	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. Restrictions on location continues to mitigate potential harm. 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).	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. Relocations make it easier for existing premises to continue operating.
Option 2 – More restrictive Increase ratio of max number of machines to 500 per resident 'Sinking lid' Remove ability for relocations / mergers	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. 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.	The current venue and machine numbers are low compared to the NZ average and many rural Districts. Further reductions from the current numbers may: 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 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.
Remove or reduce cap ratio to <300 per resident	Possible additional employment and community grants.	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. Grants are unlikely to increase much as evidenced by the modest reductions seen as venues and machines reduced over the last decade.
Option 4 – Start Again	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. Restrictions on location continues to mitigate potential harm. 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).	Status Quo until a new policy was adopted. 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. Relocations make it easier for existing premises to continue operating.

	Option 1 Status Quo	Option 2 More Restrictive	Option 3 Less Restrictive	Option 4 Start Again
Financial and Operational Implications	There are no obvious implications.	There are no obvious implications.	There are no obvious implications.	This would include consideration amount of officer's time.
Long Term Plan and Annual Plan Implications	There are no obvious 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.	This would mean reconsulting with the external stakeholders and community about the possible options. The current policy would exist until such time as a new policy was adopted. This could have a negative impact on the social and cultural impacts of the community.
Statutory Requirements	Council is required to meet the requirements of the Gambling Act 2003 and the Racing Act 2020.		Council is required to meet the requirements of the Gambling Act 2003 and the Racing Act 2020.	Council is 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.	Wellbeing Strategy.	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.
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Recommended Option

This report recommends option two - more restrictive for addressing the matter.

NEXT STEPS

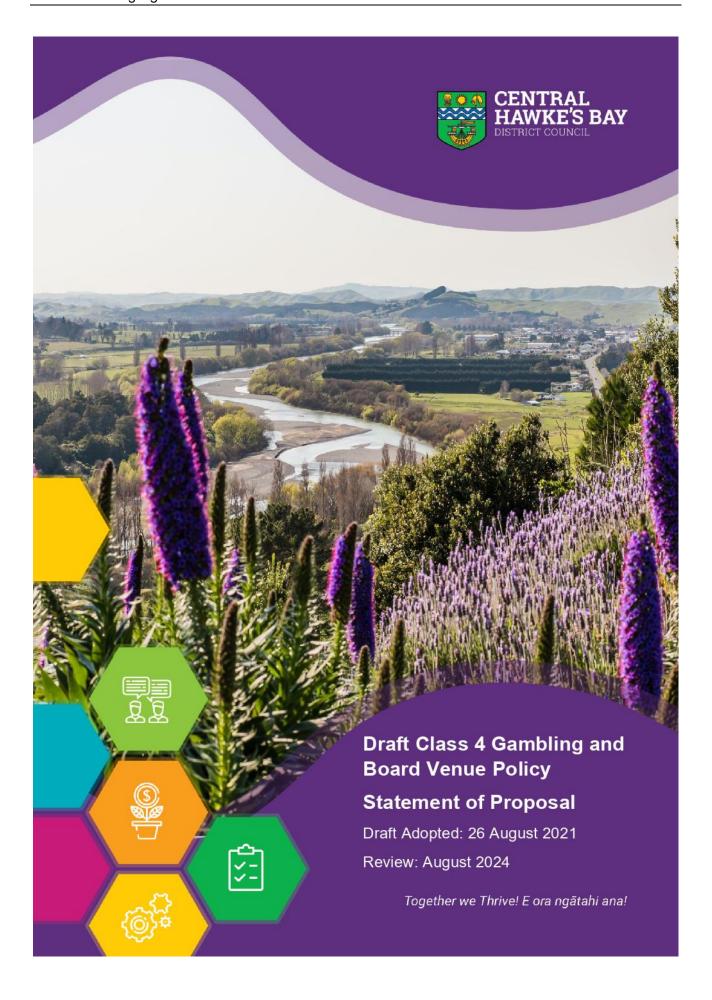
That if the recommendations are adopted below, that the policy be updated and released to the public via our website.

RECOMMENDATION

- 1. That the submissions on the Class 4 Gambling and Board Venue Policy Statement of Proposal be received.
- 2. That Council thank submitters for taking the time to provide feedback on the Class 4 Gambling and Board Venue Policy Statement of Proposal.

And following deliberation:

3. That Option Two – the more restrictive option of the Class 4 Gambling and Board Venue Policy Statement of Proposal be adopted.



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Class 4 Gambling and Board Venue Policy ADOPTED 26 August - REVIEW August 2024 E ora ngātaki 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.

Class 4 Gambling and Board Venue Policy ADOPTED 26 August - REVIEW August 2024 E ora ngātahi ana!

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.

Class 4 Gambling and Board Venue Policy ADOPTED 26 August - REVIEW August 2024 E ora ngātahi ana!

Policy Setting	Possible Benefits	Possible Negative Impacts
Option – Status Quo Retain the cap at 300 residents per machine Relocations allowed Restrictions on any new / relocated venues to be >100metres from	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.	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.
sensitive sites / activities	Restrictions on location continues to mitigate potential harm. 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).	Relocations make it easier for existing premises to continue operating.
Option 2 – More restrictive Increase ratio of max number of machines to 500 per resident 'Sinking lid' Remove ability for relocations / mergers	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. 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.	The current venue and machine numbers are low compared to the NZ average and many rural Districts. Further reductions from the current numbers may: • 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 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.

Class 4 Gambling and Board Venue Policy ADOPTED 26 August - REVIEW August 2024 E ora ngātahi ana!

Policy Setting	Possible Benefits	Possible Negative Impacts
Option 3 – Less Restrictive Remove or reduce cap ratio to <300 per resident	Possible additional employment and community grants.	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.
		Grants are unlikely to increase much as evidenced by the modest reductions seen as venues and machines reduced over the last decade.

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.

Class 4 Gambling and Board Venue Policy ADOPTED 26 August - REVIEW August 2024 E ora ngātahi ana!

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.

Class 4 Gambling and Board Venue Policy ADOPTED 26 August - REVIEW August 2024 E ora ngātahi ana!

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.

Class 4 Gambling and Board Venue Policy ADOPTED 26 August - REVIEW August 2024 E ora ngātaki ana!

CHBDC - Class 4 Gambling and Board Venue Policy

Full Name Vicki Berkahn Vicki Berkahn Contact Person Email Address Contact Phone Number

Please indicate what option you support (tick one box only) Option two: More Restrictive

Provide the reasons for your submission and chosen option

Kia ora Council

A small number of people in your community play the pokie machines and lost \$2,175,095 in the last financial year. This loss of money comes from those who can least afford it, which impacts on their wider whanau, employer, friends.

Te Rangihaeata Oranga - Hawke's Bay Gambling Harm Service sees problem gamblers from the Central Hawke's Bay community. Our clients only come to see us when they are causing harm through spending money they do not have, stealing from their employers or friends, or destroying relationships of trust. Option 2 which will reduce machines over time is the preferred option. Although in the meantime the Council has a role in ensuring the venues are upholding their host responsibility policies. We know around New Zealand that venues are not responsible gaming hosts as highlighted by a recent case in the media. The DIA will soon be bringing in tougher regulations for Councils to enforce.

The money going to the community by way of grants is only a small percentage of the money lost by a small group of people. This is not a fair approach by your community groups - to be taking pokie losses off the lower socioeconomic group. Only 14% of the pokie losses were retuned to CHB community by way of grants for Infinity/Grassroots - lost by the people playing the 18 machines at the Leopard Hotel.

Please address this serious harm in your community - it does have an impact on all of you - directly or

Vicki Berkahn, General Manager Te Rangihaeata Oranga Trust, Hawke's Bay Gambling Harm Service www.gamblinghb.co.nz

I/we wish to be heard in support of the submission	Yes
Full Name	Vicki Jane Berkahn
Date	Wednesday 13 October 2021



Submission Form

Central Hawke's Bay District Council:

Class 4 Gambling and Board Venue Policy (Pursuant to Gambling Act 2003 and Racing Act 2020)

Submissions are invited from 20 September - 18 October 2021

Please ensure that this form is completed in full and submit 2021. If you have any questions in relation to making a submit	The state of the s
Submitter Details	
Full name: Sean Hannan for Grassroots Trust Central Limited	Contact person: Karmen McGrath
Email Address:	Contact Phone Number:
Please indicate which option you support (tick one box only	y)
☑ Option One – Status Quo	
 Retain the cap at 300 residents per machine Relocations allowed Restrictions on any new / relocated venues to be >100 	metres from sensitive sites / activities
☐ Option Two – More Restrictive	
 Increase the cap to 500 residents per machine Remove ability for relocations / mergers 'Sinking lid' (if an existing Class 4 (pokie) venue close 	s, consent will not be given for another to be established)
☐ Option Three – Less Restrictive	
Remove or reduce cap to less than 300 residents per r	machine
Submission Statement	
Provide the reasons for your submission and chosen option Please see written submission accompanying this form.	
Declaration I/we wish to be heard in support of the submission (No)	
Signed	Dated18/10/2021
Please email your completed form to: customerservice@chbdc.govt.nz or post to PO Box 127, Wa	
Privacy Statement	
By making a submission you agree to any personal information names and contact details) being made available to Central For access this information.	- , , -
Central Hawke's Bay District Council www.chbdc.govt.nz • 06 857 8060 • PO Box 127 • 28 - 32 Ru	ataniwha Street, Waipawa 4210



Central Hawke's Bay District Council

PO Box 127 Waipawa 4242

Email: customerservice@chbdc.govt.nz

Class 4 Gambling Venue & Board Policy Review - Submission

Introduction

Grassroots Trust Central Limited is supportive of positive legislation changes within the industry and all efforts to further minimise harm that is caused from gambling. Grassroots Trust Central Limited has reviewed the Central Hawke's Bay District Council's draft 2021 Statement of Proposal and responds below.

Grassroots Trust Central Limited SUPPORTS OPTION 1 - STATUS QUO, to:

- Retain the cap at 300 residents per machine
- Relocations allowed
- Restrictions on any new / located venues to be > 100 meters from sensitive sites / activities

Council's Option 2 of the 2021 Statement of Proposal effectively introduces a Sinking Lid Policy and removes the ability for venues to relocate premises. There is no evidence that suggests a sinking lid policy reduces venue and gaming machine numbers, and that the removal of policy provisions that allow venue relocations will reduce gambling.

The total number of gaming machines and venues across New Zealand continues to naturally decline without the need for Councils to impose sinking lid policies. In the twelve months ending June 2021 venue numbers dropped from 1074 to 1059 and similarly gaming machine numbers dropped from 14,847 to 14,704.

A reduction in gaming machine numbers does not mean a reduction in gaming machine expenditure. It is also not the answer to reducing New Zealand's problem gambling rate. In contrast, and despite the reduction in gaming machine and venue numbers, the Central Hawke's Bay District has seen a 13.8% increase in gaming machine expenditure between June 2020 and June 2021. In dollar terms that is an increase in expenditure of \$263,495.14.

Relocation provisions in a policy are good and should be encouraged, as new venues tend to be smaller, modern and more vibrant premises that create a positive entertainment precinct, supporting the local economy and encouraging tourism. Without the ability to relocate, health and safety issues may be created for hospitality venues. The current policy allows venue operators to move out of earthquake prone, dangerous, and insanitary premises. Removing this option would only entrench venue operators in premises that may be a health and safety risk.

About Grassroots Trust Central Limited

Grassroots Trust Central Limited (GTCL), a Class 4 Gaming Society, is a Hastings based Trust formerly operating as Infinity Foundation and proudly supporting the local Hawke's Bay community since 2006. GTCL's dedicated and professional Board of Directors are passionate about supporting local communities.

This passionate Board of Directors meet monthly in Hastings to consider grant funding requests from community organisations and include Chairman, Sean Hannan (Independent Director); and Directors, Kath Grieve (Business Consultant), Mike Knobloch (Chartered Accountant), Andrew Lockyer (International Sales Executive), and Martin Bradley (former Lawyer).

The GTCL directors share common purposes and goals with an overarching mission *To Provide Local Funding To Local Communities*. They share an important vision, to be the most effective community funder of sport and community activity and to operate the most effective Harm Prevention & Minimisation Programmes, ensuring they safeguard vulnerable individuals and communities from potential gambling harm.

GTCL currently operate gaming machines in the Bay of Plenty, East Coast, Hawke's Bay, Manuwatu, Wellington and Dunedin regions. Within the Central Hawke's Bay District, GTCL operate gaming machines at one venue – the Leopard Hotel, operating 18 gaming machines.

GTCL forms part of the industry leading Grassroots Trust Group, with operations being run from Hamilton and regulated by The Gambling Act 2003. The Grassroots Trust Group combined, are the fourth largest Class 4 Gaming Operators in New Zealand, currently operating gaming machines from Northland through to Otago across 83 Class 4 Venues and therefore supporting many community organisations across New Zealand.

Grant Funding

Class 4 Gaming Venues enable extremely valuable funding to be provided to a large range of local community groups. Approximately \$300 million in gaming machine funds is provided to over 11,000 community organisations each year across New Zealand. Figure 1 below from the National Wellbeing Analysis commissioned by the Gaming Machine Association of New Zealand¹, represents funding distributing in 2019 from not-for-profit gambling sectors in New Zealand:



¹ https://www.gmanz.org.nz/resource/gambling-in-new-zealand-a-national-wellbeing-analysis/

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In 2019, approximately \$11m in external grants were put back into the Hawke's Bay Region, that is 43% of Gaming Machine Proceeds (minimum requirement is 40%). An estimated \$2m of that funding was paid directly to organisations within the Central Hawke's Bay District. Class 4 Gaming Societies are the only gambling operators that focus on supporting grassroots community organisations. No other gambling provider provides this level of support for grassroots organisations. Grants make a positive difference to many community organisations, which would struggle to survive without this funding. There is no easy substitute for these funds. Funding received by community organisations is critical to their ongoing sustainability. The Lottery Grants Board makes a small number of large grants to large organisations. The New Zealand Racing Board predominately uses the funds from race and sports betting to support the racing industry. The profits from the six commercial casinos are paid out to their commercial shareholders (save for a token amount in community grants). No grant money is paid by offshore-based online gambling providers.

GTCL is required by law to return a minimum 40% of gross proceeds to authorised purposes and it is GTCL's intention to distribute these funds back to the community that it was generated from, across the sport, community and education sectors. Our funding turnaround is quick, with grant decisions being made monthly by a dedicated, passionate and professional Board of Directors based in Hastings. Many organisations throughout New Zealand including the Central Hawke's Bay District have benefited from a GTCL grant. In February 2019 GTCL were excited to be able to assist The Order of St John Central Region Trust Board, by providing funding of \$184,951.00 towards the purchase of the new ambulance, a direct benefit to the Central Hawke's Bay.

During the period 1 October 2020 to 30 September 2021, GTCL made \$336,713.30 in grants to thirty-two separate organisations' who provide essential services to and within the Central Hawke's Bay District – see full list attached to this submission. GTCL would like to take this opportunity to highlight some of the many community organisations in the Central Hawke's Bay District that have benefited from GTCL funding already:



WAIPUKURAU VOLUNTEER FIRE BRIGADE

The Waipukurau Volunteer Fire Brigade have been in existence since 1912, providing emergency services to the Waipukurau District.

GTCL recently provided funding of \$30,000.00 towards the purchase of a new van. The van is used to transport personnel, materials and resources to sites where fire safety and prevention education takes place, such as schools to support the Fire Wise Programme, or private homes where home owners are given a presentation on home fire safety and have free smoke alarms fitted, a critical benefit for the community.



HAWKE'S BAY REGIONAL SPORTS PARK TRUST

The 30-hectare Sports Park is owned by the Hastings District Council and operated by the Hawke's Bay Regional Sports Park Trust. The park attracts 320,000 users per annum and houses a world class athletics track, a 2,500 seat grandstand, a 200 square metre fitness room, 7 sports fields with a designated changing room building, a fully floodlit half & full hockey turf, a netball centre, a cycling skills course and more.

GTCL has proudly supported the Hawke's Bay Regional Sports Park Trust, over the last 12 months providing \$70,000.00 in funding towards the construction of their new indoor cricket and boxing facility.

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CENTRAL HAWKE'S BAY COLLEGE

The Central Hawke's Bay College is a small coeducational rural school of around 522 students in Waipukurau.

GTCL recently provided funding of \$7.962.00 to enable the school to purchase four new gazebos to be used during sport and cultural school events. The gazebos provide staff and students with important rain and sun protection during these events, as well as promoting their strong internal House System at these events.



WAIPAWA COUNTRY UNITED JUNIOR RUGBY CLUB

The Waipawa Country United Junior Rugby Club is made up of teams from a number of small town and rural schools in Central Hawkes Bay. The club attracts a strong membership of 120 junior players', and all are trained and coached by volunteer parents.

GTCL has recently provided funding of \$3,363.75 towards the club purchasing new playing jerseys enabling these kids to play and enjoy the sport they love.

In 2012, Auckland Council commissioned a community funding survey. The survey data is summarised in the report Community Funding: A Focus on Gaming Grants.² The report confirms how essential gaming machine funding is to a very large number of grassroots organisations and how extremely difficult it would be for such funding to be obtained from alternative sources. The key findings of the survey were:

- Most respondents (75%) indicated that their organisation is moderately or totally reliant on gaming machine funding to fund core business activities.
- Most respondents (55%) believed that there would be a high to extreme risk to their organisation and their core business if they did not receive gaming funding. A further one-quarter (26%) said that there would be a moderate risk if they did not receive it.
- Two-thirds of respondents (68%) said that they thought that they would be unlikely to find another source of funding if gaming machine funding was not available.

Gambling Participation

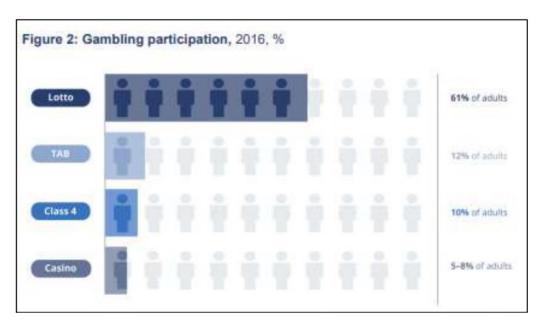
Gambling is a popular form of entertainment in New Zealand. Around 7 in 10 New Zealand adults take part in some form of gambling at least once a year. Figure 2 below from the National Wellbeing Analysis commissioned by the Gaming Machine Association of New Zealand³ shows:

- That of the four gambling types, Lotto is by far the most popular form of gambling;
- 6 in 10 adults in New Zealand play Lotto one or more a year;
- 1 in 10 bet on racing or sports at the TAB;
- 1 in 10 play Class 4 Gaming Machines; and
- 1 in 15 gamble at the Casino.

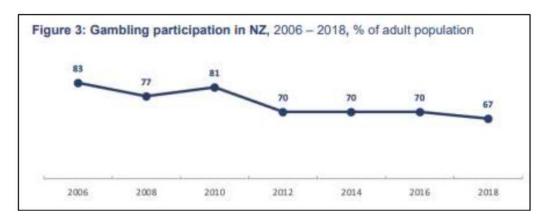
/

² www.gamblinglaw.co.nz/download/Research/Auckland_City_Community_Funding_Report.pdf

³ https://www.gmanz.org.nz/resource/gambling-in-new-zealand-a-national-wellbeing-analysis/



And Figure 3 of the National Wellbeing Analysis commissioned by the Gaming Machine Association of New Zealand⁴ shows that overall participation in gambling in New Zealand has been gradually falling over the last two decades.



Gambling participation fell from 83% in 2006 to 70% in 2012 and has remained relatively steady from then

Problem Gambling & Help Seeking

The fact that more people may now be seeking help does not necessarily mean that problem gambling is increasing. For a lot of people, gambling is not their only problem. The National Wellbeing Analysis commissioned by the Gaming Machine Association of New Zealand⁵ states that around 90% of gamblers have at least one other mental-health diagnosis. More than one disorder in an individual is often referred to "Comorbidity". Therefore, it must be asked if the gambling causes the problem or does the problem cause the gambling.

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⁴ https://www.gmanz.org.nz/resource/gambling-in-new-zealand-a-national-wellbeing-analysis/

 $^{^{5}\} https://www.gmanz.org.nz/resource/gambling-in-new-zealand-a-national-wellbeing-analysis/$

Comorbid disorders share complex relationships:

- One disorder can cause the other;
- Both disorders share a separate cause;
- Both disorders are independent of each other; or
- One disorder protects against the other.

Attempts to quantify harm-related costs from gambling in New Zealand are flawed due to the issues above and there is not enough reliable data to quantify these costs.

Reports also often refer to an increase in help seeking for problem gambling however this could be due to the following contributors:

- New Zealand's estimated resident population now over 5 million continues to increase. The
 population growth from 4 million in 2003 is thought to be the fastest million in New Zealand's
 history, taking only 17 years to reach this milestone;
- A change in society's attitude towards seeking counselling services and seeking help. People
 are these days more aware of the services available to them and are more inclined to seek
 help;
- The general economic decline. A sharp increase in help seeking experienced in the period from 2008 to 2011 corresponds with the global financial crisis. A reduction in disposable income tends to bring any gambling loss to the fore;
- A corresponding increase in television, radio and newspaper advertising by treatment providers has allowed gamblers to be more aware of the counselling services offered.

Harmful gambling behaviours have remained unchanged over the last 20 years. Fewer people are gambling and any increase can be attributed to the relapse rate in New Zealand. Research indicates that over two-thirds of those identified as problem gamblers are already known problem gamblers already in the system.

More work to strengthen our support services in New Zealand is required. Treatment Providers need to ensure skilled professionals are there to support addiction services. Wrap around services that cover all addictions and are face-to-face with problem gamblers are required to help support an individual's journey to wellbeing.

The 2021 Needs Assessment Report commissioned by the Ministry of Health reports that there has also been a decline in Gambling Helpline users. Whilst some Gambling Helpline users found the service useful and supportive, other users stated that repeated calls to the service resulted in more of the same. The same information is offered with one respondent reporting a referral to a counsellor that was unavailable.

Machine Numbers and Gambling Harm

There is no evidence to support the notion that taking Gaming Machines out of our communities will reduce problem gambling. In fact, the problem gambling rate in New Zealand continues to plateau and remains low.

The New Zealand National Gambling Study: Wave 4 (2015)⁶ found that problem gambling only affects 0.2% of New Zealand's adult population and this is despite a reduction of 10,000 gaming machines in the 15 years previous. The Problem Gambling Rate is for all forms of gambling, not just gaming machine gambling. To put this into perspective and based on an adult population in 2019 of 3,842.100 as reported by Statistics New Zealand, that's an estimated 8,000 problem gamblers in New Zealand.

Ministry of Health figures have shown that 75% of adult New Zealanders regularly participate in gambling for entertainment, including Lotto, gaming machines, horse and dog racing, sports betting and casinos. About 33% of those enjoy playing licensed gaming machines. On average, for every dollar that is playing in a gaming machine, 91 cents of that dollar is paid out in prizes. This is the highest rate of return for any form of legal gambling in New Zealand. Reducing machine numbers has been tried as a tool to address gambling-related harm but it has not worked as there is no link between gaming machine numbers and harm caused.

The graph below (latest available data) shows the dramatic reduction in gaming machine numbers over the ten-year period ending December 2020, and the corresponding flat problem gambling rate:



Reducing venues and machine numbers merely reduces community funding and accelerates the migration of gambling to online providers where there is zero return to the community. There is no direct correlation between gaming machine numbers and problem gambling rates. In fact, statistics provided on The Department of Internal Affairs' website reports that despite the decrease in venue and gaming machine numbers in the Central Hawke's Bay District, Gaming Machine Profit (GMP) continues to increase.

The reasons for an increase or decrease in problem gambling are complex and multi-faceted, not simply the direct by-product of an increase or decrease in machine numbers. The 2012 National Gambling Survey concluded that the prevalence of problematic gambling reduced significantly during the 1990s and has since stayed about the same. The report confirmed how essential gaming machine funding is to a very large number of community organisations and how extremely difficult it would be for such funding to be obtained from alternative sources. The report stated on pages 17 and 18:

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https://www.health.govt.nz/system/files/documents/publications/national-gambling-study-report-6-aug18.pdf

"Problem gambling and related harms probably reduced significantly during the 1990s but have since remained at about the same level despite reductions in non-casino EGM numbers and the expansion of regulatory, public health and treatment measures. Given that gambling availability expanded markedly since 1987 and official expenditure continued to increase until 2004, these findings are consistent with the adaptation hypothesis. This hypothesis proposes that while gambling problems increase when high risk forms of gambling are first introduced and made widely available, over time individual and environmental adaptations occur that lead to problem reduction"

The New Zealand National Gambling Study: Wave 3 (2014) noted that the problem gambling rate had remained the same over the last 10-15 years despite gaming machine numbers decreasing. The report stated on page 19:

"In contrast to the 1990s, there is no evidence that problem gambling prevalence decreased with decreasing participation rates during the 2000s. When methodological differences between studies are taken into account, it appears that problem gambling prevalence has remained much the same during the past 10 to 15 years"

Harm Prevention & Minimisation - Support & Systems

Class 4 Gaming Societies are heavily regulated by the Department of Internal Affairs, socially responsible and very committed to Harm Prevention & Minimisation.

GTCL and its member venues are committed to creating a *Culture of Care* for our gambling customers; and operate within a comprehensive Society and Venue Harm Prevention and Minimisation Policy.

We expect venue management to support their staff to provide a Culture of Care for gambling customers and to become Responsible Gambling Hosts. We aim to provide an environment that supports Responsible Gambling and understand that although for some people gambling is a form of entertainment for others there are some harmful effects.

There is already a regulatory requirement for staff and managers of Class 4 Gaming Venues to be trained in how to monitor and recognise problem gamblers; and how to intervene appropriately to ensure that they seek help and support for their problem. This, in our view, is the most effective way of helping the very small proportion of people who have a problem to manage that, whilst leaving the greatest proportion of people to fulfil their legitimate desire to gamble responsibly.

GTCL, like all other Class 4 Gaming Societies provide significant funding to the Ministry of Health through an annual Problem Gambling Levy. This equates to almost \$11 million a year that the Government is receiving through the Problem Gambling Levy to help those at risk from their gambling. This funding helps to assist problem gambling support services in the Central Hawke's Bay District, including the Problem Gambling Foundation, The Salvation Army and the Gambling Helpline.

On top of this Class 4 Gaming Societies across New Zealand spend an additional \$3-4 million each year on Harm Prevention & Minimisation initiatives such as training, compliance checks and administering the Exclusion Process. GTCL provides significant on-going training to venue management and staff on how to identify and support problem gamblers. Dedicated field staff are available at any time to provide the Harm Prevention & Minimisation Training and support to venue management and staff. GTCL also encourages their member venues to attend initiatives such as the Harm Minimisation Leadership Programme recently delivered by Hospitality New Zealand providing Class 4 Venues.

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GTCL provides the following resources to venues:

- GTCL Venue Harm Minimisation Policy;
- Full Health Promotion Agency Gamble Host Packs including Quick Reference Guides to help identify Problem Gamblers, Posters and Training Tips;
- · Problem Gambling Pamphlets;
- Daily Gaming Diary and Problem Gambling Observation Pad to record any problem gambling observations and action staff may take;
- · Exclusion Order Books and an Exclusion Order Process;
- Signage to display in and around the gaming room.



Example Venue Resources to assist with problem gambling provided by GTCL

GTCL and its member venues fully support the Multi-venue Exclusion (MVE) & National Database Program which operates across New Zealand; providing Problem Gamblers with the option to exclude themselves from multiple venues at once.

Harm Prevention & Minimisation Technology - Facial Recognition

GTCL is a big believer in staying up to date with the latest technology offered in the industry, such as Facial Recognition. Facial Recognition software known as "The Guardian" is a fully integrated solution for recognising registered problem gamblers as they enter and move around a gaming venue. Multiple high-definition cameras are installed to cover entranceways, thoroughfares and gaming room activity. Cameras interface with a specialised controller which will detect people entering or moving around the venue and record unique faces.

Once the faces have been detected, they are then sent to the central, cloud-based, facial recognition system, which will compare facial data received from the cameras to identify any persons of interest. These persons of interest may be self-excluded problem gamblers registered in the database. Notifications and alerts are generated through the Venue Management System so that staff become aware of excluded gamblers present at their venue.

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CAPTURE ANALYSE RESPOND MATCH Obtains gaming venue Analyse each face to Compare facial Notification and alerts users photos from create a unique facial signature and attribute are generated when a video stream. signature and find key data against an positive match is found attributes enrolled database to via the venues QEC find match System.

The Guardian - Four Very Simple Steps

This system has huge positive advantages to the Class 4 Industry including helping to reduce problem gambling relapse amongst individuals but it is expensive! In the absence of Ministry of Health funding towards technology improvements, the purchase of Facial Recognition by Societies such as GTCL is cost prohibitive.

Where Facial Recognition is not installed at a venue, all GTCL venues are provided with CONCERN/Person of Interest, which electronically records Excluded Persons and integrates with the National Exclusion Database. New multi-venue exclusion orders are uploaded electronically by the National MVE Administrator and received through CONCERN/Person of Interest which is operating on all GTCL venues front of house gaming management systems. Venue Staff can regularly view photos of excluded persons electronically to assist with monitoring of their gaming area.

Unintended Consequences - Increase in Internet and Mobile Phone Gambling

The Central Hawke's Bay District Council's 2021 Statement of Proposal recognises recent trends showing an increase in activity through online gambling. It is therefore imperative to recognise that any reduction in local gaming machine offering will only lead to further increased activity through online gambling - gambling spend to offshore internet and mobile-based offerings. While it is illegal to advertise overseas gambling in New Zealand, it is not illegal to participate in gambling on an overseas-based website or mobile phone application.

Since 2019, SkyCity has offered online gambling services New Zealanders through their SkyCity Online Casino (https://www.skycitycasino.com/), operated by an overseas provider. These off shore providers are not regulated by New Zealand law and are not subject to the New Zealand Problem Gambling Levy or other forms of New Zealand tax.

In April 2020, the Health Promotion Agency released a Report on the Impact of COVID- 19^7 on Alcohol Consumption, Smoking, Gambling and Health & Wellbeing. The Health Promotion Agency reported that 1190 New Zealanders over the age of 18 took part in the online survey which took place during days 13 - 19 of the Level 4 Lockdown Period.

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https://www.hpa.org.nz/research-library/research-publications/the-impact-of-lockdown-on-health-risk-behaviours

The report found that:

- 20% of the respondents were either gambling more than usual online or gambling for the first time online; and
- Of those respondents that reported increased online gambling, 51% advised that the reason
 for this was "I can't go to my usual places to gamble or to buy tickets so I have switched to
 gambling online for now".

It now takes only a simple search and a few minutes to download to your computer, tablet or mobile phone any type of casino game you desire, including an exact replica of the gaming machine programs currently available in New Zealand venues.



Offshore-based online gambling, poses considerable risks because it:

- Is highly accessible, being available 24 hours a day from the comfort and privacy of your home;
- Has no restrictions on bet sizes;
- Has no capacity for venue staff to observe and assist people in trouble;
- Reaches new groups of people who may be vulnerable to the medium;
- · Provides no guaranteed return to players;
- Is more easily abused by minors;
- Has reduced protections to prevent fraud, money laundering or unfair gambling practices; and
- Is unregulated, so online gamblers are often encouraged to gamble more by being offered
 inducements or by being offered the opportunity to gamble on credit. For example, many
 overseas sites offer sizable cash bonuses to a customer's account for each friend that they
 induce to also open an account and deposit funds.

Any reduction in gaming machines only redirects gamblers to offshore-based internet gambling and there is no harm minimisation advantage in that strategy. By reducing the number of class 4 gaming venues, this may actually drive gamblers away from the controlled environment of a gaming lounge to an uncontrolled environment of online gambling which cannot be monitored at all.

In addition, there are further disadvantages in the fact that no community funding is generated for New Zealanders, no tax revenue is generated for the New Zealand Government and no contributions are made via the New Zealand problem gambling levy.

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Conclusion

As advised in our introduction, GTCL is supportive of positive legislation changes within the industry and all efforts to further minimise harm that is caused from gaming.

GTCL requests that Council considers retaining a <u>Status Quo (Option 1) Policy</u> on the Gambling Venue & Board Policy Review, retaining the current cap of 300 residents per gaming machine and the venue relocation provisions.

Kind regards

On behalf of the Grassroots Trust Central Board of Directors

Sean Hannan

Chairman

Grassroots Trust Central Limited

Approved Grants - Central Hawke's Bay District

Reporting Period: 1 October 2020 to 30 September 2021



Between the period 1 October 2020 to 30 September 2021, Grassroots Trust Central Limited contributed \$336,713.30 to sport, education and community groups within Central Hawke's Bay District.

Below is a breakdown of these very worthwhile causes:

Approval Date	App No.	Organisation Name	Category	Compliance Description	Approved Amount
28/10/2020	10551	Central Hawkes Bay College	Education	Funding towards the costs associated with purchasing four gazebos	\$7,962.00
28/10/2020	10581	Central Districts Cricket Association Incorporated	Sports	Funding towards the costs associated with District Development grants for November 2020	\$20,000.00
28/10/2020	10590	Central Hawkes Bay Swim Club	Community	Funding towards the costs associated with pool hire and purchasing medals and ribbons for the swim meet on 1 November 2020	\$2,700.00
28/10/2020	10602	Onga Onga Golf Club Incorporated	Sports	Funding towards the salary costs of the Green Keeper for November 2020	\$2,000.00
28/10/2020	10604	Central Hawkes Bay Cricket Club Incorporated	Sports	Funding towards the costs associated with purchasing uniforms and 2020/21 association fees	\$6,102.51
23/11/2020	10620	Patangata Clay Target Club Incorporated	Sports	Funding towards the costs associated with purchasing sporting traps, receivers and channel transmitters	\$5,000.00
23/11/2020	10622	Hastings Boys' High School	Education	Funding towards the costs associated with the purchase and installation of artificial playing surface and covered canopy area	\$10,000.00
23/11/2020	10642	Hawkes Bay Regional Sports Park Trust	Community	Funding towards the costs associated with building a community cricket and sports centre at Mitre 10 Park in Hawkes Bay	\$20,000.00
23/11/2020	10646	Onga Onga Golf Club	Sports	Funding towards the salary costs of the Green keeper for December 2020	\$2,000.00
23/11/2020	10677	Porangahau Country Club Incorporated	Sports	Funding towards the salary costs of the Club House Administrator, the Cleaner, and the Greenkeeper for December 2020	\$2,288.50
23/11/2020	10683	Swimming Hawkes Bay Poverty Bay Incorporated	Sports	Funding towards the salary costs of the Regional Administrator from 1 December 2020 to 1 May 2021	\$5,000.00
23/11/2020	10695	Saracens Hawke's Bay RFC Incorporated	Sports	Funding towards the costs associated with venue hire for the annual coaching and support seminar from 30 - 31 October 2020	\$4,000.00
22/12/2020	10691	Waipukurau Little Theatre Incorporated	Community	Funding towards the costs associated with purchasing hot water boiler (excluding dishwasher)	\$2,000.00
22/12/2020	10704	Central Hawke's Bay Rugby Sports Club (Incorporated)	Sports	Funding towards the costs associated with purchasing playing jerseys and shorts (excluding training tees) for two rugby teams	\$4,000.00
22/12/2020	10718	Waipukurau Volunteer Fire Brigade	Community	Funding towards the costs associated with purchasing a new van	\$30,000.00
22/12/2020	10740	Central Hawke's Bay Swim Club	Sports	Funding towards the costs associated with travel, accommodation, coaches fees and entry fees for the 2021 Aquaknights Junior Festival	\$5,000.00
22/12/2020	10752	Wallingford Sports Club Incorporated	Sports	Funding towards the costs associated with the 80th Annual Sports Meeting (including programme printing, prize ribbons and equipment hire) in 2021	\$2,024.48

22/12/2020	10788	Onga Onga Golf Club Incorporated	Sports	Funding towards the salary costs of the green keeper from 1 - 31 January 2021	\$2,000.00
29/01/2021	10834	Takapau School	Education	Funding towards the costs associated with transport and entry for Year 5-6 students to attend the Sports and Life Academy once per term for 2021	\$4,560.00
29/01/2021	10839	Porangahau Country Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper and Cleaner from 1 - 28 February 2021	\$1,492.00
29/01/2021	10840	Onga Onga Golf Club Incorporated	Sports	Funding towards the salary costs of the Green Keeper from 1 - 28 February 2021	\$2,000.00
29/01/2021	10841	The Otane Sports Club Incorporated	Sports	Funding towards the costs associated with purchasing touch uniforms (singlets)	\$1,312.50
29/01/2021	10845	Central Hawke's Bay Rugby Sports Club (Incorporated)	Sports	Funding towards the costs associated with 2021 competition fees for five teams, and purchasing training equipment and first aid packs	\$5,632.81
29/01/2021	10848	Flemington School (Waipukurau)	Education	Funding towards the costs associated with transport costs for the Senior School Camps from 22 - 26 March 2021	\$1,779.13
26/02/2021	10879	Onga Onga Golf Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper for March 2021	\$2,000.00
26/02/2021	10894	Porangahau Country Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper and Cleaner for March 2021	\$1,900.00
26/02/2021	10908	Basketball Hawkes Bay Incorporated	Sports	Funding towards the costs associated with Miniball venue hire for Central Hawkes Bay for the 2021 season	\$4,220.00
30/03/2021	10929	Gliding Hawkes Bay & Waipukurau Incorporated	Sports	Funding towards the costs associated with purchasing four flarms and displays (anti-collision warning units)	\$4,000.00
30/03/2021	10952	Connect Youth and Community Trust	Community	Funding towards the costs associated with purchasing four laptops	\$2,083.48
30/03/2021	10968	Central Hockey Club Incorporated	Sports	Funding towards the costs associated with registration fees and turf hire from 1 April to 21 August 2021	\$10,000.00
30/03/2021	10972	Waipukurau Golf Club (Incorporated)	Sports	Funding towards the costs associated with purchasing a mower	\$6,000.00
30/03/2021	10976	Porangahau Country Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper and Cleaner for April 2021	\$2,095.00
30/03/2021	10977	Onga Onga Golf Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper for April 2021	\$2,000.00
30/03/2021	10985	Waipawa Country United Junior Rugby Club	Sports	Funding towards the costs associated with purchasing playing jerseys	\$4,000.00
23/04/2021	10954	Hawkes Bay Hockey Association (Incorporated)	Sports	Funding towards the costs associated with the second instalment of 2021 hockey turf hire	\$6,000.00
23/04/2021	11005	Central Hawke's Bay Junior Rugby Incorporated	Sports	Funding towards the costs associated with purchasing rugby jerseys	\$4,436.70
23/04/2021	11016	Waipawa Country United Mens Rugby Incorporated	Sports	Funding towards the costs associated with purchasing training equipment and travel to Dannevirke on 1 May 2021	\$4,000.00
23/04/2021	11043	Pukehou Home and School Association	Community	Funding towards the costs associated with purchasing a marquee	\$966.45
23/04/2021	11051	Onga Onga Golf Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper for May 2021	\$2,000.00
23/04/2021	11053	Porangahau Country Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper and Cleaner for May 2021	\$2,200.00

24/05/2021	11069	Hawke's Bay Regional Sports Park Trust	Community	Funding towards the costs associated with the construction of the indoor cricket and boxing facility	\$25,000.00
24/05/2021	11079	Takapau School	Education	Funding towards the costs associated with purchasing two TVs and a trolley	\$2,000.00
24/05/2021	11085	Central Hawke's Bay Junior Rugby Incorporated	Sports	Funding towards the costs associated with purchasing a marquee	\$5,000.00
24/05/2021	11129	Central Hawkes Bay Rugby Sports Club (Incorporated)	Sports	Funding towards the costs associated with purchasing an irrigation hose and heat pump	\$7,000.00
24/05/2021	11132	Central Hawkes Bay Motor Cycle Club (Incorporated)	Sports	Funding towards the costs associated with purchasing a transponder and charging unit	\$5,000.00
24/05/2021	11138	Porangahau Country Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper and Cleaner for June 2021	\$1,500.00
24/05/2021	11144	Onga Onga Golf Club Incorporated	Sports	Funding towards the costs associated with rebuilding the fairway mower	\$3,000.00
28/06/2021	11156	Waipawa Country United Mens Rugby Incorporated	Sports	Funding towards the costs associated with facility hire from 1 May to 30 September 2021	\$3,000.00
28/06/2021	11180	The Otane Sports Club Incorporated	Sports	Funding towards the costs associated with purchasing first aid kits	\$1,476.00
28/06/2021	11184	Onga Onga Golf Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper for July 2021	\$2,000.00
28/06/2021	11194	Porangahau Country Club Incorporated	Sports	Funding towards the salary costs of the Greenkeeper and Cleaner for July 2021	\$2,000.00
28/06/2021	11200	Hawke's Bay Regional Sports Park Trust	Community	Funding towards the costs associated with the construction of the indoor cricket and boxing facility	\$25,000.00
28/06/2021	11219	Central Hawkes Bay College	Education	Funding towards the costs associated with purchasing basketball uniforms	\$3,110.00
28/06/2021	11220	Waipukurau Lawn Tennis and Squash Rackets Club Incorporate	Sports	Funding towards the costs associated with purchasing mini tennis nets	\$991.00
28/06/2021	11224	Central Hawkes Bay Swim Club	Sports	Funding towards the costs associated with accommodation, coaching fees, and entry fees for New Zealand Short Course Swimming Championships in Auckland from 16 - 22 August 2021	\$3,500.00
27/07/2021	11252	Porangahau Country Club Incorporated	Sport	Funding towards the salary costs of the Greenkeeper Groundsman and the Cleaner for August 2021	\$1,383.00
27/07/2021	11256	Central Hawkes Bay College	Education	Funding towards the costs associated with purchasing basketball goals	\$5,796.00
27/07/2021	11262	Onga Onga Golf Club Incorporated	Sport	Funding towards the costs associated with purchasing a greens mower	\$5,000.00
27/07/2021	11269	Central Hawkes Bay Swim Club	Sport	Funding towards the costs associated with affiliation fees for 50 competitive swimmers	\$5,395.00
27/07/2021	11278	Central Hawke's Bay Rugby Sports Club (Incorporated)	Sport	Funding towards the costs associated with purchase and installation of flood lights	\$1,534.03
27/07/2021	11280	Central Hawkes Bay Cricket Club Incorporated	Sport	Funding towards the salary costs of the Premier Coach and Junior Coaching Assistant from 24 September to 31 December 2021	\$5,500.00

24/09/2021	GA210715-0749	Central Hawke's Bay Rugby Sports Club (Incorporated)	Sport	Funding towards the costs associated with insurance costs from 12 October 2021 to 12 March 2022	\$2,000.00
24/09/2021	GA210723-1019	Flemington Community Trust	Community	Funding towards the costs associated with purchasing a portable sound system	\$2,546.96
24/09/2021	GA210802-1730	The Omakere School Board of Trustees	Sport	Funding towards the costs associated with purchasing a swimming pool cover	\$2,907.00
24/09/2021	GA210803-1758	Waipawa Country United Junior Rugby Club	Sport	Funding towards the costs associated with rugby playing jerseys	\$3,363.75
24/09/2021	GA210817-2190	Central Hawkes Bay Motor Cycle Club (Incorporated)	Sport	Funding towards the costs associated with paramedic services for the CHB Natural Terrain Champs event to be held from 2 - 3 October 2021	\$3,000.00
24/09/2021	GA210826-2431	Central Hawke's Bay Rugby Sports Club (Incorporated)	Sport	Funding towards the costs associated with purchase and installation of a urinal for the grandstands	\$1,955.00
					\$336,713.30



Submission Form

Central Hawke's Bay District Council:

Class 4 Gambling and Board Venue Policy (Pursuant to Gambling Act 2003 and Racing Act 2020)

Submissions	are invited	from 20	September	- 18 October	2021

Please ensure that this form is completed in full and submitted to Central Hawke's Bay District Council by 18 October

	ng a submission, please email lisa.harrison@chbdc	.govt.nz
Submitter Details	Katha	20 1.55
Full name: Namy 10041133	Contact person: Kathyn I	204/13
Email Address:	Contact Phone Number:	
Please indicate which option you support (tick one	e box only)	
Option One - Status Quo		
 Retain the cap at 300 residents per machine Relocations allowed Restrictions on any new / relocated venues to 	b be >100 metres from sensitive sites / activities	
Option Two - More Restrictive		
 Increase the cap to 500 residents per machin Remove ability for relocations / mergers 'Sinking lid' (if an existing Class 4 (pokie) ver 	ne nue closes, consent will not be given for another to	be established)
Option Three - Less Restrictive		
Remove or reduce cap to less than 300 residents.	ents per machine	
Submission Statement		
Provide the reasons for your submission and chose		-
	ues and machines . It helps in	
caused by problem gambling would be better sport else	. Map gambling is irresponsible	le Money
Declaration		
/we wish to be heard in support of the submission	(Yes /No)	
Signed KABayliss	Dated Godober 2021	***************************************
Please email your completed form to: customerservice@chbdc.govt.nz or post to PO Box	x 127, Waipawa 4242 before Monday 18 October 20	021.
Privacy Statement		
By making a submission you agree to any personal	information within the meaning of the Privacy Act 20 Central Hawke's Bay District Council. You have the	and the second s
Central Hawke's Bay District Council		
www.chbdc.govt.nz • 06 857 8060 • PO Box 127 • 2	28 - 32 Ruataniwha Street, Waipawa 4210	

7.8 FINANCIAL REPORTING - FIRST QUARTER 2021/2022

File Number: COU1-1400

Author: Brent Chamberlain, Acting Chief Financial Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. September 2021 Financial Reporting Pack 4 🖫

PURPOSE

The purpose of this report is to provide the Committee with a summary of Council's financial performance and highlight the key financials for the first three months of 2021/22 financial year.

RECOMMENDATION

That, having considered all matters raised in the report, the report on Council's financial performance for the first three months of the 2021/22 financial year be noted.

SIGNIFICANCE AND ENGAGEMENT

This report is provided for information purposes only and has been assessed as being of some significance.

DISCUSSION

The aim of this report is to provide Council with a summary of the financial performance of Council and highlights the key trends for the first three months for the year ended 30 June 2022.

The report contains a Financial Overview for Whole of Council and the Groups of Activities.

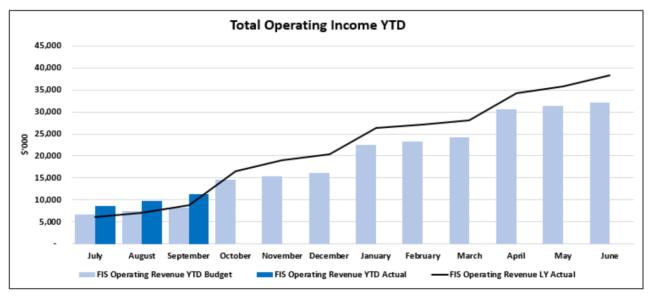
Budget Commentary

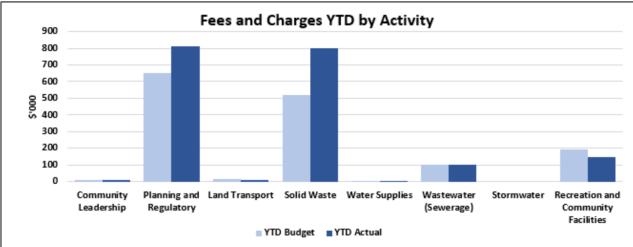
At a high level, operating revenue is \$3.2m ahead of budget at September 2021 (\$11.4m achieved versus \$8.2m budget).

This difference is largely caused by unbudgeted external funding - 3 Waters Reform \$0.7m operational, Economic Development Work Creation \$1.5m, He Ringa Whanau Ora \$0.2m, and Nga Tipuna \$0.3m.

The balance is driven by additional fees and charges and is volume related. For example, Council continues to experience a high demand for Resource Consents and Building Consents and this revenue is \$180k up on budget.

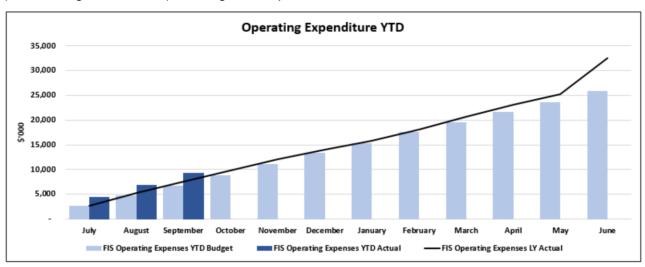
Solid Waste revenue is also up by \$276k, but this is mostly internal revenue relating to the disposal of the solids from the wastewater desludging program.





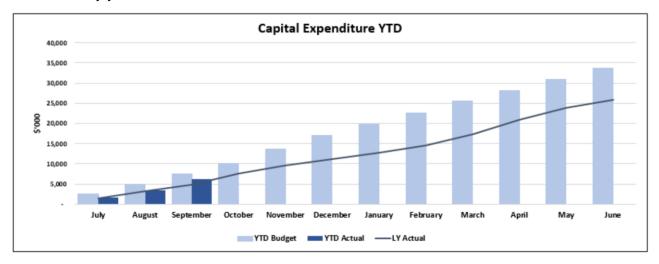
Just like revenue, operating costs are also up on budget by \$3.2m (actually spent \$11.4m versus a budget of \$8.2m).

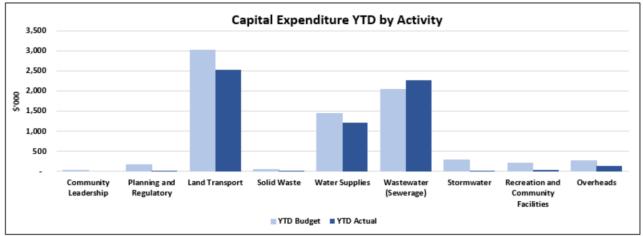
The unbudgeted revenue mentioned above, also comes with unbudgeted costs - \$1.3m of Work Creation payments, 3 Waters Reform \$0.8m, Solid Waste \$0.4m (carbon credits), Consenting (outsourcing costs \$0.2m), and Nga Ara Tipuna \$0.2m.



Council has funding gap appearing in its capital budget caused by a Development Contribution timing issue. While Council changed its Development Contribution policy in June 2021 and significantly increased its levy payable at the time, Development Contributions only become payable at the time of the issuing of the 224 notice (when the development is ready for inhabitation – up to 18 months after the consent is requested), but the levy is based on the levy applicable at the time the consent was requested. Therefore the majority of the levies being invoiced and collected in 2021/22 will still be at the older, lower rate. This will cause a 12-18 month timing gap between budgets and actuals which will need to be covering using either bridging finance or slowing down the construction budgets to match the timing of the receipts. Officers will continue to monitor this situation.

Currently Council is behind budget in capital spend, partly in water renewals but predominately in the delivery of the PGF Route 52 project. Both these items are timing related and should correct themselves by year end.



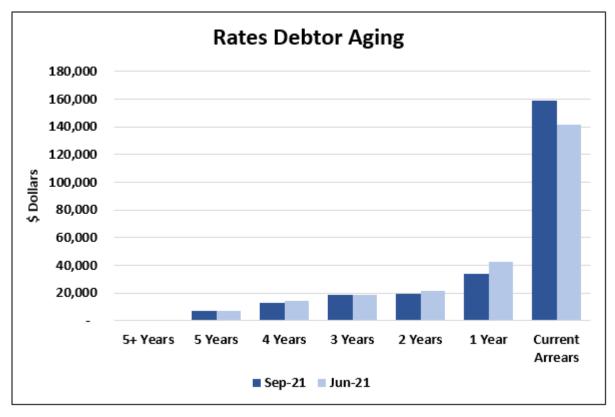


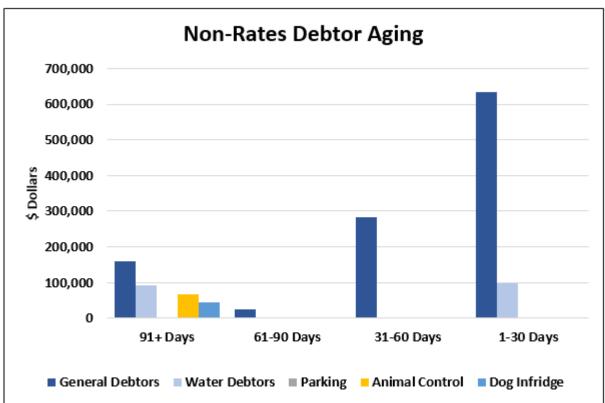
Cash Position

At the end of February Council was holding \$8.5m in its call account and a further \$4.5m in term deposits meaning it has plenty of funding available to fund its capital program for the months ahead.

Part of the reason Council was holding so much cash in September was due to the quarterly rates that were received at the end of August, and a term deposit that had just matured at the end of the month.

Debtors





Council Officers continue to work with our debtors to ensure collection. The quarter one rates due date fell in the middle of New Zealand's second country wide Covid lockdown which caused a few issues for those that like to pay their bills over the counter.

The Non Rates Debtors from September 2021 included large amounts owing from MBIE and Tararua District Council (Economic Stimulus and Nga Ara Tipuna funding \$351k and landfill charges \$116k).

Treasury Policy

The table below shows that Council is compliant with both its existing treasury policy, and its proposed treasury policy contained in the draft Long Term Plan.

Treasury Compliance with Policy							
Liquidity (Liquid	Assets + Debt / Debt)						
	Policy Limit	Actual					
0	>115%	146%					
Finance Costs / To	otal Revenue						
	Policy Limit	Actual					
0	<20%	0.7%					
Finance Costs / To	otal Rates Revenue						
	Policy Limit	Actual					
•	<25%	2.1%					
Debt to Operatin	g Revenue						
	Policy Limit	Actual					
0	<150%	33.3%					

Comprehensive Income and Expenditure Statement

The budget commentary above is all based on the FIS (Funding Impact Statement) view of Councils finances (as required by the Local Government Act 2002).

When you display the same data using IFRS (International Financial Reporting Standards – standard accounting reporting format) then Councils revenue is inflated by capital grants (such as NZTA, PGF, and MBIE funding). For this financial period this includes the NZTA funding assistance and the 3 Waters Reform monies.

Offsetting this is the disclosure of depreciation (\$3.0m) as a cost.

By including this external funding, Council is showing a \$4.2m Comprehensive Income Surplus as at 30 September 2021.

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 goodquality 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

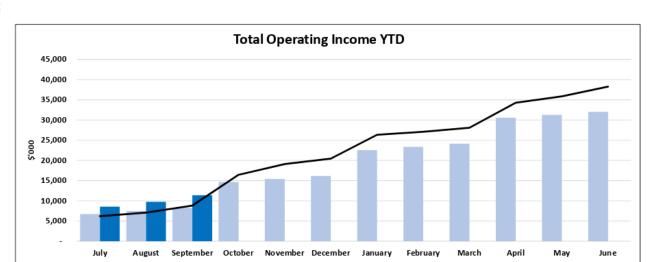
Officers will continue to monitor and manage the finances of Council.

RECOMMENDATION

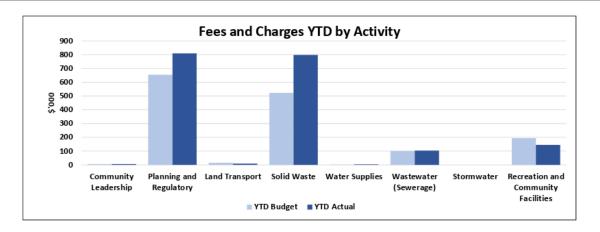
That, having considered all matters raised in the report, the report on Council's financial performance for the first three months of the 2021/22 financial year be noted.

Central Hawkes Bay District Council For the Period July 2021 - September 2021

OPERATING INCOME



FIS Operating Revenue YTD Budget



FIS Operating Revenue YTD Actual

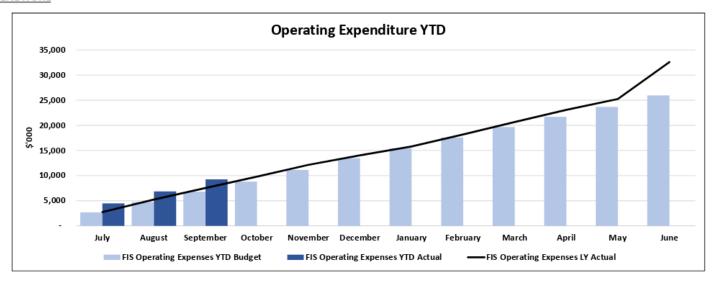
-FIS Operating Revenue LY Actual

Central Hawkes Bay District Council For the Period July 2021 - September 2021





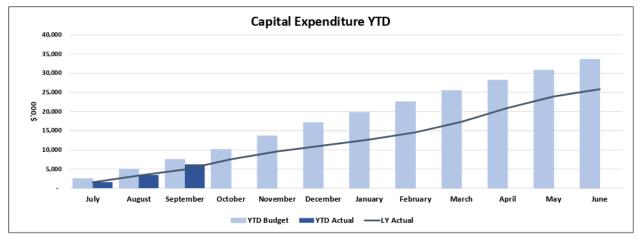
OPERATING EXPENDITURE

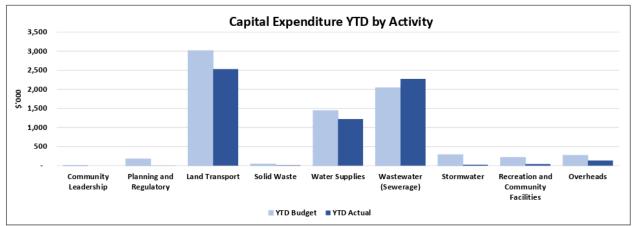


Central Hawkes Bay District Council For the Period July 2021 - September 2021

CENTRAL HAWKE'S BAY

Capital Expenditure





Central Hawkes Bay District Council For the Period July 2021 - September 2021



Central Hawkes Bay District Council For the Period July 2021 - September 2021

Cash and Investment Position

	Maturity Date	Int Rate (Face)	Int Rate (Actual)	Amount 30/06/2021	Amount Now	Movement
ANZ Cheque and Call Accounts			-	2,622,814	8,533,715	5,910,902
LGFA Notes	25/08/2025	3.54%	3.54%	32,000	32,000	0
LGFA Notes	15/04/2024	1.79%	1.79%	160,000	160,000	0
LGFA Notes	15/04/2023	1.56%	1.56%	64,000	64,000	0
LGFA Notes	15/04/2027	1.63%	1.63%	64,000	64,000	0
ANZ Bond	1/09/2023	3.71%	3.71%	355,000	355,000	0
ASB Bond	7/09/2023	3.33%	3.33%	600,000	600,000	0
Westpac Term Deposit	31/12/2021	0.94%	0.94%	4,500,000	4,500,000	0
Westpac Term Deposit	30/09/2021	0.83%	0.83%	2,500,000	•	(2,500,000)
Westpac Term Deposit	29/10/2021	0.88%	0.88%	3,000,000		(3,000,000)
BNZ Term Deposit	19/07/2021	0.55%	0.55%	3,000,000		(3,000,000)

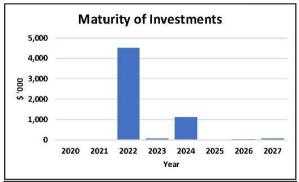
Total Investments 14,275,000 5,775,000 (8,500,000)

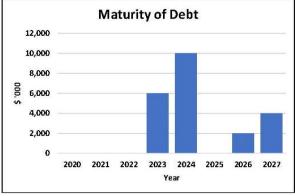
Total Cash and Investments Held 16,897,814 14,308,715 (2,589,098)

		Maturity		Amount		
Debt Position	Draw Date	Date	Interest Rate	30/06/2021	Amount Now	Movement
LGFA - Fixed Rate	28/08/2017	25/08/2025	3.85%	2,000,000	2,000,000	×
LGFA - Fixed Rate	22/07/2019	15/04/2024	2.19%	10,000,000	10,000,000	×
LGFA - Fixed Rate	16/12/2019	15/04/2023	1.96%	4,000,000	4,000,000	-
LGFA - Fixed Rate	16/03/2020	15/04/2027	2.03%	4,000,000	4,000,000	
LGFA - Fixed Rate	18/07/2021	18/07/2022	1.25%	-	2,000,000	2,000,000
ANZ Seasonal Facility (\$1,500,000)				-	-	-
Total Debt			2.19%	20.000.000	22.000.000	2.000.000

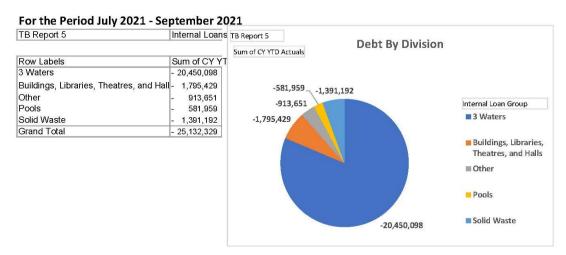
Central Hawkes Bay District Council







Actual	0%	0%	0%	20%	50%	0%	10%	20%
Policy	35%	35%	35%	35%	35%	35%	35%	35%
Met	Υ	Υ	Υ	Υ	N	Υ	Υ	Υ



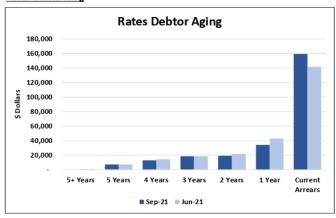


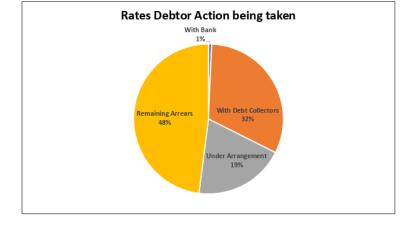
rreasury C	ompliance with Policy	
Liquidity (Liqu	id Assets + Debt / Debt)	
	Policy Limit	Actual
Ø	>115%	146%
Finance Costs	/ Total Revenue	
	Policy Limit	Actual
Ø	<20%	0.7%
Finance Costs	/ Total Rates Revenue	
	Policy Limit	Actual
Ø	<25%	2.1%
Debt to Opera	ating Revenue	
	Policy Limit	Actual

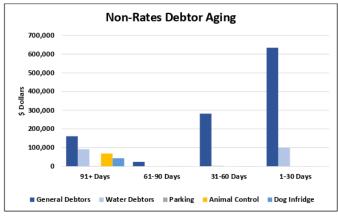
Central Hawkes Bay District Council
For the Period July 2021 - September 2021
Subsidies and grants for capital expenditure

CENTRAL HAWKE'S BAY DESTRICT COURCIL

Rates Outstanding







Central Hawkes Bay District Council For the Period July 2021 - September 2021 Month



Central Hawkes Bay District Council For the Period July 2021 - September 2021

CENTRAL HAWKE'S BAY DISTRICT COUNCIL

Funding Impact Statement Report Continued

Sources of Capital	YTD Actuals	YTD Budget	Bud Var	FLAG	Comments
Subsidies and grants for capital expenditure	5,038,356	3,333,414	1,704,942	0	Behind in Land Transport across both PGF and day to day operations, offset by 3 Waters Stimulus Money \$2.1m.
Gross proceeds from sale of assets	0	6,249	(6,249)	8	
Development and financial contributions	78,600	611,619	(533,019)	8	Lack of DC's invoiced YTD, mainly wastewater Capital Cotribution. This driven largely by timing of invoicing in the development lifecycle. DC invoices issued at 224 stage (completion of subdivision).
Increase (decrease) in debt	2,000,000	2,000,000	0	0	Borrowed \$2m, 364 days @ 1.25% pa
TOTAL	7,116,957	5,951,282	1,165,675		
Applications of Capital		1			
to meet additional demand	54,118	475,878	421,761		Under Budget in 3 Waters \$0.4m (mainly reticulation upgrades)
to improve the level of service	2,417,587	2,365,779	(51,808)	8	Over 3 Waters \$607k (mainly 3 waters stimlus spend), under Budget in Land Transport \$311k, Pound \$171k (phasing of budget)
to replace existing assets	3,768,716	4,657,124	888,408	0	Land Transport \$175k under budget (primarily in PGF and minor events), 3 Waters \$438k (mainly waste water)
Increase (decrease) in reserves	(8,470)	0	8,470	#DIV/0!	
Increase (decrease) of investments	(6,000,000)	(2,526,093)	3,473,907	8	Reduction in Term Deposits
TOTAL	231,950	4,972,688	4,740,738		
Net Capital Cash Flows	6,885,007	978,594	5,906,413		
Grand Total	9,000,374	2,279,917	6,720,457		

Central Hawkes Bay District Council For the Period July 2021 - September 2021



Funding Impact Statement Report

ramanig impact statement repor					
Sources of Operating	YTD Actuals	YTD Budget	Bud Var	FLAG	Comments
General rates, uniform annual general charges an	3,834,739	3,834,623	116		
Targeted rates	1,942,973	1,982,264	(39,291)	8	Water Meter Reading program behind schedule due to Covid delaying reads
Subsidies and Grants for Operating Purposes	3,643,004	831,933	2,811,071	0	Unbudgeted external funding- 3 Waters Reform \$0.7m, Economic Development Work Creation \$1.5m, Nga Tipuna \$0.3m, He Ringa Whanau Ora \$0.2m
Fees, charges	1,875,425	1,493,158	382,267	(Resource Consents and Building Consents are up \$180k on budget collectively, landfill up \$276k, offset by Dog Registration down \$23k, Municipal Theatre down \$27k.
Interest and dividends from investments	32,711	17,676	15,035	0	Interest on additional Term Deposits we are holding
Local authorities fuel tax, fines, infringement fees	48,463	55,983	(7,520)	8	Mainly Petrol Tax and Kairakau Playground Cotribution
TOTAL	11,377,315	8,215,637	3,161,678	(
Applications of Operating					
Payments to staff	1,568,554	1,670,922	102,368	0	Savings through vaccancies and new LTP positions not yet filled
Payments to suppliers	7,741,930	5,299,666	(2,442,264)	8	Unbudgetted Economic Recovery \$1.3m, Nga Ara Tipuna \$0.2m, Consenting \$0.2m, 3 Waters Reform \$0.8m, Landfill \$0.4m (Carbon Credits, Waste Minimisation)
Finance costs	120,673	171,153	50,480	0	
Other operating funding applications	(169,209)	(227,427)	(58,218)	0	
TOTAL	9,261,948	6,914,314	(2,347,634)	8	
Net Operating Cash Flows	2,115,367	1,301,323	814,044		

Central Hawkes Bay District Council For the Period July 2021 - September 2021

CENTRAL HAWKE'S BAY DISTRICT COUNCIL

Funding Impact Statement Report Continued

Sources of Capital	YTD Actuals	YTD Budget	Bud Var	FLAG	Comments
Subsidies and grants for capital expenditure	5,038,356	3,333,414	1,704,942	Ø	Behind in Land Transport across both PGF and day to day operations, offset by 3 Waters Stimulus Money \$2.1m.
Gross proceeds from sale of assets	0	6,249	(6,249)	8	
Development and financial contributions	78,600	611,619	(533,019)		Lack of DC's invoiced YTD, mainly wastewater Capital Cotribution. This driven largely by timing of invoicing in the development lifecycle. DC invoices issued at 224 stage (completion of subdivision).
Increase (decrease) in debt	2,000,000	2,000,000	0	0	Borrowed \$2m, 384 days @ 1.25% pa
TOTAL	7,116,957	5,951,282	1,165,675		
Applications of Capital					
to meet additional demand	54,118	475,878	421,761		Under Budget in 3 Waters \$0.4m (mainly reticulation upgrades)
to improve the level of service	2,417,587	2,365,779	(51,808)	8	Over 3 Waters \$807k (mainly 3 waters stimlus spend), under Budget in Land Transport \$311k, Pound \$171k (phasing of budget)
to replace existing assets	3,768,716	4,657,124	888,408	Ø	Land Transport \$175k under budget (primarily in PGF and minor events), 3 Waters \$438k (mainly waste water)
Increase (decrease) in reserves	(8,470)	0	8,470	#DIV/0!	
Increase (decrease) of investments	(6,000,000)	(2,526,093)	3,473,907	8	Reduction in Term Deposits
TOTAL	231,950	4,972,688	4,740,738		
Net Capital Cash Flows	6,885,007	978,594	5,906,413		
Grand Total	9,000,374	2,279,917	6,720,457		

7.9 ANNUAL PLAN DIRECTION ENDORSEMENT

File Number: COU1-1400

Author: Brent Chamberlain, Chief Financial Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: Nil

RECOMMENDATION

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

- b) That Council endorses the direction taken in preparing the Draft Annual Plan 2022-23, and endorse the Levels Services set out in the Long Term Plan 2021-2031.
- c) That in endorsing the direction, Council note that it is unlikely that the Draft Annual Plan 2022 2023 will trigger significance therefore formal consultation won't be recommended, however community engagement will be.

PURPOSE

The purpose of this paper is to seek endorsement from Council on the direction of travel in regards to the preparation of the 2022/23 budget.

SIGNIFICANCE AND ENGAGEMENT

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

BACKGROUND

Officers are currently preparing the proposed annual plan for 2022/23. This is year 2 of the Long Term Plan 2021-2031. This paper is a check in to get endorsement on the direction of travel in regards to the preparation of this budget.

DISCUSSION

In June 2021 Council adopted the Long Term Plan 2021-2031. Year 1 of this plan is the current year's budget.

Year 2 of this plan is the starting point for the annual plan covering the 2022-23 financial year. If the annual plan for 2022-23 contained no variation from the Long Term Plan, the expected rates increase would be 6.8%.

Officers have prepared the Annual Plan budgets on the basis of maintaining the integrity and significant work that went into developing the Long Term Plan, and will be recommending to Council the Annual Plan budgets at its Council meeting on the 9 December 2021. To date budget preparation is in line with Year 2 of the Long Term Plan with an additional \$183k recommended increase to total rates requirement.

A couple of things have changed (or could potentially change) since this Long Term Plan was adopted.

1. Proposed Review of the Hawkes Bay Regional Economic Development Structure

This proposal is yet to be confirmed by the five Hawkes Bay Councils, but if adopted in its current format would add a new budget requirement on Central Hawkes Bay District Council of \$130k. This activity is funded through the Uniform Annual Charge and would add approximately \$19 per property.

2. Sharing of Local Body Election Costs

The cost of running the Local Body Elections (due to be held in October 2022) is borne by Central Hawkes Bay District Council, but because the same election also covers the Hawkes Bay Regional Council and District Health Board elections part of the costs are recovered from these other two parties. However Central Government has recently announced the disbandment of the District Health Boards so they will no longer be party to the election process meaning the cost recovery will no longer occur. This will see the loss of income to Central Hawkes Bay District Council of \$26k.

3. Recycling Drop Off Centres

In the Long Term Plan the kerbside recycling collection areas were extended to include Takapau, Otāne, Ongaonga, and Tikokino. The flipside was that the Recycling Drop Off Centres were to be removed, and that a rural recycling trailer service was to be introduced to service the rural community.

While the kerbside service and rural trailer service has been introduced, the drop off centres haven't been removed yet – and based on public feedback may be retained. Council needs to determine the level of service it wishes to offer, and size its budget to match. Officers are recommending that the drop off centres are retained.

4. Inflationary Increases

Council, like every other business in New Zealand, is facing higher costs due to inflation and supply chain issues, low unemployment creating wage pressures, and increasing interest rates.

Assuming a worst case scenario, and all the items above are factored in the Annual Plan 2022-23 officers would be proposing a 7.6% rate increase rather than a 6.8% as detailed in the Long Term Plan.

Rate Type	2021/2022 Actuals	LTP 22/23	LTP Variance % To 21/22	AP 22/23	AP Variance To LTP	AP Variance % To LTP	AP Variance % To 21/22
General	6,320,534	6,908,235	9.3%	6,802,674	(105,561)	(1.5)%	7.6%
UAGC	1,848,333	2,205,884	3.8%	2,493,506	287,622	13.0%	17.3%
Land Transport	6,967,319	7,122,495	2.2%	7,124,054	1,559	0.0%	2.2%
Solid Waste – Targeted Portion	398,986	430,849	8.0%	430,849	0	0.0%	8.0%
Drinking Water – Targeted	3,713,370	4,077,897	9.8%	4,113,120	35,223	0.9%	10.8%
Wastewater - Targeted	3,008,444	3,190,494	6.1%	3,171,602	(18,892)	(0.6%)	5.4%
Storm Water – Targeted Portion	808,234	991,245	22.6%	974,732	(16,513)	(1.7%)	20.6%
Total	23,342,498	24,927,099		25,110,537	183,438		
Change %			6.8%			0.8%	7.6%

Officers are asking for Council to endorse the proposed Annual Plan direction detailed above, subject to further decisions by Council on the Proposed Review of the Hawkes Bay Regional Economic Development Structure and the future of Recycling Drop Off Centres. Both these decisions will be made at the Council meeting on the 9th December 2021.

In addition to the matters raised above, there are two other matters which don't affect the quantum of the budget as such, but will have an implication on the distribution of the rates the budget require:

1. Revaluation of Central Hawkes Bay properties by Quotable Value

Due to covid and the subsequent lockdowns in Auckland the work program for this revaluation has been delayed. At this stage we expect the draft property values to be with the Office of the Valuer General in late January, with the new valuations being notified in early February.

Early indications are that urban properties (particularly in the northern part of the region) will increase in value by a higher proportion than rural properties. This will have the impact of shifting some of the general and land transport rates from rural to urban ratepayers. The large majority of these urban rate payers are also our connected (to 3 waters) ratepayers who are funding the waste water upgrades.

2. Council Lead Rating Review

As part of adopting the Long Term Plan there was a desire from the Council table to revisit the general and land transport rate to better understand how this was being borne across the district, and its relationship with the Uniform Annual Charge.

Officers have previously advised to hold off undertaking this review until the new rating base (post revaluation) is understood as this will impact the distribution of these rate types. Given the delay in the revaluation process, it will likely be mid-February 2022 before the full impact of the revaluation can be fully modelled and understood by Council.

The rates strike needs to happen pre 30th June 2022, this leaves little time to propose a change to the Revenue and Financing Policy, for the public to understand the impact of the revaluation change on their property without the proposed change, publicly consult on the proposed change, take feedback and consider this, and make a decision and implement that decision in time for the rates strike.

The decision of how to distribute the burden of the rates should be independent to the decision of how much rates are required to be collected (the setting of the budget). Options on how to navigate the complex timing of Revaluation and a Rates Review will be workshopped with Council ahead of the 9 December Council meeting.

While Officers recognise that subsequent workshops and discussions on the drivers of the Annual Plan 2022/2023 and in particular the drivers behind current budgets and proposed budgets for next year, we are at a stage where we require some guidance so we can best plan the next 6 months.

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 goodquality 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

Officers will continue refining the draft Annual Plan for 2022-23, with the expectation that Officers will present Draft Annual Plan budgets for Council consideration on the 9th December 2021. This is the same meeting in which Council will consider decisions regarding the Proposed Review of the Hawkes Bay Regional Economic Development Structure and the future of Recycling Drop Off Centres, and any other changes requested from the Council table.

RECOMMENDATION

- a) That, having considered all matters raised in the report, the report be noted.
- b) That Council endorses the direction taken in preparing the Draft Annual Plan 2022-23, and endorse the Levels Services set out in the Long Term Plan 2021-2031.
- c) That in endorsing the direction, Council note that it is unlikely that the Draft Annual Plan 2022 2023 will trigger significance therefore formal consultation won't be recommended, however community engagement will be.

7.10 QUARTERLY NON-FINANCIAL PERFORMANCE REPORT JULY - SEPTEMBER 2021

File Number: COU1-1400

Author: Brent Chamberlain, Chief Financial Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Non-Financial Quarterly Report July - September 2021 4 🖺

PURPOSE

The purpose of this report is to present to Council the Quarterly non-financial performance report for the period 1 July – 30 September 2021.

RECOMMENDATION

That having considered all matters raised in the report:

That the Quarterly Non-Financial Performance Report 1 July – 30 September 2021 be received.

SIGNIFICANCE AND ENGAGEMENT

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

BACKGROUND

These reports seek to provide Council a quarterly update on non-financial performance measures, as set out in the Long Term Plan 2018-2028.

Non-financial performance measure (often referred to as Statements of Service performance (SSPs)), compare performance on levels of service against benchmarks set by Council when adopting the Long Term Plan (LTP) or Annual Plan (AP).

Some of these SSPs are set by regulations from Central Government and are, therefore, measures that are used throughout New Zealand.

The 2018-2028 Long Term Plan sets out a range of performance measures which Council are required to report on quarterly. Over the course of the annual cycle, these performance measures then form the basis of the Annual Report.

This particular report, highlights the pressures of growth in Building and Resource Consents and the impact that is having on service level with regards to timeframes for consenting. While the target is not going to be achieved, every effort is getting taken, into ensure this issue is mitigated.

DISCUSSION

The 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;

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- Any decisions made will help meet the current and future needs of communities for goodquality 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 fourth quarter non-financial performance measures will be reported to Council in 2022.

RECOMMENDATION

That having considered all matters raised in the report:

That the Quarterly Non-Financial Performance Report 1 July – 30 September 2021 be received.

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Central Hawke's Bay District Council

Non-Financial Quarterly Report: 1 July 2021 – 30 September 2021

Leadership, Governance and Consultation

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council listens to its community, and responds efficiently and effectively, communicates well, and has a 'can do' customer services attitude.	The percentage of people who consider that Council has responded well or very well to community needs and issues.	85%	On track to be achieved This will be measured via the 2022 Resident Opinion Survey and reported on in the fourth quarter of the financial year. The 2021 Resident Opinion Survey reported that 82% of the community considered that Council responded well to community needs and issues in the 12 months prior to survey.
	The percentage of formal consultation which follows legislative and policy requirements.	100%	On track to be achieved This will be measured and reported on in the fourth quarter of the financial year. In the 2020/2021 year Council 100% met formal consultation legislative and policy requirements.
	The percentage of people who consider that Council has engaged and communicated well about Council business.	85%	On track to be achieved This will be measured via the 2022 Resident Opinion Survey and reported on in the fourth quarter of the financial year.
	lwi and Marae report to be satisfied with the level of engagement and partnership with Central Hawke's Bay District Council.	50%	On track to be achieved This will be measured via a targeted survey in the fourth quarter of the 2021/2022 financial year.

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Social Development

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council has a strong voice so that it can, in partnership with community, advocate and lead change in social	The percentage of the community satisfied with the Social Development activity of Council	95%	On track to be achieved This will be measured and reported on in the fourth quarter of the year
issues and opportunities for the district.	Council implements the Social Wellbeing Strategy	100%	On track to be achieved
	Wellbellig Strategy		Community Wellbeing Strategy and Social Development Strategy work is underway with workshops happening in November. Finalised strategies will be up for adoption by Council in March 2022 and implementation afterwards.
Council creates	The percentage of community groups associated with the Social	85%	On track to be achieved
opportunities for the community to build capacity and is resourced to deliver on community priorities.	Wellbeing Network that are satisfied with the advice and support provided by Council. Council supports community groups to achieve their goals.		This will be measured and reported on in the fourth quarter of the year, however regular meetings and inputs into community groups happen all year round.
	The percentage of community groups supported by Council are	100%	On track to be achieved
	satisfied with the level of service provided.		This will be measured and reported on in the fourth quarter of the year

CHBDC - Quarterly Financial Report

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Economic Development

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council supports the enhancement of economic wellbeing by the delivery of increased job opportunities, a diversified and resilient local economy and increased productivity.	Council implements the 2019 Economic Action Plan (Implementation Plan)	100%	On track to be achieved A number of actions are either complete and/or underway as appropriate. This is a 10-year plan so some actions will be implemented long term. Full update on all actions in the Economic Development Action Plan was made to Strategy and Wellbeing Committee in October with the intention this will be a public document available on the website once the Community Wellbeing Strategy review is complete and a new 'hub' on the website is updated.
	Representatives (5) of the Economic Leadership Group that are satisfied that the 2019 Economic Development Action Plan deliverables are being achieved.	90%	On track to be achieved As part of this Community Wellbeing review mentioned above, representatives will have the opportunity to provide their feedback and satisfaction levels on the ED Action Plan deliverables.

Land Transport

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
To deliver safe, reliable and lasting road assets that connect our people and places, and allow our district to prosper.	Reduce fatalities and serious crashes on the local road network to zero.	Reduce to zero	Not achieved Fatalities this quarter = Nil Fatalities YTD 2021/22 = Nil Fatalities 2020/21= Nil Serious Injuries this quarter = 3 Serious Injuries YTD 2021/22 = 3 Serious Injuries 2020/21 = 5 Council continues to work with the Police and RoadSafe Hawkes Bay to understand crash statistics and crash data. General road conditions have not been a contributing factor in the listed accidents above.
	The average quality of ride on a sealed local road network, measured by smooth travel exposure	Between 85 & 90%	On track to be achieved This will be measured and reported in the fourth quarter of the year.
	At least 20% of the footpaths in excellent condition and no more than 10% of the footpaths in poor condition measured annually	Excellent >50% Poor <10%	On track to be achieved This will be measured and reported in the fourth quarter of the year.

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The percentage of the sealed local road network that is resurfaced	Between 4 and 10%	On track to be achieved The planned reseal length is 4.5% of the network. Final investigations are underway which may change this number if a reseal is not required
The percentage of customer service requests relating to road and footpaths to which the territorial authority responds within 3 working days	100%	Not achieved.
The percentage of users satisfied with the roading service provided	90%	On track to be achieved This will be measured and reported on in the fourth quarter of the year as part of Council's annual survey.

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Reserves and Open Spaces

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council provides a range of parks and reserves that are affordable, well maintained, safe and provide for the recreational (play and sport),	Monitoring the number of health and safety incidents or injuries due to inadequate or poor maintenance in our parks, reserves and sports grounds.	0	Achieved There have been no reported health and Safety accidents or injuries for the period.
cultural, and environmental well-being of the community.	The percentage of residential dwellings within 10 minute walk (pedshed) of a Council owned or supported playground.	60%	On track to be achieved This measured data is being updated and reported on with the availability of more current orthoimages (aerial photo mapping) due shortly.
	The percentage of urban dwellings within 10 minute walk (pedshed) of a park or community open space.	60%	On track to be achieved This measured data is being updated and reported on with the availability of more current orthoimages (aerial photo mapping) due shortly.
	The percentage of people that have used or visited a park, reserve or open space in the last 12 months.	80%	On track to be achieved This will be measured and reported on in the fourth quarter of the year as part of Council's annual survey.

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The percentage of people that are satisfied with the parks, reserves and open spaces.	90%	On track to be achieved This will be measured and reported on in the fourth quarter of the year as part of Council's annual survey.
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Retirement Housing

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council provides safe, well maintained and comfortable community housing for our retired community	Tenants' overall satisfaction with Council's Retirement Housing service	95%	On track to be achieved This will be measured and reported on in the fourth quarter of the year as part of questionnaire to residents

CHBDC - Quarterly Financial Report

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Public Toilets

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council provides public toilets that are clean, safe, in good working order and meet the needs of our community and visitors.	The number of complaints we receive about inadequate maintenance and poor cleaning of our toilets	<10 complaints	On track to be achieved In the first quarter, 13 Requests for services were received on Public Toilets. One was a complaint about inadequate maintenance or poor cleaning.

CHBDC - Quarterly Financial Report

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Community Facilities

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council provides safe, affordable and appropriate facilities that provide cultural and social well-being of our community. These, that are activated and vibrant community spaces used by	The number of community users of the Waipawa pool.	12,000	On track to be achieved This will be measured and reported for the second and third Quarters when the pool is open, subject to any Covid-19 restrictions.
our community.	The percentage of users that were satisfied with community halls.	60%	On track to be achieved This will be measured and reported on in the fourth quarter of the year as part of Council's annual survey.

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Libraries

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance measure	Target 2021/2022	Achieved level of service
Our libraries are inclusive places and all people are encouraged to make use of the library's services	The number of people visiting our libraries (physical).	Waipukurau – 81,000 Waipawa – 66,000	Not on track to be achieved A fault with the Waipukurau door counters installation, has resulted in numbers being unable to be pulled from the system. Similarly, a further fault with Waipawa Library has seen one door reading only, with 7,370 users for the period. Waipawa 7370 one door only Covid and libraries being closed has affected the numbers significantly.
	The number of digital visits through our website, online databases and platforms.	12,000	On Track to be achieved In the first quarter we saw 6,446 users of our website, online databases and platforms. This is a significant increase boosted by new services being offered by the NZLPP partnership funding.

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Council will provide a range of information services for	Levels of issues per capita per annum – both physical and	8 issues per capita	Not on track to be achieved
community to access	digital.		This is an annual measure and will be reported on fully in the 4 quarter.
			Final statistics will be influenced by the fact that Waipukurau has been closed and that COVID closed Waipawa during Lockdown, with numbers generally down.
Council will provide a range of activities and learning	The number of events and programmes available and	400	On Track to be achieved
opportunities	participants.		In this quarter 68 and programmes have been delivered.
			We are on track to achieve now that we have two facilities open where we can run programs and events. Mayors Taskforce for Jobs are working out of Te Huinga Wai and are running workshops such as the Apprenticeship Workshops which allow community to benefit from the digital services available.
	Participants of events including programs, exhibitions, author events, and classes.	6,000	On Track to be achieved 2,787 participants have been involved in programmes despite the challenges of Covid-19.
			Although COVID has had a significant impact on the ability to run programs within the library we are working through ways to deliver programs in a way that still complies with COVID restrictions, including outside of the library walls.

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Cemeteries

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance measure	Target 2021/2022	Achieved level of service
Council looks after its Cemetery grounds, providing a special place of remembrance for loved ones amongst attractive and well-maintained grounds.	The percentage of the community satisfied with the condition and maintenance of our Districts cemeteries.	90%	On track to be achieved This will be measured and reported on in the fourth quarter of the year as part of Council's annual survey.
	No complaints about late or inadequate interment services at our cemeteries.	100%	On track to be achieved There were no complaints in this quarter.

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District Plan

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Council creates an environment where levelopment and the use of and in our District balances he need for growth while protecting our special places and community allues. A District Plan current within the statutory timeframes. Not Achieved	On Track to be achieved We are on track to have reached by 2023/24 in accordance with the 2021-2031 Long Term Plan measures, a compliant District Plan with statutory timeframes that gives effect to national policy statements. Following the formal adoption by Council of the new LTP Levels of Service for the District Plan Review officers can now report that the Proposed District Plan was notified on 28 May 2021 in accordance with the LTP and District Plan work programme. Notification is a significant milestone for the Council and effectively marks the beginning of the formal and statutory phase of the review. Submissions were received by 6th August 2021 and the summary of submissions was notified, in accordance with Schedule 1 RMA requirements, on 11th October and closes for the filing of further submissions on 9 November. Officers are currently focusing on the preparation of Section 42A Reports in preparation for the District Plan Hearings in 2022. The District Plan Hearings Panel has been appointed and is holding an initial induction meeting on 23/24 November to work through process and procedures for the hearings.

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A District Plan that is future focussed and responsive to the Districts Growth and development.	Develop a project plan for changes to respond to growth and rolling reviews over the next 10 years.	Officers are developing the project plan to address issues that have not been able to be integrated into the current District Plan review programme. It is anticipated this plan will outline the sequencing of reviews (including potential plan changes) that will be required over time to ensure the District Plan stays current and enables/facilitates strategic planning and development over the next 10 years, in particular in light of the growth Central Hawke's Bay is experiencing. We are also particularly mindful of the timing of the potential launch of the Resource Management Act reform second stage of consultation and are seeking to ensure the District is as well placed for this as it can be.
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Building Control

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
To protect the community from unsafe buildings and ensure buildings are designed and constructed in a manner that promotes sustainable development.	The percentage of building consents processed within 20 working days (the statutory timeframe).	100%	 Will not be achieved 60% consents processed within 20 working days 100 consents processed this period Average processing days = 18 \$17,979,212 value of consents processed this period 114 consents processed in the same period 2020 \$14,489,992 value for same period 2020
			Due to an increasing volume and staff vacancies, most consents are processed externally. National processing indicated limited capacity in July and August which resulted in extended timeframes for some applicants. In consultation with industry, a decision was made to focus on maintaining inspection timeframes to between 2-4 days instead of focusing on processing times. We have recently appointed two Building Control Officer Cadets to build resilience and manage the increase in consent numbers expected off the back of the increase in resource consents seen in the last 12 months. Unfortunately, we lost a senior BCO late October which will add further pressure and a continued reliance on external contractors for support in the short - medium term. As a reference point CHBDC timeframes are still significantly below that of both Hastings and Napier. A processing systems upgrade is due for implementation late 2021 and will provide further efficiencies. We expect most consents to be managed in house early 2022 allowing us to be closer to the 100% objective.

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The percentage of customers satisfied with Building Control services provided.	90%	To be measured through Targeted Surveys.
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Animal Services

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
To ensure that animals are looked after in a humane manner and not menacing, dangerous or a nuisance to the public.	The percentage of known dogs registered.	>95%	On target to achieve 86% of known dogs are registered as at 30 September 2021.
	Percentage of serious dog incidences responded to within 2 hours	100%	Achieved 100% - 5 dog attack complaints received this quarter.
	Response to all stock complaints and requests within 24 hours	100%	Achieved 100% - 17 Stock wandering complaints were received this quarter.
	The percentage of users satisfied with the Animal Control service provided	90%	On target to achieve To be measured through Targeted Surveys.

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Compliance and Monitoring

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council provides a compliance and monitoring service which is compliant, efficient and customer friendly.	Owners, or their agents, advised that their BWOF has lapsed within one month of expiry.	90%	On target to achieve Swimming pools – inspections will commence November and continue through the summer BWOF – 100% of buildings now have current BWOFs. This remains a key focus area this year with many requiring new compliance schedules due to outdated documentation. Once in place, the focus will then shift to an annual audit programme for larger, higher risk premises in line with best practice.

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All PIMs, LIMs, and CCCs issued within the statutory timeframe.	100%	 Achieved 36 LIMs issued -100% within statutory timeframe this period. Average processing days = 6 The boom in the local housing market continues with LIM applications 16% ahead of the same period last year. 81 CCCs issued - 97% within statutory timeframe. Further to the IANZ audit in November and a MBIE update, changes were made to the CCC processing requirements. The non-achieved result in this area is a direct result rendering a 100% target as unachievable. 90% is now a realistic target. 0 PIMS issued - not commonly requested
Respond to complaints about non-compliance with bylaws within 3 days.	100%	Achieved 100% for this quarter.
The percentage of resource consents monitored within two years of being issued.	100%	On target to achieve New reporting tool in development to increase relevance with full implementation in line with adoption of the proposed district plan early 2022. Currently there are very few consents that require ongoing monitoring,
The percentage of users satisfied with the Compliance and Monitoring service provided.	90%	To be measured through Targeted Surveys.

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Environmental Health

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
To keep the community safe and healthy by ensuring environmental and public health standards are maintained.	Complaints received are responded to within three working days.	100%	On track to be achieved 2 complaints received for this quarter. 100% responded to within three working days.
	The percentage of customers satisfied with the public health services delivered.	72%	On track to be achieved To be measured through Targeted Surveys in the fourth quarter.

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Land Use and Consenting

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
To enable use, development and subdivision of land in line	The percentage of resource consents (non-notified) processed within 20 working days (the statutory	100%	Will not be achieved
with our District Plan and	timeframe).		Total Resource Consents
other environmental policies			50.0% of all resource consents issued within statutory timeframes
			Land Use Consents 43.8% of consents issued within 20 days
			Subdivision Consents 42.9% of consents issued within 20 days
			Permitted Boundary Consents 100% of consents issued within 10 days
			The increase in consent application numbers has exploded in the past period on the back of notification of the Proposed District Plan with a surge in rural subdivision applications. Further to approval of the procurement strategy, TPG have been processing the majority of resource consent applications with an improvement in processing times. The backlog from July and August has been completed and we expect processing times to continue to improve and be closer to target by early 2022. Several large and complicated consents have been processed this quarter and this combined with a heavy reliance on external resources including engineering, infrastructure and planning has contributed to the increase in processing times. While mandatory timelines are in some cases exceeded by a small number of days, every effort is made to

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		communicate with applicants and affected parties and the number of complaints or dissatisfied customers is very low.
The percentage of customers satisfied with the land use and subdivision consent services provided.	90%	To be measured through Targeted Surveys.

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Solid Waste

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
Council supports and provides incentives for waste reduction, reuse and recycling in order to achieve its Waste Free CHB goals.	The percentage of total waste that is diverted from the landfill to recycling, re-use and recovery.	32%	
	The amount of green waste	>2,275m3	On Track to exceed Target
	processed each year.		Q 1:
			No contaminated greenwaste in Q1
			320m3 – July
			700m3 – August
			213m3 - September
			420m3 – October
			Total YTD - 1653m3

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The number of schools	90%	On Track
participating in waste minimisation programmes.		81% of schools participating in waste minimisation programmes still from 2020-2021
		Q1
		Enviroschools programme:
		Hunter Park Kindergarten
		Continuation from 2020-2021 -
		 Argyll East School Elsthorpe School Omakere School Ongaonga School Otane School Pukehou School Sherwood School A'Deane's Bush planting events in Quarter 1 CHB College
		Zero Waste Programme: Continuation from 2020-2021 Omakere School Flemington School The Terrace School Takapau School St Joseph's School Elsthorpe School Porangahau School

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	Hold waste minimisation promotional events in the District.	5	 Q1 - Composting Workshops Hunter Park & Waipawa Free Greenwaste Disposal – Labour Weekend Battery recycling initiative Container of E waste to Tokoroa Note: Planned HazMobile event not able to go ahead due to Auckland Covid restrictions during the 1st Quarter Total YTD – 3 Events Miscellaneous: Sustainability Grants: Sustainable Ewe Grant for Trailer
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The percentage of users	80%	Still Tracking
satisfied with the solid waste service provided.		Q1
Solvice provided.		Focus in first quarter on rollout of extension of kerbside recycling and introduction on of recycling trailer. Currently still getting feedback from users.
		Feedback on Trailer as at 1/11/21 - 16 entries - 37.5 % negative. Neutral 8.9%

Stormwater

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance Measure	Target 2021/2022	Achieved level of service
To effectively manage stormwater in a manner that respects and protects private and public assets and preserves the health of our waterways.	For each flooding event, the number of habitable floors affected. (Expressed per 1000 properties connected to the territorial authority's stormwater system.) Compliance with the territorial authority's resource consents for discharge from its stormwater system measured by the number of abatement notices.	0	Achieved 0 habitable floors affected in flooding events this quarter (per 1000 properties connected). There are currently 3219 storm water connections to the networked reticulation system. Achieved Number of abatement notices received for the quarter: 0
	infringement orders	0	Achieved Number of infringement notices received for the quarter: 0

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enforcement or	, O	Achieved Number of enforcement orders received for the quarter: 0
Successful pro- received by the authority in rela resource conse	e territorial ation to those	Achieved Number of prosecutions received for the quarter: 0
The median restime to attend a flooding event, the time that the authority receive to the time that personnel reactions.	measured from e territorial ves notification service	Achieved The median response time for the quarter is 0 Hrs. There were 0 flooding events for quarter
The number of complaints rece about the performance of the stormware (expressed per properties constructed by stormwater systems).	eived ormance ter system - 1000 nected to the	Achieved 0.62 Complaints received per 1000 stormwater connections this quarter. There were 2 complaints for the quarter There are currently 3219 storm water connections to the networked reticulation system.
The percentage users satisfied stormwater ser	with the	Not Achieved 85% of users are satisfied with the stormwater service provided.

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Wastewater

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance measure	Target 2021/2022	Achieved level of service
To provide for the effective reticulation, treatment and disposal of wastewater in a way that protects the health of our communities and natural environment.	Target number of dry weather sewerage overflows (per 1000 connections to the total sewerage system).	≤10	Achieved 0.58 dry weather sewerage overflows (per 1000 connections to the total sewerage system) this quarter. reported dry weather overflow for the quarter. There are currently 3434 sewerage connections to the total sewerage systems.
	Target number of total sewerage overflows (per 1000 connections to the total sewerage system).	≤30	Achieved 0.58 Sewerage overflows (per 1000 connections to the total sewerage system) this quarter. There were 2 reported overflows for the quarter. There are currently 3434 sewerage connections to the total sewerage systems.
	Compliance with the territorial authority's resource consents for discharge from its sewerage system measured by the number of: abatement notices	0	Achieved Number of abatement notices received for the quarter: 0 Number of abatement notices received year to date: 0

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i	infringement orders	0	Achieved Number of infringement notices received for the quarter: 0 Number of infringement notices received year to date: 0
	enforcement orders and	0	Achieved Number of enforcement orders received for the quarter: 0 Number of enforcement orders received year to date: 0
	convictions, received by the territorial authority	0	Achieved Number of convictions received for the quarter: 0 Number of convictions received year to date: 0
1	Median response time for attending sewerage overflows resulting from blockages or other faults (measured from the time that notification is received to the time that the service personnel reach the site).	≤1hr	Achieved 52 minutes
1	Median resolution time for attending sewerage overflows resulting from blockages or other faults (measured from the time that notification is received to the time that service personnel confirm resolution of the blockage or other fault).	≤ 4 hrs	Achieved 17 minutes

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Number of complaints received per annum per 1000 sewerage connections about any of the following: Sewerage odour, sewerage	≤ 10	Achieved 1 Complaints received per 1000 sewerage connections this year. There was a total of 1 complaints for the year. There are currently 2867 sewerage connections to the
system faults, sewerage system blockages or Council's response to issues with its sewerage systems.		total sewerage systems.
The percentage of users satisfied with the wastewater service provided.	90%	Achieved 93% of users are satisfied with the wastewater service provided.

Water Supply

Performance measures intended to be reported in the Annual Report.

The following performance targets have been set by Council to meaningfully assess the achievement of levels of service.

Level of Service	Performance measure	Target 2021/2022	Achieved level of service
To provide safe, reliable and consistent water supplies to our community working with our customers to support wise and sustainable.	The extent to which the local authority's drinking water complies with part 4 of the drinking water standards (bacteria compliance criteria).	All potable supplies 100%	Achieved Otane 100% Waipawa 100% Waipukurau 100% Takapau 100% Kairakau 0% - Exempt due to small supply Porangahau 100%

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The extent to which the local authority's drinking water supply complies with Part 5 of the drinking water standards (protozoal compliance criteria).	All potable supplies 100%	Achieved Otane 100% Waipawa 100% Waipukurau 100% Takapau 100% Kairakau 0% - Exempt due to small supply Porangahau 100%
Percentage of real water loss from the local authority's networked reticulation system.	≤ 30%	On Track to be Achieved Work is underway to install meters and conduct night-flow analysis to accurately measure water losses. Currently this cannot be accurately measured.
Attendance for urgent callouts; from the time that the local authority received notification to the time that service personnel reach the site.	≤ 2 hours	Achieved The median response time for this quarter is 1 hour.
Resolution of urgent call outs; from the time that the local authority receives notification to the time the service personnel confirm resolution of the fault or interruption.	≤ 12 hours	Achieved 50 minutes

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Attendance for non-urgent call outs: from the time that the Local Authority receives notification to the time the service personnel reaches the site.	≤ 6 hours	Achieved The median response time for this quarter is 1 hour.
Resolution of non-urgent call outs: from the time that the Local Authority receives notification to the time the service personnel confirm resolution of the fault or interruption.	≤ 72 hours	Achieved The median resolution time for the quarter is 6.7 hours. There were 72 RFS's processed during the quarter.
Number of complaints relating to drinking water received (per annum per 1000 connections to the local authority's networked reticulation system) Drinking water clarity, Drinking water taste, Drinking water odour, Drinking water pressure or flow, Continuity of supply, The local authority's response to any of these issues.	≤ 5	Achieved 0.48 Complaints per 1000 connections this quarter. There was a total of 2 complaints for the quarter. There are currently 4084 water connections to the networked reticulation system.

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The average consumption of	≤1.80m3	Achieved
drinking water per day per water connection		1.77 average consumption of drinking water per day per connection for the quarter.
		There are currently 4084 water connections to the networked reticulation system.
		652,413m3 produced across the quarter or
		7249m³ produced per day.
		Water conservation and management strategy being reassessed.
The percentage of users satisfied	90%	Not Achieved
with the water supply service provided		83% of users are satisfied with the water supply service provided.

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LGOIMA Requests			
Subject	Business (if applicable)	Date Received	Date Completed
Non Financial Reporting	Baybuzz	30 June 2021	30 June 2021
Building consents for owner builders and LBP's		24 June 2021	13 July 2021
Solid Waste breakdown	TVNZ	18 June 2021	19 July 2021
Rates and Annual Charges	Federated Farmers	21 July 2021	9 August 2021
Illegal Vegetation		27 July 2021	12 August 2021
Rating valuations for gold kiwifruit	Atkins Holm Majurey Limited	12 August 2021	15 August 2021
District Plan complaints		19 August 2021	24 August 2021
Infringements		24 August 2021	26 August 2021
Human resource policy and strategy		12 August 2021	1 September 2021
Comms Staff	RNZ	10 August 2021	7 September 2021
Three Waters Position	NZ Tax Payers Union	20 August 2021	8 September 2021
Monitoring the Exercise of Resource Consents		5 September 2021	10 September 2021
Payment Data		18 August 2021	22 September 2021

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Quarterly Activity Reporting

Wastewater Treatment Quality Results

Showing number of exceedances in YTD sampling.

5 exceedances are allowed in 12 months. The exception is Otane where 4 exceedances are allowed in 48 months.

г		1	1	1
	рН	cBOD₅	ss	DRP
Waipawa	2	0	4	2
Waipukurau	0	0	4	7
Otane	0	6	5	X
Porangahau	0	0	1	√
Te Paerahi	0	0	0	√
Takapau	0	0	1	√

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Wastewater Treatment Quality Results for the rolling 12 months

Showing number of exceedances in 12 months of sampling.

5 exceedances are allowed in 12 months. The exception is Otane where 4 exceedances are allowed in 48 months

	рН	cBoD₅	SS			DRP	Ammonia	E. Coli	
Waipawa	3	8	15			15	26	18	X
Waipukurau	1	0	11			26	26	2	X
Otane	0	12	10	X					
Porangahau	0	0	1	√]				
Te Paerahi	0	0	0	√]				
Takapau	0	0	1	√					

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Wastewater Flow Volumes for the rolling 12 months

	FLOW		
Limit	Exceedances Allowed	Result	
1,500 m³ per day	36 days	23 Exceedances	√
4,000 m³ per day	36 days	16 Exceedances	√
225 m³ per day	36 days	28 Exceedance	√
415 m³ per day	18 days	13 Exceedance	√
190 m³ per day	18 days	1 Exceedance	√
216 m³ per day	No limit	Not Applicable	√
	1,500 m³ per day 4,000 m³ per day 225 m³ per day 415 m³ per day	Limit Exceedances Allowed 1,500 m³ per day 36 days 4,000 m³ per day 36 days 225 m³ per day 36 days 18 days 190 m³ per day 18 days	LimitExceedances AllowedResult1,500 m³ per day36 days23 Exceedances4,000 m³ per day36 days16 Exceedances225 m³ per day36 days28 Exceedance415 m³ per day18 days13 Exceedance190 m³ per day18 days1 Exceedance

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7.11 AMENDMENT TO COMMITTEE TERMS OF REFERENCE

File Number: COU1-1400

Author: Bridget Gibson, Governance and Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Committee Terms of Reference 2019-2022 - Proposed Amendments

Adebe

2. CHBDC Standing Orders - Adopted 14th November 2019 4

PURPOSE

The matter for consideration is the adoption of amendments to the Committee Terms of Reference 2019-2022 specifically outlining the quorum of Council and standing Committees.

RECOMMENDATION FOR CONSIDERATION

That having considered all matters raised in the report the proposed amendments to the Committee Terms of Reference 2019-2022 establishing Committee guorum as:

- a) Half of the members physically present, where the number of members (including vacancies) is even; and
- b) A majority of the members physically present, where the number of members (including vacancies) is odd.

be adopted.

EXECUTIVE SUMMARY

Within the Committee Terms of Reference 2019-2022 document, amendments are proposed to the terms for the Strategy and Wellbeing Committee, Finance and Infrastructure Committee, and the Risk and Assurance Committee to specify quorum as:

- a) Half of the members physically present, where the number of members (including vacancies) is even: and
- b) A majority of the members physically present, where the number of members (including vacancies) is odd.

BACKGROUND

Following each triennial election, the Mayor establishes the committee structure for Council, and the Council adopts the Committee Terms of Reference by which Council and Committee abide. The current *Committee Terms of Reference 2019-2022* states that Council and Committee quorum is determined by Standing Orders (adopted 2019). However, on inspection it is apparent that the Council's Standing Orders are silent on Committee quorum, and only refer to a Council quorum or a subcommittee quorum. According to Standing Orders, Council's subcommittee quorum is at least two people, whereas Council quorum is:

- a) Half of the members physically present, where the number of members (including vacancies) is even; and
- b) A majority of the members physically present, where the number of members (including vacancies) is odd.

The intention is that Council's standing Committees hold the same quorum as Council. Therefore, the appropriate amendments have been made to the Committee Terms of Reference 2019-2022 for Council's consideration.

DISCUSSION

This report proposes amendment to the Committee Terms of Reference 2019-2022 document. Such amendment requires the approval of, and adoption by the Council.

RISK ASSESSMENT AND MITIGATION

There is no risk associated with this decision.

FOUR WELLBEINGS

This report aligns with the delivery of the four wellbeings by specifying and clearly communicating quorum requirements of Council and Committee in the *Committee Terms of Reference*, whereby quorum of Council and Committee is prescribed to protect the integrity of the Council's decision-making processes, in the best interests of the Council and the District.

DELEGATIONS OR AUTHORITY

The Council has delegation and authority to resolve that the proposed amendments to the Committee Terms of Reference be made.

SIGNIFICANCE AND ENGAGEMENT

In accordance with the Council's Significance and Engagement Policy, this matter has been assessed as having low significance therefore engagement with community is not required.

OPTIONS ANALYSIS

Council can opt to:

- 1) Adopt the proposed amendments to the Committee Terms of Reference 2019-2022.
- 2) Direct that further amendment be made to the *Committee Terms of Reference 2019-2022* prior to adoption.
- 3) Reject the proposed amendments to the Committee Terms of Reference 2019-2022.

	Option 1	Option 2	Option 3
	Adopt the proposed amendments to the Committee Terms of Reference 2019-2022.	Direct that further amendment be made to the Committee Terms of Reference 2019-2022 prior to adoption.	Reject the proposed amendments to the Committee Terms of Reference 2019-2022.
Financial and Operational Implications	There are no financial or operational implications	There are no financial or operational implications	There are no financial or operational implications

Long Term Plan and Annual Plan Implications	This report has no implication on the Long Term Plan or Annual Plan.	This report has no implication on the Long Term Plan or Annual Plan.	This report has no implication on the Long Term Plan or Annual Plan.
Promotion or Achievement of Community Outcomes	Protect the integrity of the Council's decision- making processes, in the best interests of the Council and the District.	Protect the integrity of the Council's decision- making processes, in the best interests of the Council and the District.	Quorum is not set or defined for Council's Committees within the Committee Terms of Reference at the risk of negatively impacting the integrity of Council's decision-making processes.
Statutory Requirements	Local Government Act 2002: Schedule 7: Part 1: 23 - Quorum of councils and committees	Local Government Act 2002: Schedule 7: Part 1: 23 - Quorum of councils and committees	Local Government Act 2002: Schedule 7: Part 1: 23 - Quorum of councils and committees
Consistency with Policies and Plans	Consistent with Central Hawke's Bay District Governance policies and plans.	Consistent with Central Hawke's Bay District Governance policies and plans.	Risk of inconsistency with Central Hawke's Bay District Governance policies and plans.

Recommended Option

This report recommends option 1) adopt the proposed amendments to the Committee Terms of Reference 209-2022 for addressing the matter.

NEXT STEPS

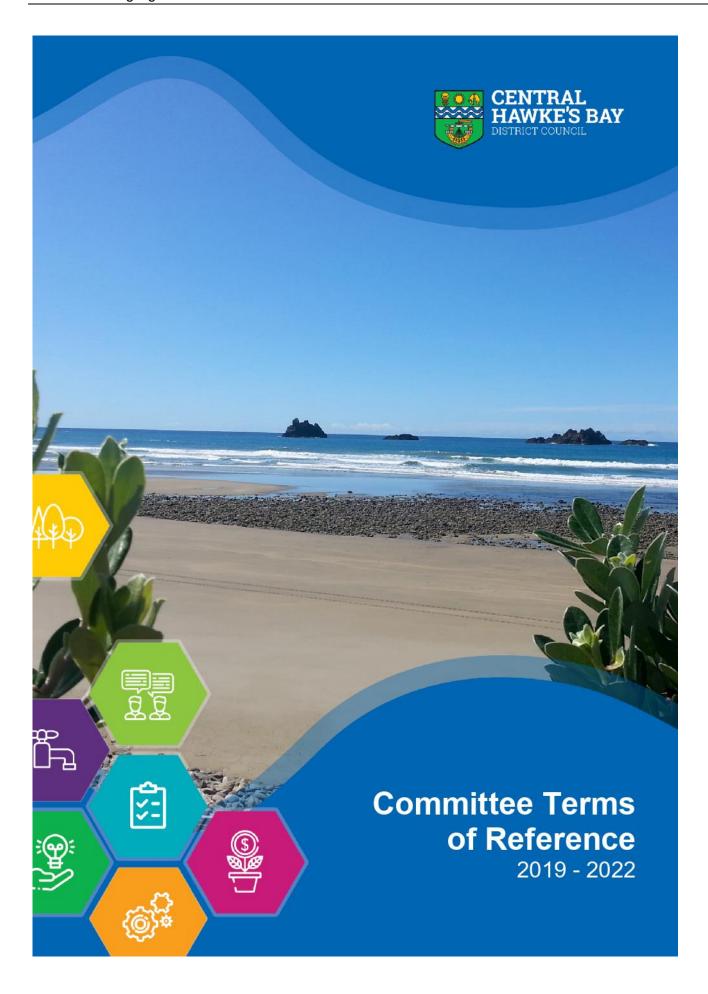
The amendments to the document will be finalised and the amended version (1.4) will replace the outdated version (1.3). The updated Committee Terms of Reference 2019-2022 document will be uploaded to the CHBDC webpage for public perusal. Subsequent to adoption, the quorum for Committees as defined in the Committee Terms of Reference 2019-2022 will be effective immediately.

RECOMMENDATION

That having considered all matters raised in the report:

- a) The proposed amendments to the Committee Terms of Reference 2019-2022 establishing Committee quorum as:
 - a) Half of the members physically present, where the number of members (including vacancies) is even; and
 - b) A majority of the members physically present, where the number of members (including vacancies) is odd.

be adopted.



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	29 July 2021
	Hearings Panel	
1.3	Proposed Inclusion of District Licensing	26 August 2021
	Committee Terms of Reference	
1.4	Amendment to Committee quorum terms	17 November 2021





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 wellbeing 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 Central Hawke's Bay District.

COMMITTEES OF THE WHOLE

Strategy and Wellbeing Committee

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 related to wellbeing, and set in place the strategies, policies and work programmes to achieve set goals and targets.

To develop, approve, review, and recommend to Council (where applicable) statutory and non-statutory 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 community through a focus on the social, economic, cultural, and economic wellbeings.

Finance and Infrastructure Committee

The purpose of the Finance and Infrastructure Committee is to oversee financial and non-financial performance, including the delivery of the Council's Capital Programme.

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

- 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.

STANDING COMMITTEES

Risk and Assurance

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:

- 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.

- To conduct hearings and/or determine under delegated
- 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
- 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.

Chief Executive Performance and Employment Committee

OTHER COUNCIL SPECIA	L COMMITTEES (EXCLU	IDING 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	S BAY DISTRICT COUNCIL
	Her Worship the Mayor Alex Walker (Chair)
	Deputy Mayor Kelly Annand (Deputy Chair)
Membership	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.
	The quorum for a meeting of the Council is:
Quorum	a) Half of the members physically present, where the number of members (including vacancies) is even; and
	b) A majority of the members physically present, where the number of members (including vacancies) is odd.
	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.
Purpose	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. reading, water supply, waste disposal, libraries, parks and recreational facilities) Environmental management planning for the current and future needs of the local district.
Responsibilities	The Council's terms of reference include the following powers which cannot be delegated to committees, officers, or any other subordinate decision-making body.
	The power to: 1. make a rate 2. make a bylaw

	 borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan adopt a Long Term Plan or Annual Plan and Annual Report appoint a Chief Executive 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 adopt a remuneration and employment policy approve or amend Council's Standing Orders approve or amend the Code of Conduct for elected members appoint and discharge members of committees establish a joint committee with another local authority or other public body
	In addition, Council can:
	 approve a proposed plan under the Resource Management Act 1991 approve Council policy and strategy remove chairpersons of committees, subcommittees approve Council's recommendation to the Remuneration Authority for the remuneration of elected members approve the Triennial Agreement approve the Local Governance Statement make decisions on representation reviews appoint or remove trustees, directors, or office holders to Council CCOs or COs approve the recommendation of a hearings commissioner on a proposed plan, plan change or variation (including private plan change) and approve a proposed plan or a change to a district plan under clause
	17 of the First Schedule Council will specifically retain oversight of the District Plan, Long Term Plan
	and Annual Plan process and decisions.
Delegations	Council cannot delegate any of the responsibilities outlined above.
Professional Development and Learning	Council will participate in the Elected Member Governance Training "Tipu" run by LGNZ.
	Council will engage in further professional development as required.

STRATEGY AND WELLBEING COMMITTEE			
	Deputy Mayor Kelly Annand (Chair)		
Membership	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.		
	*NB – In the absence of the Chair, the Mayor will Chair the meeting.		
Meeting frequency	The committee shall meet every 8 weeks or as required.		
	The quorum for a meeting of the Strategy and Wellbeing Committee is:		
Quorum	a) Half of the members physically present, where the number of members (including vacancies) is even; and		
	b) A majority of the members physically present, where the number of members (including vacancies) is odd.		
	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.		
	To develop, approve, review, and recommend to Council (where applicable) statutory and nonstatutory policy, plans, bylaws, and strategies to:		
Purpose	 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. 		
	The Strategy and Wellbeing Committee is responsible for:		
Responsibilities	 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. 		
	The Strategy and Wellbeing Committee has delegations to:		
Delegations	 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.

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

FINANCE AND INFRASTRUCTURE COMMITTEE		
	Councillor Brent Muggeridge (Chair)	
Membership	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 *NB – In the absence of the Chair, the Mayor will Chair the meeting.	
Meeting frequency	The committee shall meet every 8 weeks or as required.	
	The quorum for a meeting of the Finance and Infrastructure Committee is:	
Quorum	a) Half of the members physically present, where the number of members (including vacancies) is even; and	
	b) A majority of the members physically present, where the number of members (including vacancies) is odd.	
Purpose	 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	 The Finance and Infrastructure Committee is responsible for: 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 Finance and Infrastructure Committee has delegations to:

- 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.

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

Delegations

RISK AND ASSURA	NCE COMMITTEE
	Chair (Independent Chair yet to be appointed)
Membership	Councillor Tim Aitken (Deputy Chair)
Wernbergrip	Her Worship the Mayor, Councillor Brent Muggeridge, Councillor Jerry Greer, Gerard Minehan.
Meeting frequency	The Committee shall meet every 8 weeks or as required.
	The quorum for a meeting of the Risk and Assurance Committee is:
Quorum	a) Half of the members physically present, where the number of members (including vacancies) is even; and
	b) A majority of the members physically present, where the number of members (including vacancies) is odd.
	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:
Purpose	 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	 The Council delegates to the Risk and Assurance Committee the following responsibilities: 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.
	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:
	 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.
	In addition the Council delegates to the Risk and Assurance Committee the following powers and duties:
Delegations	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: 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.
	The Risk and Assurance Committee may not delegate any of its responsibilities, duties or powers.
Professional and Development Learning	All members will participate in a Risk and Assurance Governance Training in the first year of membership.

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.		
	To monitor performance of the Chief Executive.		
Responsibilities	To ensure that the Council is fulfilling its duties as a good employer under schedule 7 of the Local Government Act, 2002.		
	The Council delegates to the Chief Executive Employment and Performance Committee the following powers, duties and responsibilities:		
Delegations	 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	Councillor Tim Aitken – Regulatory Hearings Panel Chair (Panel) Councillor Pip Burne (Panel) Councillor Kate Taylor (Panel) Councillor Jerry Greer (Panel) Commissioner Eileen von Dadelszen (Chair and Panel) Commissioner George Lyons (Chair and Panel) Commissioner Janeen Kydd-Smith (Chair and Panel) Commissioner Robert Schofield (Chair and Panel) Commissioner Mick Lester (Chair and Panel) Commissioner Dr Roger Maaka (Panel) Commissioner Loretta Lovell (Panel) Commissioner Liz Lambert (Panel) Commissioner Liz Cooper (Panel) 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	
Meeting Frequency	interest (perceived or potential) that may arise from to time. As and when required.	
Purpose	 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	 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: a) Any conflict of interest (perceived or potential) between Committees and/or Committee Member where the Panel member is an elected member or Independent Commissioner. b) Any conflict of interest identified by the Chair or raised by applicants and/or submitters. c) The need for specific expertise in particular cases. 	

- 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 commitments, availability, and with a particular focus that no perceived or potential bias to particular Councillor or Independent Commissioner occurs.
- e) The need for any particular local knowledge.

Delegations:

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.

The Council delegates to the Regulatory Hearings Panel the following powers, duties and responsibilities:

- 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:
 - 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:
 - 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.

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.

	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:
	 Commissioners appointed to Joint Hearings shall be a member of the Regulatory Hearings Panel together with not less than 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.
	 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	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.

DISTRICT LICENSING COMMITTEE		
	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.	
	The other two members of the DLC must be appointed from the Council's list ² of persons approved to be members of the District Licensing Committee.	
Membership	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.	
	Appointment of the Chairperson and the Deputy Chairperson shall be by Resolution of the Council.	
	Current Members:	
	 Councillor Gerard Minehan (Chair) Councillor Exham Wichman (Deputy Chair) Commissioner Tania Kerr List Member Sally Butler List Member Mark Williams 	
	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.	
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.

Item 7.11- Attachment 1

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Administer the Council's alcohol licensing framework as determined by the SSLA. 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 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 Responsibilities (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. 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). The power to make decisions on Liquor licenses, Managers Certificates, Temporary Authorities and Special Licences are set out in the SSLA. Appointments to the Committee of the other members shall be made through an Appointments Committee process that: 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. Delegations Recommend to Council the preferred appointment(s) for confirmation. The Council considers that, in addition to the statutory requirements, any person that it appoints to the Committee should also possess: 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.

proved to the Council's satisfaction.

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,

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.



Preface

Standing orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies, and local and community boards. Their purpose is to enable local authorities to exercise their decision-making responsibilities in a transparent, inclusive and lawful manner.

In doing so the application of standing orders contributes to greater public confidence in the quality of local governance and democracy in general.

These standing orders have been designed specifically for local authorities, their committees, subcommittees and subordinate decision-making bodies, and local and community boards. They fulfil the requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 with regard to the conduct of meetings.

It is mandatory that councils adopt standing order for the conduct of their meetings and the meetings of any subordinate bodies, such as committees and subcommittees (see cl. 27 Schedule 7 of the Local Government Act 2002).

For clarity's sake whenever a question about the interpretation or application of these standing orders is raised, particularly where a matter might not be directly provided for, it is the responsibility of the Chairperson of each meeting to make a ruling.

All members of a local authority must abide by standing orders.

LGNZ has made every reasonable effort to provide accurate information in this document, however it is not advice and we do not accept any responsibility for actions taken that may be based on reading it.

Together we Thrive! E ora ngātahi ana!

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1. Introduction

These standing orders have been prepared to enable the orderly conduct of local authority meetings. They incorporate the legislative provisions relating to meetings, decision making and transparency. They also include practical guidance on how meetings should operate so that statutory provisions are complied with and the spirit of the legislation fulfilled.

To assist elected members and officials the document is structured in three parts:

- Part 1 deals with general matters.
- Part 2 deals with pre-meeting procedures.
- Part 3 deals with meeting procedures.

The Appendix, which follows Part 3, provides templates and additional guidance for implementing provisions within the standing orders. Please note, the Appendix is an attachment to the standing orders and not part of the standing orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present. In addition the 'Guide to Standing Orders' provides additional advice on the application of the standing orders and are also not part of the standing orders.

1.1 Principles

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

- Conduct its business in an open, transparent and democratically accountable manner;
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner:
- Make itself aware of, and have regard to, the views of all of its communities;
- Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- Ensure that any decisions made under these standing orders comply with the decisionmaking provisions of Part 6 of the LGA; and
- Ensure that decision-making procedures and practices meet the standards of natural justice.

These principles are reinforced by the requirement that all local authorities act so that "governance structures and processes are effective, open and transparent" (s. 39 LGA 2002).

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1.2 Statutory references

The Standing Orders consist of statutory provisions about meetings along with guidance on how those provisions should be applied in practice. Where a statutory provision has been augmented with advice on how it might be implemented the advice (so as not to confuse it with the statutory obligation) is placed below the relevant legislative reference. In some cases the language in the statutory provision has been modernised for ease of interpretation or amended to ensure consistency with more recently enacted statutes.

It is important to note that statutory references in the standing orders apply throughout the period of a meeting, regardless of whether or not parts or all of the Standing Orders have been suspended. These provisions must also be carried through into any amendment of the standing orders that might be made. Please note, where it is employed the word 'must', unless otherwise stated, identifies a mandatory legislative requirement.

1.3 Acronyms

LGA 2002 Local Government Act 2002

LGOIMA Local Government Official Information and Meetings Act 1987

LAMIA Local Authorities (Members' Interests) Act 1968

1.4 Application

For the removal of any doubt these standing orders do not apply to workshops or meetings of working parties and advisory groups unless specifically included in their terms of reference.

2. Definitions

Adjournment means a break in the proceedings of a meeting. A meeting, or discussion on a particular business item, may be adjourned for a brief period, or to another date and time.

Advisory group means a group of people convened by a local authority for the purpose of providing advice or information that is not a committee or subcommittee. These standing orders do not apply to such groups. This definition also applies to workshops, working parties, working group, panels, forums, portfolio groups, briefings and other similar bodies.

Agenda means the list of items for consideration at a meeting together with reports and other attachments relating to those items in the order in which they will be considered. It is also referred to as an 'order paper'.

Amendment means any change of proposed change to the original or substantive motion.

Audio link means facilities that enable audio communication between participants at a meeting when one or more of the participants is not physically present at the place of the meeting.

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Audio visual link means facilities that enable audiovisual communication between participants at a meeting when one or more of them is not physically present at the place of the meeting.

Chairperson means the person presiding at a meeting—the presiding member.

Chief executive means the chief executive of a territorial authority or regional council appointed under section 42 of the LGA 2002, and includes, for the purposes of these standing orders, any other officer authorized by the chief executive.

Clear working days means the number of working days (business hours) prescribed in these standing orders for giving notice and excludes the date of the meeting and date on which the notice is served.

Committee includes, in relation to a local authority:

- (a) A committee comprising all the members of that authority;
- (b) A standing committee or special committee appointed by that authority;
- (c) A joint committee appointed under clause 30A of Schedule 7 of the LGA 2002; and
- (d) Any subcommittee of a committee described in (a), (b) and (c) of this definition.

Community board means a community board established under s.49 of the LGA 2002.

Contempt means being disobedient to, or disrespectful of, the chair of a meeting, or disrespectful to any members, officers or the public.

Council means, in the context of these standing orders, the governing body of a local authority.

Deputation means a request from any person or group to make a presentation to the local authority which is approved by the Chairperson and which may be made in English, te reo Māori or New Zealand Sign Language.

Electronic link means both an audio and audio visual link.

Emergency meeting has the same meaning as defined in cl. 22A of Schedule 7 of the LGA 2002.

Extraordinary meeting has the same meaning as defined in cl. 22 of Schedule 7 of the LGA 2002.

Foreshadowed motion means a motion that a member indicates their intention to move once the debate on a current motion or amendment is concluded.

Internet site means, in relation to a local authority or other person or entity, an Internet site that is maintained by, or on behalf of, the local authority, person, or entity and to which the public has free access.

Joint committee means a committee in which the members are appointed by more than one local authority in accordance with clause 30A of Schedule 7 of the LGA 2002.

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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Lawfully excluded means a member of a local authority who has been removed from a meeting due to behaviour that a Chairperson has ruled to be contempt.

Leave of absence means a pre-approved absence for a specified period of time consistent with the council policy should one be in place.

Local authority means in the context of these standing orders a regional council or territorial authority, as defined in s. 5 of the LGA 2002, which is named in these standing orders, and any subordinate decision-making bodies established by the local authority.

Mayor means the Mayor of a territorial authority elected under the Local Electoral Act 2001.

Meeting me ans any first, inaugural, ordinary, or extraordinary meeting of a local authority, subordinate decision-making bodies and any community or local board of the local authority convened under the provisions of LGOIMA.

Member means any person elected or appointed to the local authority.

Mihi whakatau means a brief welcome typically delivered by one person without any further formalities.

Minutes means the record of the proceedings of any meeting of the local authority.

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

Newspaper means a periodical publication published (whether in New Zealand or elsewhere) at intervals not exceeding 40 days, or any copy of, or part of any copy of, any such publications; and this includes every publication that at any time accompanies and is distributed along with any newspaper.

Notice of motion means a motion given in writing by a member in advance of a meeting in accordance with, and as provided for, in these standing orders.

Open voting means voting that is conducted openly and in a transparent manner (i.e. enables an observer to identify how a member has voted on an issue) and may be conducted by electronic means. The result of the vote must be announced immediately it has conduded. Secret ballots are specifically excluded.

Order paper means the list of items for consideration at a meeting together with reports and other attachments relating to those items set out in the order in which they will be considered. An order paper is also referred to as an agenda.

Ordinary meeting means any meeting, other than the first meeting, of a local authority publidy notified in accordance with sections 46(1) and (2) of LGOIMA.

Petition means a request to a local authority which contains at least 20 signatures.

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Powhiri means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

Present at the meeting to constitute quorum means the member is to be physically present in the room.

Presiding member means the person chairing a meeting.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in standing orders 24.1 - 24.7.

Public excluded information refers to information which is currently before a public excluded session, is proposed to be considered at a public excluded session, or had previously be en considered at a public excluded session and not yet been released as publicly available information. It includes:

- Any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the local authority; and
- Any other information which has not been released by the local authority as publicly available information.

Public excluded session, also referred to as confidential or in-committees ession, refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in LGOIMA.

Publicforum refers to a period set aside usually at the start of a meeting for the purpose of public input.

Public notice in relation to a notice given by a local authority, means one that is made publicly available, until any opportunity for review or appeal in relation to the matter notified has lapsed, on the local authority's Internet site. And in addition, is published in at least one daily newspaper circulating in the region or district of the local authority, or one or more other newspapers that have a combined circulation in that region or district which is at least equivalent to that of a daily newspaper circulating in that region or district.

Publicly notified means notified to members of the public by a notice contained in a newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice displayed in a public place. The notice may also be replicated on a council's we be site.

Qualified privilege means the privilege conferred on member by s. 52 and s. 53 of LGOIMA.

Quasi-judicial means a meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

Quorum means the minimum number of members required to be present in order to constitute a valid meeting.

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Regional Council Chairperson means the member of the governing body of a regional council elected as Chairperson of that regional council under cl.25 Schedule 7 LGA 2002.

Resolution means a motion that has been adopted by the meeting.

Right of reply means the right of the mover of a motion to reply to those who have spoken to the motion. (The right does not apply to an amendment).

Seconder means the member who seconds a motion.

Sub judice means under judicial consideration and therefore prohibited from public discussion elsewhere.

Subordinate decision-making body means committees, subcommittees, and any other bodies established by a local authority that have decision-making authority, but not local or community boards or joint committees.

Substantive motion means the original motion. In the case of a motion that is subject to an amendment, the substantive motion is the original motion incorporating any amendments adopted by the meeting.

Substantive resolution means the substantive motion that has been adopted by the meeting or a restatement of a resolution that has been voted on in parts.

Subcommittee means a subordinate decision-making body established by a council, or a committee of a council, local board or community board. See definition of "Committee".

Working day means a day of the week other than:

- Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, and Waitangi Day. If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, then the following Monday;
- (b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- (c) A day in the period commencing with 20 December in any year and ending with 10 January in the following year.

Should a local authority wish to meet between the 20th of December and the 10th of January of the following year any meeting must be notified as an extraordinary meeting, unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

Working party means a group set up by a local authority to achieve a specific objective that is not a committee or subcommittee and to which these standing orders do not apply.

Workshop, means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders do not apply. Workshops may include non-elected members. See definition of "advisory group". Workshops are also described as briefings.

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25. General matters

3. Standing orders

3.1 Obligation to adopt standing orders

A council is required to operate in accordance with standing orders for the conduct of its meetings and the meetings of its committees and subcommittees. Local boards and community boards must also adopt standing orders. Standing orders must not contravene any Act.

cl. 27(1) & (2), Schedule 7, LGA 2002.

3.2 Process for adoption and alteration of standing orders

The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75% of the members present. Similarly, in the case of a local and community board the adoption of standing orders and any amendments also requires a vote of not less than 75% of the members of the specific board.

cl. 27(3) Schedule 7, LGA 2002.

3.3 Members must obey standing orders

All members of the local authority, including members of committees and subcommittees, must obey these standing orders. Local boards and community boards which have adopted these standing orders must also comply with them.

cl. 16(1) Schedule 7, LGA 2002.

3.4 Application of standing orders

These standing orders apply to all meetings of the local authority, its committees, subcommittees and subordinate decision-making bodies. They will also apply to any local boards and community boards unless stated otherwise. This includes meetings and parts of meetings that the public are excluded from.

3.5 Temporary suspension of standing orders

Any member of a council, committee, subcommittee and subordinate body, and local and community board, may move a motion to suspend specified standing orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the Chairperson must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

cl. 27(4), Schedule 7, LGA 2002.

A motion to suspend standing orders may also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

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3.6 Quasi-judicial proceedings

For quasi-judicial proceedings the local authority or a local or community board may amend meeting procedures. For example, committees hearing applications under the RMA 1991 have additional powers under the Commissions of Inquiry Act 1908.

3.7 Physical address of members

Every member of a local authority, local board and community board must give to the chief executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within 5 working days of the publication of the ded aration of the election results.

Meetings

4.1 Legal requirement to hold meetings

The local authority must hold meetings for the good government of its city, district or region. The same requirement applies to local boards and community boards in respect of their communities. Meetings must be called and conducted in accordance with:

- (a) Schedule 7 of the LGA 2002;
- (b) Part 7 of LGOIMA; and
- (c) These standing orders.

A meeting can be adjourned to a specified time and day if required by resolution of the meeting.

4.2 Meeting duration

A meeting cannot continue more than six hours from when it starts (including any adjournments) or after 10.30pm, unless the meeting resolves to continue. If there is no such resolution any business on the agenda that has not been dealt with must be adjourned, transferred to the next meeting or transferred to an extraordinary meeting.

No meeting can sit for more than two hours continuously without a break of at least ten minutes unless the meeting resolves to extend the time before a break.

4.3 Language

A member may address a meeting in English, te reo Māori or New Zealand Sign Language. A Chairperson may require that a speech is translated and printed in English or te reo Māori.

If a member intends to address the meeting in New Zealand Sign Language, or in tereo Māori when the normal business of the meeting is conducted in English, they must give prior notice to the Chairperson not less than 2 working days before the meeting.

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Where the normal business of the meeting is conducted in tereo Māori then prior notice of the intention to address the meeting in English must also be given to the Chairperson not less than 2 working days before the meeting.

4.4 Webcasting meetings

Webcast meetings should be provided in accordance with the protocols contained in Appendix 5.

4.5 First meeting (inaugural)

The first meeting of a local authority following a local authority triennial general election must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give elected members not less than 7 days' notice of the meeting. However in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

cl. 21(1) - (4), Schedule 7, LGA 2002.

4.6 Requirements for the first meeting

The chief executive (or, in the absence of the chief executive, their nominee) must chair the first meeting until the Chairperson has made an oral declaration and attested the declaration (see d. 21(4), Schedule 7 (LGA 2002)).

The business to be conducted at the first meeting following a general election must include the following:

- (a) The making and attesting of the declarations required of the mayor (if any) and members under cl.14, Schedule7, (LGA 2002);
- (b) The election of the Chairperson (if any) and the making and attesting of the declaration required of the Chairperson under cl. 14 Schedule7, (LGA 2002);
- (c) A general explanation, given or arranged by the chief executive, of:
 - i. LGOIMA; and
 - Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and sections 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) The election of the deputy Mayor or deputy Chairperson in accordance with d.17 Schedule7, (LGA 2002).

cl. 21(5), Schedule 7, LGA 2002.

It is common for councils to adopt standing orders at the first meeting; however this is not always necessary as, if not amended, standing orders will remain in force after each triennial election.

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Please note that the election of a deputy mayor is not required if the Mayor has already made the appointment unders. 41A (3)(a) of the LGA 2002 prior to the meeting. Nothing limits a territorial authority from removing a deputy Mayor from office in accordance with cl.18 of Schedule 7 LGA 2002.

5. Appointments and elections

5.1 Mayoral appointment of deputy Mayor, committee chairs and members

A Mayor may appoint the deputy Mayor, the Chairperson and the members of each committee of the territorial authority. The names of any appointments made by the Mayor must be tabled at the first meeting of the council after the appointments are made. The Mayor may also appoint him or herself.

s. 41A (3) LGA 2002.

5.2 Council Discharge of a Mayoral Appointment

Nothing, however, limits or prevents a territorial authority from discharging deputy Mayor, a Chairperson or a member of a committee appointed by the Mayor. Any decision by the territorial authority to discharge a deputy Mayor shall follow the procedure in Standing Order 5.5.

If the Mayor declines to appoint a deputy Mayor or committee Chairpersons in accordance with s.41A LGA 2002, the council (or a committee, if so directed by the council) must elect those positions in accordance with standing order 5.4.

cl. 31, Schedule 7 LGA 2002.

5.3 Establishment of committees by the Mayor

The Mayor may establish committees of the territorial authority. Where a Mayor exercises this right a list of the committees and their terms of reference must be tabled at the next following meeting of the Council. Should the Mayor decline to establish committees under s. 41A then any decision to establish committees must follow the processes set out in these standing orders.

Nothing, however, limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl. 30 of Schedule 7, LGA 2002, a committee established by the Mayor or appointing, more committees in addition to any established by the Mayor.

Please note that a Mayor is a member of every committee unless specific legislation provides otherwise, for example a committee established unders. 189 of the Sale and Supply of Alcohol Act 2012

s. 41A (3) and (4) LGA 2002.

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5.4 Elections of regional Chairpersons, deputy Mayors and deputy Chairpersons

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see standing order 5.6) when electing people to the following positions:

- The Chairperson and deputy Chairperson of a regional council;
- The deputy Mayor;
- The Chairperson and deputy Chairperson of a committee; and
- A representative of a local authority.

Please note, this provision does not apply in situations where a mayor has used their appointment powers under s.41A to appoint a deputy Mayor or committee chairs. See Appendix 9.

cl. 25 Schedule 7, LGA 2002.

5.5 Removal of a deputy Mayor

A deputy Mayor, whether appointed by the Mayor under standing order 5.1 or elected by the council, can only be removed in accordance with cl. 18, Schedule 7, of the LGA 2002. See Appendix 10.

cl. 18, Schedule 7, LGA 2002.

5.6 Voting system for chairs, deputy Mayors and committee chairs

When electing a regional council chair, a deputy Mayor or a committee chair the local authority must resolve to use one of the following two voting systems.

System A

The candidate will be elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee who are present and voting. This system has the following characteristics:

- (a) There is a first round of voting for all candidates;
- (b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (c) If no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.

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System B

The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) There is only one round of voting; and
- (b) If two or more candidates tie for the most votes, the tie is resolved by lot.

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Limits on delegations

Unless clearly stated in the LGA or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, community board, local board, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

- (a) The power to make a rate;
- (b) The power to make a bylaw;
- (c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- (d) The power to adopt a long-term plan, annual plan, or annual report;
- (e) The power to appoint a chief executive;
- (f) The power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
- (g) Repealed; and
- (h) The power to adopt a remuneration and employment policy.

cl. 32 (1) Schedule 7, LGA 2002.

6.2 Committees may delegate

A committee, subcommittee, subordinate decision-making body, local board, community board, member, or officer of the local authority, may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the body that made the original delegation.

cl. (2) & (3), Schedule 7, LGA 2002.

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6.3 Use of delegated powers

The committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the council, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

cl. 32(2) & (3)(4) Schedule 7, LGA 2002.

6.4 Decisions made under delegated authority cannot be rescinded or amended

Nothing in these standing orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision-making body carried out under a delegation authorising the making of that decision. The same requirement applies to a local board and community board in relation to any committees or subcommittees with delegated authority.

cl. 30 (6), Schedule 7, LGA 2002.

6.5 Committees and sub committees subject to the direction of the local authority

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given to them.

cl. 30 (3) & (4), Schedule 7, LGA 2002.

6.6 Duty to consider delegations to community boards

The council of a territorial authority must consider whether or not to delegate to a community board if the delegation will enable the community board to best achieve its role.

cl. 32(6) Schedule 7, LGA 2002.

Please note: A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Office's declaration until the new council is sworn in. See the 2019 Guide to Standing Orders for further information.

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7. Committees

7.1 Appointment of committees and subcommittees

A council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate, unless it is prohibited from doing so by the council.

cl. 30(1) & (2), Schedule 7, LGA 2002.

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

- (a) A local authority may discharge or reconstitute a committee or subcommittee, or other subordinate decision-making body; and
- (b) A committee may discharge or reconstitute a subcommittee.

A committee, subcommittee, or other subordinate decision-making body is, unless a council resolves otherwise, discharged when members elected at a subsequent triennial general election come into office.

cl. 30 (5) & (7), Schedule 7, LGA 2002.

Please note: s.12 (2) of the Givil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. This may also apply to District Licensing Committees (see SO Guide).

7.3 Appointment or discharge of committee members and subcommittee members

A council may appoint or discharge any member of a committee and, if established by the council, a subcommittee. A committee may appoint or discharge any member of a subcommittee appointed by the committee unless directed otherwise by the council.

cl. 31 (1) & (2), Schedule 7, LGA 2002.

7.4 Elected members on committees and subcommittees

The members of a committee or subcommittee may be, but are not required to be, elected members of a local authority. A council or committee may appoint a person who is not a member of the local authority to a committee or subcommittee if, in the opinion of the council or committee, the person has the skills, attributes or knowledge to assist the committee or subcommittee.

At least one member of a committee must be an elected member of the council. In the case of a committee established by a local board or community board at least one member must be a member of that board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

cl. 31(4) Schedule 7, LGA 2002.

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7.5 Local authority may replace members if committee not discharged

If a local authority resolves that a committee, subcommittee or other subordinate decision-making body is not to be discharged under cl. 30 (7) Schedule7, LGA 2002, the local authority may replace the members of that committee, subcommittee or subordinate decision-making body after the next triennial general election of members.

cl. 31(5) Schedule 7, LGA 2002.

7.6 Membership of Mayor

The Mayor is a member of every committee of the local authority unless specific legislation provides otherwise, such as a committee established under s. 189 of the Sale and Supply of Alcohol Act 2012.

s. 41A (5), LGA 2002.

7.7 Decision not invalid despite irregularity in membership

For the purpose of these standing orders a decision of a local authority, committee, local board and community board is not invalidated if:

- There is a vacancy in the membership of the local authority, committee, local or community board at the time of the decision; or
- 2. Following the decision some defect in the election or appointment process is discovered and/or that the membership of a person on the committee at the time is found to have been ineligible.

cl. 29, Schedule 7, LGA 2002.

7.8 Appointment of joint committees

A local authority may appoint a joint committee with another local authority or other public body if it has reached agreement with each local authority or public body. The agreement must specify:

- (a) The number of members each party may appoint;
- (b) How the Chairperson and deputy Chairperson are to be appointed;
- (c) The terms of reference of the committee;
- (d) What responsibilities, if any, are to be delegated to the committee by each party; and
- (e) How the agreement may be varied.

The agreement may also specify any other matter relating to the appointment, operation, or responsibilities of the committee agreed by the parties.

cl. 30A (1) & (2), Schedule 7, LGA 2002.

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7.9 Status of joint committees

A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

cl. 30A (5), Schedule 7, LGA 2002.

7.10 Power to appoint or discharge individual members of a joint committee

The power to discharge any individual member of a joint committee and appoint another member in their stead must be exercised by the council or public body that made the appointment.

cl. 30A (6)(a), Schedule 7, LGA 2002.

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26. Pre-meeting

8. Giving notice

Please note; the processes described in this section (standing orders 8.1–8.13) apply as appropriate to local boards and community boards.

8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than 14 days and not less than 5 days before the end of the current month, together with the dates, the times and places on and at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification may be given not more than 10 nor less than 5 working days before the day on which the meeting is to be held. (See Guide to Standing Orders for more information).

s. 46, LGOIMA.

8.2 Notice to members - ordinary meetings

The chief executive must give notice in writing to each member of the local authority of the date, time and place of any meeting. Notice must be given at least 14 days before the meeting unless the council has adopted a schedule of meetings, in which case notice must be given at least 14 days before the first meeting on the schedule.

cl. 19 (5), Schedule7, LGA 2002.

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

- (a) Resolution of the council, or
- (b) A requisition in writing delivered to the chief executive which is signed by:
 - i. The Mayor; or
 - ii. Not less than one third of the total membership of the council (including vacancies).

cl. 22 (1) Schedule 7, LGA 2002.

8.4 Notice to members - extraordinary meetings

The chief executive must give notice, in writing, of the time and place of an extraordinary meeting called under standing order 8.3, as well as the general nature of business to be considered to each member of the council at least 3 working days before the day appointed for the meeting. If the meeting is called by a resolution then notice must be provided within such lesser period as is specified in the resolution, as long as it is not less than 24 hours.

cl. 22 (3), Schedule7, LGA 2002.

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8.5 Emergency meetings may be called

If the business a council needs to deal with requires a meeting to be held at a time earlier than is allowed by the notice requirements for holding an extraordinary meeting and it is not practicable to call the meeting by resolution, an emergency meeting may be called by:

- (a) The Mayor; or
- (b) If the Mayor is unavailable, the chief executive.

cl. 22A(1), Schedule7 LGA 2002.

8.6 Process for calling an emergency meeting

The notice of the time and place of an emergency meeting, and of the matters in respect of which the emergency meeting is being called, must be given by the person calling the meeting or by another person on that person's behalf.

The notice must be given, by whatever means is reasonable in the circumstances, to each member of the local authority, and to the chief executive, at least 24 hours before the time appointed for the meeting.

cl. 22A (2), Schedule7 LGA 2002.

8.7 Public notice – emergency and extraordinary meetings

Where an emergency or extraordinary meeting of a local authority is called but the notice of the meeting is inconsistent with these standing orders, due to the manner in which it was called, the local authority must cause that meeting and the general nature of business to be transacted at that meeting:

- (a) To be publicly notified as soon as practicable before the meeting is to be held; or
- (b) If it is not practicable to publish a notice in newspapers before the meeting, to be notified as soon as practicable on the local authority's Internet site and in any other manner that is reasonable in the circumstances.

s. 46 (3) LGOIMA.

8.8 Meetings not invalid

The failure to notify a public meeting under these standing orders does not of itself make that meeting invalid. However, where a local authority becomes aware that a meeting has been incorrectly notified it must, as soon as practicable, give public notice stating:

- That the meeting occurred without proper notification;
- The general nature of the business transacted; and
- The reasons why the meeting was not properly notified.

s. 46 (6), LGOIMA.

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8.9 Resolutions passed at an extraordinary meeting

A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority unless:

- (a) The resolution was passed at a meeting or part of a meeting from which the public was excluded; or
- (b) The extraordinary meeting was publicly notified at least 5 working days before the day on which the meeting was held.

s. 51A, LGOIMA.

8.10 Meeting schedules

Where the local authority adopts a meeting schedule it may cover any period that the council considers appropriate and may be amended. Notification of the schedule, or an amendment, will constitute notification to members of every meeting on the schedule or the amendment. This does not replace the requirements under LGOIMA to also publicly notify each meeting.

cl. 19 (6) Schedule 7, LGA 2002.

8.11 Non-receipt of notice to members

A meeting of a local authority is not invalid if notice of that meeting was not received, or not received in due time, by a member of the local authority or board unless:

- (a) It is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
- (b) The member concerned did not attend the meeting.

A member of a local authority may waive the need to be given notice of a meeting.

cl. 20 (1) & (2) Schedule 7, LGA 2002.

8.12 Meeting cancellations

The Chairperson of a scheduled meeting may cancel the meeting if, in consultation with the chief executive, they consider this is necessary for reasons that include lack of business, lack of quorum or clash with another event.

The chief executive must make a reasonable effort to notify members and the public as soon as practicable of the cancellation and the reasons behind it.

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9. Meeting agenda

9.1 Preparation of the agenda

It is the chief executive's responsibility to prepare an agenda for each meeting listing and attaching information on the items of business to be brought before the meeting so far as is known, including the names of the relevant members.

When preparing business items for an agenda the chief executive should consult the Chairperson.

9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the council, committee, subcommittee, subordinate decision-making body, local boards or community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations. A process for requesting reports is described in Appendix 13.

9.3 Chief executive may delay or refuse request

The chief executive may delay commissioning any reports that involve significant cost or are beyond the scope of the committee that made the request. In such cases the chief executive will discuss options for meeting the request with the respective Chairperson and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

If a member makes a direct request to a chief executive asking that a report is prepared the chief executive may refuse. In such cases an explanation should be provided to the member.

9.4 Order of business

At the meeting the business is to be dealt within the order in which it stands on the agenda unless the Chairperson, or the meeting, decides otherwise. An example of a default order of business is set out in Appendix 12.

The order of business for an extraordinary meeting must be limited to items that are relevant to the purpose for which the meeting has been called.

9.5 Chairperson's recommendation

A Chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a Chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained.

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9.6 Chairperson's report

The Chairperson of a meeting has the right, through a report, to direct the attention of a meeting to any matter which is on the agenda or which falls within the responsibilities of that meeting, as described in its terms of reference.

9.7 Public availability of the agenda

All information provided to members at a local authority, or local or community board, meeting must be publicly available except where an item included in the agenda refers to a matter reasonably expected to be discussed with the public excluded.

s. 5 & 46A, LGOIMA.

9.8 Public inspection of agenda

Any member of the public may, without payment of a fee, inspect, during normal office hours and within a period of at least 2 working days before a meeting, all agendas and associated reports circulated to members of the local authority and local and community boards relating to that meeting. The agenda:

- (a) Must be available for inspection at the public offices of the local authority (including service centres), at public libraries under the authority's control and on the council's website, and:
- (b) Must be accompanied by either:
 - i. The associated reports; or
 - ii. A notice specifying the places at which the associated reports may be inspected.

s. 46A (1), LGOIMA.

9.9 Withdrawal of agenda items

If justified by circumstances an agenda item may be withdrawn by the chief executive. In the event of an item being withdrawn the chief executiveshould inform the Chairperson.

9.10 Distribution of the agenda

The chief executive must send the agenda to every member of a meeting at least two dear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.10).

The chief executive may send the agenda, and other materials relating to the meeting or other council business, to members by electronic means.

9.11 Status of agenda

No matter on a meeting agenda, including recommendations, may be considered final until determined by formal resolution of that meeting.

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9.12 Items of business not on the agenda which cannot be delayed

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with that item and the Chairperson provides the following information during the public part of the meeting:

- (a) The reason the item is not on the agenda; and
- (b) The reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA.

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

Please note that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.

9.13 Discussion of minor matters not on the agenda

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

Items that are likely to be discussed under public excluded must be indicated on each agenda and state the general subject of the item. The chief executive, however, may exclude public access to any reports, or parts of reports, which are reasonably expected to be discussed with the public excluded.

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

Where any meeting is open to the publicand a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will or improper advantage has been taken of the publication.

s. 52, LGOIMA.

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27. Meeting Procedures

10. Opening and closing

Local authorities, local boards and community boards may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau.

Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

11. Quorum

11.1 Council meetings

The quorum for a meeting of the council is:

- (a) Half of the members physically present, where the number of members (including vacancies) is even; and
- (b) A majority of the members physically present, where the number of members (including vacancies) is odd.

cl. 23 (3)(a) Schedule 7, LGA 2002.

11.2 Committees and subcommittee meetings

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution provided that it is not less than two members. (See also 7.4).

In the case of subcommittees the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council, or if established by a local board or community board, the relevant board.

cl. 23 (3)(b) Schedule 7, LGA 2002.

11.3 Joint Committees

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

cl. 30A (6)(c) Schedule 7, LGA 2002.

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11.4 Requirement for a quorum

A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.

cl. 23(1) & (2) Schedule 7, LGA 2002.

11.5 Meeting lapses where no quorum

A meeting must lapse, and the Chairperson vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the Chairperson has discretion to wait for a longer period.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

Should a quorum be lost the meeting will lapse if the quorum is not present within 15 minutes.

11.6 Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the Chairperson sets an earlier meeting and this is notified by the chief executive.

12. Public access and recording

12.1 Meetings open to the public

Except as otherwise provided by Part 7 of LGOIMA, every meeting of the local authority, its committees, subcommittees, local boards and community boards, must be open to the public.

s.47 & 49(a), LGOIMA.

12.2 Grounds for removing the public

The Chairperson may require any member of the public whose conduct is disorderly, or who is creating a disturbance, to be removed from the meeting.

12.3 Local authority may record meetings

Meeting venues should contain clear signage indicating and informing members, officers and the public that proceedings may be recorded by the local authority and may be subject to direction by the Chairperson.

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12.4 Public may record meetings

Members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings must be notified to the Chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

Where circumstances require the Chairperson may stop the recording for a period of time.

13. Attendance

13.1 Members right to attend meetings

A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee.

cl. 19(2), Schedule 7, LGA 2002.

If the member of the local authority is not an appointed member of the meeting at which they are in attendance they may not vote on any matter at that meeting. However, they may, with the leave of the chair, take part in the meeting's discussions.

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s.48 LGOIMA. Consequently, if the meeting resolves to exclude the public any members of the local authority who are present may remain unless they are lawfully excluded.

Please note: this section does not confer any rights to non-elected members appointed to committees of a local authority.

13.2 Attendance when a committee is performing judicial or quasi-judicial functions

When a committee is performing judicial or quasi-judicial functions members of the local authority who are not members of that committee are not entitled to take part in the proceedings.

13.3 Leave of absence

A council may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Mayor in order to protect a members' privacy.

The Mayor may approve a members' application, and the Council may approve an application from the Mayor. The Mayor will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

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13.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Mayor (or acting chair) must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

For clarification, the acceptance of a member's apology constitutes a grant of 'leave of absence' for that meeting.

13.5 Recording apologies

The minutes will record any apologies tendered before or during the meeting, including whether they were accepted or declined and the time of arrival and departure of all members.

13.6 Absent without leave

Where a member is absent from four consecutive meetings of the council, local board or community board without leave of absence or an apology being accepted (not including extraordinary or emergency meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

cl. 5 (d) Schedule 7, LGA 2002.

13.7 Right to attend by audio or audio visual link

Provided the conditions in standing orders 13.11 and 13.12 are met members of the local authority and its committees (and members of the public for the purpose of a deputation approved by the Chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

13.8 Member's status: quorum

Members who attend meetings by electronic link will not be counted as present for the purposes of a quorum.

cl. 25A (4), Schedule 7, LGA 2002.

13.9 Member's status: voting

Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.

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13.10 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audio visual link, the Chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - i. Everyone participating in the meeting can hear each other;
 - ii. The member's attendance by audio or audio visual link does not reduce their accountability or accessibility of that person in relation to the meeting;
 - iii. The requirements of Part 7 of LGOIMA are met; and
 - iv. The requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will be undertaken by the deputy chair or a member who is physically present.

cl. 25A (3) schedule 7, LGA 2002.

13.11 Conditions for attending by audio or audio visual link

Noting standing order 13.7, the Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) Where the member is at a place that makes their physical presence at the meeting impracticable or impossible;
- (b) Where a member is unwell; and
- (c) Where a member is unable to attend due to an emergency.

13.12 Request to attend by audio or audio visual link

Where possible, a member will give the Chairperson and the chief executive at least 2 working days' notice when they want to attend a meeting by audio or audio visual link. Should, due to illness or emergency, this is not possible the member may give less notice.

Where such a request is made and the technology is available, the chief executive must take reasonable steps to enable the member to attend by audio or audio-visual link. However, the council has no obligation to make the technology for an audio or audio-visual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the local authority or its committees.

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13.13 Chairperson may terminate link

The Chairperson may direct that an electronic link should be terminated where:

- (a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) It is distracting to the members who are physically present at the meeting; and
- (d) The quality of the link is no longer suitable.

13.14 Giving or showing a document

A person attending a meeting by audio or audio visual link may give or show a document by:

- (a) Transmitting it electronically;
- (b) Using the audio visual link; or
- (c) Any other manner that the Chairperson thinks fit.

cl. 25(A) (6) schedule 7, LGA 2002.

13.15 Link failure

Where an audio or audio visual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.

13.16 Confidentiality

A member who is attending a meeting by audio or audio visual link must ensure that the meeting's proceedings remain confidential during any times that the publicare excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

14. Chairperson's role in meetings

14.1 Council meetings

The Mayor must preside at meetings of the council unless they vacate the chair for a part or all of a meeting. If the Mayor is absent from a meeting or vacates the chair, the deputy Mayor must act as chairperson. If the deputy Mayor is also absent the local authority members who are present must elect a member to be the Chairperson at that meeting. This person may exercise the meeting responsibilities, duties and powers of the Mayor for that meeting.

cl. 26(1), (5) & (6) Schedule 7, LGA 2002.

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14.2 Other meetings

In the case of committees, subcommittees and subordinate decision-making bodies, the appointed Chairperson must preside at each meeting unless they vacate the chair for all or part of a meeting. If the Chairperson is absent from a meeting or vacates the chair, the deputy Chairperson (if any) will act as Chairperson. If the deputy Chairperson is also absent, or has not been appointed, the committee members who are present must elect a member to act as Chairperson. This person may exercise the meeting responsibilities, duties and powers of the Chairperson.

cl. 26(2), (5) & (6), schedule 7 LGA 2002.

14.3 Addressing the Chairperson

Members will address the Chairperson in a manner that the Chairperson has determined.

14.4 Chairperson's rulings

The Chairperson will decide all procedural questions where insufficient provision is made by these standing orders and with regard to all points of order. Any refusal to obey a Chairperson's ruling or direction constitutes contempt.

14.5 Chairperson standing

Whenever the Chairperson stands during a debate members are required to sit down (if required to stand to address the meeting) and be silent so that they can hear the Chairperson without interruption.

14.6 Member's right to speak

Members are entitled to speak in accordance with these standing orders. Members should address the Chairperson when speaking. They may not leave their place while speaking, unless they have the leave of the Chairperson.

14.7 Chairperson may prioritise speakers

When two or more members want to speak the Chairperson will name the member who may speak first. Other members who wish to speak have precedence where they intend to:

- (a) Raise a point of order, including a request to obtain a time extension for the previous speaker; and/or
- (b) Move a motion to terminate or adjourn the debate; and/or
- (c) Make a point of explanation; and/or
- (d) Request the chair to permit the member a special request.

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15. Public Forums

Public forums are a defined period of time, usually at the start of an ordinary meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters, not necessarily on the meeting's agenda, to the attention of the local authority.

In the case of a committee, subcommittee, local or community board, any issue, idea or matter raised in a public forum must fall within the terms of reference of that body.

15.1 Time limits

A period of up to 30 minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting. Requests must be made to the chief executive (or their delegate) at least one clear day before the meeting; however this requirement may be waived by the Chairperson. Requests should also outline the matters that will be addressed by the speaker(s).

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6 in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

15.2 Restrictions

The Chairperson has the discretion to decline to hear a speaker or to terminate a presentation at any time where:

- A speaker is repeating views presented by an earlier speaker at the same public forum;
- The speaker is criticising elected members and/or staff;
- The speaker is being repetitious, disrespectful or offensive;
- The speaker has previously spoken on the same issue;
- The matter is subject to legal proceedings; and
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

15.3 Questions at public forums

At the conclusion of the presentation, with the permission of the Chairperson, elected members may ask questions of speakers. Questions are to be confined to obtaining information or darification on matters raised by a speaker.

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15.4 No resolutions

Following the public forum no debate or decisions will be made at the meeting on issues raised during the forum unless related to items already on the agenda. (See the 2019 Guide to Standing Orders for suggestions of good practice in dealing with issues raised during a forum).

16. Deputations

The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference. Deputations should be approved by the Chairperson, or an official with delegated authority, fiveworking days before the meeting. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

16.1 Time limits

Speakers can speak for up to 5 minutes, or longer at the discretion of the Chairperson. No more than two speakers can speak on behalf of an organisation's deputation.

16.2 Restrictions

The Chairperson has the discretion to decline to hear or terminate a deputation at any time where:

- A speaker is repeating views presented by an earlier speaker at the meeting;
- The speaker is criticising elected members and/or staff;
- The speaker is being repetitious, disrespectful or offensive;
- The speaker has previously spoken on the same issue;
- The matter is subject to legal proceedings; and
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

16.3 Questions of a deputation

At the conclusion of the deputation members may, with the permission of the Chairperson, ask questions of any speakers. Questions are to be confined to obtaining information or clarification on matters raised by the deputation.

16.4 Resolutions

Any debate on a matter raised in a deputation must occur at the time at which the matter is scheduled to be discussed on the meeting agenda and once a motion has been moved and seconded.

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17. Petitions

17.1 Form of petitions

Petitions may be presented to the local authority or any of its committees, local boards or community boards, as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 on qualified privilege). They may be written in English or te reo Māori.

Petitioners planning to present their petition in te reo or sign language should advise the chief executive in time to allow translation services to be arranged.

17.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, local boards or community boards, may speak for 5 minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The Chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive or making malicious statements.

Where a petition is presented as part of a deputation or public forum the speaking time limits relating to deputations or public forums shall apply. The petition must be received by the chief executive at least 5 working days before the date of the meeting concerned.

17.3 Petition presented by member

 $\label{lem:may} Members\,may\,present\,petitions\,on\,be\,half of\,petitioners.\,In\,doing\,so,\,members\,must\,confine\,themselves\,to\,presenting:$

- (a) The petition;
- (b) The petitioners' statement; and
- (c) The number of signatures.

18. Exclusion of public

18.1 Motions and resolutions to exclude the public

Members of a meeting may resolve to exclude the public from a meeting. The grounds for exclusion are those specified in section 48 of LGOIMA (see Appendix 1).

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Every motion to exclude the public must be put while the meeting is open to the public, and copies of the motion must be available to any member of the public who is present. If the motion is passed the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2). The resolution must state:

- (a) The general subject of each matter to be excluded;
- (b) The reason for passing the resolution in relation to that matter; and
- (c) The grounds on which the resolution is based.

The resolution will form part of the meeting's minutes.

s. 48 LGOIMA.

18.2 Specified people may remain

Where a meeting resolves to exclude the public, the resolution may provide for specified persons to remain if, in the opinion of the meeting, they will assist the meeting to achieve its purpose. Any such resolution must state, in relation to the matter to be discussed, how the knowledge held by the specified people is relevant and be of assistance.

No such resolution is needed for people who are entitled to be at the meeting, such as relevant staff and officials contracted to the council for advice on the matter under consideration.

s.48 (6) LGOIMA.

18.3 Public excluded items

The chief executive must place in the public-exduded section of the agenda any items that he or she reasonably expects the meeting to consider with the public excluded. The public excluded section of the agenda must indicate the subject matter of the item and the reason the public are excluded.

s.46A (8) LGOIMA.

18.4 Non-disclosure of information

No member or officer may disclose to any person, other than another member, officer or person authorised by the chief executive, any information that has been, or will be, presented to any meeting from which the public is excluded, or proposed to be excluded.

This restriction does not apply where a meeting has resolved to make the information publicly available or where the chief executive has advised, in writing, that one or both of the following apply:

- (a) There are no grounds under LGOIMA for withholding the information; and
- (b) The information is no longer confidential.

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18.5 Release of information from public excluded session

A local authority may provide for the release to the public of information which has been considered during the public excluded part of a meeting.

Each public excluded meeting must consider and agree by resolution, what, if any, information will be released to the public. In addition the chief executive may release information which has been considered at a meeting from which the public has been excluded where it is determined the grounds to withhold the information no longer exist. The chief executive will inform the subsequent meeting of the nature of the information released.

19. Voting

19.1 Decisions by majority vote

Unless otherwise provided for in the LGA 2002, other legislation or standing orders, the acts of and questions before a local authority (or local and community boards) must be decided at a meeting through a vote exercised by the majority of the members of that meeting voting.

cl. 24 (1), Schedule 7, LGA 2002.

19.2 Open voting

An act or question coming before the local authority must be done or decided by open voting.

cl. 24 (3) Schedule 7, LGA 2002.

19.3 Chairperson has a casting vote

The Mayor, Chairperson or any other person presiding at a meeting has a deliberative vote and, in the case of an equality of votes, has a casting vote.

cl. 24 (2) Schedule 7, LGA 2002.

19.4 Method of voting

The method of voting must be as follows:

- (a) The Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;
- (b) The Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and

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(c) Where a suitable electronic voting system is available that system may be used instead of a show of hands, vote by voices, or division, and the result publicly displayed and notified to the Chairperson who must ded are the result.

19.5 Calling for a division

When a division is called, the chief executive must record the names of the members voting for and against the motion and abstentions and provide the names to the Chairperson to declare the result. The result of the division must be entered into the minutes and include members' names and the way in which they voted.

The Chairperson may call a second division where there is confusion or error in the original division.

19.6 Request to have votes recorded

If requested by a member immediately after a vote the minutes must record the member's vote or abstention. Recording any other matters e.g. reason for the vote or abstention is not permitted.

19.7 Members may abstain

Any member may abstain from voting.

20. Conduct

20.1 Calling to order

When the Chairperson calls members to order they must be seated and stop speaking. If the members fail to do so, the Chairperson may direct that they should leave the meeting immediately for a specified time.

20.2 Behaviour consistent with Code of Conduct

No member, at any meeting, may act inconsistently with their Code of Conduct or speak or act in a manner which is disrespectful of other members, staff or the public.

20.3 Retractions and apologies

In the event of a member or speaker who has been disrespectful of another member or contravened the council's Code of Conduct, the Chairperson may call upon that member or speaker to withdraw the offending comments, and may require them to apologise. If the member refuses to do so the Chairperson may direct that they should leave the meeting immediately for a specified time and/or make a complaint under the Code of Conduct.

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20.4 Disorderly conduct

Where the conduct of a member is disorderly or is creating a disturbance the Chairperson may require that member to leave the meeting immediately for a specified time.

If the disorder continues the Chairperson may adjourn the meeting for a specified time. At the end of this time the meeting must resume and decide, without debate, whether the meeting should proceed or be adjourned.

The Chairperson may also adjourn the meeting if other people cause disorder or in the event of an emergency.

20.5 Contempt

Where a member is subject to repeated cautions by the Chairperson for disorderly conduct the meeting may, should it so decide, resolve that the member is in contempt. Any such resolution must be recorded in the meeting's minutes.

20.6 Removal from meeting

A member of the police or authorised security personnel may, at the Chairperson's request, remove or exclude a member from a meeting.

This standing order will apply where the Chairperson has ruled that the member should leave the meeting and the member has refused or failed to do so; or has left the meeting and attempted to reenter it without the Chairperson's permission.

20.7 Financial conflicts of interests

Every member present at a meeting must declare any direct or indirect financial interest that they hold in any matter being discussed at the meeting, other than an interest that they hold in common with the public.

No member may vote on, or take part in, a discussion about any matter in which they have a direct or indirect financial interest unless an exception set out in s.6 LAMIA applies to them, or the Auditor-General has granted them an exemption or declaration under s.6.

Members with a financial interest should physically withdraw themselves from the table unless the meeting is in public excluded in which case they should leave the room.

Neither the Chairperson nor the meeting may rule on whether a member has a financial interest in the matter being discussed. The minutes must record any declarations of financial interests and the member's abstention from any discussion and voting on the matter.

s. 6 & 7 LAMIA.

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20.8 Non-financial conflicts of interests

Non-financial interests always involve questions of judgement and degree about whether the responsibility of a member of a local authority (or local or community board) could be affected by some other separate interest or duty of that member in relation to a particular matter. If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter or any subsequent vote.

The member must leave the table when the matter is considered, but does not need to leave the room. The minutes must record the declaration and member's subsequent abstention from discussion and voting.

Neither the Chairperson nor the meeting may rule on whether a member has a non-financial interest in the matter being discussed.

20.9 Qualified privilege for meeting proceedings

Any oral statement made at any meeting of the local authority in accordance with the rules adopted by the local authority for guiding its proceedings is privileged, unless the statement is proved to have been made with ill will or took improper advantage of the occasion of publication.

s. 53. LGOIMA.

20.10 Qualified privilege additional to any other provisions

The privilege referred to above is in addition to any other privilege, whether absolute or qualified, that applies as a result of any other enactment or rule of law applying to any meeting of the local authority.

s. 53, LGOIMA.

20.11 Electronic devices at meetings

Electronic devices and phones can only be used to advance the business of a meeting.

Personal use may only occur at the discretion of the chair. A Chairperson may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

21. General rules of debate

21.1 Chairperson may exercise discretion

The application of any procedural matters in this section of the standing orders, such as the number of times a member may speak or when a chair can accept a procedural motion to close or adjourn a debate, is subject to the discretion of the Chairperson.

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21.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

- (a) Movers of motions when speaking to the motion not more than 5 minutes;
- (b) Movers of motions when exercising their right of reply not more than 5 minutes; and
- (c) Other members not more than 5 minutes.

Time limits can be extended if a motion to that effect is moved, seconded and supported by a majority of members present.

21.3 Questions to staff

During a debate members can ask staff questions about the matters being discussed. Questions must be asked through the Chairperson and how the question should be dealt with is at the Chairperson's discretion.

21.4 Questions of clarification

At any point of a debate a member may ask the Chairperson for clarification about the nature and content of the motion which is the subject of the debate and the particular stage the debate has reached.

21.5 Members may speak only once

A member may not speak more than once to a motion at a meeting of the council, except with permission of the Chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the chairperson's permission.

21.6 Limits on number of speakers

If three speakers have spoken consecutively in support of, or in opposition to, a motion, the Chairperson may call for a speaker to the contrary. If there is no speaker to the contrary, the Chairperson must put the motion after the mover's right of reply.

Members speaking must, if requested by the Chairperson, announce whether they are speaking in support of, or opposition to, a motion.

21.7 Seconder may reserve speech

A member may second a motion or amendment without speaking to it, reserving the right to speak later in the debate.

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21.8 Speaking only to relevant matters

Members may speak to any matter before the meeting; a motion or amendment which they propose; and to raise a point of order arising out of debate, but not otherwise. Members must confine their remarks strictly to the motion or amendment they are speaking to.

The Chairperson's rulings on any matters arising under this standing order are final and not open to challenge.

21.9 Restating motions

At any time during a debate a member may ask, for their information, that the Chairperson restate a motion and any amendments; but not in a manner that interrupts a speaker.

21.10 Criticism of resolutions

A member speaking in a debate may not unduly criticise the validity of any resolution except by a notice of motion to amend or revoke the resolution.

21.11 Objecting to words

When a member objects to any words used by another member in a speech and wants the minutes to record their objection, they must object at the time when the words are used and before any other member has spoken. The Chairperson must order the minutes to record the objection.

21.12 Right of reply

The mover of an original motion has a right of reply. A mover of an amendment to the original motion does not. In their reply, the mover must confine themselves to answering previous speakers and not introduce any new matters.

A mover's right of reply can only be used once. It can be exercised either at the end of the debate on the original, substantive or substituted motion or at the end of the debate on a proposed amendment.

However, the original mover may reserve their right of reply and speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.

21.13 No other member may speak

In exercising a right of reply, no other member may speak:

- (a) After the mover has started their reply;
- (b) After the mover has indicated that they want to forego this right; and
- (c) Where the mover has spoken to an amendment to the original motion and the Chairperson has indicated that he or she intends to put the motion.

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21.14 Adjournment motions

The carrying of any motion to adjourn a meeting must supersede other business still remaining to be disposed of. Any such business must be considered at the next meeting. Business referred to, or referred back to, a specified committee or local or community board, is to be considered at the next ordinary meeting of that committee or board, unless otherwise specified.

21.15 Chairperson's acceptance of closure motions

The Chairperson may only accept a closure motion where there have been at least two speakers for and two speakers against the motion that is proposed to be closed, or the Chairperson considers it reasonable to do so.

However, the Chairperson must put a dosure motion if there are no further speakers in the debate. When the meeting is debating an amendment, the closure motion relates to the amendment. If a closure motion is carried, the mover of the motion under debate has the right of reply after which the Chairperson puts the motion or amendment to the vote.

22. General procedures for speaking and moving motions

22.1 Options for speaking and moving

This subsection provides three options for speaking and moving motions and amendments at a meeting of a local authority, its committees and subcommittees, and any local or community boards.

Option A applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves [by simple majority] to adopt either Option B or Option C for the meeting generally, or for any specified items on the agenda.

22.2 Option A

- The mover and seconder of a motion cannot move or second an amendment. (This does
 not apply when the mover or seconder of a motion to adopt a report of a committee
 wants to amend an item in the report. In this case the original mover or seconder may
 also propose or second the suggested amendment).
- Only members who have not spoken to the original or substituted motion may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.

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• The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.3 Option B

- The mover and seconder of a motion cannot move or second an amendment. (This does
 not apply when the mover or seconder of a motion to adopt a report of a committee
 wants to amend an item in the report. In this case the original mover or seconder may
 also propose or second the suggested amendment).
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.4 Option C

- The mover and seconder of a motion can move or second an amendment.
- Any members, regardless of whether they have spoken to the original or substituted motion, may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost can move or second further amendments.
- Members can speak to any amendment.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

22.5 Procedure if no resolution reached

If no resolution is reached the Chairperson may accept a new motion to progress the matter under discussion.

23. Motions and amendments

23.1 Proposing and seconding motions

All motions and amendments moved during a debate must be seconded (including notices of motion). The Chairperson may then state the motion and propose it for discussion.

Amendments and motions that are not seconded are not valid and are not entered in the minutes.

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23.2 Motions in writing

The Chairperson may require movers of motions and amendments to provide them in writing, signed by the mover.

23.3 Motions expressed in parts

The Chairperson, or any member, can require a motion that has been expressed in parts to be decided part by part.

23.4 Substituted motion

Where a motion is subject to an amendment the meeting may substitute the motion with the amendment, provided the mover and seconder of the original motion agree to its withdrawal. All members may speak to the substituted motion.

23.5 Amendments to be relevant and not direct negatives

Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. An amendment cannot be a direct negative to the motion or the amended motion.

Please note that amendments that are significantly different must comply with the decision-making provisions of the Part 6, LGA 2002.

23.6 Chairperson may recommend amendment

A Chairperson, when moving the adoption of a recommendation from a committee or sub-committee to the council can include in the motion an amendment to the committee or sub-committee's recommendation.

23.7 Foreshadowed amendments

The meeting must dispose of an existing amendment before a new amendment can be foreshadowed. However, members may notify the Chairperson that they intend to move further amendments as well as the nature of the content of those amendments.

23.8 Lost amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may speak to it, and may move or second a further amendment.

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23.9 Carried amendments

Where an amendment is carried the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may speak to the substantive motion, and may move or second a further amendment to it.

23.10 Where a motion is lost

In a situation where a motion that recommends a course of action is lost a new motion, with the consent of the Chairperson, may be proposed to provide direction.

23.11 Withdrawal of motions and amendments

Once a motion or amendment which has been seconded has been put to the meeting by the Chairperson the mover cannot withdraw it without the consent of the majority of the members who are present and voting.

The mover of an original motion, which has been subject to an amendment that has been moved and seconded, cannot withdraw the original motion until the amendment has either been lost or withdrawn by agreement, as above.

23.12 No speakers after reply or motion has been put

A member may not speak to any motion once:

- (a) The mover has started their right of reply in relation to the motion; and
- (b) The Chairperson has started putting the motion.

24. Revocation or alteration of resolutions

24.1 Member may move revocation of a decision

A member may give the chief executive a notice of motion for the revocation or alteration of all or part of a previous resolution of the council, subordinate body, local or community board. The notice must set out:

- $(a) \qquad \text{The resolution or part of the resolution which the member proposes to revoke or alter};$
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of the LGA 2002.

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If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report.

24.2 Revocation must be made by the body responsible for the decision

If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision-making body, or a local or community board, only that body may revoke or amend the resolution, assuming the resolution is legally made.

This provision does not prevent the body that made the delegation from removing or amending a delegation given to a subordinate body or local board or community board.

cl. 30 (6) Schedule 7, LGA 2002.

24.3 Requirement to give notice

A member must give notice to the chief executive at least 5 working days before the meeting at which it is proposed to consider the motion. The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next twelve months.

24.4 Restrictions on actions under the affected resolution

Once a notice of motion to revoke or alter a previous resolution has been received no irreversible action may be taken under the resolution in question until the proposed notice of motion has been dealt with.

Exceptions apply where, in the opinion of the Chairperson:

- (a) The practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked;
- (b) By reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local authority or the committee that made the previous resolution.

In either of these situations, action may be taken under the resolution as though no notice of motion had been given to the chief executive.

24.5 Revocation or alteration by resolution at same meeting

A meeting may revoke or alter a previous resolution made at the same meeting where, during the course of the meeting, it receives fresh facts or information concerning the resolution. In this situation 75 per cent of the members present and voting must agree to the revocation or alteration.

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24.6 Revocation or alteration by recommendation in report

The local authority, on a recommendation in a report by the Chairperson, chief executive, or any committee or subcommittee, local or community board, may revoke or alter all or part of a resolution passed by a previous meeting. The chief executive must give at least two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

cl. 30 (6) Schedule 7, LGA 2002.

25. Procedural motions

25.1 Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded the Chairperson must put it to the vote immediately, without discussion or debate. A procedural motion to close or adjourn debate can be taken after two speakers have spoken for the motion and two against or, in the chairperson's opinion, it is reasonable to accept the closure motion.

25.2 Procedural motions to close or adjourn a debate

Any member who has not spoken on the matter under debate may move any one of the following procedural motions to close or adjourn a debate:

- (a) That the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) that the motion under debate should now be put (a dosure motion);
- (c) That the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- (d) That the item of business being discussed should lie on the table and not be further discussed at this meeting; (items lying on the table at the end of the triennium will be deemed to have expired); and
- (e) That the item being discussed should be referred (or referred back) to the relevant committee or local or community board.

A member seeking to move a procedural motion must not interrupt another member who is already speaking.

25.3 Voting on procedural motions

Procedural motions to close or adjourn a debate must be decided by a majority of all members who are present and voting. If the motion is lost no member may move a further procedural motion to close or adjourn the debate within the next 15 minutes.

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25.4 Debate on adjourned items

When debate resumes on items of business that have been previously adjourned all members are entitled to speak on the items.

25.5 Remaining business at adjourned meetings

Where a resolution is made to adjourn a meeting, the remaining business will be considered at the next meeting.

25.6 Business referred to the council, committee or local or community board

Where an item of business is referred (or referred back) to a committee or a local or community board, the committee or board will consider the item at its next meeting unless the meeting resolves otherwise.

25.7 Other types of procedural motions

The Chairperson has discretion about whether to allow any other procedural motion that is not contained in these standing orders.

26. Points of order

26.1 Members may raise points of order

Any member may raise a point of order when they believe these standing orders have been breached. When a point of order is raised, the member who was previously speaking must stop speaking and sit down (if standing).

26.2 Subjects for points of order

A member who is raising a point of order must state precisely what its subject is. Points of order may be raised for the following subjects:

- (a) Disorder—to bring disorder to the attention of the Chairperson;
- (b) Language to highlight use of disrespectful, offensive or malicious language;
- (c) Irrelevance—to inform the chair that the topic being discussed is not the matter currently before the meeting;
- (d) Misrepresentation to alert the chair of a misrepresentation in a statement made by a member, an officer or a council employee;
- (e) Breach of standing order to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and
- (f) Recording of words to request that the minutes record any words that have been the subject of an objection.

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26.3 Contradictions

Expressing a difference of opinion or contradicting a statement by a previous speaker does not constitute a point of order.

26.4 Point of order during division

A member may not raise a point of order during a division, except with the permission of the Chairperson.

26.5 Chairperson's decision on points of order

The Chairperson may decide a point of order immediately after it has been raised, or may choose to hear further argument about the point before deciding. The Chairperson's ruling on any point of order, and any explanation of that ruling, is not open to any discussion and is final.

27. Notices of motion

27.1 Notice of intended motion to be in writing

Notice of intended motions must be in writing signed by the mover, stating the meeting at which it is proposed that the intended motion be considered, and must be delivered to the chief executive at least 5 clear working days before such meeting. [Notice of an intended motion can be sent via email and include the scanned electronic signature of the mover].

Once the motion is received the chief executive must give members notice in writing of the intended motion at least 2 clear working days' notice of the date of the meeting at which it will be considered.

27.2 Refusal of notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice;
- (b) Is not related to the role or functions of the local authority or meeting concerned; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- (e) Fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 LGA 2002; or
- (f) Concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

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Reasons for refusing a notice of motion should be provided to the mover. Where the refusal is due to (f) the notice of motion may be referred to the appropriate committee or board.

27.3 Mover of notice of motion

Notices of motion may not proceed in the absence of the mover unless moved by another member authorised to do so, in writing, by the mover.

27.4 Alteration of notice of motion

Only the mover, at the time the notice of motion is moved and with the agreement of a majority of those present at the meeting, may alter a proposed notice of motion. Once moved and seconded no amendments may be made to a notice of motion.

27.5 When notices of motion lapse

Notices of motion that are not moved when called for by the Chairperson must lapse.

27.6 Referral of notices of motion

Any notice of motion received that refers to a matter ordinarily dealt with by a committee of the local authority or a local or community board must be referred to that committee or board by the chief executive.

Where notices are referred the proposer of the intended motion, if not a member of that committee, must have the right to move that motion and have the right of reply, as if a committee member.

27.7 Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion which, in the opinion of the Chairperson, may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

Where a notice of motion has been adopted by the local authority no other notice of motion which, in the opinion of the Chairperson has the same effect, may be put while the original motion stands.

28. Minutes

28.1 Minutes to be evidence of proceedings

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the *prima facie* evidence of the proceedings they relate to.

cl. 28 Schedule 7, LGA 2002.

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28.2 Matters recorded in minutes

The chief executive must keep the minutes of meetings. The minutes must record:

- (a) The date, time and venue of the meeting;
- (b) The names of the members present;
- (c) The Chairperson;
- (d) Any apologies or leaves of absences;
- (e) The arrival and departure times of members;
- (f) Any failure of a quorum;
- (g) A list of any external speakers and the topics they addressed;
- (h) A list of the items considered;
- The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these standing orders;
- (j) The names of all movers, and seconders;
- (k) Any objections made to words used;
- (I) All divisions taken and, if taken, a record of each members' vote;
- (m) the names of any members requesting that their vote or abstention be recorded;
- (n) Any declarations of financial or non-financial conflicts of interest;
- (o) The contempt, censure and removal of any members;
- (p) Any resolutions to exclude members of the public;
- (q) The time at which the meeting concludes or adjourns; and
- (r) The names of people permitted to stay in public excluded.

Please Note: hearings under the RMA, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

28.3 No discussion on minutes

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

28.4 Minutes of last meeting before election

The chief executive and the relevant Chairpersons must sign, or agree to have their digital signature inserted, the minutes of the last meeting of the local authority and any local and community boards before the next election of members.

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29. Keeping a record

29.1 Maintaining accurate records

A local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.

All public records that are in its control must be maintained in an accessible form, so as to be able to be used for subsequent reference.

s. 17 Public Records Act 2005.

29.2 Method for maintaining records

Records of minutes may be kept in hard copy (Minute Books) and/or in electronic form. If minutes are stored electronically the repository in which they are kept must meet the following requirements:

- (a) The provision of a reliable means of assuring the integrity of the information is maintained; and
- (b) The information is readily accessible so as to be usable for subsequent reference.
- s. 229(1) of the Contract and Commercial Law Act 2017.

29.3 Inspection

Whether held in hard copy or in electronic form minutes must be available for inspection by the public.

s. 51 LGOIMA.

29.4 Inspection of public excluded matters

The chief executive must consider any request for the minutes of a meeting, or part of a meeting, from which the public was excluded as if it is a request for official information in terms of the Local Government Official Information and Meetings Act 1987.

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Referenced documents

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Law Act 2017
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Public Records Act 2005
- Resource Management Act 1991 (RMA)
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Securities Act 1978

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Appendix 1: Grounds to exclude the public

A local authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

- A1 That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
 - (a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) To endanger the safety of any person.
- A2 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
 - (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - Disclose a trade secret; or
 - Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
 - (ba) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
 - (c) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - Be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. Be likely otherwise to damage the public interest.
 - (d) Avoid prejudice to measures protecting the health or safety of members of the public, or
 - (e) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (f) Maintain the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (g) Maintain legal professional privilege; or
 - (h) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or

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- (i) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (j) Prevent the disclosure or use of official information for improper gain or improper advantage.

See s.7 LGOIMA 1987.

Where A2 of this Appendix applies the public may be excluded unless, in the circumstances of a particular case, the exclusion of the public is outweighed by other considerations which render it desirable and in the public interest, that the public not be excluded.

- A3 That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
 - (a) Be contrary to the provisions of a specified enactment; or
 - (b) Constitute contempt of Court or of the House of Representatives.
- A4 That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5 That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
 - (a) Any proceedings before a Council where:
 - A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
 - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

See s. 48 LGOIMA.

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Appendix 2: Sample resolution to exclude the public

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is **moved:**

- 1 that the public is excluded from:
 - The whole of the proceedings of this meeting; (deleted if not applicable)
 - The following parts of the proceedings of this meeting, namely, (delete if not applicable)

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would— i. be contrary to the provisions of a specified enactment; or ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or ii. the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).

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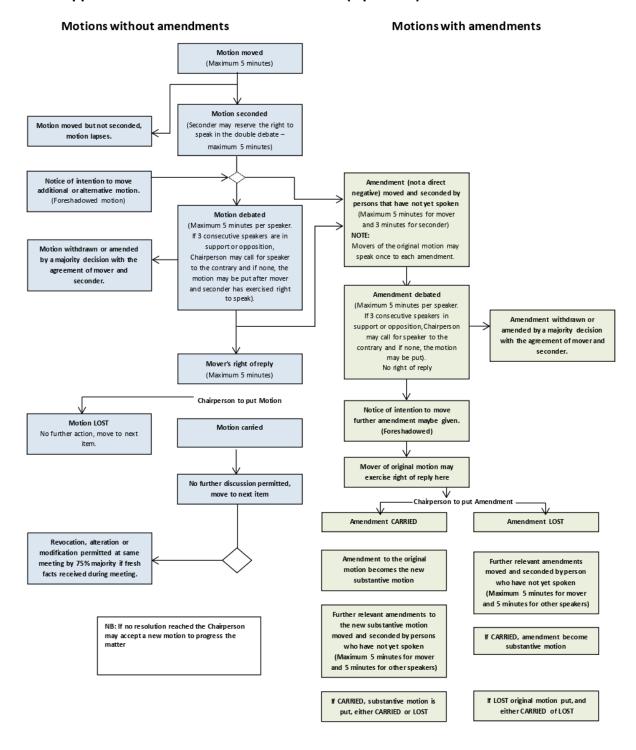
CHBDCStanding Orders - DRAFT - October 2019

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).
		To protect information which if public would;
		i. disclose a trade secret; or
		ii. unreasonably prejudice the
		commercial position of the person
		who supplied or who is the subject of
		the information (s 7(2)(b)).
		To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for;
		a resource consent, or
		a water conservation order, or
		a requirement for a designation or
		an heritage order,
		(s 7(2)(ba)).

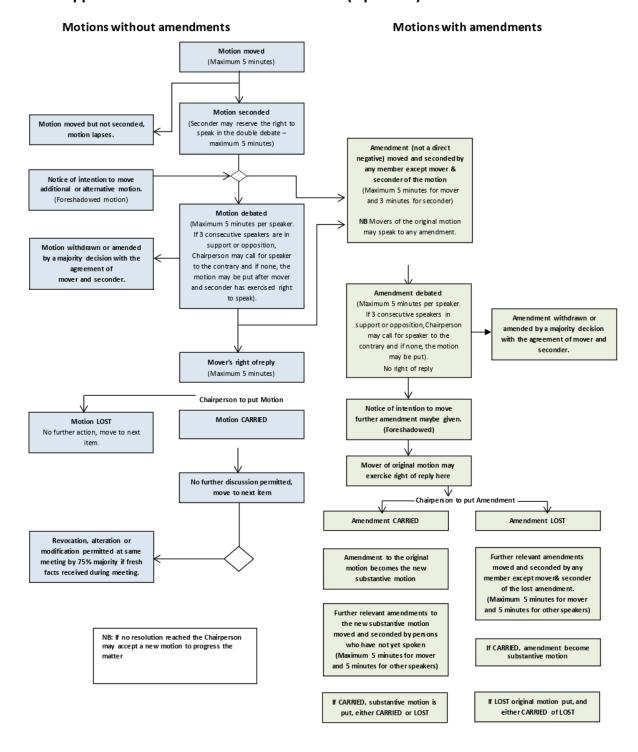
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to:
		i. prejudice the supply of similar
		information, or information from the
		same source, where it is in the public
		interest that such information should
		continue to be supplied; or
		ii. would be likely otherwise to damage
		the publicinterest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

2. That (name of person(s)) is permitted to remain at this meeting after the public has been excluded because of their knowledge of (specify topic under discussion). This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because (specify). (Delete if inapplicable.)

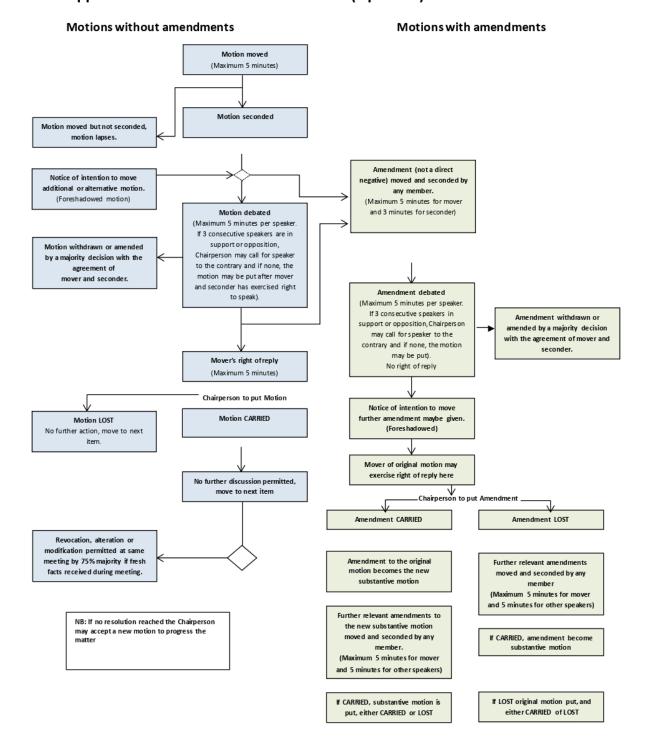
Appendix 3: Motions and amendments (Option A)



Appendix 4: Motions and amendments (Option B)



Appendix 5: Motions and amendments (Option C)



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Appendix 6: Table of procedural motions

Motion	Has the Chair discretion to refuse this Motion?	ls seconder required?	Is discussion in order?	Are amendments in order?	ls mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place'	No	Yes	No	As to time and date only	No	No	No	Yes – 15 mi nutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again
(b) "That the motion under de bate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 Mi nutes	If carried, only the amendment is put	If carried, only the procedural motion is put	The mover of the motion under debate is entitled to exercise a right of reply before the motion or a mendment under debate is put
(c) "Thatthe item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	NO	Yes – 15 mi nutes	If carried, debate ion the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	

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Motion	Has the Chair discretion to refuse this Motion?	ls seconder required?	Is discussion in order?	Are amendments in order?	ls mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is alre ady before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the ite mof business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 mi nutes	If carried, the original motion and amen dment are both laid on the table	Motion notin order	
(e) "That the item of business being dis cussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 mi nutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	
(f) "Points of order"	No – but may rule against	No	Yes—at discretion of Chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order ta kes precedence	Seestanding order 3.14

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Appendix 7: Webcasting protocols

The provisions are intended as a good practice guide to local authorities that are webcasting meetings or planning to do so.

- 1. The default shot will be on the Chairperson or a wide-angle shot of the meeting room.
- Cameras will cover a member who is addressing the meeting. Cameras will also cover other key
 participants in a meeting, including staff when giving advice and members of the public when
 addressing the meeting during the public input time.
- 3. Generally interjections from other members or the public are not covered. However if the Chairperson engages with the interjector, the interjector's reaction can be filmed.
- 4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
- 5. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
- 6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chairperson.
- 7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT ADOPTION DATE E ora ngātahi ana!

Appendix 8: Powers of a Chairperson

This Appendix sets out the specific powers given to the Chairperson contained in various parts of these Standing Orders.

Chairperson to decide all questions

The Chairperson is to decide all questions where these standing orders make no provision or insufficient provision. The Chairperson's ruling is final and not open to debate.

Chairperson to decide points of order

The Chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson.

Items not on the agenda

Major items not on the agenda may be dealt with at that meeting if so resolved by the local authority and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agendarelating to the general business of the local authority may be discussed if the Chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

Chairperson's report

The Chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

Chairperson's recommendation

The Chairperson of any meeting may include on the agenda for that meeting a Chairperson's recommendation regarding any item brought before the meeting. The purpose of such a recommendation is to focus debate on a suggested motion.

Chairperson's voting

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where standing orders make such provision.

Motion in writing

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT ADOPTION DATE E ora ngātahi ana!

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.

Motion in parts

The Chairperson may require any motion expressed in parts to be decided part by part.

Notice of motion

The Chairperson may direct the chief executive to refuse to accept any notice of motion which:

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not within the scope of the role or functions of the local authority; or
- (c) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the chief executive may have made; or
- (d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

Reasons for refusing a notice of motion should be provided to the proposer.

Where a notice of motion has been considered and agreed by the local authority, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

Action on previous resolutions

If, in the opinion of the Chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, would be equivalent to revocation of the resolution; or if repetitive notices of motion are considered by the Chairperson to be an attempt by a minority to frustrate the will of the meeting, action may be taken as though no such notice of motion had been given.

Repeat notice of motion

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the local authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

Revocation or alteration of previous resolution

A Chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these standing orders.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT

ADOPTION DATE

E ora ngātahi ana!

Chairperson may call a meeting

The Chairperson:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next meeting; and
- (b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

Irrelevant matter and needless repetition

The Chairperson's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matters or including in needless repetition is final and not open to challenge.

Taking down words

The Chairperson may order words used and objected to by any member, to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.

Explanations

The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken, to explain some material part of a previous speech in the same debate.

Chairperson rising

Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson may be heard without interruption.

Members may leave places

The Chairperson may permit members to leave their place while speaking.

Priority of speakers

The Chairperson must determine the order in which members may speak when two or more members indicate their wish to speak.

Minutes

The Chairperson is to sign the minutes and proceedings of every meeting once confirmed. The Chairperson and chief executive are responsible for confirming the correctness of the minutes of the last meeting of a local authority prior to the next election of members.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT ADOPTION DATE E ora ngātahi **ana!**

/3

Questions of speakers

The Chairperson may permit members to ask questions of speakers under public forum or deputations/presentations by appointment, for the purpose of obtaining information or clarification on matters raised by the speaker.

Withdrawal of offensive or malicious expressions

The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologise for the expression.

Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.

Chairperson's rulings

Any member who refuses to accept a ruling of the Chairperson, may be required by the Chairperson to withdraw from the meeting for a specified time.

Disorderly behaviour

The Chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.
- (b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

Failure to leave meeting

If a member or member of the public who is required, in accordance with a Chairperson's ruling, to leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the Chairperson, any member of the police or officer or employee of the local authority may, at the Chairperson's request, remove or exclude that person from the meeting.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT ADOPTION DATE E ora ngātahi ana!

Audio or audio visual attendance

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - Everyone participating in the meeting can hear each other;
 - ii. The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility in relation to the meeting;
 - iii. The requirements of Part 7 of LGOIMA are met; and
 - iv. The requirements in these standing orders are met.

If the Chairperson is attending by audio or audio visual link then chairing duties will undertaken by the deputy chair or a member who is physically present.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT ADOPTION DATE

E ora ngātahi ana!

Appendix 9: Mayors' powers to appoint under s.41A

The role of a Mayor is:

- (a) To provide leadership to councillors and the people of the city or district.
- (b) To lead development of the council's plans (including the long-term and annual plans), policies and budgets for consideration by councillors.

The Mayor has authority to:

- (a) Appoint the deputy Mayor.
- (b) Establish Council committees, their terms of reference, appoint the Chairperson of each of those committees and the members.
- (c) Appoint themselves as the Chairperson of a committee.
- (d) Decline to exercise the powers under clause a) and b) above but may not delegate those powers to another person.

The Council retains the ability to:

- (a) Remove a deputy Mayor appointed by the Mayor.
- (b) Discharge of reconstitute a committee established by the Mayor.
- (c) Discharge a committee Chairperson who has been appointed by the Mayor.

The Mayor is a member of each committee of the Council.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT

ADOPTION DATE

E ora ngātaki ana!

Appendix 10: Process for removing a Chairperson or deputy Mayor from office

- At a meeting that is in accordance with this clause, a territorial authority or regional council may remove its Chairperson, deputy Chairperson, or deputy Mayor from office.
- If a Chairperson, deputy Chairperson, or deputy mayor is removed from office at that meeting, the
 territorial authority or regional council may elect a new Chairperson, deputy Chairperson, or deputy
 mayor at that meeting.
- 3. A meeting to remove a Chairperson, deputy Chairperson, or deputy Mayor may be called by:
 - (a) A resolution of the territorial authority or regional council; or
 - (b) A requisition in writing signed by the majority of the total membership of the territorial authority or regional council (excluding vacancies).
- A resolution or requisition must:
 - (a) Specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
 - (b) Indicate whether or not, if the Chairperson, deputy Chairperson, or deputy Mayor is removed from office, a new Chairperson, deputy Chairperson, or deputy Mayor is to be elected at the meeting if a majority of the total membership of the territorial authority or regional council (excluding vacancies) so resolves.
- 5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
- 6. The chief executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.
- 7. A resolution removing a Chairperson, deputy Chairperson, or deputy Mayor carries if a majority of the total membership of the territorial authority or regional council (excluding vacancies) votes in favour of the resolution.

cl. 18 Schedule 7, LGA 2002.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT

ADOPTION DATE

E ora ngātahi ana!

Appendix 11: Workshops

Definition of workshop

Workshops, however described, provide opportunities for members to discuss particular matters, receive briefings and provide guidance for officials. Workshops are not meetings and cannot be used to either make decisions or come to agreements that are then confirmed without the opportunity for meaningful debate at a formal meeting.

Application of standing orders to workshops

Standing orders do not apply to workshops and briefings. The Chairperson or workshop organisers will decide how the workshop, briefing or working party should be conducted.

Calling a workshop

Workshops, briefings and working parties may be called by:

- (a) A resolution of the local authority or its committees
- (b) The Mayor,
- (c) A committee Chairperson or
- (d) The chief executive.

Process for calling workshops

The chief executive will give at least 24 hours' notice of the time and place of the workshop and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

- (a) State that the meeting is a workshop;
- (b) Advise the date, time and place; and
- (c) Confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required and workshops can be either open to the public or public excluded.

Record of workshop

A written record of the workshop should be kept and include:

- Time, date, location and duration of workshop;
- Person present; and
- General subject matter covered.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT ADOPTION DATE E ora ngātahi ana!

Appendix 12: Sample order of business

Open section

- (a) Apologies
- (b) Declarations of interest
- (c) Confirmation of minutes
- (d) Leave of absence
- (e) Acknowledgements and tributes
- (f) Petitions
- (g) Public input
- (h) Local and/or community board input
- (i) Extraordinary business
- (j) Notices of motion
- (k) Reports of committees
- (I) Reports of local and/or community boards
- (m) Reports of the chief executive and staff
- (n) Mayor, deputy Mayor and elected members' reports (information)

Public excluded section

- (o) Reports of committees
- (p) Reports of the chief executive and staff
- (q) Mayor, deputy Mayor and elected members' reports (information)

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT ADOPTION DATE

E ora ngātahi ana!

Appendix 13: Process for raising matters for a decision

Matters requiring a decision may be placed on an agenda of a meeting by a:

- Report of chief executive;
- Report of a Chairperson;
- Report of a committee;
- Report of a community and/or local board; or
- Notice of motion from a member.

Where a matter is urgent and has not been placed on an agenda, it may be brought before a meeting as extraordinary business by a:

- · Report of chief executive; or
- Report of Chairperson.

Although out of time for a notice of motion, a member may bring an urgent matter to the attention of the meeting through the meeting chair.

CHB POLICY MANUAL – DOCUMENT #X, CODE OF CONDUCT

ADOPTION DATE

E ora ngātahi ana!

8 MAYOR AND COUNCILLOR REPORTS

MAYOR'S REPORT FOR NOVEMBER 2021

File Number: COU1-1400

Author: Alex Walker, Mayor

Authoriser: Monique Davidson, Chief Executive

Attachments: Nil

EXECUTIVE SUMMARY

The purpose of this report is to present Her Worship the Mayor's report.

RECOMMENDATION

That the Mayor's report for November 2021 be received.

Item 8.1 Page 276

STRATEGY AND WELLBEING COMMITTEE CHAIR REPORT

File Number: COU1-1400

Author: Caitlyn Dine, Governance & Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Strategy & Wellbeing Chair's Report - November 2021 4 🖫

PURPOSE

The purpose of this report is to present the Strategy and Wellbeing Committee Chair Report.

RECOMMENDATION

That the Strategy and Wellbeing Committee Chair Report for November 2021 be received.

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Strategy and Wellbeing success......

The past few weeks has been extremely busy in the Strategy and Wellbeing space. We have started the huge body of work that is the Thriving Places and Spaces Strategy. Alongside this has been the beginnings of the workplan towards creating a Social Development Strategy and Community Wellbeing Strategy. Both workstream are huge pieces of work needing investment of time and consultation with our community. It's such an honour to be able to spend valuable time with our community members and hear their thoughts and input for challenges and opportunities for Central Hawke's Bay. Our staff are amazing, and we are so grateful for the work that they do in behind the scenes to ensure we are given the best information needed to be able to make the governance decisions in the future.



Strategy and Wellbeing or Deputy Mayor Focused Activities:

17 – 25 Sept, Thriving Spaces & Places Workshops begin

24 Sept, Te Huinga Wai Opening

27 Sept, 3 Water Webinars

28 Sept, Tamatea Housing Hui

29 Sept, Committee Chairs and ELT Check in

30 Sept, Council Mark assessment

5 Oct, Safer CHB Meeting

6 Oct, Social and Community Wellbeing Workshop, Food Secure Network Meeting

6 Oct, Round table with Kieran McAnulty

7 Oct, Finance & Infrastructure & Leachate to Land opening

11 Oct, Rotary

12 Oct, Waka Takaro Play trailer launch

13 Oct. Agenda Preview

14 Oct, Future of Local Govt Webinar

18 Oct, Tamatea Housing Hui

19 Oct, Regional Economic Development Hui

20 Oct, Strategy and Wellbeing Annual presentations

21 Oct, Strategy and Wellbeing Committee

26 Oct, Reserves Act Legislation

27 Oct, 3 Waters Meeting

28 Oct, Nga Toi HB Arts Collaboration

2 Nov, Community Reference Group Meeting

4 Nov, Workshop, and Inzone Careers Coach

6 Nov, Thriving Places and Space Bus Trip

7 Nov, Spring Fling closing event

8 & 9 Nov, Consultation on Social Development Strategy sessions with community

9 Nov, MTFJ Graduation Ceremony

Together we Thrive! E ora ngātahi ana!

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Strategy and Wellbeing Priority Updates:

Below is the list of Strategy and Wellbeing priorities, the lead councillors, and achievements over the past 8 weeks.

Priority	Lead Councillors	Achievements
Lead and monitor the implementation of Waste Free CHB Strategy Wellbeing: Environment	Cr Minehan Prof Maaka Cr Taylor Cr Burne	Clean up week completed
Lead the delivery of the Social Housing Strategic Framework Wellbeing: Economic and Social	Cr Wichman Prof Maaka Cr Minehan Cr Annand	Tamatea Housing Taskforce established KO housing completed and due to open
Monitor the implementation of the Economic Development Strategy Wellbeing: Economic	Cr Aitken Cr Greer	 Spring Fling Complete Nga Toi HB Arts Collaboration has begun Digital Hub complete
Monitor the implementation of the Environmental Strategy Wellbeing: Environment	Cr Aitken Prof Maaka Cr Greer Cr Annand	3 Waters reform – we now know the outcome Leachate to Land project complete Went to see the effects of climate change on some of our beaches
Review the current Community Wellbeing Strategy and monitor the implementation of a revised Social Development Strategy Wellbeing: Social	Cr Annand Cr Taylor Cr Burne	MTFJ Graduation Ceremony Consultation groups have begun for social development and community wellbeing strategy
Develop a Māori/lwi Engagement Strategy Wellbeing: Cultural	Cr Wichman Prof Maaka Cr Annand	Level 3 Te Reo classess have started Partnership approaches started with TToT and Marae
Monitor development and implementation of Community Plans Wellbeing: Social	Cr Taylor Cr Minehan Cr Burne	Spring Fling final event held in Onga Onga Waka Takaro Play trailer launched

Together we Thrive! E ora ngātahi ana!

Item 8.2- Attachment 1 Page 279

FINANCE AND INFRASTRUCTURE COMMITTEE CHAIR'S REPORT

File Number: COU1-1400

Author: Caitlyn Dine, Governance & Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: Nil

PURPOSE

The purpose of this report is to present the Finance and Infrastructure Committee Chair Report.

RECOMMENDATION

That the Finance and Infrastructure Committee Chair Report for November 2021 be received.

Item 8.3 Page 280

RUATANIWHA WARD REPORT

File Number: COU1-1400

Author: Caitlyn Dine, Governance & Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: 1. Ruataniwha Ward Report - November 2021 4 🖫

PURPOSE

The purpose of this report is to present the Ruataniwha Ward Report.

RECOMMENDATION

That the Ruataniwha Ward Report for November 2021 be received.

Item 8.4 Page 281



17 November 2021

Ruataniwha Ward

REPORT

Kia Ora from Cr Burne

Twelve months in and I can't believe how fast it has gone. Certainly a lot to get my head around, coupled with some of the most controversial issues and reforms to face local government in recent times it has certainly been an interesting time.

One thing I have learned is that you cannot please everyone and that despite standing with the best intentions of representing the community you live, work and play in and love with all your heart, in some people's eyes you will never do the right thing. My philosophy and commitment remain to support what is best for CHB.

Three waters reform has consumed everyone over the last few months. I am so disappointed with how the Government bulldozed through the reform process with little regard to local government feedback. While I agreed that the status quo could not be maintained, as a council we entered into the eight-week period in good faith believing that we would have our questions answered and the ability, once we knew exactly what we were talking about, to go back to our community. That never happened. In Hawke's Bay we also put forward a viable alternative and once again this was dismissed

What concerns me is that Three Waters is just the first of a few reforms that the Government are proposing that will affect our local voice.

A round up of activities for Ruataniwha **Ward Councillors**

27 Sept, 3 Water Webinars 28 Sept, Tamatea Housing Hui

29 Sept, Committee Chairs and ELT Check in

5 Oct, Safer CHB Meeting

6 Oct, Food Secure Network Meeting

7 Oct, Finance & Infrastructure

7 Oct, Leachate to Land opening

12 Oct, Waka Takaro Play trailer launch 13 Oct. Agenda Preview

18 Oct, Tamatea Housing Hui

19 Oct, Regional Economic Development Hui

28 Oct, Nga Toi HB Arts Collaboration

2 Nov, Community Reference Group Meeting

4 Nov, Inzone Careers Coach 6 Nov, Thriving Places and Space Bus Trip

7 Nov, Spring Fling closing event

















Together we Thrive! E ora ngātahi ana!

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17 November 2021

Ruataniwha Ward

REPORT

Kia Ora from Cr Annand

It's not until I sit to write down the roundup of activities for these reports that you get a sense of how busy our council roles are now.

The highlight from the past 8 weeks has been the Thriving Spaces and Places workshops, training, consultation, and beach trip. This work has been a nice distraction from 3 Waters politics, concerns, and massive amount of reading.

Sadly, we news about any legal challenge on the old library building wasn't what we expected but I must say our community has been incredibly understanding.

Like the rest of our community, we are looking forward to getting to the Christmas break period where we can rest, unwind, and take a breath after such an eventful year.



Together we Thrive! E ora ngātahi ana!



Key activities and achievements over the last 8 weeks

- Waipukurau Digital Hub open!
- Strong mobilisation of Network of Networks during COVID lockdown
- Clean up week complete
- Super Saturday support
- Learning more about 3 water reform
- TRIVING PLACES AND SPACES WORK HAS BEGUN

Key priorities and activities for the next 8 weeks

- Thriving Places and Spaces timeline
- Community Wellbeing and Social Development strategy consultation
- 3 Waters reform
- Finishing the year well

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ARAMOANA/RUAHINE WARD REPORT

File Number: COU1-1400

Author: Caitlyn Dine, Governance & Support Officer

Authoriser: Monique Davidson, Chief Executive

Attachments: Nil

PURPOSE

The purpose of this report is to present the Aramoana/Ruahine Ward Report.

RECOMMENDATION

That the Aramoana/Ruahine Ward Report for November 2021 be received.

Item 8.5 Page 284

9 **CHIEF EXECUTIVE REPORT**

9.1 BI MONTHLY ORGANISATION PERFORMANCE REPORT OCTOBER - NOVEMBER 2021

File Number: COU1-1400

Author: Monique Davidson, Chief Executive Monique Davidson, Chief Executive Authoriser:

Attachments: Organisation Performance Report October - November 2021 U 1.

PURPOSE

The purpose of this report is to present to Council the organisation report for August - September 2021.

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 being of some importance.

DISCUSSION

This reports seeks to update Council on a number of key projects and priorities for Central Hawke's Bay District Council.

FINANCIAL AND RESOURCING IMPLICATIONS

This report does not present any financial or resourcing implications.

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 goodquality 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 next six weekly organisation report will be presented to Council in 2022.

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RECOMMENDATION

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

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E ORA NGĀTAHI ANA – TOGETHER WE THRIVE.

KIA ORA FROM THE CHIEF EXECUTIVE

This report provides an update of the organisation's activity over the October 2021 – November 2021 period and provides a snapshot of some of the organisation's achievements and activity over the period.

We started the period, with the adoption of the Annual Report and confirmation of an unmodified audit opinion. The 2020/2021 Annual Report demonstrates the strong financial position Council are in, and the benefit of such significant external funding supporting key strategic projects. An Annual Report within timeframes, is no mean feat when you have a Lockdown in the middle of the process. My thanks to Mr Chamberlain and his team for their commitment and professionalism during this period.

We also started this period on a high, following the opening of The Knowledge and Learning Hub, Te Huinga Wai. Words can't really express the transformation of the building. Following the disappointing closure of the Waipukurau Library, the opening of the Knowledge and Learning Hub – Te Huinga Wai, has reinstated key services for the community in Waipukurau again.

Situated on Bogle Brother's Esplanade, Waipukurau, in the building commonly known as the 'Old Bucks' building – the Knowledge and Learning Hub - Te Huinga Wai will be home to a temporary Library and associated services for at least five-years.

It will deliver a range of programmes to bridge the digital divide, offering access for businesses, self-employed people and the community; with free Wi-Fi, co-working spaces and areas to present digital products and services.

The Hub was formally opened by a small group in accordance to COVID-19 event restrictions. The opening included a karakia by Whaea Amiria Nepe Apatu, and a walk through of the new facility for Elected Members, Manawhenua, representatives from key funders Kanoa - Provincial Growth Fund and Centralines, Council staff and supporters from the community, including whānau of Mrs Margaret MacGregor, a private contributor of the Hub.

Work began on the site at the end of June 2021, and is the some of the most notable construction work Council has completed since 2016. Design and procurement groundwork were completed in March 2021, and Council had to work through a rapid process to finalise plans before the submission of building consent and landlord approval – all turned around in under 12 weeks to meet the timeframes of the Provincial Growth Fund and the return of a service to Waipukurau. Delays due to the August COVID-19 lockdown meant the facility's planned August opening was extended to September.

Places and Spaces for a Thriving Future - Council has launched its new programme - Places and Spaces for a Thriving Future, with a key objective to review the District's community facilities, open spaces and social infrastructure, all of which are critical to the interactions of a vibrant and thriving district. The purpose of the programme is:

- To understand and respond to the district's current and future play, active recreation, sport, culture, arts, community and civic facilities, and camping needs, and:
- b. To develop a set of plans and strategies to guide Council's investment in, and management of, its places and spaces network, programmes and other areas that support people being active and connected. This is to ensure that these places and spaces are fit for the future, and to ensure that decision-making can be made in an integrated way, in order to not only best implement the 2021 Long Term Plan and Integrated Spatial Plan, but also to inform our next Long Term Plan in 2024.

Over the next few months the community will be invited to contribute their views and aspirations for the district's places, spaces and facilities. Community's views will inform the development of draft strategies and plans on how we manage these assets into the future.

Three Waters Reform – Following the end of an 8-week period where Local Government were given the opportunity to provide feedback on the 3 Waters Reform proposal, the Minister of Local Government has announced the Government's intention to legislate and mandate 3 Waters Reform. Central Hawke's Bay District Council, and our Regional colleagues have expressed our disappointment at this decision, with a particular concern for the ability of local voice and decision making removed.

Leachate to Land Opening – The Leachate to Land project was officially opened in October 2021. This marks a proud environmental milestone for Council. The project initiated in 2011, and had had a few false starts over the years, but pleasingly we got there. The completion of this project ceases the tankering of landfill leachate to our wastewater treatment plants and implements a circular projects whereby the leachate is stored onsite and irrigated back onto a completed capped cell of the landfill at low rates.

COVID-19 Vaccinations

Our Team continues to provide support to the Hawke's Bay District Health Board in their roll out of the vaccination clinics across the District, with a highlight being that Central Hawke's Bay achieved highest vaccination rates per capita across the District on Super Saturday.

As at 3 November, the Distirct still has a further 3,642 people to reach a fully vaccinated status and 2386 to hit 90%, with 71% of the District currently fully vaccinated.

We also continue to provide support to the DHB in their response and resurgence planning for COVID-19 in the District alongside Te Taiwhenua o Tamatea.

Monique Davidson Chief Executive

Chief Executive Report 2



Together we t Dur Strategic Direction for Central Hawke's Bay

What we know - Our DNA -









What we stand for - Our Values -



attitudes we embrace as individuals, teams and as a whole organisation. We are all personally responsible for acting with these in mind.

- TRUST We create trust by acting with integrity. HONESTY We do what is right even when no one is looking. RESPECT We have respect for each other, our community and o
- INNOVATION We find amorter ways to do things to produce improved and aust VALUING PEOPLE We are one tram, supporting each other to succeed. EXCELLENCE We deliver exceptional results.

What we're most proud of Our Greatest Asset -



Why we do what we do - Our Purpose -

that supports a thriving Central Hawke's Bay district, by providing efficient and appropriate infrastructure, services and regulatory functions.



The outcomes we want to achieve - Our Objectives -



- A proud district.
- Strong communities.
- Connected citizens.
- · Environmentally responsible.
- · Durable infastructure.

How we'll reach our outcomes - Our Focus -



- Strengthening our district and community identity.





SOCIAL AND ECONOMIC DEVELOPMENT

Safer Central Hawke's Bay

The Safer Central Hawke's Bay coalition has met once in this reporting period with a mix of face to face and Teams to allow flexibility for organisations during the current COVID environment. Unfortunately, our largest event for the year the Safer CHB precinct will not be happening in 2021 due to the cancellation of the CHB A & P Show.

Safer CHB has established a closer working relationship with the CHB Fire & Education Charitable Trust. There are plans to work closely together in the future to facilitate opportunities for safety education and awareness initiatives in the community. Safer CHB partners and workstreams will also be able to access funding opportunities for Safer CHB initiatives via the trust.

Positive Ageing

The network has formally met once during this reporting period. Members report ongoing challenges to programmes and events due to the current COVID restrictions which have a significant impact on this cohort of our population.

Organisations continue to focus on being flexible to enable them to respond to members needs in a safe way with many adapting their service to include more outreach initiatives. Social isolation concerns and resurgence planning remain priority areas for most member organisations.

Celebrations scheduled for 1 October, which was International Day of the Older Person were postponed due to COVID restrictions. The Easie Living Van had its first visit to Te Huniga Wai – Learning and Innovation Hub on Friday 5th November.

Disability Reference Group

The network met formally in person and via Teams on 12 October 2021. As with the Positive Ageing network, member organisations also report challenges to programmes and events due to the current COVID restrictions. Programmes and events are still occurring but at a reduced level

Work continues with fundraising for a local beach wheelchair and in September council and Sport HB staff welcomed Kieran from Tauranga City Council to the district. Kieran has been working with the network as they explore the potential for beach matting in Central Hawke's Bay and we were able to show him a number of possible site during his visit.

Housing Resource

Over time, many community providers and individuals have told us about the challenges for individuals and whanau when trying to navigate Social Housing support.

As the only pathway for emergency or state housing it is vital that those who need assistance are provided with easy to access information and support. In response to this need we have produced a local resource to assist anyone needing to register for Social Housing.

This handy wallet card gives quick reference to relevant details to assist with getting on to the Social Housing waitlist as well as other important advice once registered. This resource has been distributed throughout the district via social and community organisations, health providers and rental accommodation providers.



Chief Executive Report 4

Waka Tākaro - Central Hawke's Bay Play Trailer

On 12 October 2021 Waka Tākaro — Central Hawke's Bay Play Trailer was launched to community in a small celebration at Nelly Jull Park with Sports Hawke's Bay and kids from the community and their families. This community resource has been made available via Sport Hawke's Bays Tumanawa Fund and is a resource that will be used by community to encourage and promote the concept of "Play". The promotion of the Waka Tākaro will now occur and Blanche Paewai-Ashcroft, the Play Activator will be attending schools promoting the trailer and the importance of Play.

A webpage has been created which details the concept of Play, the purpose of the Waka Tākaro and how to book and use it https://www.chbdc.govt.nz/our-district/parks-and-reserves/play/waka-takaro-play-trailer/



COMMUNITY FUNDING

Creative Communities Fund

On Wednesday 22 September 2021 the Creative Communities Panel met and considered eight applications to the Creative Communities Scheme. Seven of these applications were supported with a total of \$15,013.00 dispersed to community groups and schools to support their creative projects. Funds were also allocated in order for a second Creative Communities Tear Drop Flag to be purchased which will be used at events to promote the support that Creative Communities provides within Central Hawke's Bay. The next round of Creative Communities funding opens in February 2022.

Community Voluntary Organisation Support Fund (CVOS)

The CVOS committee, chaired by Councillor Minehan, met on Monday 27 September to allocate funding. Four local groups received a total of \$7000 from the Category One fund for new projects and 22 groups shared in the \$24562 allocated to the Category Two fund.

Community Pride and Vibrancy Fund

There have been no applications to the Community Pride and Vibrancy fund in this reporting period.

Sport New Zealand Rural Travel Fund

The next round of the Sport New Zealand Rural Travel Fund will open 15 November 2021.

COMMUNITY PLANS

Community Planning for the Tikokino district is underway and following the community workshop held on the 18 July, a draft plan has been developed and is distributed to the working group.

We are working to confirm a date for the Otane Community Plan planning day, within the contexts of Level 2 restrictions.

We are also now providing a full update to Councils Strategy and Wellbeing Committee on community planning.

MĀORI ENGAGEMENT - TUHONO MAI TUHONO ATU

Priorities

The priority areas for Māori engagement for this period have included;

- Establishing key relationships with new employees at Heretaunga Tamatea Settlement Trust.
- Continuing to support Te Taiwhenua o Tamatea through the initial stages of induction of their new Manager.

Chief Executive Report 5

- Both entities continue to build on strengthening their organisational structures and solidifying operations. There
 are ongoing partnership, collaboration, and opportunities with Council that continue to grow through regular
 meetings and agreed project priorities
- Working with Ngāti Kere Hāpu Authority to establish an MOU with Council
- Working with key marae representatives to strengthen Council Hāpu relationships
- Working with Ngā Karanga o Hāpu Inc to establish a relationship to work toward an MOU
- Increasing the cultural guidance group (that work with the PMO team) to include representation from Te Whatuiapiti and Waipukurau marae
- Supporting and participating in the Community Wellbeing workshops for thriving communities
- Continue to work on improving the flow of communication between planners, Hāpu and iwi

Te Kupenga

The Te Kupenga team of Māori Managers across the 5 Councils priorities for this period has been to hold a hui ā iwi in Napier of our Council Māori committee members, PSGE, and Taiwhenua – iwi, to have early conversations about spatial planning and guidance for Councils moving forward. Te Kupenga has also been working with Toni Goodlass Regional Programme Director and team on the Private water supplier's project.

ECONOMIC DEVELOPMENT

Economic Development Review across Hawke's Bay

Hawke's Bay is currently the only region in New Zealand that does not currently have an Economic Development Authority (since Business Hawke's Bay was disbanded earlier this year). All 5 Councils are currently reviewing what model is suitable for Hawke's Bay including how to fund, what resources are necessary and what this means for the ratepayer etc.

Economic Recovery

The resurgence of COVID-19 Delta variant has affected progress for our projects initiated from funding gains we have secured from the Crown Infrastructure Partners Fund and the Provincial Growth Fund.

Tukituki trails extension project

Over the October period, work on the Tukituki trails has continued to process with partners Hawkes Bay Regional Council and Rotary River Pathway Trust. As soon as the two bridges have been constructed we are planning an official opening/launch mid December (depending on COVID-19 level restrictions).

Berm walking and cycling trails

Work has continued to maintain the new and old Tukituki trail berm trails. The project has kept on one staff member for this work who is working out really well.

Kahahakuri Creek bridge

Construction of Kahahakuri bridge which is located near the limestone tunnel will start the week commencing 8th November and be finished within two weeks. The second bridge is due to start after Kahahakuri bridge is complete and is due to be completed by the beginning of December.

Limes and pathways

9kms of stopbank has been resurfaced with limesand to date, a further 3km have been prepared but will not have limesand on due to flood risk, and a further 3km will be resurfaced with limesand over the first 2 weeks of November. Although there is continued work happening on the trails including work to trails access, signage and further extensions these new limestone trails are currently being well used by the community.

Gumtree Farm Mountain Bike Park

Work has continued by the Rotary River Pathway Trust and other volunteers to continue to maintain and build further mountain bike tracks.

Worker Redeployment Package - Vegetation management

The PGF funded vegetation management programme has been wrapped up with the final work being completed at the end of September. This funding has allowed Central Hawkes Bay District Council to maintain, upgrade and create a

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number of different garden areas. Included in the most recent work programme is Hunter Park replanting, Bogle Brothers replanting, replanting the green patch gardens and maintaining the lawn areas, replanting areas of the Waipawa main street and a number of other planting projects.

Rakei Ora - Bringing Wellbeing to Marae Tihei Tamatea

In partnership with Te Taiwhenua O Tamatea the Central Hawkes Bay District Council has continued to work with marae trustee to complete the final outstanding work for the Rakei Ora project. By the end first week of November work will be completed with a planned final visit happening from our funding partners during November.

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

Local Jobs for Local People - 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. New job seekers continue to visit the Mobile Employment Hub with 51 new referrals since August 2021.



The Jobs in Central Hawke's Bay team continue to work alongside **Complete Coaching HB** to provide one on one coaching and support for our youth. This partnership continues with this second round of funding as the results achieved in the first round were invaluable for our Youth. To date 18 participants have been referred, 11 have moved into sustainable employment supported with ongoing pastoral care for up to 6 months and 5 others are still being coached. We have also engaged counselling support for 4 participants who required support to work through life's challenges

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The partnership with CONNECT Driver Licensing continues with some great results. Driver Licenses is a barrier that prevents our community from being able to obtain sustainable employment therefore this partnership is important for the work the team are completing. 166 people have been referred for licensing support. As of 1st September 2021, 29 learner licenses, 36 restricted licenses, 4 defensive driving courses, and 17 full licenses have been achieved. We are also working with CONNECT to offer driver license support to the outlying community of Porangahau, with a CONNECT mentor joining our Mobile Employment Hub visits to Porangahau to offer learner license support.

In partnership with the Hawke's Bay Chamber of Commerce, the fourth Growing Great Entrepreneurs course has been supporting our local startup businesses to access required support and develop business plans. COVID prevented the public completion of the most recent course however three of the four participants have transitioned to the next phase "business mentoring". This business mentoring occurs on a fortnightly basis with David Trim and is available to them for six months after they complete the course. The 15 participants from the completed three courses have successfully started 10 businesses and have access to this fortnightly business mentoring which is proving to be a successful support mechanism.



The success of the Growing Great Entrepreneurs CHB has quickly escalated by word of mouth now having a wait list. The success of the program has led the team to quickly connect and source funding through MSD that will ensure the longevity and succession of this business support beyond the existence of MTFJ Funding.

This month we held our first **Business After 5** Online event in partnership with Shop CHB. This new format was introduced to maintain connection with business through COVID restrictions. Hosted through our CHB Business Network Facebook Page we had prerecorded videos covering the recent opening of Te Huinga Wai (the Knowledge and Learning Hub) in Waipukurau and the available resource to local business.

Melissa Wiggins has joined our Jobs in Central Hawke's Bay team as our **Business Connector**, we are excited to see her develop this role to best support our local businesses to Thrive!

Our Skills, Training & Employment Network met out at Te Aratika Lodge in October for our regular catch up. It was great to reflect on the collaborative success of this group, and how working together we can foster positive outcomes for our local community.

I have been blown away with all your responses after I sent an email yesterday regarding a job for a 27 year old males who's keen to get back into the workforce. So many people came back to me (and River) with possible opportunities that River actually had a great selection of jobs to choose from. River is pursuing 2 of these options at the moment. He has sent his CV and is in the process of making contact with these employers.

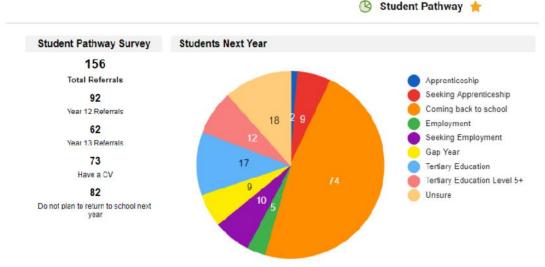
Thanks again as this again proves how amazing our community is!! All your hard work and mahi for the families we work with is so much appreciated!

Karen Klein, Social Worker, Oranga Tamariki-Ministry for Children

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Jobs in Central Hawke's Bay continue to work closely with Central Hawkes Bay College, our Youth Transitions Coordinator has been working with the Year 12 & 13 Students to collect their details and aspirations through our Student Pathway Survey connecting with 156 of the 160 students so far. This survey is providing valuable information to support our local students as they pathway out of college into further opportunities.



We are also working with the Central Hawke's Bay District Council Project Management Office to facilitate a **'Have a Go Day'**, for year 10 students to experience opportunities in civil infrastructure with contractors who are working on local council projects. This event on November 19th will give students an opportunity to get hands on experience in this space and possible ignite new career aspirations!

Beca and Lowe Environmental Impact (LEI) were engaged by Central Hawke's Bay District Council (CHBDC) in 2018 to assist with charting a revised district wide wastewater programme. After an initial period, the LEI/Beca team have been retained though a joint offer of service for providing consulting services for wastewater management to 2024. They wanted to offer a programme of support to the Central Hawke's Bay Community, with a focus on environmental and educational outcomes as it relates to the Big Wastewater Story. Jobs in Central Hawke's are facilitating a connection with Central Hawke's Bay College where this partnership hopes to add value to the school curriculum and support employment pathways into the industry through a scholarship program. Watch this space!

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Beca and LEI are also collaborating with 2 other council partners to sponsor an INZONE Careers Kiosk that will showcase employment opportunities in Te Huinga Wai (The Knowledge and Learning Hub) for the next three years.



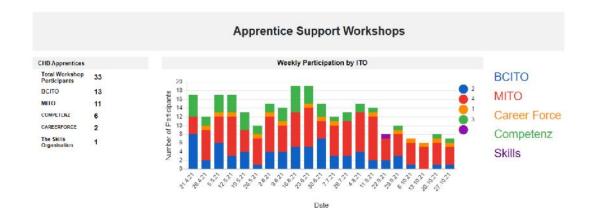
Jobs in Central Hawke's Bay are excited to have brought the <u>INZONE Careers Coach</u> to Central Hawke's Bay on November the 4 & 5. The INZONE Careers Coach is an aspirational tool to help our students explore the world of work and gain exposure to a variety of career pathways. INZONE videos offer students/jobseekers a window into a range of different industries and give them connections to explore potential opportunities they are interested in.

The Coach went to Te Aute College on Thursday 4 November for students to look through and was then located at Te Huinga Wai for the afternoon where it was open to the public and jobseekers to seek out new opportunities. A special open evening for local business was held from 6.30 – 8pm and was an opportunity for local business to get on the INZONE Careers Coach and explore as well as hear from INZONE's Peter Doake on how our local business can build local and national profile through this medium.

On Friday 5 November the Coach was then at Central Hawke's Bay College from 9am – 3pm for the college students to go through.

Our Apprentice Support Workshops have moved into the recently opened Te Huinga Wai, providing a space for our local trainee tradespeople to focus on the paperwork component of their apprenticeships each week. We have computers and internet access available. And provide free dinner to encourage our apprentices to stay on top of the theory component of their training. This workshop continues to provide valuable support to those training in this space, helping our more practically minded workforce get the mahi done! Post the last COVID lockdown we have had lower numbers as we have endeavoured to maintain social distancing protocols.

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He Ringa Whānau Ora

He Ringa Whanau Ora is now well embedded in the community and kaimahi are busy working with a number of individuals and whanau who are experiencing the impacts of drug addiction. On Monday 27 September we welcomed Hayly Fergusson to the team to fill the kaimahi role that became vacant in June.

CENTRAL HAWKE'S BAY TOURISM

Spring Fling

The Alert Level restrictions meant that some events had to adapt and some events simply couldn't continue. It was certainly a challenging time for all of those involved, and disappointing for everyone near and far who love to attend the annual festival of events. However, despite the complications and uncertainties, those events that were able to continue were a huge success, from Garden to Vase with Foraged and Found, All Things Herbs Masterclass, The Homestead Trail, Platinum Homes, Back Paddock Off Road Challenge, The Hatuma Half Marathon, Taniwha Daffodils etc. Picnic in the Peonies was the last of the Spring Fling programme and the event was sold- out for the last weekend in October. A small closing ceremony will take place the first Sunday in November.

Big Easy

After a significant review, Hawke's Bay Tourism announced on 28 October 2021 that they will no longer be supporting the Big Easy one-day event. Instead, they are planning to develop a multi-day touring cycling proposition that will become a drawcard to the region. This means that our Little Easy event for Central Hawke's Bay will no longer be feasible as it was

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an add on to the Big Easy Event. We are excited about the opportunities to promote more sustainable multi-day Central Hawke's Bay cycling options especially the extended Tukituki trails in the future.

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DRINKING WATER

Drinking-Water Compliance

District Drinking Water Supplies

All drinking water supplies were compliant with the NZ Drinking Water Standards throughout September and October. It has been noted that some of the minor upgrades completed within the previous months at the Tikokino water treatment plant have saved on operator time and operational compliance of the Waipawa supply.

Kairakau Water Supply Improvements

Continuous improvement upgrades were undertaken at Kairakau during this period which included the installation protozoa treatment, as well as the installation of additional monitoring equipment to give better insight into the current water levels within the raw water storage tanks. The installation of the new filter allowed for the topping up of the existing tanks by way of tanker from Waipawa to cease as the spring supply was able to be turned back on. These minor upgrades are preliminary works that will be incorporated into the new water treatment plant once built.



Kairakau 1 Micron Filter

Takapau Water Supply Bore Maintenance

Scheduled bore maintenance work was carried out at the Takapau Water Supply to ensure ongoing performance of this supply. Only minor renewal items were identified which includes a new screen as well as a new check valve required on the bore supply. It was noticed that the level of Manganese build-up on the bore itself was less than previously seen.

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SCADA Compliance Upgrade

Upgrades to the SCADA (Supervisory Control & Data Acquisition) has started this month with the installation of two new servers and initial setup being completed. These upgrades will further increase the resilience of the existing communications and data storage of the management system which monitors all Water & Wastewater treatment plants within the district. Further cut-over works are scheduled for November where the old system will be decommissioned.

Operational update

A notable increase during this period of significant main breaks and third party asset damage, resulting in a number of afterhours emergency responses. This included a damaged watermain on Abbotsford Road, which was subsequently replaced to assist the contractor carrying out essential upgrade works on behalf of CHBDC, and a damaged wastewater main on Takapau Road, damaged during a third party development survey. Repair of the damaged wastewater main is ongoing but there has been no impact to the operation of the asset.

Although there has been a significant reduction in the number of RFS's, the severity of incidents and network failures has been steadily climbing. Ranging from total asset failures to losses of supply, the team have been continuing to demonstrate their aptitude and skills, with admirable levels of commitment.

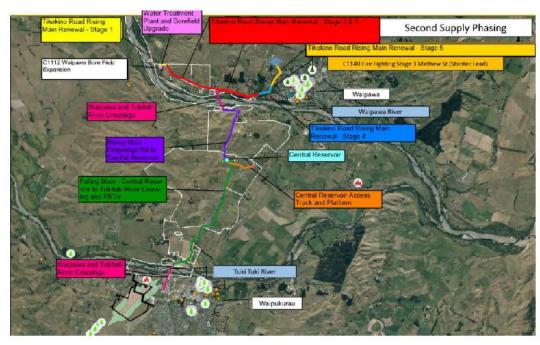
An industry wide shortage has a significant impact on the resourcing of suitable staff, but we continue to lead a determined drive on recruitment. Our new starters from August, Jorja and Nicky, are progressing extremely well and are demonstrating high levels of learning and commitment which is providing much needed respite to the team during these busy months.

Waipukurau Second Supply / Waipawa Link

The production bore yield testing has been completed and the drilling contractor has de-mobilised from site. Stage 1 works have been completed by Downer including two complex cut ins, this is the first of 5 stages to replace the main from the borefield up to the reservoirs on Abbottsford Road. Land negotiations on easements for pipelines and reservoirs is progressing with compensation letters being finalised for presenting to affected owners. Officers have held 4 hui's and developed a Cultural Guidance Group Terms of Reference with tangata whenua. A bus trip to visit sites to help explain the project are planned for early December 2021. Planning for the river crossing works is also progressing with agreement to draft an application for consent, to be reviewed by mana whenua in the CGG. Learn more and follow

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SH2 Borefield Upgrade

Construction of a run to waste system to address turbidity concerns is underway. Following completion, a commissioning and testing process will occur. This work is progressing as a priority to enhance the capacity of the borefield. The filtration system is on hold until the run to waste tests have been performed, this is proposed to be funded from Year One Long Term Plan budgets.



Kairakau Water Upgrade

Following value engineering discussions, the construction contract Is planned to be awarded in the next few weeks. Conditional archaeological approval has also been granted for the upgrade. A community update is planned for December 2021 and the design is expected to finalised in January 2022, construction to start February 2022 and completion by August 2022.



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Waipawa/ Otane Firefighting and Shortfalls (Stages 1-3)

Works are underway on Stage 1 and 2 – started early September 2021 and planned to be completed by the Christmas break. This will see the main upgraded to 250mm from the Abbottsford Reservoir through to the bottom of Matthew street in Waipawa. Alongside this is Stage 5 of the Waipawa Trunk Main Renewal.

Stage 3 was planned to start in July 2022, but depending on progress and budget may be able to start earlier in 2022.









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Water Renewals - Nelson Street and Reservoir Road

The upgraded new water network now has multiple cross connections and improved resiliency and all houses have been connected to the new mains. A final cross connection will be completed in conjunction with the Stormwater work as this involves a road crossing of Gaisford Terrace.

Contractors Higgins have started installation of a major upgrade to the stormwater network in Nelson Street and the intersections with Reservoir Road and Gaisford Terrace, this will involve new sumps, leads and mains pipework.

Two locals were employed by Higgins for the Water main renewal contract as part of councils "broader outcomes" progressive procurement strategy and through their efforts and Higgins being awarded the additional stormwater work these two locals have now been taken on permanently, a fantastic outcome.

Backflow Prevention

A project to install backflow prevention devices is underway to improve compliance and protect the health of residents of Central Hawke's Bay. Funding is set aside in the newly adopted Long Term Plan to deliver a framework for rolling out backflow prevention and out of this funding, the Waipukurau WWTP will be the first premises to receive a backflow preventer. A register of high risk premises, required for Health Act compliance, is also under development.

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WASTEWATER

Wastewater Treatment Operational Performance

Waipawa & Waipukurau Wastewater Treatment Plant Improvements

Further optimisation works have been carried out over this period at the Waipawa and Waipukurau wastewater treatment plants, showing improved operational performance. This includes works to facilitate the preliminary DAF (Dissolved Air Flotation) works as well as desludging works at Waipawa WWTP. High pond levels were experienced at Waipawa and Waipukurau WWTP's in September due to heavy rainfall over several days, resulting in elevated levels of I&I (Inflow and infiltration) to the wastewater networks. Additional monitoring equipment has been put in place to monitor flows and levels as preparations begin for waveband remediation works at Waipawa and Waipukurau WWTP's.

Wastewater reticulation performance

Three wastewater overflows were reported in September and October, with one significant incident in Waipawa resulting in an out of hour's engagement with Hawkes Bay Regional Council and the District Health Board. Due to the extent of the incident and the contamination of a local waterway, an investigation took place which consisted of onsite sampling, a survey of the immediate downstream assets and a desktop hydraulic analysis; based on the information provided, the DHB deemed that a public health notification was not required.

Performance of the network is typically good, with some notable areas in Waipawa that experience reduced levels of service during heavy rain events.

Trade Waste Reviews and Improvements

An improvement programme is underway largely supported by a new Trade Waste Bylaw which came into effect on May 13 2021. Central to this project was the development of a new charging regime that will see Trade Waste inputs paying for capital upgrades proportional to their contribution to waste received at the treatment plant – the first few months of contributions has been invoiced, monitoring and compliance is having an overhaul and new traders are being identified. All Trade Waste consents will lapse in December, so new, more fit for purpose consent requirements are being developed for each Trader.

Inflow and Infiltration Management.

This programme of work is underway with manhole repairs, pipe relining, hydraulic modelling, flow monitoring and CCTV.

The learnings from these works have been applied to a district-wide project to identify and remediate wastewater defects which is nearing the end of the procurement process. An approach to dealing with private side defects was adopted along with a wider strategy at a council meeting on the 12th of August. The communications around this are under development.

Waipawa, Waipukurau, Otāne Wastewater Upgrade and Consenting Project

In October 2020, Council adopted a new wastewater strategy outlining the approach to be taken across the district. The 2021-2031 Long Term Plan confirms the future investment for these major programmes of work: https://www.chbdc.govt.nz/home/article/738/council-confirms-wastewater-investment-for-the-future?t=featured&s=1

Work is progressing, with significant focus on the DAF, desludging and Otāne to Waipawa project pipeline and other activities. Further detailed below.

Otāne to Waipawa Pipeline (Stages 1,2 and 3)

The Ōtāne to Waipawa wastewater pipeline is well underway with approximately 7.6km of pipeline in the ground across Stages 1, 2 and 3. Stage 1 between Racecourse Rd and Dee St is fully complete. Stage 2 between Racecourse Road and

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the Waipawa WWTP has all but 900m of pipe installed as well as 90% of all the details along the route. Stage 3 to link the Ōtāne WWTP to the northern end of stage 1 is approximately 50% complete with the open cut section from the WWTP to Ellison Street finished, in conjunction with both potable water lines and power ducting to the Otāne WWTP site. The final sections of this pipeline are due to commence later in November.

Otāne to Waipawa - Pump Station (Stage 4)

Stead Construction along with subcontractors SCL have commenced at the Otāne WWTP on construction of the Pumping station to convey wastewater to Waipawa. Progress has been steady and is currently slightly ahead of programme. Completed is culverting of the open stormwater drain, installation of the new pond contingency overflow pipe, wet well, rising main and bypass pipeline.

Waipawa & Waipukurau WWTP Short term Improvements

The installation of DAF units at the Waipawa WWTP, and in 2022 at the Waipukurau WWTP aims to improve the ability to meet consent compliance in the short term, by providing customized and optimized tertiary treatment. These systems would effectively take the place of the non performing lamella clarifiers. With the improved treatment quality post DAF units, it is expected that the sand filters and the UV treatment process will also see an improvement in their efficiency. This work is occurring alongside and to complement the longer term upgrades.

Early in October the DAF design was finalised with contractor Enviroden Ltd. Works have commenced on the support slab for the DAF unit, and the main contractor is expected to commence onsite in mid-November working on pump and pipework installation in preparation for the arrival of the main DAF unit. The DAF itself has been constructed and late in October departed China bound for Hawke's Bay.



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Waipawa WWTP Pond desludging

Hydracare are continuing the desludging of the oxidation pond at the Waipawa WWTP, as at the start of November approximately 900 dry tonnes of sludge has been removed from the main part of the pond. A methodology has been agreed with the project and operations teams and the contractors for desludging of the remainder of the pond that contains much of the pond infrastructure, this aims to minimise disruption of the pond system and any effect on treatment compliance.



Otāne Wastewater Resource Consent

An extension and variation to the current resource consent was lodged on the 31st March 2021 to align with the wider work programme for the larger project. Affected parties from the previous consent variations have all been contacted and approval sought, council officers have gained the approval of the majority of the parties with the remainder yet to provide feedback. A collated response to HBRC, including feedback from affected parties, is planned in November.

Porangahau and Te Paerahi Wastewater Upgrade Consenting Project

Late August 2021 we hit a significant milestone and lodged the long term and transitional consents for Pōrangahau and Te Paerahi wastewater systems. This is a culmination of over 2 years work for the project team, and significant support from the BECA and LEI team.

In a nutshell we are requesting;

- 4 years to continue operating Te Paerahi
- 6 years to continue operating Pōrangahau
- · 35 years for land discharge at new common land site.

Officers are currently working through the first request for information which once resolved will allow the consent to be publicly notified likely in early 2022.

Takapau Wastewater Upgrade Consenting Project

The consent is currently open for public consultation and is planned to close on Friday 5th November at 5pm. Following that the consent is expected to progress and we are hopeful to have a consent in place by early 2022 and commence Stage 1 of the upgrades.

https://www.chbdc.govt.nz/assets/Uploads/Takapau-Wastewater-Community-Information-Sheet-October-2021.pdf

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STORMWATER

Stormwater Operational and Compliance update

There has been some significant rainfall over September and October, with no notable incidents in the stormwater space. However, I&I continues to increase the demand on the wastewater networks and treatment plants.

We are awaiting a response from Hawkes Bay Regional Council for the Annual Compliance Monitoring Reports, maintaining that result will be favourable given the work that has gone into them.

Waipawa Stormwater Model

The model build for Waipawa is making good progress, and findings and planned solutions were presented to the council team in early November 2021.

Waipukurau Stormwater Model

The model for Waipukurau is currently being updated and is planned to support the growth we are seeing and in particular our application to Kainga Ora.

Nelson Street Stormwater Upgrades

Work is underway on the Corner of Nelson Street and Reservoir Road where 2 new maxi-pit sumps and 1 conventional sump have been installed as well as pipe leads between the sumps, the last remaining sump and the lead connections are expected to be completed this week. Once this area is completed Higgins will then commence on the southern end of Nelson Street.







LAND TRANSPORT

Summary General

Works for the 21/22 programme are underway and designs are being completed for future work with the total amount of work in construction set to increase soon as we reach summer months. Recent new starters in the Land Transport team are fitting in well and are quickly learning all the parts of their jobs and are adding value to the organisation.

Contract Works 20 / 21

Maintenance and Re-seals - Downer

The maintenance contract continues with regular programmed works as well as responding to minor slips around the network due to small weather events. Over 80% of the reseal sites and designs have been confirmed while work has

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continued on the pre-reseal repairs around the network. The process to approve the designs has been improved from last year and is still a work in progress to ensure we are continually improving.

We are also refining the processes around the use of our RAMM system to ensure accurate recording of work completed on the inventory as well as producing an excellent auditing trail from identifying the work, programming the tasks, completing the work, verification and payment.

Bridges, Structures and Area Wide Pavement Treatments - Higgins

The work being done on Reservoir and Nelson Street replacing aged water and wastewater infrastructure will be supplemented by a pavement re-build as part of our Area Wide Pavement Treatment programme

Work on the Matthew Street footpath is continuing now we have materials for the retaining wall. Land Transport is working with the Capital Projects team to ensure there is coordination between the footpath work and the new water main work

Tipene's Bridge is completed replacing the deck and other components with very good results for the landowners. This project was technically challenging but excellent cooperation between Higgins and Stantec delivered good results. The beams for Eparaima are in the final stages of preparation with a new deck already constructed which will be placed in November.

The beams from Tipenes and Eparaima will be refurbished and used on Gunson's Bridge to bring it back up to Class 1 strength

Designs for the minor safety improvements around the intersections are 90% complete and will be going out to the contractor for confirmation of prices. These work although funded under Minor Improvements falls under C1059 as they are generally AWPT style work.

Minor Events Activity

The weather this winter so far has not caused any significant damage to the road network so the minor events activity has not been used

Other Works

Our professional services consultant Stantec has been providing very high-level expertise in the project designs, and assistance in technical project advice during the course of the projects.

Inspections of the structures on the network continues which is identifying future work programmes.

Designs are being progressed for future works. The safety strategy is progressing.

In discussion with NZTA regarding the Wimbledon and Porangahau Roads we were asked to submit a "point of entry" document to get support to continue with a business case. It has now been submitted and we are awaiting the results



SOLID WASTE

Service Delivery

A significant focus of the service delivery trams has been on the introduction and rollout of the new rural recycling trailer service. The trailers (pictured below) have been used in rural communities for the past 5 weeks and are proving very popular. Uptake rates are high and feedback from those using the service is incredibly positive. The team are working through operational enhancements to the service including a review and refinement of schedules as well as continued education and awareness campaigns for the service-users about contamination and other key recycling tips.

Through the 'trial' use of the trailers, the team have also received strong feedback from community about the planned removal of DOCs. Evidence is clear that the DOCs provide a separate service than that of the trailers with the key difference being the level of availability of the service. The team are working through budget analysis and costing options to be able to present options to Council for retaining or removing the DOCs at the end of the trial period.

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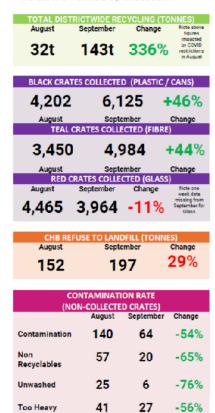


Key refuse and recycling data is provided below via a snapshot of the regularly reported WasteFree CHB dashboard.

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Refuse and Recycling Dashboard.

Key figures on recycling and refuse from the last two months are provided below



Waste Free CHB A more detailed update on waste Free CHB was provided to the Strategy and Wellbeing Committee in October. The update included detail on progress against various actions and initiaitves including kerbside services, the trailer rollout, a successful weighbridge funding application and Clean Up Week 2021.

CONSENT

Resource Consent application numbers have remained steady in August and September. As a result of notification of the Proposed District Plan on 28 May, the vast majority of subdivision consents were for rural properties as customers seek to maximise the opportunity to subdivide to under the Operative District Plan rules with small minimum lot sizes.

Building consents applications continue to increase steadily on the back of subdivision growth with a 17% increase in new dwelling applications compared to the same period last year. This current Covid lockdown period has resulted in significant materials shortages and we are now seeing this translate to an unusually high number of building consent variation applications based on product substitutions.

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External processors remain under pressure due to increased volumes and for the most part we are managing to achieve agreed service levels and high-quality customer service. Being available to respond to customer queries remains a high priority.

Data on consent volumes from the 1 August – 30 September 2021 reporting period Building Consents:

Total consents: 60 New dwellings: 30 Total value: \$13.1M

Resource Consents:

Total consents: 38

Number of new lots to be created: 106

The year-on-year numbers below follow on from a period of unprecedented growth for our District with numbers continuing to increase month on month, albeit at a slower rate. We continue to rely heavily on the good work within our team as well as our consultants.

The growth in consents is expected to continue and the workload increase as we work our way through processing several large subdivisions and the implementation of the Proposed District Plan. The requirement for engineering input has escalated as subdivision volumes and infrastructure complexity increases.

A summary of consenting volumes and value compared with the previous year is provided below.

Aug-Sept 2021

Building Consents	Aug - Sept 2020	Aug - Sept 2021	No. Change	% change
Volume	54	60	6	10%
New dwellings	25	30	5	17%
Total value (\$M)	\$9.40	\$13.1	\$3.7	34%
Resource Consents	Aug - Sept 2020	Aug - Sept 2021	No. Change	% change
Volume - applications	45	38	-7	-18%
Volume - applications Volume - approved	45 44	38 50	-7 6	-18% 12%

Resourcing:

The continued volume increase in consent applications due to general regional growth and the introduction of the Proposed District Plan has placed further pressure on team resources to deliver.

We rely heavily on the support of external consultants, National Processing Ltd and Stantec, and are finalising contract details with The Property Group (TPG) for the provision of resource consent processing services to manage the increased complexity as we transition through the introduction of the Proposed District Plan.

The recent recruitment of a Development Engineer and two new Building Consent Officer Cadets has started to build capacity in what is an incredibly tight labour market, however we have just recently lost a senior Building Consents Officer which necessitates further reliance on external partners to assist with consent processing in the short –term.

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EMERGENCY MANAGEMENT

Covid-19 resurgence

Since the August and September alert level changes, Councils role in resurgence planning has shifted, with the Hawke's Bay District Health Board shifting to the lead agency, with the Hawke's Bay Civil Defence Emergency Management Group and subsequently Councils role shifting from leading to supporting and enabling the DHB in their functions.

The highlights for the period have been the significant support that has been provided to the DHB to enable vaccination drivethrus. Per head of population, in the national 'Super Saturday' event, the District achieved the highest rate of vaccination per capita.

At the time of writing to 3 November 2021, the District still need a total of 3,642 second vaccinations to hit 100% of the eligible community being fully vaccinated and 2386 more vaccinations to achieve 90%. By Ethnicity, this is 626 people who identify as Maori that are yet to receive their vaccination to achieve a 100% vaccination rate or 386 Maori across the District to achieve 90%.

Council is working with a group from the DHB to understand its role going forward in the response particularly in relation to co-ordination and seeking to develop a co-developed local response and resurgence plan.



PLACES AND OPEN SPACES

New plantings

Following on from provincial growth funding of plantings in Waipukurau and Waipawa CBD's, Hunter Park Pukekaihou and Bogle Brothers Esplanade Council has been able to continue beautifying the area. The clock tower has had its tired old hedge removed and a white camelia hedge planted, Similarly, Otane Cemetery has a new plantings across the front border with State Highway 2.

Most recently a number of natives and an avenue of Prunus (flowering cherries) have been planted amongst the flax on either side of the Waipawa bridge. This has been funded from a gift, received last November as a legacy from the Estate of Catherine Scrimgeour.

Mrs. Scrimgeour died two years ago (14 November 2019). Her will read: ... "to pay the Waipukurau District Council the sum of Twenty Thousand Dollars (\$20,000) to be used by the Council in some project of beautification with trees at some location within the driving of Waipawa, Otane and Waipukurau Districts in memory of Mary Jessie Scrimgeour and Maggie Scrimgeour both of whom were born in this District and lived there part of their lives."

Healthy Homes for our Retirement Housing Tenants

After reporting last time that all flats have required heating, we are in the process of finalising the pay-out to the ten tenants who had purchased their own heat pumps. Two tenants say they "are not selling." This process should be completed if not by time this is read, by the end of November

The project to install approximately 30 kitchen extraction fans has just begun, and, all going well, will be completed by Christmas.

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Public Toilets



The Whangaehu toilet is getting handed over from Contractor to Council as of writing. This single unit dry-vault toilet is modern, easy to clean, has solar lighting and fan. It has been located in the road reserve and being mindful of its neighbour's views. For planting to survive, we will have a plan to plant late autumn. The majority of comments to the Whangaehu Facebook page have been thankful and favourable.

The Waipukurau dump station has been handed over to Places and Spaces and will be added to the facilities run for regular operational checks.

The weekend of Halloween was detrimental to many of our public toilets and facility staff who clean them. Toilet roll dispensers were smashed, loo paper was used to clog toilets, wetted and thrown in globs on the ceiling, and strewn over buildings and nearby trees.

Rural Halls

Following the annual meeting for community halls information has been shared about a free online course and other free resources for community venues.

Waipawa Pool

Plans for the summer season and contractor agreements are being discussed under the somewhat unknown operational conditions of COVID/Delta. Staff are in communication with neighbouring Councils as well.

Pool opening (all considered) is planned for Saturday 27 November.

The LTP funded pool covers have been ordered and installation of rollers and covers is expected before Christmas.

Libraries

October and November are traditionally a time for receiving a high volume of new stock as publishers release their Christmas titles. Christmas releases are often popular authors and eagerly awaited new releases. Our team continue to rapidly receipt, invoice, catalogue, and prepare titles for lending so that patrons may borrow these in a timely manner.

With Te Huinga Wai newly open and the library team split in two in order to ensure continuity and coverage during October, our focus was on settling in and ensuring the smooth operation of both sites. We soon developed a rhythm that allowed us to still transfer stock between the sites as needed whilst maintaining distancing requirements, and to keep both sites operating with a minimum of disruption to patrons. With the reintegration of our teams, we now look at maintaining this flow whilst adjusting the rosters to ensure staff maintain familiarity with procedures and operation at both sites.

Te Huinga Wai - The Knowledge and Learning Hub

Te Huinga Wai was opened to the Public on 27 September 2021 with an intimate opening celebration with some community members in order to adhere to the COVID restrictions.

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Te Huinga Wai is proving to be a space where community feel comfortable and are enjoying coming in an using the facility. The meeting rooms are being used with 8 bookings (external parties involved) hosting 42 participants.

The Apprenticeship workshops are being held within this space which allows local apprentices access to computers and digital services to be able to complete their apprentices. We see kids coming in an using the Play Station, families enjoying the guitars and professionals needing a quiet space setting up in the meeting rooms when they are not booked.

Staff Development

With a member of our team heading into maternity leave at the end of the year, we have taken the opportunity to look at staff roles and responsibilities within the team. This process will provide the impetus to continue updating and/or creating guidelines and procedures for each of these responsibilities, opportunities for staff to upskill and refresh their knowledge.

Programming within the Library

COVID has impacted on the ability to run programs within the library space at present however the team have worked to find alternative solutions and ways of working in this environment. Some examples of this are running online programs, Virtual Talk Digital Sessions over the phone and Its Cool to Korero via zoom. The NZLPP roles continue to add value to the library space with more focus on Digital Inclusion and Matauranga Maori.

He Kura Kainga Role:

The increased cultural capacity within Council and our open places and public spaces has had a significant impact on the revitalisation of Te Reo and Mātauranga Māori within Central Hawke's Bay. Council staff have embraced and continue to utilise the Te Reo Māori staff resource internally and in public settings which has grown the confidence and discourse of Te Reo Māori.

We are challenged with the unique times of COVID-19 and have adapted new ways of programming to still offer and bring the libraries to our community through a stronger digital presence and increased exposure of Māori art, culture and heritage. The 200 school holiday packs were made for children to collect from the library to complete at home were infused with Mātauranga Māori activities and resources for the whole whānau. We have supported external Māori programmes that increase intergenerational learning and knowledge sharing through Ngā Kōhanga Reo o Tamatea. The opening of Te Huinga Wai; Knowledge and Learning Hub has increased the use of the Māori collection in both libraries. We continue to grow this collection with new content, resources, games programmes and art.

Digital Inclusion Role:

The Digital Inclusion space has again been forced to transition in light of COVID-19 over the last 3 months. This transition has presented new challenges as to how the Libraries facilitate programmes virtually as well as continuing to promote the available services. We have continued consistent communication relating to digital services and programmes through communications. Programmes such as "Preserve Your Past" which was once a 1:1 in person programme has now become an online weekly engagement post where community can visualise local history with the ability to communicate with library staff via Facebook. Through the 7 weekly posts we have reached a combined 6212 members of our community with a whooping 838 post engagements, including each post being shared at least once. That sets the engagement ratio to 13.5%, 13% higher than Facebook average.

We also continue to promote a virtual phone service where community are able to contact Cleavelin via phone call to seek digital support. This has been extremely effective as we have noticed the number of phone calls (49) heavily outweigh the number of walk-in enquiries (17) since the initial lock down in August 2020. With the opening of the Knowledge and Learning Hub on September 27, we have seen an increase of community interested in digital activity. Whether that be through programme enquiry or available digital resources/space enquiry. We continue to work towards facilitating programmes from the Waipawa Library, the Knowledge and Learning Hub and outdoors while implementing the internal health and safety guidance.

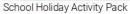
General Programming:

A successful October School Holiday Programme was achieved with 200 children participating. The programme looked different these school holidays as programs were unable to be run within the library. Instead, a suite of online programs was developed as well as a School Holiday activity pack which was filled with items that kids could complete at home throughout the period. These packs were able to be collected from Te Huinga Wai or the Waipawa Library. Participants

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were encouraged to take a photo of their creations and then send or bring them into the library to enter the draw, with 9 prizes to give away. This program proved to be very successful with lots of positive feedback







One of our happy prize winners

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HEALTH AND SAFETY OVERVIEW

The continuing dynamic situation around Covid 19 has been a major cause of reprioritisation of resources while the H&S Advisor monitors and responds to the pandemic. As previously reported a pause on planned activities occurred while the business pivoted to face the lockdown and the H&S implications of Covid-19. This has inevitability delayed plans while the H&S team's attention has been focused on delivering around the business needs for Covid.

Covid-19

Workforce immunisation against Covid-19 is critical in order to protect the health of our people, and those we come into contact with, but more specifically it helps protect the health of those who are categorised as higher risk or who are unable to be vaccinated against Covid-19. Among other duties under the HSWA, the Primary Duty of Care and duty to Manage Risk applies to the spread and exposure of Covid-19 at work. As part of understanding the risk level and ensuing Council are taking all reasonably practicable steps to protect the health of all people who Council influence or affect, in line with Council's Vaccination Policy, Council have been asking our workforce to voluntarily share their health information with us; including if they are at higher risk of severe illness, are unable to be vaccinated, and their Covid-19 vaccination status. Vaccination status information is constantly changing as people become vaccinated as part of the national vaccination program, therefore ongoing work is required to keep this information unto date. Based on the vaccination uptake for the first dose of the vaccine in direct Council employees, it is expected that Council will achieve an uptake rate greater than 80%. This is a relatively high uptake rate and certainly an achievement. Work will continue to measure the uptake and be used to inform future decision making around risk management, controls and operational resilience.

H&S Management System

Work is underway to maintain and improve the relatively new system RiskManager, multiple upgrades are or have occurred which require local administrator input and testing prior to being rolled out to the workforce. In addition, Council have opted to add an additional module to RiskManager to track the training and education of our workforce. This additional module is much needed and is more user friendly than the current methods. Reporting from this module is possible and consequently will factor into future operational and governance reporting.

H&S Training

Delivery of critical H&S training in the following areas is about to occur:

- · Health & Safety Leadership
- Contractor Management
- Risk Management (Risk/Hazard ID and Risk Assessment)

HS&W Committee Refresh

As part of the "reimagining the HS&W committee" work, a review of the number and business areas our worker Health and Safety Representatives (HSRs) come from was conducted, this review resulted in calls for nominations of two further HSRs and the inclusion of HSRs from our onsite partners into the Committee.

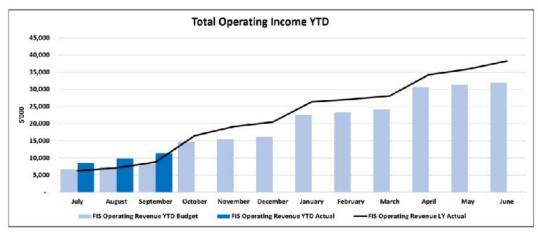
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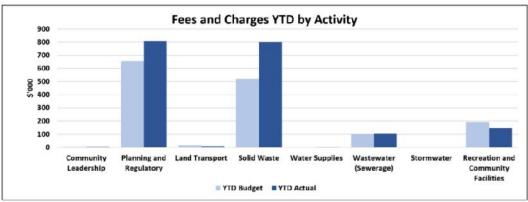


FINANCIAL PERFORMANCE ENDING 30 SEPTEMBER 2021

The graphs and tables below show the financial results for Council covering the financial results for the 3 months ended 30 September 2021.

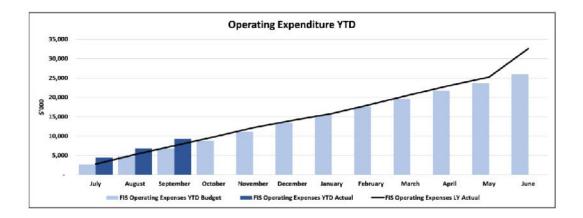
Being the first quarter of the new financial year, we are just starting to see early trends begin to emerge. The July revenue includes a reversal of \$3.7m of revenue in advance booked at year end (grants received pre-July 2021 but not spent at that point in time) which slightly distorts the figures. Consenting is still running ahead of budgets. Solid waste is distorted by Council processing internal charges for the disposal of the sludge being removed from the wastewater ponds.



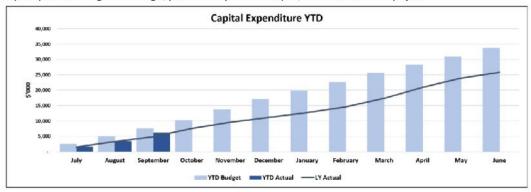


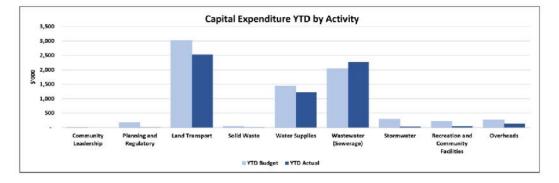
The operating expenses look high compared to budget, but this is due to Council spending grants received in the previous year (tranche one 3 Waters and Covid Economic Recovery projects).

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 $Capital\ spend\ is\ running\ behind\ budget,\ predominately\ in\ land\ transport,\ and\ the\ route\ 52\ PGF\ project.$









#TheBigWaterStory programme of work, the Waipukurau Second Supply is making good progress. Formal landowner compensation letters are being finalised, and most pipeline and reservoir due diligence complete. Some additional due diligence is being planned for the reservoir location and in discussion with lwi, a preparatory consent developed for geotechnical either side of the river to allow informed discussion with marae. The production bore contractor has now demobilised from site, and replacement of the AC main out of the bore-field (tagged as Stage 1) is complete. Stage 2 and 3 are commencing in early November 2021.

The Kairakau Water Supply Upgrade also makes progress with a contract award imminent. In addition, a hui was held with local iwi agreement to develop a more detailed archaeological report to support the project initiated. Further community engagement is planned for December 2021 prior to construction to start in February 2022.

#TheBigWastewaterStory programme has advanced over the last few months, with Stage Two of the Otane to Waipawa Wastewater Pipeline nearing completion. Stage Three is also all but complete - linking the end of Stage 1 works at Racecourse Road/White Road to the Ōtāne Treatment Plant. The Ōtāne pump station is underway and the final design of the Waipawa inlet works (Stage 5) is nearing completion due to start in Jan 2022.

New Resource consents for both Takapau and Porangahau/Te Paerahi have been lodged, a response and decision on the variation and extension to the Ōtāne discharge consent is due shortly and work is underway on an application for consent to receive Otāne's flows at Waipawa.

Council is currently de-sludging the Waipawa WWTP pond, progressing infiltration and inflow (I&I) studies to understand and reduce flows and work is underway on the installation of upgraded tertiary treatment (DAF) in Waipawa to improve treatment in the short term.



Figure 3: Otâne pump station construction

Figure 1: Waipawa desludging - geobags filling

Figure 2: DAF unit being fabricated

TRANCHE ONE - 3 WATERS REFORM PROGRAMME

Council identified a number of projects as part of the 3 Waters reform programme tranche one – below is a brief update on the programme –



A recent update was given via a Key Project Status Report – to date just over \$6.45m of our \$11.09m has been spent and all of our projects within the programme are committed and planned to be delivered by our March 2022 deadline. Due to COVID-19 DIA has allowed an extension to June 2022.

- Regional 3 Waters work is underway with other councils to identify and understand private water supplies, as
 part of a private water supply identification regional project, which may include a contingency fund to assist
 private water supplies another project in planning is to investigate work required to synergise a regional
 engineering code of practice to assist our supply partners working in Hawke's Bay.
- Water Safety Planning source protection mapping and catchment risk assessment work is underway to support our water safety plans. A Sustainable Water Management Plan has been developed and <u>can be viewed here</u>.
- Otane to Waipawa Pipeline Stage 2 the pipeline is well underway as documented above, and we are now progressing into Stage 3.
- 4. Waipukurau Second Water Supply Borefield is complete and Tikokino Road Stage 1 pipe replacement is complete, Stage 2 and 3 replacement is planned to start in early October, future decisions to be tabled in Feb/March 2022 once more understanding on the project including iwi engagement.
- 5. Wastewater Treatment Improvements enabling works before a DAF filtration system is installed is underway.
- Wastewater Desludging Dry solids removal complete at Waipawa and Waipukurau, and actual desludging is underway at Waipawa.
- Bylaw Reviews Updated bylaws were adopted on May 13 2021, work is underway on communicating and implementing the changes
- Software implementation a new project management software is now live and supporting the programme, and
 a 3 waters monitoring and wider infrastructure consent management tool is being rolled out to support
 operational compliance and visibility.
- Water Renewals a project to renew water mains is complete in Waipukurau across Nelson and Reservoir roads
 A stormwater upgrade is now underway. Another renewal project is underway on Tikokino and Abbottsford
 Roads in Waipawa.
- Wastewater Renewals this fund is focussed on expediting our I&I programme, starting with physical works in Otane and studies in other towns.
- 11. Kairakau Water Upgrade \$300k was reallocated to increase the budget and scope for Kairakau water upgrade, a contractor set to be awarded in the coming weeks and



PGF ROADING PROGRAMME - PORANGAHAU TO WIMBLEDON



Scope

To upgrade Pōrangahau and Wimbledon Roads to improve safety and resilience along the route from Waipukurau to the Tararua border on Wimbledon Road.

The Contractor

Stantec and Council have been delivering the design, procurement and contractor supervision of this significant programme of work.

We now have four different contractors onboard to deliver the main components of this programme, Concrete Structures, Fulton Hogan, Downer and Russell Roads.

Funded through the PGF by MBIE – the programme is well underway, and we can expect to see significant construction through to 2022.

Communications

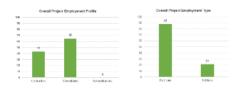
An interactive map has been created and can be visited here:

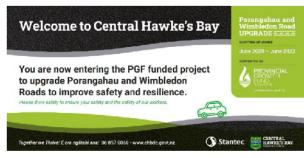
https://experience.arcgis.com/experience/947a211cafbd4a96a063fcd1e8d3a461/page/page_10/

Webpages for the programme and individual projects can be found here: https://www.chbdc.govt.nz/our-district/projects/porangahau-wimbledon-road-upgrade/

An e-newsletter is set up and is being sent out bimonthly. Sign up is available via the Council website.

Employment Statistics to Date:





Progress Update

September and October 2021 continued the momentum built to date, with a large focus on completing as much of the design across the project as possible to allow construction to flow as we head into the summer months.

With the current construction underway being Stage 2 and 3 of the Flaxmill upgrades, the Safety Improvements currently on Wimbledon Roads, and the guardrails being completed on Porangahau Road.

As we ramp into summer – a number of construction projects are set to kick off.

Bridges

- Saleyards Strengthening starting Nov 2021
- Sixty Pound starting late Nov 2021
- Kokomoko planning to start Dec 2021

Retaining Walls

- 3 smaller walls planned on P\u00f6rangahau and Wimbledon Road
- A retreat planned on Wimbledon Road starting Jan 2022

Flaxmill

- Continuing Stage 2 and 3
- Commencing silt removal and channeling widening

Slow Vehicle Bay

- Construction starting Jan 2022

Safety Improvements continue through to May 2022

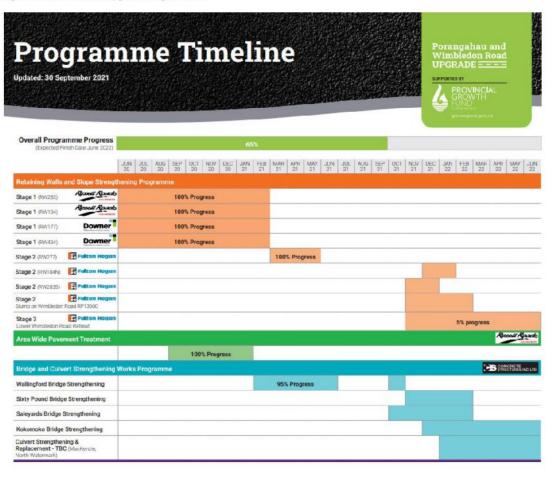
A community engagement event planned for Friday 20^{th} August 2021 had to be cancelled and is rescheduled for the 29^{th} November 2021.

The team pivoted well and has created a map for these two projects during lockdown to allow the community to still give feedback remotely, and we aim to release this as part of the engagement plan in the coming weeks before a decision is made on the location of the Slow Vehicle Bay.

Spend to date on the programme is \$8.2m



Figure 4: Flaxmill PWPGF upgrades Stage 2 and 3



DISTRICT PLAN REVIEW





Scope

The Proposed District Plan was notified on 28 May 2021 with submissions closing on 6 August 2021. As required by the RMA the summary of submissions was notified on 11 October and the filing of further submissions closes on 9 November (the date for the filing of further submissions was extended when notification of the summary was impacted by filtration software).

Progress Update

A total of 123 submissions have been received on the Proposed District Plan, including over 2,500 points of submission. Many of the submissions are multi-topic capturing provisions from several chapters of the Plan.

The preparation of the summary of submissions was completed to enable peer and legal reviews prior to notification of the summary on 11 October. Copies of the summary have been posted on the Council website and made available in hard copy at the Council office, Waipawa Library and Information and Knowledge Hub, Waipukurau.

At the time of writing this report Council has received a number of further submissions covering a wide number of issues. Further submissions will be taken into consideration in the preparation of the Section 42A Reports which are required for the District Plan Hearings.

Members of the District Plan Hearings Panel are scheduled to attend an induction day meeting on 23 November followed by a tour of the district on the afternoon of 23 and over the 24 November to show the independent commissioner some of the district relating to submissions on the Proposed District Plan.

Officers are anticipating holding pre-hearings meetings with submitters to address some of the issues raised in submissions prior to the hearings.

Officers are also working on scheduling of the hearings in 2022 and identifying timeframes for completion of reports and provision of these to submitters and technical experts within statutory timeframes before the hearings. The allocation of topic issues to the hearings is also being addressed.

POUND PROJECT





Scope

To build a purpose built Pound Facility for Central Hawke's Bay that meets:

- · Ministry for Primary Industry (MPI) standards and;
- The needs of the community now and into the future.

Progress Update

An update was provided on the 7 October 2021 with regard to a site being identified and further work progressing around concept design to meet budget requirements.

The Customer Relationships and Experience Manager is continuing to manage the relationship with the SPCA in the interim.

10 PUBLIC EXCLUDED BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATION

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
10.1 - Resolution Monitoring Report - Public Excluded	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	
	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	
10.2 - October Key Project Status Report - District Plan Review	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.3 - Contract Extension - C1059 & C1060	s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

11 DATE OF NEXT MEETING

RECOMMENDATION

THAT the next meeting of the Central Hawke's Bay District Council be held on 9 December 2020.

12 TIME OF CLOSURE