

**MINUTES OF CENTRAL HAWKE'S BAY DISTRICT COUNCIL
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, 28-32 RUATANIWHA STREET, WAIPAWA
ON THURSDAY, 27 JUNE 2024 AT 9.00AM**

PRESENT: Mayor Alex Walker
Deputy Mayor Kelly Annand (*From 9.42am*)
Cr Tim Aitken
Cr Pip Burne
Cr Jerry Greer
Cr Gerard Minehan
Cr Brent Muggeridge (*Online*)
Cr Kate Taylor
Cr Exham Wichman

IN ATTENDANCE: Doug Tate (Chief Executive)
Nicola Bousfield (Group Manager People and Business Enablement) (*Online*)
Brent Chamberlain (Chief Financial Officer)
Dennise Elers (Group Manager Community Partnerships)
Dylan Muggeridge (Group Manager Strategic Planning & Development)
Phillip Stroud (Acting Group Manager Community Infrastructure and
Development)

Sarah Crysell (Communications and Engagement Manager)
Rebecca England (Project Manager)
Stephen Hill (Electionz.com) (*Online*)
Logan McKay (Customer and Compliance Manager)
Ben Swinburne (Three Waters Manager)
Annelie Roets (Governance Lead)

1 WELCOME/ KARAKIA/ NOTICES

Her Worship, Mayor Alex Walker, welcomed everyone to the meeting. She acknowledged whānau at Te Aute, noting the recent discovery of a missing person.

Following recent weather events, she also extended thoughts to the Haumoana community, who were evacuated due to recent severe weather, and particularly to whānau in Wairoa, who suffered extensive damage from the weather event.

Mayor Walker also recognised the approaching Matariki and the Māori New Year, which marks a significant event in our calendar. She noted that we will celebrate Matariki as a community this year.

The Mayor opened the meeting with a karakia.

2 APOLOGIES 24.95

Moved: Cr Exham Wichman
Seconded: Cr Jerry Greer

That the apology for lateness for Deputy Kelly Annand be noted.

CARRIED

3 DECLARATIONS OF CONFLICTS OF INTEREST

Councillor Jerry Greer noted a conflict of interest regarding an item to be addressed in the Public Excluded Business. Her Worship, the Mayor, mentioned that the conflict can be declared at any time during the meeting.

4 STANDING ORDERS

RESOLVED: 24.96

Moved: Cr Kate Taylor

Seconded: Cr Jerry Greer

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 21 General procedures for speaking and moving motions be used for the meeting.

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

CARRIED

5 CONFIRMATION OF MINUTES

RESOLVED: 24.97

Moved: Cr Gerard Minehan

Seconded: Cr Pip Burne

That the minutes of the Ordinary Council Meeting held on 13 June 2024 as circulated, be confirmed as true and correct.

CARRIED

6 REPORTS FROM COMMITTEES

There were no reports received.

7 REPORT SECTION

7.1 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: 24.98

Moved: Cr Kate Taylor

Seconded: Cr Jerry Greer

That the report be noted.

CARRIED

The report was introduced by Doug Tate which was taken as read.

7.2 SETTING OF RATES FOR 2024/2025

PURPOSE

The matter for consideration by the Council is the setting of the rates for the 2024-2025 financial year.

The rating factors below, when combined with Councils rating database, will collect the rates revenue required as per the first year of the Three Year Plan 2024-2027, which was adopted at the 13 June 2024 Council meeting.

RESOLVED: 24.99

Moved: Cr Gerard Minehan

Seconded: Cr Jerry Greer

That having considered all matters raised in the report:

a) Pursuant to Section 23(1) of the Local Government (Rating) Act 2002, the Central Hawke's Bay District Council resolves to set the rates, due dates and penalties regime for the 2024-2025 year.

1. General Rate

A general rate set under section 13 of the Local Government (Rating) Act 2002 for the purposes of providing all or some of the cost of:

- Community leadership, including administration, cost of democracy, community voluntary support grants
- All regulatory activities, including district planning, land use and subdivision consent costs, building control, public health, animal control, and compliance.
- Solid waste
- Parks and reserves, public toilets, theatres and halls, cemeteries, and miscellaneous property costs

For the 2024-2025 year, this rate will be based on the rateable capital value of all rateable land within the district on a differential basis as set out below:

General Rate Differential Zone	Differential	2024-2025 Cents per Dollar of Capital Value (including GST)
Waipawa / Waipukurau Central Business District Zone	1.4	0.159927
Rest of District	1.0	0.114234

2. Uniform Annual General Rate

A rate set under section 15 of the Local Government (Rating) Act 2002 on each separately used or inhabited part of a rating unit within the district. See definition below. This rate is for the purpose of providing:

- Economic and social development.
- A portion of the cost of solid waste.
- Libraries and swimming facilities.

For the 2024-2025 year, this rate will be \$445.30 (including GST).

TARGETED RATES:

3. District Land Transport Rate

A rate for the Council's land transport facilities set under section 16 of the Local Government (Rating) Act 2002. This rate is set for the purpose of funding the operation and maintenance of

the land transport system.

For the 2024-2025 year, this rate will be 0.178629 cents per dollar (including GST) based on the land value of all rateable land in the district.

Separately Used or Inhabited Parts of a Rating Unit

Definition – for the purposes of the Uniform Annual General Charge and the targeted rates above, a separately used or inhabited part of a rating unit is defined as –

A separately used or inhabited part of a rating unit includes any portion inhabited or used by [the owner/a person other than the owner], and who has the right to use or inhabit that portion by virtue of a tenancy, lease, licence, or other agreement.

This definition includes separately used parts, whether or not actually occupied at any time, which are used by the owner for occupation on an occasional or long-term basis by someone other than the owner.

Examples of separately used or inhabited parts of a rating unit include:

- For residential rating units, each self-contained household unit is considered a separately used or inhabited part. Each situation is assessed on its merits, but factors considered in determining whether an area is self-contained would include the provision of independent facilities such as cooking/kitchen or bathroom, and its own separate entrance.
- Residential properties, where a separate area is used for the purpose of operating a business, such as a medical or dental practice. The business area is considered a separately used or inhabited part.

These examples are not considered inclusive of all situations.

4. Water Supply Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for water supply operations of a fixed amount per separately used or inhabited part of a rating unit. The purpose of this rate is to fund water supplies for Ōtāne, Takapau, Waipukurau, Waipawa, Kairakau, Pōrangahau and Te Paerahi.

The purpose of this rate is to fund the maintenance, operation and capital upgrades of water supplies and treatment in those parts of the district where these systems are provided.

The rate is subject to differentials as follows:

- a) a charge of per separately used or inhabited part of a rating unit connected in the Ōtāne, Takapau, Waipukurau, Waipawa, Kairakau, Pōrangahau, and Te Paerahi Beach communities.
- b) a half charge per separately used or inhabited part of a rating unit which is serviceable for the above locations.

For this rate:

- "Connected" means a rating unit to which water is supplied.
- "Serviceable" means a rating unit to which water is not being supplied, but the property it is situated within 100 metres of the water supply.

For the 2024-2025 year these rates will be:

	Charge	Water Rate (incl GST)
a	Connected	\$1,294.73
b	Serviceable, not connected	\$647.37

5. Metered Water Rates

A targeted rate under section 19 of the Local Government (Rating) Act 2002 per cubic metre of water supplied, as measured by cubic metre, over 300 cubic metres per year. This is applied to water users deemed 'Extraordinary' where payment of the Water Supply rate above entitles extraordinary users to the first 300 cubic metres of water without additional charge.

The rate is subject to differentials as follows:

- (a) a rate per cubic metre of water, for users consuming below 40,000 cubic metres.
- (b) A rate per cubic metre of water, for users above 40,000 cubic metres, and where the land use category in the valuation database is not 'industrial'.
- (c) a rate of per cubic metre of water, for users consuming above 40,000 cubic metres, and where the land use category in the valuation database is 'industrial'.

For the 2024-2025 year these rates will be:

	Volume of water (cubic metres)	Rate per cubic metre (incl GST)
a	Below 40,000	\$3.12
b	Above 40,000, non- industrial	\$3.12
c	Above 40,000, industrial	\$3.12

6. Sewage Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the Council's sewage disposal function of fixed amounts in relation to all land in the district to which the Council's sewage disposal service is provided or available, as follows:

- (a) a charge per rating unit connected.
- (b) a charge per pan within the rating unit, after the first one.
- (c) a charge per rating unit which is serviceable.

The rate is subject to differentials as follows:

- "Connected" means the rating unit is connected to a public sewerage system.
- "Serviceable" means the rating unit is not connected to a public sewerage drain but is within 30 metres of such a drain.
- A rating unit used primarily as a residence for one household is treated as not having more than one pan.
- For commercial accommodation providers, each subsequent pan will be rated at 50% of the charge.
- For those Clubs who qualify for a rebate of their General Rates under Council's Community Contribution and Club Rebate Remission Policy, and who are connected to the sewerage network, each subsequent pan will be rated at 50% of the Sewerage Charge.

The purpose of this rate is to fund the maintenance, operation and capital upgrades of sewerage collection, treatment and disposal systems in those parts of the district where these systems are provided.

For the 2024-2025 year these rates will be:

	Charge	Sewerage Rate (incl GST)
a	First charge per separately used or inhabited part of a rating unit connected	\$1,300.47
b	Additional charge per pan after the first	\$1,300.47
c	Serviceable, not connected, per separately used or inhabited part of a rating unit	\$650.24
d	Additional charge per pan after the first – commercial accommodation provider, qualifying club	\$650.24

7. Stormwater Rates

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the purpose of funding operations and maintenance, plus improvements and loan charges on the stormwater drainage network as follows:

A uniform targeted rate on the capital value of all rateable land in the Waipukurau, Waipawa, Takapau, and Otāne Stormwater Catchment Areas on a differential basis as set out below:

Stormwater Catchment Area	Differential	2024-2025 Cents per Dollar of Capital Value (including GST)
Otane	0.64	0.030127
Takapau	0.48	0.022595
Waipawa	1.00	0.047074
Waipukurau	1.00	0.047074

8. Kerbside Recycling Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the Council's collection of household recyclables for Waipukurau, Waipawa, Takapau, Otāne, Ongaonga, and Tikokino on each separately used or inhabited part of a rating unit to which the Council provides the service.

For the 2024-2025 year this rate will be \$133.35 (including GST).

9. Refuse Collection Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 for the collection of household and commercial refuse for Otāne, Ongaonga, Takapau, Tikokino, Waipukurau, Waipawa, Pōrangahau, Te Paerahi, Blackhead Beach, Kairakau, Mangakuri, Aramoana and Pouterere Beach on each separately used or inhabited part of a rating unit to which the Council provides the service.

For the 2024-2025 year this rate will be \$53.69 (including GST).

10. Te Aute Drainage Rate

Te Aute Drainage rates are set on all rateable area of rateable property within the designated area subject to a graduated scale for the purpose of funding the operations, loan charges and the repayment of loans for the Te Aute Drainage Scheme area.

The amount required and the classification is set by the Te Aute Drainage Committee.

Each hectare of land in each property is classified according to the susceptibility of that hectare to flooding as follows:

A (100 points), B (80 points), C (15 points), F (3 points), and G (0 points).

The total number of points is 73614. The total amount of funding required each year determines how much each of these points are worth. In this way, the total amount required is apportioned on a pro rata basis using the weightings on each hectare.

The total amount of funding required for 2024-2025 is \$103,500.

The amount per point is 140.59826 cents including GST.

The Te Aute drainage scheme area is defined by reference to the classification list establishing the graduated scale.

Valuation Number	Hectares in each classification				Total Points	Amount
	A (100pts)	B (80pts)	C (15pts)	F (3pts)		
1092000300	0	11.3	8.15	31.63	1,121	\$ 1,576.10
1092000800	0	32.83	74.69	23.42	3,817	\$ 5,366.60
1092000900	0	0	0.83	2.15	19	\$ 26.71
1092001001	77.96	16.65	11.94	17.95	9,361	\$ 13,161.33
1092001100	78.22	0	15.28	39.73	8,171	\$ 11,488.22
1092001107	0	0	18.02	68.04	474	\$ 667.02
1092001200	0	2.88	18.35	18.86	562	\$ 790.16
1092001201	0	20.25	19.15	12.31	1,944	\$ 2,733.21
1092001400	0	0	0	14.16	42	\$ 59.05
1092001600	0	0	0	10.12	30	\$ 42.18
1092001700	38.74	51.06	36.24	45.12	8,638	\$ 12,144.81
1092002100	188.81	0	0	23.93	18,953	\$ 26,647.44
1092002200	84.02	4.14	1.16	6.45	8,770	\$ 12,330.40
1092002300	41.02	5.2	20.43	22.8	4,893	\$ 6,879.43
1092002900	0	0	0	0.81	2	\$ 2.81
1092006100	0	84.44	0	20.77	6,817	\$ 9,584.53
Total	508.77	228.75	224.24	358.25	73,614	\$103,500.00

Approach to Rating

Rates are set and assessed under the Local Government (Rating) Act 2002 on all rateable rating units on the value of the land and improvements as supplied by Quotable Value New Zealand Limited. The last rating revaluation was carried out in September 2021 and is effective from 1 July 2022.

The objectives of the council's rating policy is to:

- I. spread the incidence of rates as fairly as possible.
- II. be consistent in charging rates.
- III. ensure all ratepayers pay their fair share for council services.
- IV. provide the income needed to meet the council's goals.

The Central Hawke's Bay District Council rating system provides for all user charges and other income to be taken into account first, with the rates providing the balance needed to meet the council's objectives.

Rating Base

The rating base will be the database determined by the contracted rating service provider. Because this database is constantly changing due to change of ownership, subdivision, regular revaluations, change of status from rateable to non-rateable (and reverse), the rating base is not described in detail in this policy.

Due Dates for Rate Payments

Pursuant to Section 24 of the Local Government (Rating) Act 2002, the following dates are proposed to apply for assessing the amount of each instalment of rates excluding metered water

rates for the year 1 July 2024 to 30 June 2025. Each instalment will be assessed in four equal amounts, rounded.

Instalment number	Instalment Start Date	Last day of payment without additional charge	Penalty date
1	1 July 2024	20 August 2024	21 August 2024
2	1 October 2024	20 November 2024	21 November 2024
3	1 January 2025	20 February 2025	21 February 2025
4	1 April 2025	20 May 2025	21 May 2025

Due Dates for Metered Water Rates

Pursuant to Section 24 of the Local Government (Rating) Act 2002, the following dates are proposed to apply for assessing the amount of metered water rates for the year 1 July 2024 to 30 June 2025. The assessment is applied to water users after the first 300 cubic metres of water without additional charge has been used as part of the Water Supply Rate.

Area/Users	Water Meters read during	Last day of payment
Commercial/Large Users	Monthly	20 th month following
All other Users	September, December, March, June	20 th month following

Penalty Charges

(Additional Charges on Unpaid Rates)

Pursuant to Section 58(1)(a) of the Local Government (Rating) Act 2002, an additional charge of 10% will be added on the penalty date above, to all amounts remaining unpaid for each instalment excluding metered water rates.

Pursuant to Section 58(1)(b) of the Local Government (Rating) Act, a further additional charge of 10% will be added on 1 July 2024 to the amount of rates assessed in previous financial years and remaining unpaid as at 30 June 2025 (Section 58(1)(b)) excluding metered water rates.

Targeted rates for metered water supply will be invoiced separately from other rates invoices. A 10% penalty will be added to any part of the water rates that remain unpaid by the due date as shown in the table above as provided for in Section 57 and 58(1)(a) of the Local Government (Rating) Act 2002.

CARRIED

Brent Chamberlain gave a brief overview on the report noting that this is a procedural report to be adopted following the adoption of the Three Year Plan 2024-2027. The report was taken as read.

- The Mayor recognises the challenging rating environment for CHB households.

7.9 FREEDOM CAMPING BYLAW ADOPTION

PURPOSE

The matter for consideration by the Council is to deliberate on the submissions received on the draft Freedom Camping Bylaw for Central Hawke's Bay.

RESOLVED: 24.100

ORIGINAL RECOMMENDATIONS:

- 1. That Council:**
 - a. Notes the content of this report.**
 - b. Determines that the Freedom Camping Bylaw is:**
 - i. Necessary to protect the areas for which freedom camping is prohibited or restricted, to protect the health and safety of people who may visit the areas, or to protect access to the areas.**
 - ii. The most appropriate and proportionate way of addressing the perceived problem in relation to the areas.**
 - iii. Not inconsistent with the New Zealand Bill of Rights Act 1990.**
 - c. Adopts the Freedom Camping Bylaw with the following changes following public consultation:**
 - i. Removal of the prohibition of non-self-contained vehicles and tents outside of the peak season at the Purerere Beach Road and Te Paerahi locations.**
 - ii. Prohibition of freedom camping at White Domain in Pōrangahau.**
 - iii. Prohibition of freedom camping at the Southern end of the Kairakau Beach Road Reserve from start of May to end of September.**
 - iv. Removal of the seasonal restrictions at the Te Paerahi location.**
 - v. Addition of a standdown period for freedom campers of seven days for both restricted and permitted areas.**
 - vi. Removal of clause 20.1(e) of the statement of proposal for the bylaw**
 - vii. Removal of the mandatory fee when permits are allocated for locations contained in the Freedom Camping Bylaw.**
- 2. That Council:**
 - a) directs officers to work with the Purerere Camping Committee and the broader Purerere Community to develop and formalise an operational campsite allocation and management policy for the Purerere Beach Road camping area by 25 October 2024**
 - b) requires that at least half of the Purerere Beach Road campsites in the peak permitted season are allocated to the general public through a fair ballot process administered by Council.**
- 3. That in lieu of charging a mandatory fee for issuing permits through the Freedom Camping Bylaw, Council encourages voluntary contributions / koha / donations when permits are issued.**
- 4. That the Freedom Camping Bylaw is to have legal effect from 28 June 2024.**
- 5. That Council considers renewing the bylaw before the 5-year period set out in s13(1) of the Freedom Camping Act 2011.**
- 6. That Council gives delegation to the Chief Executive to make any final edits, including**

minor changes to the Freedom Camping Bylaw before publication.

AMENDMENT

Moved: Cr Tim Aitken

Seconded: Cr Exham Wichman

2. That Council:

- a) **Directs officers to work with the Pourerere Camping Committee and the broader Pourerere Community to develop and formalise an operational campsite allocation and management policy for the Pourerere Beach Road camping area by 25 October 2024 with clear roles for council and committee to ensure a fair and transparent process..**
- b) ~~requires that at least half of the Pourerere Beach Road campsites in the peak permitted season are allocated to the general public through a fair ballot process administered by Council.~~

SUBSTANTIVE MOTION

Moved: Cr Kate Taylor

Seconded: Cr Jerry Greer

1. That Council:

- a. **Notes the content of this report.**
- b. **Determines that the Freedom Camping Bylaw is:**
 - i. **Necessary to protect the areas for which freedom camping is prohibited or restricted, to protect the health and safety of people who may visit the areas, or to protect access to the areas.**
 - ii. **The most appropriate and proportionate way of addressing the perceived problem in relation to the areas.**
 - iii. **Not inconsistent with the New Zealand Bill of Rights Act 1990.**
- c. **Adopts the Freedom Camping Bylaw with the following changes following public consultation:**
 - i. **Removal of the prohibition of non-self-contained vehicles and tents outside of the peak season at the Pourerere Beach Road and Te Paerahi locations.**
 - ii. **Prohibition of freedom camping at White Domain in Pōrangahau.**
 - iii. **Prohibition of freedom camping at the Southern end of the Kairakau Beach Road Reserve from start of May to end of September.**
 - iv. **Removal of the seasonal restrictions at the Te Paerahi location.**
 - v. **Addition of a standdown period for freedom campers of seven days for both restricted and permitted areas.**
 - vi. **Removal of clause 20.1(e) of the statement of proposal for the bylaw**
 - vii. **Removal of the mandatory fee when permits are allocated for locations contained in the Freedom Camping Bylaw.**

2. That Council:

- a) **directs officers to work with the Pourerere Camping Committee and the broader Pourerere Community to develop and formalise an operational campsite allocation and management policy for the Pourerere Beach Road camping area by 25 October 2024 with clear roles for council and committee to ensure a fair and transparent process.**

3. **That in lieu of charging a mandatory fee for issuing permits through the Freedom Camping Bylaw, Council encourages voluntary contributions / koha / donations when permits are issued.**
4. **That the Freedom Camping Bylaw is to have legal effect from 28 June 2024.**
5. **That Council considers renewing the bylaw before the 5-year period set out in s13(1) of the Freedom Camping Act 2011.**
6. **That Council gives delegation to the Chief Executive to make any final edits, including minor changes to the Freedom Camping Bylaw before publication.**

CARRIED

Dylan Muggeridge and Logan McKay introduced the paper which has been several years of work.

- Mr Muggeridge provided a high level overview on the submissions received on the proposed bylaw and highlighted the proposed amendments to the draft bylaw following the public consultation process.
- 533 submissions were received and additional 9 oral submissions in support of the written submissions.
- The report was taken as read.

Deputy Mayor Kelly Annand arrived at 9.42am.

- Detailed discussions were held to clarify the proposed recommendations.
- The council decided not to impose additional restrictions on site access. Instead, they will enforce existing agreements regarding expected behaviour during peak seasons.
- The Bylaw clearly outlines expectations for visitors from outside the region, especially those in camper vans.
- Emphasis was placed on the importance of communicating Bylaw changes to the community.

7.3 ADOPTION OF INITIAL REPRESENTATION REVIEW - STATEMENT OF PROPOSAL

PURPOSE

The purpose of this report is for Council to adopt its initial proposal for representation arrangements for the 2025 and 2028 elections, for public notification and consultation.

RESOLVED: 24.101

Moved: Cr Pip Burne

Seconded: Cr Exham Wichman

That Council adopts the following as its initial proposal for representation arrangements for the local elections to be held in 2025 and subsequent elections until altered by any subsequent decisions:

1. **That the Central Hawke's Bay District Council comprises the Mayor, elected at large, and nine councillors, with seven councillors elected from wards and two councillors elected at large;**
2. **That the Central Hawke's Bay District is divided into three wards:**
 - (a) **the Aramoana-Ruahine general ward (3 councillors) comprising the area shown on the map at Attachment 1.**
 - (b) **the Ruataniwha general ward (3 councillors) comprising the area shown on the map at Attachment 2.**
 - (c) **the Rautahi Māori ward (1 councillor), comprising the entire district.**
3. **That no community boards are established.**
4. **That public notice is given of this proposal from 11 July to 25 August 2024.**
5. **That the Council will hear submissions received, if any, on this initial proposal.**
6. **That Council gives delegation to the Chief Executive to make any final edits, including minor changes to the Statement of Proposal ahead of formal consultation.**

CARRIED

Doug Tate introduced the report and welcomed Stephen Hill (Electionz.com) (online) who has been supporting council through the process. The report was taken as read.

- Recognised the importance of adopting the Statement of Proposal today, followed by a formal consultation process with the community from 11 July to 25 August 2024.
- Acknowledged our mana whenua partners by naming the proposed Māori Ward as Rautahi, symbolising the support of a larger community behind an individual representative.
- Mr. Tate noted the omission of an additional recommendation: "*That Council gives delegation to the Chief Executive to make any final edits, including minor changes to the Statement of Proposal ahead of formal consultation in July-August 2024.*"
- Mr. Stephen Hill offered his support for any technical questions councillors might have.
- An amendment was made to the timeline, indicating that the 14-day window for public notification ends on 11 July, not 15 July 2024, as previously noted. The Council's website has been updated to reflect this change (<https://letstalkchb.co.nz/2023-24-representation-review>).

7.4 ADOPTION OF TERMS OF REFERENCE - HAWKE'S BAY THREE WATERS MODEL

PURPOSE

The matter for consideration by the Council is that Council adopts the 'Terms of Reference for Hawke's Bay Water' (the Terms of Reference). The Terms of Reference are set out in Attachment 1.

RESOLVED: 24.102

Moved: Deputy Mayor Kelly Annand

Seconded: Cr Pip Burne

1. That Council adopt the Hawke's Bay Water Terms of Reference set out in Attachment 1.

CARRIED

Phillip Stroud introduced the report and noted that officers are seeking council's adoption of the Terms of Reference for the Hawke's Bay Three Waters Model. Discussions noted:

- Hawke's Bay Councils can now consider establishing a regional water services entity under the Local Water Done Well (LWDW) legislative framework, supported by a feasible business case.
- The Regional Recovery Agency (RRA) will coordinate and manage the region's approach to LWDW.
- The Terms of Reference define the RRA's scope for the programme.
- Mr. Stroud provided an overview of the programme and outlined the next steps.
- A breakdown of the budgets was highlighted.
- Napier City Council has already adopted the Terms of Reference. Hastings District Council adopts today, and Wairoa District Council will adopt by next Tuesday.

The meeting adjourned for morning tea at 10.55am and reconvened at 11.15am with Deputy Mayor Kelly Annand chairing the meeting.

7.5 LOCAL GOVERNMENT NEW ZEALAND (LGNZ) FOUR-MONTHLY REPORT FOR MEMBERS - MARCH TO JUNE 2024

PURPOSE

The purpose of this report is to present the Local Government New Zealand (LGNZ) Four Monthly Report for Member Councils to Council for its noting for the period of March – June 2024.

RESOLVED: 24.103

Moved: Cr Pip Burne

Seconded: Cr Kate Taylor

That the report be noted.

CARRIED

Doug Tate introduced the report which was taken as read.

- Noted the "Advocacy Work Programme" on pages 60-64, highlighting ongoing discussions on rate rises.
- LGNZ launched their second rates rise toolkit at the Combined Sector meeting on 11 April, covering topics such as tax vs. rates, comparison of rates to other bills, and infrastructure funding.
- Continued work on the Land Transport GPS and advocacy around the Water Services Reform.

7.6 RISK AND ASSURANCE COMMITTEE RISK REPORT TO COUNCIL

PURPOSE

The purpose of this report is to provide visibility to Council of active risks that officers have reported to the Risk and Assurance Committee, that have trending outside of the risk appetite of Council for two quarters or more. This report presents information tabled at the Risk and Assurance Committees meeting of 20 June 2024.

Officers will provide a verbal update to Council following the Committee meeting on any updates.

RESOLVED: 24.104

Moved: Cr Tim Aitken

Seconded: Cr Kate Taylor

That the report be noted.

CARRIED

Nicola Bousfield (online) presented the second report to council from the Risk & Assurance Committee, providing an overview of the council's risk register. Key points discussed:

- No new risks were identified; the report was an update on the status of each existing risk.
- An update was provided on the ongoing SmartGrowth review being conducted by officers.
- Attention was drawn to each identified risk, with updates provided on their current status.

7.7 CYCLONE GABRIELLE - ROADING RECOVERY UPDATE

PURPOSE

The purpose of this report is to provide an update to the Council on the Land Transport Recovery programme and the work undertaken during April 2024. This update is provided within the attached Road to Recovery Key Programme Status Report.

RESOLVED: 24.105

Moved: Cr Pip Burne

Seconded: Cr Exham Wichman

That the report be noted.

CARRIED

The report was taken as read but Rebecca England and Phillip Stroud provided a brief update on the recovery programme up till the end of May 2024, with key notes being:

- Recent significant rain in CHB has delayed ongoing construction work, specifically at Douglas Cutting Bridge, Gwavas Bridge, and sites on Tourere Road, including Taurekaitai Bridge.
- Identified additional work that could be added to the contractor's scope to find efficiencies, which are also being delayed.
- Efforts are underway to work with contractors to minimise delays as much as possible.

7.8 KEY PROJECT STATUS REPORT - BIG WASTEWATER/BIGWATER STORY

PURPOSE

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.

The report covers key programmes:

- The Big Water Story (including all renewals projects).
- The Big Wastewater Story (Wastewater Upgrade Programme).

RESOLVED: 24.106

Moved: Cr Gerard Minehan

Seconded: Cr Kate Taylor

That the report be noted.

CARRIED

Phillip Stroud and Ben Swinburne provided an update on project progress with key discussions noted:

- Council can expect a rephased programme and changes to the reporting risks for these projects starting from September 2024.
- A rephasing of the long-term wastewater upgrade programme has been proposed as Council awaits the outcomes of the Upper Tukituki Scheme Review led by Hawke's Bay Regional Council. Impacts on wastewater plants will be assessed after the review.
- Critical waters assets remain a significant risk.
- Waipukurau Second Water Supply – The project is advancing well, with plans to refresh the communications and engagement plan.
- SH2 Borefield – Progressing with contractors on site.
- A proposal was made to have visibility on project prioritisation (similar to a ranking system) and risk management strategies.

7.10 REPORTS FROM JOINT COMMITTEES APRIL – JUNE 2024

PURPOSE

This report presents the minutes of the following Joint Committee for Council's noting:

1. 24 May 2024 – Regional Transport Committee minutes.

RESOLVED: 24.107

Moved: Cr Kate Taylor

Seconded: Cr Jerry Greer

That the Minutes from the Regional Transport Committee held on 24 May 2024 be received.

CARRIED

The report was taken as read.

8 CHIEF EXECUTIVE REPORT

There were no reports tabled.

9 DATE OF NEXT MEETING

RESOLVED: 24.108

MOVED: CR KATE TAYLOR

SECONDED: CR PIP BURNE

THAT THE NEXT MEETING OF THE CENTRAL HAWKE'S BAY DISTRICT COUNCIL BE HELD ON 15 AUGUST 2024.

CARRIED

10 PUBLIC EXCLUDED BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED: 24.109

Moved: Cr Exham Wichman

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
<p>10.1 - Public Excluded Resolution Monitoring Report</p>	<p>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</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>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)</p>	<p>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</p>
<p>10.2 - District Plan Key Project Status Report</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(c)(ii) - the withholding of the</p>	<p>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</p>

	<p>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</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p>	section 7
10.3 - Crown Infrastructure Partners Land Transport Funding - Procurement Approach	<p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>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)</p>	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
10.4 - Appointment of Independent Risk and Assurance Committee Chair and Member Appointment	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p>	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

CARRIED

RESOLVED: 24.110

Moved: Cr Exham Wichman

Seconded: Cr Kate Taylor

That Council moves into Public Excluded business at 12.10pm.

CARRIED.

RESOLVED: 24.111

Moved: Cr Pip Burne

Seconded: Cr Exham Wichman

That Council moves out of Public Excluded business at 1.00pm

CARRIED

11 TIME OF CLOSURE

The meeting closed at 1.00pm. Cr Exham Wichman closed the meeting with a karakia.

The minutes of this meeting will be confirmed at the next Ordinary Central Hawke's Bay District Council meeting to be held on 15 August 2024.

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CHAIRPERSON