



Hastings District Council

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OPEN AGENDA

STRATEGY PLANNING AND PARTNERSHIPS COMMITTEE MEETING

Meeting Date: **Thursday, 14 March 2019**

Time: **1.00pm**

Venue: **Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings**

Committee Members	Chair: Councillor Lyons Mayor Hazlehurst Councillors Barber (Deputy Chair), Dixon, Harvey, Heaps, Kerr, Lawson, Nixon, O'Keefe, Poulain, Redstone, Schollum, Travers and Watkins. (<i>Quorum = 8</i>)
Officer Responsible	Group Manager: Planning and Regulatory Services – Mr J O'Shaughnessy
Committee Secretary	Carolyn Hunt (Ext 5634)

Strategy Planning and Partnerships Committee

Fields of Activity

Oversight of all matters relating to the Council's Strategy Planning and Partnerships functions and the development of policies and strategies in relation to those functions. The matters within this committee's responsibilities include (but are not limited to):

- Resource Management Act 1991
- Building Control including the Building Act 2004 and the New Zealand Building Code
- Bylaws
- Health Act 1956
- District Plan
- Historic Places Act 1993
- Security Patrol
- Maritime Planning Schemes

Other regulatory matters including:

- Animal and pest control,
- Dangerous goods and Hazardous substance,
- Fencing of swimming pools,
- Litter,
- Alcohol,
- Noise abatement,
- Public health and safety,
- Prostitution,
- Gambling,
- Parking control.
- Responsibility for all matters related to the District's environment including the environment of neighbouring districts and water bodies
- Other Regulatory matters not otherwise defined.

Membership (Mayor and 14 Councillors)

Chairman appointed by the Council

Deputy Chairman appointed by the Council

The Mayor

All Councillors

Quorum – 8 members

Delegated Powers

General Delegations

1. Authority to exercise all of Council powers, functions and authorities (except where delegation is prohibited by law or the matter is delegated to another committee) in relation to all matters detailed in the Fields of Activity.
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Plan/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the Long Term Plan/Annual Plan.
3. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.
4. Responsibility to monitor Long Term Plan/Annual Plan implementation within the Fields of Activity set out above.

Bylaws

5. Authority to review bylaws and to recommend to the Council that new or amended bylaws be made including but not limited to the review of bylaws made pursuant to rules under the Land Transport Act 1998, (primarily relating to speed limits) and bylaws relating to parking.

Legal proceedings

6. Authority to commence, compromise and discontinue mediations, legal proceedings, prosecutions and other proceedings within the Fields of Activity.

Fees and Charges

7. Except where otherwise provided by law, authority to fix fees and charges in relation to all matters within the Fields of Activities.

Resource Management/Environmental issues

8. Authority to make submissions on behalf of the Council in respect of any proposals by another authority under any legislation, or any proposed statute which might affect the District's environment or the well being of its residents including such matters as adjacent local authorities' district plans, any regional policy statement, and Regional Plans.

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HASTINGS DISTRICT COUNCIL
STRATEGY PLANNING AND PARTNERSHIPS
COMMITTEE MEETING

THURSDAY, 14 MARCH 2019

VENUE: Council Chamber
Ground Floor
Civic Administration Building
Lyndon Road East
Hastings

TIME: 1.00pm

A G E N D A

1. Apologies

An apology from Mayor Hazlehurst has been received.

At the close of the agenda no requests for leave of absence had been received.

2. Conflict of Interest

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

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

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

3. Confirmation of Minutes

Minutes of the Strategy Planning and Partnerships Committee Meeting held Thursday 15 November 2018.
(Previously circulated)

4.	Presentation by Biodiversity Hawke's Bay	7
5.	Environmental Policy - Workstream Update	11
6.	Additional Business Items	
7.	Extraordinary Business Items	

REPORT TO: STRATEGY PLANNING AND PARTNERSHIPS COMMITTEE

MEETING DATE: THURSDAY 14 MARCH 2019

FROM: PROJECT ADVISOR ANNETTE HILTON

SUBJECT: PRESENTATION BY BIODIVERSITY HAWKE'S BAY

1.0 SUMMARY

- 1.1 The purpose of this report is to inform the Council that Genevieve Bennett, Project Manager of the Biodiversity Hawke's Bay Foundation Board, will make a brief presentation of Biodiversity in Hawke's Bay.
- 1.2 Brief background information and request for active engagement with the Biodiversity Hawke's Bay initiative (**Attachment 1**).

2.0 BACKGROUND

- 2.1 Ms Bennett gave a brief presentation in 2018 during the Long Term Plan submissions.
- 2.2 Accompanying Ms Bennett will be Board members, Dr Charles Daugherty (Chair), Des Ratima (Deputy Chair) and possibly one other Board member.

3.0 RECOMMENDATIONS AND REASONS

- A) That the report of the Project Advisor titled "Presentation by Biodiversity Hawke's Bay" dated 14/03/2019 be received.**

Attachments:

- 1 Background information on Biodiversity CG-14-72-00024



To: Strategy, Planning, and Partnership Committee
Hastings District Council
Attn: Ms Carolyn Hunt

From: Charles Daugherty, Chair
Des Ratima, Deputy Chair
Hawke's Bay Biodiversity Foundation

Date: 28 February 2019

Subject: Background Information and Request for Active Engagement with the
Biodiversity Hawke's Bay Initiative

This document aims to support development of the relationship between the Biodiversity Hawke's Bay Initiative and the Hastings District Council (HDC) by (a) informing Councillors of the progress of Biodiversity Hawke's Bay (BioHB) in the past year, and (b) requesting tangible support from the Council as our partner in restoring indigenous ecological communities for the benefit of the people of the Hastings District and all of Hawke's Bay. We believe the overlap between your long-term plan (especially the 'our environment' and 'things to do' areas of focus) and our goals/objectives provides a strong basis for developing a relationship with you.

Biodiversity Hawke's Bay:

In 2015, the HDC committed to active support of the *Hawke's Bay Biodiversity Strategy 2015 - 2018* as one of 18 Accountable Partners. Under the *Hawke's Bay Biodiversity Action Plan 2017 - 2018*, two independent organisations were created to support implementation of the *Strategy*. The Biodiversity Guardians lead public engagement activities, and their membership is open to all interested parties. A key role of the Guardians is to grow public support for biodiversity restoration in Hawke's Bay.

We write as leaders of the Hawke's Bay Biodiversity Foundation, whose role as an independent charitable trust is to enable achievement of the goals of the *Strategy* through building a perpetual Endowment, working in partnership with Guardians, and facilitating partnerships among businesses and other organisations that work to restore biodiversity in our region.

Collectively, the work of the Guardians, the Foundation, and our many partners constitutes the Biodiversity Hawke's Bay initiative. BioHB has two primary working goals:

- Sustain, protect and restore the indigenous species and their ecological communities of the region, as well as the ecosystem services they provide.
- Win the hearts and minds of the people of Hawke's Bay by actively engaging them with a thriving natural environment that supports their well being and supports a sustainable economic future for the region.

Our initiative is based on the belief that a healthy natural environment, rich in indigenous biodiversity, is the foundation for a healthy, wealthy future for Hawke's Bay.

Progress in 2018:

Our goals for 2018 centred on establishing Biodiversity Hawke's Bay as an active, visible initiative, realising early successes and ensuring we are well positioned to rapidly gain momentum toward our goals in 2019. Notable achievements in during the past year include:

- Launch of the BioHB initiative in May 2018, led by the Guardians. Over 100 people attended the event in Havelock North, and the Keynote Speaker was Professor Bruce Clarkson of the University of Waikato, a national leader in urban ecological restoration.
- Roll out of a Corporate Sponsorship model at a launch at the Mission Estate in October. Attended by over 100 people, the Keynote Speakers included Minister of Conservation Eugenie Sage; Stuart Ainslie (CEO of Hawke's Bay Airport); and Paul Atkins (CEO of Zealandia in Wellington). All spoke of the many benefits of businesses supporting biodiversity restoration.
- Welcoming three exceptional new trustees to the Foundation Board, including Dr Christine Cheyne (expert in sustainability at the local government level; local transport; former Conservation Board member); Mr Mark Ericksen (Hawke's Bay orchardist); and Dr James Buwalda (Chair, NZ Biological Heritage National Science Challenge; Co-Chair of the Biosecurity 2015 Steering Group). All three bring special and diverse dimensions to the Board, and all live in the Hastings District.
- Hosting two Forum Events for public engagement - the first in coastal CHB in October, and the second in Kaweka Lakes in early February 2018. Attendance was excellent and enthusiasm high at both.
- Commitments of tangible support from four of our 18 Accountable Partners. These have launched our Endowment Fund and also support operational activities such as the Forum, as well as underwriting a Community Biodiversity Fund, to be announced shortly and providing small grants to four local environmental groups.
- Establishment of formal partnerships with three local businesses. The largest of these, with Hawke's Bay Airport, provides contributions to our Endowment, operating costs for the coming year, and public engagement costs. This will be announced shortly.
- Completion of a prioritisation project for threatened ecological communities in Hawke's Bay. This will provide guidance for us in identifying projects for special support in the future.

We are now well positioned to advance our work in 2019.

Request for Tangible Support in 2019:

A central goal for the Foundation in 2019 is to grow our partnership with each of our 18 Accountable Partners. These are organisations that committed to tangible support for the *Biodiversity Strategy* and achievement of its goals. Biodiversity Hawke's Bay in now well launched, but we need your support as an Accountable Partner.

As a partner, we aim to work with the Hastings District Council for the benefit of all people in the District. A nature-rich, sustainable future is a key underpinning to a better life for all people in Hawke's Bay, and working together we can help create the future that we all want. Specifically, we seek the following from the Hastings District Council:

1. **An annual contribution to the Biodiversity Endowment.** The immediate goal is a fund of \$10 million. Once that target is achieved, the proceeds from the fund will support in perpetuity activities that help restore and secure the future for biodiversity in Hawke's Bay. The Endowment will not replace the Business as Usual activities of the Council, but will bring "additionality" to work that the Council and other are doing to ensure maximum benefit to biodiversity. The Endowment will ensure that the benefits of

sustainable biodiversity support a better life for all citizens of the region. The Endowment is a long-term investment in the people of Hastings District.

2. **An annual contribution to operating costs of Biodiversity Hawke's Bay.** BioHB aims to engage in an ongoing range of activities to benefit biodiversity and people now, but this requires a staff for administration, communication, developing business and community partnerships, fund raising, and other activities. These staff are critical to achieving the goals of the *Strategy*.
3. **On-the-ground biodiversity projects:** We seek your partnership to undertake a range of specific local initiatives. The Council can help in many ways. We need your visible, committed partnership when we apply for external or additional funding, for example. With your help, we can secure funds from outside the region, businesses, or Government that can help advance HDC plans and initiatives. We have active contacts with HDC (Lex Verhoeven) who have offered guidance, but we seek your commitment at a high level also. Examples of the type of work for which your visible partnership can support both HDC goals and ours are:
 - A. **Karamu Stream Restoration:** We are preparing an application for major funding from the Department of Conservation (DoC) for: extending the many biodiversity benefits of programmes already underway by the the HBRC; linking hapu and iwi along the stream; and linking to the Cape to City project. We will be applying for \$200,000 or more, and have been encouraged to apply by the DoC. Partnership with the HDC is essential for success and credibility of the application. .
 - B. **Regional Ecological Hub:** DoC have also invited our application for additional funds that would support BioHB directly, in the form of staff and administrative funding. Again, your support as a partner will be essential, but will not require additional funding from HDC. If successful, these funds would replace those requested in 2 above, allowing HDC funds to go directly to biodiversity projects.
 - C. **Hawke's Bay Airport Environmental Development:** Our partnership with HBAL includes commitment to work with partners to secure a healthy environment for the Napier estuary and its biodiversity. As a shareholder in the Airport, the HDC is directly engaged. We wish to work with you in developing Hastings-based components of the larger project.
 - D. **Alignment with Regional Environmental Management:** One component of the *Strategy* commits to working with other agencies in the Bay, linking environmental projects for larger outcomes. We realise that the HDC already engages with partner organisations in the region, but seek your active commitment to the Agencies Working Group identified in the *Action Plan*. The Guardians are organising this group.

There are many other dimensions to partnership, and many other biodiversity initiatives will be required to secure the future for biodiversity in Hawke's Bay. This document outlines first steps, but developing our partnership is a longer term activity. We welcome the opportunity to bring our work to your attention, and hope that you share our sense of urgency in growing the partnership. Thank you for the opportunity to speak to the Strategy, Planning and Partnerships Committee as a first step.

Charles Daugherty ONZM, FRSNZ
Chair

Des Ratima ONZM, JP
Deputy Chair

for **Hawke's Bay Biodiversity Foundation**

REPORT TO: STRATEGY PLANNING AND PARTNERSHIPS
COMMITTEE

MEETING DATE: THURSDAY 14 MARCH 2019

FROM: ENVIRONMENTAL POLICY MANAGER
ROWAN WALLIS

SUBJECT: ENVIRONMENTAL POLICY - WORKSTREAM UPDATE

1.0 SUMMARY

- 1.1 The purpose of this report is to inform the Committee on progress on the Workstreams of the Environmental Policy Section that were confirmed by the Committee in November 2018.
- 1.2 This issue arises from the need to be aware of ongoing and future policy matters being brought to the Council by the Policy team and the changes to the District Plan that may be necessary.
- 1.3 The Council is required to give effect to the purpose of local government as prescribed by Section 10 of the Local Government Act 2002. That purpose is to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. Good quality means infrastructure, services and performance that are efficient and effective and appropriate to present and anticipated future circumstances.
- 1.4 The objective of this decision relevant to the purpose of Local Government is in the performance of regulatory functions by providing responsive Council planning services.
- 1.5 This report concludes by recommending that the information be noted and received and that the submission to Variation 5 (Inner City Living) made on behalf of the Council by the Environmental Policy Team be endorsed.

2.0 BACKGROUND

- 2.1 One of the highest priorities for the Environmental Policy Team has been to settle the last remaining appeals on the Proposed District Plan.
- 2.2 There has been some progress on the 3 appeals that are remaining on the Proposed District Plan. The appeal on the Howard Residential Rezoning (Variation 3) has been resolved and this allows the detailed infrastructure planning to allow the development of that new greenfield residential area site to begin. The first task was to designate the internal roading system which would give all landowners equal opportunities to develop within their own timeframes. The hearing of submissions on the Notice of Requirement for the

road has just been completed and Council is awaiting the recommendations of the Independent Commissioner.

- 2.3 We are in a similar situation to late last year in relation to the appeal to be heard by the High Court following a decision from the Environment Court on the wahi taonga provisions. There is no date set for the High Court hearing.
- 2.4 There is one other appeal that is currently in the process of court appointed mediation. We are hopeful that an agreement will be reached in the not too distant future.
- 2.5 Appeals on Proposed Plan

Appeals	Status of Appeal
a) Maungaharuru Tangitu Trust (Wahi Taonga)	Environment Court Decision appealed to the High Court
b) Howard Street Variation (Residential Rezoning)	Resolved
c) Brookvale Rezoning (Residential)	In mediation

3.0 WORKSTREAM UPDATE

- 3.1 The following table sets out the Environmental Workstream Priorities that were agreed by Council in November last year.

	Task	Suggested Priority
a.	Ensuring that ePlan is entirely up to date.	1
b.	Appeals on the Proposed District Plan and Howard Variation	2
c.	Making the Proposed District Plan Operative	3
d.	Changes to the Central Business District (Inner city living)	4
e.	RSE Workers Accommodation Project	5
f.	Variation to tidy up matters in the Proposed Plan	6
g.	Forestry Slash (<i>the hazard effects on waterways created by forestry prunings and thinnings</i>)	7
h.	Introducing National Planning Standards	8
i.	Variation to amend the Light Industrial Zone provisions	9
j.	Wāhi Taonga Project	10
k.	Implementing the Medium Density Strategy	11

3.2 ePlan

An up to date ePlan (Council's on-line version of the District Plan) was given the highest priority as all development considerations reference this important document, and it must reflect the very latest legal status. Since last November Tania Sansom-Anderson has been appointed to the role of ePlan Officer and she is responsible for maintaining an up to date and accurate ePlan.

3.3 Inner City Living Variation

The variation to facilitate residential development within the Central Business District, has been notified through the Resource Management Act process. It was necessary for Council to make a submission to clarify an aspect of the above ground floor activity for residential activities. The purpose of Variation 5 is to enable residential activity in the upper floors of buildings in the Central Commercial Zone. The submission requests that consideration be given to clarify that above-ground floor residential activities under standard 7.3.5C can include associated ground level activities including the pedestrian entrance, rear lane vehicular access, garaging and utility/service areas. Until this time, the Plan has been silent on this in matter. Performance Standard 7.3.5C(1)(a) implies that this is the case, though it is not explicit. It was necessary for the Environmental Policy team to make a submission on this aspect of Variation 5 - Inner City Living, as there was not an opportunity to bring this to Council for approval ahead of the closing date for submissions. The Committee is requested to endorse this submission which is attached as **Appendix 1**.

3.4 RSE Workers Accommodation

Council staff and industry stakeholders have been working on a model to better allow for, and give certainty to, the RSE employers who are providing for the accommodation needs of their workers. The variation on RSE Accommodation is currently being drafted with the Section 32 evaluation report which looks at the costs and benefits of the proposal from an environmental, economic, social and cultural perspective, having just been completed. This will allow the changes to the provisions of the Proposed District Plan to be drafted and this variation package will be brought to Council for its consideration shortly.

3.5 Variation on Tidy – Up Package

The Policy Team is also working on a package of variations to the Proposed Plan that recognise matters that have either arisen through the submission process and because of scope were unable to be addressed, or are required as changes consequential to appeals that have been settled. This includes changes to the Light Industrial Zone to better reflect differences with the General Industrial Zone, and changes to explicitly provide for Marae.

3.6 Forestry Slash

Discussion have taken place with Hawkes Bay Regional Council staff on this issue. While it was agreed that the territorial authorities had a lesser role than the Regional Council there were a number of initiatives discussed. It was agreed that the education of contractors and forest owners was a key area and that the Regional Council would endeavour to become involved in Pan

Pac's National Environmental Standard – Production Forestry workshop. This could be a model for workshops with other contractors. There is also an initiative to create a HB Regional Council on-line portal for the notification of forestry activities. There is a layer to be set up on the Hawke's Bay Regional Council maps to identify vulnerable infrastructure such as bridges and culverts downstream from forestry blocks. The Hastings GIS team has been assisting with this initiative. The Environmental Policy Team will keep a watching brief on the measures adopted by the Regional Council to assess whether they could result in changes being required to the district plan.

3.7 Wahi Taonga

As reported last November the issue of the Te Mata track has had a direct impact on the Wāhi Taonga project. Iwi and hapu have clearly stated that it is inappropriate to moving forward on future considerations for Te Mata te Tipuna until such time as the track is remediated. The way forward for this issue will help to provide clear direction for the wider wahi taonga project. The resource consent to remediate the remaining section of the track has now been notified. Once this is completed discussions can begin with manawhenua on the most appropriate way forward. This will be advanced through the Te Tira Toitu te Whenua subcommittee.

3.8 Implementing the Medium Density Strategy

The Environmental Policy Team have been in discussions with the Works Asset Team to establish any areas where the existing infrastructure could not readily support medium density development. Some areas are programmed for upgrades and medium density provisions could be deferred to align with the upgrade timeframe. Work is also being commenced on the development of a Medium Density Design Guideline to assist with achieving a good level of amenity for this type of development.

4.0 RECOMMENDATIONS AND REASONS

- A) **That the report of the Environmental Policy Manager titled "Environmental Policy - Workstream Update" dated 14/03/2019 be received.**
- B) **That the Committee endorses the submission lodged by the Council on Variation 5 to ensure that entrances and accessways and garaging and service areas associated with the above ground residential activity can be provided at ground level as a permitted activity.**

With the reasons for this decision being that the objective of the decision will contribute to meeting the current and future needs of communities for performance of regulatory functions in a way that is most cost-effective for households and business by:

- i) **Setting priorities for the policy work that is required for the Council to meet its regulatory functions and deliver outcomes to the community in a timely manner.**

Attachments:

1 Variation 5 Submission 3 HDC Environmental Policy Team

ENV-9-19-6-19-19

**Megan Gaffaney**

From: Wufoo <no-reply@wufoo.com>
Sent: Tuesday, 18 December 2018 12:17 PM
To: Megan Gaffaney
Subject: HDC - Variation 5 'Inner City Living' [#3]

Submission #4

I. Your details: Megan Gaffaney

Name *

Address



Environmental Policy Team, Hastings District Council 207 Lyndon Road East
 Hastings 4156
 New Zealand

Email

megang@hdc.govt.nz

Phone Number

8715000

2. The specific parts of Variation 5 that my submission relates to are: (Give Details).

The rules in Section 7.3 relating to above ground floor level residential activities

3. My submission is that:
 (State the nature of your submission, clearly indicating whether you support or oppose the specific provisions or wish to have amendments made, giving reasons. (Please attach an additional document if necessary).

It is submitted that further consideration should be given to the possible need for the rules in Section 7.3 Hastings Commercial Environment to be more explicit regarding entrances and accessways to above-ground level residential activities to ensure that these can be provided for at ground level as a permitted activity. Also consideration needs made as to whether there is a need to clarify that garaging and service areas can be provided for at ground level via rear lane access or underground within a basement area as a permitted activity.

4. I/We seek the following decision: (Please give precise details, this section must be completed to ensure a valid submission).

That consideration be given to either changing the rule or activity table of Section 7.3 or including a definition of above-ground residential activity or some alternative mechanism to make explicit that above ground residential activities can include a pedestrian entrance at ground level (complying with standard 7.3.5D where applicable) and associated ground level rear lane access or basement garaging and service areas

5. Please indicate whether you wish to be heard in support of your submission:

I wish to speak at the Hearing in support of my submission; or