



# Hastings District Council

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## OPEN AGENDA

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### STRATEGY AND POLICY COMMITTEE MEETING

Meeting Date: **Tuesday, 4 February 2020**  
Time: **1.00pm**  
Venue: **Council Chamber  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings**

<b>Committee Members</b>	Councillor Barber (Chair) Mayor Hazlehurst Councillors Corban, Dixon, Harvey (Deputy Chair), Kerr, Lawson, Nixon, O'Keefe, Oli, Redstone, Schollum, Siers, Travers and Watkins. Hastings District Rural Community Board Chair – N Dawson Vacancy – Heretaunga Takoto Noa Māori Standing Committee Member  <i>Quorum= 8</i>
<b>Officers Responsible</b>	Group Manager: Economic Growth & Organisation Improvement – Mr C Cameron Chief Financial Officer – Mr B Allan Strategy Manager – Mr L Verhoeven Principal Advisor District Development – Mr M Clews
<b>Democracy &amp; Governance Advisor</b>	Mrs C Hilton (Extn 5633)

# Strategy and Policy Committee – Terms of Reference

## Fields of Activity

The purpose of the Strategy and Policy Committee is to develop all strategic, policy and planning frameworks for approval by Council.

## Membership (Mayor and 14 Councillors)

- Chair appointed by Council.
- Deputy Chair appointed by Council.
- 1 Heretaunga Takoto Noa Māori Standing Committee Member appointed by Council.
- Chair of the Rural Community Board appointed by Council.

## Quorum – 8 members

### Delegated Powers

- 1) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law or otherwise delegated to another committee) in relation to all matters detailed in this delegation.
- 2) Authority to exercise all of Council's powers, functions and authorities (except where prohibited by law) at any time when the Chief Executive certifies in a report that;
  - a) the matter is of such urgency that it requires to be dealt with, or
  - b) the matter is required to be dealt with, prior to the next ordinary meeting of the Council.
- 3) Establish strategic direction to deliver Council Objectives and District Vision.
- 4) Establish policies and guidelines for decision making to assist in achieving strategic outcomes.
- 5) Establish levels of service across Council services in line with strategic goals and priorities.
- 6) Receive and consider reports from Subcommittees.
- 7) Develop draft bylaws for adoption by Council.
- 8) Develop and recommend the financial and infrastructure strategies and budgets for the Long-Term Plan, Annual Plan and Annual Report.
- 9) Consider and approve constitutions and any shareholder agreements for Council Controlled Organisations and other organisations that Council has an interest in.
- 10) Develop the Rating Policy for recommendation to Council for adoption.
- 11) Develop Funding Policies for recommendation to Council for adoption.
- 12) Delegations of powers to sub-committee(s) if so established.
- 13) Approve the purchase of and disposal of land (If included in the Long Term Plan).
- 14) Making submissions on behalf of Council to proposals by other organisations/authorities (Local and Regional).
- 15) Conversion of terminating leases to renewable leases and the settlement of terms except in the case of leases under the Reserves Act.

**HASTINGS DISTRICT COUNCIL**  
**STRATEGY AND POLICY COMMITTEE MEETING**  
**TUESDAY, 4 FEBRUARY 2020**

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

**TIME:** 1.00pm

**A G E N D A**

**1. Apologies**

At the close of the agenda no apologies had been received.

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

**2. 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**

**4. Review of RMA reform Issues and Options Discussion Document**

**5. Additional Business Items**

## **6. Extraordinary Business Items**

**REPORT TO: STRATEGY AND POLICY COMMITTEE**

**MEETING DATE: TUESDAY 4 FEBRUARY 2020**

**FROM: ENVIRONMENTAL PLANNER (POLICY)  
CRAIG SCOTT**

**SUBJECT: REVIEW OF RMA REFORM ISSUES AND OPTIONS  
DISCUSSION DOCUMENT**

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**1.0 EXECUTIVE SUMMARY - TE KAUPAPA ME TE WHAKARĀPOPOTANGA**

- 1.1 The purpose of this report is to brief the Committee on Council's feedback to the Issue and Options Paper for reforms to the Resource Management Act (RMA) and the Resource Management System.
- 1.2 The Issues and Options paper is a discussion document provided by the Ministry for the Environment (MfE) and does not hold any legal weight. There will be a formal submission period at some stage after July 2020 once a full review has been undertaken. At this stage, the Council has been requested to provide comments for the review panel to take into account. The closing date for these comments to be received by the MfE is 3 February 2020.
- 1.3 This report contributes to the purpose of local government by primarily promoting environmental, social, cultural and economic wellbeing and more specifically through the Council's strategic objectives of sustainable use of land and water resources and providing residential development opportunities.
- 1.4 This report seeks to provide information on Council's initial comments on MfE's Issues and Options paper for transforming the Resource Management System with the primary focus on:
- That the reforms do not re-write the RMA in such a way that would require Council to have to fully review the District Plan, given the time and resource that has been required to make it near operative
  - Other comments on issues in the discussion document for which comments have been provided
  - Recommending that the Strategy and Policy Committee retrospectively approves Council's submission to the MfE.

**2.0 RECOMMENDATIONS - NGĀ TŪTOHUNGA**

- A) That the Council/Committee receives the report titled Review of RMA reform Issues and Options Discussion Document.**
- B) That the Committee endorse the forwarding of comments, by officers, to the Ministry for the Environment on Resource Management Reforms.**

### 3.0 BACKGROUND – *TE HOROPAKI*

3.1 During the second half of 2019 the government began the significant task of undertaking a comprehensive review of the resource management system.

3.2 The review arose from what is seen as significant pressure on the resource management system, and the RMA's failure to respond to these pressures in a timely and effective manner.

3.3 The primary pressures which resulted in the review are as follows:

3.3.1 **Environmental Pressures**, and the inability to adapt to:

- Climate Change
- Biodiversity
- Degradation to soil, water and vegetation

3.3.2 **Population Growth** and the inability to provide for housing and infrastructure in a timely manner.

3.3.3 **Rural land uses** and the ability to adapt to change of uses and how this may affect surrounding eco-systems.

3.4 The MfE review has offered the following potential reasons as to why the RMA has not responded to the above pressures:

- Lack of clear environmental protections and bottom lines
- Lack of recognition to the benefits of urban development
- Focusing on effects of activities rather than desired environmental and development outcomes
- A bias towards the status quo and existing uses, even when there is clear environmental degradation
- Lack of effective integration across the resource management system, specifically with the Local Government Act (LGA) and Land Transport Management Act (LTMA)
- Excessive complexity and cost within the resource management system
- Lack of adequate national direction
- Insufficient recognition to the Treaty of Waitangi
- Weak and slow policy and planning
- Weak compliance, monitoring and enforcement
- Capability, capacity and resource challenges in both central and local government
- Lack of effective monitoring and oversight.

3.5 As noted above, this is a comprehensive review of all aspects of the resource management in New Zealand. A final report on this issues and options paper is due to be delivered to the Minister of the Environment by 31<sup>st</sup> May 2020.

#### 4.0 DISCUSSION - *TE MATAPAKITANGA*

- 4.1 Officers largely support a review of the resource management system. We agree that the current system does not provide adequate protection to the long term effects of environment degradation on waterways and biodiversity, nor does it provide sufficient ability to adapt to the needs of population growth and to create new urban development areas in sufficient timeframes. There are a number of inefficiencies within the RMA system, and it does not ensure quality planning across local authorities.
- 4.2 The MfE's review focus appears to be on the need to better integrate existing systems and legislation, being more outcomes focused with providing environmental bottom lines, and ensuring better compliance for existing activities.
- 4.3 Whilst it's acknowledged that the reforms have merit and that Council needs to remain open and agile to changes in its future context, and strongly promotes the view that second generation plans (such as Hastings District) have already gone a long way to meeting the stated objectives and environmental outcomes and are close to becoming operative with substantive resource having been committed to get them to that point. It is recommended that any RMA reform that has consequences for District Plans (if any) need to be managed so that Council's with recently adopted 2<sup>nd</sup> generation plans are not required in the short-term to give effect to a set of new requirements which would be detrimental to Council in respect of its planning processes and resourcing.
- 4.4 Officers are particularly supportive of the need for the RMA to become more outcomes focused. At present the RMA requires Plans and Resource Consents to look at the effects of specific activities, rather than looking at the end outcome of the environment or development. The submission urges that a focus on the environmental outcomes would ensure greater clarity and certainty for developers and planners alike.
- 4.5 Furthermore the concept of spatial plans are supported. The review of the RMA has proposed that spatial plans which control development across regions could be useful in controlling land use and development, as well as encouraging urban development. The Hawke's Bay region has already developed a form of spatial plan in the Heretaunga Plains Urban Development Strategy (HPUDs), which has been crucial in providing for the future urban growth direction of the District. The review suggests spatial plans as HPUDs could be required for each region, however they should be given greater 'regulatory teeth'. They also suggests that spatial plans work together with the Local Government Act to map out potential infrastructure spending to ensure prompter development when required.
- 4.6 In general, the Resource Management review contains a number of ideas to ensure greater efficiency in the resource management system which we are interested to see investigated further. One of the greatest concerns remain resourcing and funding however. Implementing a number of the discussed options could require significantly greater financial and human resource investment at national and local level. It is not clear how this could be



achieved, any changes to the RMA would need to take into account resourcing for any decisions made.

## 5.0 OPTIONS - *NGĀ KŌWHIRINGA*

5.1 Given the report for the comments on the RMA reforms issues and options paper is retrospective there are no options.

## 6.0 NEXT STEPS - *TE ANGA WHAKAMUA*

6.1 Council have submitted their comments on the issues and options paper to the Resource Management Review Panel.

6.2 The review panel will review all comments and engage with key stakeholders and provide a final report to the Minister of the Environment on the 31<sup>st</sup> May 2020.

6.3 A formal report on recommended changes will be provided for submissions at a date after July 2020.

### Attachments:

There are no attachments for this report.

## **SUMMARY OF CONSIDERATIONS - *HE WHAKARĀPOPOTO WHAIWHAKAARO***

### **Fit with purpose of Local Government - *E noho hāngai pū ai ki te Rangatōpū-ā-rohe***

The Council is required to give effect to the purpose of local government as set out in section 10 of the Local Government Act 2002. That purpose is to enable democratic local decision-making and action by (and on behalf of) communities, and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

This report contributes to the purpose of local government by primarily promoting environmental, social, cultural and economic wellbeing and more specifically through the Council's strategic objectives of sustainable use of land and water resources and providing residential development opportunities.

### **Link to the Council's Community Outcomes - *E noho hāngai pū ai ki te rautaki matua***

This proposal promotes the sustainable use of land and water resources and diversity in housing choice for the well-being of communities in the present and for the future.

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

The review of the resource management systems has put particular focus on the recognition of the treaty of Waitangi and greater support for Maori participation. There have been questions raised with regards to why Maori engagement has been poor within the resource management systems over a number of years. It is apparent that Maori decision making and inclusion of the Maori worldview will form a significant portion of this review.

**Sustainability - *Te Toitūtanga***

Reforms to the resource management system is likely to have long-term implications on the sustainability of economic, social and environmental systems. The review is particularly focused on climate change, biodiversity, water and land degradation, as well as the ability to provide for urban growth.

**Financial considerations - *Ngā Whaiwhakaaro Ahumoni***

There are no financial implications of this report

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

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

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

There has been no external engagement to this discussion document. However the MfE have been in discussion with a number of interested parties in forming the issues and options paper.

**Risks: Legal/ Health and Safety - *Ngā Tūraru: Ngā Ture / Hauora me te Haumaru***

There are no legal or health and safety risks

**Rural Community Board - *Ngā Poari-ā-hapori***

There are no implications for rural community boards that need addressing at this stage as this is a discussion document