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Thursday, 9 September 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council**  
**Council Meeting**

## *Kaupapataka*

# Agenda

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*Te Rā Hui:*  
Meeting date: **Thursday, 9 September 2021**

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*Te Wā:*  
Time: **1.00pm**

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*Te Wāhi:*  
Venue: **Council Chamber  
Ground Floor  
Civic Administration Building  
Lyndon Road East  
Hastings**  
*(NB: If the region is still in Covid-19 Alert Level 3 on 9 September, the Meeting will be held via Zoom Audiovisual Link)*

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*Te Hoapā:*  
Contact: **Democracy and Governance Services  
P: 06 871 5000 | E: [democracy@hdc.govt.nz](mailto:democracy@hdc.govt.nz)**

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*Te Āpiha Matua:*  
Responsible  
Officer: **Chief Executive - Nigel Bickle**

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Thursday, 9 September 2021

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*Te Hui o Te Kaunihara ā-Rohe o Heretaunga*

**Hastings District Council**

**Council Meeting**

*Kaupapataka*

# Agenda

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*Tiamana*

**Chair:** Mayor Sandra Hazlehurst

*Mematanga:*

**Membership:**

*Ngā KaiKaunihera*

**Councillors:** Bayden Barber, Alwyn Corban, Malcolm Dixon, Damon Harvey, Tania Kerr (Deputy Chair), Eileen Lawson, Simon Nixon, Henare O’Keefe, Peleti Oli, Ann Redstone, Wendy Schollum, Sophie Siers, Geraldine Travers and Kevin Watkins

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*Tokamatua:*

**Quorum:**

8 members

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*Apiha Matua*

**Officer Responsible:**

Chief Executive – Nigel Bickle

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*Te Rōpū Manapori me te  
Kāwanatanga*

**Democracy and**

**Governance Services:**

Louise Stettner (Extn 5543)



## *Te Rārangi Take*

# Order of Business

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### 1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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### 2.0 Apologies & Leave of Absence – *Ngā Whakapāhatanga me te Wehenga ā-Hui*

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.

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### 3.0 Conflict of Interest – *He Ngākau Kōnatunatu*

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 Manager: Democracy and Governance (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.

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### 4.0 Confirmation of Minutes – *Te Whakamana i Ngā Miniti*

Minutes of the Council Meeting held Thursday 26 August 2021.

*(Previously circulated)*

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### 5.0 Chief Executive's Update 7

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### 6.0 2021 Meeting Schedule Changes 11

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### 7.0 Petition - Tainui Reserve 13

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<b>8.0</b>	<b>Parking Controls</b>	<b>15</b>
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<b>9.0</b>	<b>Application for a Temporary Alcohol Ban</b>	<b>19</b>
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<b>10.0</b>	<b>Animal Control Annual Report 2020/2021</b>	<b>25</b>
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<b>11.0</b>	<b>Closure of Accessway between Frederick Street West and Manuka Street</b>	<b>29</b>
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<b>12.0</b>	<b>Plan Change 3 - Providing for Marae in Rural and Plains Production Zone - Recommendations and Process</b>	<b>37</b>
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<b>13.0</b>	<b>Flaxmere Land Development Update</b>	<b>43</b>
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<b>14.0</b>	<i>Minor Items – Ngā Take Iti</i>	
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<b>15.0</b>	<i>Urgent Items – Ngā Take Whakahihiri</i>	
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<b>16.0</b>	<b>Recommendation to Exclude the Public from Item 17</b>	<b>55</b>
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<b>17.0</b>	<b>Urban Development Area - Land Acquisition</b>	
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Thursday, 9 September 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

**Item 5**

*Te Rārangi Take*

# Report to Council

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*Nā:*  
**From: Nigel Bickle, Chief Executive**

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*Te Take:*  
**Subject: Chief Executive's Update**

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## **1.0 Purpose and summary - *Te Kaupapa Me Te Whakarāpopototanga***

### **1.1 Chief Executive's Update**

- Over the last few weeks, our community has been through another incredibly challenging time with the recent outbreak of the Delta variant of COVID-19 and the subsequent Alert Level 4 lockdown.
- I am proud of how our whanau managed through this difficult time. We stuck to the rules, stayed home and got tested and vaccinated. While I appreciate that the government's hard and fast approach to the outbreak did not allow us much time to prepare for lockdown, we all responded in the right way with kindness and support for those around us.
- While the majority of our staff were able to work from home, a large number of our people were asked to continue working as an essential service provider in areas such as 3 waters, rubbish and recycling, road maintenance, dog control, building inspections, liquor licensing and our cemeteries and crematorium.
- I would like to take this opportunity to thank those staff who had to leave their bubble every day and continue to do a fantastic job for our community.
- Notwithstanding the challenges of lockdown, Council was also able to achieve a number of strategic goals over this period. These include:
  - Continuation of essential service work relative to the Drinking Water capital programme at the Frimley Water Supply bore investigation drilling, Frimley Water Treatment Plant, Eastbourne Street pipelines and the Clive Treatment Plant.

- Council's decision of 26 August on its initial representation review proposal for the 2022 local elections:
  - o Increase the total number of councillors by one to from 14 to 15, plus the mayor, and make some minor boundary changes to the existing five general wards.
  - o Twelve members would be elected from five general wards (Flaxmere, Hastings-Havelock North, Heretaunga, Kahurānaki and Mohaka). This would be a reduction of the current number of members from those wards – Flaxmere Ward would reduce from two to one representative, and there would be seven rather than eight councillors for the Hastings-Havelock North Ward
  - o Three members would be elected from a single Māori ward across the entire district, called Takitimu Ward. Under the proposal, electors on the Māori roll would vote for (up to) three candidates standing in the Takitimu Māori ward and also the mayor.
  - o Retain the Rural Community Board (4 members elected from 4 subdivisions) with minor adjustments to boundaries, and increase the number of Council appointees to the Board from two (councillors from the Kahurānaki and Mohaka Wards) to three (to include one councillor from the Takitimu Ward). The electors on both the Māori roll and the General roll in the Rural Community Board area vote for the Community Board.)

The Initial Proposal has been publicly notified and is open for public submissions until 1 October 2021. This decision signifies a significant amount of work that has gone into considering communities of interest in the district, and identifying options for achieving effective and fair representation for those communities and the individuals within them. I would like to acknowledge all of our staff and consultants involved in this work.

- Council has submitted three expressions of interest to Kāinga Ora's - Infrastructure Acceleration Fund, for more homes for Hastings. Hastings District Council has clearly demonstrated its commitment to solving its district's housing crisis and proven its ability to plan and execute major projects to this end. Council is applying for funding to enable the next tranche of solutions in its Hastings Place-based Housing Plan to be realised. If the application(s) is successful, and dependant on the level of funding awarded, it could enable up to 7000-8000 homes to be developed over the next 10-20 years without any infrastructure constraints.

## 1.2 Flaxmere Land Development Update

- Flaxmere has been identified as an important strategic area for the Hastings Place Based Housing Plan and Medium and Long Term Housing Strategy to achieve more affordable housing for our community.
- This decision will enable significant progress to be made following Council being granted \$11.5m from the Crown Infrastructure Fund to develop three areas of residentially zoned land that Council owns in Flaxmere, being:
  - Flaxmere Town Centre
  - 72 Caernarvon Drive
  - 244 Flaxmere Avenue
- Once complete, this important infrastructure work will enable Council to bring approximately 175 affordable sections to the market for subsequent sale.
- The work involves the delivery of the three waters and roading infrastructure (including above ground amenity street lights, trees and reserves) required to enable the following

three land packages to be developed and the associated titles issued. Upon completion the infrastructure will be owned by Hastings District Council.

### 1.3 Plan Change 3 - Providing for Marae in Rural and Plains Production Zone

- Council is being asked for a decision following on from the Hearings Committee held in June 2021 on submissions to Plan Change 3.
- The Plan Change 3 incorporates amendments to the district plan to provide a more permissive approach for marae in rural areas by identifying them as a permitted activity in the rural zone and the plains production zone.
- This will correct an omission that occurred when the district plan was reviewed that resulted in marae being treated as a non-complying activity.
- The Hearings Committee received three submissions and one further submission. Two of the submissions and the further submission were in full support of the plan change. The other submission was in general support however requested an amendment to the specific performance standards and the assessment criteria to account for firefighting water supply.
- The process now requires a decision from the Council on the adoption of the Hearings Committee's recommendation on submissions to Plan Change 3 taking into account the Section 32 Evaluation Report and to give notice of the Council's decisions.

## 2.0 Recommendations – *Ngā Tūtohunga*

That the report of the Chief Executive titled Chief Executive's Update dated 9 September 2021 be received.

### Attachments:

There are no attachments for this report.



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Thursday, 9 September 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

**Item 6**

*Te Rārangi Take*

# Report to Council

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*Nā:*  
**From: Louise Stettner, Manager, Democracy & Governance Services**

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*Te Take:*  
**Subject: 2021 Meeting Schedule Changes**

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## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

1.1 The purpose of this report is to consider amendments to the schedule of Council and Committee Meetings for the 2021 Meetings Calendar which was originally adopted by Council on 15 October 2020.

1.2 This report recommends that the 2021 Meeting Schedule as amended below be adopted.

1.3 The Local Government Act 2002, Schedule 7, Clause 19 states:

*“A local authority must hold meetings at the times and places that it appoints”.*

*If a local authority adopts a schedule of meetings-*

*a) The schedule-*

*i) may cover any future period that the local authority considers appropriate, and*

*ii) may be amended*

*Although a local authority must hold the ordinary meetings appointed, it is competent for the authority at a meeting to amend the schedule of dates, times and number of meetings to enable the business of the Council to be managed in an effective way.*

1.4 It is proposed that the meeting schedule be amended as follows:

**Operations & Monitoring  
Committee Meeting**

**Postponement**

**From Tuesday 14 September 2021 at 1pm  
To Thursday 30 September 2021 at 11am**

**Council Meeting**

**New Meeting**

**Thursday 30 September 2021 at 10am**

**Civic & Administration  
Subcommittee**

**New Meeting**

**Thursday, 21 October 2021 at 9.00am**

## 2.0 Recommendations – Ngā Tūtohunga

- A) That Council receive the report titled 2021 Meeting Schedule Changes dated 9 September 2021.
- B) That Council adopt the schedule of meetings for 2021 amended as follows:

<b>Operations &amp; Monitoring Committee Meeting</b>	<b>Postponement</b>	<b>From Tuesday 14 September 2021 at 1pm To Thursday, 30 September 2021 at 11am</b>
<b>Council Meeting</b>	<b>New Meeting</b>	<b>Thursday, 30 September 2021 at 10am</b>
<b>Civic &amp; Administration Subcommittee</b>	<b>New Meeting</b>	<b>Thursday, 21 October 2021 at 9.00am</b>

### Attachments:

There are no attachments for this report.

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Thursday, 9 September 2021

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Item 7

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

*Te Rārangi Take*

# Report to Council

---

*Nā:*  
From: **Louise Stettner, Manager, Democracy & Governance Services**

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*Te Take:*  
Subject: **Petition - Tainui Reserve**

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## **1.0 Summary – Whakarāpopototanga**

- 1.1 The purpose of this report is to inform the Council about a petition received from “Kaitiaki of Tainui Reserve”. The petition will be tabled at the meeting.
- 1.2 The petitioner’s prayer reads as follows:

“We the undersigned petition the Hastings District Council to Remediate the unsightly damage caused by mountain bikers creating and using an unauthorised track through the highly visible flat area between Keirunga Road Carpark and the Waterway Walking Path. The remediation would require the planting of additional natives in the centre of the area. To prevent further unauthorised usage of the area, a post and rail barrier should be placed beside the start of the short link track provided by the Council.

“Councillors can see that the centre of the area has been left unplanted, giving bikers a clear run.

“This unauthorised cycle track poses additional Health and Safety risks to other reserve users as it crosses the pedestrian path which brings walkers from the Waterway Walking Path to the entrance gate and also to walkers in the Lower Grove who do not see the bikers until they leap airborne into the area”

- 1.3 There are 20 signatories to the petition.
- 1.4 The report concludes by recommending that the Petition be treated as a submission to be considered as part of the Reserve Management Planning process.

## 2.0 Recommendation – *Ngā Tūtohunga*

- A) That Council receive the report titled “Petition - Tainui Reserve ” dated 9 September 2021.
- B) That the “Petition - Tainui Reserve ” be received and be treated as a submission for consideration as part of the Reserve Management Planning process.

### **Attachments:**

There are no attachments for this report.

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 Thursday, 9 September 2021
 

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**Item 8**

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

*Te Rārangi Take*

# Report to Council

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*Nā:*  
**From: James Haronga, Parking Transportation Officer**

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*Te Take:*  
**Subject: Parking Controls**

## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 The purpose of this report is to obtain a decision from Council on changes to parking controls on Howard Street and King Street South.
- 1.2 This proposal arises from a number of requests for new and changes in existing parking controls in and around Hastings District and concludes by recommending a number of changes in parking controls.
- 1.3 A summary of the proposed changes is as follows:

<b>ROAD</b>	<b>EXISTING CONTROLS TO BE REMOVED/CHANGED</b>	<b>PROPOSED CONTROLS</b>
<b>Howard Street</b>	P5	Pick Up and Drop Off Zone
<b>King Street South</b>	P60	P5 – Loading Zone

## 2.0 Recommendations - Ngā Tūtohunga

- A) That the Council Meeting receive the report titled Parking Controls dated 9 September 2021.
- B) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016, that the existing P5 parking spaces located on the southern side of Howard Street outside of Parkvale School be revoked and become a Pick Up and Drop Off Zone between the times of 8-30am to 9-15am and 2-45pm to 3-15pm school days only.
- C) That Council resolve pursuant to Clause 5.3.1(a)(i) of Chapter 5 (Parking and Traffic) of the Hastings District Council Consolidated Bylaw 2016 that the existing two P60 parking spaces located outside of 203 and 205 King Street South be revoked and become a P5 Loading Zone.

## 3.0 Background – Te Horopaki

- 3.1 From time to time it is necessary to introduce parking controls and/or amend those that are already in place.
- 3.2 In order that the changes are legally established and enforceable, a formal resolution by Council is required.
- 3.3 The following information provides the background and current situation relevant to the changes being proposed.

## 4.0 Discussion – Te Matapakitanga

### 4.1 Howard Street – Parkvale School – Drop Off and Pick Up Zone (Recommendation B)

Parkvale School have seen how successful the Drop Off and Pick Up Zones are working at other schools and have requested that these be installed.

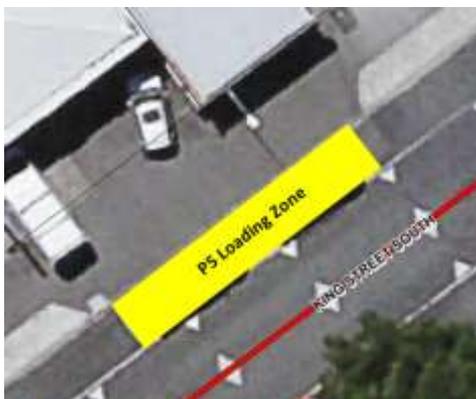
The existing P5 area will be replaced with the new Drop Off and Pick Up Zone.



#### 4.2 203 – 205 King Street South – P5 Loading Zone (Recommendation C)

Hastings District Council was approached to investigate installing P5 Loading Zone outside of 203 and 205 King Street South.

During the business week trucks and vans are stopping in the middle of the street to drop off goods to businesses in the area.



#### 5.0 Ngā Kōwhiringa

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

5.1 To change the Parking Bylaws to allow the parking arrangements as outlined at the sites in section 4.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuratanga o nāianeī

5.2 To continue current arrangements.

#### 6.0 Next steps – Te Anga Whakamua

6.1 If the changes are approved these will occur to the parking as set out above.

#### Attachments:

There are no attachments for this report.

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## Summary of Considerations - He Whakarāpopoto Whakaarohanga

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### 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 wellbeing of communities in the present and for the future.

### Link to the Council's Community Outcomes – Ngā Hononga ki Ngā Putanga ā-Hapori

- Moving people and goods around safely and efficiently.
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**Māori Impact Statement - *Te Tauākī Kaupapa Māori***N/A

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**Sustainability - *Te Toitūtanga***N/A

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**Financial considerations - *Ngā Whakaarohanga Ahumoni***N/A

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

This decision does not trigger the threshold of the Significance and Engagement Policy.

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**Consultation – internal and/or external - *Whakawhiti Whakaaro-ā-roto / ā-waho*****Howard Street – Parkvale School – Drop Off and Pick Up Zone**

Minimal consultation was required for the Drop Off and Pick Up Zone as this was requested by the school and has no effect on the neighbouring residents.

**King Street South – P5 Loading Zone**

Consultation was carried out with the neighbouring businesses in the area and all were in favour of the proposed P5 Loading Zone.

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**Risks**N/A

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**Rural Community Board – *Te Poari Tuawhenua-ā-Hapori***N/A

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Thursday, 9 September 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

**Item 9**

*Te Rārangi Take*

# Report to Council

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**Nā:** Mala Bishop, Licensing Inspector  
**From:** Tony Stothart, Team Leader Environmental Health and Liquor Licensing

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*Te Take:* Application for a Temporary Alcohol Ban  
**Subject:**

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## 1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from the Council on putting in place a temporary alcohol ban in relation to the Spring Racing Carnival on 16 October 2021 between 9.00am and 11.59pm.
- 1.2 This issue arises from a request from the New Zealand Police that a temporary alcohol ban be created. The request is supported by the Hawke's Bay Racing Centre.

## 2.0 Recommendations – *Ngā Tūtohunga*

- A) That the Council receives the report titled Application for a Temporary Alcohol Ban dated 9 September 2021.
- B) In accordance with clause 4.3.2 of the Hastings District Council Consolidated Bylaw, Chapter 4 Alcohol Bans, the Council declares that alcohol may not be consumed, brought into or possessed in the following areas including streets, roads and footpaths (as shown in the map titled "Spring Carnival Alcohol Ban Area 2021" in Attachment 1 of this report) on 16 October 2021, between 9.00am and 11.59pm:
  - The entire lengths of Knight Street and Prospect Road.
  - Market Street South from Southampton Street to the Racecourse entrance.
  - King Street South from Southampton Street to Prospect Road.
  - Nelson Street South from Southampton Street to Knight Street.
  - Southland Road between Southampton Street and Gordon Road
  - Henry Street between Charles Street and Southland Road

- C) That Council notes that officers will engage with Hawke’s Bay Racing in regard to the timing of future annual Spring Carnival Racing Event/s. Officers will consider seeking an amendment to Schedule E of Chapter 4 of the Hastings District Council Consolidated Bylaw if the Spring Racing Carnival date has now changed to occurring on the third Saturday in October (rather than on the first Saturday in October as is currently specified in the Bylaw).

### 3.0 Background – *Te Horopaki*

- 3.1 An application has been received from the New Zealand Police for a temporary alcohol ban in relation the Spring Racing Carnival on 16 October 2021 (Attachment 2).
- 3.2 The following hours, and area are requested for the ban:
- Hours
- Between the hours of 9.00am and 11.59pm
- Area
- The entire lengths of Knight Street and Prospect Road.
  - Market Street South from Southampton Street to the Racecourse entrance.
  - King Street South from Southampton Street to Prospect Road.
  - Nelson Street South from Southampton Street to Knight Street.
  - Southland Road between Southampton Street and Gordon Road.
  - Henry Street between Charles Street and Southland Road
- 3.3 The request arises from Police concerns about preloading (i.e. the consumption of alcohol prior to entering the venue) and the general consumption of alcohol by some patrons in the vicinity of the racecourse, leading to alcohol related disorder issues.
- 3.4 The purpose of the request is to help minimise alcohol related disorder issues.
- 3.5 The ban would only apply to public places i.e. the road and footpath (up to the boundary of private properties) within the proposed alcohol ban area.

### 4.0 CURRENT SITUATION

- 4.1 Normally this event would be covered by a temporary alcohol ban under schedule E of Chapter 4 of the Hastings District Council Bylaws. This schedule prohibits the consumption, bringing into, or possession of alcohol within the ban area on the first Saturday in October between 7.00am and 11.00pm. However this year just like last year, the event is occurring on the third Saturday in October and is not covered under the schedule.

### 5.0 Discussion – *Te Matapakitanga*

- 5.1 The Spring Racing Carnival is a large annual one day event which typically attracts over 5000 patrons.
- 5.2 The event normally operates under a special licence. This allows for additional bar areas to be set up within the racecourse.
- 5.3 An alcohol management plan has been submitted as part of this year’s special licence application. The plan sets out a number of measures designed to help ensure a safe environment exists for patrons at the racecourse. Actions outlined in the management plan include:
- Bag searches and intoxication checks at the gate.
  - Security staff to help prevent patrons bringing alcohol into the venue.
  - I/D checkpoints at the entrances points to each licensed area.

- Limits on the amounts of alcoholic drinks that can be purchased at any one time.

5.4 The above measures together with the proposed temporary alcohol ban are aimed at reducing alcohol disorder issues associated with the event.

5.5 The application for the temporary alcohol ban is supported by the Hawke's Bay Racing Centre.

## 6.0 Options – Ngā Kōwhiringa

### Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

6.1 Adopt the Police request for a temporary alcohol ban either wholly (i.e. agree to all the roads and times applied for) or in part (i.e. agree to some of the roads and/ or times applied for).

#### Advantages

The locality of the proposed ban is within the environs of the racecourse. It abuts the existing Hastings permanent alcohol ban zone and is an area where patrons can park and easily walk to the event from. The proposed ban will provide an additional tool to assist Police in dealing with alcohol related disorder issues.

#### Disadvantages

The Council may feel that the hours and/ or roads applied for are too extensive. Should the Council decide this, it will also need to consider what hours and/ or roads are appropriate should it decide to partially adopt the Police request.

### Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuratanga o nāianeī

6.2 Deny the Police request.

#### Advantages

There would be a cost saving to Council of about \$500 associated with advertising the ban.

#### Disadvantages

The Police have previously advised that a number of arrests made at earlier Spring Carnival events were attributed to people preloading in the vicinity of the racecourse and those areas not covered by the existing Hastings alcohol ban. Denying the request may result in an increase in issues associated with preloading.

## 7.0 Next steps – Te Anga Whakamua

7.1 Should the Council grant the request for the temporary alcohol ban the following actions will be taken:

- The Council resolution will be publicly notified
- Temporary signage will be installed in the area covered by the alcohol ban.

### Attachments:

1⇒	Regulatory Operations - Liquor Licensing - Liquor Ban - Spring Carnival Alcohol Ban Area 2021	REG-14-2-21-201	Vol 1
2⇒	Liquor Ban - 2021 Livamol Classic Alcohol Ban pdf (ref. Reg-14-2-21-200)	CG-16-2-00787	Vol 1

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### 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 wellbeing of communities in the present and for the future.

### Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

Reducing public nuisance and threats to public health and safety.

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

N/A:

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### Sustainability - *Te Toitūtanga*

N/A:

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### Financial considerations - *Ngā Whakaarohanga Ahumoni*

It is estimated that the cost of implementation for the recommendation is about \$500. This will be funded from existing budgets:

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

This proposal is not of significance that would trigger Council's thresholds under its Significance & Engagement Policy.

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

The proposed alcohol ban area is normally covered by the Hastings District Council Consolidated Bylaw. The bylaw went through an extensive public consultation prior to being adopted.

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**Risks**

Opportunity: To help minimise alcohol related disorder issues.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
A reduction of preloading and the general consumption of alcohol by some patrons in the vicinity of the racecourse.	Care must be taken when exercising the power in 4.3.2 of the bylaw to by resolution impose a temporary alcohol ban, as the standard bylaw making process involves carrying out public consultation. However, as the proposed alcohol ban area is normally covered by the Hastings District Council Consolidated Bylaw (that went through an extensive public consultation prior to being adopted) and is of limited duration, this risk should be mitigated.

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**Rural Community Board – *Te Poari Tuawhenua-ā-Hapori***

N/A:

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Thursday, 9 September 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

*Te Rārangi Take*

# Report to Council

Item 10

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*Nā:*  
From: **John Payne, Regulatory Solutions Manager**

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*Te Take:*  
Subject: **Animal Control Annual Report 2020/2021**

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## **1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga***

- 1.1 The purpose of this report is to update Council on the dog control statistics for the annual Dog Control Report for the year 1 July 2020 to 30 June 2021
  - Section 10A of the Dog Control Act 1996 requires Council adopt and publish an annual report on the administration of Council's Dog Control Policy and Practises
- 1.2 This report contributes to the purpose of local government by primarily promoting regulatory performance and more specifically through the Council's strategic objective of community safety.

## **2.0 Recommendations – *Ngā Tūtohunga***

- A) That Council receives the report titled Animal Control Annual Report 2020/2021 dated 9 September 2021.
- B) That Council adopts the Dog Control Annual Report 2020/2021.

## **3.0 Background – *Te Horopaki***

- 3.1 Annually Council adopts the animal control statistics Report. The report must include information relating to:
  - The number of registered dogs
  - The number and type of dog and dog owner classifications
  - The number infringements
  - The number and nature of dog related complaints:

#### 4.0 Discussion – *Te Matapakitanga*

- 4.1 Complaint numbers are down by 268 from last year, despite registered dog numbers being up. This appears to be mostly related to roaming dog complaints. When roaming dog complaints decrease generally the number of impounded dogs decrease. Impounded dogs are down by 70. However, when roaming dog complaints decrease generally barking dog complaints increase. Barking dog complaints are up by 86 on the previous year.
- 4.2 The key issue is - are roaming dogs decreasing, or is the use of social media for returning roaming dogs within the community by the community, increasing? Although it is always good to see dogs reunited with their owners, the unfortunate aspect of this trend is that these dogs do not get processed by HDC and thus there is no sanction applied. With no sanction, dog owners are not motivated to contain their dogs effectively.
- 4.3 Complaints of attacks on people are also down, however ACC figures consistently still show about 298 new claims each year for dog bite related injuries in the Hastings District. This is because many dog owners are bitten by their own dogs. They require medical attention, however the incident is not reported to Council.

#### 5.0 Options – *Ngā Kōwhiringa*

There are no options with regard to this report as it is information only.

#### 6.0 Next steps – *Te Anga Whakamua*

- 6.1 Once the report is adopted it must be:
- Publicly notified (Website & Newspaper)
  - A copy is sent to the Secretary for Local Government

#### Attachments:

1⇒ Annual Dog Control 10A Report 2020 2021 pdf (reg- CG-16-2-00785 Vol 1  
1-14-21-129)

### Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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

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 wellbeing of communities in the present and for the future.

#### **Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori***

This proposal promotes regulatory compliance wellbeing of communities in the present and for the future by reducing public nuisance and threats to public health and safety.

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

N/A

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**Sustainability - Te Toitūtanga**

N/A

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**Financial considerations - Ngā Whakaarohanga Ahumoni**

Nil

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

This report has been assessed under the Council's Significance and Engagement Policy and does not trigger the threshold of Council's Significance and Engagement Policy.

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

Not required as the report is information only.

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**Risks: Legal - Ngā Tūraru: Ngā Ture**

N/A

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**Rural Community Board – Te Poari Tuawhenua-ā-Hāpori**

Damage to stock from stray dogs, however this was not significant during the 2020/2021 year:

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Thursday, 9 September 2021

Item 11

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

*Te Rārangi Take*

# Report to Council

*Nā:*  
From: **Eynon Phillips, Strategic Transport Engineer**

*Te Take:* **Closure of Accessway between Frederick Street West and Manuka Street**  
Subject: **Street**

## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 The purpose of this report is to obtain a decision from Council on whether to initiate the road stopping process for the accessway between Frederick Street West and Mānuka Street, Mahora:
- as stipulated in the Local Government Act 1974, Section 319, Schedule 10.
  - lodge the planned stoppage with the Chief Surveyor.
  - give public notice of the planned stoppage.
- 1.2 This issue arises from continued complaints of anti-social behaviour from adjoining property owners.

## **2.0 Recommendations - Ngā Tūtohunga**

- A) That the Council Meeting receive the report titled Closure of Accessway between Frederick Street West and Manuka Street dated 9 September 2021
- B) That the Council approve the initiation of the road stopping process for the accessway
- Lodge the planned stoppage with the Chief Surveyor.
  - Give public notice of the planned stoppage.

## **3.0 Background – Te Horopaki**

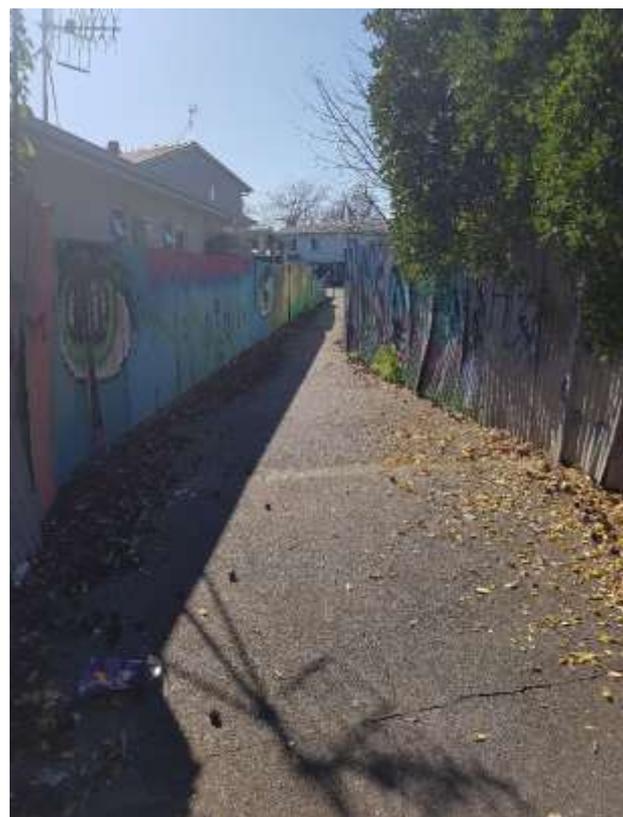
- 3.1 A number of concerns have been raised with regard to security and safety with the accessway between Frederick Street West and Mānuka Street. This includes but is not limited to:





3.5

*Figure 2 View of alleyway from Frederick Street West*



3.6

*Figure 3 View of alleyway near bend*



3.7

Figure 4 View of alleyway entrance from Mānuka Street

- 3.8 The accessway connects the end of the Mānuka Street cul-de-sac directly to Frederick St. The alternative route via Kauri Street could add approximately 250m to walking trips for residents of Mānuka Street.



3.9

Figure 5 Aerial showing the alleyway and surrounding area.

- 3.10 A count of people using the accessway was carried out over six weekdays in August 2018.
- An average of 23 people used the accessway in the morning (7am to 10am)

- An average of 16 people used the accessway in the afternoon (2pm to 5pm)
- These were mostly students (60%) or parents with children.
- Users reported concerns about high school students and night time activity.

3.11 Discussions have been undertaken with all adjacent landowners, with agreements in principle to acquire the land following a successful closure process.

#### 4.0 Discussion – *Te Matapakitanga*

4.1 A range of options to improve the alleyway have been considered, however due to the width and shape of the alleyway, there are limited opportunities for improvement.

- Widening and straightening of the alleyway, to allow clear sightlines, would require the purchase of private property and likely demolition of buildings.
- Lighting upgrades would be difficult without shining light into adjacent back yards.
- Efforts to improve passive surveillance, such as with permeable fencing, would further reduce privacy for adjacent properties.
- Cosmetic improvements to the fences and/or increased maintenance would not address the safety or behaviour issues.

4.2 The stopping of roads and public accessways is detailed in the Local Government Act 1974, Section 319, Schedule 10. In summary:

- A plan of the proposed stoppage shall be lodged with the office of the Chief Surveyor.
- Council shall give public notice of the proposed stoppage, calling for objections, for a period of at least 40 days.
- If no objections are received Council may declare the road stopped.
- If any objections are received Council may either allow the objections, keeping the accessway open, or send the case to the Environment Court.

4.3 If the road stopping is successful, Council may subdivide and dispose of the land, amalgamating the land parcels with the adjacent properties.

#### 5.0 Options – *Ngā Kōwhiringa*

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

5.1 Initiate road stopping of the Frederick Street West to Mānuka Street alleyway:

Advantages

- Illegal and antisocial behaviour will no longer be able to occur in the alleyway.
- Adjacent property owners will be appeased, and may be able to make good use of the additional land added to their properties.

Disadvantages

- Accessibility for local walking trips will be reduced, particularly for residents of Mānuka Street and their visitors.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuetanga o nāianeī

5.2 Keep the Frederick Street West to Mānuka Street alleyway open:

Advantages

- Local walking trips will be unaffected.

#### Disadvantages

- Illegal and antisocial behaviour will continue to occur in the alleyway.
- Adjacent property owners will be displeased.

## 6.0 Next steps – *Te Anga Whakamua*

6.1 If Council agrees to initiate the road stoppage and notify the public, the public will be given at least 40 days to raise objections.

6.2 Public notices will include:

- Notice on Council's website.
- Two notices in the local newspaper.
- Flyer drop to residents and businesses in the local area.

6.3 Council will then need to consider any objections received and decide whether to proceed with the road stoppage or not:

- If no objections are received Council may declare the road stopped.
- If any objections are received Council may either allow the objections, keeping the accessway open, or send the case to the Environment Court.

6.4 If Council agrees to stop the road, negotiations may then proceed to subdivide and dispose of the land, amalgamating the land parcels with the adjacent properties.

### Attachments:

There are no attachments for this report.

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### 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 wellbeing of communities in the present and for the future.

### Link to the Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the social wellbeing of communities in the present and for the future. It removes a piece of local infrastructure which is having a negative impact on public safety and security. This should contribute to safer walking facilities and may improve residential development opportunities.

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

N/A

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### Sustainability - *Te Toitūtanga*

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N/A

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### **Financial considerations - Ngā Whakaarohanga Ahumoni**

The cost to Council to initiate the road stoppage is minor, involving only the publishing of public notices.

Implementing the road stoppage will incur some costs to Council, including legal fees for the subdivision and disposal of the land. This may be partially off-set via the sale of the land.

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

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

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

Extensive consultation has been undertaken with the adjoining landowners, including gaining their agreement in principle to take over ownership of the land once the accessway is stopped.

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### **Risks**

Opportunity: To reduce the opportunity for illegal and antisocial behaviour due to poor public infrastructure.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Improved safety and security for local residents and users of the walking network.	Reduced accessibility for users of the walking network.  Requirement to take any objections to the Environment Court.

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### **Rural Community Board – Te Poari Tuawhenua-ā-Hapori**

N/A.

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Thursday, 9 September 2021

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Item 12

*Te Hui o Te Kāunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

*Te Rārangi Take*

# Report to Council

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**Nā:** James Minehan, Senior Environmental Planner, Policy  
**From:** Rowan Wallis, Environmental Policy Manager

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**Te Take:** Plan Change 3 - Providing for Marae in Rural and Plains Production  
**Subject:** Zone - Recommendations and Process

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## 1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain a decision from the Council on the Hearings Committee's recommendations on submissions to Plan Change 3 and to give formal notice of the decisions. It is the Council's responsibility to make the final decisions on submissions to Plan Change 3.
- 1.2 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.
- 1.3 The objective of this decision relevant to the purpose of local government is the performance of a regulatory function through the provision of a district plan which will help to create a sustainable environment for people, which promotes the best use of natural resources and which is responsive to community needs.
- 1.4 The report concludes by recommending that the Council adopt the recommendations of the Hearings Committee on the submissions received to Plan Change 3 and that it formally notifies its decision on the submissions.

## 2.0 Recommendations - *Ngā Tūtohunga*

- A) That the Council receive the report titled Plan Change 3 - Providing for Marae in Rural and Plains Production Zone - Recommendations and Process dated 9 September 2021.
- B) That pursuant to Clause 10, Schedule 1 of the Resource Management Act 1991, the Hearing Committee's recommendations on submissions to Plan Change 3 as set out in the attachment (ENV-9-19-10-21-37), to the report in A) above, are adopted and publicly notified.

### 3.0 Background – *Te Horopaki*

- 3.1 The Plan Change 3 incorporates amendments to the district plan to provide a more permissive approach for marae in rural areas by identifying them as a permitted activity in the rural zone and the plains production zone.
- 3.2 This will correct an omission that occurred when the district plan was reviewed that resulted in marae being treated as a non-complying activity.

### 4.0 Discussion – *Te Matapakitanga*

- 4.1 Plan Change 3 was publicly notified on the 13<sup>th</sup> March 2021 and received three submissions and one further submission. Two of the submissions and the further submission were in full support of the plan change. The other submission was in general support however requested an amendment to the specific performance standards and the assessment criteria to account for firefighting water supply.
- 4.2 The hearings report (Section 42A RMA report) was prepared and circulated to all submitters. The report evaluated the issues raised in submissions.
- 4.3 The hearing of submissions was held on 21st June 2021 and the submissions were considered in respect of Section 32 of the Resource Management Act 1991.
- 4.4 The Hearings Committee deliberated on the submissions and made its recommendations **(Attachment A)**.
- 4.5 The process now requires a decision from the Council on the adoption of the Hearing Committee's recommendation on submissions to Plan Change 3 taking into account the Section 32 Evaluation Report and to give notice of the Council's decisions.

### 5.0 Options – *Ngā Kōwhiringa*

Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga

- 5.1 Accept the recommendations of the Hearings Committee and amend the District Plan accordingly to include Plan Change 3.

#### *Advantages*

- This option will ensure that the decision on the submissions raised is based upon the most complete information, including written submissions and those points raised through the course of the hearing.
- The submissions have been heard by the Hearings Committee.
- That the approval will allow the provision for marae to proceed in a timely manner.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhukatanga o nāianeī

- 5.2 Reconsider the recommendations on one or more specifically identified issues by the full Council. This would, as a minimum, require Council to give consideration to all of the documents relevant to the hearing of the issues in question before making any changes and may require a rehearing of these submissions to ensure that there is no breach of the principles of natural justice.

#### *Advantages*

- Would allow any contentious issues to be revisited.

#### *Disadvantages*

- Continues the uncertainty for the provision of marae.

## 6.0 Next steps – *Te Anga Whakamua*

- 6.1 The next steps in the process are set out in the first Schedule of the Resource Management Act 1991:
- Public Notification of the decisions and notification to all submitters.
  - Posting of the decision on the Council website and availability of a copy of the decision at the Council offices and all public libraries.
  - The ability for submitters to Appeal Council’s decision to the Environment Court within 30 working days of being served the notice of decision.

### Attachments:

- 1⇨ [Recommendations from Hearings Committee \(from hearing on 21 June 2021\).pdf \(env-9-19-10-21-37\)](#) CG-16-2-00786 Vol 1

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### 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 wellbeing of communities in the present and for the future.

### Link to the Council’s Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

Plan Change 3 promotes the social, economic and cultural wellbeing of Tangata Whenua while maintaining the amenity of the rural environment.

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

The plan change results in positive impacts for hapū and tangata whenua across the Hastings district including our current 23 marae, and future marae that may be developed as per the Waipuka Māori Reservation Trust example. Accordingly, the plan change is seen to provide for the establishment, use and development of marae. It recognises and provides for hapū cultural and physical relationships with their land. It aligns with the requirements of the RMA including Section 5 (social, economic and cultural wellbeing), Section 6 (protection of customary rights) and Section 8 (Treaty of Waitangi). The plan change also aligns with the Hawke’s Bay Regional Resource Management Plan (provision for marae based activities outside the urban areas and to recognise tikanga Māori values).

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### Sustainability - *Te Toitūtanga*

The plan change takes into account the sustainability of the natural and physical resources associated with land development by applying general and specific standards for marae development in the Rural Zone and Plains Production Zone.

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### Financial considerations - *Ngā Whakaarohanga Ahumoni*

If the recommendation was not adopted there would be financial implications around the re-hearing of the submissions. These costs would be incurred by both Council and submitters with time delays also creating additional financial costs.

A further financial consideration for Council is the potential cost associated with an appeal of the Council's decision. This cost would be met through the District Plan budget.

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

Plan Change 3 was assessed under the Council's Significance and Engagement Policy as being of high significance. Following discussions with Council's Advisor on Relationships, Partnerships and Heritage, the plan change information was sent initially to all marae in the Hastings District recognizing that marae have their respective rangatiratanga. Information sent out included a summary of the provisions and background information on the RMA process. There were multiple contacts for respective marae utilising the Council database (e-mail and postal). Queries were answered with face to face engagement where requested.

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

Internal consultation was undertaken with Council's Pou Ahurea Matua: Principal Advisor: Relationships, Responsiveness & Heritage, to ensure the correct consultative process was followed. Multiple contacts with respective marae, including follow-up consultation as requested, were undertaken with Hapū in the processing of the plan change. The RMA process also provided for wider community engagement including the direct notification of Settlement Trusts, Taiwhenua, Iwi and government entities.

Feedback on the plan change focused on building coverage and infrastructure associated with marae. Another issue was the importance of Papakāinga Housing often in close proximity to existing marae. There was recognition that the existing Section 21.1 of the District Plan (Papakāinga District Wide Activity) addressed this issue. Pukehou Marae explicitly stated that they were happy with the draft changes. The opportunity was given to all marae who had indicated a preference for follow-up meetings. These meetings were held with the representatives of Kohupātiki Marae and the representatives of Waitangi Marae (Waipuka Māori Reservation Trust). In relation to Waitangi Marae (concerning Waipuka Māori Reservation Trust land at Waitangi Road, Waimārama) plans were outlined for a potential new marae complex. This was timely as it informed the plan change process about the extent of building coverage for a contemporary marae development. Subsequent change were made to the maximum gross floor area.

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### Risks

Opportunity:<Enter text> :

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
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Plan Change 3 recognises that marae are essential for Māori and in particular to hapū, to maintain their traditional relationships with their land, providing both a spiritual and cultural home for whānau, hapū and iwi. Marae are an important place where significant cultural events occur and serve as a multi-purpose community facility.

The risk of this decision not being adopted is that the need to provide for marae as a permitted activity in rural zone and plains production zone will not be met.

If the recommendations of the Hearings Committee were not adopted this would require Council to reconsider the submissions to ensure that there is no breach of the principles of natural justice. This would result in additional time and cost for the Council as well as issues for process and reputational risk.

### **Rural Community Board – Te Poari Tuawhenua-ā-Hapori**

The Community Board may field complaints from marae who are unable to obtain consent to establish or expand facilities they require without undue uncertainty, time and cost.



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Thursday, 9 September 2021

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*Te Hui o Te Kaunihera ā-Rohe o Heretaunga*  
**Hastings District Council: Council Meeting**

Item 13

*Te Rārangi Take*

# Report to Council

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**Nā:** David Bishop, Project Manager  
**From:** Raoul Oosterkamp, Director of Strategic Projects, Key Account Services & Council Investment Partnerships  
Rachel Stuart, Public Spaces Planning Manager

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*Te Take:* Flaxmere Land Development Update  
**Subject:**

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## **1.0 Executive Summary – Te Kaupapa Me Te Whakarāpopototanga**

- 1.1 The purpose of this report is to update Council on progress with the development of Council land in Flaxmere.
- 1.2 The report recommends that the report be received, and authority be granted to commence civil construction works to create the required roads, reserves and services needed. A consequential delegation to the Chief Executive to complete the subdivision areas to title stage under the Resource Management Act 1991 is also sought.
- 1.3 The report also notes that there is a rising inflationary cost environment for civil works and therefore the costs for provision of services to the Council owned land development sites in Flaxmere and the construction of skate and recreation facilities on Flaxmere Park, may exceed allocated budgets and Government funding (\$11.5m) secured to fund these works. It is anticipated that any budget deficit can be offset by land sales of Council owned land in Flaxmere and funding already held in the Flaxmere Land Development Reserve.
- 1.4 A separate report will be brought back to Council later in 2021 detailing options for the internal development of residential houses (vertical build) on the three development areas and any potential development partnerships.

## **2.0 Recommendations – Ngā Tūtohunga**

- A) That Council receive the report titled Flaxmere Land Development Update dated 9 September 2021.

- B) That Council grant approval to build the required roads, reserves and install the relevant services to service the three Flaxmere land development areas in accordance with the Crown Infrastructure Partners Agreement.
- C) That Council delegate authority to the Chief Executive to make any further consequential decisions along the way that may be required to complete the subdivision of the three development areas to title under Section 224 of the Resource Management Act 1991.
- D) That Council notes that the tender process and contract award for the civil works of the three Flaxmere development areas will be carried out in accordance with Council's normal procurement processes and delegations.
- E) That Council notes that the Chief Executive will ensure through the entire development process of Council owned land that all reasonable steps are taken by Council to deliver residential and commercial development outcomes that improve the social, cultural, environmental and economic wellbeing of the Flaxmere Community and build an intergenerational legacy to be proud of. Reasonable steps will include (but are not restricted to), taking cognisance of, and implementing where appropriate, expert advice on quality urban design, quality civil construction practices, provision of healthy and affordable homes, and environmental sustainability.
- F) That Council notes that given the rising inflationary cost environment for civil works, the costs for provision of services to Council owned land development sites in Flaxmere, and construction of skate and recreation facilities on Flaxmere Park may exceed allocated budgets and Government funding (\$11.5m) secured to fund these works. Council approves the Chief Executive to fund any budget deficits, post sound procurement processes, from the Flaxmere Land Development Reserve. It is noted that the balance of the Flaxmere Reserve will increase over time as Council land in Flaxmere is sold.
- G) That Council notes that a report be brought back to consider the internal development and vertical build of the three Flaxmere development areas and any potential development partners, to achieve the current and future affordable housing needs of the community.

### 3.0 Background – *Te Horopaki*

- 3.1 Following the Covid 19 lockdown in March/April 2020 officers were asked to prepare infrastructure items for consideration for funding by the Crown through the Crown Infrastructure Partners (CIP) funding scheme.
- 3.2 Officers discussed with the Crown the possibility that the funding be used to advance the outcomes of the Hastings Place Based Housing Plan with a focus on the affordable end of the market on land that Council owns. The Crown funds of \$11.5 million would therefore be used to develop three areas of residentially zoned land that Council owns in Flaxmere to enable Council to bring to the market affordable sections for subsequent sale. The Crown agreed with this approach and was keen to settle an agreement on this basis as soon as possible.
- 3.3 Accordingly the project involves the delivery of the three waters and roading infrastructure (including above ground amenity street lights, trees and reserves) required to enable the following three land packages to be developed and the associated titles issued. Upon completion the infrastructure will be owned by Hastings District Council.

Land packages	Type	Owner	Expected Dwellings/Lots
244 Flaxmere Avenue	Social and affordable	HDC	35
72 Caernarvon Drive (Land adjacent Flaxmere College)	Social and affordable	HDC	60
30 Swansea Road (Town Centre)	Social and affordable	HDC	80

3.4 This report provides an update to Council on what activities have been undertaken since the last update in March 2021.

#### **4.0 Discussion – *Te Matapakitanga***

##### **Flaxmere Town Centre**

4.1 At its meeting in March 2021 Council endorsed the development of the Flaxmere Town Centre based on Option 3 of the Revised Urban Design Assessment and taking into account the views of the community. To recap Option 3 (shown below) allows for commercial expansion with about a third of the northern block area being developed for medium density residential. The remaining two blocks to the south are intended for residential development in line with the current zoning of these sites being Community / Residential. It should be noted that this option still retains a significant area available (6000-8000 square metres) for commercial development which could include a future supermarket.

# Flaxmere Town Centre

## HOUSING OPTIONS: Option 3



0 25 35 45 55 65 75 M  
1:1000 @ A3

- low density (1-2 storey stand-alone houses)
- medium density (2 storey duplex houses)
- high density (2-3 storey apartment blocks)
- commercial



Item 13

- 4.2 Following the agreement with CIP, investigation and design work was commenced on the land to the west of the current town centre, including geotechnical, soil testing, site survey and civil engineering design for roading and three waters. Resource Consent for the 'Super Lot' Subdivision to create the main road network was granted on the 14 July 2021. Further detailed design is currently underway to prepare tender documentation.
- 4.3 The design of the town centre, in particular, will have a particular focus on quality outcomes and is being developed in accordance with best practice urban design and subdivision guidelines. The finish and feel of the area is expected to resemble a 'new main street' with tree build outs and indented parking like Heretaunga Street West, use of modern street lighting and poles with flag banners as used in the Eastbourne Street East and Karamu Road North upgrades and the use of Rata trees throughout.
- 4.4 In addition to the internal subdivision works, a new stormwater pipeline to take stormwater from both the Town Centre and 72 Caernarvon Drive developments to Portsmouth Road and a replacement trunk watermain along the development frontage of Caernarvon Drive are being included as part of this development.
- 4.5 At this stage the programme is on track to have a physical works contract awarded in October 2021 this year, with contractors on the ground in November. Completion is scheduled for the end of 2022.

#### **Flaxmere Skate Plaza**

- 4.6 The Parks and Property Team are also working on the design for a new skate park and court space in Flaxmere Park due to the fact that the existing facilities will be removed by the road construction.
- 4.7 The skate plaza design will be put together by top Kiwi skate facility designer Richard Smith, who is also a passionate skateboarder. Over the last two months he and research company FOLKL have been talking with over 250 members of the community, including users (young and old), parents and the wider community, to find out what they want to see at the new skate plaza, and where they want it to be.
- 4.8 Following that feedback, the exact location for the new skate plaza was confirmed this month. It will be on Flaxmere Park, on the corner of Henderson Road and Swansea Road. The site was popular for its high visibility, a proven deterrent to anti-social behaviour, being right next door to the playground so families with children across ages and stages can play in the same area, and that there are public toilets and a drinking fountain on the park.
- 4.9 The focus was now on how the skate plaza would 'flow', and how it would look and operate. High on the community's wish lists was safety: shade, parent access, Māori warden or City Assist smoke/drug/alcohol-free, fencing, lighting, and CCTV. The community also wanted the facility to strongly reflect their culture with a multicultural mural, Māori design, planting and appropriate graffiti art. It was also identified that it needed elements to suit different ages and skill levels, including a spine ramp, pump track, bowl and "double thrasher". Seating, scooter hire and music were also on the list. The community's desire to have the skate plaza reflect Flaxmere has led to Hawke's Bay Pasifika Youth Leadership Group and Iwi Toi being engaged to develop the artistic and cultural elements.
- 4.10 A draft concept plan is expected to be ready for public feedback at the end of September, after which final design and construction plans will be prepared closer to Christmas. Depending on the availability of contractors, it is hoped that construction work will start in April next year.
- 4.11 In summary, the consultation has resulted in a highly engaged community (particularly students) with high levels of expectation and desire for this to be a key facility for Flaxmere youth – both from a recreational perspective, but also educational and culturally.

- 4.12 A number of the desired wrap around features (kiosk, CCTV, lighting, raised seating areas, artwork) were not factored into the original cost estimate – therefore the budget may need to be revisited once initial concept plans have been prepared.
- 4.13 With regard to the basketball court, Officers are working with Basketball Hawkes Bay, Basketball New Zealand and Sport Hawkes Bay to deliver this new court on Flaxmere Park (beside the stage) as part of the Hoops in Parks initiative.

**72 Caernarvon Drive (Land adjacent Flaxmere College)**

- 4.14 Development of 72 Caernarvon Drive which is the vacant land to the north of the town centre adjacent Flaxmere College is also progressing, albeit a few months behind schedule due to professional services contractor capacity. All pre-development investigations are complete with Resource Consent about to be lodged. It is expected that the physical development of this site will be bundled with the development of the Town Centre and follow on in sequential fashion.
- 4.15 The proposed Urban Design concept plan is shown below. Depending on typologies and yield, the site can accommodate around 60 stand-alone residential dwellings at an average site size of 500m<sup>2</sup> (being the current minimum site size in the District Plan). Space for a central 2700m<sup>2</sup> neighbourhood reserve is also provided.
- 4.16 Officers have discussed the proposed roading layout with the adjoining landowners and the proposed road layout takes into account future access to their sites.



**244 Flaxmere Avenue**

- 4.17 Development of 244 Flaxmere Avenue is proceeding at pace with soil testing, geotechnical reporting and site survey complete. Resource Consent for the development was granted on the 30<sup>th</sup> July 2021.
- 4.18 A two staged approach to the development is being advanced so that civil engineering design can get underway without having to have the final built design locked in. This involves identifying two “super

lots” for future medium density development, while retaining more traditional stand-alone lots on the boundaries with adjacent properties.

- 4.19 The proposed design ensures the majority of all the proposed dwellings overlook the street to provide passive surveillance and the use of rear lots and right of ways will be minimised. These principles are key to avoid the mistakes of past developments in which density was increased with no thought into design or layout.
- 4.20 The consented layout for 244 Flaxmere Avenue is shown below, with the ‘super lots’ (lots 37 and 38) to be developed on a comprehensive basis in accordance with the Residential Intensification guideline with a future development partner.
- 4.21 The physical construction works tender is expected to be notified to the market in the last week of September, in order for a contract to be awarded in October to meet CIP funding requirements.



**Financial Considerations**

- 4.22 As noted above the Flaxmere development areas are the subject of a funding agreement with the Crown via Crown Infrastructure Partners (CIP). At present the costs for the detailed design phase are being incurred by Council from the Flaxmere Land Development Reserve. Once this milestone is complete the costs to Council are reimbursed by the Crown. Further reimbursement occurs upon the signing of a physical works contract and again at the completion of the works.
- 4.23 At this time the engineers’ cost estimates to completion for the three development areas is higher than the \$11.5 million grant from CIP due to a range of external factors including but not limited to, price escalation, supply and material constraints as a result of Covid 19, and overall contractor availability / demand. It is therefore likely, depending on the final price as a result of the tenders for civil works, that Council will need to ‘top up’ the funding in the order of \$1 million to \$3 million in order to complete all three development areas. It is anticipated that this top up funding will come from revenue acquired from the sale of these development areas, with no impact on rates.

- 4.24 Given this, it is recommended that a delegation be given to the Chief Executive to fund any budget deficits, post a sound procurement process, from the Flaxmere Land Development Reserve.
- 4.25 Overall and once these development areas are complete, there is likely to be a significant projected surplus of funds from the sale of land from these areas that can be used for future capital projects in Rating Area 1, in line with the current resolution for the use of the Flaxmere Land Development Reserve.

#### **Expressions of Interest for Development of the Internal Blocks**

- 4.26 The Tender for Expressions of Interest in developing the internal ‘super lots’ of the three development areas closed in late August. Ten expressions of interest have been received and officers are currently evaluating these. Those parties shortlisted will form part of the second stage of ‘Request for Proposal’ (RFP) process where detailed housing typologies and lot layout will be requested. A future report will be brought back to Council to determine which development partners (if any) Council wishes to see develop these areas.

#### **Tarbet Street Development**

- 4.27 The Tarbet Street Development is complete with SoHo Group (part of Wallace Development) currently in the construction phase for the 18 social homes for the Ministry of Social Development. Sales of the 17 affordable sites are progressing well with 13 of the sites sold at the end of August. Of the remaining 4 sites, one is under contract with 3 others in the due diligence phase. There is strong demand for affordable sections with registrations of interest through Council’s website containing over 50 families.

### **5.0 Options – Ngā Kōwhiringa**

#### **Option One - Recommended Option - Te Kōwhiringa Tuatahi – Te Kōwhiringa Tūtohunga**

- 5.1 The recommended option is to endorse the above approach so that Council officers can continue the development of the three Flaxmere development areas in order for Council to both meet its commitments to the Government and also more importantly develop its unused landholdings in order to better provide for housing at the affordable end of the market for its community in line with the recently adopted Medium and Long Term Housing Strategy and Hastings Place Based Approach.

#### **Option Two**

- 5.2 Alternatively Council could stop progressing these developments, but this would not lead to the outcomes sought for additional housing options for its community, nor meet the objectives of the Hastings Place Based Housing Plan and Medium and Long Term Housing Strategy, nor use the Government funding available to build infrastructure for this very purpose. Accordingly this option is not recommended.

### **6.0 Next steps – Te Anga Whakamua**

- 6.1 The next steps include continuing detailed civil engineering design for all three development areas and the completion of tender documentation for the civil works, so that requests for tender can be notified in September 2021. Work is expected to commence on the ground in November this year, Covid-19 alert levels permitting.
- 6.2 Evaluation of the Expressions of Interest for the internal block development will also occur, along with ongoing community engagement.

#### **Attachments:**

There are no attachments for this report.

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## Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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### **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 wellbeing of communities in the present and for the future.

This report promotes the social and economic wellbeing of communities in the present and for the future, in particular providing infrastructure for housing developments at the affordable end of the spectrum that would otherwise not be done if left to the traditional market led approach.

### **Link to the Council's Community Outcomes** – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal will contribute to meeting the current and future needs of communities for good quality local infrastructure by addressing affordable housing issues in partnership with the community and key stakeholders.

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

A significant focus of the Hastings Place Based Housing Initiative is to get more people in homes, of which Māori are disproportionately affected, and therefore these initiatives have the potential to lift Māori home ownership.

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### **Sustainability** - *Te Toitūtanga*

Council recognises sustainability outcomes in its planning processes.

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### **Financial considerations** - *Ngā Whakaarohanga Ahumoni*

The Development of the Flaxmere development areas are the subject of an agreement with the Crown via Crown Infrastructure Partners (CIP). At present the costs for the detailed design phase are being incurred by Council from the Flaxmere Land Development Reserve. Once this milestone is complete the costs to Council are reimbursed by the Crown. Further reimbursement occurs upon the signing of a physical works contract and again at the completion of the works.

At this time the engineers' cost estimate to completion for the three development areas is anticipated to be higher than the \$11.5 million grant from CIP due to a range of external factors including but not limited to, price escalation, supply and material constraints as a result of Covid 19, and overall contractor availability / demand. It is therefore likely that Council will need to 'top up' the funding in the order of \$1 million to \$3 million in order to complete all three development areas. It is anticipated that this top up funding will come from revenue acquired from the sale of these development areas, with no impact on rates.

Overall and once these development areas are complete, there is likely to be a significant projected surplus of funds from the sale of these areas that can be used for future capital projects in Rating Area 1 in line with the current resolution for the use of the Flaxmere Land Development Reserve.

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

This decision/report has been assessed under the Council's Significance and Engagement Policy as being of moderate significance. None of the landholdings are identified as Strategic Assets in the Significance and Engagement Policy. However given the significance of the larger landholdings around the Flaxmere Town Centre the decision has been made to engage with the community on a regular basis with ongoing community engagement via a community working group which is currently meeting approximately every two months or on an as required basis.

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

Consultation with stakeholders is ongoing and will be carried out when required and as identified above.

### Risks

Opportunity: Significant opportunity to develop affordable housing for the community, at a time when there is significant need.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<p>More of our whānau in warm dry and healthy homes at an affordable price.</p> <p>Significant boost to the regional economy and jobs through both infrastructure delivery and house construction and fit out.</p>	<p>Financial – if no sections can be sold, however given the number of people on indicating their interest in affordable sites this risk can be adequately mitigated.</p> <p>Cost increases in materials are having a major impact nationwide. Any cost increases can however be offset by future land sales and once all development areas are complete an overall surplus is expected.</p> <p>Reputation – if houses aren't built following completion of subdivision, this remains a risk, however constriction agreements and land covenants can require build to start within a 12 month period.</p> <p>Vertical build and housing market at the time land is ready for sale.</p> <p>Construction on three fronts at the same time may stretch construction and trade resources, however indications from the industry are that there is capacity to deliver these projects over a 12-18 month construction window.</p>

### Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

N/A.



# HASTINGS DISTRICT COUNCIL

## COUNCIL MEETING

THURSDAY, 9 SEPTEMBER 2021

Item 17

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### RECOMMENDATION TO EXCLUDE THE PUBLIC

#### SECTION 48, LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

THAT the public now be excluded from the following part of the meeting, namely:

#### **17 Urban Development Area - Land Acquisition**

The general subject of the matter to be considered while the public is excluded, the reason for passing this Resolution in relation to the matter and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this Resolution is as follows:

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<i>GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED</i>	<i>REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED</i>	<i>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION</i>
<b>17 Urban Development Area - Land Acquisition</b>	<b>Section 7 (2) (b) (ii)</b> The withholding of the information is necessary to protect information where the making available of the information would be likely to unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information. Future negotiations with affected parties concerning the acquisition of land within an Urban Development Area.	<b>Section 48(1)(a)(i)</b> Where the Local Authority is named or specified in the First Schedule to this Act under Section 6 or 7 (except Section 7(2)(f)(i)) of this Act.