

Wednesday, 9 April 2025

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

District Planning and Bylaws Subcommittee Meeting

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Wednesday, 9 April 2025**

Te Wā:
Time: **9:00 AM**

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

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

Te Āpiha Matua:
Responsible
Officer: **Group Manager: Planning & Regulatory Services - John
O'Shaughnessy and Environmental Policy Manager - Anna
Summerfield**

District Planning and Bylaws Subcommittee – Terms of Reference

A Subcommittee of Council.

Fields of Activity

The District Plan Subcommittee is responsible for advising the Council by;

- Providing guidance to Council officers with regard to the drafting of the District Plan (or sections thereof) and consultation on discussion documents and drafts.
- Providing guidance to Council officers in respect of the drafting of Council's new or revised bylaws and providing oversight of the Special Consultative Procedures.
- Te Tira Toitū te Whenua – Hastings District Plan Cultural Values - to consider and advise Council how the cultural values of Waahi Taonga and Waahi Tapu are to be integrated within the District Plan.

Membership

- 6 Councillors.
- 3 Heretaunga Takoto Noa Māori Standing Committee Members appointed by Council.
- 1 externally appointed member with relevant qualifications and experience.
- 1 member of the Rural Community Board appointed by Council.
- Chair appointed by Council.
- Deputy Chair appointed by Council.

Quorum – 6 members including 3 Councillors

DELEGATED POWERS

- 1) To review and provide comment on draft new or reviewed District Plan provisions and to recommend to the Council the adoption of drafts for consultation.
- 2) To hear and consider all submissions reviewed in respect of any District Plan proposal and to recommend responses to the Council.
- 3) To recommend to the Council the final wording of any new or reviewed District Plan provisions for adoption.
- 4) To review and provide comment on draft new or reviewed bylaws, and to recommend to the Council the adoption of drafts for consultation.
- 5) To hear and consider all submissions received in respect of any bylaw proposal and to recommend responses to the Council.
- 6) To recommend to Council the final wording of any new or reviewed bylaw for adoption by the Council.

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Hastings District Council

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Agenda

Mematanga:

Membership:

Koromatua

Chair: Councillor Alwyn Corban

Ngā KaiKaunihera

Councillors: Marcus Buddo (Deputy Chair), Michael Fowler, Simon Nixon, Heather Te Au-Skipworth and Kevin Watkins

Rural Community Board appointee – Isabelle Crawshaw

Mayor Sandra Hazlehurst

Heretaunga Takoto Noa Māori Standing Committee appointees: Elizabeth Waiwiri-Hunt and 1x Vacancy

1 External appointee - Vacancy

Tokamatua:

Quorum:

6 - including 3 Councillors

Apiha Matua

Officer Responsible:

Group Manager: Planning & Regulatory – John O’Shaughnessy

Environmental Policy Manager – Anna Summerfield

*Te Rōpū Manapori me te
Kāwanatanga*

Democracy &

Governance Services:

Christine Hilton (Extn 5633)

Te Rārangi Take

Order of Business

Apologies – Ngā Whakapāhatanga

- 1.0** 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.

2.0 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.

Confirmation of Minutes – Te Whakamana i Ngā Minitī

- 3.0** Minutes of the District Planning and Bylaws Subcommittee Meeting held Wednesday 4 December 2024.
(Previously circulated)

- 4.0 Draft Waste Management and Minimisation Bylaw and Statement of Proposal 7**

- 5.0 Environmental Policy Team Work Programme update and setting of priorities 15**

- 6.0 Review of the River Hazard Overlay for the Esk River and Te Ngarue Stream 21**

- 7.0 Update for the Commercial Strategy Review 31**

8.0	Update of Recent HDC Submissions on Resource Management (Consenting and Other System Changes) Amendment Bill and the Gene Technology Bill	35
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9.0 **Minor Items – *Ngā Take Iti***

10.0 **Urgent Items – *Ngā Take Whakahihiri***

Wednesday, 9 April 2025

Item 4

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: District Planning and Bylaws Subcommittee Meeting***Te Rārangi Take*

Report to District Planning and Bylaws Subcommittee

Nā: Paige Gear, Strategic Policy & Evaluation Advisor
From: Angela Atkins, Waste Planning Manager

Te Take: Draft Waste Management and Minimisation Bylaw and Statement
Subject: of Proposal

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The purpose of this report is to obtain endorsement from the District Planning and Bylaws Subcommittee on the draft Hastings District Council Waste Management and Minimisation Bylaw, and Draft Statement of Proposal for public consultation.
- 1.2 This report contributes to supporting effective local government services and operations, more specifically effective and efficient waste management and minimisation, through appropriate bylaw controls.
- 1.3 Other Territorial Authorities across New Zealand (Auckland City Council, Christchurch City Council, Napier City Council, Tararua District Council, and Wellington City Council to name some) have implemented Waste Management and Minimisation Bylaws utilising a similar structure to what is proposed in the draft Hastings District Council Waste Management and Minimisation Bylaw 2025.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the District Planning and Bylaws Subcommittee receive the report titled Draft Waste Management and Minimisation Bylaw and Statement of Proposal dated 9 April 2025.
- B) For the purposes of Section 155 of the Local Government Act 2002, the District Planning and Bylaw Subcommittee resolve that;
 - i. A bylaw is the most appropriate way of addressing the perceived problems;
 - ii. The proposed bylaw is the most appropriate form of bylaw; and
 - iii. The proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

- C) That the Subcommittee endorse and recommend to Council the Draft Waste Management and Minimisation Bylaw 2025 (**Attachment 1**) (*Council records reference SW-29-2-25-149*) and Draft Statement of Proposal (**Attachment 2**) (*Council records reference SW-29-2-25-147*) documents, for consultation in accordance with sections 83 and 86 of the Local Government Act 2002.

3.0 Background – *Te Horopaki*

- 3.1 In November 2024, the Hastings District Council (HDC) and Napier City Council (NCC) resolved to develop a replacement Waste Management and Minimisation Plan (WMMP). HDC and NCC develop a WMMP together because of their proximity, similarity in services, and the jointly owned Ōmarunui Landfill.
- 3.2 The replacement Draft Joint WMMP, and Statement of Proposal was adopted by HDC and NCC in February 2025 for public consultation.
- 3.3 The Draft Joint WMMP contains the vision, objectives, targets, policies and actions that have been derived from the Waste Assessment during the Joint Council Waste Futures Project Steering Committee workshops and meetings held on 23 July, 19 August, 6 December 2024.

4.0 Discussion – *Te Matapakitanga*

- 4.1 As part of the draft Joint WMMP development, options have been considered to best support the implementation and public adherence of the Joint WMMP in Hastings to ensure effective and efficient waste management and minimisation.
- 4.2 Options considered included education, policy, bylaws and other regulation. Officers determined that education, policy, and regulation alone weren't powerful enough to support effective and efficient waste management and minimisation therefore resulting in the development of the draft Hastings District Council Waste Management and Minimisation Bylaw 2025 (draft Bylaw).
- 4.3 Although HDC and NCC present with broadly similar issues in regard to waste management and minimisation, both have developed separate waste management and minimisation bylaws to best suit the needs of their respective communities.
- 4.4 Officers have chosen to develop the draft Bylaw under the Waste Minimisation Act 2008 (WMA) alone rather than also under the Local Government Act 2002 (LGA) because of clearer:
- bylaw review periods under the WMA, and
 - waste specific purposes for creating a bylaw.

5.0 Summary of draft Hastings District Council Waste Management and Minimisation Bylaw 2025

- 5.1 The draft Bylaw has been developed to support the implementation of the Joint WMMP in the Hastings District and ensure effective and efficient waste management and minimisation.

- 5.2 Summary of key bylaw clauses:

Controls	Sets out matters that Council may make, amend or revoke controls or rules for in addition to the requirements of the bylaw.
Waste Collection	Sets out individuals' responsibilities for disposing of waste and the collection of.
Separation of Waste	Sets of separation of waste requirements for collection.
General Responsibilities	Sets out responsibilities for an occupier of any premises.

Waste Collectors and Waste Operators	<ul style="list-style-type: none"> • Sets out <ul style="list-style-type: none"> ○ standard operations of a waste collector and operator. ○ licensing requirements for a waste collector and operator.
Public Waste Bins	Sets out requirements regarding public waste bins.

- 5.3 If the draft Bylaw is adopted and finalised, Clause 2.14.1 (Refuse Disposal) and Clause 10.3 (Refuse) of the existing Hastings District Council Consolidated Bylaw 2021 will be revoked.

6.0 Determination under Section 155 of the Local Government Act 2002

- 6.1 This section has been prepared in accordance with Section 56 of the Waste Management Act 2008 (WMA) and Section 155 of the Local Government Act 2002 (LGA). This section acts as a summary of the Section 155 Determination Report (**Attachment 3**).
- 6.2 Council must demonstrate that it is satisfied that the development of a waste management and minimisation bylaw and subsequent amendment to the Hastings District Council Consolidated Bylaw 2021 is necessary for several reasons to:
- support the implementation of the Hastings District Council / Napier City Council Joint Waste Management and Minimisation Plan (Joint WMMP),
 - achieve the purpose of the WMA and the New Zealand Waste Strategy, and
 - ensure efficient and effective waste management and minimisation across Heretaunga Hastings district and support safe practices through the regulation of the collection, transport, and disposal of waste or processing of recycling.
- 6.3 Additionally, the Council must determine whether the bylaw is the most appropriate way to address these issues and ensure it is consistent with the New Zealand Bill of Rights Act 1990 (NZBRA).

Legislative Framework

- 6.4 Before making amendments to the bylaw, the Council must confirm under Section 155(1) of the (LGA) whether a bylaw is the most appropriate tool to address the issues associated with waste management and minimisation. If deemed appropriate, the proposed bylaw must:
- be in the most suitable form to achieve its objectives, and
 - not infringe upon the rights protected under the NZBRA.

Is a bylaw the most appropriate way of addressing the perceived problems?

- 6.5 Council's Consolidated Bylaw is light touch when considering waste management and minimisation, and does not fully support the WMA, nor Joint WMMP objectives. While education and other regulations help, the bylaw provides a clear and enforceable framework to manage the problem.
- 6.6 The current bylaw has been effective in communicating what waste is and individuals' responsibilities, helping to reduce some of the negative impacts. However, the current bylaw is light touch and does not have any enforceable powers to promote efficient and effective waste management and minimisation. The WMA provides enforcement powers, including penalties for violations of the bylaw.
- 6.7 Alternative options to a bylaw have been considered, these such as education and policy have helped with mitigation however, they are only useful to a certain point. This is where stronger regulation and enforceability via a bylaw are required.

Is the proposed bylaw the most appropriate form of bylaw?

Effectiveness of the current bylaw

- 6.8 The current bylaw has been effective in communicating what waste is and the correct disposal processes, reducing some of the negative impacts. However, the current bylaw is light touch and has limited enforceable powers.

Why amend the bylaw

- 6.9 A review of the existing bylaw revealed that the objectives of the WMA and Joint WMMP weren't supported. Education and non-regulatory measures have been helpful but insufficient, highlighting the need for a regulatory update to manage waste management and minimisation effectively and efficiently.

The proposal

- 6.10 The proposed bylaw addresses several key issues. Efficient and effective waste management and minimisation is a primary concern, with the bylaw aiming to address this and provide a robust, best practice regulatory framework.
- 6.11 Section 77(1) assessment of all reasonably practicable options:

Options	Advantages & Disadvantages
Option 1: Do Not Make a New Bylaw and Rely on Non-Regulatory Tools (Not Preferred)	<p>Advantages: Although non-regulatory tools such as education can be useful, there are no evident advantages as the current waste bylaw scope is minimal and issues of non-compliance are apparent – where education has not been effective.</p> <p>Disadvantages: Without a legal framework, the Council would lack enforcement powers to manage inappropriate waste management and minimisation activities. Education alone may not sufficiently address inappropriate waste disposal, and without enforceability, issues like illegal dumping and site contamination may occur.</p> <p>Conclusion: This option is not recommended as it lacks the necessary enforcement mechanisms to effectively manage the current and future challenges of waste management and minimisation. It may lead to unregulated waste management and minimisation and increased community concerns.</p>
Option 2: Adopt the Proposed New Draft Bylaw (Most Appropriate)	<p>Advantages: Adopting the proposed draft Bylaw allows the Council to align with the WMA and Joint WMMP, aligning with the needs of the community. The new draft Bylaw provides a comprehensive and enforceable framework that ensures sound waste management and minimisation, supporting environmental sustainability, and manages non-compliance. It also prepares the Council for alternative waste collection streams and operators such as organic waste.</p> <p>Disadvantages: No evident disadvantages identified.</p> <p>Conclusion: This is the most appropriate option, as it provides a robust legal framework to manage waste management and minimisation effectively, balancing enforcement with environmental and community protection. It is the best solution to meet current and future challenges.</p>

Legal compliance

- 6.12 The bylaw complies with relevant legislation, including the LGA, the WMA, and the NZBRA, and is reasonable and does not conflict with any other New Zealand legislation.

Final determination

- 6.13 For the reasons given throughout Section 5 of this report, Officers determine that:

- a bylaw is the most appropriate way to address the perceived problem, pursuant to Section 155(1) of the LGA,
- the proposed bylaw is the most appropriate form of bylaw, pursuant to section 155(2)(a) of the LGA, and
- the proposed bylaw does not give rise to any implications under the NZBRA, pursuant to Section 155(2)(b) of the LGA.

7.0 Options – *Ngā Kōwhiringa*

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

- 7.1 The District Planning and Bylaw Subcommittee to endorse and recommend to Council, without amendment the draft Waste Minimisation and Management Bylaw (**Attachment 1**) and draft Statement of Proposal (**Attachment 2**), for consultation using the Special Consultative Procedure of the LGA.

Advantages

- Ensures the bylaw is exposed to wider community input with minimum delay.
- Supports the Draft Joint WMMP, Te Rautaki Para | Waste Strategy, and WMA.
- Enables related waste matters to be discussed directly following the Draft Joint WMMP consultation.
- Where the District Planning and Bylaw Subcommittee identifies matters as needing attention, that action may be reflected in the subsequent Report to Council (Council Meeting on 13 May 2025).

Officers see no disadvantage in this decision. The ability to jointly consult on the Draft Waste Management and Minimisation Bylaw and Draft Joint Waste Management and Minimisation Plan will be beneficial for both documents.

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

- 7.2 The District Planning and Bylaw Subcommittee to reject the draft Waste Minimisation and Management Bylaw (**Attachment 1**) and draft Statement of Proposal (**Attachment 2**), not recommending the documents to Council. Referring the documents back to Officers for further drafting.
- This would delay ability to consult directly following the draft Joint WMMP consultation however, it is not insurmountable. Additionally, Officers are confident in their ability to reflect any instructed amendments by the District Planning and Bylaw Subcommittee in the Report to Council (Council Meeting on 13 May 2025) to avoid delays.

8.0 Next steps – *Te Anga Whakamua*

- 8.1 If the District Planning and Bylaw Subcommittee approves and recommends to Council the current proposal without amendment, or with minor amendment, then Officers will prepare a report to Council for the Council Meeting on 13 May 2025, recommending public consultation to occur as detailed below:
- Public consultation from 19 May 2025 to 22 June 2025
 - Submissions to be heard by Council in early July 2025
 - Final Waste Minimisation and Management Bylaw adoption in August/September 2025.

Attachments:

1 ➡	Draft Hastings District Council Waste Management & Minimisation Bylaw 2025	SW-29-2-25-149	Under Separate Cover
2 ➡	Draft Statement of Proposal	SW-29-2-25-147	Under Separate Cover
3 ➡	Section 155 Determination Report	SW-29-2-25-146	Under Separate Cover

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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 all the wellbeings of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

No known impacts for Māori above or beyond the general community population.

Sustainability - *Te Toitūtanga*

The draft Waste Management and Minimisation Bylaw 2025 aligns with the Waste Assessment and Joint Waste Management and Minimisation Plan and many sustainability objectives across Council and the community; including the Emission Reduction Plan, associated budgets and the HDC Eco District Strategy.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

There are minimal costs in developing and implementing the draft Waste Management and Minimisation Bylaw 2025, primarily consultative costs. Once the draft Waste Management and Minimisation Bylaw 2025 is adopted it is likely to support operational cost reductions through a reduction in having to deal with non-compliant matters.

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.

All bylaws are subject to the requirements of the Local Government Act 2003 (LGA) special consultative procedures. Section 83 of the LGA sets out the requirements for the Statement of Proposal document.

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

The public consultation methodology and program will directly follow and align to the Joint Waste Management and Minimisation Plan consultation. An Engagement Plan has been developed and is being refined to ensure the consultation is simple with short questions to avoid engagement fatigue within the community.

Risks

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<ul style="list-style-type: none"> Joint WMMP is appropriately supported with regulatory levers that aid in the overall efficiency and effectiveness of waste management and minimisation across Heretaunga Hastings district. 	<ul style="list-style-type: none"> Lack of community support for the draft Bylaw, however this is minimised by the draft Bylaw not being overly onerous on individuals and/or waste operators to comply. Lack of community engagement and/or engagement fatigue, this is being minimised through support of an Engagement Plan and ensuring engagement is simple and builds off the Joint WMMP consultation.

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

Hastings rural community members will be subject to the draft Bylaw if adopted, however the direct impact will be low due to waste service offerings varying to residentially zoned properties.

Wednesday, 9 April 2025

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: District Planning and Bylaws Subcommittee Meeting****Item 5***Te Rārangi Take*

Report to District Planning and Bylaws Subcommittee

Nā:
From: **Anna Summerfield, Environmental Policy Manager**

Te Take:
Subject: **Environmental Policy Team Work Programme update and setting of priorities**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 The District Plan and Bylaws Subcommittee provides guidance to the Environmental Policy team in helping them to establish their workstream priorities with these recommendations then being reported to Council for adoption.
- 1.2 The workstream priorities were last reviewed in May 2024, with the progress and/or completion of some key projects, and the need to consider the continuing impacts and/or consequences of Cyclone Gabrielle, it is appropriate to undertake a further review. The influences on the workstream include;
 - National Policy Statement – Urban Development
 - National Policy Statement – Highly Productive Land
 - RM Reforms including the forthcoming National Policy Statement on Natural Hazard Decision Making
 - The Fast Track consenting legislation
- 1.3 Council's focus to date has been on responding to its obligations under the NPS-UD and the high levels of housing demand and this is evident in our workstream priorities over the past 12 months. Over this time, the team have been focussed on the hearing of plan change 5 submissions and subsequent decisions and progressing the Napier - Hastings Future Development Strategy. Policy planners are still providing guidance and design input into larger scale developments or those in the new Medium Density Residential Zone. The design input into those first application under the PC5 provisions of the new zone is important to ensure the provisions are being interpreted correctly and achieving the outcomes intended and sought through the objectives and policies.

- 1.4 Post Cyclone the District Plan provisions in respect of the River Hazard Overlay extent are a key mechanism to manage development subject to this natural hazard. The Regional Council have prioritised the modelling work to inform a review of the River Hazard Overlay in the Esk and Tangoio areas as a first priority given the hazard in these areas pose a significant risk to life.
- 1.5 The following table outlines the proposed priorities for projects that are currently being worked on and those that are necessary to meet legislative requirements. The suggested priority listing is based upon statutory requirements and those that the policy team have assessed as having the highest priority to achieve the outcomes sought by Council.
- 1.6 Where the priority is bracketed, this indicates the previous priority of the project as at May 2024

Environmental Policy	Priority	Status	Timeline*
Ensuring ePlan is up to date	1 (1)	Impacted by Plan Change 5 Appeals which go to mediation in early April	Ongoing
Future Development Strategy	1 (6)	The FDS hearing takes place 24-26 March 2025. The independent panel's recommendations report is anticipated at the end of June 2025	Panel recommendations to go to Joint Steering Committee and then respective Councils for adoption July / August 2025
Plan Change 5 – Right Home, Right Place	1=	3 Appeals received – narrow in focus meaning the medium density residential zone provisions can be treated as operative.	Appeals on PC5 to go to mediation in early April
Esk and Tangoio River Hazard Overlay Plan Change	1= (2=)	Awaiting peer review of HBRC modelling due June / July 2025	Plan Change approved for consultation / notification 3 rd / 4 th quarter 2025 respectively.
Commercial Strategy Review	2 (5)	Formative Ltd engaged to prepare a Commercial trend assessment and review commercial land requirements of HBA. The issue of providing for residential development within commercial zones and the relationship with the commercial service zones also needs addressing.	Formative's report is due by end of May 2025.
Rolling Review – Wahi Taonga / Sites of Significance to Māori	2= (5)	Working with PSGE's to establish a process to identify and protect these sites in the District Plan.	Estimated to be at least a 2-3 year project.
Responding to changes in Legislation – e.g., RMA Reforms and new National Policy Statements	3 (3=)	NPS- Natural Hazard Decision Making expected by the end of the year. HBRC reviewing their RPS – draft expected by August 2025	various
Structure Planning for Lyndhurst Extension and Kaiapo	3= (4)	Lyndhurst extension – stormwater investigations and assessment work nearing completion, drafting of a structure plan for	Lyndhurst extension draft structure plan to be consulted on by June 30 th and completed by July / August 2025 with

		consultation purposes. Additional Stormwater investigations and option assessment work being undertaken for Kaiapo.	Kaiapo draft structure plan end of 2025. Funding for both needs to be brought forward to 2025/26 year.
Wairatahi Plan Change	4 (1)	Fast track consent approved Plan Change to rezone land being drafted	TPW consultants advise end of March / Early April lodgement of plan change
Processing of Private Plan Changes	4=	Private Plan Change 7 – Hastings Golf Club is one of a number of private plan changes anticipated to be received for processing this year	RMA timeframes for private plan changes in schedule 1 process. PC7 – further submissions close 21 March. Hearing likely to be held mid-June 2025.
Implement National Planning Standards – we have until 2027 to implement.	5 (7)	Some progress as we undertake plan changes in the new format. However, there is a balance between progressing the implementation of NPS and ensuring the plan is still workable and not overly cumbersome to administer where it is a mix of old format and new.	TP to be completed by Aug 2027
State of the Environment Report	6	Survey and data collection stage	Survey results and data due by June 30. Report to subcommittees and council 3 rd quarter
Rolling Review of the District Plan – Mana whenua section	7	Drafting assisted by Pou Ahurea team. Consultation and engagement with PSGEs	On-going
Rolling Review – Signs Section	8	Drafting issues and options report, reviewing monitoring data – previous consents to inform report	Report to DP & Bylaws July meeting
Rolling Review – Earthworks Provisions	9	To be initiated this year	
Outstanding Landscapes Review	10 (5)	Scoping of the project and engagement of consultants for the remaining 7 outstanding and cultural landscapes is required	Likely to be a 2- 3year project
Identification of Significant Natural Areas Project	10= (5)	Uncertain when the Draft NPS- Indigenous Biodiversity will be enacted.	To meet the requirements of the NPS – Indigenous Biodiversity – Govt has extended the timeframe for identifying new SNAs to 2031
Input into Local Area Plans (part of the implementation of the Medium Density Strategy)	11 (11)	Led by Growth and Development Team – Local Area Plan officer newly appointed	As required
CBD Heritage Review	12 (10)	Assisting with developing a guide to regulatory pathways	On-going

		to assist heritage building owners	
CBD Liaison	13 (9)	Providing input into City Centre Strategy and Revitalisation plan	As required

*The timeline for many of the projects is the date that they will be brought to Council for approval. Where the projects require changes to the district plan the process from there is outlined in the RMA and timeframes can only be approximate as a significant influencing factor is the number of submissions received.

2.0 Recommendations - Ngā Tūtohunga

- A) That the District Planning and Bylaws Subcommittee receive the report titled Environmental Policy Team Work Programme update and setting of priorities dated 9 April 2025.
- B) That the Subcommittee ratify the workstream priorities for the Environmental Policy team and recommend that it be referred to the Heretaunga Takoto Noa Māori Standing Committee for feedback, before it is recommended to be adopted by Council, as the latter's environmental district plan priorities.

Attachments:

There are no attachments for this report.

Summary of Considerations - He Whakarāpopoto Whakaarohanga

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, economic, environmental and cultural wellbeing of communities in the present and for the future.

Māori Impact Statement - Te Tauākī Kaupapa Māori

The work programme includes a number of projects that impact or have significance to Māori. The team will work with Council's Pou Ahurea team, PSGE's, hapū and whānau to undertake these projects.:

Sustainability - *Te Toitūtanga*

The primary role of the environmental policy team is to ensure that the District Plan is kept up to date allowing land use and development to occur in a manner that meets the sustainable management purpose of the Resource Management Act.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Predominantly, the projects identified in the work programme will be undertaken in-house by the environmental policy team. Funding has been set aside for the commercial trends assessment procured for the commercial strategy, for consultant reports to support structure planning at Lyndhurst and Kaiapo and for the identification of sites of significance to Māori. :

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 low significance.

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

Once the District Plan & Bylaws Committee have provided feedback and direction on the work programme this will be taken to the Heretaunga Takoto Noa committee for their feedback and then to Council for adoption.

Risks

Opportunity: To set the priorities for the environmental policy team work programme.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
To ensure the District Plan is up to date, addresses pressing issues and Council is meeting its obligations under of the Resource Management Act	The Council is not meeting its obligations under the Resource Management Act

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

Projects relating to the rural community will be taken to this Committee for discussion and guidance.

Wednesday, 9 April 2025

Item 6

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council: District Planning and Bylaws Subcommittee Meeting

Te Rārangi Take

Report to District Planning and Bylaws Subcommittee

Nā:
From: Rebecca Hill, Senior Environmental Planner - Policy

Te Take:
Subject: Review of the River Hazard Overlay for the Esk River and Te Ngarue Stream

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This report updates the subcommittee on the review of the District Plan provisions that relate to the River Hazard Overlay for the Esk River (Esk Valley) and Te Ngarue Stream (Tangoio).
- 1.2 The Hawke's Bay Regional Council has commissioned river hazard modelling for these two areas with completion of this work anticipated mid-2025.
- 1.3 It is likely that the river hazard modelling will show the extent of land subject to significant hazard has increased from what was previously modelled.
- 1.4 To respond to this new modelling information a review of the mapped extent of the River Hazard Overlay and the associated planning controls in the Hastings District Plan will be needed.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That the District Planning and Bylaws Subcommittee receive the report titled Review of the River Hazard Overlay for the Esk River and Te Ngarue Stream dated 9 April 2025.
- B) That the Subcommittee approve the commencement of a review of the River Hazard Overlay and associated provisions in Section 15.1 Natural Hazards Section of the Hastings District Plan as they relate to the Esk River (Esk Valley) and Te Ngarue Stream (Tangoio).

3.0 Background – Te Horopaki

- 3.1 The District Plan contains Natural Hazard provisions that aim to identify and avoid or mitigate risks associated with natural hazards. Both the Esk River and Te Ngarue Stream have a River Hazard Overlay identified and associated rules limiting development. Maps showing the current extent of the River Hazard Overlays in the District Plan for Esk and Tangoio are included **(as Attachments 1 and 2)**.
- 3.2 The current District Plan provisions require any permanent buildings, structures and habitable buildings within the River Hazard Overlay in the Esk Valley and Tangoio to obtain resource consent as a Non-complying Activity thus promoting the avoidance of this hazard. These rules however do not apply to the land zoned Coastal Settlement Zone at Tangoio. Site specific investigations were undertaken in 2008 as part of a Private Plan Change that recommended a minimum floor level (reference level of RL 15.7). The Commissioners' decision at the time was that this would provide protection from a 1 in 100-year flood level plus 500mm freeboard.
- 3.3 Following Cyclone Gabrielle a recommendation was passed by Council *"That Council notes that a further report will be presented that considers options to amend Regional and District Plans to limit or preclude future residential development in Category 3 areas..."* (Recommendation L of Item 5 of the Council meeting held on 14 September 2023).
- 3.4 To undertake a plan change to limit or preclude residential development in Category 3 areas a robust assessment of the future flood vulnerability is needed. The Regional Council has commissioned and prioritised flood modelling for the Esk River and Te Ngarue Stream over other Category 3 areas given the recognised significance of the hazard and risk to life. These Category 3 areas are shown **(in Attachment 3)**. The river hazard modelling work is well underway with sensitivity testing and review to be completed.

4.0 Discussion – Te Matapakitanga

- 4.1 Once the Regional Council has completed the updated modelling, this Council will need to take steps to respond to that new information. It is proposed that once the modelling is finalised, a further report will be brought to this subcommittee with issues and options for any plan change.
- 4.2 This review is proposed to be limited to only part of Section 15.1 Natural Hazards Section of the Hastings District Plan. A full review of this section is scheduled to start in 2027 once direction from the proposed National Policy Statement on Natural Hazard Decision-Making (NPS-NHD) is set and once the Natural Hazards Section of the Regional Policy Statement (RPS) has been progressed.
- 4.3 Geographically this review is proposed to be limited to just those areas identified as subject to river hazard from the Esk River and Te Ngarue Stream. In terms of the District Plan provisions it will be limited to those provisions that relate to people and property in the River Hazard Overlay including rules and associated objectives and policies. A review of the River Hazard Overlay provisions as they relate to Network Utilities, Natural Hazard Mitigation Activities (including River Control and Drainage Works), Water Intakes and Bridge Structures will be done when Section 15.1 is reviewed as part of the Rolling Review of the District Plan.
- 4.4 The review will consider what activities are to be avoided within areas identified as subject to river hazard risk. Currently the District Plan requires buildings, structures and habitable buildings to be assessed as non-complying activities but does not specifically refer to types of activities (for instance, residential activities which may be carried out with an existing building). The review will look at the rule settings for the River Hazard Overlay to determine whether they adequately reflect the significance of the hazards in these areas. The Hawke's Bay Independent Flood Review (HBIFR) recommended that unacceptable flood risk should be avoided using prohibited activity rules for new and intensified residential activities.
- 4.5 Prior to the development of a Plan Change, Council will need to undertake consultation as required by Schedule 1 of the Act. This consultation will be to inform on the mapping extent of the hazard

and consult on the associated District Plan rule settings. A consultation plan for the next phase of this project will include consultation with landowners, mana whenua, iwi authorities, the Esk Valley and Tangoio communities and the wider Hastings District community. Council Officers will also continue to consult with their counterparts at the Hawke's Bay Regional Council and Napier City Council with the aim being consistency across planning documents. Stakeholders will be consulted including; HB Recovery Agency, HB Emergency Management, NZTA, Kiwi Rail, Transpower, Genesis Energy, Contact Energy, Unison Networks, Pan Pac, Rural Community Board, the insurance sector, Natural Hazard Commission and relevant Government Ministries.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Commence a review of the River Hazard Overlay for the Esk River and Te Ngarue Stream and those provisions of Section 15.1 of the Hastings District Plan that relate to people and property within this overlay.

Advantages

- Council would be meeting its obligations under the Resource Management Act (the Act) that requires territorial councils to control any actual or potential effects of the use, development, or protection of land for the purpose of the avoidance or mitigation of natural hazards (s 31(1)(b)(i)). The management of significant risks from natural hazards is a matter of national importance.
- By acting without delay it reduces the risk of inappropriate development in a significant hazard area.
- This review is identified as Priority One in the Environmental Policy Team Work Programme.
- The timing of the NPS-NHD and the RPS are outside the control of this Council. There is a current planning framework that such a review and subsequent plan change can be progressed under. If the review or plan change needs to pivot to give effect to a future NPS or RPS this can happen.
- The full review of the Natural Hazards Section planned for 2027 provides another opportunity to give effect to any planning instruments in place at that time.

Disadvantages

- The review and subsequent plan change will potentially proceed ahead of planned national and regional direction. This potential disadvantage can be mitigated by liaising closely with Regional Council and the Ministry for the Environment.

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

- 5.2 Retain the existing District Plan provisions and delay any review until Section 15.1 Natural Hazards of the Hastings District Plan is scheduled for review in 2027.

Advantages

- Council would potentially have greater direction from a national level through a National Policy Statement on Natural Hazard Decision-Making (NPS-NHD) and at a regional level through the review of the Natural Hazards Section of the Regional Policy Statement (RPS) by then.

Disadvantages

- Council would not be meeting its obligations under the Resource Management Act (the Act).
- Development may occur within an area of known significant hazard putting people and property at risk.

- There are financial implications for the wider community if new development was allowed only for a future weather event to necessitate a buy-out.

6.0 Next steps – *Te Anga Whakamua*

6.1 Commence a limited review of the River Hazard Overlay for the Esk River and Te Ngarue Stream.

- Investigate the issues and options for changing the River Hazard Overlay to better protect people.
- Work with colleagues at the Regional Council to progress the river hazard modelling to completion.
- Report back to Council once the river hazard modelling has been completed.
- Commence consultation under Schedule 1 of the Resource Management Act.

Attachments:

1↓	Current Extent of River Hazard Overlay at Esk - Hastings District Plan	ENV-9-11-5-25-14
2↓	Current Extent of River Hazard Overlay at Tangoio - Hastings District Plan	ENV-9-11-5-25-15
3↓	Esk and Tangoio River Hazard Land Classifications	ENV-9-11-5-25-17

Summary of Considerations - *He Whakarāpopoto Whakaarohanga*

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*

Planning controls that seek to avoid areas prone to natural hazards promotes the health and wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Māori land and communities including marae and papakainga are located within the Esk and Tangoio Valleys. Consultation on any changes to the District Plan will include mana whenua and iwi authorities, in particular, Maungaharuru-Tangitū Trust, Mana Ahuriri and Petane Marae.

Sustainability - *Te Toitūtanga*

Avoidance of significant risks from natural hazards protects people and property.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Consultation and any District Plan Changes will be carried out using existing staff resources. Controlling land use and development in flood prone areas reduces financial risk by reducing the likelihood of needing to repeat the buyout of flood damaged homes.

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 medium/high significance.

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

A consultation plan for the next phase of this project includes consultation with landowners, mana whenua, iwi authorities, Esk Valley and Tangoio communities and the wider Hastings District community. Council Officers will continue to consult with their counterparts at the Hawke's Bay Regional Council and Napier City Council. Stakeholders will be consulted including; HB Recovery Agency, HB Emergency Management, NZTA, Kiwi Rail, Transpower, Genesis Energy, Contact Energy, Unison Networks, Pan Pac, Rural Community Board, insurance sector, Natural Hazard Commission and relevant Government Ministries. Internally Roding, Parks & Reserves, Three Waters, Community, Consents and Building will be consulted.

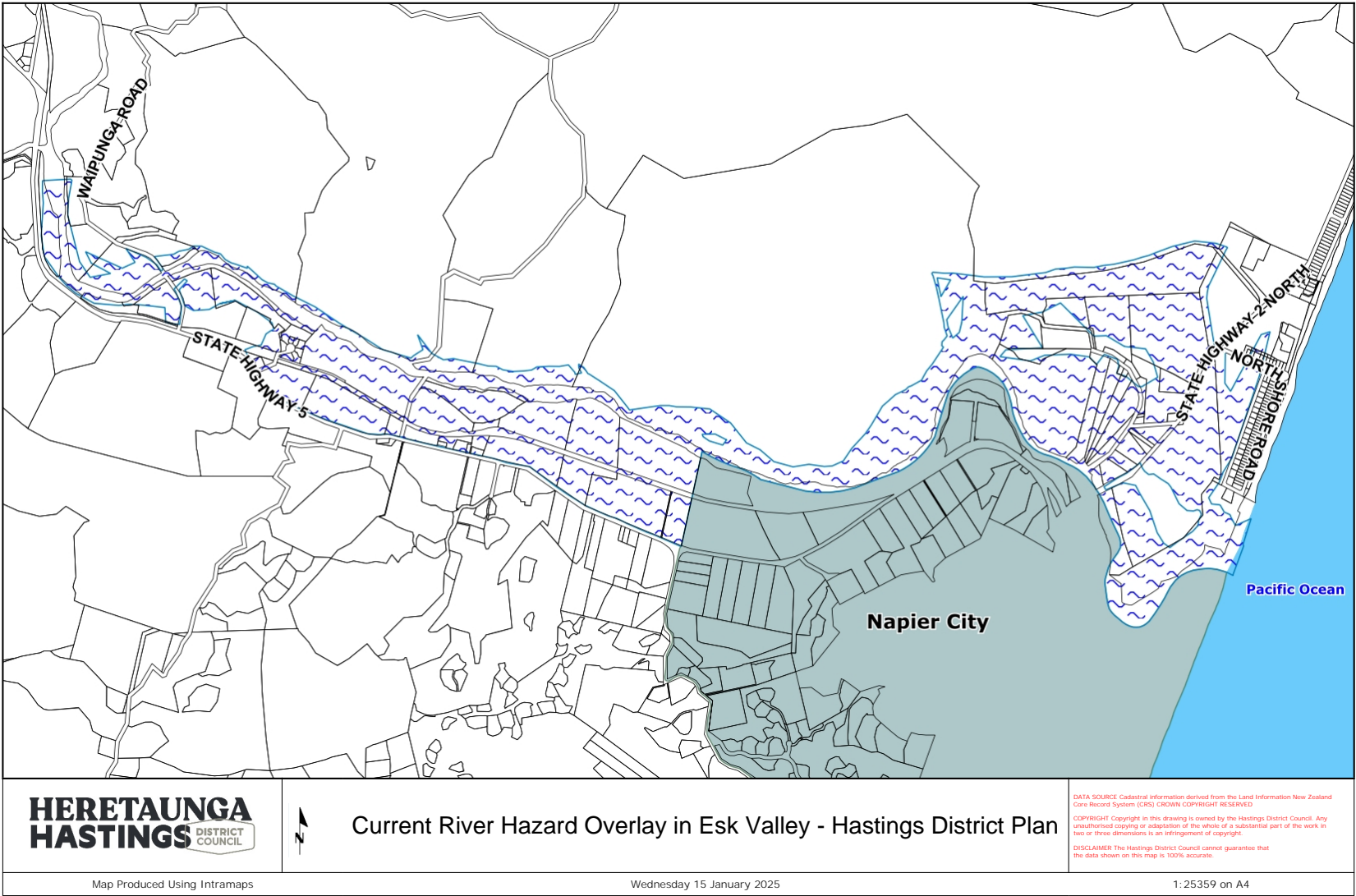
Risks

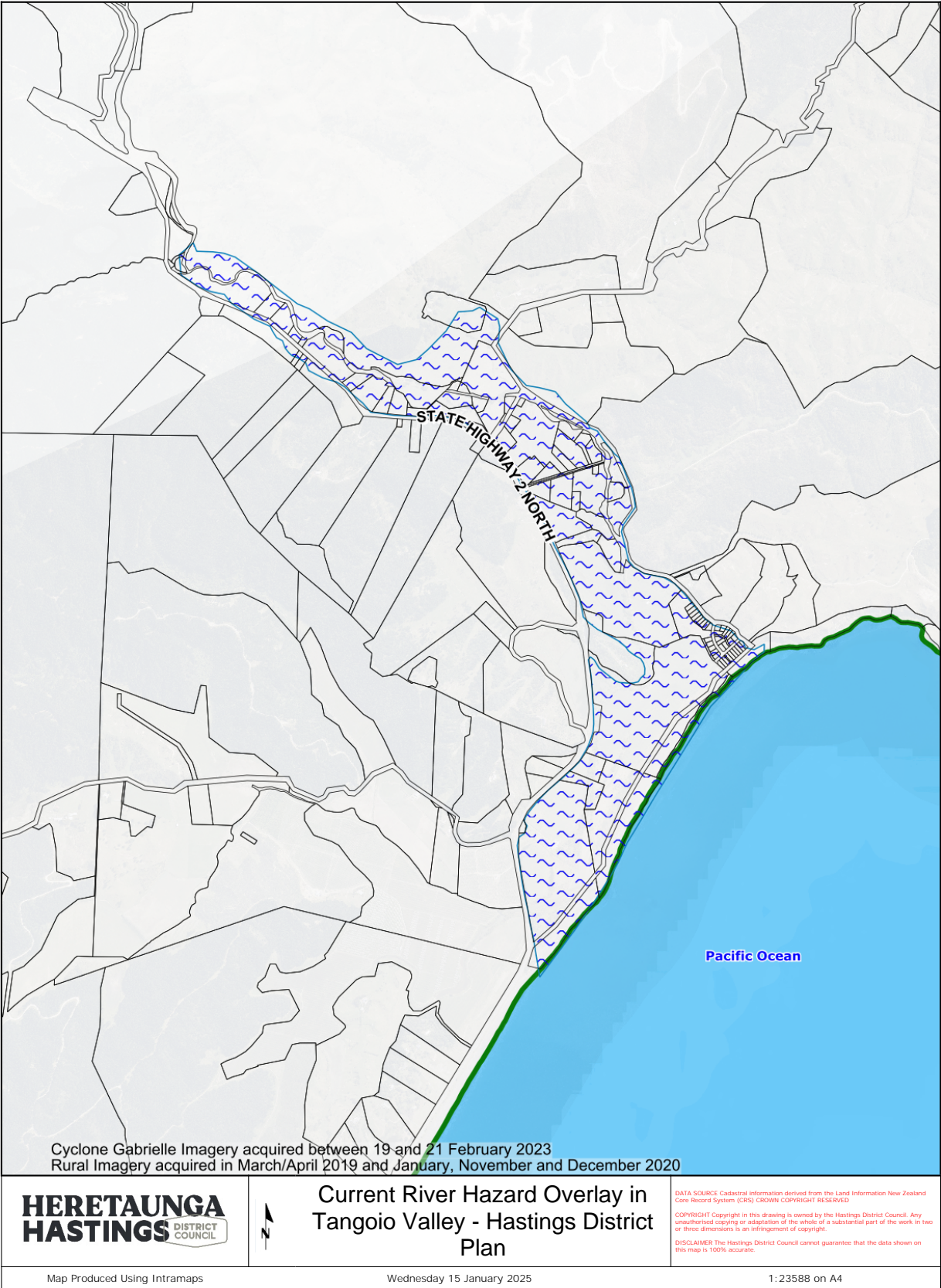
Opportunity: To review the River Hazard Overlay in a timely manner based on up-to-date hazard modelling to prevent putting people and property at risk in a significant hazard area.

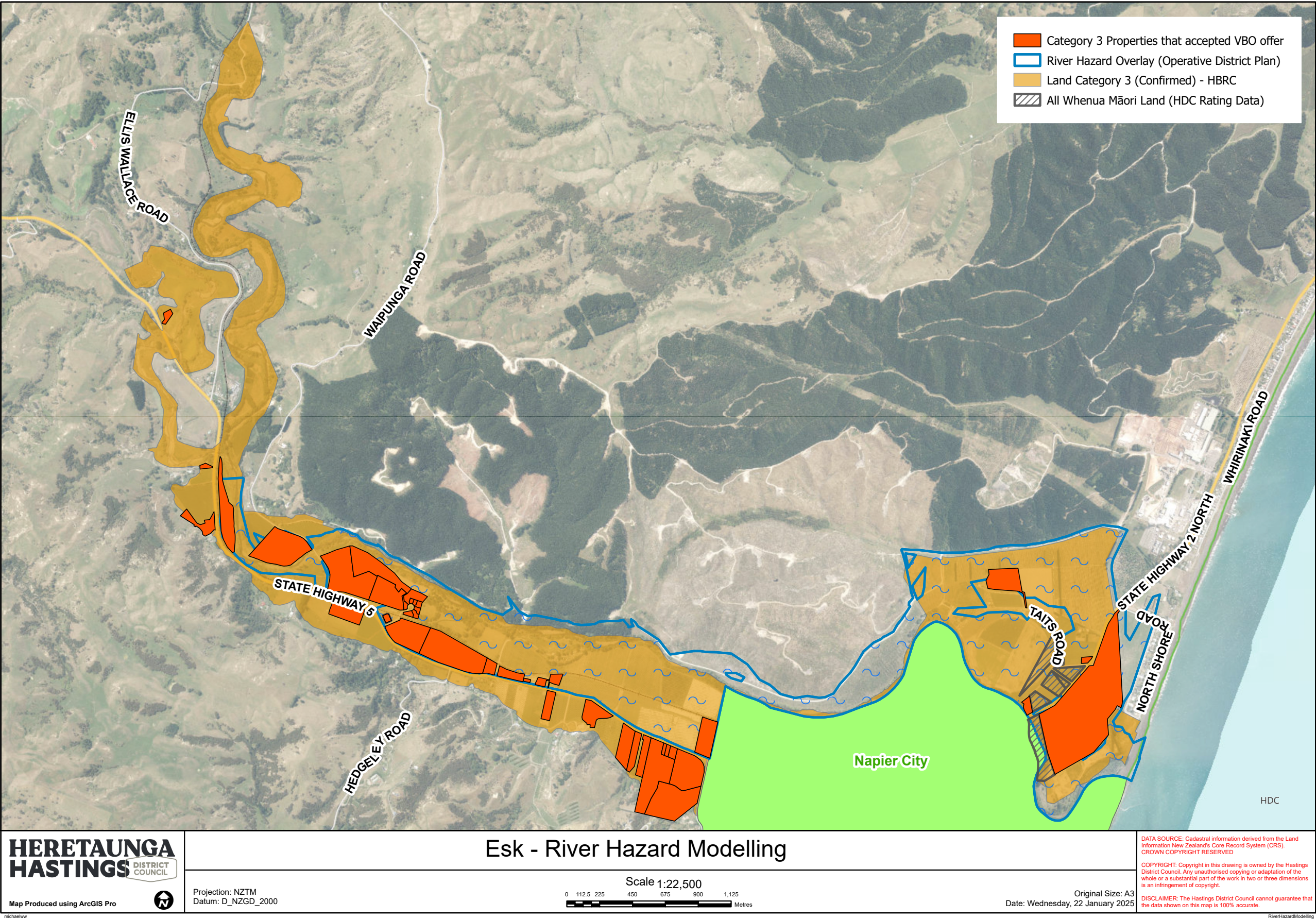
REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
Avoidance of significant risks from natural hazards protecting people and property.	This likely to be a contentious review inviting a high level of scrutiny and potential appeals.

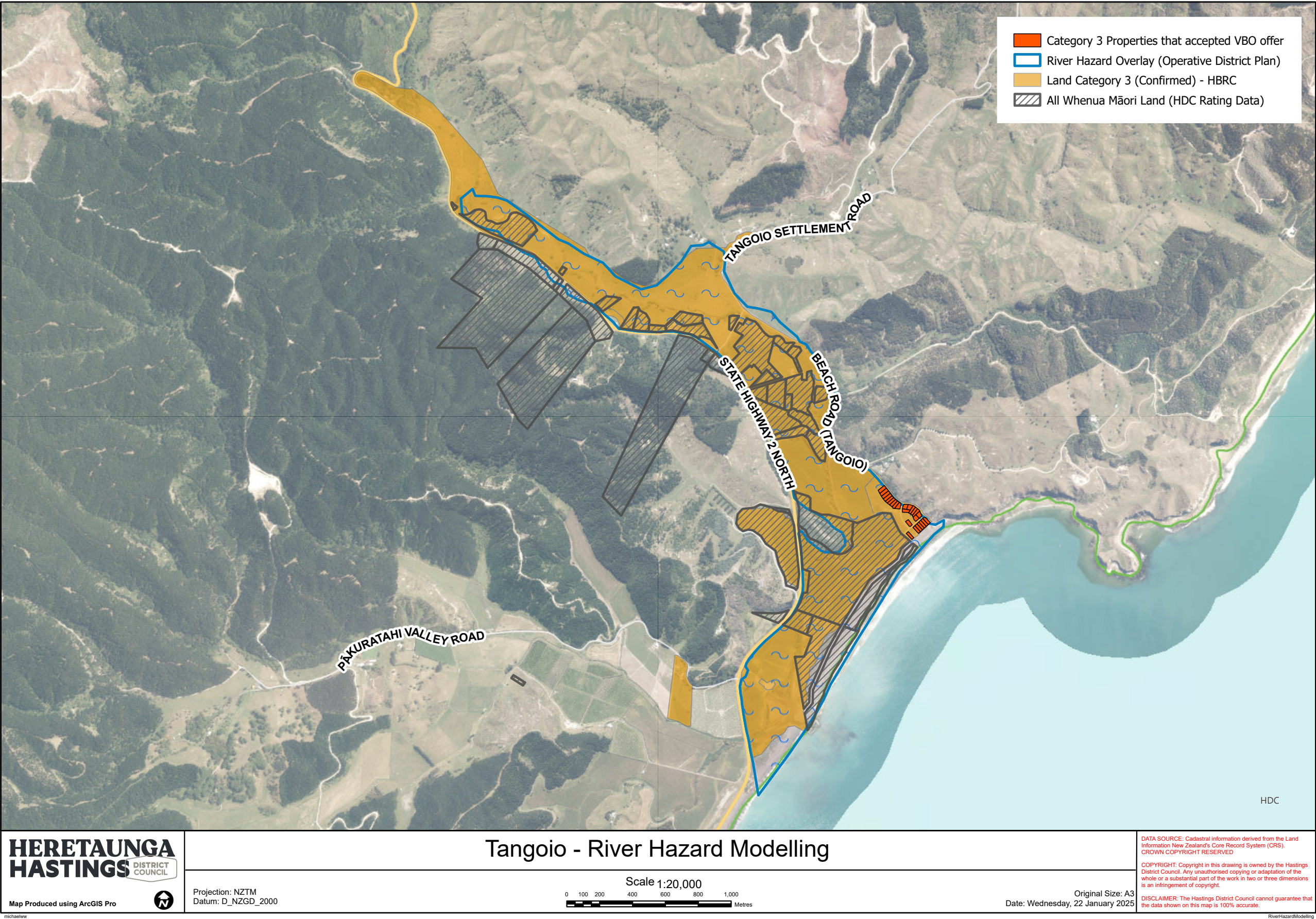
Rural Community Board – *Te Poari Tuawhenua-ā-Hapori*

The Rural Community Board will be included in the consultation plan.









Wednesday, 9 April 2025

Item 7

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: District Planning and Bylaws Subcommittee Meeting***Te Rārangi Take*

Report to District Planning and Bylaws Subcommittee

Nā:
From: **Craig Scott, Senior Environmental Planner - Policy**

Te Take:
Subject: **Update for the Commercial Strategy Review**

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

- 1.1 The purpose of this report is to update the District Plan and Bylaws Subcommittee as to the current progress and status of the Commercial Strategy Review and for the subcommittee to provide input around consultation and expectations that the strategy is expected to cover.
- 1.2 Council has currently engaged Formative Ltd to undertake a Commercial Trends assessment report. The report is considered necessary to ensure that we have a better understanding of the Commercial Demand figures that came from the Business Capacity Assessment. Whether we are providing for the correct level of Commercial demand in the correct locations, particularly around floor space and the nature of the retail requirements. As well as ensuring that the strategy is catering for the changing demands of commercial activities and associated land use.
- 1.3 This information is critical to ensure a robust Commercial Strategy that ensures we have suitable sites available for a range of commercial activities over the next 20 years and beyond. Providing certainty around accommodating commercial growth within our existing urban footprint to ensure we do not end up with unanticipated greenfields growth over our finite soils resource.

2.0 Recommendations - *Ngā Tūtohunga*

That the District Planning and Bylaws Subcommittee receive the report titled Update for the Commercial Strategy Review dated 9 April 2025.

3.0 Background – *Te Horopaki*

- 3.1 The current Hastings District Council Commercial Zone Review and Large Format Retailing 2003 – 2023, was developed throughout 2002 and finalised in June 2003. As part of the review a separate Hastings Retail Strategy was also appended as part of the main Commercial Strategy. The Commercial Strategy was developed against a background of emerging Large Format Retailing pressures.
- 3.2 The strategy was primarily focused on the Hastings central core, with a specific emphasis on how large format retail in the city would be provided for. At the time, there was a strong desire for large format to be located in Hastings, and the strategy was undertaken as a means to understand how this would best be achieved in a way that ensure the CBD vibrancy would not be eroded by an uncoordinated approach.
- 3.3 The key outcomes have now been implemented, noticeably the redevelopment of Nelson Park, and the dividing up of the CBD into specific precincts for development. The strategy should be reviewed and reconsidered to understand and deliver on the current pressures facing our Commercial Zones.
- 3.4 Further to this, the undertaking of the Business Capacity Assessment (BCA) as required by the NPS-UD has provided clearer indications of the demand and supply pressures on our commercial and retail markets. Some of the high-level findings from the BCA are as follows:
 - There is sufficient commercial and retail plan enabled GFA (vacant capacity) over the short term (3 years) (including the competitiveness margin), but shortfalls emerge over the medium and long term (10 and 30 year horizons respectively).
 - Sensitivity testing showed, 21% of redevelopment capacity would need to be developed in order to ensure sufficient commercial and retail GFA over the long term (including the competitiveness margin).
- 3.5 At its simplest the review should assess the findings of the BCA to understand and provide for future retail trends and to inform a District Plan review for Commercial Zones. This includes understanding both floor space and spatial requirements.
- 3.6 We have an existing retail hierarchy in the district plan. Under the hierarchy the Hastings City Centre is the principal commercial focus for the district with the Havelock North and Flaxmere town centres being second tier commercial areas and then the smaller suburban shopping centres, such as Mahora and Mayfair, fulfilling neighbourhood functions. One of the issues for consideration within the scope of the review should be whether such a hierarchy still has relevance in this environment.

4.0 Discussion – *Te Matapakitanga*

- 4.1 As part of a gap analysis for the strategy, it was considered that there were knowledge gaps around the future capacity of the existing commercial zonings to accommodate future activities, as well as the future trends around commercial and retail trends into the future. As such Council has engaged Formative Ltd to provide detailed analysis, to help provide baseline data on which the Commercial Strategy can be considered from. The exact specific scope we are requiring from Formative is discussed below.
 - Review the Napier/Hastings Land Business Capacity Assessment (HBA) with a view of determining whether the HBA accurately reflects the locational and floor space requirements of Commercial Development within the District and if specific centres are adequately providing for this growth, or whether specific locations will face pressures for growth (or lack of). An important question is whether redevelopment of the commercial areas is achievable, and where is demand for this most likely to be accommodated?

- Provide the parameters for HDC to undertake a land use survey that can be used to 'ground-truth' types of activities in the commercial and light industrial zones. HDC staff will undertake the survey and provide to Formative Ltd to support Formative's assessment.
- Understand existing strategies/policies that may influence future commercial trends, specifically - Local Area Plans, LTP submission and consultation work to review Havelock North Village Centre provisions, and Flaxmere Village Centre Redevelopment.
- Review the commercial zones and light industrial zones identified above and provide an evaluation of whether zones can appropriately cater for demand. Provide options of how the zones can provide for future demand and discuss the implications of each option.
 - Assess whether there will be need for additional greenfields development in the next 20 years, or whether commercial demand can be supplied through redevelopment/amended rules of existing Commercial Zones.
 - Provide details as to whether there are specific activities and retail opportunities that there will be demand for over the next 20 years, and whether the existing commercial areas can effectively and efficiently provide for these opportunities now and in the future.
 - Understand how/if residential inner-city living will impact on Commercial supply in particular locations. With a reference to how local area plans (provision for comprehensive brownfields development) are integrated with any Commercial Strategy.
 - Understand whether other residential zones are under particular pressure from commercial demand.
- Understand global/national trends in commercial/retail development and how they may affect the local market. Provide discussion on how these trends may continue into the next 20 years.
- Evaluate and describe the drivers of demand/growth and the types of activities of the three main centres – Hastings, Flaxmere and Havelock North. Consider the function that each centre plays, and how they relate to each other within the context of local socio-economic conditions. Understand and consider the natural commercial hierarchy in the district and how this drives growth when undertaking this evaluation.
- Utilising the HDC land use survey and the HBA, to evaluate the current and future needs for the Commercial Zones and Light Industrial Zones in the district, with a view as to whether District Plan changes will be required to maximise their efficiency.
- Conduct an analysis of suburban and satellite commercial centres and consider how they relate to the 'commercial hierarchy' i.e. main centres of Hastings, Havelock North and Flaxmere. Describe local trends of these areas and potential outlook over the next 20 years, including whether there will be pressure to expand outside existing zoned areas.
- Assess the extent to which the commercial hierarchy is appropriately located so as to adequately serve community needs, or whether there are parts of the district that require new or expanded business land to meet those needs.

4.2 The information provided is intended to answer the following questions:

- The Business Land Capacity Assessment assumes that commercial demand can be met within existing commercial areas, is this assumption correct? This includes considering the nature of the demand in the commercial areas and whether we have the right activities in the right places.
- How does HDC utilise these areas efficiently and effectively for projected commercial demands over the next 20 years?

- What does HDC need to change to achieve question 2?
- What options are available to HDC and their implications?

4.3 It is hoped that the commercial trends assessment will help ensure Council can make an informed and evidence-based decision around future commercial zoning provisions to ensure a robust and fit for purpose strategy over the next 20 years.

Consultation

4.4 Given the high-level nature of the strategy, it is not considered that a high level of public consultation is required, particularly for the general public. At this stage consultation is proposed to be more directive towards key stakeholders such as industry leaders, business associations.

4.5 As such consultation is proposed to be limited to:

- Business Associations
- Key commercial developers (Mackersey, TW Group)
- Business owners, particularly high-profile large format stores
- Mana Whenua
- Economic Agencies (HBREDA)
- Specific Government Agencies

4.6 Consultation will be able to occur concurrently with the economic assessment, however it is not part of the scope of the assessment to undertake this consultation. It is noted that some of the consultation may preferred to be delayed until the conclusions of the economic assessment are completed, to ensure we can have more direct knowledge of potential issues when we engage with the key stakeholders.

4.7 Consultation will mainly occur through 1 on 1 interviews, however a survey with business owners could be considered if there is a desire to engage a wider range of opinions.

4.8 We are happy to receive direction with regards to consultation and whether there are particular organisations we should engage with, keeping in mind that this is a high-level strategy, which does not drill down to particular developments, more it ensuring that we can accommodate a range of commercial development options now and to the future.

5.0 Next steps – *Te Anga Whakamua*

5.1 To work with Formative Ltd to produce an economic trends assessment.

5.2 To begin consultation with key stakeholders where appropriate.

Attachments:

There are no attachments for this report.

Wednesday, 9 April 2025

Item 8

*Te Hui o Te Kaunihera ā-Rohe o Heretaunga***Hastings District Council: District Planning and Bylaws Subcommittee Meeting***Te Rārangi Take*

Report to District Planning and Bylaws Subcommittee

Nā:
From: Anna Summerfield, Environmental Policy Manager

Te Take:
Subject: Update of Recent HDC Submissions on Resource Management (Consenting and Other System Changes) Amendment Bill and the Gene Technology Bill

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

- 1.1 The purpose of this report is to update the committee on the main points of recent submissions on the Resource Management (Consenting and Other Systems Changes) Amendment Bill (RM Amendment Bill) and the Gene Technology Bill 2024.
- 1.2 Submissions on the RM Amendment Bill closed on the 10 February 2025. Submissions on the Gene Technology Bill closed on 17th February 2025. Officers drafted submissions in response to both of these bills in a very condensed timeframe that didn't allow for full reporting prior to the submissions being lodged.
- 1.3 In terms of the Gene Technology Bill submission, prior consultation with the Mayor and CEO was undertaken to confirm the direction and nature of this submission. This submission sought that the Health Committee take a precautionary approach to Gene Technology and modify the Bill to continue to ensure that all GMO activities are contained inside certified facilities for research and development purposes (i.e. the same approach taken in the current District Plan provisions).
- 1.4 The HDC submission on the RM Amendment Bill was generally supportive of the changes proposed in the Bill, particularly in relation to enabling greater control of development exposed to natural hazards. It also reiterated HDC's strong support for comprehensive national direction on natural hazard planning through a national policy statement.

2.0 RM Amendment Bill 2024

- 2.1 The Council's submission on the RM Amendment Bill focussed on changes proposed in relation to natural hazard management. Specifically, it supported:

- The provision enabling rules relating to natural hazards to have immediate effect on notification; and
- The ability for consent authorities to decline land use applications where there is a significant risk from natural hazards (new section 106A).

- 2.2 HDC strongly supported the provision for natural hazard rules to have immediate effect on notification. This reflects the management of significant risks from natural hazards as matters of national importance (s6 RMA) and assists by avoiding the 'gold rush' scenario where applicants may seek to establish activities in areas exposed to natural hazards before the rules take legal effect.
- 2.3 The HDC submission also strongly supported the Bill's proposal to provide consent authorities with the ability to decline or impose conditions on land use consents where there are significant risks from natural hazards. This brings land use in line with the current ability to decline or impose conditions on subdivision consents in the same circumstances.
- 2.4 These provisions will provide the Council with a stronger set of tools to manage new development within areas subject to significant natural hazard.
- 2.5 The submission suggested drafting amendments to some clauses to ensure a clearer understanding of the threshold for applying the provisions, making administration and interpretation easier. These details are included in the full submission on the RM Amendment Bill which is attached to this report (as **Attachment 1**).
- 2.6 The Environment Committee heard submissions over several days between 20th February – 13th March 2025. Caleb Sutton, Environmental Consents Manager, spoke to the HDC submission on Monday 3 March. The submission was well received by the Committee who asked questions in relation to the Council experience through Cyclone Gabrielle. The Environmental Committee are due to report back to Parliament on the Bill in mid-June 2025.

3.0 Gene Technology Bill 2024

- 3.1 This submission expressed concern around the outdoor use of GMO's and that a precautionary approach is required to adequately protect human health and the environment from the adverse effects of the release of GMO's.
- 3.2 The submission requested that the Bill not void existing District Plan provisions relating to the control of the release of GMO's. It outlined that Hawke's Bay is heavily reliant on its primary production economy and the maintenance of a clean, green image, free from GMO influences, is seen as critical in attracting maximum values for produce in certain markets. The concern is that markets sensitive to GMO's will be lost to NZ exporters.
- 3.3 The submission outlined the Council's current policy position on GMO's and that the communities desire for GE free status supports the protection of the environment and gives our District a strong competitive advantage when promoting our products for export. The Heretaunga Plains is recognised as a horticultural powerhouse and the export of fruit alone earned \$471.8 million dollars for the Hastings economy in 2023. The release of GMO's would not be compatible with certain horticultural and viticultural industries, both in a physical sense with a risk of contamination and cross-pollination and in terms of market sensitivity.
- 3.4 As written, the District Plan provisions recognise that attitudes may change and/or that there may be future GMO development opportunities that may result in a net benefit to the district and where effects can be satisfactorily managed.
- 3.5 For this reason, a review policy has been built into these provisions to ensure regular consideration of new information on the benefits of and/or adverse effects of a GMO activity which might become available. No approach has been made by GMO proponents providing information which suggests new information, economic benefits or requiring an effects assessment to invoke this review clause.

- 3.6 On this basis, HDC's current policy approach which balances environmental outcomes against economic considerations, is still considered appropriate for Hastings. On that basis, the submission advocated that the Committee take this same precautionary approach in respect of the Gene Technology Bill.
- 3.7 The Heath Committee is due to report back to Parliament on the Bill in June 2025.

4.0 Recommendations - *Ngā Tūtohunga*

- A) That the District Planning and Bylaws Subcommittee receive the report titled Update of Recent HDC Submissions on Resource Management (Consenting and Other System Changes) Amendment Bill and the Gene Technology Bill dated 9 April 2025.
- B) That the Committee endorse the HDC submissions that were submitted to the Environment and Health Select Committee's on the RM Amendment Bill and Gene Technology Bill respectively.

Attachments:

- 1 [↓](#) Submission on Resource Management Amendment Act Bill LEG-01-10-5-25-32
- 2 [↓](#) HDC Submission on Gene Technology Bill 2024 CG-17-13-00078
dated 170225



Submission on Resource Management (Consenting and Other System Changes) Amendment Bill

To: Environment Select Committee

From: Hastings District Council

HDC requests the opportunity to make a brief oral submission to the Select Committee.

Introduction

1. Hastings District Council (**HDC**) is grateful for the opportunity to submit on the Resource Management (Consenting and other System Changes) Amendment Bill (**the Bill**).
2. HDC is generally supportive of the Bill, but wishes to make the following comments on that part of the Bill dealing with Natural Hazards.
3. A pressing concern in the Hastings District is the ability to appropriately control development in areas exposed to natural hazards. As the Committee will be aware, Hastings District was severely affected by Cyclone Gabrielle, and tragically, lives were lost as a result of the associated flooding. HDC is acutely the aware of the importance of factoring natural hazard risk into planning decisions, and supports the Bill's intention to provide consent authorities with greater ability to control activities in areas exposed to natural hazards.
4. The Bill's key amendments proposed which would enable greater control of development exposed to natural hazards are:
 - Provision for rules relating to natural hazards to have immediate effect on notification (amendments set out in sections 25(1) and 46); and
 - The ability for consent authorities to decline land use applications where there is a significant risk from natural hazards (new section 106A, introduced through s 37 and cross referenced in ss 27 and 40).
5. HDC has some suggestions as to drafting, to ensure councils can efficiently and effectively deliver on the outcomes sought, however in principle it strongly supports the amendments and considers they should apply as soon as possible. The amendments requested are explained below and set out in **Appendix A**.

Ability to decline land use applications for natural hazards reasons

6. The Bill proposes that consent authorities will have the power to decline or impose conditions on land use consents where there are significant risks from natural hazards. This largely reflects the existing power which applies when considering subdivision consents, and is an important addition to consent authority powers. However, the drafting requires improvement to:
- Simplify the threshold for applying the section, to enable applications to be declined, or have conditions imposed, if the proposed activity would be exposed to significant risk from natural hazards (rather than the activity needing to create or worsen significant risk);
 - Clarify how the assessment of risk is undertaken;
 - Make consequential amendments to s92 and the transitional provisions to allow s 106A to operate as intended.

Apply s 106A when activity would be subject to significant risk

7. As presently drafted, s 106A(1) would apply when a significant risk is created or exacerbated by the activity for which consent is sought. It appears to exclude a situation where the land or an existing activity on it is already exposed to significant risk and the new proposed activity will be exposed to the same, but not necessarily an increased, level of risk. HDC considers this requirement to be too restrictive.
8. For example, if there was already a residential activity established in a high-risk flood area, a proposal to build a larger house would arguably maintain the same level of significant risk and s 106A would not be triggered. Nevertheless, it would see greater investment in people continuing to reside in an area inherently inappropriate for residential activity. Section 106A should enable Council to decline an application, or impose conditions on it, where the site is already exposed to significant risk, even if the proposal would not necessarily increase the risk.
9. Requiring the risk to be created or worsened also introduces uncertainty for applicants and consent authorities, and is likely to lead to debate and challenge. Determining whether a “significant risk” exists already requires an evaluation which can be subject to challenge. There is existing case law and experience to assist with the interpretation of what constitutes a significant risk through the existing s 106, and this is expected to be assisted by signalled national guidance (discussed below). However, adding requirements to consider whether existing risks are being “increased” will add further layers of subjectivity which is unnecessary and unhelpful. For instance, expanding or changing an activity to enable an increased number

of people to occupy the land would in HDC's view be likely to increase the risk, but this would be subject to challenge by applicants.

10. Given s 106A(1) is simply a trigger to allowing consideration of natural hazard effects, a simpler method should be employed whereby s 106A will apply if the consent authority considers the activity for which consent is sought will be subject to a significant risk from natural hazards. Consideration as to whether there is an existing risk which is being increased would still be considered as part of the wider assessment.

11. Drafting for s 106A(1) is suggested as follows:

A consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that the activity for which consent is sought will **be subject to significant risk from natural hazards.** —

~~(a) create a significant risk from natural hazards if there is no existing risk 5 from natural hazards; or~~

~~(b) — increase an existing risk from natural hazards to a significant risk; or~~

~~(c) — increase an existing significant risk from natural hazards.~~

Approach to risk assessment

12. HDC supports the submission by Taituara in requesting that s 106A(2)(b) and (c) should refer to the consequences of a natural hazard event on people, property, critical infrastructure and the environment, and not to “material damage to land”.
13. From HDC's perspective, the primary issue when considering applications to establish new or expanded activities is whether residents or other users of the site will be at risk in the event of a natural hazard event. Risk to life is a key consideration which this section should be looking to avoid, and HDC considers this should be explicitly referenced. A secondary, but still important, issue is whether land, structures or infrastructure would be at risk of failure or damage in such an event. This would be a useful way to frame the assessment in s 106A(2), and drafting has been suggested.
14. Drafting for s 106A(2) is suggested as follows:

For the purposes of subsection (1), an assessment of the risk from natural hazards requires a combined assessment of—

(a) the likelihood of natural hazards occurring (whether individually or in combination);
and

(b) ~~the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards~~ **whether the proposed use of the land would mean people's health or safety would be at risk in a natural hazard event, including any risk to life;** and

(c) ~~whether the proposed use of the land would accelerate, worsen, or result in material damage of the kind referred to in paragraph (b); and~~ whether the proposed use of the land would mean land, structures or infrastructure would be at risk of damage or failure in a natural hazard event.

~~(d) whether the proposed use of the land would result in adverse effects on the safety or health of people.~~

Enabling consent authorities to make the required assessment

15. Consent authorities need to have appropriate information to enable them to undertake the assessment required by s 106A.
16. At present, a consent authority could request further information under s 92 or commission a report under s 92 RMA. It would be useful if it could be made clearer that s 92 can be used for this purpose.
17. Section 30 of the Bill proposes an amendment to s 92, by inserting a requirement as s 92(2B) that a consent authority must consider certain matters before requesting further information. It would be useful for the purposes of clarity if s 92(2B)(a) referred to information needed for the purpose of s 106 or 106A RMA. While s 92(2B) refers to any provision of the Act that “relates to the application”, the information as to natural hazard risk may be required to decide whether s 106 or s 106A is relevant. There is room for debate as to whether those provisions can be said to “relate to the application” before that assessment has been completed. It is therefore preferable to refer to ss 106 and 106A explicitly.
18. The following amendment is requested:

Before requesting further information, a consent authority must consider whether

- (a) *it needs the information for the purpose of sections s 104(1)(b) or (c), 106, 106A, or any other provision of this Act that relates to the application; ...*

Transitional provisions to be clarified

19. The Bill proposes that Part 8 of Schedule 12, clause 59 would have sections 27, 37 and 40 of the amendment Act “*apply to proposed plans, plan changes, and variations that are notified on or after commencement*”.
20. Those sections relate to new section 106A, which is a land use activity provision. It does not make sense for those provisions to relate to the timing of a proposed plan. Rather it is assumed that the intention is for s 106A to apply to applications lodged on or after commencement. This is addressed by proposed Part 8 of Schedule 8, clause 49, which deals with consenting.
21. HDC requests that clause 59 be corrected to remove reference to sections 27, 37 and 40 as follows:

The amendments made by sections 25(1), ~~27, 37, 40~~, and 46 of the amendment Act apply to proposed plans, plan changes, and variations that are notified....

22. HDC's ideal position would be for s 106A to be able to be applied to applications for consent that have already been lodged, however it is understood that this would potentially raise issues around retrospectivity. While HDC requests consideration of this matter, it is not included in the requested drafting at **Appendix A**.

Natural hazard rules to have immediate effect

23. HDC strongly supports natural hazard rules having immediate effect on notification, as proposed by section 25(1) of the Bill. This reflects the management of significant risks from natural hazards being a matter of national importance (s 6(h)) and avoids a 'gold rush' situation where applicants may seek to establish activities in areas exposed to natural hazards before the rules take legal effect.
24. Many councils will already have notified proposed plans, plan changes or variations that relate to natural hazards before the amendment Act commences. New Part 8 of Schedule 12, clause 59 provides that the 'immediate effect' provision will only apply to plans notified after commencement.
25. HDC considers rules relating to natural hazards should have immediate effect from the date of commencement of the amendment Act, regardless of when they were notified. While there is usually a presumption against retrospectivity, that concern is not significant in this case and in any event is outweighed by the public interest in appropriately managing natural hazard risks. Having the provision apply only from commencement is likely to have the perverse outcome of councils delaying notifying important plan changes to provide for natural hazards until the amendment Act commences, or withdrawing and renotifying existing changes.
26. HDC therefore seeks an amendment to proposed new Part 8 to be inserted into Schedule 12 of the RMA, clause 59 to read (note a further change to this provision is sought above):

The amendments made by sections 25(1)... of the amendment Act apply to proposed plans, plan changes, and variations that are notified, before, on or after commencement.

**Relationship between Natural Hazard Amendments and proposed National Policy Statement on
Natural Hazard Decision Making**

27. HDC has previously communicated its strong support for comprehensive national direction on natural hazard planning through a national policy statement. Such a policy statement has been signalled but not yet released for comment. A natural hazards national policy statement would

presumably provide helpful direction on how rules relating to natural hazards should be developed and/or framed and how s 106 and 106A are to be applied, for instance, by directing what is deemed to be a “significant effect”, or factors to be considered in making that assessment.

28. While it would have been preferable to have been able to consider the policy approach together with the legislative changes, HDC nevertheless considers the addition of s 106A useful. HDC looks forward to the opportunity to comment on the national policy statement to ensure the legislative intent can be given effect to.

Conclusion

29. Thank you again for the opportunity to submit, and to make suggestions as to how the intent behind the natural hazard amendments in the Bill can be better reflected in the drafting, and therefore in practice.
30. HDC is happy to provide any further information, examples or explanation of its concerns.

The contact person and address for service for this submission is:

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Signed on behalf of Hastings District Council by:



John O'Shaughnessy
Group Manager, Planning and Regulatory Services

Appendix A – Summary of Drafting Amendments Requested

Amend s 30 of the Bill as follows:

After section 92(2A), insert:

- (2B) Before requesting further information, a consent authority must consider whether—
- (a) it needs the information for the purpose of sections ~~104~~(1)(b) or (c), ~~106~~, **106A** or any other provision of this Act that relates to the application; and
 - (b) it can assess the effects of the proposal from the information currently available; and
 - (c) any information that it seeks is proportionate to the nature and significance of the proposal.

Amend s 37 of the Bill as follows:

After section 106, insert:

106A Consent authority may refuse land use consent in certain circumstances

- (1) A consent authority may refuse to grant a land use consent, or may grant the consent subject to conditions, if it considers that the activity for which consent is sought will **be subject to significant risk from natural hazards.** —
- ~~(a) create a significant risk from natural hazards if there is no existing risk 5 from natural hazards; or~~
 - ~~(b) increase an existing risk from natural hazards to a significant risk; or~~
 - ~~(c) increase an existing significant risk from natural hazards.~~
- (2) For the purposes of subsection (1), an assessment of the risk from natural hazards requires a combined assessment of—
- (a) the likelihood of natural hazards occurring (whether individually or in combination); and
 - (b) ~~the material damage to land in respect of which the consent is sought, other land, or structures that would result from natural hazards~~ **whether the proposed use of the land would mean people's health or safety would be at risk in a natural hazard event, including any risk to life;** and
 - (c) ~~whether the proposed use of the land would accelerate, worsen, or result 15 in material damage of the kind referred to in paragraph (b); and~~ **whether the proposed use of the land would mean land, structures or infrastructure would be at risk of damage or failure in a natural hazard event.**
 - ~~(d) whether the proposed use of the land would result in adverse effects on the safety or health of people.~~
- (3) Conditions imposed under subsection (1) must be—
- (a) for the purposes of avoiding or mitigating the effects of any significant risk from natural hazards; and
 - (b) of a type that could be imposed under section 108

Amend the Schedule to the Bill as follows:

New Part 8 inserted into Schedule 12:

...

59 Application of amendments relating to natural hazards

The amendments made by sections 25(1), ~~27, 37, 40,~~ and 46 of the amendment Act apply to proposed plans, plan changes, and variations that are notified, before, on or after commencement.



If calling ask for Nigel Bickle

File Ref: ADM-01-03-6-25-946

17 February 2025

Committee Secretariat
Health Committee
Parliament Buildings
Wellington
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Submission on the Gene Technology Bill 2024 from Hastings District Council

Introduction

1. Thank you for the opportunity to submit on the Gene Technology Bill 2024.
2. In principle, we are supportive of a legislative framework which aligns itself with the Hastings community's strategic direction and intent, which is balanced with environmental and economic outcomes. The proposed Gene Technology Bill, however, risks undermining these same matters and the Councils submission seeks to minimise that potential.
3. In particular, HDC has concerns that:
 - the bill does not contain sufficient regulations or provisions to adequately protect human health and the environment from the adverse effects of the release of GMO's;
 - Hawkes Bay is heavily reliant on its primary production economy, so image, regional branding and more importantly perception is crucial. The maintenance of a clean green image, free from GMO influences, is seen as critical in attracting maximum values for produce in certain markets. Markets sensitive to potential GMO's will be lost to New Zealand exporters; and
 - the bill erodes the ability of New Zealanders and mana whenua to have a say in what risks are acceptable in their District / Region.
4. This submission seeks that the health committee:
 - Adopt a precautionary approach as HDC has done and continues to do and modify the Bill to continue to ensure that all GMO activities are contained inside certified facilities for research and development purposes;
 - Not void existing District Plan provisions that allow for GMO activities to occur within contained certified facilities such as in the Hastings District Plan.

Background

5. In 2015, HDC became the first Council in NZ to secure Genetically Modified Organism (GMO) free status via its District Plan.

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6. Community sentiment surrounding the need to control outdoor activities involving Genetically Modified Organisms (GMO's) drove the need to investigate their inclusion in the Plan¹. GM is one of a number of applied biotechnology techniques that together are predicted to offer benefits in many sectors. However, there are risks (both known and unknown) and scientific uncertainty with respect to GM techniques. These risks could be substantial and certain consequences irreversible. GM is a relatively new and fast developing technology and its effects, particularly over the long term, are not completely understood. There is a lack of scientific certainty and/or agreement over many issues relating to GMOs ranging from the safety of GM food products to long term environmental effects and effects on ecosystems and ecological processes from releases of GMOs into the environment.
7. The Council's policy position was also supported by and aligned with Ngāti Kahungunu Iwi Incorporated stance on this issue. For Ngāti Kahungunu, being a GE-Free food producing region was part of its 25-year vision² to safeguard the natural environment and its resources and is reflective of their relationship with their ancestral lands, water and taonga within their rohe. It is also consistent with their role as kaitiaki over the natural world and resources, in terms of keeping these taonga safe from damage through genetic modification.
8. GE free status supports our community's desire to protect our environment and gives our District a strong competitive advantage when promoting our products for export. The Heretaunga Plains is recognised as a horticultural powerhouse, due to its soil values and climate. The export of fruit alone earned \$471.8 million dollars for the Hastings economy in 2023³. The release of GMO's would not be compatible with certain horticultural and viticultural industries, both in a physical sense with a risk of contamination and cross – pollination and in terms of market sensitivity.
9. HDC's current policy balances environmental outcomes against economic benefits. While, HDC currently has rules in its District Plan that prohibit the outdoor release and field trials of GMO's (even with prior EPA approval) it provides for GMO's involved in laboratory research or GMO based products for medicinal or veterinary use. Therefore, restriction of laboratory research or the exploration of other beneficial technologies is not prevented. The Council's policy position is very much an informed precautionary approach.

Implications and Rationale for District Plan Provisions relating to GMOs

10. The outdoor use of GMOs can have adverse effects on people, communities, tangata whenua, social and cultural wellbeing, the environment and the economy. The introduction of these provisions to the District Plan reflects the level of control desired by the community to manage the effects of GMO land use activities.
11. Community input during the preparation of the District Plan, included food producers raising concerns regarding the District's international reputation and marketability associated with GMOs. No evidence has been provided by GMO proponents, within the last 10 years, indicating a viable market for GMO products which could not be tested under our current permitted activity provisions (i.e within certified contained laboratory facilities).

¹ This included a Colmar Brunton Poll commissioned by Pure HB which identified that of the 500 Hawkes Bay people questioned, 84% of those who responded wanted the region to remain GM-free.

² www.kahungunu.iwi.nz/files/ugd/b47397_5b6348b7ec4540b7b6443df338112a32.pdf

³ <https://rep.infometrics.co.nz/hastings-district/economy/exports?compare=new-zealand> (Highlights for Hastings District 2023)



Hastings District Plan Objective & Policy Framework relating to GMOs

12. Currently HDC has the following objective and policy framework that underpins the existing prohibitive status of the outdoor release and field trials of GMOs:

OBJECTIVE HSO4

To protect the community and their social, economic and cultural wellbeing and environment from the adverse effects associated with the outdoor release or field testing of Genetically Modified Organisms through the adoption of a precautionary approach.

POLICY HSP4

To adopt a precautionary approach to the management of [Genetically Modified Organisms](#) by prohibiting the field testing or [release](#) of a [Genetically Modified Organism](#).

POLICY HSP5

To adopt a resource management framework for the management of [Genetically Modified Organisms](#) (GMOs) that is [District](#) specific taking into account environmental, economic and social well-being considerations.

Explanation

In addition to the environmental risks associated with the [release](#) of GMOs, there are economic risks caused by the sensitivity of export markets for high value produce to potential GMO contamination. The export of high value produce is critical to Hastings [District](#) as one of New Zealand's most significant horticultural and viticultural areas; agriculture is also an important component of the [District](#)'s economy. Providing for the wellbeing of the community by giving certainty in prohibiting the field testing or [release](#) of GMOs is therefore justified. It is considered that the [prohibited](#) status is necessary to reflect social and cultural attitudes amongst the Hastings community. This is founded on a 2012 Colmar Brunton survey that found 84% of respondents believe that Hawke's Bay should remain a GE free food producing region. Although regulating GMOs in the [District Plan](#) could be considered a duplication of the HSNO Act 1996, the Hastings [District](#) community in seeking a precautionary approach, has requested greater certainty than can be provided by HSNO.

POLICY HSP6

To review the Plan provisions relating to [Genetically Modified Organisms](#) (GMOs), particularly if there is new information on benefits and/or adverse [effects](#) of a [Genetically Modified Organism](#) activity and/or there is a general community acceptance to the [use](#) of [Genetically Modified Organisms](#) that have proven to be safe and economically beneficial without adversely affecting the [environment](#) and the general social and economic wellbeing of the community.

Explanation

The necessity and relevance of the [prohibited](#) activity status for field testing and [release](#) of GMOs will be reconsidered at the next plan review. If in the meantime GMO [use](#) is proven to be safe and advantageous and the community is accepting that a precautionary approach is no longer warranted, then their [prohibited](#) activity status may be overturned by a plan change. This could either be in relation to GMOs in general, or to a specific GMO for which there is a demand for in the community and which poses a low risk with regard to adverse [effects](#) and to the economic viability of the production and marketing of GE free produce.



Opportunity to Review District Plan Provisions

13. The District Plan provisions as written recognise that the community's attitude may change and/or there may be future GMO development opportunities that could result in a net benefit to the District and where the effects can be satisfactorily managed. For this reason a review policy has been built into these provisions to ensure regular consideration of new information on the benefits and/or adverse effects of a GMO activity which might become available. No approach has been made by GMO proponents providing information which suggests new information, economic benefits or requiring an effects assessment to evoke this review clause.
14. On this basis, the current policy approach is still considered appropriate for Hastings and one which allows more broadly a balance of competing considerations.
15. We advocate that the health committee take this same precautionary approach in respect of the Gene Technology Bill provisions.

Conclusion

16. HDC again is thankful for the opportunity to submit on this issue.
17. The contact person as an address for service in relation to this submission is:
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Kind regards,

A handwritten signature in blue ink, appearing to read "Nigel Bickle".

Nigel Bickle
Chief Executive
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