

Thursday, 4 September 2025

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

Kaupapataka

Agenda

Te Rā Hui:
Meeting date: **Thursday, 4 September 2025**

Te Wā:
Time: **1.00pm**

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: **Chief Executive - Nigel Bickle**

Thursday, 4 September 2025

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Agenda

Tiamana

Chair: Mayor Sandra Hazlehurst

Mematanga:

Membership:

Ngā KaiKaunihera

Councillors: Ana Apatu, Marcus Buddo, Alwyn Corban, Malcolm Dixon, Michael Fowler, Damon Harvey, Henry Heke, Kellie Jessup, Tania Kerr (Deputy Mayor), Hana Montaperto-Hendry, Simon Nixon, Wendy Schollum, Heather Te Au-Skipworth and Kevin Watkins and one councillor vacancy

Tokamatua:

Quorum:

8 members

Apiha Matua

Officer Responsible:

Chief Executive – Nigel Bickle

Te Rōpū Manapori me te

Kāwanatanga

Democracy and

Governance Services:

Louise Stettner (Extn 5543)

Te Rārangi Take

Order of Business

1.0 Opening Prayer – *Karakia Whakatūwheratanga*

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

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

Leave of Absence had previously been granted to Councillor Jessup

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.

4.0 Confirmation of Minutes – *Te Whakamana i Ngā Minitī*

Minutes of the Council Meeting held Tuesday 8 July 2025.

(Previously circulated)

5.0 Adoption of the Waste Management and Minimisation Bylaw 2025 7

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13.0	Minor Items – <i>Ngā Take Iti</i>	
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16.0	Divestment Opportunity - Medium Density Housing Activation	
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17.0	Horse of the Year (HB) Ltd Shareholding	
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18.0	Risk and Assurance Committee Independent members remuneration	
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19.0 CE Matters (supplementary agenda circulated separately)

Thursday, 4 September 2025

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

Item 5

Te Rārangi Take

Report to Council

Nā:
From: **Angela Atkins, Waste Manager**

Te Take: **Adoption of the Waste Management and Minimisation Bylaw**
Subject: **2025**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

1.1 The purpose of this report is to bring a recommendation from the District Planning and Bylaw Subcommittee to Council for consideration regarding the adoption of the Waste Management and Minimisation Bylaw 2025 (Bylaw). At its meeting on 13 August 2025, the Subcommittee passed the following resolution which includes a recommendation to Council.

- A) *That the District Planning and Bylaws Subcommittee receive the report titled Consideration of submissions on Draft Solid Waste Management and Minimisation Bylaw dated 13 August 2025.*
- B) *That the written submissions and officer comments in Attachment 3 - 18, attached to the report in A) above, be received.*
- C) *That feedback provided at this meeting be incorporated into the final Waste Management and Minimisation Bylaw 2025.*
- D) *That the Subcommittee recommends, in terms of Sections 82 and 86 of the Local Government Act 2002, that the principles set out in that section have been observed in such a manner that the Subcommittee, in its discretion, is appropriate for the decisions made during the course of this meeting.*
- E) *For the purposes of Section 155 of the Local Government Act 2002, the District Planning and Bylaw Subcommittee resolve that;*
 - *A bylaw is the most appropriate way of addressing the perceived problems;*
 - *The proposed bylaw is the most appropriate form of bylaw; and*
 - *The proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.*
- F) *That the Subcommittee endorse the Waste Management and Minimisation Bylaw 2025 to Council for adoption at the meeting on 4 September 2025.*

G) That the Subcommittee endorse amending Section 12.2(b) of the Waste Management and Minimisation Bylaw 2025 by the addition of the following wording, identified below in bold:

- including any **necessary** information required by Council **to fulfil reporting requirements to central government**.

- 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 to support the implementation of the Joint Waste Management and Minimisation Plan (WMMP) in the Hastings District.
- 1.3 The bylaw complies with relevant legislation, including the Local Government Act 2002, the Waste Minimisation Act 2008, and the New Zealand Bill of Rights Act 1990, is reasonable and does not conflict with any other New Zealand legislation.
- 1.4 An independent legal review was completed on the draft bylaw prior to consultation by Simpson Grierson.
- 1.5 This report concludes by recommending the adoption of the Waste Management and Minimisation Bylaw 2025 and to revoke Clause 2.14.1 (Refuse Disposal) and Clause 10.3 (Refuse) of the existing Consolidated Bylaw 2021.
- 1.6 Pursuant to section 157 of the Local Government Act 2002 –

(1) As soon as practicable after a bylaw is made, the local authority must give public notice of the making of the bylaw, stating-

(a) the date on which the bylaw will come into operation; and

(b) that copies of the bylaw may be inspected and obtained at the office of the local authority on payment of a specified amount.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Adoption of the Waste Management and Minimisation Bylaw 2025 dated 4 September 2025.
- B) That Council note the District Planning and Bylaw Subcommittee resolution at its meeting on 13 August 2025 to endorse the Waste Management and Minimisation Bylaw 2025 to Council for adoption.
- C) That Council adopt the Waste Management and Minimisation Bylaw 2025 (**Attachment 1**), pursuant to Section 56 of the Waste Minimisation Act 2008 which authorises territorial authorities to make bylaws for specific purposes and requires bylaws to be consistent with the territorial authority's waste management and minimisation plan.
- D) That Council delegate the Chief Executive to affix the Common Seal of the Council to the Waste Management and Minimisation Bylaw 2025.
- E) That Council revoke Clause 2.14.1 (Refuse Disposal) and Clause 10.3 (Refuse) of the existing Consolidated Bylaw 2021.
- F) That resolutions C and E come into effect 1 October 2025.
- G) That Council resolve, in terms of Sections 82 and 86 of the Local Government Act 2002 (which relate to Principals of Consultation and use of Special Consultation Procedure), that the principles set out in that section have been observed in such a manner that the Council considers is appropriate for the decisions made during the course of this meeting.
- H) That Council resolve for the purposes of Section 155 of the Local Government Act 2002, 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.
- I) That Council delegate to the Chief Executive the authority to make any typographical changes or minor editorial changes for the purposes of correction or clarity, before the bylaw comes into force.
 - J) That Officers forward replies to all submitters to thank them for their submissions, advise of any Council decisions in response to the submission and offer explanations based on the officer comments as amended by Council at this meeting.

3.0 Background – *Te Horopaki*

- 3.1 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 has limited enforceable powers.
- 3.2 A review of the existing bylaw revealed that the objectives of the Waste Minimisation Act 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.
- 3.3 On 13 May 2025, the Council received and approved the draft Bylaw, and draft Statement of Proposal documents for public consultation.
- 3.4 The Bylaw has been developed to support the implementation of the Joint Waste Management and Minimisation Plan (WMMP) in the Hastings District and ensure effective and efficient waste management and minimisation.
- 3.5 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 out separation of waste requirements for collection.
General Responsibilities	Sets out responsibilities for an occupier of any premises.
Waste Collectors and Waste Operators	Sets out standard operations of a waste collector and operator.
Public Waste Bins	Sets out requirements regarding public waste bins.

- 3.6 Other Territorial Authorities across New Zealand have implemented Waste Management and Minimisation Bylaws utilising a similar structure to this Bylaw.
- 3.7 The Bylaw has been developed 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.
- 3.8 The bylaw complies with relevant legislation, including the Local Government Act 2002, the Waste Minimisation Act 2008, and the New Zealand Bill of Rights Act 1990, and is reasonable and does not conflict with any other New Zealand legislation.

- 3.9 An independent legal review was completed on the draft bylaw prior to consultation by Simpson Grierson.
- 3.10 The bylaw review was completed as part of the overall WMMP review process to ensure alignment. The Joint WMMP was completed, with the adoption of the new document, on 13 June 2025. A legal review of the WMMP is not required.

4.0 Discussion – *Te Matapakitanga*

- 4.1 Public consultation was undertaken from 19 May 2025 to 22 June 2025.
- 4.2 The consultation was advertised widely on the website and through traditional and digital/social media.
- 4.3 The community was specifically asked:
- What do you think of our new Draft Waste Management and Minimisation Bylaw 2025? (With tick boxes; Love it, needs tweaks, not a fan (why not?))
 - Got any other thoughts, ideas or suggestions? Please reference the page number/section you are referring to.

- 4.4 Fifteen submissions were received. There was general support (87%) for the changes to the bylaw with respondents answering the set questions in the following way:

Love it	Needs Tweaks	Not a fan
4	9	2
27%	60%	13%

- 4.5 The majority of the submissions suggested tweaks that related to operational matters regarding the Council waste services such as kerbside services, user pays services at the Refuse Transfer Station, public place recycling and education. These aspects do not relate to the matter of the bylaw and the waste minimisation team will contact each submitter to discuss the points raised.
- 4.6 One submission made suggestions regarding definition wording and kerbside collection aspects. These suggestions were considered and discounted to keep the wording consistent with both Hastings District Council bylaws and other councils' bylaws.
- 4.7 One submission was made regarding section 12 and after consideration by the District Planning and Bylaw Subcommittee, the subcommittee resolved to amend the wording in section 12.2 (b) to read – including any **necessary** information required by Council **to fulfil reporting requirements to central government**. Adding the words in bold.
- 4.8 As a point of clarification, while Hastings District Council and Napier City Council have a Joint Waste Management and Minimisation Plan, each council will have individual bylaws.

5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 **Council adopt, without amendment the Waste Minimisation and Management Bylaw 2025 (Attachment 1):**
- 5.2 A new Bylaw is the appropriate response to bylaw review determination report and the adoption of the new Joint WMMP on 13 June 2025.

Advantages

- Aligns with the recommendation from the Joint Waste Futures Project Steering Committee.
- Supports the new Joint Waste Management and Minimisation Plan adopted on 13 June 2025.

- Meets the Councils' responsibilities under the Waste Minimisation Act 2008 to have bylaw aligned to the WMMP.
- Provides enforcement tools to enable the Councils to meet drivers of increasing emphasis on diversion of waste from landfill and recovery of material value.

Disadvantages

- None noted.

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

5.3 Council to reject the Waste Minimisation and Management Bylaw 2025 (Attachment 1).

- 5.4 Council officers have not considered the option of not approving the Waste Management and Minimisation Bylaw 2025 as this would contravene Council's statutory obligation to review the bylaw to align with current joint WMMP. Failure to adopt the Bylaw could also result in central government retaining the waste levy revenue payable to a territorial authority in accordance with section 33 of the WMA.

Advantages

- None noted.

Disadvantages

- Goes against the recommendation from the District Planning and Bylaw Subcommittee.
- Does not align to the Joint Waste Management and Minimisation Plan adopted on 13 June 2025.
- Does not fully meet the Council's responsibilities under the Waste Minimisation Act 2008 and could jeopardise the Council's receipt of their proportion of the waste disposal levy to fund activities and initiatives in the WMMP. The waste disposal levy payments are estimated to be \$1.5 million for this financial year.

6.0 Next steps – Te Anga Whakamua

- 6.1 Pursuant to section 157 of the Local Government Act 2002:

(1) As soon as practicable after a bylaw is made, the local authority must give public notice of the making of the bylaw, stating-

(a) the date on which the bylaw will come into operation; and

(b) that copies of the bylaw may be inspected and obtained at the office of the local authority on payment of a specified amount.

- 6.2 The bylaw document will be placed on the bylaw page of the Hastings District Council website.
- 6.3 Officers will arrange for a public notice to be issued and make copies available in the customer service centre.

Attachments:

1 ➡ Waste Management and Minimisation Bylaw 2025 SW-29-2-25-317 Vol 1

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.

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

A public consultation process was undertaken in accordance with Section 82 of the Local Government Act 2002 during the period 19 May to 22 June 2025.

Risks

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
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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.	The legal implications and risks are dependent on the changes if any made to the draft bylaw.
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Rural Community Board – *Te Poari Tuawhenua-ā-Hāpori*

The Hastings district rural community will be subject to the Bylaw if adopted, however the direct impact will be low due to the reduced waste service offerings compared to residentially zoned properties.

Thursday, 4 September 2025

Item 6

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

Te Rārangi Take

Report to Council

Nā: Rebekah Dinwoodie, Group Manager: Community Wellbeing & Services
From: Anna Sanders, Public Spaces Planning Manager
Tom Page, Manager - Aquatics, Sports & Recreation

Te Take:
Subject: Frimley Pool Complex Update

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This report recommends, having been through a Registrations of Interest (ROI) process for the Frimley Pool Complex, that:
 - (a) Council's Frimley Pools, pool infrastructure and grandstand is decommissioned and the area returned to grass; and
 - (b) The buildings (changing rooms, plant room and office space) and fencing be retained.
- 1.2 In September 2024, Council directed the Chief Executive to cease investing in maintenance for Frimley Pool, to keep Frimley Pool closed for the 2024/25 summer season, and to report back to Council with a recommended Business Case for the disestablishment of Frimley Pool.
- 1.3 A report was taken back to Council in March 2025, recommending that the Council approves work to commence on the decommissioning of the Frimley pools, pool infrastructure and grandstand at the Frimley Pool Complex and the areas return to grass. Council resolved not to proceed with this and instead directed officers to continue investigation into the use of the site and remaining assets for potential future recreational uses and report back to Council on alternative use options.
- 1.4 To explore alternative use options, officers have undertaken a Registration of Interest (ROI) process with sporting and recreation groups to explore potential uses for the site. This process resulted in one formal submission and some informal interest. At the conclusion of the ROI process further engagement occurred with all interested parties, both formal and informal. None of the parties elected to progress to the Request for Proposal (RFP) stage. Consequently, there is currently no interest from any group or organisation in advancing discussions or entering into an agreement with Council regarding the complex and site.
- 1.5 Aquatic facility utilisation data indicates that the Village Pools, Council's other seasonal facility, successfully met community demand throughout the 2024/25 season including during peak periods such as weekends, school holidays and fine weather days.

- 1.6 Quotes received to decommission the entire facility, relocate useful assets to other facilities and return the area to grass are up to \$235,000 plus GST.
- 1.7 Funding is available in the 2025/26 financial year to proceed with the demolition, however, no budget has been allocated beyond that period.
- 1.8 Sport Hawkes Bay agree that the national and local data does not support further investment into the Frimley Pool and is supportive of the area's return to green space.
- 1.9 Given the context and the ROI process undertaken, officers are now re-presenting a resolution to Council that is consistent with the one proposed in March 2025.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Frimley Pool Complex Update dated 4 September 2025.
- B) That Council approves the decommissioning works at the Frimley Pool Complex, including the removal of pool infrastructure and the grandstand and the areas return to grass.
- C) That Council approves the Chief Executive to fund the decommissioning works (estimated \$305,000) from the existing 2025/26 and 2026/27 operational budgets for Frimley Pool.
- D) That Council notes the pool plant building, change rooms, toilets and staff rooms will be retained which doesn't preclude future recreational and sporting uses from occurring.
- E) That Council notes, following decommissioning as outlined in clause B) and once the area is reinstated as grass, it will be classified as a Parks asset and reintegrated into Frimley Park, making it available for wider recreational use.

3.0 Background – Te Horopaki

- 3.1 Council considered the future of Frimley Pool as part of the 2024–2034 Long Term Plan (LTP) process. Key factors included declining usage, with attendance dropping from 15,400 visits in 2018/19 to 4,800 in 2022/23, and a ratepayer subsidy averaging \$25.88 per visit over the four years from 2019/20 to 2022/23. In 2023/24, 11 schools used the pool for a total of 13 sessions, which was consistent with previous years.
- 3.2 Potential savings from a closure were also noted, including up to \$170,000 per annum in operational costs and approximately \$50,000 per annum in capital expenditure. In addition, the facility could be closed while options for repurposing the space were considered and costed, and equipment and plant could be repurposed to other facilities.
- 3.3 At its meeting on 11 June 2024, Council resolved to keep Frimley Pool open for the 2024/25 season, subject to operational fitness, and directed the Chief Executive to review its ongoing feasibility and report back with recommendations for the 2025/26 Annual Plan.
- 3.4 However, in September 2024, Council was required to reconsider this resolution following a condition assessment of the building, electrical, and plumbing assets. The assessment identified up to \$110,000 in remedial work required prior to reopening, and an estimated \$750,000 in maintenance costs to keep the facility operational for a further five years. Council subsequently resolved to cease investing in the maintenance of the Frimley Pool, to keep the facility closed for the 2024/25 summer season, and to request a Business Case for its disestablishment.
- 3.5 In March 2025, the Business Case was presented to Council with a recommendation to decommission the Frimley Pools. However, Council resolved not to proceed with demolition. Instead, officers were

directed to continue exploring potential recreational uses for the site and its remaining assets, and to report back with alternative use options for Council's consideration.

- 3.6 To do this, Council officers initiated a Registrations of Interest (ROI) process for the Frimley Pools Complex. Through this process, sporting clubs and community recreation groups or organisations were invited to register their interest in leasing or entering into a licence to occupy approximately 6,725m² of land at Frimley Park, currently occupied by the pool complex. Proposals could involve repurposing the existing infrastructure or demolishing it to develop new facilities and the opportunity was offered to recreational and sporting groups.
- 3.7 The ROI was framed to allow for flexibility regarding the existing infrastructure. If respondents did not require the current pool, plant infrastructure, or grandstand, Council indicated it may consider arranging and funding the demolition. However, there was a preference for groups or organisations to fund these works themselves, to ensure that limited Council funding continued to support the pools. It was clearly stated in the ROI documentation that any decommissioning or demolition would be subject to a formal Council resolution. The complete ROI package is appended to this report as **Attachment 1**.
- 3.8 The initial ROI process was intentionally designed to be straightforward and minimise the resourcing burden on any participating organisations. To progress to the next stage, a Request for Proposal (RFP), respondents were required to meet seven eligibility criteria. These criteria were to ensure that proposals aligned with the site's recreational reserve classification, demonstrate organisational capability and reflected strategic alignment including being consistent with the objectives and policies of the Frimley Park Reserve Management Plan.
- 3.9 It was anticipated that, if invited to the RFP stage, groups or organisations would be expected to provide more detailed plans and supporting information, along with undertaking further due diligence.
- 3.10 To promote the opportunity, Council officers conducted a targeted email campaign that was sent to 233 recipients, drawing contacts from National Sporting Organisation New Zealand and the 2023 Sport and Active Recreation Facilities Review project led by the Community Wellbeing and Services team. The opportunity was also published on the Government Electronic Tender Service (GETS), ensuring transparency and impartiality. It was listed under several relevant categories, including Sports Clubs, Hobby Clubs, Amateur Clubs, Non-Governmental, and Charity Organisations.
- 3.11 In addition to the email campaign and GETS listing, the ROI opportunity was further promoted through the Hastings District Council Facebook page, Sport Hawke's Bay's communication channels, and on-site signage at the Frimley Pools facility, which provided information on how to register interest. The complex was made available for viewing through a scheduled Open Day, with additional opportunities offered for inspections by appointment, which were taken up.
- 3.12 At the close of the ROI process, only one formal submission was received from The Young Men's Christian Association of Hawkes Bay Incorporated (YMCA). Their proposal involved reopening and upgrading the former Frimley Pools site into a year-round Outdoor and Recreation Centre, including a new climbing wall, purpose built and use of one of the pools for kayaking, raft-building, and team-building activities. The latter would have included the need for one pool only, with the removal of plant equipment as the pool would have been regularly treated. This proposal would have met the Recreation Reserve classification for this site. They would have required Council assistance in removing infrastructure not needed for their proposal.
- 3.13 After further due diligence, including an additional site visit and Board level discussions, the YMCA decided not to proceed to the Request for Proposals (RFP) stage and has withdrawn from the process.
- 3.14 They advised that the scale of work required to meet their needs is currently uneconomic. To realistically consider use of the site, significant upgrades including to infrastructure would be necessary which would need the support of Council. Instead, they have now expressed a willingness to collaborate with other parties should further interest emerge.

- 3.15 After the ROI period closed, some informal interest was expressed. Officers provided time for these parties to explore potential proposals; however, both ultimately decided not to submit a formal ROI or continue engagement. Consequently, there is currently no active interest in the site.
- 3.16 The feedback we have had during the process and why we may not have received other formal offers:
- Specialist turf placement for artificial surfaces requires millimetre precision, and given the volume of fill needed, there are concerns about achieving this accurately. The risk involved is considered too high to proceed;
 - In this environment there is simply not the funding available to build new purpose-built sport and recreation facilities; and
 - In the scenario of a residential zoned land sale followed by facility relocation, the current land value does not support the financial viability of developing suitable replacement facilities at the Frimley Pools site.

4.0 Discussion – *Te Matapakitanga*

Strategic Reviews and Alignment

- 4.1 The *National Aquatic Facilities Strategy 2023* and the *Hastings District Sport and Active Recreation Facilities Review 2024/25 (SARF)* provide strategic guidance for the development and management of the Hastings District pool network. These documents assess the types and purposes of aquatic facilities, as well as their availability for community use.
- 4.2 The National Strategy highlights a nationwide shortfall in fit-for-purpose aquatic facilities to meet the current and future needs of leisure and play participants, particularly when viewed through the lens of traditional pool design. It identifies an oversupply of rectangular, outdoor, and cold-water pools, and recommends a shift toward smaller, more flexible facilities that prioritise leisure and play amenities.
- 4.3 The Strategy also categorises pool types and purposes and offers a baseline for water space provision. SARF applies this framework to evaluate the mix of aquatic facilities in Hastings. The findings show a mismatch between local supply and national demand. While there is an oversupply of fitness-oriented pool space (e.g., lane swimming and deep-water sports), there is a significant undersupply of leisure-focused facilities that support play, relaxation, hydrotherapy, and school recreational access. This imbalance is expected to worsen through to 2048, based on projected demographic trends.
- 4.4 SARF notes that while Frimley Pool has provided some leisure and play space during summer months, its design being a cold, outdoor, rectangular pool, does not align with the type of facility needed to meet community demand for casual, fun, and inclusive water experiences. As a result, the pool has been underutilised. Its location may also be a contributing factor, given its proximity to the Regional Aquatic Centre and Waterworld (Flaxmere Pools) and the lack of aquatic provision in other parts of the district.
- 4.5 Several constraints limit the potential to make Frimley Pool more fit-for-purpose. These include the age and condition of the infrastructure, the depth of the pool, and the significant cost associated with retrofitting leisure amenities such as free-form pools, wave pools, toddler areas, zero-depth water play zones, lazy rivers, hydro-slides, bombing pools, or outdoor Lido-style facilities. The National Strategy also recommends warmer water temperatures for leisure (29–32°C), hydrotherapy (33–35°C), and relaxation (36–38°C), which would require substantial investment in heating infrastructure at Frimley.
- 4.6 Sport Hawke's Bay supports the findings of both the national and local strategies and agrees that further investment in Frimley Pool is not justified. They support returning the area to green space.
- 4.7 While decommissioning the pool infrastructure aligns with the SARF Plan, the Plan also recognises the importance of retaining parkland and facilities that could help address the district's shortage of

space for sport and recreation. This includes potential development of outdoor courts for emerging sports like pickleball, or specialist surfaces for activities such as bowls and roller sports.

- 4.8 Irrespective of the current lack of interest in the site it remains the officers' recommendation that the main buildings which have undergone seismic strengthening should be retained. This allows for the possibility of clubs and organisations to use this part of Frimley Park for outdoor recreational purposes or open space ancillary activities in the future.

Exploration of Management Alternatives

- 4.9 Discussions have occurred with a company that manages community facilities, however, this company along with other management companies, would still rely on the Council to maintain and invest in the pool, pool plant and other physical assets required to keep the pool operating. Given this is where most of the costs lie there is no material advantage in contracting the management of the pool out.
- 4.10 There has been an approach by several local schools and other facilities regarding the potential repurposing of equipment and other assets at Frimley Pools. Should the Frimley Pools be closed permanently officers can explore the option of repurposing/divesting assets not repurposed to Council's own facilities or teams. This would be managed per Councils Policy – DISPOSAL POLICY & GUIDANCE FOR THE DISPOSAL OF LAND AND OTHER ASSETS.
- 4.11 Some items such as picnic tables, shade sails and freezers have already been repurposed to other Council facilities such as Waterworld and Splash Planet where they were utilised over the summer season. Other items, including pool plant will be stored for future replacement at Council's other aquatic facilities.

Frimley Pool Closure – Effect on other Aquatic Facilities 2024/25

- 4.12 Attendance at outdoor aquatic facilities was lower during the 2024/25 season, largely due to adverse weather conditions. Daily attendance figures were tracked alongside maximum temperatures and rainfall to monitor trends.
- 4.13 The data shows that the Village Pools successfully met demand throughout the season, including peak periods such as weekends during school holidays with favourable weather. On only four days during the season did attendance exceed 400 visitors, with those figures representing total attendance across the full day.
- 4.14 The Village Pools are capable of safely accommodating up to 500 visitors at any one time, and this capacity can be increased with additional staffing if required.

Costs

- 4.15 An asbestos demolition survey has been completed, and three quotes have been received for deconstructing the facility based on the known asbestos present. The cost to fully deconstruct the facility is estimated at up to \$235,000 plus GST. This estimate does not include any additional costs that may arise if further asbestos is discovered during the demolition process.
- 4.16 Following the removal of the grandstand which currently serves as a boundary fence approximately \$50,000 will be required to install new fencing between the pool complex and adjacent residential properties.
- 4.17 Additional costs include site remediation, such as applying topsoil and grassing the area, which is estimated at up to \$20,000. Ongoing maintenance of the newly grassed area will require an additional \$1,700 per year, which would need to be incorporated into the Parks operating budget.
- 4.18 There is \$171,000 available in the operational budget for 2025/26, in addition to \$186,872 rate funding budgeted in the long-term plan for 2026/27.
- 4.19 The demolition quotes received are considered highly competitive, as Council officers were able to leverage preferential pricing through the Voluntary Buyout Office Demolition Panel. The deconstruction costs and budget source are shown in the table below:

	Costs (\$)	Operational Budget 2025/26 (\$)	Operational Budget 2026/27 (\$)
Deconstruction	235,000		
Fencing	50,000		
Topsoil and grassing	20,000		
Total	305,000	171,000	186,872

- 4.20 With projected costs for the demolition project estimated at \$305,000, Frimley pools operational expenditure budgets for 2025/26 and 2026/27 could be utilised to fund the works within this 3-year LTP cycle.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Frimley Pools, pool infrastructure and grandstand are decommissioned, and the area returned to grass.

Given Council's decision to keep the facility closed for the 2024/25 summer season and to cease further investment in maintaining Frimley Pool, combined with limited market interest in the site, future options for its use, particularly as an aquatic facility, are currently limited. However, the buildings themselves still hold value, as they are not yet at the end of their asset life. Retaining the buildings for now is considered a prudent approach. If the pools are decommissioned and the area is returned to grass and reintegrated into Frimley Park, the site's location within a growing suburb, next to a neighbourhood centre and within a premiere park means it is well positioned for future opportunities.

Advantages

- The remaining building assets and grassed space will be reintegrated into Frimley Park, making it available for general recreational and parks use.
- Council's liability in terms of continuing pool maintenance and renewal costs are mitigated.
- Most financially prudent option whilst still allowing future use(s) to be considered.

Disadvantages

- The permanent loss of an aquatic facility in the district.
- Additional decommissioning may be required in the future if buildings deemed unsuitable for use by other sporting codes.
- Some ongoing maintenance costs.

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

- 5.2 Frimley Pool remains closed in its current state.

Advantages

- The Frimley Pool could be re-opened at some stage in the future.
- Saves decommission costs in the short-term.

Disadvantages

- The use of the facility for other sporting codes will be severely limited by the central, non-functional pools.
- Likely higher cost for decommissioning in the future.
- Ongoing costs to maintain safety while no use of the facility.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 Next steps will be dependent on the Council decision but will include implementing a robust project plan and communications plan, particularly with neighbours should decommissioning be approved.

Attachments:

1  Package of ROI Documents for Frimley Pools PRJ25-43-0002 Vol 1

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 wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

It is recognised that Frimley Pool is located relatively close to Camberley which has a high percentage of Māori. This community has a splash pad within it and is relatively close to the Hawke's Bay Regional Aquatic Centre.

Sustainability - *Te Toitūtanga*

All demolition materials will be removed from site for salvage (in some cases to other HDC facilities), recycled where possible or disposed of at a Council approved landfill.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Contained in the body of this report.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

Consultation has occurred through the LTP process, with specific users i.e. School Principals and with the Hawkes Bay Regional Aquatic Centre Manager. Varied responses, both for and against the closure, were received through the LTP process, with the majority being against the closure of the Frimley Pools.

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

Consultation has occurred through the LTP process, with specific users i.e. School Principals and with the Hawkes Bay Regional Aquatic Centre Manager. Varied responses, both for and against the closure, were received through the LTP process, with the majority being against the closure of the Frimley Pools.

Engagement was also undertaken as part of the ROI process. To promote the opportunity, Council officers launched a targeted email campaign reaching 233 recipients, drawing contacts from National Sporting Organisation New Zealand and the 2023 Sport and Active Recreation Facilities Review project. The opportunity was also advertised on the Government Electronic Tender Service (GETS), ensuring transparency and impartiality. It was listed under several relevant categories, including Sports Clubs, Hobby Clubs, Amateur Clubs, Non-Governmental, and Charity Organisations. In addition to the email campaign and GETS listing, the ROI was further promoted through the Hastings District Council Facebook page, Sport Hawke's Bay's communication channels, and on-site signage at the Frimley Pools facility, which included information on how to register interest. The facility was made available for viewing during a scheduled Open Day, with further inspection opportunities offered by appointment, several of which were taken up.

Risks

Opportunity: The space could be repurposed and reduce costs to meet other sport and active recreation needs in the district.

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūrarū</i>
<ul style="list-style-type: none"> • A more fit for purpose network of facilities/spaces. • Reduced ongoing financial requirement to keep an ageing aquatic facility operational. 	<ul style="list-style-type: none"> • The newly cleared and grassed space remains under-utilised whilst ongoing discussion with sports codes progress. • Unable to repurpose the space to suit another sports code. • Adverse community reaction to the repurposing.

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

This paper has not been presented to the Rural Community Board. Two of the schools that used Frimley Pool last summer season are in peri-urban communities. Those Principals were invited to a meeting to discuss the closure of the Frimley Pool with the Mayor and Officers.

Thursday, 4 September 2025

Item 7

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

Te Rārangi Take

Report to Council

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

Te Take: **Recommendation for Plan Change 5 to the Operative Hastings**
Subject: **District Plan to be Made Operative**

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This report recommends that Council approve Plan Change 5: Right Homes Right Place to the Operative Hastings District Plan (including text and maps) (PC5) and make it operative. Clause 17 of Schedule 1 of the Resource Management Act (RMA) 1991, requires Council to approve all or part of a plan when it is beyond challenge by submission or appeal.
- 1.2 Councils are required to amend their District Plans to give effect to National Policy Statements. PC5 amends the District Plan to include a new Medium Density Residential Zone (MRZ) and satisfy Council's obligations under the National Policy Statement – Urban Development 2024 to enable more housing to be built close to the amenities and transport infrastructure of the CBD and town centres of Flaxmere and Havelock North.
- 1.3 This decision is the culmination of three years of work led by the Environmental Policy team across Council in conjunction with the building and resource consent, asset management, growth and development, and marketing and communications teams. These changes to the District Plan will enable more houses to be built within the existing urban areas of Hastings, Flaxmere and Havelock North, provide greater certainty and direction to our development community on the most appropriate areas for intensification and direct investment in infrastructure to the MRZ to support a greater density of development.
- 1.4 PC5 went through the First Schedule process for plan changes under the Resource Management Act. 152 submissions were received and heard by the Hearings Committee which comprised a panel of five members. Council adopted the decision of the hearings committee to approve the plan change on 24 October 2024. Following this decision, three appeals to the plan change were received by the Environment Court. Mediation of these appeals was undertaken in April 2025 and discussions continued in the following months culminating in consent order documents to resolve the appeals being approved by the Court on 7 August 2025. This report concludes by recommending that the Council resolve to approve the changes to PC5 outlined in the Environment Court Consent Order and make the plan change operative.

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Recommendation for Plan Change 5 to the Operative Hastings District Plan to be Made Operative dated 4 September 2025.
- B) That Council approves Plan Change 5 for adoption with amendments as per the Environment Court Consent Order dated 7 August 2025 in accordance with Clause 17 Schedule 1 of the Resource Management Act 1991 (RMA).
- C) That Council directs officers to publicly notify that Plan Change 5 will become operative on Friday 12th September 2025 or as soon as possible thereafter being at least 5 working days after the date of notification.
- D) That Council directs officers to comply with the requirements of clause 20(4) and (5) of Schedule 1 of the Resource Management Act.

3.0 Background – Te Horopaki

- 3.1 Plan Change 5 was publicly notified on 29 October 2022 and a total of 152 submissions were received. A hearing of submissions was held on the 4, 5 and 11 April 2024. A hearings panel of 5 members heard submissions. This panel was made up of 1 independent commissioner and 4 members of Council's then hearings committee including the Chair (who is also an independent commissioner).
- 3.2 Following the hearing, the panel completed a decision report and recommendations on 19th September 2024. These recommendations were then adopted by Council on 24 October 2024 and the notification of decisions on submissions to the plan change occurred on 16 November 2024. From this date the appeal period opened for a period of 30 working days and closed on 17th January 2025.
- 3.3 Three appeals to the plan change were received on two topics. Topic 1 related to the request by 3 appellants (TW Property, Bay Planning and Kāinga Ora) to delete the mandatory notification rule that would apply in the General Residential Zone where proposals exceeded the density or site size provisions. Topic 2 related to one appellant (Kāinga Ora) seeking the rezoning of multiple areas in Hastings and Flaxmere from General Residential Zone to Medium Density Residential Zone.
- 3.4 McFlynn Surveying and Planning was a party to all appeals and opposed the relief sought by the appellants and therefore supported the Council's decision. Mediation of appeals occurred on the 2nd and 3rd of April 2025 and while discussions between the parties continued following this, ultimately, mediation was unsuccessful at that time.
- 3.5 The appeals were then scheduled for hearing on 17 and 18 September 2025 unless they could be otherwise resolved.

4.0 Discussion – Te Matapakitanga

- 4.1 After receiving legal advice and following discussions with the Principal Advisor - Infrastructure and Manager - Resource Consents, Council officers sought direction from the chair of the Hearings Committee in relation to the resolution of these appeals.
- 4.2 For topic 1, the mandatory public notification rule was removed but amendments were made to the zones descriptions within the General Residential Zone policies, to provide improved guidance on the appropriate density and character of the zone and to reinforce the low-density low-scale planned built form environment of the zone.

- 4.3 A full evaluation of the changes to PC5 under Topic 1 is included as **Attachment 1**. This formed part of the consent documentation submitted to the Environment Court in support of the amendments. The Environment Court summarised the rationale for the changes in its Consent Order (attached as **Attachment 3**) as follows:

In summary, the s 32AA assessment concludes that the proposed amendment to delete the mandatory notification rules and add zone descriptions:

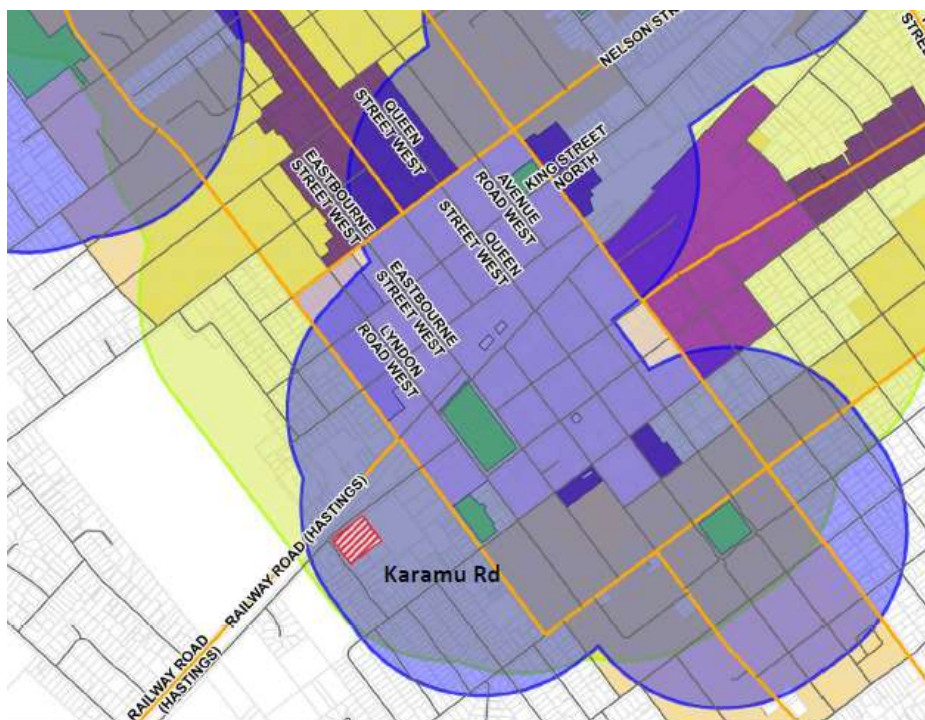
- a) is considered to be the most appropriate way to meet the relevant objectives and policies of the Plan because it:

 - i. enables proposals with no more than minor effects to be assessed without full public notification, which is consistent with enabling a diverse range of housing;*
 - ii. does not actively discourage proposals which may have a lower density, but which may nevertheless be assessed through the usual process to be appropriate and suitable in that particular location; and*
 - iii. provides better guidance as to what constitutes the amenity and character of the environment, which in turn assists an assessment at notification stage as to whether a proposal will have more than minor adverse effects on that amenity and character, triggering a requirement for public notification;**
- b) is considered to be the most effective and efficient method of achieving the relevant objectives and policies of the Plan because it more clearly articulates the intended amenity and character which assists in the assessment of effects for notification; and*
- c) the proposed amendment to delete mandatory notification rules and to add zone descriptions is considered to have the lowest costs and greatest benefits of the options considered because it:

 - i. does not incur additional costs beyond any costs normally incurred in the RMA consenting process;*
 - ii. slightly reduces any perceived cost in the lost opportunity to make submissions on lower density proposals, by providing improved guidance as to the intended character and amenity of the GRZs, which in turn assists with the assessment of effects on those matters; and*
 - iii. the additions to the GRZ descriptions provide some additional benefit in terms of better describing the amenity and character of the zones, which in turn assists with assessment of the effects of a proposal.**

- 4.4 With respect to topic 2, this was resolved on the basis that Kāinga Ora withdrew most of its rezoning relief sought, with the exception of one site which was agreed to be appropriate for rezoning to Medium Density Residential Zone. This was a site that had previously been used for, and was therefore able to be serviced for, higher density development than was provided for under the General Residential or Medium Density Residential Zones.

- 4.5 The site is located on the corner of Karamu and Pattison Roads which is shown in red hatching in the map below:



400m walkable catchment from Amenity Open Spaces

- 4.6 A full evaluation of the changes to PC5 under Topic 2 is included as **Attachment 2**. This formed part of the consent documentation submitted to the Environment Court in support of the amendments. The Environment Court summarised the rationale for the changes as follows:

In relation to the proposed amendment to rezone the Karamu Road site from GRZ to MRZ, the s 32AA assessment concludes that:

- (a) provision for higher density development of the site is effective in achieving the objectives of the Plan as amended by PC5 because it meets the general expectations set out by the relevant objectives that land will be identified for higher density development where it is within a 400m walkable catchment of public open spaces, commercial centres and public transport;*
- (b) it is considered efficient, particularly given the site was previously developed for 37 residential units and can be appropriately serviced for that level of development. Applying the GRZ, which enables approximately 23 units, is considered inefficient in this regard, and less efficient and effective in achieving the relevant objectives and policies;*
- (c) there are not considered to be any significant costs associated with applying MRZ to the site;*
- (d) in terms of potential effects on the environment, the difference in effects is likely to be at most minor and can be appropriately assessed at the time of any application for consent. This is a particular result of its location, being located on a corner site and adjacent to a*

school field, with only approximately half of one boundary adjoining existing residential development;

- (e) the benefits of applying the MRZ include:*
 - (i) providing potential for more housing within Hastings, which serves both a social and an environmental purpose, in that it contributes to reducing pressure for development on the Heretaunga Plains; and*
 - (ii) the efficient use of infrastructure, noting its previous development for 37 residential units;*
- (f) it is considered to be the most appropriate option when compared to the retention of the GRZ because the MRZ more closely aligns with its previous use and achieves the relevant objectives and policies of the Plan, which in turn seek to give effect to the requirements of the National Policy Statement on Urban Development.*

4.7 The Environment Court issued the consent order on 7 August 2025, recording:

I am satisfied that the agreement reached is one that represents the various interests of the parties. It is clear the parties have considered other reasonably practicable options, and that the Council has undertaken a s 32AA evaluation. I conclude that the agreed amendments are the most appropriate way to achieve the purpose of the Act and the objectives in the Plan. Overall, I consider the sustainable management purpose and the other relevant requirements of the Act are broadly met.

4.8 Now that all appeals on PC5 have been resolved, the next step is for the Council to approve PC5, pursuant to cl 17, First Schedule, RMA. This relevantly provides:

Final consideration of policy statements and plans other than regional coastal plans

- (1) A local authority shall approve a proposed policy statement or plan (other than a regional coastal plan) once it has made amendments under clause 16 or variations under clause 16A (if any).*

...

- (3) Every approval under this clause shall be effected by affixing the seal of the local authority to the proposed policy statement or plan.*

...

4.9 Once approved, clause 20, First Schedule, provides:

Operative date

- (1) Subject to subclause (2), an approved policy statement or plan shall become an operative policy statement or plan on a date which is to be publicly notified.*

- (2) *The local authority shall publicly notify the date on which the policy statement or plan becomes operative at least 5 working days before the date on which it becomes operative.*
- (3) [Repealed]
- (4) *The local authority shall provide 1 copy of its operative policy statement or plan without charge to—*
- (a) *the Minister for the Environment; and*
- ...
- (d) *in the case of a district plan, the regional council and adjacent territorial authorities; and*
- ...
- (f) *the tangata whenua of the area, through iwi authorities.*
- (g) [Repealed]
- (5) *The local authority shall provide 1 copy of its operative policy statement or plan to every public library in its area.*
- (6) *The obligation imposed by subclause (5) is in addition to the local authority's obligations under section 35 (records).*

5.0 Options – Ngā Kōwhiringa

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

- 5.1 To approve Plan Change 5 including the amendments to both text and maps outlined in the Environment Court Consent Order (attached), and direct officers to publicly notify it.

Advantages

- The District Plan will meet the Council's requirements and obligations under the NPS-UD.
- Plan Change 5 will enable more houses to be built within existing urban areas of Hastings, Flaxmere and Havelock North which will:
 - Assist to increase the housing supply for the Hastings community;
 - Provide certainty to developers of the most appropriate locations for medium density housing;
 - Direct investment in infrastructure (including 3 waters, parks, transportation and community assets to be provided) to support intensification in these areas;
 - Assist to reduce the impact of urban growth on highly productive land and support the objectives of the Future Development Strategy to create a compact and well-functioning urban environment.

Disadvantages

- There are no known disadvantages to this option.

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

5.2 To not approve Plan Change 5 operative and not amend the District Plan provisions as per the consent order.

Advantages

- There are no known advantages to this option.

Disadvantages

- Such a decision would be inconsistent with previous Council decisions adopting the recommendations of the Hearings Committee.
- Such a decision would be inconsistent with the Council’s position as conveyed to, and approved by, the Environment Court.
- Such a decision would be inconsistent with the strategic direction of Council, particular policies relating to the promotion of compact urban growth and the protection of highly productive land.
- Maintaining the status quo could negatively impact the current and future supply of housing.
- Maintaining the status quo could increase the cost of the provision of housing.
- Such a decision would not be in accordance with the NPS-UD and Council would fail to meet its obligations under this national direction instrument.

6.0 Next steps – Te Anga Whakamua

6.1 Following Council’s formal acceptance of Plan Change 5, Officers with delegated authority will then affix the Council’s common seal to the final version of the plan change. The plan change is then publicly notified, informing the community of the operative date, being at least 5 working days after notification. Officers will update the Council’s eplan to incorporate the changes and amendments of Plan Change 5 outlined in the Environment Court Consent Order to ensure they are in place as at the operative date.

Attachments:

1 ➡	Section 32AA Evaluation - Topic 1 - Mandatory Notification Rule	ENV-17-4-25-617	Vol 1
2 ➡	Section 32AA Evaluation - Topic 2 - Rezoning of the Karamu Road site	ENV-17-4-25-618	Vol 1
3 ➡	Plan Change 5 - Environment Court Consent Order dated 7 August 2025	ENV-17-4-25-616	Vol 1

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 wellbeing of communities in the present and for the future by reducing barriers and enabling the supply of housing within the existing urban areas of Hastings, Flaxmere and Havelock North.

Māori Impact Statement - Te Tauākī Kaupapa Māori

The amendments proposed by Plan Change 5 have been discussed with mana whenua including Te Taiwhenua o Heretaunga and their comments were incorporated into the plan change documentation prior to notification.

Sustainability - Te Toitūtanga

Plan Change 5 enables a greater density of housing within existing urban areas and is a means to protect the productive soils of the Heretaunga Plains from the spread of urban development. Locating higher density housing in proximity to the Hastings CBD and town centres supports sustainable public transport, three waters infrastructure, parks and community centres which in turn promote vibrancy in town centres.

Financial considerations - Ngā Whakaarohanga Ahumoni

There are no additional financial implications of this decision, beyond existing budget allocations.

Significance and Engagement - Te Hiranga me te Tūhonotanga

This decision has been assessed under the Council's Significance and Engagement Policy. The District Plan change has been undertaken following best practice public engagement practices and in accordance with the statutory consultation requirements of the Resource Management Act 1991. As a Plan change that covered a large urban area, a significant amount of public consultation occurred prior to the plan change being notified.

The reason for this report is to contribute to the completion of Council's statutory responsibilities by adopting the changes outlined in the Environment Court consent order document.

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

Public engagement occurred during the preparation of the Plan Change in accordance with best practice meeting all of the statutory consultation requirements of the Resource Management Act 1991. No external engagement is needed at this final stage in the process as the reason for this report is to contribute to the completion of Council's statutory responsibilities by making the Plan Change operative.

Risks

Opportunity: To make Plan Change 5 operative which will reduce barriers and enable more housing in the existing urban areas of the District

REWARD – Te Utu	RISK – Te Tūraru
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<p>Ensuring that Council completes the legal process for a Plan Change under the Resource Management Act 1991. Council will meet its obligations under the NPS-UD</p>	<p>There are no known risks as the Plan Change has followed the correct legal process for a Plan Change.</p>
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Rural Community Board – *Te Poari Tuawhenua-ā-Hāpori*

There are no implications for the Rural Community Board in relation to this aspect of the plan change approval.

Thursday, 4 September 2025

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

Item 8

Te Rārangi Take

Report to Council

Nā:
From: Regan Smith, Chief Risk Officer

Te Take:
Subject: Enterprise Risk Management Policy & Framework Annual Review

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

- 1.1 The purpose of this report is to present the annual review of the Hastings District Council (HDC) Enterprise Risk Management Policy and Framework (the Policy), including the Strategic (Tier 1) Risk Register, for adoption by Council.
- 1.2 The draft documents were presented to the Risk & Assurance Committee on 29 July 2025, where the Committee endorsed both the Policy and Risk Register.

2.0 Enterprise Risk Management Framework & Policy

- 2.1 The annual review of the HDC Risk Policy (**Attachment 1**) has been completed, which included checking whether any changes had been made to the underlying ISO31000 Risk Management Standard.
- 2.2 As a result of the review only minor changes to the Risk Policy were needed to reflect changes in organisation departments and role descriptions. In addition to these updates, the Risk Policy has been migrated into the new HDC branding for consistency with other corporate policy documents.

3.0 Strategic Risk Register



- 3.1 Collectively the Councillors are responsible for oversight of Councils strategic risks. To achieve this a Strategic Risk Register has been in place since 2017 to support delivery of Council objectives. The Strategic Risk Register provides visibility to the material threats to avoid and opportunities to pursue to ensure appropriate mitigations are in place.
- 3.2 The Strategic Risk Register (**Attachment 2**) has been updated to reflect the current operating environment based on advice from the Risk and Assurance Committee. The following changes have been made to the Strategic Risk Register as at 1 July 2025:

- Societal Polarisation has been added as a new threat which incorporates Truth Decay as a driver. The previous risk relating to Truth Decay has been archived.
- Generative AI Efficiency has been added as an opportunity to deliver improved or faster services, or as a means for coping with increasing service demands.

4.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Enterprise Risk Management Policy & Framework Annual Review dated 4 September 2025.
- B) That Council adopt the:
 - i. Hastings District Council Enterprise Risk Management Policy & Framework V7, and
 - ii. Hastings District Council Strategic (Tier 1) Risk Register as at 1 July 2025.

Attachments:

1 	DRAFT HDC Enterprise Risk Management Policy and Framework Version 7	PMD-9-3-25-120	Vol 1
2 	HDC Strategic Risk Register July 2025	PMD-9-3-25-119	Vol 1

Thursday, 4 September 2025

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

Item 9

Te Rārangi Take

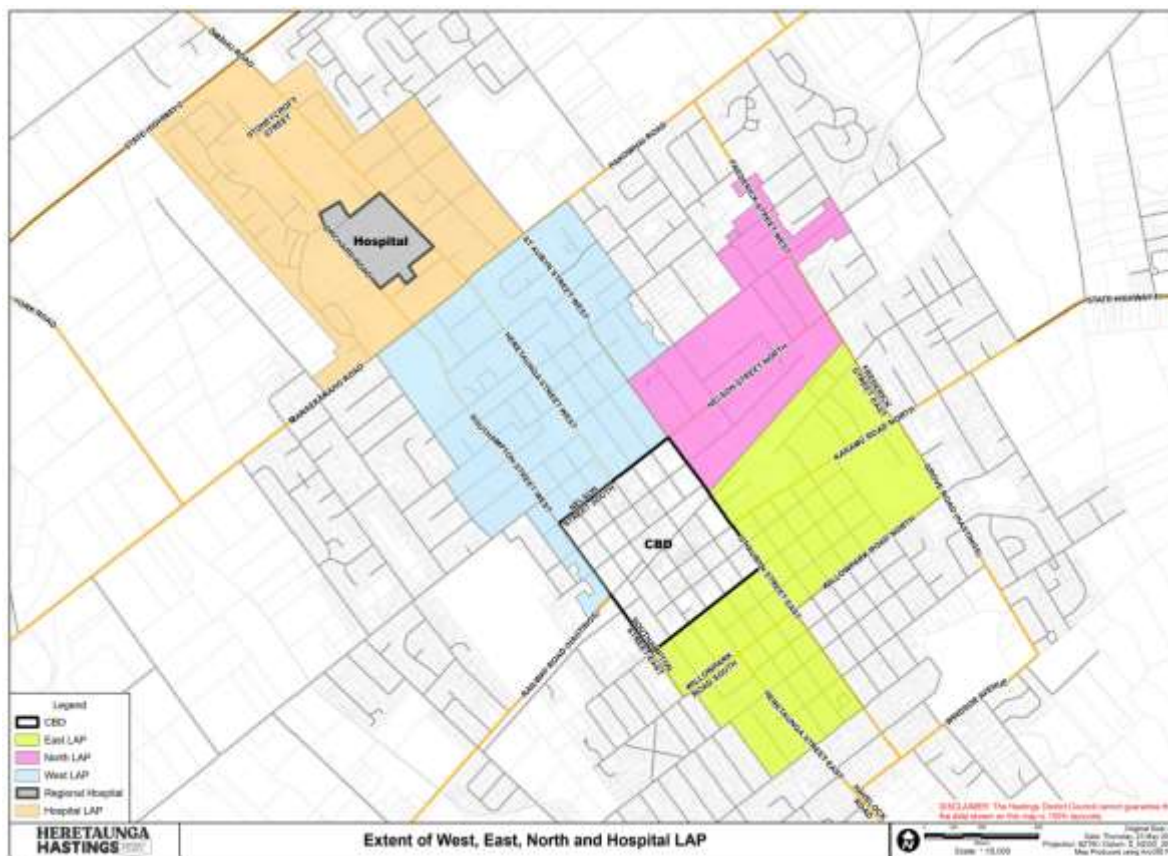
Report to Council

Nā: Paige Gear, Programme Manager: Local Area Plans &
From: Intensification

Te Take:
Subject: Local Area Plans - Endorsement of Local Area Plans

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 Following community engagement, the purpose of this report is to update Council regarding progress on the Local Area Plans Programme (LAPP) and seeks Council endorsement of the four identified Local Area Plans (LAP's) relative to Hastings Central which are now substantively complete, and authorise officers to now develop the accompanying implementation plans to give effect to these four LAP's.
- 1.2 The LAPP was introduced into Council's overall growth workstream following the 2022 Review of the Medium Density Housing Strategy (MDHS), presenting six recommendations which have informed the development of the LAPP.
- 1.3 Objectives of the LAPP seek to ensure that:
 - Clearly defined areas where medium density housing is encouraged, and anticipated, adopting a place-based approach.
 - Identified areas are suitably supported by all essential infrastructure, including open space provision.
 - The uptake and implementation of quality, medium-density developments within these areas are facilitated by the Operative District Plan provisions and encouraged at a strategic level.
- 1.4 The LAPP responds to, and is influenced by national growth directives and growth strategies (such as the Hastings Napier Future Development Strategy (FDS)) and directs/informs changes to the District Plan to ensure that a consistent approach to growth is provided.
- 1.5 Phase 1 (Planning) of the LAPP is complete, with the LAP's for the first four Medium Density neighbourhoods relative to Hastings Central developed for Council endorsement – *West, East, North and Hospital* – refer Figure 1.



1.6 Figure 1: LAP extents relative to Hastings Central

2.0 Recommendations - Ngā Tūtohunga

- A) That Council receive the report titled Local Area Plans - Endorsement of Local Area Plans dated 4 September 2025.
- B) That Council endorse the draft Local Area Plans (Attachments 2-5), encompassing the:
 - i. North Local Area;
 - ii. East Local Area;
 - iii. West Local Area; and
 - iv. Hospital Local Area.

and note the Chief Executive will complete remaining work to finalise these documents and develop an associated Implementation Plan to complete Phases 1 and 2 of the Local Area Plan Programme.
- C) In relation to Recommendation B, Council notes that all Local Area Plan Programme collateral, including associated implementation plans, will be brought back to Council for an update on progress.

3.0 Background – Te Horopaki

- 3.1 The Local Area Plans Programme (LAPP) was introduced into Council's overall growth workstream as a result of the 2022 *Review of the Medium Density Housing Strategy (MDHS)* undertaken by Cogito Consulting. This review highlighted that the existing District Plan zonings and associated provisions '*stand alone as a delivery tool and are not clearly supported by broader spatial planning of the neighbourhood in terms of location, infrastructure, and connectivity*'. The LAPP programme

was designed to address this identified gap by providing neighbourhood-scale spatial plans for identified medium density housing areas.

- 3.2 The 2022 Review of the MDHS resulted in the following six key recommendations detailed in Table 1. Of these recommendations, three have directly informed the development of the LAPP, and a further two are influenced by the work of the LAPP.

Original Recommendation from 2022 Review Report.	Applicable to the Local Area Plans Programme	Other Work Programme
1. Identify and define expanded Medium Density Residential Development Areas for Hastings with locational attributes that will support a well-functioning urban environment, focussing on centres, open space and public transport.	Yes – Phase 1 of the LAPP	
2. Develop Place Based Plans for Medium Density Residential Development Areas, addressing land use and network level infrastructure requirements in collaboration with the community/stakeholders.	Yes – Phase 1 of the LAPP	
3. Implement changes to planning policy documents, plans and guidelines as identified.	In part – Phase 1 of the LAPP has influenced initial extent of the Medium Density Residential zone.	Plan Change 5 – <i>Right Homes, Right Place</i> to the District Plan
4. Plan and allocate infrastructure investment to support the delivery of development within Medium Density Residential Development Areas.	In part – Phase 1 of the LAPP will inform planning for infrastructure investment	Essential Services Development Plan
5. Amend the Development Contributions Policy as necessitated.		Separate Work Programme
6. Continue with initiatives to partner with the development sector on housing projects, including pilot projects that clearly demonstrate alignment with housing strategy principles.	Yes – Phase 2 of the LAPP	

3.3 *Table 1: 2022 Review of the Medium Density Housing Strategy (MDHS) Recommendations*

- 3.4 The objectives of the LAPP seek to ensure that:

- Clearly defined areas where medium density housing is encouraged, and anticipated, adopting a place-based approach.
- Identified areas are suitably supported by all essential infrastructure, including open space provision.
- The uptake and implementation of quality, medium-density developments within these areas are facilitated by the Operative District Plan provisions and encouraged at a strategic level.

- 3.5 The intent is to ensure that medium density neighbourhoods are actively planned and suitably supported, resulting in well-functioning, intensification-focused local growth areas. In contrast, unplanned and/or ad-hoc residential intensification across urban areas can lead to infrastructure inefficiencies and uncertainty for developers and communities.

- 3.6 The LAPP is tasked with preparing neighbourhood-scale spatial plans to facilitate residential intensification. This approach ensures a clear methodology for determining the location of

medium-density housing within the urban environment of Hastings, supported by the necessary infrastructure.

- 3.7 A *neighbourhood-scale* work programme must be both responsive and directive to maintain consistency across relevant strategies. Specifically, the LAPP responds to, and is influenced by national growth directives and growth strategies (such as the Hastings Napier Future Development Strategy (FDS)) and directs/informs changes to the District Plan to ensure that a consistent approach to growth is provided, and to accommodate necessary land use changes that become evident.
- 3.8 The LAPP remains adaptable to this changing environment while upholding its core objectives. Figure 2 below identifies the LAPP in the context of growth and the District Plan.



3.9 *Figure 2: LAPP Context*

- 3.10 The over-arching goal of the LAPP is to realise, at-scale, residential intensification within the identified Local Areas, to provide choice in the housing market and support growth within the existing urban environment in a planned and efficient manner.

4.0 Discussion – *Te Matapakitanga*

PROGRAMME DESIGN

- 4.1 The LAPP is structured in two phases: Planning and Implementation.



4.2 *Figure 3: Local Area Plan Programme*

- 4.3 This first phase (Phase 1) has involved development of the programme itself, establishing the vision and objectives of the LAPP.
- 4.4 Most importantly, Phase 1 has developed the methodology used to identify and determine the extent of the first four Medium Density neighbourhoods relative to Hastings Central – *West, East, North and Hospital* – refer *Figure 1* and directly relates to Recommendation 1 from the 2022 MDHS Review.



- 4.5 *Figure 1 (repeated): LAP extents relative to Hastings Central*
- 4.6 Drafting of each of the first four LAP's is complete, with a 'LAPP Overview' document (**Attachment 1**) and a 'Supporting Information' document for each LAP (**Attachments 2-5**). This structure ensures a concise, informative and user-friendly approach.
- 4.7 The 'LAPP Overview' document (**Attachment 1**) details what a LAP is, its scope, the methodology, and overview of medium density and intensification. Whereas the LAP documents (Attachments 2-5) detail the planning environment, community composition, infrastructure and amenity servicing, and key features of local identity to support Medium Density neighbourhood development.
- 4.8 It is anticipated that LAP's applicable to Flaxmere and Havelock North will be prepared following completion of the first four LAP's.
- 4.9 Community feedback has informed the development of the LAP's. The preparation of these plans is directly aligned with Recommendation 2 from the 2022 MDHS Review.
- 4.10 The second phase of the LAPP will commence following the approval of the four Hastings Central identified areas – *West, East, North and Hospital* – and endorsement of the corresponding draft LAP's. This phase will explore both regulatory and non-regulatory mechanisms to facilitate medium density housing development and includes consideration of partner initiatives as detailed in Recommendation 6 of the 2022 MDHS Review.

COMMUNITY ENGAGEMENT

- 4.11 Community engagement was conducted from 1 October to 11 November 2024, with Mana Whenua engagement in August 2025. The delay between engagements was due to Programme Manager changes.
- 4.12 Both engagements sought to introduce the LAPs, understand the unique attributes of each local area, and community aspirations and areas of opportunity and/or betterment within the LAPs.

- 4.13 **Attachments 1-5** went out as part of the community engagement process, however have since had some minor amendment.
- 4.14 Engagement methods included;
- Telephone survey
 - Online survey
 - Social media,
 - Postal survey, and
 - Other media (e.g. Newspaper, and Posters in community facilities).
- 4.15 Council's *Pou Ahurea – Advisor Relationships, Responsiveness & Heritage* facilitated the Mana Whenua engagement in a workshop format with Tamatea Pōkai Whenua.
- 4.16 Feedback across each of the LAPs was evenly distributed, with responses also received from within the wider Hastings District. Responses were however predominately from those over 40 years of age (86.4%).
- 4.17 Community feedback has informed the Final LAP's and reconfirmed the importance of LAPs to appropriately support intensification through a neighbourhood approach. A summary of key engagement feedback themes is identified in Table 1 below.

Community Feedback Themes	Summary of Community Feedback
Housing & Intensification	<ul style="list-style-type: none"> • Majority of residents agreed (57%) that neighbourhoods have a unique character to be preserved (i.e. green spaces/parks, sense of community, history, architecture, culture) • Residents (71%) disagreed that medium-density housing can improve liveability of a community. • Greatest concern with intensification is the infrastructure amenity and serviceability (i.e. transport, water). • Strong focus on understanding history and applying historical elements within neighbourhoods in an appropriate way to support the preservation of history and culture. • Perceptions identified that intensification is associated with social housing, increased crime, and overcrowding.
Public Amenity & Green Space	<ul style="list-style-type: none"> • Evident regular community use of public amenity and green space within neighbourhoods (e.g. parks, playgrounds, greenspaces). • Residents were typically very satisfied with their local parks and green spaces. • Strong support for the creation of more parks or green spaces within walking distance of residential areas (78%) with support of greater community use within these spaces (e.g. community events and activities). • While older residents (65+) were more satisfied with green spaces on average, younger residents (18-39) were more likely to support green space creation and community activities.

	<ul style="list-style-type: none"> The top three improvements identified to encourage greater use of parks and green spaces were better toilets, music concerts/performances, and more lighting.
Access & Transport	<ul style="list-style-type: none"> Residents (76%) find it easy to access essential services in their local area (Essential services included shops, schools, and medical facilities). Perceived ease of access was typically high across the district, but significantly higher in the North (86%) and West (83%) local areas – and lowest in the more dispersed Wider Hastings area (66%). Majority of residents (61%) supported more walking and cycling promotion in their neighbourhood. Indication from residents (68%) for more adequate public transport options in local areas. This was evenly distributed across the four local areas and wider Hastings area. Public transport improvements identified were <ul style="list-style-type: none"> Additional bus routes or stops More frequent bus services, and Real-time updates or apps for bus arrival times. General traffic improvements identified were <ul style="list-style-type: none"> Road maintenance and pothole repair, and Better infrastructure to manage peak traffic periods.
Water Infrastructure	<ul style="list-style-type: none"> Significant level of residents (53%) were concerned about the availability of sufficient drinking water for future needs, however there were contrasting views on specific conservation measures. Most residents (92%) believed Council could take additional steps to educate the community on efficient water conservation (e.g. school programmes, campaigns, consumption reports). Residents (64%) were familiar with the concept of blue/green infrastructure for stormwater management; and 63% agreed it was important to integrate natural water management into urban areas. A range of blue/green infrastructure benefits were identified by residents, where these contributed to climate change measures. Half of residents (51%) were satisfied with current wastewater system performance in their area, however there was a low degree of knowledge of the wastewater systems. There was significant resident support (82%) for wastewater upgrades to accommodate population growth or increased housing density.
Natural Hazards	<ul style="list-style-type: none"> Half of residents (51%) felt concerned about the impact of natural hazards on their community, this was evenly

	<p>distributed across the four local areas and wider Hastings area.</p> <ul style="list-style-type: none"> Residents indicated (41%) that current regulations and infrastructure in their area were adequate to handle natural hazard risks. Residents suggest improvements to reduce the risks of natural hazards in their area, these were around regular maintenance, clearing of debris, and stormwater network improvements.
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4.18 *Table 1: Summary of Key Engagement Feedback Themes*

- 4.19 Community feedback is critical in informing and directing Phase 2 (**Implementation**) of the LAPP, where regulatory and non-regulatory mechanisms can be identified and applied to support medium density neighbourhood development. Phase 2 will form the basis of the work program for 2025/26, and be brought back to Council in the first half of 2026. Phase 2 will also give consideration to budgetary / funding considerations alongside the 2026/27 Annual Plan and upcoming LTP for the relevant LAP areas going forward.

5.0 Options – Ngā Kōwhiringa

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

- 5.1 Council to endorse the four identified Local Area Plans (LAP's) relative to Hastings Central (North, East, West, and Hospital) to form the basis of the Local Area Plan Programme (LAPP).

Advantages

- Completes phase 1 of the LAPP which has involved planning and research, individual LAP development, and community engagement.
- Recommendations 1 and 2 from the 2022 MDHS Review are satisfied.
- Endorsement of the draft LAP's, instead of approval enables necessary amendments to be made as more recent data becomes available (i.e. census date, zoning and amenity changes, etc) throughout the duration of phase 2.
- Indicates to the community, Council's identified areas suitable for Medium Density Neighbourhoods that are supported from an infrastructure and amenity perspective.
- Providing early confirmation of the identified LAP's, enables the development sector to prepare and plan for development, and may assist in advancing the implementation phase of the LAPP where intensification uptake within the LAP's advances.
- The community have been involved in the planning of the LAP's, this critical feedback has reconfirmed the local area boundaries and will inform and guide phase 2 of the LAPP.
- Enables phase 2 of the LAPP, the implementation phase, to progress with certainty over the approved local areas relative to Hastings Central.

No evident disadvantages or risks however Officers note that without Council's endorsement of the identified LAP's relative to Hastings Central, there is greater uncertainty for the implementation phase of works.

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

- 5.2 Council does not advance the Local Area Plan Programme (LAPP) through endorsement of the four identified Local Area Plans (LAP's) relative to Hastings Central (North, East, West, and Hospital).
- Officers see no advantage in this decision. The LAPP was identified as a critical action from the 2022 Review of the Medium Density Housing Strategy to support intensification. Work on the progression of the LAPP has been underway since. The approval of the four identified

local areas relative to Hastings Central is the first phase in the implementation of the LAPP, and provides certainty to stage 2 of the LAPP – Implementation Plan development.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 Following endorsement of the four LAP's relative to Hastings Central – North, East, West, Hospital – Phase 2 of the LAPP will commence involving the development of a detailed Implementation Plan.
- 6.2 Throughout Phase 2, the draft LAP's will be updated as more recent data becomes available to ensure the LAP's are relevant on completion of the Implementation Plan.
- 6.3 All LAPP collateral developed (LAP's and LAPP Implementation Plan) will be brought back to Council for consideration and direction on next steps.

Attachments:

1⇒	LAPP Overview Document	STR-05-01-05-0011	Vol 3
2⇒	Draft LAP West	STR-05-01-05-0012	Vol 3
3⇒	Draft LAP North	STR-05-01-05-0013	Vol 3
4⇒	Draft LAP East	STR-05-01-05-0015	Vol 3
5⇒	Draft LAP Hospital	STR-05-01-05-0014	Vol 3

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.

Council's Community Outcomes – *Ngā Hononga ki Ngā Putanga ā-Hapori*

This proposal promotes the social, cultural, and environmental wellbeing of communities in the present and for the future. It does this by seeking to improve the uptake of medium density housing opportunities within identified areas of the Hastings Urban Environments through an integrated approach, ensuring all necessary above and below ground infrastructure is available and operating at an appropriate level of service within areas identified as suitable to support increased residential intensity.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Hastings District Council positively upholds Te Tiriti o Waitangi | The Treaty of Waitangi as the founding document of Aotearoa New Zealand, with particular regard to the Bunbury Sheet signed by Ngāti Kahungunu Rangatira in June 1840 at Waipureku.

Council recognises and respects the Crown's responsibility to take appropriate account of the principles of Te Tiriti o Waitangi | The Treaty of Waitangi: Partnership, Participation and Protection. These principles guide an evolving relationship with mana whenua as Council works towards effective and meaningful partnerships in Council business and decision-making processes.

The preparation of each of the Local Area Plans has involved input and collaboration from mana whenua and the Pou Ahurea team.

Sustainability - *Te Toitūtanga*

Sustainability is at the centre of the Local Area Plan Programme, with the purpose of the programme to increase the share of residential intensification within the overall growth planned for Hastings, through an integrated, place-based approach. The LAPP will provide for a more efficient use of land, thereby protecting the Heretaunga Plains from unplanned urban sprawl.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

The planning phase of the LAPP has been included within the existing growth budget. In terms of phase 2 of the programme, including implementation of identified local betterment projects it is anticipated to fall across a number of infrastructure-based budgets. Any unbudgeted capital improvements will be recommended for inclusion in future reviews of the Long Term Plan, for consideration against other Council wide priorities.

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 significance.

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

Community engagement on the Local Area Plans and Programme was conducted from 1 October to 11 November 2024, introducing the LAPs and seeking to understand the unique attributes of each local area and community aspirations and areas of opportunity and/or betterment.

Similarly, the preparation of each of the Local Area Plans has involved input and collaboration from mana whenua and the Pou Ahurea team.

Risks

REWARD – <i>Te Utu</i>	RISK – <i>Te Tūraru</i>
<ul style="list-style-type: none"> - To provide a planned approach to the uptake of medium density housing developments in a planned, cohesive manner rather than the current ad-hoc, reactive manner. - To demonstrate that increased residential intensification does not diminish amenity, and in the case of Local Area Plans, can result in area 'betterment' /an increased degree of amenity. 	<ul style="list-style-type: none"> - That uptake of the opportunity for medium density housing remains limited within the identified areas within Hastings Central.

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

The Local Area Plans Programme promotes residential intensification in urbanised areas, therefore rural zones are out of scope.

Thursday, 4 September 2025

Item 10

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

Te Rārangi Take

Report to Council

Nā: Tiffany Gray, Senior Environmental Planner - Policy
From: Anna Summerfield, Environmental Policy Manager

Te Take:
Subject: State of the Environment Report 2020 - 2024

1.0 Summary

- 1.1 This Report recommends Council adopts and publishes the State of the Environment Report 2020 - 2024 (The Report). The Report is attached as Attachment 1.
- 1.2 The District Planning and Bylaws Subcommittee at its meeting held on 13 August 2025 resolved to recommend to Council to adopt and publish The Report.
- 1.3 The Heretaunga Takoto Noa Māori Standing Committee received and approved a draft of The Report at its meeting on Wednesday 30 July 2025.
- 1.4 Council's obligation under Section 35 of the Resource Management Act (RMA) is to monitor the state of the environment of its district and to make available to the public a review of the results of its monitoring.
- 1.5 The Report is a statutory requirement and is a useful resource for signalling where policy amendments may be recommended due to evolving or changing trends in the environment over time.

2.0 Recommendation— Ngā Tūtohunga

- A) That the report of the Senior Environmental Planner - Policy titled "State of the Environment Report 2020 - 2024" be received.
- B) Council notes that Section 35 (2) (a) of the Resource Management Act 1991, requires Council to monitor the state of the whole or any part of the environment of Hastings District to the extent that is appropriate to enable Council to effectively carry out its functions under the Act.
- C) Council notes the resolution of District Planning and Bylaws Subcommittee meeting held 13 August 2025, to recommend to Council "that the Council adopt the State of the Environment Report 2020 – 2024" (Report).

- D) Council notes the Chief Executive considers any matters highlighted in the Report, in the ongoing general management of Council.
- E) Council adopts the 'State of the Environment Report 2020 – 2024' and approves the Report for publication. (The Report is attached as Attachment 1).

3.0 Background – *Te Horopaki*

- 3.1 The Report outlines the state of the environment for Hastings District as at 31 December 2024. It focuses on those aspects of the environment that are directly related to the functions of Council as set out in Section 31 of the RMA.
- 3.2 Council is responsible for controlling the effects of activities on land including the effects of land use activities on natural hazards, hazardous substances, contaminated land, indigenous biological diversity, noise, and the surface of rivers and lakes.
- 3.3 Hawke's Bay Regional Council (HBRC) manages natural resources like air, water, soils and the coastal marine area, at a regional scale. It too has functions in respect of natural hazards, hazardous substances and identifying and monitoring contaminated land. HBRC are required to produce their State of the Environment Report on the areas within their control.
- 3.4 This is the fourth Report completed by Council. The third report was completed and received by Council in December 2021.

4.0 Discussion – *Te Matapakitanga*

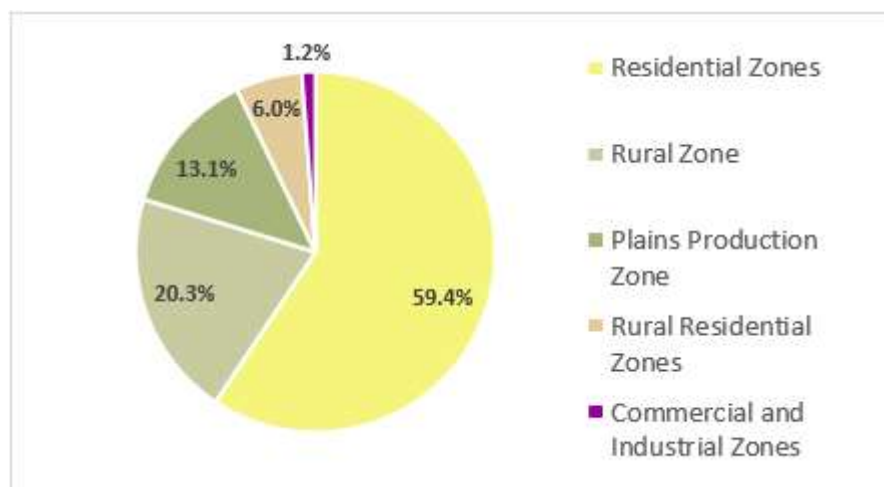
Main Findings

- 4.1 The Report is broken up into five sections: 1) Sustainable land use, 2) Amenity, character and heritage management, 3) Sustainable infrastructure, 4) Hazard Management, 5) Sustainable Waste Management.

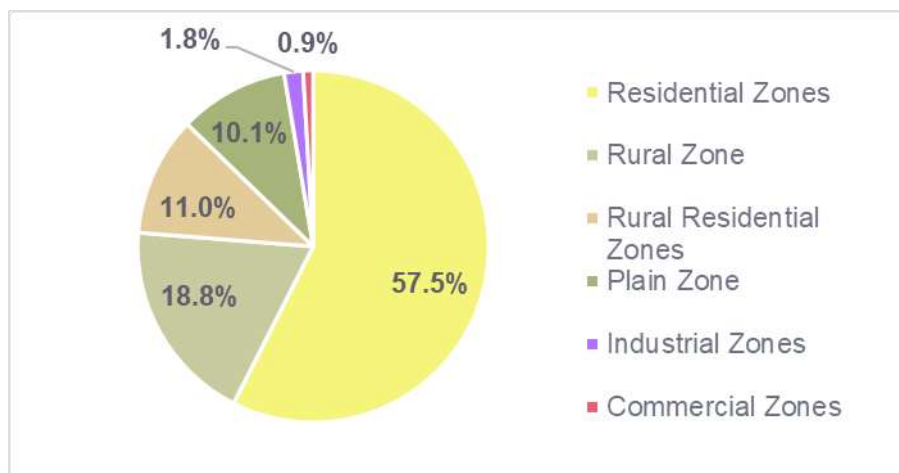
Sustainable Land Use

- 4.2 The section is covered by 11 indicators over three sub-categories: land use, sustainable urban development, protection of versatile soils.
- 4.3 Every indicator, except one, is showing either a stable trend or an improvement. Infill subdivision seems to have increased, and Council have facilitated this further with the rezoning of residential zones to a Medium Density Residential Zone for urban areas that are appropriate in accommodating increased densities. It is recommended that the Medium Density Residential Zone be monitored in future SOE Reports.
- 4.4 The indicator that is showing a worsening trend is the increase in proportion of new dwellings granted in the Rural and Plains Production Zone with a concurrent decrease the proportion of new dwellings in the Rural Residential Zones, as shown on the next page.

Percentage of building consents for new dwellings by zone categories for 2020 - 2024



Percentage of building consents for new dwellings by zone for 2015 – 2019



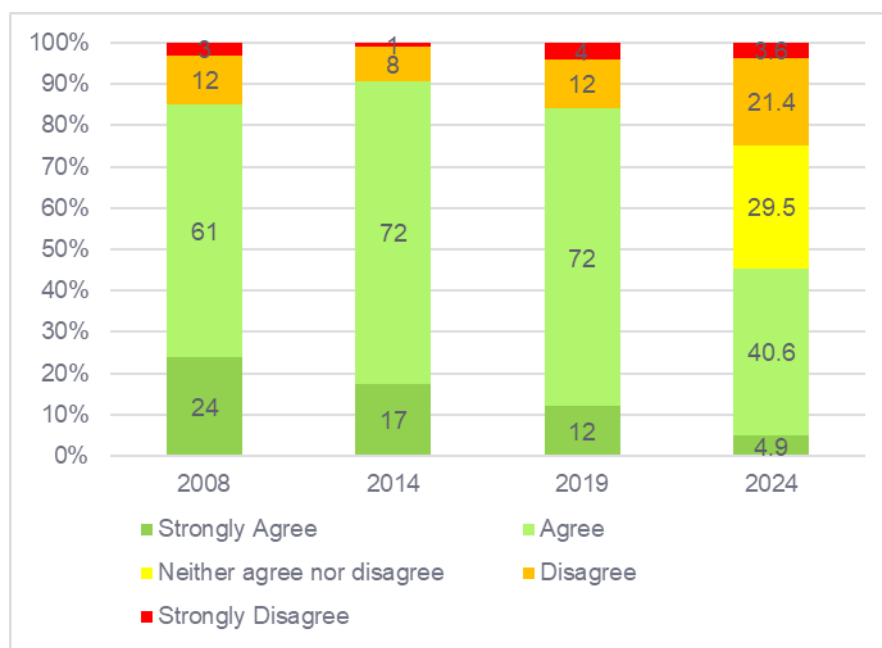
- 4.5 It is unclear why this trend has emerged. The indicators around building and subdivision are reflective of economic conditions which is partially what is being shown here. Otherwise, it is potentially an indication that the regulatory framework regarding rural residential zones needs examining.
- 4.6 Aside from that, land cover at a high level remains stable (although, there has been some increase of land covered by exotic forestry), LUC classes remain the same, there were no private plan change requests to rezone land and subdivisions, farm parks and land use consents in the Plains Production Zone seem stable.

Amenity, Character and Heritage Management

- 4.7 This section is covered by 22 indicators over 4 sub-categories: residential amenity, coastal amenity, natural heritage / landscape character, cultural and historic heritage.
- 4.8 4 indicators show a worsening or declining trend. All other indicators have remained stable or shown an increasing / improving trend. Of note was the decrease of non-residential consents granted in the residential zones, the increase in reserve provision of the district, reduced noise complaints and a decline in people concerned about noise.

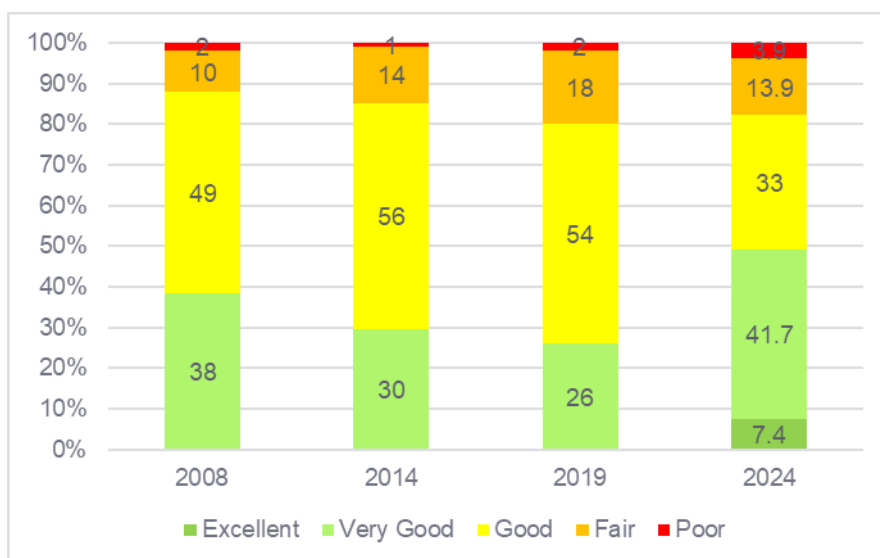
- 4.9 Indicators showing a worsening trend include residents' perception of the district as a safe place to live, subdivision and building within landscape areas of the District Plan, and authorities to modify/destroy archaeological sites.
- 4.10 Our understanding of Heretaunga Hastings as a safe place to live is based on a survey distributed to a citizens panel. In this survey participants were asked to rate their level of agreement with the statement 'I think Heretaunga Hastings District is a safe place to live', and could respond with 'strongly disagree', 'disagree', 'neither agree nor disagree', 'agree', or 'strongly agree'. In this recent survey 45.5% agreed and strongly agreed that Heretaunga Hastings District is a safe place to live. This is a departure from the previous survey where 84% of participants agreed or strongly agreed.

The percentage of survey participants that agree with the statement 'i think Heretaunga Hastings district is a safe place to live", 2008 – 2024



- 4.11 It is possible that changes to the survey design like giving people the option to neither agree nor disagree has resulted in this change. However, based on previous surveys there does appear to be a declining trend in those that strongly considered the district a safe place to live.
- 4.12 Those that don't feel Heretaunga Hastings District is a safe place to live attribute this to increasing homelessness, gang presence, unemployment, the economy and the emergence of radical politics.
- 4.13 However, despite this, responses from the citizens survey showed an increase in those that considered the quality of life in Heretaunga Hastings District as being excellent or very good, as shown on the next page.

Rating the quality of life in Heretaunga Hastings District 2008-2024

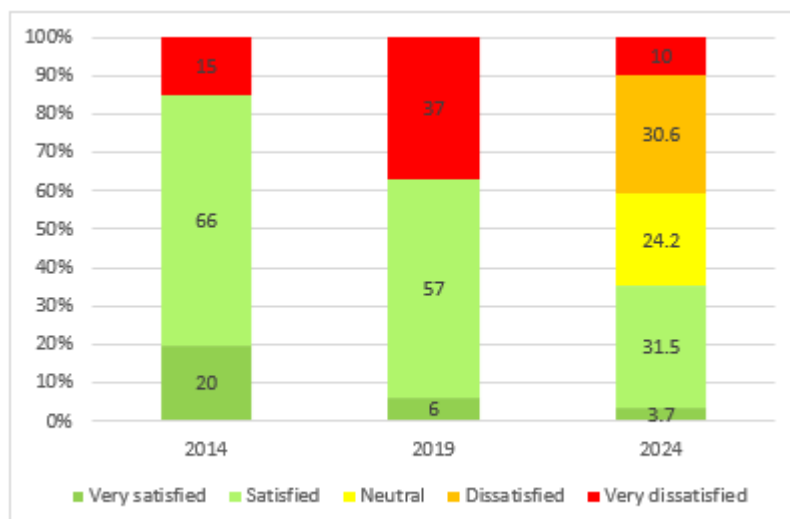


- 4.14 Subdivision and building in the landscape areas has increased but for the most part these are in the rural landscape character areas that have a more permissive regulatory framework i.e. there are no specific rules around subdividing or building in these areas. This landscape classification becomes a matter for assessment at the time of subdivision. Building activity has increased overall as a result of the economic impacts of Covid.
- 4.15 Subdivision and building are generally low in the significant amenity or outstanding natural landscape/feature areas because of the more restrictive rule framework. In this report the number of times specific landscape rules were triggered has been presented and should be a consideration for the next report also as this captures more accurately the activities that we are trying to regulate.
- 4.16 Activity within the landscape areas should be a consideration in the review of the District Plan chapter.
- 4.17 There has been an increase in authorities applied for and granted to modify or destroy archaeological sites in the district. While this may indicate that more development is occurring around historically and culturally sensitive sites it can also indicate a growing awareness to monitor development in these areas. None of the authorities sought were to destroy a site, rather to ensure that the site is monitored while the activity was carried out.

Sustainable Infrastructure

- 4.18 This section is covered by 19 indicators over 4 sub-categories: transportation, water management, wastewater treatment, and stormwater management.
- 4.19 Several of these indicators show a declining or worsening trend.
- 4.20 Road maintenance has been particularly difficult over the five-year period between 2020 and 2024 given Cyclone Gabrielle and the unsettled wet weather patterns observed, which may have contributed to people's feelings of dissatisfaction and issues with maintaining the network. The data gathered has been forwarded to the Transport Team.

The percentage of survey participants that are satisfied with council roads 2014 – 2024



- 4.21 Water management is overall fairly stable other than the continuing increasing trend of domestic water consumption and commercial / industrial water consumption.
- 4.22 Wastewater treatment and trade waste disposal also remain stable other than declining satisfaction with the sewerage system and an increase in complaints, and an increase of trade waste warning notices issued. Those dissatisfied with the sewerage systems were concerned about the capacity of the system or were dissatisfied that connections were not available in more rural areas.
- 4.23 Stormwater was a new section added to the SOE Report. Council is compliant with its consent conditions however it is an expired consent. In accordance with s124 of the RMA, the discharges authorised under the expired consents are able to legally continue under the expired consents until such time as the new consent application is determined. Council is lodging its consent application. . 23.9% of people were dissatisfied to some degree with the system. Those that were dissatisfied or very dissatisfied felt that road sweeping or gutters were not adequate or that stormwater drains did not handle rain events well.

Hazard Management

- 4.24 The section is covered by 6 indicators over two sub-categories: natural hazards and hazardous substances.
- 4.25 Every indicator is showing a stable or improving trend. The only indicator showing a worsening trend is natural hazard events. Between 2020 and 2024 weather patterns were unsettled with a number of wet weather events affecting the district. The most devastating of these was Cyclone Gabrielle that devastated the district. It resulted in a loss of life, and unprecedented damage to property and infrastructure. So, while subdivision and building in natural hazard areas identified in the district plan are stable or showing a declining trend, Council may need to re-evaluate its District Plan rules in relation to natural hazards to manage the effects of severe weather events.

Sustainable Waste Management

- 4.26 This section is covered by 9 indicators over three sub-categories: solid waste, hazardous waste, and contaminated land.
- 4.27 Only one indicator shows a declining trend, the remainder are showing stable or increasing/improving trends or are otherwise new. The indicator that is showing a declining trend is regarding the volume of recycling. It is considered that a change in packaging trends and the economic outlook have been contributing factors to this.

- 4.28 The indicators regarding contaminated land are new. Contaminated land was a section in the previous Report but, in this Report, has been updated into the general structure of the report and given measurable indicators.

5.0 Options – *Ngā Kōwhiringa*

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

- 5.1 Recommend that the SOE Report be adopted and released to the public

Advantages

- Council is meeting its obligations under the RMA;
- The SOE Report will be released this year

Disadvantages

- There are no disadvantages noted.

Option Two – Status Quo - Te Kōwhiringa Tuarua – Te Āhuatanga o nāianei


- 5.2 The SOE Report is not adopted and released to the public

- No advantages are noted with this option.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 The Report will be published.

Attachments:

1 	Environmental Policy - State of the Environment Report - 2020-2024 Working Papers - State of the Environment report 2020 - 2024	ENV-02-04-25-58	Vol 2
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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-Hāpori](#)

This proposal promotes the environmental wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

The Report supports transparency and partnership by acknowledging areas of concern, identifying pressures on taonga and highlighting where further collaboration may be needed to uphold cultural values.

Sustainability - *Te Toitūtanga*

The Report is relevant to the sustainable management of our physical and natural resources. Council has a duty to report on its performance as part of Section 35 (2) (a) of the Resource Management Act.

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Costs associated with the Report are budgeted for the Environment Policy work programme.

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*

Information has been gathered from internal stakeholders and public perspectives have been sought through a citizens panels survey.

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

The Report will be presented to the Rural Community Board.

Thursday, 4 September 2025

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

Te Rārangi Take

Report to Council

Nā:
From: John Payne, Regulatory Solutions Manager

Te Take:
Subject: Report on the Administration of Hastings District Council's Policy and Practices in Relation to the Control of Dogs for the year 1 July 2024 to 30 June 2025

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This report recommends Council receive and make publicly available the 'Report on the Administration of Hastings District Council's Policy and Practises in Relation to the Control of Dogs for the year 1 July 2024 to 30 June 2025'. The report is attached as Attachment 1.
- 1.2 Council is required under Section 10A of the Dog Control Act 1996 (The Act), each financial year to report on the administration of its Dog Control Policy adopted under Section 10 of the Act and its dog control practices.
- 1.3 Council is required to give 'Public Notice' of and make publicly available the dog control report in accordance with Sections 5(1) and 5(3) of the Local Government Act 2002.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Report on the Administration of Hastings District Council's Policy and Practices in Relation to the Control of Dogs for the year 1 July 2024 to 30 June 2025 dated 4 September 2025.
- B) That the Chief Executive give Public Notice of and make publicly available its Report on the Administration of Hastings District Council's Policy and Practices in relation to the Control of Dogs for the year 1 July 2024 to 30 June 2025 in accordance with Sections 5(1) and 5(3) of the Local Government Act 2002.

3.0 Background – *Te Horopaki*

- 3.1 Council must, in respect of each financial year, report on the administration of its Dog Control Policy adopted under section 10 of the Act and its dog control practices.
- 3.2 The report must include, information relating to:

- the number of registered dogs.
- the number of probationary and disqualified owners.
- the number of dogs classified dangerous under section 31 of the Act and the relevant provision under which the classification was made.
- the number of dogs classified as menacing and the relevant provision under which the classification was made.
- the number of infringement notices issued.
- the number of dog related complaints received and the nature of those complaints.
- the number of prosecutions taken by Council.

4.0 Discussion – *Te Matapakitanga*

- 41 The Chief Executive and Animal Control Services Team focus service delivery within the framework set by Councils Dog Control Policy to achieve the outcomes sought in the Dog Control Policy namely,
- Minimising the potential for danger, distress, and nuisance to the community from dogs,
 - Promoting responsible dog ownership,
 - Promoting effective dog control, particularly in public places where children or families are present,
 - Minimising the risk of intimidation and attacks by dogs,
 - Promoting positive interaction between dog owners and members of the community,
 - Providing for the exercise and recreational needs of dogs and their owners.
- 4.2 Dog related complaints have remained static from the previous reporting period.
- 4.3 There were 368 complaints relating to aggression. Although this is up from the previous year 315, the increase is not significant and, other than the incident being prosecuted, many of the complaints were of a minor nature.
- 4.4 All complaints of aggression are prioritised and are thoroughly investigated. Follow up action is taken as appropriate.
- 4.5 Complaint numbers have remained reasonably static however, the total number of dogs and the number of registered dogs has decreased for the second year running. The reduction in dog numbers is considered a result of the effects of Cyclone Gabrielle and the increased cost of living. Other areas around New Zealand have reported similar decreases. The team is currently focusing on registration compliance with respect to the 2025/2026 registration year.

5.0 Options – *Ngā Kōwhiringa*

- 5.1 This report is submitted for Council's information and public notification.

6.0 Next steps – *Te Anga Whakamua*

- 6.1 Public notification per the requirements of the Local Government Act 2002.

Attachments:

- 1↓ Regulatory Operations - Animal Control - Internal Administration - 10A Report 2024 2025 REG-1-14-25-884

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 the regulatory compliance and 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

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Nil

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

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

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

Not required, as the report is for information only.

REG-1-14-25-884

10A Report 2024/2025



**Report on the Administration of
Hastings District Council's
Policy and Practices in Relation to the
Control of Dogs for the year
1 July 2024 to 30 June 2025**

Pursuant to:

(Section 10A of the Dog Control Act 1996)



1. Background

This policy is made under section 10 of the Dog Control Act 1996.

Council adopted the "Dog Control" Policy 6 August 2009. The policy underwent a review and public consultation in conjunction with the Dog Control Bylaw, August 2016 and again August 2021.

The purpose of the policy is to provide a framework for the care and control of dogs throughout Hastings district with regard to:

- a) *"the need to minimise danger, distress and nuisance to the community generally; and*
- b) *the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether the children are accompanied by adults; and*
- c) *the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and*
- d) *the exercise and recreational needs of dogs and their owners"*

The anticipated outcomes of the policy are:

- 1. Minimising the potential for danger, distress, and nuisance to the community from dogs.
- 2. Promoting responsible dog ownership.
- 3. Promoting effective dog control, particularly in public places where children or families are present.
- 4. Minimising the risk of intimidation and attacks by dogs.
- 5. Promoting positive interaction between dog owners and members of the community.
- 6. Providing for the exercise and recreational needs of dogs and their owners.

Section 10A of the Dog Control Act 1996 requires territorial authorities to publicly report each financial year on the administration of their dog control policy and practices.

2. Dog Prohibited Areas

Dogs are prohibited from the following public areas:

- a. Hastings District Council Civic Building.
- b. Public libraries.
- c. Swimming pools and paddling pools.
- d. Children's playing areas.
- e. Sports fields. NB: Sports field means – *any part of a public place which is laid or set aside for playing organised games or sports and includes an area used for practising a sport or game but, for the avoidance of doubt, does not include an area beside a sports field used by spectators.*
- f. Rangaiika Beach at Ocean Beach / Cape Kidnappers.

Prohibited areas are established to prevent conflict with other users, or areas with sensitive ecological value. Very few complaints are received regarding non-compliance as most dog owners are responsible people and comply with the requirements.

3 Dog Exercise and Leash Control

There are currently areas where dogs are required to be leashed and areas where they may free run off-leash (under control of the owner).

Council has the philosophy that dogs which have easy access to open spaces and are exercised regularly are less likely to display anti-social behaviour such as aggression and excessive barking. To achieve this, there is a limited number of dog prohibited areas and leash control areas other than areas of high public usage or biodiversity significance.

4 Dog Aggression

A focus is on encouraging dog owners to understand the true nature of dogs, to recognise the potential that all dogs have and to comply with their obligations under the Dog Control legislation, in particular Section 5(f) –

to take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person.

All complaints of aggression reported to Council are given priority and are thoroughly investigated. Action ranges from written warning, infringements, menacing dog classification, dangerous dog classification or prosecution.

5 Dog Control Statistics

Year	Total Dogs	Registered	Impound	Claimed
24/25	13,078	12,590	683	68%
23/24	13,436	12,958	875	70.7%

NB: Impounded does not include dogs relinquished (153)

The decrease in the number of dogs and the reduction in the claim rate is considered a result of Cyclone Gabrielle and the increased cost of living. This has been noticeable across territorial authorities. Of the 488 dogs remaining unregistered 302 infringements were issued.

Complaints	23/24	24/25
Person Attacked	72	81
Person Rushed	125	151
Animal Attacked	118	136
Roaming	1,419	1,341
Barking	511	616
Fouling	14	5
Stock Roaming	146	121
Other	160	135
Total	2,565	2,586

There are interesting dynamics that occur as the complaint types fluctuate, for example when barking dog complaints increase, this can indicate that dogs are being restrained, accordingly roaming dog complaints decrease. However, restrained dogs become more territorial, hence an increase in the number of dog attacks. Another interesting point is that many dog bites go unreported, as most people are bitten by the family dog.

Other complaints are made up of several miscellaneous topics like unleashed dogs in leash control areas, reported unregistered dogs, dangerous dogs, unmuzzled, chickens, roosters, and cats etc.

Owner Classification	23/24	24/25
Probationary owners s21	0	0
Disqualified owners s25	17	11
Menacing s33A 1b(i) – (Behaviour)	18	17
Menacing s33A 1b(ii) – (Breed Characteristics)	0	0
Menacing s33C – (Government listed breeds)	157	162
Dangerous s31 (1)(a) – (Conviction under s57)	0	0
Dangerous s31 (1)(b) – (Sworn evidence)	6	4
Dangerous s31 (1)(c) – (Owner admits in writing)	25	25

	Infringements	Prosecutions
24/25	421	2
23/24	337	2

The two prosecutions involved one dog attacking two people.

Registration categories (total dogs)

Category	23/24	24/25
Urban	7,221	7,057
Rural	6,190	5,996
Other	25	25
Total	13,436	13,078

6 Fees

Dog registration fees are set by Council resolution.

Dog registration fees, fines and impound fees are used to fund dog control.

A reduced dog registration fee is offered to those who register their dogs before 1 August and a reduced fee is offered to those owners on the Selected Owner Scheme.

27% of the dog control activity is funded from the general fund in recognition of the public good benefit.

7 Education

Education is offered to all dog owners by way of one-on-one consultation and a series of educational brochures are available.

Dog bite prevention and responsible dog ownership addresses are undertaken free of charge to any community groups. This training is also offered internally to HDC staff.

A copy of Council's dog control policy is available on our website together with other educational material.

Thursday, 4 September 2025

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

Item 12

Te Rārangi Take

Report to Council

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

Te Take: Appointment of List Member to the Hastings District Licensing
Subject: Committee for the Election Interregnum Period

1.0 Executive Summary – *Te Kaupapa Me Te Whakarāpopototanga*

- 1.1 This Report recommends the appointment of a List Member to the Hastings District Licensing Committee for the Council interregnum period.
- 1.2 The interregnum period is the time between the existing Council going out of office (the day of the declaration of the results of the triennial election) and the new council coming into office (swearing in of the new council).
- 1.3 District Licensing Committees can be convened in the period between the triennial election and the inaugural Council meeting. This is because under the Sale and Supply of Alcohol Act 2012, Schedule 7 of the Local Government Act (discharge of committees, subcommittees and other subordinate decision-making bodies) does not apply to District Licensing Committees.
- 1.4 The membership of a District Licensing Committee must comprise 3 or more members appointed by the Council. As it currently stands, we will be one District Licensing Committee member short during the interregnum period. A further appointment of a District Licensing Committee List member is required to ensure a hearing can proceed at this time, if required.
- 1.5 Appointments to the Hastings District Licensing Committee for the 2025-2028 triennium will be considered by the incoming Council.

2.0 Recommendations - *Ngā Tūtohunga*

- A) That Council receive the report titled Appointment of List Member to the Hastings District Licensing Committee for the Election Interregnum Period dated 4 September 2025.
- B) That Council approve the appointment of Ms Tania Kerr as a List Member of the Hastings District Licensing Committee for the Council interregnum period.

3.0 Background – *Te Horopaki*

- 3.1 Anyone wanting to sell and supply alcohol to the public in New Zealand must apply to their local council for a licence. District Licensing Committees (DLC's) consider and decide all applications for licences and manager's certificates, s 187 of the Sale and Supply of Alcohol Act 2012 (the Act). DLCs are established under the Act and are administered by councils.
- 3.2 DLC's can be convened in the period between the triennial election and the inaugural Council meeting. This is because under the Sale and Supply of Alcohol Act 2012, Schedule 7 of the Local Government Act (discharge of committees, subcommittees and other subordinate decision-making bodies) does not apply to DLCs.
- 3.3 Each council must establish and maintain a list of DLC members. They can have their own list or have a combined list with one or more other councils (s 192). The membership of the DLC must comprise 3 or more members appointed by the Council.
- 3.4 Members must have: "experience relevant to alcohol licensing matters" (s 192(2)). The Act does not define or set out what this means however relevant knowledge, skills and experience of DLCs include understanding alcohol-related harm and how it can be minimised; experience in legal matters and skills in facilitating community participation.
- 3.5 In June 2022, the Chief Executive, on the recommendation of the Council, appointed Mr George Lyons as a Commissioner to the DLC for a 5-year period (9 June 2022 – 9 June 2027). Commissioners have all the functions, powers and duties of the Chair of the DLC (Pursuant to s 193 of the Act).
- 3.6 On the 29th of November 2022 Council approved the following appointments to the Hastings DLC for the 2022-2025 triennium:
 - 1) Councillor Tania Kerr (Chair)
 - 2) Councillor Eileen Lawson (Deputy Chair)
 - 3) Mr Wayne Bradshaw (List Member)
 - 4) Mr Dave Fellows (List Member)
- 3.7 Council also noted that Mr George Lyons had been appointed as a Hastings District Licensing Committee Commissioner until 9 June 2027.
- 3.8 Mr Lyons has confirmed his availability for the interregnum period.
- 3.9 Mr Fellows has confirmed that he is available as a List member of the DLC if required for the interregnum period, but he does not wish to be appointed as a List member for the 2025-2028 triennium.
- 3.10 We have not been able to confirm Mr Bradshaw's availability for DLC hearings in the interregnum period.

4.0 Discussion – *Te Matapakitanga*

- 4.1 The quorum for a Hastings DLC hearing is 3.
- 4.2 During the interregnum period Council will not have enough DLC members to call on should a hearing be required.
- 4.3 Mr George Lyons (Commissioner) and Mr David Fellows (List member) will be available during the interregnum period. Mr Wayne Bradshaw will not be available for the interregnum period, and we will not have any Councillors to draw on.
- 4.4 To ensure that the Hastings DLC can obtain a quorum for the interregnum period this Report recommends the appointment of Ms Tania Kerr as a List member.

- 4.5 Ms Kerr is an experienced member of the Hastings DLC and has performed the role of Chair for this triennium. As Ms Kerr is not standing in this year's local body elections it is open for Council to make this appointment in her non-council capacity.
- 4.6 Following the 2025 elections, the incoming Council will need to consider appointments to the Hastings DLC for the 2025-2028 triennium.

5.0 Next steps – *Te Anga Whakamua*

- 5.1 The Schedule of Appointments to Committees and Subcommittees Schedule will be updated to reflect Council's decision.

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 wellbeing of communities in the present and for the future.

Māori Impact Statement - *Te Tauākī Kaupapa Māori*

Ensuring a Hastings District Licensing Committee hearing can proceed during the interregnum period if required is an administrative matter.

Sustainability - *Te Toitūtanga*

N/A

Financial considerations - *Ngā Whakaarohanga Ahumoni*

Fees for the Chair/Commissioner and members of the DLC are determined by the Minister of Justice in accordance with the Cabinet fees framework. There is an existing budget for the remuneration of DLC members.

Significance and Engagement - *Te Hiranga me te Tūhonotanga*

This decision 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*

N/A

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

No implications for the Hastings rural community over and above the rest of the Hastings district.

HASTINGS DISTRICT COUNCIL

COUNCIL MEETING

THURSDAY, 4 SEPTEMBER 2025

Item 15

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:

- 16 Divestment Opportunity - Medium Density Housing Activation
- 17 Horse of the Year (HB) Ltd Shareholding
- 18 Risk and Assurance Committee Independent members remuneration
- 19 CE Matters (supplementary agenda circulated separately)

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:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER, AND PARTICULAR INTERESTS PROTECTED	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF EACH RESOLUTION
16 Divestment Opportunity - Medium Density Housing Activation	Section 7 (2) (h) The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. The Report discusses potential divestment of a Council asset in which the report recommends taking the land to market which would benefit potential responders if it was in the public domain at this time.	Section 48(1)(a)(i) 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.

**17 Horse of the Year (HB) Ltd
Shareholding**

Section 7 (2) (h)

The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

Section 7 (2) (i)

The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations). To protect Council's strategic shareholding position as negotiations on shareholding are held.

Section 48(1)(a)(i)

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.

**18 Risk and Assurance Committee
Independent members remuneration**

Section 7 (2) (a)

The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

To protect the privacy of individuals concerned to allow a free and frank discussion.

Section 48(1)(a)(i)

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.

19 CE Matters

Section 7 (2) (a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.

Section 48(1)(a)(i)

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.