

Thursday, 4 September 2025

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

Kaupapataka

Attachments Volume 1

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**

**Watch Council meetings
streamed live on our website
www.hastingsdc.govt.nz**

HASTINGS DISTRICT COUNCIL
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156
Phone **06 871 5000** | www.hastingsdc.govt.nz
TE KAUNIHERA Ā-ROHE O HERETAUNGA

ITEM	SUBJECT	PAGE
5.	ADOPTION OF THE WASTE MANAGEMENT AND MINIMISATION BYLAW 2025	
	Attachment 1: Waste Management and Minimisation Bylaw 2025	3
6.	FRIMLEY POOL COMPLEX UPDATE	
	Attachment 1: Package of ROI Documents for Frimley Pools	15
7.	RECOMMENDATION FOR PLAN CHANGE 5 TO THE OPERATIVE HASTINGS DISTRICT PLAN TO BE MADE OPERATIVE	
	Attachment 1: Section 32AA Evaluation - Topic 1 - Mandatory Notification Rule	103
	Attachment 2: Section 32AA Evaluation - Topic 2 - Rezoning of the Karamu Road site	111
	Attachment 3: Plan Change 5 - Environment Court Consent Order dated 7 August 2025	117
8.	ENTERPRISE RISK MANAGEMENT POLICY & FRAMEWORK ANNUAL REVIEW	
	Attachment 1: DRAFT HDC Enterprise Risk Management Policy and Framework Version 7	129
	Attachment 2: HDC Strategic Risk Register July 2025	157



Hastings District Council Waste Management and Minimisation Bylaw 2025 / Te Ture ā-rohe a Te Kaunihera ā-rohe o Heretaunga mō te Whakahaere me te Whakaiti Para 2025

TE KAUNIHERA Ā-ROHE O HERETAUNGA
HASTINGS DISTRICT COUNCIL
207 Lyndon Road East, Hastings 4122 | Private Bag 9002, Hastings 4156
06 871 5000 | customerservice@hdc.govt.nz | hastingsdc.govt.nz

Table of Contents

1. Title 3

2. Commencement..... 3

3. Application 3

4. Revocation 3

5. Purpose 3

6. Compliance with Bylaw 4

7. Definitions 4

8. Controls 9

9. Waste Collection..... 9

10. Separation of Waste..... 10

11. General Responsibilities 11

12. Waste Collectors and Waste Operators 11

13. Public Waste Bins 11

14. Enforcement 12

This bylaw is made under the Waste Minimisation Act 2008.

1. Title

- 1.1. This bylaw is the Hastings District Council Waste Management and Minimisation Bylaw 2025 / Te Ture ā-rohe a Te Kaunihera ā-rohe o Heretaunga mō te Whakahaere me te Whakaiti Para 2025.

2. Commencement

- 2.1. This bylaw comes into force on 1 October 2025.

Explanatory note: This Bylaw should be read in conjunction with the Hastings District Council / Napier City Council Joint Waste Management and Minimisation Plan / Te Mahere Whakahaere me te Whakaiti Para and any relevant controls referred to in clause 8.

3. Application

- 3.1. This Bylaw applies to the Heretaunga Hastings district.
- 3.2. This Bylaw does not apply to:
- (a) council when exercising its lawful compliance functions;
 - (b) emergency services or civil defence personnel exercising their lawful functions in an emergency; or
 - (c) any person acting in compliance with a lawful direction of council.

4. Revocation

- 4.1. Clause 2.14.1 (refuse disposal) and Clause 10.3 (Refuse) of the Hastings District Council Consolidated Bylaw 2021 are revoked on the date this bylaw comes into force.

5. Purpose

- 5.1. The purpose of this bylaw is to:
- 5.2. Achieve the purpose of the Waste Minimisation Act 2008 and the New Zealand Waste Strategy;
- 5.3. Ensure efficient and effective waste management and minimisation across Heretaunga Hastings district and support safe practices through the regulation of the collection, transport, and disposal of waste or processing of recycling;
- 5.4. Support the implementation of the Hastings District Council / Napier City Council Joint Waste Management and Minimisation Plan.

6. Compliance with Bylaw

- 6.1. No person may deposit, collect, transport, sort, store, process or dispose of waste other than in accordance with this Bylaw
- 6.2. To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, Regulations, Bylaws and any relevant consents, permits or approvals.

7. Definitions

- 7.1. In this Bylaw unless the context otherwise requires:

Defined Term	Interpretation
Approved receptacle	Means a container, bag or other receptacle approved by Council for the disposal of waste, including for the collection of that waste.
Commercial / industrial waste	Means any waste that results from a commercial enterprise and includes waste generated by the carrying on of any business, manufacture, process, trade, market, or other undertaking including scrap, salvaged materials or other similar waste.
Construction & demolition waste material	<p>Waste generated from any building work (including construction, renovation, repair or demolition); and includes but is not limited to concrete, plasterboard, insulation, nails, wood, steel, brick, paper, roofing materials, wool/textiles, cardboard, metals, plastic or glass, as well as any waste originating from site preparation, such as excavated materials, topsoil, plant matter, tree stumps, asphalt subsoils, and rubble.</p> <p>Explanatory Note: For clarity and the avoidance of doubt, waste created during the manufacture of building products is not 'construction and demolition waste' in terms of this bylaw.</p>
Event waste material	Waste generated from any organised temporary activity of significant scale and/or occurring over multiple days that is likely to create waste, including (but not limited to) an organised gathering, open-air market, parade, protest, festival, film shoot, concert, sport, race or celebration.

Hazardous waste	<p>Means any waste that:</p> <p>contains substances defined in Section 2 of the Hazardous Substances and New Organisms Act 1996, which exceed the minimum degree of hazard specified by the Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000, or</p> <p>meets the definition for infectious substances included in the Land Transport Rule: Dangerous Goods 1999 and the NZ Standard 5433: 1999 - Transport of Dangerous Goods on Land, or</p> <p>or is publicly notified by the Council from time to time to be hazardous and to require special handling for the purposes of collection transportation or disposal.</p>
Household / domestic waste	Waste consisting of refuse, recycling or organic waste material originating from any household or from the cafeteria, lunchroom or canteen of any commercial enterprise.
Licence	A licence, consent, permit or approval to do something under this Bylaw and includes any conditions to which the licence is subject.
Multi-unit Development	Means a premises that contains 10 or more dwellings and to avoid doubt, includes mixed-use premises with business or other activities.
Public waste bin	Means a receptacle in a public place for the disposal of waste and includes containers for different types of waste (for example recycling, organic waste material or other waste).
Occupier	In relation to any land or premises, means any lessee, licensee, or other occupant of the land, and includes the owner or the agent of the owner where there is no apparent occupier.
Organic waste material	Means food scraps including food and any parts of food such as those discarded during food preparation (food organics) and vegetative materials discarded from gardening activities (garden organics), as provided for in the Standard.

Owner	In relation to premises, means the person for the time being entitled to receive the rent of the premises, whether on an own account or as the agent or trustee for any other person, or who would be so entitled if the premises were let at a rent and includes any person for the time being registered under the Land Transfer Act 2017 as the proprietor of the premises.
Person	Means an individual, a corporation sole, a body corporate, and an unincorporated body.
Prohibited waste	Means waste containing any: <ul style="list-style-type: none"> a) Material capable of causing any injury to any person or animal unless that material is sufficiently contained to prevent injury; b) Material capable of causing damage to the approved container or likely to shatter in the course of collection unless the material is sufficiently contained to prevent damage to the approved container or to prevent injury; c) Material that may endanger any person, animal or vehicle that may come in to contact with it prior to, during or following collection, transportation or Disposal; d) Liquid or viscous fluid (including but not limited to used oil and paints); e) Radioactive wastes, but excluding domestic smoke detectors; f) Batteries, including but not limited to used oil, lithium and lead acid batteries; g) Hazardous waste; h) Medical waste; i) Asbestos; j) Fluorescent lights or lightbulbs containing any mercury; k) Gas containers; l) Aerosol cans; m) Lead paint products; and n) Other material prohibited by Council from time to time.

Public place	<p>Means a place that, at any material time, is open to or is lawfully being used by the public, whether free or on payment of a charge, notwithstanding that any owner or occupier of that place is entitled to exclude or eject any person from that place and, for the avoidance of doubt, includes:</p> <ul style="list-style-type: none"> • a beach • a road • an aircraft, hovercraft, ship, ferry or vehicle carrying passengers for reward • a cemetery or crematorium • the foreshore • a park • a reserve under the Reserves Act 1977, and • premises used by Council for the purposes of service delivery, including (but not limited to) an administrative office, community centre, swimming pool, library or art gallery.
Recycling	<p>Has the same meaning as in section 5 of the Waste Minimisation Act 2008.</p> <p><i>Explanatory note:</i> Recycling that is abandoned or disposed of or discarded (eg put out for kerbside collection on the road reserve) also comes within the definition of waste.</p>
Special Collection Area	<p>Means an area approved by the Council for the collection of waste or recycling.</p>
Standard	<p>Means the Standard Materials for Kerbside Collections Notice 2023 (Notice No.1).</p>
Waste Collector	<p>Any person who collects or transports waste as their primary business and includes commercial and non-commercial collectors and transporters of waste (for example, community groups and not-for-profit organisations); but does not include individuals who collect and transport waste for personal reasons (for example, a person taking household garden waste to a landfill).</p>
Waste	<p>Has the same meaning as in section 5 of the Waste Minimisation Act 2008:</p> <p>(a) means any thing disposed of or discarded; and</p>

	<p>(b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and</p> <p>(c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.</p>
Waste Management Facility	<p>means a premises</p> <p>(a) at which material that has been disposed of or discarded is received, collected, sorted, stored, processed or any combination of these activities; and</p> <p>(b) to avoid doubt, includes a landfill, cleanfill, managed fill, mono fill or transfer station.</p> <p>And includes a resource recovery facility, which is a premises</p> <p>(a) at which material that has been disposed of or discarded is received, collected, sorted, stored, processed or any combination of these activities for the purpose of recovering components or elements for recycling or reuse;</p> <p>(b) to avoid doubt, includes a commercial composting operation, recovery operation, materials recovery facility, transfer station and recycling depot; and</p> <p>(c) to avoid doubt, excludes premises on which composting occurs.</p>
Waste Operator	<p>Means a person who owns, operates or manages a landfill site, clean fill site, managed fill site, monofil site or any other Waste Management Facility.</p>

- 7.2. Any undefined words, phrases or expressions used in this bylaw have the same meanings as in the Waste Minimisation Act 2008 (including any regulations and rules made under that Act).
- 7.3. To avoid doubt, the Hastings District Council Consolidated Bylaw 2021, and any defined terms in that Bylaw, do not apply to this Bylaw.
- 7.4. Part 2 of the Legislation Act 2019 applies to the interpretation of this bylaw.
- 7.5. Explanatory notes are not part of the bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used to explain the intent of a clause in less formal language and/or to include additional helpful information.

8. Controls

- 8.1. In addition to the requirements of this Bylaw, the Council may, by resolution publicly notified, make, amend or revoke controls or rules that provide for the following matters:
- The type, size, number, construction of and maximum allowable limits of waste allowed in an approved receptacle for the collection of waste from a public place or special collection area;
- (a) Collection times, conditions of use and any other operational matter relating to collection of an approved receptacle from a public place or a special collection area;
 - (b) The placing of an approved receptacle for collection;
 - (c) The correct separation of waste into an approved receptacle;
 - (d) Types of waste that are prohibited;
 - (e) The effective management and minimisation of specific categories or types of waste, including but not limited to:
 - (i) Construction and Demolition waste material;
 - (ii) Organic waste material;
 - (iii) Multi-unit development waste material; and
 - (iv) Event waste material.
 - (f) Conditions that, as applicable, can be included in any licence for any waste collector and/or waste operator operating within the District including, in addition to any of the above matters: the provision of information to the Council about the types of materials deposited, collected, transported, received, sorted, stored, processed, disposed of or any combination of these activities;
 - (g) The size, location, quantity and general management of public waste bins allowed in public places.
- 8.2. Controls implemented by Council may:
- (a) Regulate, control or prohibit any matter or thing generally, for any specified classes of case, or in a particular case;
 - (b) Apply to all waste or any specified category or type of waste;
 - (c) Apply to the Hastings District or to a specified part of it; and/or
 - (d) Apply at all times or at any specified time or period of time.
- 8.3. Any person providing or using a waste collection service in or from a public place must comply with all controls made by the Council relating to that service.

9. Waste Collection

- 9.1. Waste may not be placed in a public place or in a special collection area for collection unless it is:
- (a) household/ domestic waste;
 - (b) green waste / organic waste material;

- (c) any other type of waste determined by the Council as able to be placed for collection.
- 9.2. A person that disposes of or discards waste in a public place or in a special collection area for collection under clause 9.1, must:
 - (a) ensure that waste is separated in accordance with clause 10 and deposited into the correct approved receptacle as determined by Council;
 - (b) take all reasonable steps to prevent any waste from escaping any approved receptacle;
 - (c) ensure that any approved receptacle is not overfilled;
 - (d) take all reasonable steps to prevent any approved receptacle disrupting or obstructing pedestrian and vehicular traffic and to preserve access to the premises;
 - (e) ensure that approved receptacles are placed for collection and retrieved in accordance with any applicable control specified by the Council under clause 8.
- 9.3. Council may declare by resolution that any road or other area is a Special Collection Area,

Explanatory note: *Special Collection Areas will be publicly advertised to support the public to identify locations.*

- 9.4. A person must not:
 - (a) Cause, permit or allow the deposit of any Prohibited Waste into an approved receptacle;
 - (b) Cause, permit or allow the deposit of any material into an approved receptacle that is not approved for that type of waste.
 - (c) Interfere with or remove any waste material from an approved receptacle, except a waste collector, Council Officer, or with the consent of the owner of the approved receptacle;
 - (d) Cause, permit or allow the deposit of any waste in an approved receptacle provided to any other person, without that person's consent;
 - (e) Remove an approved receptacle from the premises to which it has been provided or from any other premises, without the consent of Council (noting Council reserves the right to charge to replace any approved receptacle that are lost, stolen or damaged);
 - (f) Damage any approved receptacle;
 - (g) Obstruct or hinder a waste collector from lawfully collecting waste from an approved receptacle.

10. Separation of Waste

- 10.1. Waste, including recycling and organic waste material must be separated in accordance with the waste types set out in the Standard, before being placed in approved receptacles for collection.
- 10.2. Only materials stated in the Standard are accepted in an approved receptacle, unless otherwise specified by the Council by resolution.

Explanatory note: A copy of the Standard is available [here](#).

11. General Responsibilities

- 11.1. The occupier of any premises is responsible for:
- 11.2. Any waste generated on that premises until it has been collected.
- 11.3. Any waste generated from that premises, that has been placed on public property in an approved receptacle for collection, that is not collected.
- 11.4. Ensuring that there is an adequate area on the premises for the safe storage of approved receptacles and that they are kept in a hygienic state.

12. Waste Collectors and Waste Operators

- 12.1. Any waste collector who collects or transports waste from a public place or special collection area must:
 - (a) make available to the occupier of a premises one or more approved receptacle/s to enable separate collection of each of the waste types required to be separately collected from the premises;
 - (b) not collect or dispose of any waste material which has not been separated in accordance with the requirements of this bylaw;
 - (c) comply with all controls made by the council relating to that collection.
- 12.2. The Council may require waste collectors and waste operators to apply for a licence from the Council:
 - (a) in the form and manner required by council; and
 - (b) including any necessary information required by council to fulfil reporting requirements to central government.
- 12.3. The Council may approve or refuse any application, taking into account the purpose of this Bylaw and the Hastings District Council / Napier City Council Joint Waste Management and Minimisation Plan.
- 12.4. If approved, the Council may impose any conditions on the licence provided for in any control made under clause 8 of this Bylaw.

13. Public Waste Bins

- 13.1. A person must not:
 - (a) place any household/domestic waste, commercial /industrial waste, organic waste material, prohibited waste or hazardous waste in any public waste bin or public recyclable waste collection bin;
 - (b) put or attempt to put any waste into a public waste bin or recyclable waste collection bin if the bin is already full;
 - (c) remove any waste from a public waste bin or recyclable waste collection bin unless authorised by Council to do so;

- (d) attach any advertising material (including but not limited to stickers and posters) to, or paint or vandalise any public waste bin or public recyclable waste collection bin, unless authorised by Council to do so; or
- (e) Damage any public waste bin provided by Council.

14. Enforcement

- 14.1. A person who fails to comply with this bylaw and/or any controls made under the bylaw commits a breach of this bylaw and is liable to a penalty under the Waste Minimisation Act 2008.

Explanatory note: Section 60 of the Waste Minimisation Act 2008 provides that: "Every person commits an offence who breaches a bylaw made under [section 56](#) and is liable on conviction to a fine not exceeding \$20,000."

- 14.2. Where a person does not comply with the requirements of this Bylaw and/or any controls made under the Bylaw in relation to collection service that applies to them, the Council (or a Council contracted waste operator where applicable) may take any/all of the following action(s) against the person:
- (a) Reject (i.e. not collect) the contents of any approved receptacle left out by that person for collection from a public place, if the contents or placement of the receptacle is non-compliant;
 - (b) Issue written notices identifying the breach, requiring compliance with the Bylaw and warning of the consequences of continued offending;
 - (c) Remove the non-compliant contents in a receptacle (or remove the entire approved receptacle) with the owner/occupier subject to payment of the costs of removal, administrative costs and an additional penalty specified by Council. If payment is not made within the specified period, the service may be withdrawn or suspended as below.
 - (d) Withdraw or suspend the collection service provided to that owner/occupier. The suspension can be for a set period of time or indefinite, depending on the severity, at the discretion of Council (or licensed waste operator where applicable).

Explanatory note: A person committing a breach of this Bylaw and/or any controls made under the Bylaw may also commit an offence under the Litter Act 1979 and may be liable to a penalty under that Act.



Call for Registrations of Interest

Repurposing of the Frimley Pools Complex

PRJ-25-43

ROI Released: **9 June 2025**

Open Day Registrations due by:

11 June 2025

Open Day (by registration only): **12 June 2025**

Individual site visits by appointment

Deadline for Questions: **12pm 26 June 2025**

Deadline for Registrations: **3pm 2 July 2025**

Contents

This opportunity 4

SECTION 1: Key information 8

SECTION 2: Our Requirements 10

SECTION 3: Our Evaluation Approach 13

SECTION 4: ROI Terms 14

Item 6

This opportunity

The Hastings District Council (HDC) is seeking registrations of interest from sporting clubs and other community recreation groups or organisations to lease approximately 6725m² of land located at Frimley Park, currently occupied by the Frimley pool complex. The site provides an opportunity to accommodate recreational, or sporting facilities required for the operation of their club, group or organisation.

HDC is investigating the potential future use of this fully fenced site including associated buildings and infrastructure (if required) by sports clubs or other community recreation groups or organisations prior to making a decision to demolish some or all of the infrastructure and returning the land to open park space.

This is because of a Council resolution to close the pool complex from the summer 24/25 season, given significant investment required for necessary infrastructure upgrades to the pool plant and low visitor numbers. The consideration of the future use of this site for other sporting or recreation activities is consistent with the Sport and Active Recreation Facilities Plan which identifies a shortage of available public land for sport and recreation for growing sports, such as pickleball and bowls.

Any proposed development, use or activity on the site must be consistent with the sites classification as a Recreation Reserve under the provisions of the Reserves Act 1977, the Strategic intent and Objectives and Policies of the Frimley Park Reserve Management Plan, and the provisions of the Operative Hastings District Plan, particularly the Open Space Zone (Section 13.1).

The cost to provide or develop any new buildings, infrastructure or facilities required will be the responsibility of the club with no financial assistance available from Council. From a sustainability and economic perspective, it would be desirable to enter a lease with a club who will utilise the existing buildings and or infrastructure. However, it is acknowledged that their layout and therefore functionality may preclude this. In this case, HDC may consider assistance with funding towards demolition of the swimming pool infrastructure and grandstand, if support for this is required.

About the ROI

This Registration of Interest (ROI) provides the opportunity for interested parties to register interest to enter into a lease (or alternatively a licence to occupy) with Council to utilise an approximate 6725m² area of land at Frimley Park, currently occupied by the Frimley pools complex, for the purpose of operating a sporting or recreational activity.

This Registration of Interest (ROI) represents an important step in determining the future use of the site. It will help inform Council's decisions on the potential repurpose of existing buildings and infrastructure and the selection of a preferred lessee or one or more licence to occupy holders.

There is no intention to sell this land, and it will remain in the ownership of HDC. This site forms part of Frimley Park which is classified as a Recreation Reserve under the provisions of the Reserves Act 1977, and any use must be consistent with this classification. This legislation requires that any new exclusive use of the land be formalised with HDC in the form of a lease or a licence to occupy. By putting in a ROI, your group or organisation is indicating a willingness to proceed under either arrangement.

Submissions to the ROI will be evaluated as detailed at Section 3 (Our Evaluation Approach) and shortlisted respondent(s) will progress to any next stage accordingly.

The next stage is intended to be a more detailed Request for Proposal (RFP), which will be informed by the ROI process and where more specific information will be provided to inform this such as detailed plans showing site layout and any building design.

What we need & what's important to us

Frimley Park in Hastings is one of the city's most cherished green spaces. Located on the north-western corner of one of the district's premier parks and with parking and access from Frimley Road, the site is located approximately 2km from the Hastings city centre and in close proximity to the Regional Sports Park. Situated in the growing residential suburb of Frimley, it is adjacent to a small neighbourhood commercial centre and near several schools.

HDC is inviting registrations of interest from sporting clubs and other community recreation groups or organisations interested in utilising the land currently occupied by the Frimley pool complex in a way which both complements and enhances the Park, as well as providing sport and recreation options and facilities for our community. Any proposed development and use of this site must demonstrate sensitivity to both the park's character and reflect a commitment to being a respectful and considerate neighbour.

The cost to provide or develop any new buildings, infrastructure or facilities required will be the responsibility of the club, with no financial assistance available from Council. We are therefore looking for interest from those who can demonstrate or clearly outline how they intend to secure the capital required and can deliver a high-quality development within a reasonable timeframe. Proposals for both leases and licences to occupy, whether short or long term, and including use of the existing land and buildings will be considered. Interest may come from individual sporting and recreation groups or a collective. Demonstrating support from a national sporting body or organisation while not necessary at this stage, will strengthen your proposal by showing alignment with relevant policy direction.

From a sustainability and economic perspective, while it would be desirable to enter into a lease with a club who will utilise the existing buildings and or infrastructure it is acknowledged that their layout and therefore suitability may preclude this. In this case, HDC may consider assistance with funding towards demolition of the swimming pool infrastructure and grandstand, if support for this is required. If support is required, please indicate this clearly in your ROI response form. This will help Council understand and assess the level of assistance needed.

Any proposed development or use or activities proposed on the site must be consistent with the Recreation Reserve classification of the site under the provisions of the Reserves Act 1977, the strategic intent and Objectives and Policies of the Frimley Park Reserve Management Plan, and the provisions of the Operative Hastings District Plan, particularly the Open Space Zone (Section 13.1).

Background information is provided in the information package accompanying this ROI. It is strongly recommended that you read this information before submitting your ROI, along with relevant Council reports pertaining to the pools complex.

Respondents will be expected to demonstrate a clear understanding of HDC's expectations, along with a high-level plan outlining how they would deliver on these. They will need to begin to demonstrate their ability to deliver a high-quality development within agreed time constraints and aligned with HDC's Development Objectives (Section 2.2.1) and Essential Outcomes (Section 2.2.2).

HDC's Development Objectives are aligned with our principles and values which include:

Asset Management Plan: The strategic direction for Hastings District Council Parks and Reserves is identified in the Asset Management Plan and stems from aspirations for safe, healthy, livable communities through the provision of a range of places for recreation and interaction. The focus of Council's Parks team is to provide public open spaces for the preservation and management of areas for the benefit and enjoyment of the public. This not only addresses safe, healthy and livable communities now, but contributes to sustaining and improving the District's environmental quality, landscape character, cultural values and heritage for future generations to enjoy.

Alignment with our cultural values: We are seeking providers who value and encourage diversity and inclusion and will support ongoing meaningful engagement and involvement with Mana Whenua. See [Hastings Great Communities Strategy](#).

Reflecting Te Aranga design principles HDC has adopted the Te Aranga Design Principles ([See Page 31 of the Hastings Great Community Strategy](#)), a set of outcome-based principles founded on intrinsic Māori cultural values and designed to enhance outcomes for the design environment and reflect and acknowledge mana whenua narratives and Mātauranga-ā-iwi relative to 'place'. We require any prospective provider to understand these principles and follow them as closely as possible.

Help us deliver on our sustainability goals: HDC is seeking to engage with providers who have demonstrable track record of successfully delivering outcomes in a way that supports HDC's overarching environmental sustainability goals and whose values and supports innovations that enhance and protect our environment. See [Hastings Eco District Strategy](#).

Support great social outcomes: We are seeking providers who will work collaboratively and flexibly to support healthy work environments that empower and enable more engaged and connected people and communities. See [Hastings Great Communities Strategy](#).

Commitment to the overarching repurpose objective: We are seeking providers who will structure and undertake this proposal and deliver outcomes in a manner that is consistent with the Government Procurement Rules, HDC's own procurement policies and procedures, and with good public sector probity practice while selecting the best possible proposition for this site. See [Hastings Strategic Procurement Policy](#).

What we don't want

HDC is not wanting to enter into any joint funding partnerships. The expectation is that any proposal will have the required funds independently available to implement their proposal on the site. That said, Council is happy to support external funding applications where there is alignment and the right proposal in place.

We do not want to see proposals which have a protracted development timeline, delivery needs to be in the next 2 to 3 years (subject to Reserves Act process if any amendment is required to the RMP). Council will establish and define development milestones as part of any future Request for Proposal (RFP) process and subsequent agreements.

Frimley Park is classified as a Recreation Reserve under the Reserves Act, and the Council does not have the ability to change this classification. The Act outlines the types of activities and structures permitted on Recreation Reserves, which are limited to sport and recreation, particularly outdoor recreation and buildings that directly support these uses. This classification does not allow for community group activities that fall outside of these purposes. As such, local purpose community facilities such as churches (places of assembly), playcentres, kindergartens, Plunket rooms, or similar uses are not permitted on this type of Reserve.

The adopted Frimley Park Reserve Management Plan outlines the vision, reserve management principles, objectives and policies, goals and key actions. It is anticipated that amendments to the current Frimley Reserve Management Plan may be required to accommodate the successful proposal. This will involve a formal community consultation process, including opportunities for public submissions. Council would undertake this process following the conclusion of any RFP process.

Proposals that do not comply with the Reserves Act, including the site's classification, or fail to align with the intent of the adopted Frimley Park Reserve Management Plan will not progress to the next stage. In addition, proposals that are for commercial or residential developments will not be considered.

The available land area, as shown in the ROI documents, is approximately 6725m². We will not consider proposals seeking a larger area.

Why should you register your interest?

Frimley Park is a key part of the Hastings open spaces network. It's known for its mature trees, seasonal gardens, and relaxed atmosphere. Its flat, open layout and wide paths make it accessible and ideal for families, passive and active recreation and sports. While the Lyndhurst Roadside of the park already hosts soccer and cricket fields, there is the opportunity to enhance and extend the park's sporting and recreation offerings.

Located near schools, residential areas and other sporting facilities, it's well connected and widely used by locals. It's also not far from the Hastings CBD and we are a growing economy, performing well despite Cyclone Gabrielle.

The recent decision to close the Frimley pool complex, provides an opportunity to utilise the space for alternative sport and / or community recreation purposes.

If the utilisation of this land by your sport or community recreation club, group or organisation is an opportunity you would like to explore then please register your interest. ROI can be made via the Government Electronic Tenders Service (GETS).

SECTION 1: Key information



1.1 Context

- a. This Registration of Interest (ROI) invites sporting clubs and other community recreation groups or organisations to submit their interest to lease (or alternatively a licence to occupy) an area of approximately 6725m² of land located at Frimley Park, currently occupied by the Frimley pool complex. The site provides an opportunity to accommodate recreational, or sporting facilities required for the operation of their club, group or organisation.
- b. Responses will be assessed after the Registration of Interest end date. If we have questions, we will contact Respondent/s directly for more information.
- c. After reviewing responses, shortlisted Respondent/s will be invited to participate in any second stage being a Request for Proposal (RFP) process.



1.2 Our timeline

Here is our timeline for this ROI.

Step in ROI process:	Date:
Registration of Interest opens:	Monday 9 June
Deadline for Registrations for Open Day:	Wednesday 11 June
Open Day:	Thursday 12 June
Deadline for Individual Visits:	Thursday 26 June
Deadline for Questions from Respondents:	12pm Thursday 26 June
Deadline for HDC to answer Respondent’s questions:	Friday 27 June
Deadline for Registrations:	3pm Wednesday 2 July
Respondents notified of outcome week commencing:	21 July
All dates and times are dates and times in New Zealand.	



1.3 How to contact us

- a. Please submit questions through the Government Electronic Tenders Service (GETS). Questions received, will be answered on GETS by the deadline date above.
- b. Our Point of Contact:
 - Name:** Anna Sanders
 - Title/role:** Public Spaces Planning Manager
 - Email address:** ambs@hdc.govt.nzPlease use ‘Repurposing of the Frimley Pools Complex’ in your subject line for any email correspondence.



1.4 Developing and submitting your Registration

- a. This is an open process.
- b. Take time to read and understand the ROI. In particular:
 - i. understand our Requirements. These are in Section 2 of this document.
 - ii. understand how your Registration will be evaluated. See our Evaluation Approach in Section 3 of this document.
 - iii. read all of the supporting information.
- c. Use the Response Form to submit your Registration via GETS.
- d. Complete and sign the declaration at the end of the Response Form.
- e. Check you have provided all the necessary information in the correct format and order.
- f. Submit your Registration before the Deadline for Registrations.



1.5 Address for submitting your response

Submit your Registration electronically via GET's.

We will not accept Registrations sent by post or delivered to our office.



1.6 Our ROI Process, Terms and Conditions

The ROI is subject to the ROI Process, Terms and Conditions (shortened to ROI-Terms) described in the ROI Process, Terms and Conditions.



1.7 Later changes to the ROI or ROI process

- a. After publishing the ROI, if we need to change anything or provide additional information we will let all Respondents know by placing a notice on the Government Electronic Tenders Service (GETS) at www.gets.govt.nz.
If you have subscribed through GETS for the ROI you will automatically receive notifications of any changes through GETS.



1.8 Define terms

These are shown by the use of capitals. You can find all definitions at the back of the ROI Process, Terms and Conditions.



1.9 Arranging to Visit the Site and Questions

An open day has been scheduled for June 12 at the Frimley pool complex to view the site and facilities. If you cannot attend the Open Day, requests for individual site visits will be considered. Registrations for the open day and individual site visits will be available following the release of the ROI. You can do this via GETS.

No site visits will take place after 12pm Thursday 26 June 2025.

Questions asked at the open day or during any individual appointment which are not commercially sensitive will be uploaded to the FAQ portion on GETS so all interested parties can view these.

SECTION 2: Our Requirements

2.1 Background

This Registration of Interest (ROI) invites sporting clubs and other community recreation groups or organisations to submit their interest to lease an area of land located at Frimley Park, currently occupied by the Frimley pool complex, to accommodate the recreational or sporting facilities required for the operation of their recreation or sporting club, group or organisation. This presents a valuable opportunity to deliver programs, services, or activities that enhance community well-being and align with Council's strategic objectives for public spaces.

The site is located at 503 Frimley Road and has a land area of approximately 6725m²¹ as identified in the map below. The site currently contains three pools (50m lap, learners and toddler's pools), a grandstand which also serves as boundary fencing, and a building at the front of the site which contains an office space, plant room and amenity blocks at either end containing toilets, showers and change rooms and storage.



The building has had earthquake strengthening works carried out and has achieved a structural performance rating of 75%NBS.

The cost to provide or develop any new buildings, infrastructure or facilities required to support your proposed use of the site will be your responsibility with no financial assistance available from HDC.

If respondents do not require the existing pool and plant infrastructure and grandstand, Council may consider arranging and funding the cost of the demolition. Any decommissioning and demolition works are subject to a formal Council resolution. Depending on the outcome, Council may also consider contributing to the cost of pipe upgrades to the toilet block, as leaks and maintenance works were identified in 2024 condition surveys.

Relevant documentation is included on GETS to inform this ROI.

¹ Please note that the lease area does not currently align with the existing fencing. The rear fence is planned to be realigned to eliminate a potential entrapment spot, near the adjacent residential dwelling at the rear and to incorporate two large trees into the park. This adjustment will also remove a dip in the site, resulting in a flat site for potential applicants to consider. The maps for this ROI process reflect this proposed change. The boundaries and area available for lease is fixed, requests to enlarge it will not be considered.

2.2 Key Outcomes

HDC's strategic outcome for this site is to identify sporting clubs and other community recreation groups or organisations that has the vision, capacity, and financial resources to lease the land and operate the site in a way that complements and enhances Frimley Park, aligns with the legislative requirements of the Reserves Act, is consistent with the adopted Frimley Reserve Management Plan (2022 – 2032) and delivers long-term community benefits.

Any proposal will also be measured by how successfully it can achieve the following objectives.

2.2.1 Development Objectives

The following strategic and development objectives have been established for this project. Council recognises that fully addressing these objectives may become more feasible as the process advances. Nevertheless, they represent the core outcomes Council is seeking from any development and use of the site. In evaluating proposals, we will remain mindful of the commercial realities associated with a development of this nature :

Long Term Plan Objectives:	
1)	Overarching objectives, in selecting the best proposition for the site: <ul style="list-style-type: none"> • Ensure that the future use and operation of the site aligns with the purpose and classification of the land as a Recreation Reserve under the Reserves Act. • Deliver a high-quality, well-integrated development that complements Frimley Park's role as a key public open space, supporting informal and organised sport and recreation within the Hastings parks network. • Support Council's strategic direction including goals and key actions from the adopted Frimley Park Reserve Management Plan and community and recreation goals. • That align with the strategic goals of local, regional and/or national sports organisations including those of Sport Hawke's Bay.
2)	Economic objective: We are seeking registrations of interest from sport and recreation groups and organisations who have a demonstrable track record managing and operating sports, and recreation uses and in successful project delivery. Specifically, we will : <ul style="list-style-type: none"> • Require proposals that are financially viable and independently funded, with no requirement for Council investment. • Select a lessee who can demonstrate clear financial capability and a sustainable business or operational model including ongoing maintenance. • Ensure the efficient use of public land while maintaining public benefit.
3)	Environmental objective: We are seeking registrations of interest from sport and recreation groups and organisations who will : <ul style="list-style-type: none"> • Contribute to environmental enhancement and protection and align with sustainable construction and operational practices that minimise environmental impacts. • Work in partnership with the open spaces team to propose a use of the site that is consistent with the Recreation Reserve classification of the park. • Strengthen physical and visual connections with Frimley Park where possible. • Deliver long term, environmentally responsible outcomes.
4)	Social Objective: To secure a lessee who will : <ul style="list-style-type: none"> • Collaborate and adapt to support the delivery of a high-quality development. • Align with the Council's community and recreation objectives which includes reflecting the aspirations of Sport Hawke's Bay.

Page 11 of 24

	<ul style="list-style-type: none">• Encourage greater local participation in sport and recreation.• Provide inclusive, accessible sport and recreation programs or services for the community.
5)	Cultural Objective: To secure a lessee who is aligned with HDC’s vision for Frimley Park and is committed to fostering ongoing meaningful engagement with park users and community groups.

2.3 Supporting Information

Supporting information can be found via GETS. There is also some background information on Councils project page on the HDC website, including a link to GETS. It is also recommended that Council reports and decisions on the Frimley Pools complex are reviewed. These are available on the Council website under Council meetings².

² See meeting dates from 27 March 2025, 19 September 2024 and 11 June 2024.

SECTION 3: Our Evaluation Approach

This section sets out the Evaluation Approach that will be used to assess Registrations. To be eligible for progression to any future Request for Proposal (RFP) stage, your proposal must meet all the following conditions in Section 3.1 below, which will also form the basis of our initial evaluation.

The remaining questions in the ROI form are intended to gather detailed information to help Council better understand each proposal and inform the next stage of the process, which is expected to be a formal Request for Proposal (RFP).

3.1 Conditions

In completing an ROI, you are signaling your comfort in entering into a potential lease or licence to occupy arrangement with Council. All of the following need to be met to proceed to any RFP stage :

#	Conditions
1.	Be a New Zealand legal entity that is actively operating within New Zealand.
2.	The respondent must have the necessary funds available to deliver the proposal now or be able to independently secure the funds to implement the proposal on the site.
3.	The Respondent must have 3 – 5 years of proven experience in delivering sport and / or recreation activities.
4.	The proposed development and use must be sporting or recreational in nature, with a primary focus on outdoor community sport or recreation. It must align with the site’s Recreation Reserve classification under the Reserves Act 1977 and cannot include residential or general commercial activities.
5.	The proposed development and use must be consistent with the adopted Frimley Park Reserve Management Plan and the Operative Hastings District Plan particularly the Open Space Zone (Section 13.1).
6.	The proposal must be able to demonstrate alignment with relevant regional or national facility strategies and can be supported by evidence of endorsement from a Regional or National Sporting Organisation.
7.	The proposal must have a clear development timeline with development occurring in the next 2 to 3 years (subject to any amendment that may be required to the adopted Frimley Reserve Management Plan).

SECTION 4: ROI Terms

Note to Respondents

Defined terms are shown using capitals. You can find definitions at the end of this Section.

Preparing and submitting a Registration

4.1 Preparing a Registration

a. Respondent obligations

The Respondent must:

- i. read the complete ROI and any additional information provided and referred to by HDC.
- ii. respond using the ROI Response Form provided and include all information HDC requests.
- iii. consider the risks and contingencies relating to the delivery of the ROI requirements and outline how it will manage those risks and contingencies.
- iv. include any assumptions, dependencies and/or qualifications in the Registration, including anything that may limit its obligations or increase its quoted pricing or cost estimates.
- v. obtain independent advice before submitting a Registration (if necessary).
- vi. make sure the Registration is correct and the Registration pricing is sustainable, e.g., covers the Whole of Life of the Proposal, not just the initial term.

b. Process acceptance

By submitting a Registration, the Respondent accepts the ROI-Terms.

c. No obligation, no penalty

Respondents are not expected or required to submit a Registration in order to remain on any prequalified or registered respondent list.

4.2 Respondent questions

a. The Respondent must make sure they understand the ROI.

b. If the Respondent has any questions or needs clarification, they:

- i. must submit questions before the Deadline for Questions (Section 1 of the ROI).
- ii. must clearly indicate any commercially sensitive information in their questions.
- iii. may withdraw their questions at any time.

- c. When HDC receives questions before the Deadline for Questions:
 - i. HDC will respond on or before the Deadline for Answers.
 - ii. HDC may provide details of both the questions and the answers to other Respondents. In these circumstances HDC will summarise the questions and will not disclose the Respondent's identity.
 - iii. Unless stated otherwise in the ROI, HDC will post both the questions and answers on GETS.
 - iv. HDC will not publish the Respondent's commercially sensitive information. However, if HDC considers the information to be significant for all Respondents, the Seller may modify the question and publish both this and the answer. In that case HDC will first give the Respondent the opportunity to withdraw the question prior to it being answered, or remove any of their own commercially sensitive information..

4.3 Submitting a Registration

- a. The Respondent must ensure HDC receives the Registration at the correct address on or before the Deadline for Registrations.
- b. After the Deadline for Registrations, HDC will acknowledge receipt of the Registration.
- c. The Respondent must ensure that all information they provide to HDC:
 - i. is true, accurate and complete.
 - ii. is not misleading in any material respect.
 - iii. does not contain material that infringes a third party's intellectual property rights.
- d. HDC may rely on the Registration and all information provided by the Respondent during the ROI process (e.g., correspondence and negotiations).

Assessing Registrations

4.4 Evaluation panel

HDC's panel will consider the Registration. HDC may have different panel members for considering different aspects of the Registration. HDC may include independent advisors as panel members to consider some or all aspects of the Registration.

4.5 Third party information

- a. HDC may request information from a third party where HDC considers the information may be relevant to the ROI process, excluding commercially sensitive information about ~~pricing or~~ proposal terms.
- b. If this occurs, the Respondent:
 - i. authorises HDC to collect that information from the relevant third party (e.g., a referee or client), and authorises the third party to release it to HDC.

- ii. agrees HDC may use that information in its evaluation of the Registration.
- iii. must ensure that all referees listed in the Registration agree to provide a reference.

4.6 Clarification of Registration

- a. HDC may ask the Respondent for more information or clarification on the Registration at any time during the ROI process.
- b. HDC need not ask all Respondents for the same clarification.
- c. The Respondent agrees to provide the information or clarification as soon as possible, in the format requested by HDC.
- d. If the Respondent does not provide adequate information or clarification within a reasonable time (as determined by HDC), HDC may remove the Registration from its evaluation process.

4.7 Evaluation and shortlisting of Registration

- a. HDC will initially evaluate the Registration based on the Respondent's submitted ROI Response Form.
- b. HDC may adjust its evaluation after considering additional information or clarification, as described in Sections 4.5 and 4.6 above.
- c. If a Registration is shortlisted this does not mean that HDC has accepted an offer or made any commitment. There is no obligation for HDC to enter negotiations with any shortlisted Respondent.
- d. After the shortlisting of Respondents based on their Registrations, any further participation by a shortlisted Respondent in any subsequent stage of the repurpose process that flows out of the ROI will be subject to the shortlisted Respondent wishing to proceed to the next stage.
- e. If a Respondent is not shortlisted based on its Registration, HDC may exclude it from any further participation in any subsequent stage of the procurement process that flows out of the ROI.

4.8 Respondent debrief

- a. At the end of the ROI process, HDC will offer to debrief the Respondent. This debrief may be by letter, email, phone, or a meeting.
- b. The Respondent has 10 Business Days from the date of HDC's offer to accept a debrief.
- c. HDC will provide the debrief within 30 Business Days from either the date of the Respondent's acceptance of a debrief.
- d. The debrief will:
 - i. explain why the Registration was or was not shortlisted.
 - ii. explain how the Registration performed against the pre-conditions (if applicable) and the evaluation criteria.

- iii. indicate the Registration's relative strengths and weaknesses.
- iv. explain, in general terms, the relative advantages of the shortlisted Registration(s), without necessarily identifying the relevant Respondents.
- v. seek to address any concerns or questions from the Respondent.
- vi. seek feedback from the Respondent on the ROI and ROI process.

4.9 Notification of outcome

At the end of the registration of interest process, HDC:

- a. will let all unsuccessful Respondents know the name of the Successful Respondents, if any.

4.10 Issues and complaints

- a. The Respondent may, in good faith, raise with HDC any issue or complaint about the ROI or ROI process at any time.
- b. When this occurs:
 - i. HDC will consider and respond promptly and impartially to the Respondent's issue or complaint.
 - ii. both the Respondent and HDC must do their best to resolve the issue or complaint.
 - iii. HDC must not allow the issue or complaint to prejudice the Respondent's participation in the ROI process, or limit or affect the Respondent's future procurement opportunities.

Standard ROI conditions

4.11 HDC's Point of Contact

- a. The Respondent must direct all ROI enquiries to HDC's Point of Contact in Section 1 of the ROI.
- b. The Respondent must not approach any other employee or other representative of HDC, directly or indirectly, for information on any aspect of the ROI.
- c. Only the Point of Contact, or a person authorised by HDC, may communicate with the Respondent on any aspect of the ROI. HDC will not be bound by any statement made by any other person.
- d. HDC may change its Point of Contact at any time. HDC will notify the Respondent of any change by email or posting a notification on GETS.
- e. If the Respondent has an existing contract with HDC, the Respondent must not use its business-as-usual communications to contact HDC regarding the ROI.

4.12 Conflict of Interest

- a. The Respondent must complete the Conflict of Interest declaration in the ROI Response Form. If a joint Registration is being submitted, each party must complete the Conflict of Interest declaration separately.

- b. If a Conflict of Interest arises during the ROI process, the Respondent must inform HDC immediately.
- c. HDC may exclude a Respondent from the ROI process if a material Conflict of Interest arises.

4.13 Ethics

- a. The Respondent must not attempt to influence, reward, or benefit any representative of HDC, nor offer any form of personal inducement, in relation to the ROI or the ROI process.
- b. HDC may exclude the Respondent from the ROI process for a breach of paragraphs 4.11, 4.11e or 4.13a
- c. To maintain a fair and ethical ROI process, HDC may require additional declarations or other evidence from the Respondent, or any other person, at any time.

4.14 Anti-collusion and bid rigging

- a. By submitting the Registration the Respondent warrants that:
 - i. the Registration has not been prepared in collusion with a Competitor.
 - ii. it will not engage in deceptive or improper conduct during the ROI process.
- b. HDC may exclude the Respondent from the ROI process if a breach of these warranties occurs.
- c. HDC reserves the right to report suspected collusion or anti-competitive behaviour to the appropriate authority, and to give that authority all relevant information, including the Registration.

4.15 Confidential Information

- a. Without limiting any other confidentiality agreement between them, HDC and the Respondent will both take reasonable steps to protect the other party's Confidential Information.
- b. Except as permitted by the other provisions of this Section 4.15, neither party will disclose the other party's Confidential Information to a third party without that other party's prior written consent.
- c. Each party may each disclose the other party's Confidential Information to anyone who is directly involved in the ROI process on that party's behalf, but only for the purpose of participating in the ROI. This could include (but is not limited to) officers, employees, consultants, contractors, professional advisors, evaluation panel members, partners, principals, or directors. Where this occurs, the disclosing party must take reasonable steps to ensure the third party does not disclose the information to anyone else and does not use the information for any purpose other than participating in the ROI process.
- d. The Respondent acknowledges that HDC's confidentiality obligations are subject to requirements imposed by the Local Government Official Information and Meeting Act 1987 (LGOIMA), the Privacy Act 2020, parliamentary and constitutional convention, and any other obligations imposed by law. Where HDC receives a LGOIMA request that relates to a Respondent's Confidential Information, HDC will consult with the Respondent and may ask the Respondent to explain why the information is considered by the Respondent

to be confidential or commercially sensitive.

- e. The Respondent may disclose HDC's Confidential Information to the extent strictly necessary to comply with law or the rules of any stock exchange on which the securities of the Respondent or any related entity are currently listed. Unless prohibited by law, the Respondent must consult with HDC before making such a disclosure.
- f. HDC will not be in breach of its obligations if it discloses Confidential Information to the appropriate authority because of suspected collusive or anti-competitive tendering behavior.

4.16 Costs of participating in the ROI process

Except as otherwise stated in the ROI, the Respondent must meet their own costs associated with the preparation, presentation, and negotiation of the Registration.

4.17 Ownership of documents

- a. The ROI and its contents remain the property of HDC. All Intellectual Property rights in the ROI remain the property of HDC or its licensors.
- b. HDC may request the immediate return or destruction of any ROI documents and any copies, in which case the Respondent must comply in a timely manner.
- c. All documents forming part of the Registration will, once they are delivered to HDC, become the property of HDC. The Registration will not be returned to the Respondent.
- d. Intellectual Property rights in the Registration remain the property of the Respondent or its licensors.
- e. The Respondent grants to HDC a licence to retain, use, copy and disclose information contained in the Registration for any purpose related to the ROI process, including keeping appropriate records.

4.18 Limited rights and obligations

- a. Except as stated otherwise in this Section 4.18, nothing in the ROI, these ROI Terms or the ROI process creates a contract or any other legal relationship between HDC and Respondent, unless and until they enter into a Contract.
- b. The following are binding on the Respondent:
 - i. The Respondent's signed declaration (contained in the ROI Response Form).
 - ii. The Respondent's obligations under paragraphs 4.3c and 4.3d. Nothing in this Section 4.18 takes away from any rights or remedies HDC may have in relation to the Respondent's statements, representations, or warranties in the Registration or in correspondence or negotiations with HDC.
 - iii. The standard ROI conditions in Sections 4.11 to 4.23.
- c. Section 4.15 and 4.17 are binding on HDC.
- d. All terms and other obligations that are binding on HDC are subject to HDC's additional rights in Section 4.20.

4.19 Exclusion from the ROI process

- a. HDC may exclude the Respondent from the ROI process if the Respondent:
 - i. has not provided requested information in the correct format.
 - ii. has breached the ROI-Terms and HDC considers the impact of the breach is more than trivial (this applies whether or not the provision in question is itself legally binding on the Recipient).
 - iii. included a material error, omission or inaccuracy in the Registration.
 - iv. is in bankruptcy, receivership or liquidation.
 - v. has made a false declaration.
 - vi. has a conviction for a serious crime or offence.
 - vii. has failed to pay taxes, duties or other levies.
 - viii. represents a threat to national security or to confidentiality of government information, and/or
 - ix. is a person or organisation designated as a terrorist by New Zealand Police.
- b. HDC may exclude the Respondent from the ROI process if:
 - i. there was a serious performance issue in a previous, or current, contract delivered by the Respondent.
 - ii. HDC becomes aware of any other matter that materially diminishes HDC's trust in the Respondent.

4.20 HDC's additional rights

- a. Changes to the ROI
 - i. HDC may amend, suspend, cancel or re-issue the ROI, or any part of it, so long as it notifies the Respondent.
 - ii. HDC may change material aspects of the ROI, such as the timeline, Requirements or Evaluation Approach, provided it gives the Respondent time to respond to update its Registration in relation to the changes.
- b. Timeline
 - i. HDC may accept a late Registration if it is HDC's fault it is late, or if HDC considers there is no material prejudice to other Respondents in accepting a late Registration.
 - ii. HDC may answer a question submitted after the Deadline for Questions and notify all Respondents about the submission of the question and the answer.
- c. The Registration

- i. HDC may accept or reject any Registration, or part of a Registration. This includes any non-compliant, non-conforming or alternative Registration.
 - ii. ~~HDC may decide not to accept the lowest price conforming Registration, unless stated otherwise in the Evaluation Approach.~~
- d. ROI Process
 - i. HDC may liaise or negotiate with any Respondent without informing, or doing the same, with any other Respondent.
 - ii. HDC may provide Respondents with information arising from questions about the ROI.
 - iii. HDC may withhold information arising from questions about the ROI. This may be the case if the information is unnecessary, is commercially sensitive, is inappropriate to supply at the time of the request or cannot be released for legal reasons.
 - iv. HDC may waive requirements or irregularities around the ROI process if HDC considers it appropriate or reasonable to do so.
 - v. HDC may decide not to shortlist any Respondent.
- e. Consortia and unbundling

HDC may make its selection conditional on the Respondent agreeing to:

- i. HDC selecting the Respondent to deliver the Requirements as a joint venture or consortium with another Respondent selected by HDC, and/or
- ii. HDC selecting individual elements of the Registration that can be delivered separately, unless the Registration specifically states that the Registration, or the relevant elements, must be taken collectively.

4.21 New Zealand law

The laws of New Zealand govern the ROI. Each Respondent agrees New Zealand courts have non-exclusive jurisdiction to rule in any dispute concerning the ROI or the ROI process. The Respondent agrees that it cannot bring any claim in relation to the ROI except in a New Zealand court.

4.22 Disclaimer

- a. Nothing contained or implied in the ROI, or ROI process, or any other communication by HDC to the Respondent is to be construed as legal, financial, or other advice.
- b. HDC will endeavour to provide accurate information in any communication, but the Respondent accepts this information is not independently verified and may not be up-to-date.
- c. HDC will not be liable in contract, tort, equity, or in any other way for any direct or indirect damage, loss or cost incurred by the Respondent or any other person in respect of the ROI process, whether as a result of HDC exercising its rights under Section 4.20, HDC's negligence or
- d. breach of these ROI Terms, HDC failing to select the Respondent as the Successful

Respondent, or any other cause.

- e. To the extent that liability cannot be excluded, the maximum aggregate liability of the Seller, its agents, and advisors in connection with the ROI process, to all Respondents combined, is NZ\$5,000.
- f. The limitations and exclusions in paragraphs c and d above do not apply to any liability HDC may have for breach of confidentiality or infringement of the Respondent's intellectual property rights.

4.23 Precedence

- a. Any conflict or inconsistency in the ROI shall be resolved by giving precedence in the following descending order:
 - i. Section 1 of the ROI
 - ii. these ROI-Terms
 - iii. all other Sections of the ROI document
 - iv. any additional information or document provided by HDC to Respondents through HDC's Point of Contact or GETS.
- b. If there is any conflict or inconsistency between information or documents having the same level of precedence the more recent information or document will prevail.

Definitions

In relation to this ROI the following words and expressions have the meanings described below.

Advance Notice A notice published by HDC on GETS in advance of publishing the ROI. An Advance Notice alerts the market to a procurement opportunity. Where used, an Advance Notice forms part of the ROI.

Business Day Any week day in New Zealand, excluding Saturdays, Sundays, New Zealand (national) public holidays and all days from Boxing Day up to and including the day after New Year's Day.

Seller The government agency that has issued the ROI with the intent of selling the land described in the Requirements.

Competitors Any other business that is in competition with a Respondent either in relation to the goods or services sought under the ROI or in general.

Confidential Information Confidential Information of a party (Provider) means information acquired by the other party (Recipient) from the Provider in connection with the ROI process, where that information:

- is by its nature confidential
- is marked at the time of disclosure to the Recipient as 'confidential', 'in confidence', 'restricted', 'sensitive', 'secret' or 'top secret', and/or
- the Recipient knows, or ought to know, is confidential to the Provider or a third party who supplied it to the Provider.

However, this does not include information that is publicly available through no fault of the Recipient, or that the Recipient acquired entirely independently of the Provider.

Conflict of Interest A Conflict of Interest arises if personal or business interests, relationships or obligations of the Respondent or any of its personnel do, could, or could be perceived to:

- conflict with the Respondent's obligations to HDC under the ROI or in the provision of the goods or services, and/or
- call into question the independence, objectivity or impartiality of any person involved in the ROI process on behalf of HDC.

A Conflict of Interest may be:

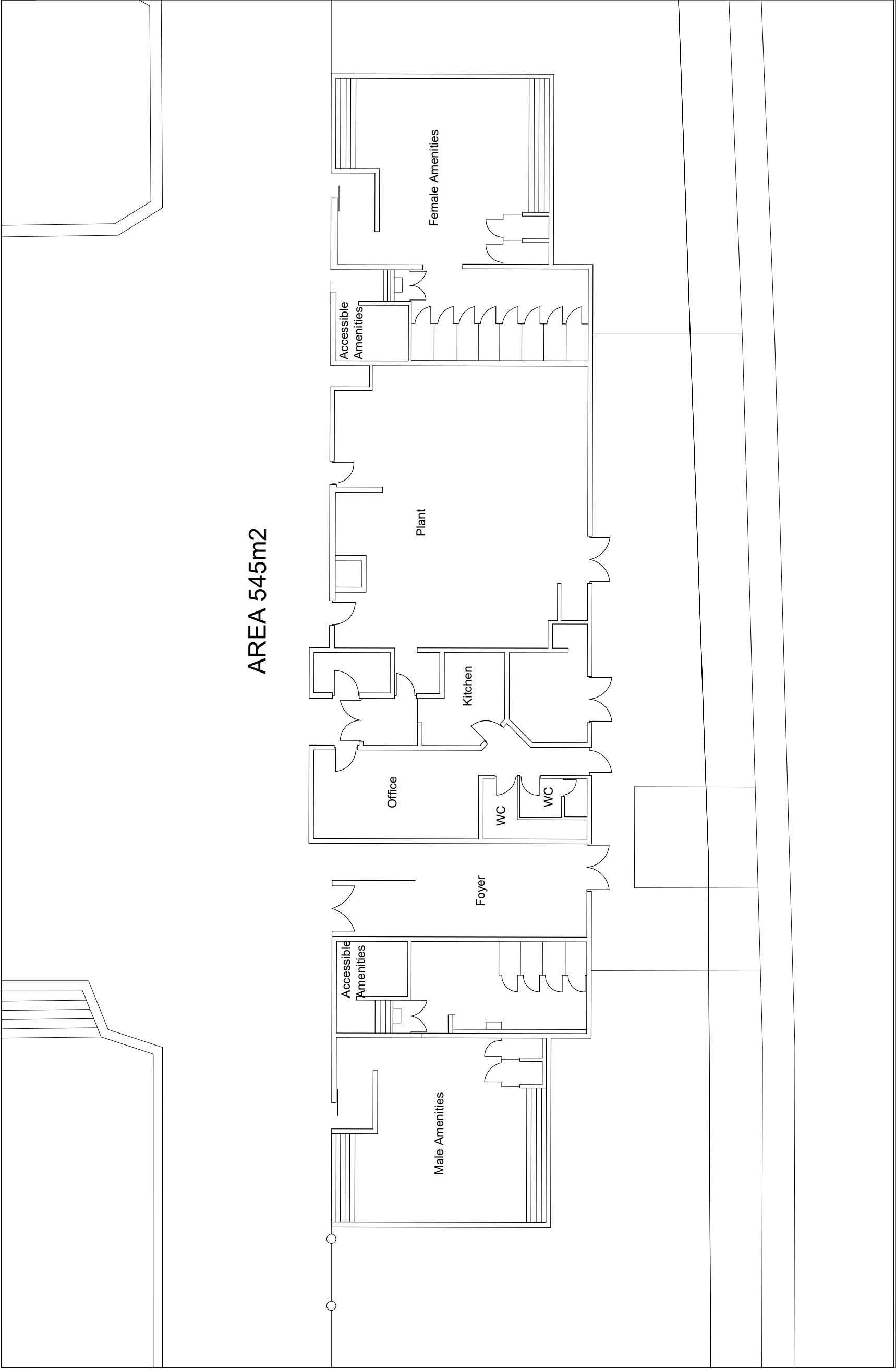
- actual: where the conflict currently exists
- potential: where the conflict is about to happen or could happen, or
- perceived: where other people may reasonably think that a person is compromised.

Contract Any written Contract entered into by HDC and a Successful Respondent for the delivery of the Requirements.

Contract Award Notice	A notice on GETS which a Seller is required to publish under Rule 48 of the Government Procurement Rules, when it has awarded a contract that is subject to those Procurement Rules.
Deadline for Answers	The deadline for HDC to respond to questions submitted by a Respondent stated in Section 1.2 of the ROI.
Deadline for Registrations	The deadline for delivering or submitting Registrations to HDC as stated in Section 1 of the ROI.
Deadline for Questions	The deadline for submitting questions to HDC as stated in Section 1 of the ROI.
Development Conditions	Refer to ROI Appendix A for full conditions
Development Objectives	<p>Economic objective: Development of this site can be a catalyst for improving the quality of commercial premises in the central city. We are seeking to engage with a Developer who has a demonstrable track record in successful project delivery, who is ambitious with innovations and is committed to creating jobs in the district and investing in local sustainable supply-chains.</p> <p>Environmental objective: We are seeking a Developer who values and supports innovations that enhance and protect our environment and has a demonstrable track record of successfully delivering commercial projects in a way that supports HDC's environmental sustainability goals.</p> <p>Social Objective: To engage with a Developer who understands HDC's progressive procurement objectives and will work collaboratively and flexibly to support healthy work environments and empower and enable more engaged and connected communities.</p> <p>Cultural Objective: To attract and engage with a Developer committed to HDC's vision of bringing life to the city centre and supporting the local business community, who values and encourages diversity and inclusion and will support ongoing meaningful engagement and involvement with Mana Whenua, including the implementation Te Aranga design principles.</p>
Evaluation Approach	The approach used by HDC to evaluate Registrations as described in Section 3 of the ROI.
GETS	Government Electronic Tenders Service available at www.gets.govt.nz .
Intellectual Property	All industrial and intellectual property rights whether conferred by statute, at common law or in equity, including (but not limited to) copyright, trademarks, designs and patents.

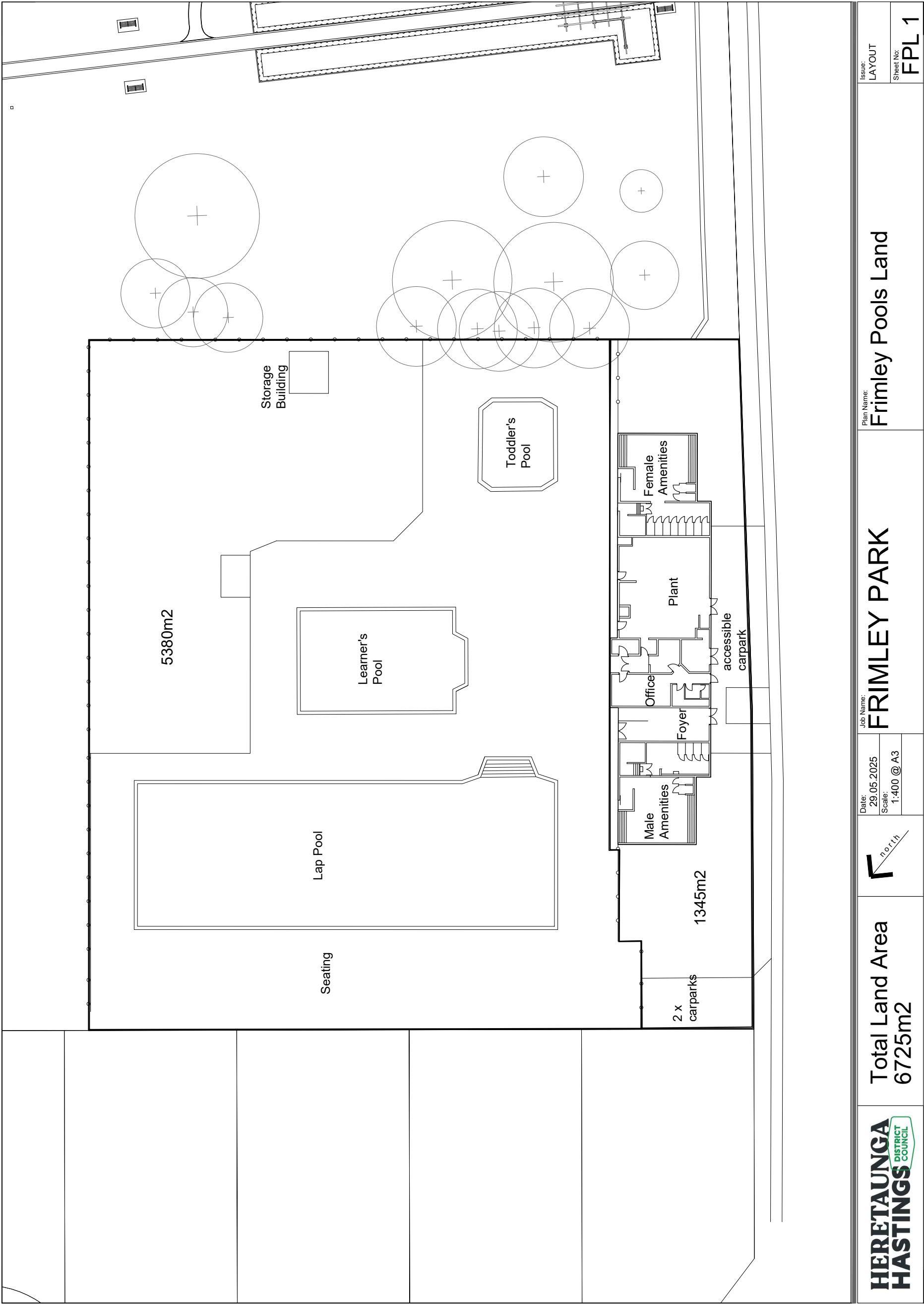
Point of Contact	HDC and each Respondent are required to appoint a Point of Contact. This is the channel to be used for all communications during the ROI process. HDC's Point of Contact is identified in Section 1 of the ROI. The Respondent's Point of Contact is identified in its Registration.
Registration	The response a Respondent submits in reply to the ROI. It comprises the ROI Response Form, and all other information submitted by a Respondent.
Registration of Interest	A formal request by a Seller asking potential Respondents to register their interest in a procurement. It is the first step in a multi-step tender process.
Call for Registrations (ROI)	The ROI comprises the Advance Notice (where used), the Call for Registrations of Interest (where used), the ROI document (including the ROI-Terms) and any other schedule, appendix or document attached to the ROI, and any subsequent information provided by HDC to Respondents through HDC's Point of Contact or GETS.
Requirements	HDC's requirements for goods and/or services as described in Section 2 of the ROI.
Respondent	A person, company or organisation that submits a Registration in response to the ROI. The term Respondent includes each member of any consortium.
ROI Response Form	The form and declaration prescribed by HDC and used by a Respondent to respond to the ROI, duly completed and submitted by a Respondent as part of the Registration.
ROI-Terms	Means the ROI Terms as set out in Section 6 of the ROI, together with any additions or amendments to those ROI Terms specifically identified in Section 1 of the ROI.
Successful Respondent	Following the evaluation of Registrations successful respondents may be invited to participate in the next stage.



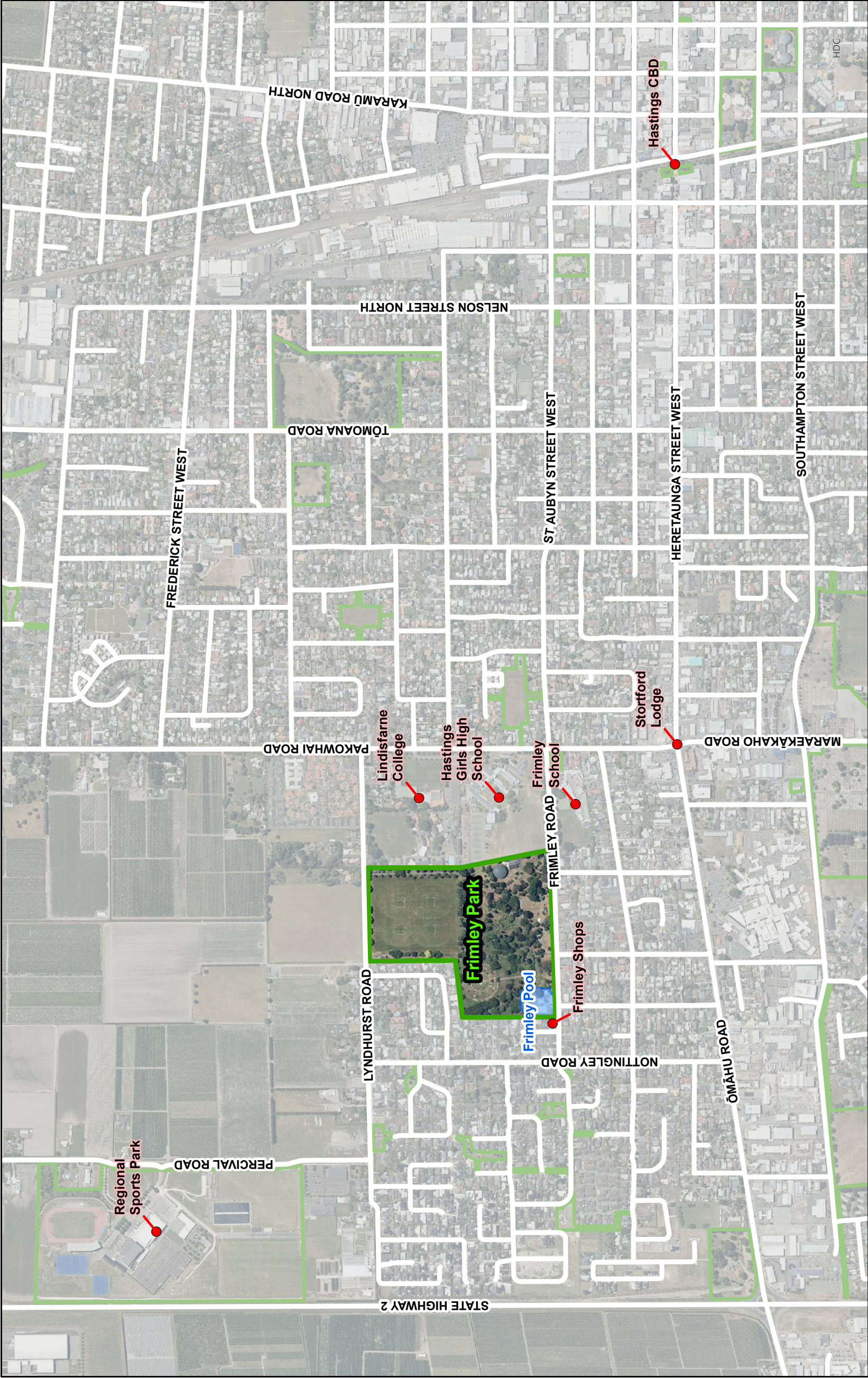


AREA 545m2

		<div>Date: 29.05.2025 Scale: 1:150 @ A3</div>	<div>Job Name: FRIMLEY PARK</div>	<div>Plan Name: Frimley Pools Building Layout</div>	Issue: LAYOUT
					Sheet No: FPL 2







Frimley Park - Location Map



Map Produced using ArcGIS Pro



Projection: NZTM
Datum: D_NZGD_2000

Scale 1:10,000



Original Size: A3
Date: Friday, 16 May 2025

DATA SOURCE: Cadastral information derived from the Land Information New Zealand's Cadastral System (CRS).
CROWN COPYRIGHT RESERVED
COPYRIGHT: Copyright in this drawing is owned by the Hastings District Council. Any unauthorised copying or adaptation of the drawing without the written consent of the Hastings District Council is an infringement of copyright.
DISCLAIMER: The Hastings District Council cannot guarantee that the data shown on this map is 100% accurate.
Reserve Management Plans

Registration of Interest (ROI) Response Form

Introduction

An ROI process is being used by the Hastings District Council to gauge interest from sporting clubs and other community recreation groups or organisations to lease approximately 6725m² of land located at Frimley Park, currently occupied by the Frimley pool complex. The site provides an opportunity to accommodate recreational, or sporting facilities required for the operation of their club, group or organisation via a lease or licence to occupy arrangement. The ROI is being used by Council prior to making a decision to demolish some or all of the infrastructure and returning the land to open park space.

Before submitting your registration of interest, you must read the ROI document in full. By submitting you are confirming that you meet all seven eligibility conditions clearly outlined in the document and that you would be prepared to enter into either a lease or licence to occupy agreement with Council.

Only respondents who meet all eligibility conditions will be considered for any Request for Proposal process. This initial ROI process is a preliminary step. To be invited to participate in any subsequent RFP process, you must confirm that you meet all stated conditions.

The seven eligibility conditions are:

#	Conditions in submitting your response
1.	Be a New Zealand legal entity that is actively operating within New Zealand.
2.	The respondent must have either the necessary funds available to deliver the proposal now or be able to independently secure the funds to implement the proposal on the site.
3.	The Respondent must have 3 – 5 years of proven experience in delivering sport and / or recreation activities.
4.	The proposed development and use must be sporting or recreational in nature, with a primary focus on outdoor community sport or recreation. It must align with the site's Recreation Reserve classification under the Reserves Act 1977 and cannot include residential or commercial activities.
5.	The proposed development and use must be consistent with the adopted Frimley Park Reserve Management Plan and the Operative Hastings District Plan particularly the Open Space Zone (Section 13.1).
6.	The proposal must be able to demonstrate alignment with relevant regional or national facility strategies and can be supported by evidence of endorsement from a Regional or National Sporting Organisation.
7.	The proposal must have a clear development timeline with development occurring in the next 2 to 3 years (subject to any amendment that may be required to the adopted Frimley Reserve Management Plan).

The questions in Section 2.1 are designed to demonstrate how you meet the eligibility conditions and to provide a high-level overview of your sporting or recreational group, your proposed development, and any assets or facilities you may require.

The questions in Section 2.2 which invite comments on the development objectives, are optional. However, your responses will help Council better understand your proposal and may inform the subsequent Request for Proposal (RFP) process.

Depending on responses received during the ROI process, Council may invite Respondents to participate in the RFP process. This process will commence following close of the ROI process and will require more substantive information such as detailed plans showing site layout and any building design to be provided by Respondents.

Registrations of interest can only be submitted electronically via the Government Electronic Tender Service (GETS). Those dropped into or emailed to Council will not be accepted.

Everything highlighted in **PURPLE** is information for the Respondent. The bits highlighted in **BLUE** are the bits which are customisable by you as the respondent.

Have you:

- | | |
|---|--------------------------|
| 1. Checked that the content in this Response Form is correct. | <input type="checkbox"/> |
| <ul style="list-style-type: none">Do not alter the section headings and sequence please. Consistency makes it easier for Council to consider all responses. | |
| 2. Deleted all instructions and tips (PURPLE) and removed the BLUE highlighting once filled in. | <input type="checkbox"/> |
| 3. Checked the document is simple and easy to understand. | <input type="checkbox"/> |

Instructions for Respondents

1. Check that you have all the relevant documents, including:
 - The Registration of Interest (ROI) which provides background and details regarding what is being offered.
 - The Response Form (this one) to fill out your response.
 - The ROI Process, Terms and Conditions. **Read these carefully.**
2. Before filling out this form, read the Registration of Interest (ROI) carefully, particularly Section 2 (Our Requirements) and Section 3 (Our Evaluation Approach). This helps you quickly decide if you are the right fit for the requirements.
3. Please follow the layout of this Response Form.
 - Don't change the section headings and sequence as this needs to be consistent across all Respondents.
 - You can insert images and graphs.
 - Do not insert links to long documents if possible. They may not be viewed.
 - You can insert links to videos up to 50 MB in size.
4. **Everything highlighted in PURPLE in this document is information for the Respondent (you). Delete these PURPLE parts before sending the Response Form. Everything shaded in BLUE is customisable by you. When you have completed these areas please un-shade them.**
 - ☐ The purple boxes are Tips. Delete these after reading.
 - ☐ Write your response in the blue sections. Un-shade the blue once you have filled these out.
5. Remember to make a note of the Deadline for Questions. The Q & A section is really helpful for all respondents so feel free to ask us anything if it is unclear.

Checklist for Respondents

Have you:

- | | |
|---|--------------------------|
| 1. Filled out all sections of the Response Form. | <input type="checkbox"/> |
| 2. Removed all the PURPLE 'Tip' boxes from this Form. | <input type="checkbox"/> |
| 3. Deleted the PURPLE instructions from this Form. | <input type="checkbox"/> |
| 4. Un-shaded the BLUE highlighting where you fill out your answer. | <input type="checkbox"/> |
| 5. Arranged for the declaration to be signed. If this is a joint or consortium Registration make sure <u>all</u> the consortium members sign separate declarations. | <input type="checkbox"/> |
| 6. Prepared your Registration.
a. Send it to via GETS. | <input type="checkbox"/> |
| 7. Arranged for the Registration to be submitted electronically before the Deadline for Registrations. | <input type="checkbox"/> |



Registration of Interest (ROI) Response Form

In response to the Registration of Interest


By: Hastings District Council

For: Repurposing of the Frimley Pools Complex

GETS RFx ID: 31802932

Date of this Registration: 9 June 2025

1: About the Respondent

 TIPS:

- This section gives the Respondents basic information about your organisation and identifies your Point of Contact for the ROI process.
- If an item is not applicable e.g. you don't have a legal name, complete the box by stating 'not applicable'.
- If you are submitting a joint or collective Registration / Response complete an 'Our profile' table for each Respondent. Cut and paste the table as appropriate. Provide only one Point of Contact for your joint/collective Registration.

1.1 Our profile

Choose one of these statements to complete, and delete the others.

This is a Registration of interest by [insert the name of your organisation] (the Respondent).

OR

This is a [joint/collective] Registration of interest, by [insert the name of your organisation] and [insert the name of the other organisation/s] (together the Respondents).

Item	Detail
Sporting or recreation group name:	[insert the name that you operate under]
Full legal name of entity operating within New Zealand (if different):	[if applicable]
Physical address:	[if applicable]
Postal address:	[e.g. P.O Box address]
Registered office:	[if you have a registered office insert the address here]
Business website:	[url address]
Type of entity (legal status):	[sole trader / partnership / limited liability company / other please specify]
NZBN number:	[if your organisation has a NZBN registration number insert it here]
Country of residence:	[insert country where you (if you are a sole trader) or your organisation is resident for tax purposes]
GST registration number:	[NZ GST number / if overseas please state]

Our Point of Contact

Item	Detail
Contact person:	[name of the person responsible for communicating with the Council]
Position:	[title or position]
Phone number:	[landline]
Mobile number:	[mobile]
Email address:	[email]

2: Response to the Requirements

TIPS:

- Carefully read ROI Section 2 (Our Requirements) and Section 3 (Our Evaluation Approach). Then provide your response by demonstrating your organisation's ability to meet our criteria.
- Please mark any information that is 'commercially sensitive' or 'Confidential Information' to your group or organisation so that the Council knows. You cannot make the whole document confidential unless this is truly the case. Refer to ROI Process, Terms and Conditions for more information.
- Keep it simple. If an answer is in another document e.g. a marketing brochure just cut and paste the relevant part into this Form. Do not show the whole document unless necessary – the Council may not read it all.
- Any video or separate document should be uploaded and link inserted into this form.
- You may include extra information in your Registration but only if it adds value and is relevant.

A.1 Overview of your Sporting or Recreational Group or Organisation & Proposal (ability to meet the seven eligibility conditions)

- A. **Your Proposal:** Please provide a clear summary and overview of your proposed sporting or recreational development. Describe the intended use or activity both indoors and outdoors, how it will positively contribute to Frimley Park, complement existing activities, and benefit the wider community.

[insert answer here or include ability to upload document]

- B. **Experience:** Please describe your experience in delivering sport and / or recreation opportunities, including evidence of at least 3 years of successful delivery.

[insert answer here or include ability to upload document]

- C. **Existing Site & Facility Information:** Do you require the site to be cleared completely (blank slate)? Please refer to the aerial photos which clearly shows the site layout.

Yes ☐
No ☐

D. If No, please indicate what existing features your proposal would ideally need to see retained:

Grandstand	<input type="checkbox"/> Yes <input type="checkbox"/> No
Lap Pool	<input type="checkbox"/> Yes <input type="checkbox"/> No
Learners Pool	<input type="checkbox"/> Yes <input type="checkbox"/> No
Toddlers Pool	<input type="checkbox"/> Yes <input type="checkbox"/> No
External Lighting including poles	<input type="checkbox"/> Yes <input type="checkbox"/> No
BBQ	<input type="checkbox"/> Yes <input type="checkbox"/> No
Basketball Hoop	<input type="checkbox"/> Yes <input type="checkbox"/> No
Hardstand concrete areas	<input type="checkbox"/> Yes <input type="checkbox"/> No

E. If you require support with decommissioning or demolition (either full or partial), please specify the type and extent of assistance needed.

[insert answer here]

F. If partial retention selected, please provide further detail on what is to be retained and why.

[insert answer here]

G. **Tenure Preference** : Do you have a preference for :

- Lease ☐
Licence to Occupy ☐
Unsure at this stage ☐

[insert comments here regarding tenure preference, full/part time occupation]

H. **Delivery Model and Partnerships**: Is your proposal from :

- ☐ A single organisation
☐ A collective or group of organisations
☐ An individual group open to partnering

[please explain]

I. What level of organisational support do you have for your proposal?

- ☐ Support from a national sporting or recreation body
☐ Support from a regional or local sporting or recreation organisation
☐ Independent submission without formal organisational backing for now
☐ Other Please explain [insert answer here]

J. If you have support at this early stage, please provide the name of the organisation and if possible, provide confirmation of support such as an email or letter of endorsement:

[insert answer here or include ability to upload document]

K. **Timeline and Development Readiness** : What would be your intended development timeline, noting Council would like to see the site developed and activated in the next 2 to 3 years.

[insert answer here]

L. **Strategic Alignment and Legislative Frameworks** : How does your proposal align with the Reserves Act and the sites classification as a Recreation Reserve, the adopted Frimley Reserve Management Plan, operative Hastings District Plan, particularly Section 13.1 Open Spaces Zone and Council's broader community and recreational strategies and objectives?

[insert answer here or include ability to upload document]

M. **Financial Position and Funding Approach/es** : The development needs to be completely externally funded. How do you intend to fund your proposed development, selecting all that might apply and

provide details if needed? **Please note you can select more than one option.**

- ☐ Capital is available and therefore suitable funding is available in reserves
- ☐ Loan
- ☐ Land sale/s (please specify details in the explanation below)
- ☐ Grants
- ☐ Sponsorship or private investment
- ☐ Fundraising or community donations
- ☐ Crowdfunding
- ☐ In-kind contributions (e.g., materials, labour, pro bono services – please specify in more detail in the funding approach description below)
- ☐ Other (please specify):

_____ [Insert text box for response]

N. Please provide any additional details to support your selected funding approach(es):

_____ [insert answer here]

O. Would you need to seek funding application assistance or endorsement from Council to support any funding applications?

- ☐ Yes
- ☐ No

P. Please provide an outline of the assistance you might seek from Council.

_____ [insert answer here]

A.2 Comments against Development Objectives

Please provide an overview of your proposal against each of the five development objectives identified and outlined in detail in the ROI document. Note this section is not compulsory but will help us understand your proposal in greater detail and help inform any RFP process:

Overarching objectives, in selecting the best proposition for the site:

_____ [insert answer here]

Economic objective:

_____ [insert answer here]

Environmental objective:

_____ [insert answer here]

Social objective:

_____ [insert answer here]

Cultural objective:

_____ [insert answer here]

A.3 Assumptions

Please state any assumptions you have made in relation the Registration.

_____ [insert answer here]

B. Our declaration

TIPS:

- Here you are asked to make a formal declaration. Select 'agree' or 'disagree' at the end of each row. If you don't, you will be deemed to have agreed.
- Have the declaration signed by someone who is authorised to sign and able to verify the declaration e.g. chief executive or a senior manager.
- If you are submitting a joint or consortium Registration each Respondent involved in the joint or collective Registration must complete a separate declaration.

Respondent's declaration		
Topic	Declaration	Respondent's declaration
ROI Process, Terms and Conditions:	I/we have read and fully understand this ROI, including the ROI Process, Terms and Conditions (shortened to ROI-Terms detailed in Section 4. I/we confirm that the Respondent/s agree to be bound by them.	<input type="text" value="[agree/disagree]"/>
Collection of further information:	The Respondent/s authorises the Council to: <ol style="list-style-type: none"> collect any information about the Respondent, except commercially sensitive information, from any relevant third party, including a referee, or previous or existing client use such information in the evaluation of this Registration. The Respondent/s agrees that all such information will be confidential to the Council.	<input type="text" value="[agree/disagree]"/>
Requirements:	I/we have read and fully understand the nature and extent of the Respondents Requirements as described in Section 2. I/we confirm that the Respondent/s has the necessary capacity and capability to fully meet or exceed the Requirements.	<input type="text" value="[agree/disagree]"/>
Ethics:	By submitting this Registration, the Respondent/s warrants that it:- <ol style="list-style-type: none"> has not entered into any improper, illegal, collusive or anti-competitive arrangements with any Competitor has not directly or indirectly approached any representative of the Buyer (other than the Point of Contact) to lobby or solicit information in relation to the ROI has not attempted to influence, or provide any form of personal inducement, reward, or benefit to any representative of the Buyer. 	<input type="text" value="[agree/disagree]"/>

Conflict of Interest declaration: [agree/disagree]

The Respondent warrants that it has no actual, potential, or perceived Conflict of Interest in submitting this Registration.

Details of conflict of interest: [If you think you may have a conflict of interest briefly describe the conflict and how you propose to manage it or write 'not applicable', i.e. personal or professional relationship with a councillor or council employee]

Insurance encumbrances: [Yes / No]
An insurance encumbrance refers to anything that affects, limits, interrupts, or obstructs an insurance policy and its provisions. For instance, encumbrances could include previous or outstanding claims for which the insurance company has already set aside funds.
Do you have any current encumbrance/s to any of your policies?

Details of insurance encumbrances: [If you have any current or known potential encumbrances, please provide details or write 'not applicable']

DECLARATION

I/we declare that in submitting the Registration and this declaration:

- a. the information provided is true, accurate and complete and not misleading in any material respect
- b. the Registration does not contain intellectual property that will breach a third party's rights
- c. I/we have secured all appropriate authorisations to submit this Registration, to make the statements and to provide the information in the Registration and I/we am/are not aware of any impediments to enter into further discussions with Council and deliver.

I/we understand that the falsification of information, supplying misleading information or the suppression of material information in this declaration and the Registration may result in the Registration being eliminated from further participation in the ROI or any RFP processes.

By signing this declaration the signatory below represents, warrants and agrees that he/she has been authorised by the Respondent/s to make this declaration on its/their behalf.

Signature/s: _____

Full name/s: _____

Title/position/s: _____

Name of organisation/s: _____

Date: _____











FRIMLEY POOLS FACILITY INVENTORY






MAY 2025








NOTE: THIS INVENTORY IS PROVIDED FOR INFORMATION PURPOSES AND LISTS ASSETS WHICH MAY BE INCLUDED AS PART OF A FUTURE LEASE. THE LIST IS NOT COMPREHENSIVE AND THERE MAY BE ASSETS IN ADDITION TO THE LIST BELOW WHICH MAY ALSO BE INCLUDED IN A FUTURE LEASE.

Female Amenities





Name	Condition	Picture	Comments
Outdoor shower push button #1	Good used condition		
Outdoor shower push button #2	Good used condition		
Pool Covers x2	Used condition		
Seat bench on left side	Good used condition		
Seat bench on right side	Good used condition		
Changing bench close to entry	Good used condition		
Changing bench close to wall	Used condition - Damage to one of the wood panels		
Tap on the wall near the showers	Good used condition		












Inside shower Push Button #1	Used condition			
Inside shower Push button #2	Used condition			
Green shower door	Good used condition with locks			
Grey shower door	Good used condition with locks			
Shower cubicle walls 2x walls 2x front panels	Good used condition			



Double green doors	Good used condition			
Infinity hot water	Good used condition			
Toilet #1	<p>Grey door – good used condition with lock</p> <p>Toilet roll holder- in good used condition</p> <p>Toilet seat-used condition.</p> <p>Toilet- used condition, button missing at the top</p>	  		Potential repairs needed to fix toilet buttons
Toilet #2	<p>Orange door- Good used condition with lock.</p> <p>Toilet roll Holder- good used condition.</p> <p>Toilet seat-used with scratches on it.</p>	 		Potential repairs needed to fix toilet buttons



	<p>Toilet- used condition with button lifting up.</p>		
<p>Toilet #3</p>	<p>Green Door- Good used condition with lock</p> <p>Toilet roll holder- good used condition</p> <p>Toilet seat- damaged with scratches</p> <p>Toilet- used condition with scratches on it</p>	  	

Toilet #4	<p>Green door- Good used condition with lock</p> <p>Toilet roll holder- good used condition</p> <p>Toilet seat- has scratches</p> <p>Toilet- used condition</p>	  	
Toilet #5	<p>Orange door- good used condition with lock</p> <p>Toilet roll holder- good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition</p>	  	
Toilet #6	<p>Grey door- good used condition with lock</p> <p>Toilet roll holder- good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition, buttons lifting</p>	  	Potential repairs needed to fix toilet buttons



Toilet #7	<p>Green door- good used condition with locks</p> <p>Toilet roll holder- good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition with button missing</p>	  	<p>Potential repairs needed to fix toilet buttons</p>
Toilet #8	<p>Grey door- good used condition with locks</p> <p>Toilet roll holder- good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition has drawing on it</p>	  	
Cubicles	<p>7x Front panels</p> <p>2x ½ panels</p> <p>7x walls</p> <p>All in good used condition</p>		



Hand Towel Holders X2	#1 and #2 Located each end of basins In good used condition			
Hand soap dispensers X2	Located between mirrors Both in good used condition			
4x Mirrors	Located on the wall above basins- used condition			
Basin #1	Basin with tap- in used condition			
Basin #2	Basin with tap- in used condition			









Basin #3	Basin with tap- in used condition			
Basin #4	Basin with tap- in used condition			
Storage Cubby #1	Storage Cubby located on wall outside female changing rooms – in used condition			

Female Accessible Amenities

Note: Minor Repairs needed to internal walls paint chipping etc

Name	Condition	Picture	Comments
Changing Bench	Good used condition		
Interior sliding door	Good used condition		
Hand towel dispenser	Good used condition		
Hand soap dispenser	Attached to mirror in good used condition		





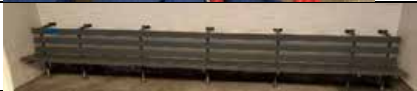


Mirror	Has soap dispenser attached to it, it is used condition			
Toilet	Used condition Toilet seat used condition			
Handrail #1	Good used condition no rust			
Basin with tap	Good used condition			
Toilet roll dispenser	Good used condition			

Disability seat/bench in shower	Good condition			
Handrail #2	Good used condition no rust			
Shower	Used condition			
Exterior door with lock	Used condition			
Outdoor tap	Used condition			













Shower rail	Used condition		
-------------	----------------	---	--







Male Amenities

Name	Condition	Picture	Comments
Outside shower #1	Used condition		
Outside shower #2	Used condition		
Tap attached to wall near shower			
Right side bench			
Left side bench			
Bench close to entry			
Bench close to wall			



Inside shower #1				
Inside shower #2				
Shower #1 Door				
Shower #2 Door				

Shower cubicles			
Double Green Doors			
Infinity Hot water			
Hand towel Dispensers X2	Located on wall by green doors and the second on the wall by mirrors- Good used condition		
Soap Dispensers X2	Located between mirrors on the wall- Good used condition		
Mirrors x4	4 Mirror on wall- in good used condition		

Basin #1	Good used condition with tap fitting			
Basin #2	Used condition, bent in places with tap fitting			
Basin #3	Used condition with tap fitting, top of tap missing			
Basin #4	Used condition with tap fitting			
Urinal 1&2	Used condition			
Urinal 3&4	Used condition			








Toilet #1	<p>Grey door- good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition, missing buttons</p> <p>Toilet roll holder- used condition</p>	  		
Toilet #2	<p>Green door- good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition, button missing</p> <p>Toilet roll holder- used condition</p>	  		





Toilet #3	<p>Orange door- Good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition, missing button</p> <p>Toilet roll holder- used condition</p>	  	
Toilet #4	<p>Grey door- good used condition</p> <p>Toilet seat- used condition</p> <p>Toilet- used condition</p> <p>Toilet roll holder- good used condition</p>	  	
Toilet cubicles	<p>4 walls</p> <p>3 front panels 1x 1/2 front panel 1x 1/4 front panel</p> <p>All in good used condition</p>		









Storage Cubby #1	Storage Cubby located on wall outside male changing rooms – in used condition			
------------------	---	---	--	--







Male Accessible Amenities







Name	Condition	Picture	Comments
Exterior door	Used condition with lock		
Outside tap	Located next to the disability toilet, in used condition		
Drinking fountain	Located outside near disability toilet. Used condition		
Bench	Used condition		
Interior sliding door	Good used condition		






Disability shower bench	Used condition			
Shower	Used condition, the hose has kinks in it			
Hand rail #1	Good used condition no rust			
Handrail #2	Good used condition no rust			
Toilet roll holder	Used condition			








Hand towel dispenser	Used condition			
Hand soap dispenser	Used condition			
Mirror	Used condition			
Basin	Good used condition with tap fitting			
Toilet	Used condition Toilet seat used condition			
Shower rail	Used condition			






Plant Room






Name	Condition	Picture	Comments
Fire extinguisher	Located on wall near metal cabinet		
Bench and sink	Very used condition. Rust marks and stains		
Tap	Located at the sink in lant room- very used condition		
Soap dispenser	Located above sink- used good condition		
Hand towel dispenser	Good used condition located on wall next to bench		
Tap	Located next to cupboard – good used condition		

Gas detector	Good used condition			
Fire extinguisher	Located on wall near exit			
Power switch boards	Good used condition			
Power sockets	Located on the side of switch board. Good used condition			
Power socket	Located above the analysers – good used condition			
Power socket	Located by co2 control panel- good used condition			






Co2 control panel	Good used condition			
Learner pool analyser	Analyser with chlorine probe pH probe Used condition			
Sand Filter 1	Used condition			
Sand Filter 2	Used condition			
Sand Filter 3	Used condition			

Yellow sand filter 1 Butterfly valve	Good used condition		
Yellow sand filter 1 Butterfly valves	Good used condition		
Yellow sand filter 2 Butterfly valve	Good used condition		
Yellow sand filter 2 Butterfly valves	Good used condition		
Yellow sand filter 2 Butterfly valve	Good used condition		
Yellow sand filter 2 butterfly valves	Good used condition		
Butterfly Valve 1.9	Located at the end of yellow sand filters Good used condition		






Gauges on filter 1 (yellow sand)	Used condition- not sure if it works		If intending to use pools, this needs replacing/repairing. This will be at the cost of the encumbant.
Gauges on filter 2 (yellow sand)	Used condition- not sure if it works Air bubble in one		If intending to use pools, this needs replacing/repairing. This will be at the cost of the encumbant.
Gauges on filter 3 (yellow sand)	Used condition- not sure if it works		If intending to use pools, this needs replacing/repairing. This will be at the cost of the encumbant.
Lap pool Chlorine pump	Used condition, signs of surface rust		If intending to use pools, this needs replacing/repairing. This will be at the cost of the encumbant.
Valve 1.21	Good used condition Located near yellow sand filter 1		






Valve 1.17	Good used condition Located near yellow sand filter 2			
Valve 1.18	Good used condition Tiny amount of surface rust Located near yellow sand filter 2			
Valve	Located far wall of plant room Good used condition			
Valve 1.10	Located far wall of plant room Not good condition, a lot of rust			If intending to use pools, this needs replacing/repairing. This will be at the cost of the encumbant.
Air bleed valve	Located next to yellow sand filter 3 Good used condition			













Large learner pool sand filter	Good use condition			
Learner pool sand filter 1	Good used condition			
Learner pool sand filter 2	Good used condition			
Turn valve	Located by large learner sand filter Good used condition			
Valve 2.5 (butterfly valve)	Used condition			













Valve 2.6 (butterfly valve)	Used condition			
Valve 2.7 (butterfly valve)	Used condition			
Valve 2.8 (butterfly valve)	Good used condition			
Valve 2.9 (butterfly valve)	Good used condition			
Learner Gauges	Used condition			

Sand filter backwash valve 1	Located sand filter 1 learner pool Used condition			
Sand filter backwash valve 2	Located sand filter 1 learner pool Used condition, signs of rust			
Learner chlorine pump	Used condition surface rust.			
Tap	Tap in plant room on the ground Chlorine damage			
Learner pool pump 1	Used condition fair amount of rust			

Learner pool pump 2	Used condition very rusty			If intending to use pools, this needs replacing/repairing. This will be at the cost of the encumbant.
Lap pool pump 1	Used condition rust starting			
Lap pool pump 2	Used condition surface rust			
Butterfly valve learner 1	Used condition			
Butterfly valve learner 2	Used condition			

Valve 1.2	Located above lap pool pump Used condition			
Valve 1.3	Located above lap pool pump Used condition			
Gauges	Located near pool pumps Used condition on has a air bubble			
Valve 2.1	Located next to strainer Used condition			
Valve 2.2	Located next to strainer Used condition			





Valve	Located next to strainer Used condition			
Valve 1.0	Located next to strainer Used condition			
Gauges	Located on pipe connected to strainers Used condition Air bubble in one			
Valves 2.11	Used condition			
Valve	Used condition			
Learner strainer 1	Used condition some rust stains			

Learner strainer 2	Used condition some rust stains			
Lap strainer 1	Used condition some rust stains			
Lap strainer 2	Used condition some rust stains			
Pipes/ lines	Used condition			



Note: Lap pool analyser with chlorine pH probe has been removed. If the pool facility is stood up, this will need to be replaced.



Kitchen/ Staff Room


Name	Condition	Picture	Comments
Hand towel	Used condition		
Soap	Used condition		
Tap	Located Kitchen wall Used condition		
Taps	Over kitchen bench Used condition		








Bench and cabinet	Used condition Marks		
Bench and cabinets	Used condition Marks		








First Aid



Name	Condition	Picture	Comments
Hand Towel	Used condition		
First aid bench	Used condition		
Metal cabinet	Used condition		

Toilets

Name	Condition	Picture	Comments
Basin 1	Used condition		
Hand towel holder 1	Used condition		
Mirror 1	Used condition Damage a bottom		
Soap dispenser 1	Used condition		
Toilet roll holder 1	Used condition		





Toilet 1	Toilet Seat- used condition Toilet- used condition			
Basin 2	Used condition			
Hand towel holder 2	Used condition			
Mirror 2	Used condition			
Toilet roll holder 2	Used condition			



Soap dispenser 2	Used condition			
Toilet 2	Toilet seat- used condition Toilet- used condition			








Office

Name	Condition	Picture	Comments
Desk	Used Condition		
Hand towel Holder	Used condition		
Lock box	Good used condition		
Fire extinguisher	Good condition		



Outside Area

Name	Condition	Picture	Comments
Basketball hoop	Used condition		
BBQ and Cover	Gas BBQ good used condition Good used condition		
Garage	Good used condition Key broken in lock		
Pool Covers	Used condition		
Tap	Located near BBQ Used condition		







Signs	Some are peeling and damaged	A photograph showing several pool signs. At the top, two blue signs with white text read "PLEASE WALK". Below them is a larger blue sign with white text that reads "NO DIVING". At the bottom, there is a smaller blue sign that reads "PLEASE WALK" and a white sign with blue and green text that reads "CHILDREN'S POOL" and "SUPERVISED".	
-------	------------------------------	--	--

Chlorine room

Note: Leased Equipment. Can be included but will need to take over lease with Aquacare.

Name	Condition	Picture	Comments
Chlorine Tank	3000l Litre Used condition		Leased.
Back up salt tank	Used condition		Leased.
Salt tank	Used condition		Leased.
Chlorine pump lap pool	Used condition		Leased.
Chlorine pump Learner	Used condition		Leased.



Co2 Connection	Used condition		Leased.
Chlorine generator	Used condition Looks like leaks have been present		Leased.
Power socket	Above generator Used condition		Leased.
Power socket	Next to pumps Used condition		Leased.

Annexure A: Section 32AA Assessment – Inclusion of a Compulsory Notification Provision in the General Residential Zone (GRZ).

This report sets out a further evaluation of the amendments proposed to the Hastings District Plan (**Plan**) through a consent memorandum on Topic 1 of appeals on Plan Change 5 to the Plan (**PC5**), in accordance with s 32AA of the Resource Management Act 1991. The amendments are set out in the draft consent order filed with the consent memorandum and are summarised as:

- to remove the mandatory notification provisions that apply to the Hastings, Havelock North and Flaxmere General Residential Zones, in the relevant Zone chapters and the Subdivision chapter; and
- the amendment of the zone descriptions for the Hastings, Havelock North and Flaxmere General Residential Zones as set out in the draft consent order.

This further evaluation should be read in conjunction with the s 32 and s 32AA evaluations of PC5. It is noted that Option 1 – retention of the mandatory notification rules – was the subject of s 32AA assessment as part of the Commissioners' decision. That evaluation has been largely used as the evaluation for Option 1, however has been updated based on further information relayed by the appellants, including through their appeals and in mediation.

As no new objectives are proposed, there is no assessment of whether the objectives of the proposal are the most appropriate way to achieve the purpose of the Act (s 32(1)(a)). The objectives of the Plan, including those introduced through PC5, are unchallenged and required to be treated as operative.

Assessment of Amendment to Rule / Explanation to Policies

This part of the assessment considers whether the combination of the proposed deletion of the mandatory notification rules and the additions to the zone descriptions is the most appropriate way to achieve the objectives, having regard to:

- the efficiency and effectiveness of each option;
- the benefits and costs of each option.

The information is certain and sufficient, so an assessment of the risk of acting or not acting is not included.

The options identified and assessed in Table 1 below, are:

- Option 1 – Retain the MNR and the existing zone descriptions (status quo);
- Option 2 – Delete the MNR (relief sought by appellants)
- Option 3 – Delete the MNR but add further description of the outcomes sought for the General Residential Zones.

Table 1

Objectives and Policies	Option 1 – Retain MNR	Option 2 – Delete MNR	Option 3 – Delete MNR and add zone descriptions
<p>OHDP & PC5 Objectives and Policies</p> <p>RO1 To enable a diverse range of housing that meets the needs of the community while offering protection to the amenity of neighbouring properties and the local environment.</p> <p>RP1 To provide for diversity by zoning areas of the Hastings residential environment to recognise different characters and to appropriately manage different types of residential development.</p> <p>RO2 To ensure the amenity and character of the environment is maintained and enhanced by managing design, layout, intensity and land use activities.</p> <p>HNRO1 New developments will be of a design, scale, layout and intensity that is consistent and compatible</p>	<p>The rule would only be relevant where a development was assessed as having minor or less than minor effects, and would usually be eligible to be processed without public notification (i.e. if the effects were more than minor, notification would be required regardless).</p> <p>The rule was intended to reflect feedback received as part of PC5 that even where effects are assessed as minor, the community wishes to have the opportunity to comment on amenity as reflected in RO1. Including a compulsory notification provision in the GRZ's of Hastings, Flaxmere and Havelock North where proposals include sites that have an area less than 300m2 would enable the community to participate in the assessment process by including the raising of any concerns in relation to the intensity of development and in respect of the amenity and character of the zone and impacts on the planned urban built form environment.</p> <p>This option would assist – albeit in a minor way - to meet these objectives and policies which seek to ensure that the intensity of development is:</p>	<p>Deleting the rule would mean the usual tests for notification under the RMA are met. These require that where a proposal has adverse effects on the environment are more than minor, public notification is required. In the absence of special circumstances, proposals with effects no more than minor would usually be processed without public notification (although limited notification may be required).</p> <p>This option would not enable the community to participate in the assessment process by including the raising of any concerns in relation to the intensity of development and in respect of the amenity and character of the zone and impacts on the planned urban built form environment, unless public notification was otherwise triggered. However, community involvement is not of itself an objective or policy of the Plan.</p>	<p>This option would achieve the relevant objectives and policies equally as well as Option 2, but with the additional benefit of providing some further guidance as to what constitutes the “amenity and character” of the relevant environment. As “<i>objectives and policies are relevant to an assessment of whether a person is affected by an application at notification stage</i>” (Auckland International Airport v Auckland Council [2024] NZHC 2058) the additional description which informs the relevant policies will provide further guidance in the notification assessment process as to whether a proposal has more than minor effects on the amenity and character of the relevant environment.</p>

<p>with the planned urban built form environment of the relevant Havelock North zone.</p> <p>FRO1 Ensure that growth within the residential environment of Flaxmere is managed in a manner that enables efficient land use management and development where appropriate and suitable for the community.</p>	<ul style="list-style-type: none"> - appropriate and suitable for the community; - maintains and enhances the amenity and character of the environment; and - protects the amenity of neighbouring properties and the local environment. <p>This option would potentially discourage or preclude development that is appropriate and suitable for the community due to developers seeking to avoid notification and therefore not advancing proposals with lower density but less than minor effects that may be an efficient and more appropriate use of a particular site.</p>	<p>This option would better enable a diverse range of housing, because smaller sites would not be actively discouraged.</p> <p>Because non-compliance with the density rules trigger at least Discretionary consent, the objectives and policies seeking good amenity and design outcomes would still be expected to be met, as there would be full control over design, scale, layout and intensity and the ability to assess each proposal against the relevant objectives and policies.</p>	
<p>Evaluation – Option 3 is considered to be the most appropriate way to meet the relevant objectives and policies because it:</p> <ul style="list-style-type: none"> - 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; - 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; 			

<p>- Provides better guidance than options 1 and 2 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.</p> <p>It is also noted that these objectives and policies are also achieved through other provisions introduced through PC5, including activity status, whereby higher density developments in the General Residential Zones require Discretionary or Non-Complying consent, but are generally a Restricted Discretionary Activity without the need for notification in the MRZ.</p>			
Efficiency and effectiveness	Option 1 – Retain MNR	Option 2 – Delete MNR	Option 3 – Delete MNR and add zone descriptions
	<p>This option would be an effective way to ensure that the intensity of development within the GRZs is fully scrutinised and consented if appropriate (noting public scrutiny is not of itself an objective or policy, but a potential tool to achieve them). It is effective in achieving what is envisaged by the objectives and policies in terms of preserving the planned urban built form environment for the zone, however does not provide for cases where good outcomes might be met through lower density developments on a particular site.</p> <p>This option would effectively encourage developments that have site sizes under 300m² to locate within the MRZ which would promote the efficient use and development of the MRZ which has been identified as suitable for higher densities.</p>	<p>This option would be an effective way of achieving diversity of housing which is sought by the objectives and policies.</p> <p>This options is considered to be efficient, because only those developments with effects that are more than minor are required to be publicly notified. This creates an incentive for developers to ensure proposals are designed in a way to minimise effects on the environment from the outset, so as to avoid the need for notification, which is a more efficient way of achieving the outcomes sought for the GRZs than requiring all such developments to be notified.</p>	<p>This option is as for Option 2, however the addition of guidance on the intended outcomes for the GRZs will be more efficient than Option 2 because it more clearly articulates the intended amenity and character which assists in the assessment of effects for notification.</p>

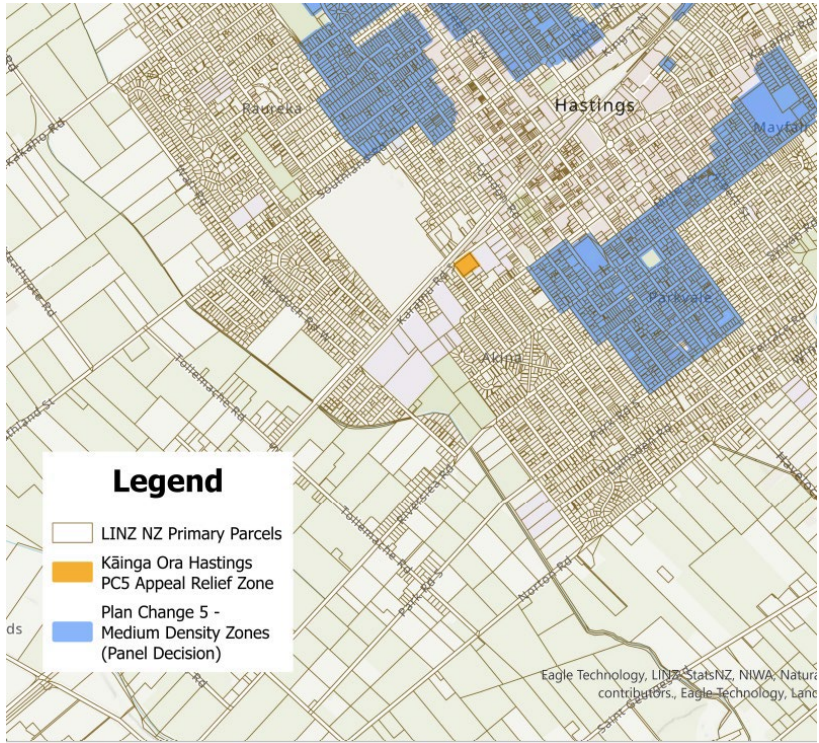
	<p>However it is not considered efficient to require proposals with minor or less than minor adverse effects on the environment to be publicly notified.</p> <p>The outcomes to which a mandatory notification rule contribute are also already efficiently and effectively achieved through other provisions introduced through PCS which actively enable higher density development in the MRZ.</p>		
Evaluation – For the reasons above, Option 3 is considered to be the most effective and efficient method of achieving the relevant objectives and policies.			
Costs	Option 1 – Retain MNR	Option 2 – Delete MNR	Option 3 – Delete MNR and add zone descriptions
	<p>This option increases the financial cost and risk for applicants and developers associated with development proposals that exceed the density limits by more than 50m², that is those that include site sizes of less than 300m². The deposit fee (based on fees set for the 2025-2026 year) for a publicly notified application is \$20,000 compared to \$1,500 – 2,500 for non-notified (depends on the activity status) and \$10,000 for limited notified (currently \$8,000).</p> <p>There are also additional costs associated with a hearing and with potential appeals.</p> <p>The additional costs may mean that otherwise appropriate developments are</p>	<p>This option does not incur additional financial costs beyond any costs normally incurred in the RM consenting process.</p> <p>Consideration has been given to the cost of removing the community's opportunity to make submissions on proposals with lower density, however any such costs are assessed as low. This is because if proposals have more than minor effects on the environment they will be notified in any event. The loss of opportunity to comment on proposals with minor effects is not considered to be a real cost.</p>	<p>This option does not incur additional financial costs beyond any costs normally incurred in the RM consenting process.</p> <p>This option 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.</p>

	<p>not pursued in the Hastings District, which may exacerbate existing housing shortages.</p> <p>Where proposals will have adverse effects on the environment that are more than minor, these costs will be incurred in any event as public notification will be triggered by the usual notification rules. However where proposals would have only minor or less than minor effects, these costs are not clearly justified by effects on the environment. The costs of compliance with the rule are potentially significant.</p>		
Benefits	Option 1 – Retain MNR	Option 2 – Delete MNR	Option 3 – Delete MNR and add zone descriptions
	<p>A mandatory notification rule would provide certainty to the community within GRZ areas that development proposals with site sizes less than 300m² will be notified, enabling public participation and greater scrutiny and assessment of such proposals that do not meet the density standards.</p> <p>However such benefits will arise when proposals have effects that are more than minor in any event, because notification is required under the usual RMA notification rules. The benefits associated with public notification of proposals with minor or less than minor effects on the environment are</p>	<p>This option has the benefit of allowing proposals with minor or less than minor effects on the environment to be processed without public notification, which encourages developers to avoid or mitigate such effects to an appropriate level.</p> <p>This option has the benefit of allowing public scrutiny of proposals with more than minor effects while not actively discouraging otherwise appropriate developments which will contribute to the housing availability in Hastings.</p>	<p>This option has the same benefits as Option 2.</p> <p>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.</p>

	<p>considered to be low when compared to the costs discussed above.</p> <p>Where the effects of a development are assessed as being minor or less than minor, any additional value that could be added by requiring public notification is considered to be low.</p>		
<p>Evaluation – Option 3 is considered to have the lowest costs and greatest benefits of the options considered (albeit only a marginal difference as compared to Option 2).</p>			
<p>Most Appropriate Option</p> <p>Option 1 - the retention of compulsory notification provision within the GRZs for development proposals with site sizes less than 300m² - is not considered to be the most appropriate option when compared to Option 3 which combines reliance on the usual RMA tests for notification with additional explanatory wording to aid understanding of the intended outcomes for the GRZs. While Option 1 would be effective and have some benefits, it is not considered to be the most efficient option when compared to reliance on the normal notification provisions in combination with enhanced description of the outcomes sought for the zones. The costs of Option 1 for developers would be significant and are considered to outweigh the benefits that would be realised.</p> <p>As such, Option 3 is the most appropriate option for achieving the objectives and policies of PC5.</p>			

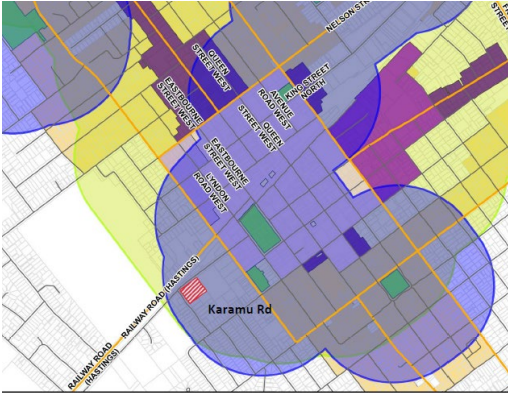
Annexure B: Section 32AA Assessment – Rezoning of Karamu Road Site from General Residential Zone to Medium Density Residential Zone

This section 32AA assessment considers whether the proposed rezoning of a site in Karamu Road, Hastings, from General Residential Zone (**GRZ**) to Medium Density Residential Zone (**MRZ**) is the most appropriate way to meet the objectives and policies of the Hastings District Plan. The land in question is shown in orange below:



Relevant provisions	Assessment
<p>OBJECTIVE UD08 Enable more people, business and community services to live and be located in, areas of the Hastings urban environment in which one or more of the following apply:</p> <ul style="list-style-type: none"> a. the area is in or near a commercial zone or an area with many employment opportunities; b. the area is well-served by existing and planned public and active transport; c. there is high demand for housing or for business land in the area, relative to other areas in the urban environment <p>POLICY UDP14 <i>In the District's main urban areas of Hastings, Flaxmere and Havelock North provide for greater building heights and density of development that are commensurate with the area's accessibility to commercial activities and community services and the relative demand for housing and business use in that particular location.</i></p> <p>POLICY UDP15 <i>Direct higher density residential development within the existing urban area to the commercial centres, new urban development areas and medium density residential zones of Hastings, Havelock North and Flaxmere.</i></p> <p>OBJECTIVE MD01 Promote residential intensification in suitable locations of Hastings, Flaxmere and Havelock North.</p> <p>POLICY MDP1 <i>Ensure that residential intensification occurs in close proximity to high amenity open spaces, urban centres and public transport routes, to contribute to a well-functioning urban environment for residents and the wider community.</i></p> <p>POLICY MDP2 <i>Provide for a medium density residential zone in areas within 400m of the Hastings CBD and commercial service zones, and main centres of Flaxmere and Havelock North. Enable medium density development within new urban development areas where structure plans provide for the integrated development of commercial areas, public parks and active and public transport networks.</i></p>	<p>Objective UD08 and MD01 provide the basis for intensification in suitable locations in urban areas allowing for the efficient use and development of the land. Policy MDP2 states that the medium density residential zone is to be provided in areas within 400m of the Hastings CBD and commercial service zones and the main centres of Flaxmere and Havelock North.</p> <p><u>Karamu Road</u> The area identified on Karamu road falls within the 400m catchment of Hastings CBD and is near open spaces. It is within proximity to Southhampton Road, however it is just beyond 400m to a bus stop.</p>

<p>OBJECTIVE UDO5 To promote the redevelopment of existing residential areas.</p> <p>POLICY UDP12 <i>Encourage higher density development as both short and long term mechanisms to avoid adverse effects including the effects on versatile land.</i></p>	<p>The site is an existing residential area, having previously been developed for 37 residential units (the apartment blocks having been removed from the site approximately 2 years ago).</p> <p>On the basis of a density of 1:350m², the GRZ theoretically enables 23 units, compared to 32 units for the MRZ at a density of 1:250m². Given the site previously accommodated 37 residential units, applying the MRZ better meets UDO5 and UDP12 by encouraging higher density development in line with the ability to service land for that level of development.</p>
<p>OBJECTIVE UDO10 Well-functioning urban environments that:</p> <p>a. Enable a variety of housing typologies and living arrangements that:</p> <ol style="list-style-type: none"> meet the needs of different households; enable Maori to express their cultural traditions and norms; <p>b. Have good accessibility for all people between housing, jobs, community services, natural and open spaces including by way of public or active transport;</p> <p>c. Support reductions in greenhouse gas emissions;</p> <p>d. Are resistant to the likely current and future effects of climate change.</p>	<p>The site will have good accessibility to jobs and community services, and supports reductions in greenhouse gas emissions, as:</p> <ul style="list-style-type: none"> - It is located within an existing urban environment; - It is located within the 'walkable' 400m catchment to the commercial centres of Hastings; - It is approximately 430 m from a bus stop.
<p>RESZ-O3 Infrastructure Residential Intensification and development is supported by sufficient three waters and roading infrastructure, including active transportation infrastructure.</p> <p>RESZ-P5 Infrastructure <i>Ensure that the three waters and roading infrastructure network has sufficient capacity to accommodate development prior to it occurring and manage the effects of development to ensure the transportation network (including active transport) operates in a safe and efficient manner.</i></p> <p>MRZ-O3 Sustainable Design and Infrastructure Public health and environmental well-being is maintained, and where practicable enhanced through sustainable design and sufficient provision of infrastructure.</p>	<p>The area is within proximity to main transport linkages.</p> <p>The site was previously developed for 37 residential units, and therefore can be serviced for that level of development.</p> <p>The MRZ would theoretically enable up to 32 units on the site on the basis of a density of 1:250m² (although any development over 3 units requires Restricted Discretionary Non-Notified consent and development over 15 units is Discretionary).</p>

Effectiveness and Efficiency	<p>Provision for higher density development of this site through applying the MRZ is considered to be effective in achieving the objectives of the Hastings District Plan as amended by PC5 because it meets the general expectations set out by the objectives identified above 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.</p> <p>The location of the site within the relevant walkable catchments is illustrated below:</p>  <p>The application of the MRZ 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 UDO5 and UDP12.</p> <p>There is considered to be an inefficiency is applying a ‘spot zone’ of MRZ to an area otherwise dominated by GRZ land. However this inefficiency is not considered to outweigh other factors described above.</p>
-------------------------------------	--

Costs	<p>There are not considered to be any significant costs associated with applying the MRZ to the site.</p> <p>In terms of potential effects on the environment, including neighbours, 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.</p>
Benefits	<p>Benefits of applying the MRZ include:</p> <ul style="list-style-type: none">- 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.- The efficient use of infrastructure, noting its previous development for 37 residential units.
Risk of Acting or not acting if there is uncertain or insufficient information	<p>The information available is sufficient and certain and therefore it is not necessary to assess this risk.</p>

Most Appropriate Option	Zoning the land MRZ is considered to be the most appropriate option when compared to retention of the GRZ. The MRZ more closely aligns with its previous use and achieves the relevant objectives and policies of the Hastings District Plan, which in turn seek to give effect to the requirements of the National Policy Statement on Urban Development.
--------------------------------	--

IN THE ENVIRONMENT COURT
AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU

Decision [2025] NZEnvC 261

IN THE MATTER OF	appeals under clause 14 of the First Schedule to the Resource Management Act 1991
BETWEEN	BAY PLANNING LTD (ENV-2024-AKL-000257) TW PROPERTY HOLDINGS LTD (ENV-2024-AKL-000258) KĀINGA ORA – HOMES AND COMMUNITIES (ENV-2025-AKL-000005) Appellants
AND	HASTINGS DISTRICT COUNCIL Respondent

Court:	Environment Judge M J L Dickey, sitting alone under s 279 of the Act
Last case event:	31 July 2025
Date of Order:	7 August 2025
Date of Issue:	7 August 2025



CONSENT ORDER

Bay Planning Ltd & ors v Hastings District Council

A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeals are allowed subject to the agreed amendments to the Hastings District Plan as set out in **Appendix A**, attached to and forming part of this Order;
- (2) the appeals are otherwise dismissed.

B: Under s 285 of the Act, there is no order as to costs.

REASONS

Introduction

[1] These matters concern appeals filed by Bay Planning Ltd (**BPL**), TW Property Holdings Ltd (**TWPHL**) and Kāinga Ora – Homes and Communities (**Kāinga Ora**) against part of the decision by Hastings District Council in relation to Plan Change 5 (**PC5**) to the Hastings District Plan (**Plan**).

[2] Following the withdrawal of McFlynn Surveying and Planning, there are no s 274 parties to the appeals.

Background

[3] PC5 was notified in response to the National Policy Statement on Urban Development 2020, specifically in response to Policy 5 which relates to the district plans of Tier 2 authorities. It involved amendments to the Plan including to introduce a new 'Medium Density Residential Zone' (**MRZ**) with a more enabling rule framework for residential intensification in areas identified as suitable for greater housing densities.

[4] Submissions on PC5 were heard by a Hearings Committee which issued a Report and Recommendations on 19 September 2024. The Council accepted the Hearings Committee's recommendations and approved PC5 at its meeting on 24 October 2024.

[5] Relevantly for the appeals, the Decisions Version of PC5:

- (a) included a new rule requiring mandatory public notification of residential activities in the General Residential Zone (**GRZ**) not meeting performance standards relating to density, if the density of one or more building or unit fell below 300m². The rules apply within the Hastings, Havelock North and Flaxmere Residential Zones and in the Subdivision chapter of the Plan in respect of subdivision of land within those zones; and
- (b) provided a larger area of MRZ than was included in the notified version of PC5 but did not include the full area sought by Kāinga Ora to be zoned MRZ.

Topic 1 – Mandatory notification rule to be removed

[6] BPL and TWPHL sought deletion of mandatory notification rules from the General Residential Zones and Subdivision chapter. Kāinga Ora sought deletion of the mandatory notification rules from the GRZ only.

[7] The parties agreed that this matter could be resolved by deleting the mandatory notification rules but adding some additional explanatory text which better describes the outcomes sought for the GRZ.

[8] The amended wording is set out in **Appendix A** to this Order.

Topic 2 – Karamu Road site to be rezoned to MRZ

[9] The appeal by Kāinga Ora sought that specific areas of land zoned GRZ in the Decisions Version of PC5 be rezoned to MRZ. The areas of land specified were sites owned by Kāinga Ora in the Camberley, Mahora, Mayfair and Karamu Road areas of Hastings and one area in Flaxmere.

[10] The parties have agreed that:

- (a) PC5 should be amended to apply the MRZ to the identified land at Karamu Road; and

- (b) the remainder of the relief sought by Kāinga Ora in respect of Topic 2 is withdrawn.

Section 32AA assessment

[11] The proposed amendments are supported by a s 32AA assessment. The s 32AA assessment was undertaken by the Council and has not been otherwise reviewed or adopted by the other parties.

[12] 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.

[13] The s 32AA assessment also noted that the objectives and policies of the Plan are also achieved through other provisions introduced through PC5, including activity status, whereby higher density developments in the GRZ require Discretionary or Non-Complying consent, but are generally a Restricted Discretionary Activity without the need for notification in the MRZ.

[14] 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.

Consideration

[15] The Court has now read and considered the consent memorandum of the parties dated 31 July 2025 which proposes to resolve the appeals.

[16] The Court is making this Order under s 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits. The Court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this Order;
- (b) all parties are satisfied that all matters proposed for the Court's endorsement fall within the Court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

[17] 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.

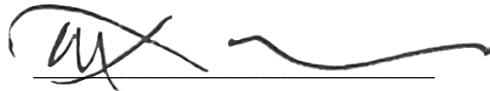
[18] I am satisfied that the proposed amendments are within the scope of relief sought in the appeals. Accordingly, I make the orders sought.

Orders

[19] Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (a) the appeals are allowed subject to the agreed amendments to the Hastings District Plan as set out in **Appendix A**, attached to and forming part of this Order; and
- (b) the appeals are otherwise dismissed.

[20] Under s 285 of the Act, there is no order as to costs.



M J L Dickey

Environment Judge | Kaiwhakawā o te Kōti Taiao



Appendix A – Amendments to Hastings District Plan

The following changes are made to the Hastings District Plan.

7.2 - Hastings Residential Environment

7.2.3.1 All Residential Zones in Hastings

Policy RP1

To provide for diversity by Zoning areas of the Hastings residential environment to recognise different characters and to appropriately manage different types of residential development

Explanation

The ~~three~~ two Zones will assist in maintaining and enhancing the character and amenity of the residential area within Hastings, and provide opportunities for residential intensification where appropriate. In addition to these, there is the Deferred Residential Zone for future development. The Zones are outlined below.

Hastings General Residential Zone

This zone applies to the majority of the Hastings Residential environment. It is a low-rise (i.e. 1-2 storey), low to medium density suburban environment. The quality of this environment is dependent on a number of factors, including the size of sites; the relationships between the residential buildings to the site, the surrounding properties and the street; and the amount of open space and greenery on sites. These factors have a significant effect upon the overall character, quality and appearance of the urban area. The effects of development exceeding performance standards, including density standards, will be carefully considered against the outcomes sought for the zone.

...

7.2.4 Rules

...

GR28	Residential Activities not meeting General Performance Standard and Term 7.2.5A (Density) For the purpose of Section 95A(8)(a) Resource Management Act 1991, Residential Activities not meeting General Performance Standard and Term 7.2.5A.1(a) (Density) and including one or more residential buildings/ units per net site area less than 300m² must be publicly notified.	D
------	---	---

8.2 – Havelock North Residential Environment

8.2.3 All Zones

Policy HNRP1
Use zones to protect and recognise the different form of residential development as a result of changes in topography and landscape character.

Explanation
The use of zones will assist in maintaining and enhancing the special character and amenity of the two distinctive residential areas within Havelock North, namely the flatter land between the Karamu Stream and the foothills of Te Mata Peak, and the area of residential development in the Havelock Hills. The two zones are outlined below.

Havelock North General Residential Zone
This Zone demonstrates a regular pattern of subdivision leading from the central roundabout. The development pattern is largely blocks with good street connections between areas. Curvilinear streets and cul-de-sacs are a relatively minor aspect of the established residential areas of the Village, but are more significant in the new development areas on the periphery of Havelock North.

Havelock North is typically a low-rise (i.e. 1-2 storey), low to medium density suburban residential environment. The effects of development exceeding performance standards, including density standards, will be carefully considered against the outcomes sought for the zone.

...

8.2.4 Rules

...

HNGR30	Residential Activities not meeting General Performance Standard and Term 8.2.5A (Density) For the purpose of Section 95A(8)(a) Resource Management Act 1991, Residential Activities not meeting General Performance Standard and Term 8.2.5A(a) and including one or more residential building(s) / unit(s) per net site area less than 300m² must be publicly notified.	D
--------	--	---

9.2 – Flaxmere Residential Zone

9.2.3 Objectives and Policies

...

Policy FRP1

Provide for the Flaxmere residential suburb as one comprehensive residential environment by enabling the existing mix of activities to continue and be enhanced while ensuring that any adverse effects on the environment of residential land use, development and subdivision are avoided, remedied or mitigated.

Explanation

Flaxmere is an established suburb contained within well-defined boundaries. It is typically a low-rise (i.e. 1-2 storey), low to medium density suburban residential environment. The effects of development exceeding performance standards, including density standards, will be carefully considered against the outcomes sought for the zone. This Policy recognises the place based approach where the mix of characteristics that make up the Flaxmere settlement are managed in an integrated manner.

9.2.4 Rules

...

FR26	Residential Activities not complying with density provision in General Performance Standard 9.2.5A For the purpose of Section 95A(8)(a) Resource Management Act 1991, Residential Activities not meeting General Site Performance Standard and Term 9.2.5A and including one or more residential buildings or units per net site area less than 300m² must be publicly notified.	D
------	--	---

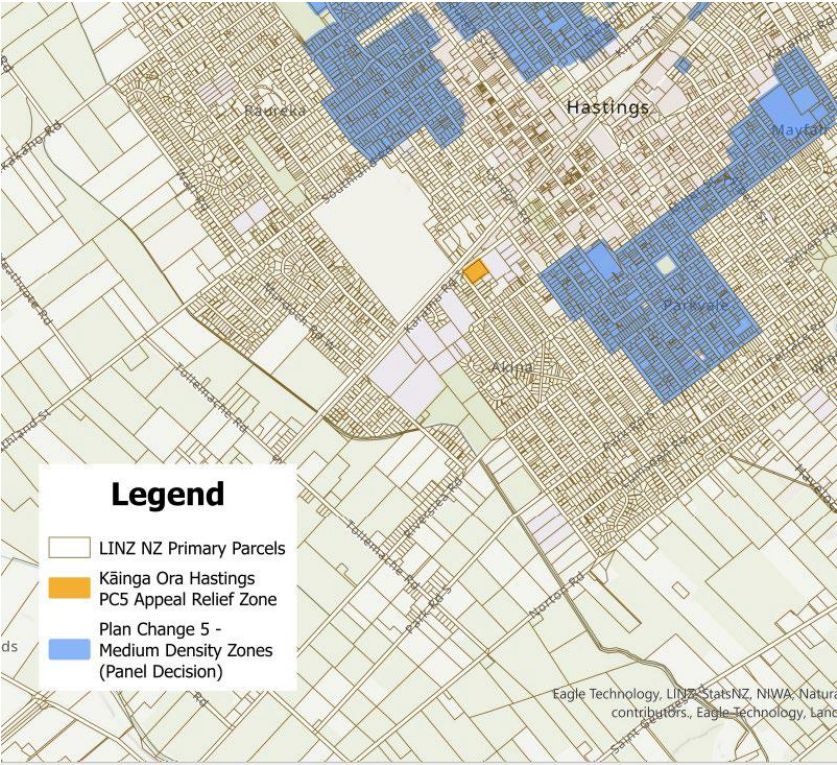
30.1 – Subdivision and Land Development

30.1.5 Rules

...

SLD25	<p>Non-Complying Subdivision</p> <p>Any subdivision (unless specifically provided for under Rules SLD1 through to and including SLD24a above) which is unable to comply with one or more of the relevant Subdivision Site Standards and Terms in section 30.1.6, including any unzoned land.</p> <p>For the purpose of Section 95A(8)(a) Resource Management Act 1991, Subdivisions in the Hastings, Havelock North or Flaxmere General Residential Zone not meeting General Site Performance Standard and Term 30.1.6A.1A, 30.1.6A.2A, and 30.1.6A.3A and that include one or more sites with a net site area less than 300m² must be publicly notified.</p>	NC
-------	---	----

The Hastings District Plan planning maps are amended so that the land identified in orange below is zoned Medium Density Residential Zone.





Enterprise Risk Management Policy & Framework

[Approval Date TBC]



Enterprise Risk Management Policy & Framework

Policy expert	Chief Risk Officer
Policy owner	Council
Owner Group	Office of the Chief Executive
Approval date	TBC
Version	7.0
Review date	TBC

Change History

Amendment (s)	Date	Updated by and authority
First Release	12 Sep 2012	Updated by Business Service Manager. Authorised by Leadership Management Team
Annual Review V1.1 Minor changes to text for clarification	16 Sep 2013	Updated by Business Service Manager.
Full Review V2.0 Overview of risk management updated to reflect ISO 31000 standard. Guiding principles from the ISO 31000 standard included in risk framework. Roles and responsibilities, and conflict of interest included in Policy section. Need for risk management to be integrated in to all business activities reinforced throughout.	9 Feb 2017	Updated by Business Service Manager.
Audit & Risk V2.1 Protection of personal safety added to policy objectives. Risk matrix included as Appendix 1.	28 Feb 2017	Updated by Business Service Manager. Confirmed by Audit & Risk Subcommittee.
PWC feedback incorporated V2.2 CE commitment statement added Reference to Risk Handbook included. Enhancements include; - Annual policy review, principles moved to Policy section, risk process overview included, Additional guidance relating to consultation and treatment plans. Risk	11 May 2017	Updated by Business Service Manager.

Amendment (s)	Date	Updated by and authority
register management and monitoring Glossary of Terms added.		
Purpose amended to include community outcomes	21 Jun 2017	Updated by Business Service Manager. Confirmed by Council
Draft removed. Version published	13 Jul 2017	Updated by Business Service Manager. Approved by Council 13 July 2018
Annual review. Moved to new policy template: <ul style="list-style-type: none"> - Add Architecture section. Include Council responsibilities in Purpose and Roles & Responsibilities. - Updated risk principles to match ISO31000:2018 - Updated Risk Appetite and Tolerance. - Risk Impact and matrix revised. - Minor amendments to Risk Process Analysis and Evaluation sections. 	3 Aug 18	Updated by Risk and Corporate Services Manager. Approved by Council 31 January 2019
Annual review: <ul style="list-style-type: none"> - Architecture section updated to reflect current structure. - Risk appetite section added and tolerance statements included. 	10 July 20	Updated by Risk and Corporate Services Manager. Approved by Council 8 December 2020
V5 changes include: <ul style="list-style-type: none"> - Supporting documentation listed 3 LOD model included in the framework. - Reference to the HDC Water Safety Plan included. - Opportunity risk descriptions added and community impact scale added. - Risk Appetite statement updated to match LTP. 	17 Nov 21	Updated By Risk and Corporate Services Manager.
Annual review version 5.2 – No change recommended Note: Delayed due to Cyclone Gabrielle	6 July 23	Updated by Chief Risk Officer
Annual review version 6.0 <ul style="list-style-type: none"> - Lead Team meeting frequency changed - Updated 3 lines model added. - Risk Appetite table and statements updated. 	14 June 24	Updated by Risk Manager and Chief Risk Officer
Annual review version 7.0 <ul style="list-style-type: none"> - Transferred to new branding policy - 	27 June 2025	Updated by Risk Manager and Chief Risk Officer

Contents

Enterprise Risk Management Policy & Framework2

Change History2

Contents4

1. Purpose6

1.1. Background6

1.2. Governance Oversight6

1.3. Chief Executive Commitment6

2. Architecture7

2.1. Reporting Structure7

2.2. Supporting Documentation7

2.3. Roles and Responsibilities8

2.4. Conflict of Interest9

3. Strategy10

3.1. Scope and Applications10

3.2. Guiding Behaviours and Measures10

4. Policy Statement11

4.1. Mandate and Commitment11

4.2. Objectives11

4.3. Principles11

4.4. Risk Appetite and Tolerance11

4.4.1. HDC Risk Appetite Statement12

4.4.2. Risk Appetite Terminology12

5. Risk Process13

5.1. Integrated Risk Management13

5.2. Risk Process Overview13

5.3. Risk Process Map13

5.3.1. Communication and Consultation14

5.3.2. Establish Context14

5.3.3. Risk Identification14

5.3.4. Risk Analysis14

5.3.5. Risk Evaluation15

5.3.6. Risk Treatment15

5.3.7. Risk Escalation16

5.3.8. Risk Monitoring and Review17

1. Purpose

The purpose of this document is to describe the Hastings District Council (HDC) Enterprise Risk Management (ERM) framework, including the architecture, strategy and protocols, and how ERM is used to manage significant risks that affect successful achievement of the organisation's objectives.

Note: A Risk Management Handbook that includes a summary of the strategy and protocols described in this document is provided as a quick reference for staff.

1.1. Background

"Organisations of all kinds face internal and external factors and influences that make it uncertain whether, when and the extent to which they will achieve or exceed their objectives¹". The effect this uncertainty has on the organisation's objectives is 'risk'.

Risk management provides a structured approach that can be applied to any discipline or undertaking to reduce uncertainty and enhance value.

Risk management achieves this by creating visibility of operational risk (including assumptions and uncertainties), and by describing consequences to be avoided or opportunities to be pursued.

Successful implementation of risk management relies on informed and engaged staff, and incorporation of risk management into 'business as usual' activities. Risk management within HDC is supported by senior leadership in a 'no blame' reporting culture. All staff are expected to engage in identifying and communicating risks associated with their work.

1.2. Governance Oversight

Collectively the Councillors are responsible for setting risk management tone and objectives, and for oversight of the organisation's strategic risks. This includes determining acceptable levels of risk exposure (refer to Risk Appetite and Tolerance) and confirming that management operate within the limits defined.

1.3. Chief Executive Commitment

To ensure we can deliver the Council's long term plan and work programme safely and effectively, it is important we understand and address the risks we may face. Through the application of good risk management we can minimise the possibility of harm and loss, whilst taking advantage of opportunities to innovate. I am committed to ensuring that all Council staff are well equipped to follow good risk management practices. This is particularly important when it comes to protecting our people, our community and our environment.

Risk management enhances our service culture and should be engrained in our DNA. Risk management is a continuous journey of learning and its application underpins our ability to deliver positive outcomes for our community.

Nigel Bickle, Chief Executive

¹ ISO 31000:2018 Risk Management –Guidelines, Introduction, Page v.

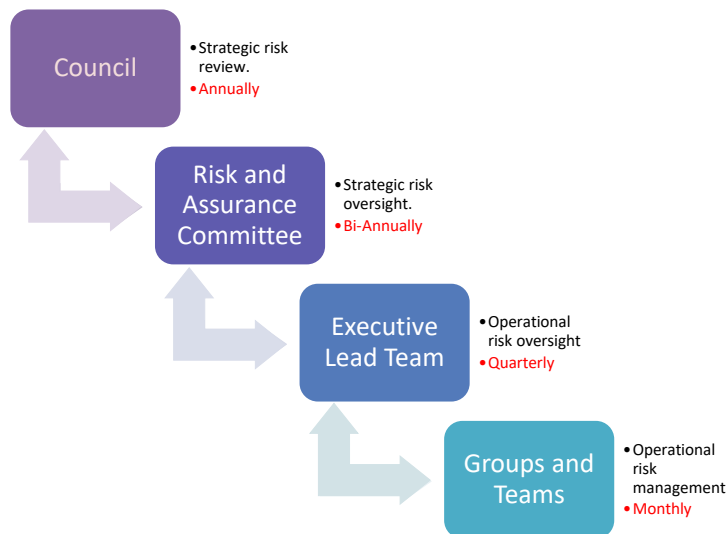
2. Architecture

2.1. Reporting Structure

The overarching responsibilities for managing risk within HDC are as follows:

- Overall responsibility for ensuring risks are mitigated resides with the Council as the governing body.
- The responsibility for ensuring robust risk management practices are in place is delegated to the Risk and Assurance Committee.
- The Executive Lead Team (LT) is ultimately responsible for ensuring risk are effectively managed.

Risk information flows down from the Council, and is reported up from Groups and business teams as shown in the diagram below:



In addition to this regular information flow, issues that arise between reporting cycles will be raised with the appropriate forum in a timely manner to allow effective treatment decisions to be made.

Business units and underlying teams may adopt or adapt this framework to meet their needs as deemed appropriate by the line manager. However, in all cases high risk issues identified by these teams must be escalated to LT or Risk and Assurance Committee as described in this framework.

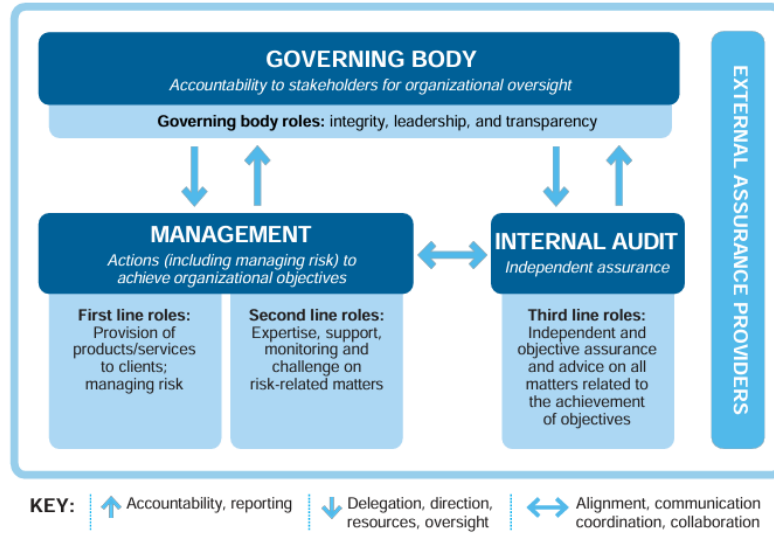
2.2. Supporting Documentation

This Framework is supported by the Risk Assurance Charter and Risk Management Handbook.



2.3. Roles and Responsibilities

Roles and responsibilities within this framework are based on the 3 lines of defence as outlined in the image below (taken from *The Institute of Internal Auditors, An update of the Three Lines of Defence, 2020*).



Role	Responsibility
All Staff	Actively involved in managing risk. Consult with and keep line managers informed about risk as appropriate.
Risk Owners	Accountable for management of assigned risks. Consult with and keep LMT informed about risk as appropriate.
Chief Risk Officer and Risk Manager	Provide advice and support to Risk Owners and staff, as well as undertaking Assurance Reviews as defined in the Risk Assurance Charter.
Group Manager	Have practices in place within their Group to: <ul style="list-style-type: none"> - Identify, assess and monitor risks. - Assign responsibility for managing risks. - Develop and implement treatment plans to reduce risk exposure. - Regularly review risk controls and treatments. - Appropriately communicate and escalate risks as required. - Consider new, emerging and changing risks. - Support and encourage staff to engage in risk identification and response actions.

Lead Team (LT)	Assess and monitor the organisation wide risk profile. Regularly review risk controls and treatments. Set priorities and allocate resources for risk mitigation.
Councillors (Elected Members)	Responsible for setting risk management tone and objectives. Define the organisation's risk appetite. Confirm that risk is managed within prescribed tolerance. Review the Tier 1 strategic risk register and seek assurance that adequate controls are in place and effective.

2.4. Conflict of Interest

Any conflicts of interest identified through the risk management process shall be handled in accordance with the Conflict of Interest and Gifts policy held on Infokete.

3. Strategy

HDC is committed to managing risk to the organisation and community in an on-going and proactive manner. Effective risk management enhances the ability of HDC to achieve the strategic objectives defined in the Long Term Plan (LTP) and meet its statutory obligations.

HDC manages risks in order to:

- Improve decision making.
- Identify innovations.
- Clearly document risk exposure.
- Appropriately communicate and report on risks.
- Integrate risk management culture into our business.

This framework and policy, supported by the HDC Risk Management Toolkit, outlines the organisational risk management objectives and commitment in order to achieve proactive identification and mitigation of risks that arise as part of the organisation's activities.

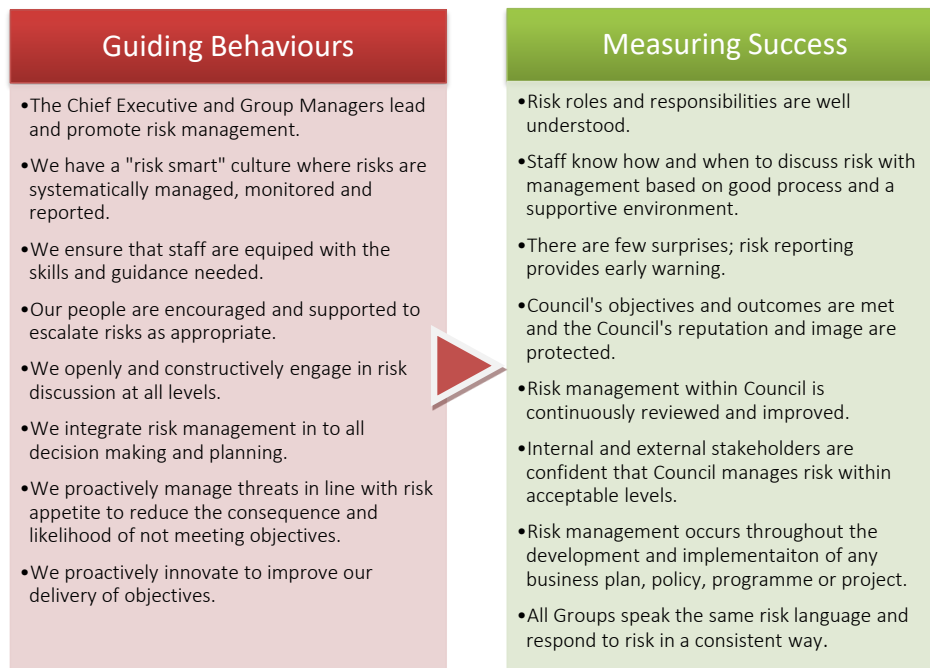
3.1. Scope and Applications

The scope of the Risk Management framework and policy is organisation wide and will be fully integrated into the organisation's strategic, operational and project planning activities. The development of the framework and process has been informed by the approaches used in these activity and planning areas.

3.2. Guiding Behaviours and Measures

In line with organisation's risk management principles and industry best practice, the framework guides staff to:

- Identify, assess, treat and monitor risks.
- Appropriately communicate and escalate risks.
- Consider new and emerging risks.



4. Policy Statement

In setting our objectives HDC will consider and take into account the risks associated with achieving those objectives.

HDC recognises that it is prudent to systematically manage and regularly review its risk profile at a strategic, operational and project level. The organisation does this by applying this risk management policy and protocols, which defines the management practices required to support the realisation of Council objectives. Not only does HDC wish to minimise relevant threats, but also to maximise its opportunities through innovation.

4.1. Mandate and Commitment

Elected members and senior leadership support the use of risk management as a key management tool, and expect risk management to be an integral part of decision making. Managers and staff in roles responsible for managing risk will be provided with adequate training and systems to support the open and honest communication of risk information.

The risk management system will be monitored on a frequency considered appropriate by elected members and senior leadership.

4.2. Objectives

The Council's risk management objectives are:

- Protection of personal safety is ensured in all undertakings.
- HDC has a current comprehensive understanding of its risks.
- All sources of risk are assessed before undertaking any activity.
- The organisation's risks are managed within the risk criteria (appetite) that have been established for the particular activity.

4.3. Principles

For risk management to be effective, the following principles should be applied at all levels within HDC:

- a) Integrated part of all organisation activities.
- b) Structured and comprehensive approach.
- c) Customised and proportionate to the organisation's needs.
- d) Inclusive to achieve timely involvement of stakeholders.
- e) Dynamic so that appropriate changes are made in a timely fashion.
- f) Best available information applied to risk analysis.
- g) Human and cultural factors are considered at each stage.
- h) Continual improvement achieved through learning and experience.

4.4. Risk Appetite and Tolerance

Risk appetite refers to the amount of risk Council is willing to accept or retain in pursuit of its goals. Depending on the nature of the activity different levels of risk may be acceptable, which in turn has the potential to create different degrees of variation in the achieved performance. As a result, there will be a range of outcomes that the Council may need to accept. This range in outcomes is the organisation's risk tolerance.

In this sense risk management is about finding an acceptable balance between the impact on objectives should a risk be realised and the implications of treating the risk. Therefore, the financial cost, potential service level impacts and other consequential risks associated with a different approach must be considered. It should be recognised that all actions and approaches come with their own risks which should be considered throughout the risk management process.

4.5. HDC Risk Appetite Statement

The Council's over-arching risk appetite statement is as follows:

The Hastings District Council is responsible to the rate payers of the District to enable democratic local decision-making and action by, and on behalf of, communities to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

To achieve these outcomes Council has a **conservative** appetite toward risk that would adversely affect core services. In contrast, there is a desire to leverage opportunities that enhance outcomes for the community. As a result, there is a willingness to accept more risk associated with innovation or solutions that create long term benefits.

Accordingly, whilst the overarching risk appetite may be conservative, Council recognises that it is not possible, or necessarily desirable, to eliminate all of the risks inherent in its activities. In some instances acceptance of risk within the public sector is necessary due to the nature of services, constraints within operating environment or a limited ability to directly influence where risks are shared across sectors.

Therefore, in relation to the specific strategic objectives Council's risk appetite may vary depending on the circumstances and trade-offs implicit in the specific context. Resources within business units and projects are aligned to priority outcomes based on the specific risk appetite, and arrangements are in place to monitor and mitigate risks to acceptable levels.

In situations where a greater level of risk taking may be considered appropriate to achieve a specific objective, Council will establish a risk appetite statement specific to the work programme. These objective specific risk appetite statements should be developed by applying the risk appetite framework described in **Appendix 2** and be approved by the executive Lead Team, or Council in the case of a Long Term Plan objective.

4.6. Risk Appetite Terminology

Rating	Philosophy	Tolerance for Uncertainty Willingness to accept uncertain outcomes or variations.	Choice Willingness to select an option puts objectives at risk	Trade-off Willingness to trade off against achievement of other objectives.
5 Flexible	Will take justified risks to deliver expected outcome.	Fully anticipated. Events may be Likely.	Will choose option/s with highest return; accepting possibility of failure.	Willing
4 Justified	Will take strongly justified risks to deliver expected outcome.	Expect some Events are Possible.	Will choose to put at risk, but will manage impact	Willing under right conditions
3 Measured	Preference for delivering expected outcome over taking risk.	Limited Events may be Possible.	Will accept if limited and heavily out-weighed by benefits	Prefer to avoid
2 Conservative	Extremely conservative. Strong preference for delivering expected outcome.	Low Events are rare.	Will accept only if essential, and limited possibility/extent of failure	With extreme reluctance
1 Averse	Avoidance of risk is a core objective Confident of delivering expected outcome.	As Low As Reasonably Practicable (ALARP). Events are very rare.	Will always select the lowest risk option.	Never

5. Risk Process

Risk management at HDC is based on each team, business unit and all levels of management identifying, recording and assessing risks to their area of work.

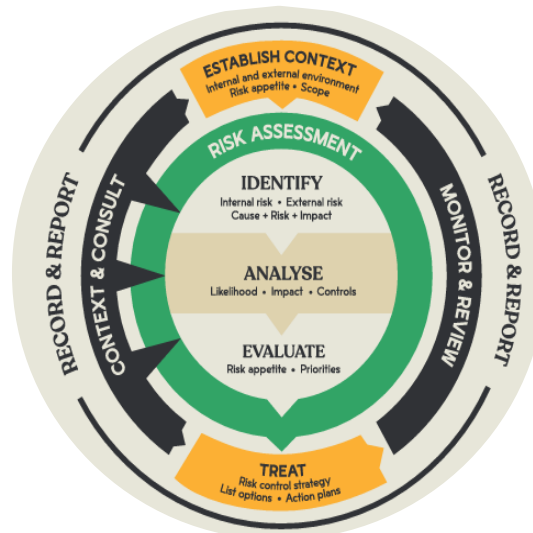
5.1. Integrated Risk Management

Each team must integrate the following risk assessment process into existing planning and decision making processes so that risk management principles can be applied. This will normally involve undertaking risk assessments as early as possible in a business process so that the greatest opportunity exists to mitigate potentially negative outcomes, or take advantage of innovations (e.g. all Asset Management Plans should contain a robust risk assessment).

The type of risk assessment used should be matched to the potential consequences. So where risk of failure is high a structured risk assessment process should be applied (i.e. bow tie), whereas for low risk activities a simple register could be sufficient.

5.2. Risk Process Overview

The following diagram provides an overview of the risk management process. The risk management process should be a logical progression from establishing context, risk identification and assessment through to treatment of these risks. Recording and reporting, communication and consultation, and regular monitoring and reviews are required throughout the process.



5.3. Risk Process Map

To support the risk process shown in 5.2 a process map has been developed to provide step-by-step guidance. The diagram below shows the high-level activities that form this process. For further detail refer to the [Promapp process](#) or the HDC Risk Management Handbook.



5.4. Communication and Consultation

Effective risk management is based on continuous communication between internal and external stakeholders, and should include open two-way communication at all levels. This will help to ensure that individual risks are well understood so that robust risk ratings, risk treatment plans and monitoring requirements are established to increase confidence in successfully achieving Council goals.

5.5. Establish Context

An important part of the risk management process is to consider the context for the activity being undertaken. Most importantly this involves developing a clear understanding of the key goals and objectives, and that the performance measures for these outcomes are considered.

When defining the context for a risk assessment, it is important to consider:

- The nature and type of hazards and consequences that might arise.
- How likelihood and impact are defined.
IMPORTANT: By default the corporate standard definitions should be applied. However, in special cases it might be appropriate to define a tailored approach (e.g. for a major strategic project). If this is required the Chief Risk Officer or Risk Manager must be consulted.
- Whether combinations of risk should be taken in to account, and if so, how they should be considered.
- The level at which risk becomes acceptable or tolerable.
IMPORTANT: By default the Tolerance statement in this framework should be applied. Any variation from this should be approved by LT.

At this stage of the process communication and consultation is important. To fully understand the context consideration should be given to consulting other affected parties or stakeholders and wider management.

5.6. Risk Identification

Risk workshops are considered an effective way to initially identify risks associated with HDC business and operations. Workshops should include a wide range of internal and external stakeholders to uncover the full scope of risks that may exist.

When considering the source of risk each of the factors on the impact scale (People Safety, Financial, Service Level, Compliance, Reputation and Environment) should be considered for potential threats or opportunities.

Risks are recorded in a risk register held by each group. Risk details will record an accurate description of the risk, cause and effect to provide clarity for analysis and preparation of treatment plans. Ownership for each Risk should be allocated to a member of the team responsible for the Risk Register on which the risk is recorded.

5.7. Risk Analysis

Risk score is based on the likelihood and impact of an identified risk occurring.

An inherent assessment of the risk should be made based on the assumption that no measures are in place to control the risk. This establishes the raw risk to which the organisation is exposed. A subsequent risk analysis should then be performed to understand the current risk considering all the controls in place to mitigate the issue. The difference between these two assessments provides an indication of the degree of risk mitigation achieved and effectiveness of controls.

To determine the impact rating for a risk analysis the normal practice is to use the impact category (i.e. personal safety, financial, service level, compliance, reputation or environment) that has the greatest/highest level of impact to combine with the likelihood assessment.

As any risk analysis is subject to the state of knowledge at a specific point in time it is good practice to regularly update the assessment as the environment and state of knowledge changes.

The default organisation wide impact and likelihood definitions are included in **Appendix 1**. These definitions provide a consistent language to encourage consistent assessment of risk. However, they are not absolute and should be used as a guide to validate the intuitive assessment of risk.

Approved likelihood, impact and risk matrixes can be found in the following documents:

- HDC Risk Management Toolkit.
- HDC Health & Safety Manual.
- HDC Water Safety Plan

Customised likelihood, impact and risk matrixes may also be developed for projects to reflect the specific needs of the projects. These matrixes must be approved by the Risk team for alignment with the corporate framework.

Note: There may be slight differences between the descriptions used in each area. This is intended so that the risk management tool is appropriately matched with the activity.

5.8. Risk Evaluation

The current risk score established during the risk analysis is then used to determine whether the risk is tolerable by comparison with the Council risk appetite. Any risks that are not tolerable should be prioritise based on the risks score in order to identify the most important issues for treatment. This allows for effective allocation of resources to achieve the greatest benefit.

Threats classified as High or Extreme cannot be tolerated and treatments must be put in place to reduce the risk. In those situations where there is a low risk tolerance, all effort should be made to ensure the residual risk of the event occurring is As Low As Reasonably Practicable (ALARP). Refer to the Risk Tolerance statement and Escalation section for further guidance on tolerable risk and risk treatment requirements.

5.9. Risk Treatment

Development of risk treatments and action plans is key to the success of risk management, as this is how an increase in confidence for achieving key objectives is delivered.

When choosing a treatment option it is important to recognise that a new approach is likely to introduce new risks that need to be considered. The aim should be to achieve a balanced outcome for HDC and the customer/community using the service (e.g. introducing additional temporary traffic management for site safety might create confusion for drivers reducing the effectiveness of the control).

In general there are four options to consider when treating a threat risk known as the 4Ts (refer to Appendix 3 or the Risk Management Toolkit for further information):

- *Tolerate*: Accept or retain the risk and its likely impact.
- *Treat*: Take action to control or reduce the risk.
- *Transfer*: Move the risk to another party, for example through insurance.
- *Terminate*: Stop performing the activity to avoid or eliminate the source of risk.

IMPORTANT: The Health and Safety at Work Act and Regulations contain specific requirements on the hierarchy of controls for risk treatment. Refer to the reference to the H&S manual for details.

When considering opportunity risk the following treatment options known as the 4Es should be considered (refer to Appendix 3 or the Risk Management Toolkit for further information).

- *Exist*: Monitor those opportunity that have minimal potential reward.
- *Explore*: When the likelihood of an opportunity being realised is probable, but the expected benefit is minor, the issue should be explored to see if the impact can be increased.
- *Expand*: Opportunities that present a substantial beneficial impact and will probably occur should be expanded across the Council to gain the greatest benefit.
- *Exploit*: When the Impact of an opportunity is major, but the likelihood is only possible, the outcome should be exploited to improve the chance of realising the benefit.

While Opportunities will be deliberately taken to realise a benefit, it is important to recognise the relationship between risk & reward. As a result, an assessment of the threat risks that come with the opportunity must be undertaken to ensure any downside risk is within the Council appetite before taking action to Explore, Expand or Exploit an opportunity.

To determine the most appropriate risk treatment option(s) the following factors should be assessed;

- impact on service levels,
- cost,
- feasibility, and
- effectiveness.

Treatment and action plans should include;

- Description of the proposed actions and due date for implementation,
- When appropriate, include reasons for selecting the treatment options,
- Identify who is responsible for completing the action and any other resources needed,
- When appropriate, identify performance measures for the control, and
- The reporting and monitoring requirements.

However, allocation of the treatment actions does not imply ownership of the risk itself. Risk ownership remains with the manager responsible for the risk. Treatment plans are to be updated on a regular basis and a note on current progress of treatment actions recorded as well as any changes in detail.

5.10. Risk Escalation

Risk owners are responsible for ensuring that risks are escalated to the appropriate level of management or to Council when necessary. Risks scored as High or Extreme according to the appropriate Risk Matrix must be reported to the next level of management and/or Council, whichever is appropriate.

The management team receiving an escalated risk shall review the issue and decide which level of the organisation is best placed to own, and be responsible for treating, the risk. Based on this decision the risk may be:

1. Accepted onto that management team's risk register, or
2. Escalated further, or
3. Referred back to the team or business unit for action.

The following table outlines the threat risk action and escalation requirements:

Risk Descriptors	Impact	Action
Extreme Urgent and active management is required. Must identify treatments and implement action plans.	Would stop a number of key objectives being achieved. May cause widespread financial loss, or loss of reputation and confidence in HDC.	Immediate escalation to relevant Group Manager and/or LT. Consider escalation to relevant Council committee or sponsor. Include in Enterprise risk register.
High Senior management attention is needed. Must identify treatments and implement action plans.	Would interrupt the quality or timeliness of HDC's business objectives or outcomes. May result in significant financial loss, capability reduction or impact on the reputation of HDC.	Escalation to Group Manager. As applicable may need escalation to Council committee, sponsor or LT. Include in Group risk register.
Medium Risks require effective internal controls and monitoring. Management responsibility must be specified.	Would interfere with the quality, quantity or timeliness of HDC's business objectives. May have minor financial loss, capability reduction or impact on the reputation of HDC.	A strategy must be in place focusing on monitoring and reviewing existing controls. Include in Group risk register.
Low Routine procedures are sufficient to deal with the impacts.	Minimal impact on HDC's business objectives. Minimal financial loss, capability reduction or impact on the reputation of HDC.	A strategy should be in place focusing on monitoring and reviewing existing controls. Include in Group risk register if appropriate.

The following table outlines the opportunity risk action and escalation requirements:

Risk Descriptors	Impact	Action
Platinum Senior management informed. Responsibility for management oversight must be specified	Would enhance a number of key objectives. May result in substantial financial gain, or enhance reputation and confidence in HDC.	Escalation to relevant Group Manager and/or LT. Consider expanding application across Council to maximise the benefits realised. Include in Enterprise risk register.
Gold Senior management attention is needed. Should identify treatments and implement action plans.	Would noticeably improve the quality or timeliness of HDC's business objectives or services. May result in financial benefits, improved efficiency or enhanced reputation.	Escalation to Group Manager. Focus on exploiting the benefits. Include in Group risk register.
Silver Risks require effective internal controls and monitoring. Management responsibility must be specified.	Would improve the quality or timeliness of HDC's business objectives or services. May result in minor financial benefit, improved capability or enhanced reputation.	Activity should focus on exploring the potential benefits. Include in Group risk register.
Bronze No specific action required.	Minimal benefit to HDC's objectives. Negligible financial or reputation benefit.	No specific action required Monitor for change in context.

5.11. Risk Monitoring and Review

Risk monitoring provides for ongoing tracking of risk trends and treatment actions. Regular risk monitoring maintains visibility of risk activity and provides oversight for managers of the risks within business. Risk monitoring provides a common communication mechanism for maintaining awareness.

To facilitate this, management needs to provide feedback to relevant groups on risks accepted onto their risk register so staff are kept informed of progress on significant risks.

Risk monitoring is achieved by including Risk Management as an agenda item for all team and management meetings and is referred to in regular management reports. During management meetings risk reviews should monitor:

- Whether each risk still exists,
- Whether new risks have arisen,
- Whether the likelihood and/or impact of risks have changed,
- Report significant changes which affect risk priorities, and
- Deliver assurance on the effectiveness of risk controls.

Having risk as an agenda item at all scheduled meetings (e.g. monthly team meetings) enables risk registers to be reviewed and risk actions to be tracked on a regular basis. This approach supports the involvement of staff and integrates risk management into business as usual activities. Risks, risk treatments and actions inform planning and everyday business activities.

5.12. Risk Recording & Reporting

Risks are to be recorded in Quantate or in Risk Registers based on a standard template and stored in Content Manager. Using a standard template for risk registers enables risks to be collated across business units and between levels of management. The registers also provide for reporting of risk trends and logging actions in response to identified risks.

6. References

The primary reference and guidance document for the development of the risk management framework is the ISO 31000:2018 Risk Management – Guidelines.

Other relevant risk management publications will be used to aid application of standards and other related techniques to particular business situations. These publications include but are not limited to HB 436 Risk Management Handbook.

7. Review

The risk management policy and framework will be regularly reviewed to ensure it remains relevant to the organisation culture and needs. Reviews shall be performed at least annually, and submitted to Risk and Audit Committee for comment before being approved by Council.

8. Definitions

Term	Definition
Consequence	The consequential effect on strategy or operational processes as a result of a risk event occurring. Note: The consequences that an event will have on the organisation will only be evident after impact has occurred.
Current Risk	Existing level of risk taking in to account the controls in place. Note: can also be called Residual Risk.
Impact	The effect on People, Finances, Service Levels, Compliance or Reputation when a risk event occurs. This is the direct and measurable impact. Standard terms for rating Impact are: Severe, Major, Moderate, Minor & Insignificant.
Inherent Risk	Level of risk before any control activities are applied.
Likelihood	An evaluation or judgement regarding the chances of a risk even occurring. Often described as a 'probability' or 'frequency'. Standard terms for rating Likelihood are: Almost Certain, Probable, Likely, Possible and Rare.
Mitigation Control	Any measure or system that is intended to reduce the impact (consequence) of an event should it occur.
Opportunity	Risk that can enhance or have a positive impact on objectives.
Prevention Control	Any measure or system that is put in place to stop a threat causing loss.
Risk	The effect that uncertainty about internal or external factors has on achieving HDC's objectives. The effect on objectives can be positive or negative.
Risk Assessment	The process of risk identification and analysis.
Risk Analysis	A systematic use of available information to determine the likelihood of specific events occurring and the magnitude of their consequence.
Risk Appetite	The amount and type of risk an organisation is prepared to pursue or retain to achieve its strategic goals.
Risk Management	Management activities to deliver the most favourable outcome and reduce the volatility or variability of outcomes.
Risk Register	Document used to record risks, including the associated risk score and treatment plan.
Risk Score	The combination of consequence and likelihood assessments for a risk to derive an overall rating or priority for the risk.
Risk Tolerance	The degree of variability in attainment of goals, or capacity to withstand loss that an organisation is prepared to accept to achieve strategic goals.
Risk Treatment Plan	Actions aimed at reducing the likelihood and/or consequence of a risk.
Threat	Risk with adverse or negative impact on objectives.

9. Appendix 1: Likelihood, Impact and Risk Matrix Tables

9.1. Likelihood Assessment Table

Likelihood	Probability (per annum)	Time Based Descriptor
Rare	<10%	Unlikely to occur within a 10 year period, or in exceptional circumstances.
Possible	10% - 40%	May occur within a 10 year period.
Likely	40% - 70%	Likely to occur within a 5 year period.
Probable	70% - 90%	Likely to occur within a 1 year timeframe
Almost Certain	>90%	Likely to occur immediately or within a short period of time.

9.2. Impact Assessment Table – Opportunity

Impact	Opportunity / Benefit		
	Financial	Citizen Benefit	Service Innovation
Substantial	A beneficial difference in budget of more than 50% OR \$4M.	Changes directly benefit citizens across the entire district.	Service delivery time improved by more than 50% OR Entirely new service delivery method identified.
Major	A beneficial difference in budget between 25 - 50% OR \$1M-\$4M.	Changes directly benefit citizens of multiple communities.	Service delivery time improved by 25-50% OR Implementation of a leading edge practice.
Moderate	A beneficial difference in budget between 10 - 25% OR \$200k-\$1M	Changes directly benefit citizens of a single community	Service delivery time affected by 10-25% OR Able to implement current best practice.
Minor	A beneficial difference in budget of less than 10% OR between \$10k-\$200k.	Changes directly benefit members of a single group or association.	Service delivery time affected by less than 10% OR Efficiency gain in current process.
Insignificant	Insignificant budget impact OR less than \$10k impact	Little or no citizen benefit.	Maintain status quo

9.3. Impact Assessment Table - Threats

Impact	Threat						
	Harm to People (ALWAYS assess first)	Service Degradation	Financial Loss	Compliance	Environment	Reputation	Community
Severe	Fatality or permanent disability involving 1 or more people. OR Health impacts to >100 people.	Service delivery time reduced by more than 50% OR Total facility closure.	An adverse difference in budget of more than 50% OR \$4M.	Fine or prosecution for failing to meet multiple core legal requirements	Adverse effects resulting in permanent/ irreversible change to the environment.	Sustained (3+ days) national or one-off International media attention OR Trust severely damaged and full recovery questionable	Complete loss for an extended period (1+ month) of food/water security, housing, employment or societal wellbeing (eg social isolation) affecting an entire community.
Major	Serious injury/ illness, temporary disability involving 1 or more people. OR Health impacts to <100 people.	Service delivery time reduced by 25-50% OR Partial facility closure.	An adverse difference in budget between 25 - 50% OR \$1M-\$4M.	Fine or prosecution for failing to meet a single core legal requirement.	Long term or significant adverse environmental effects where remediation is possible	Sustained (3+ days) regional attention or one-off national media attention OR Trust recovery involves considerable cost and management attention	Complete loss of food/water security, housing, employment or societal wellbeing (eg social isolation) affecting an entire community for more than 1 week.
Moderate	Medical attention required for 1 or more people. OR Medium term health impact to 1-10 people	Service delivery time reduced by 10-25% OR Hours of service reduced.	An adverse difference in budget between 10 - 25% OR \$200k-\$1M	Warning about/or adverse public exposure for a non-compliance.	Medium term change or scale of environment impact	Significant regional public interest or media attention OR Trust recovery exceeds existing budget	Noticeable reduction in availability of food/ water, housing, employment or societal wellbeing affecting a large number of people in a community
Minor	First aid needed. Short term health impacts to a few people.	Service delivery time reduced by less than 10% OR Customer queue management required	An adverse difference in budget of less than 10% OR between \$10k - \$200k.	Self-detected non-compliance.	Short term or minor effect on ecosystem functions	Attention of group / local community or media OR Modest cost to recover trust	Short term reduction in availability of food/ water, housing, employment or societal wellbeing affecting a number of people in a community
Insignificant	No treatment required. No noticeable physical impact.	No noticeable impact on service delivery.	An adverse budget impact OR less than \$10k impact	Non-compliance of no consequence	Little or no change to environment	Individual interest or no media attention OR Little effort to recover trust	No noticeable impact on food/ water security, housing, employment or societal wellbeing

* Note: Food security, housing and employment are social impact factors identified by the World Health Organisation Social Dimensions of Climate Change discussion draft.

9.4. Risk Matrix and Heat Map

Likelihood	Threat Impact					Opportunity Impact					Likelihood
	Insignificant 5	Minor 20	Moderate 40	Major 80	Severe 100	Substantial 100	Major 80	Moderate 40	Minor 20	Insignificant 5	
Almost Certain 0.7	Low 3.5	Medium 14	High 28	Extreme 56	Extreme 70	Platinum 70	Platinum 56	Gold 28	Silver 14	Bronze 3.5	Almost Certain 0.7
Probable 0.45	Low 2.25	Medium 9	High 18	Extreme 36	Extreme 45	Platinum 45	Platinum 36	Gold 18	Silver 9	Bronze 2.25	Probable 0.45
Likely 0.3	Low 1.5	Low 6	Medium 12	High 24	Extreme 30	Platinum 30	Gold 24	Silver 12	Bronze 6	Bronze 1.5	Likely 0.3
Possible 0.2	Low 1	Low 4	Medium 8	Medium 16	High 20	Gold 20	Silver 16	Silver 8	Bronze 4	Bronze 1	Possible 0.2
Rare 0.17	Low 0.85	Low 3.4	Low 6.8	Medium 13.6	High 17	Gold 17	Silver 13.6	Bronze 6.8	Bronze 3.4	Bronze 0.85	Rare 0.17

Notes on matrix heat map:

- In this matrix it can be observed that by redefining High risks they may become Golden opportunities, but conversely Platinum opportunities can become Extreme threats if pushed too far.
- An event with Severe impact is considered High risk even if the chance of occurrence is Rare. An event with Insignificant impact is considered Low risk even if it is Almost Certain to occur.

9.5. Calculated Risk Score Ranges

Risk Descriptors		Low	High
Extreme	Platinum	>28	<=70
High	Gold	>16	<=28
Medium	Silver	>7	<=16
Low	Bronze	>0	<=7

10. Appendix 2: Risk Appetite Framework

10.1. Risk Appetite Objective Specific

In this framework risk appetite is a tool to guide how much risk to take to achieve an objective, while risk management is a tool to address those risks that have been taken. As a result, the following key properties of risk appetite are important:

- 1) The organisation's risk appetite will vary depending on the objective being considered. Therefore, understanding the value of the business objective is important to establish the risk appetite.
- 2) Accepting risk when undertaking an activity may enable work to progress faster, but will be associated with the chance that the outcome achieved may vary from what is expected.
- 3) Risk appetite is intended to provide a safe space to operate within when making a decision that involves a level of uncertainty. This means that the Council is prepared to accept a chance of an adverse event to in order to achieve a desired benefit.

The following sections provide guidance on defining the size and chance of bad, or good, event that may be acceptable for each risk appetite level. This is referred to as the risk taking preference.

10.2. Risk Appetite Mapping to Risk Impact & Likelihood.

Because risk appetite implies accepting the chance of some kind of event, there is a strong correlation with the likelihood and impact scales used to assess risks. Therefore, to ensure alignment between risk appetite and risk assessments, the HDC risk matrix has been used to map risk appetite levels to probability and impact scales.

In the table below the risk appetite scales (Adverse to Flexible) are overlaid on the Council risk matrix. As Extreme risk is always out of appetite, the risk appetite mapping excludes these ratings to avoid excessive risk taking.

Likelihood	Threat		Impact		
	<i>Insignificant</i>	<i>Minor</i>	<i>Moderate</i>	<i>Major</i>	<i>Severe</i>
<i>Almost Certain</i>	Measured	Justified	Flexible	Extreme	Extreme
<i>Probable</i>	Measured	Justified	Flexible	Extreme	Extreme
<i>Likely</i>	Conservative	Measured	Justified	Flexible	Extreme
<i>Possible</i>	Averse	Conservative	Measured	Justified	Flexible
<i>Rare</i>	Averse	Averse	Conservative	Measured	Justified

10.3. Risk Taking Preferences.

By using the risk appetite mapping on the risk matrix above it is possible to define the chance and the scale of an event that would be acceptable to Council for each level of risk appetite. Due to the combinations created by the matrix there will be a range in the acceptable combinations of chance and event. For example, if an event has a high probability of occurring the value at risk will need to be low, whereas an event that has a low chance of occurring could have a relatively high value at risk.

When this mapping is applied across the different categories in the impact tables, the following descriptions of acceptable risk taking can be established.

Finance:

Risk Category	Low Range	High Range
Flexible	High chance (90%) of loss up to 25% of budget.	Possibility (10%-40%) of a loss up to 90% of budget.
Justified	High chance (90%) of loss up to 10% of budget.	Rare chance (less than 10%) of a loss up to 90% of budget.
Measured	High chance (90%) of loss up to \$10K.	Rare chance (less than 10%) of a loss up to 50% of budget.
Conservative	Likely chance (40%-70%) of loss up to \$10K.	Rare chance (less than 10%) of loss up to 25% of budget.
Averse	Possibility (10%-40%) of loss up \$10K.	Rare chance (less than 10%) of loss up to the higher of 10% of budget or \$10K.

Service:

Risk Category	Low Range	High Range
Flexible	High chance (90%) that response time or hours of service reduced by up to 25%.	Possibility (10%-40%) that response time or hours of service reduced by up to 90%.
Justified	High chance (90%) that response time or hours of service reduced by up to 10%.	Rare chance (less than 10%) that response time or hours of service reduced by up to 90%.
Measured	High chance (90%) of negligible (<5%) impact on response time or hours of service.	Rare chance (less than 10%) that response time or hours of service reduced by up to 50%.
Conservative	Likely chance (40%-70%) of negligible (<5%) impact on response time or hours of service.	Rare chance (less than 10%) that response time or hours of service reduced by up to 25%.
Averse	Possibility (10%-40%) of negligible (<5%) impact on response time or hours of service.	Rare chance (less than 10%) that response time or hours of service reduced by up to 10%.

Reputation:

Risk Category	Low Range	High Range
Flexible	High chance (90%) of significant regional public interest or additional budget needed to recover trust.	Possibility (10%-40%) of sustained national or international media attention.
Justified	High chance (90%) of attention from a local community or group. Modest cost to recovery trust.	Rare chance (less than 10%) of sustained national or international media attention
Measured	High chance (90%) of individual interest.	Rare chance (less than 10%) of sustained regional media attention or national exposure.

Conservative	Likely chance (40%-70%) of individual interest.	Rare chance (less than 10%) of significant regional media attention.
Averse	Possibility (10%-40%) of individual interest with no media attention.	Rare chance (less than 10%) attention from a local community or group.

Safety / Compliance

In the case of Safety of People and legal Compliance the risk appetite will always be Averse. That requires mitigations to ensure the risk is **As Low As Reasonably Practical (ALARP)**.

10.4. Tolerable Outcomes.

Based on the risk-taking preferences described there will be occasions when actual performance differs to the intended outcome. As a result, it is possible to monitor the degree of variation in achieved performance from the original objective to ensure that risk taking is occurring within acceptable bounds.

To define the tolerable range above or below the intended target that matches each risk appetite the scales in the risk impact scales can again be used. This approach ensures alignment with the other ratings and helps to calibrate the entire system based on experienced when monitoring objective delivery.

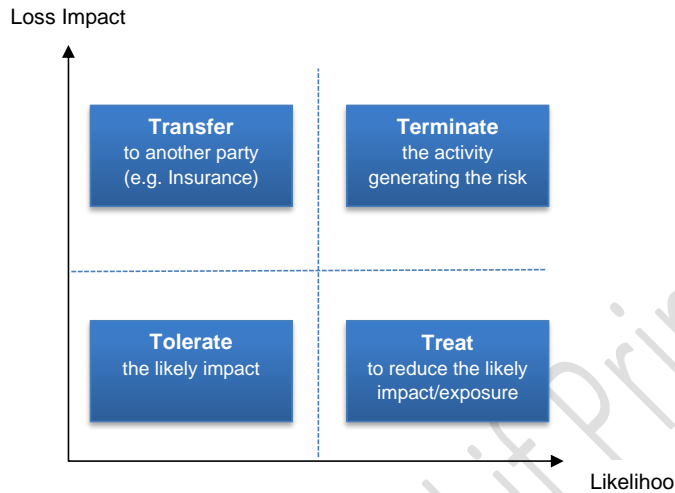
Using the impact table scales the following risk tolerance bands for each risk appetite stance can be defined:

Risk Category	Outcome Range
Flexible	90% range based on intended target (45% under or 45% over target).
Justified	50% range based on intended target (25% under or 25% over target).
Measured	25% range based on intended target (12.5% under or 12.5% over target).
Conservative	10% range based on intended target (5% under or 5% over target).
Averse	5% range based on intended target (2.5% under or 2.5% over target).

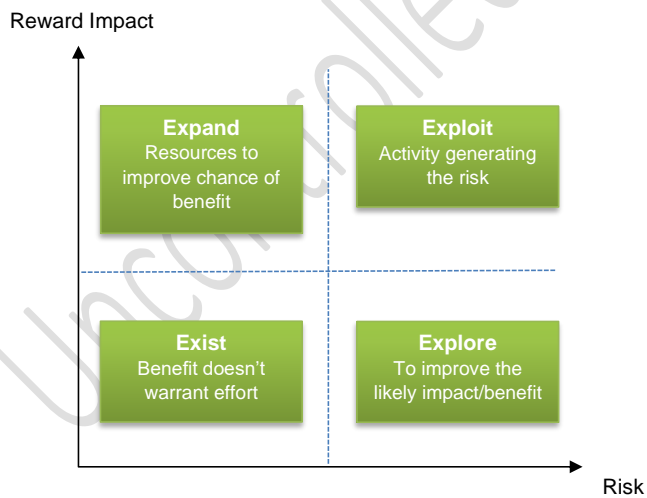
11. Appendix 3: Risk Control Techniques

The following diagrams illustrate how risk treatment strategies are generally applied to risks based on where they risk is placed on a risk heat map.

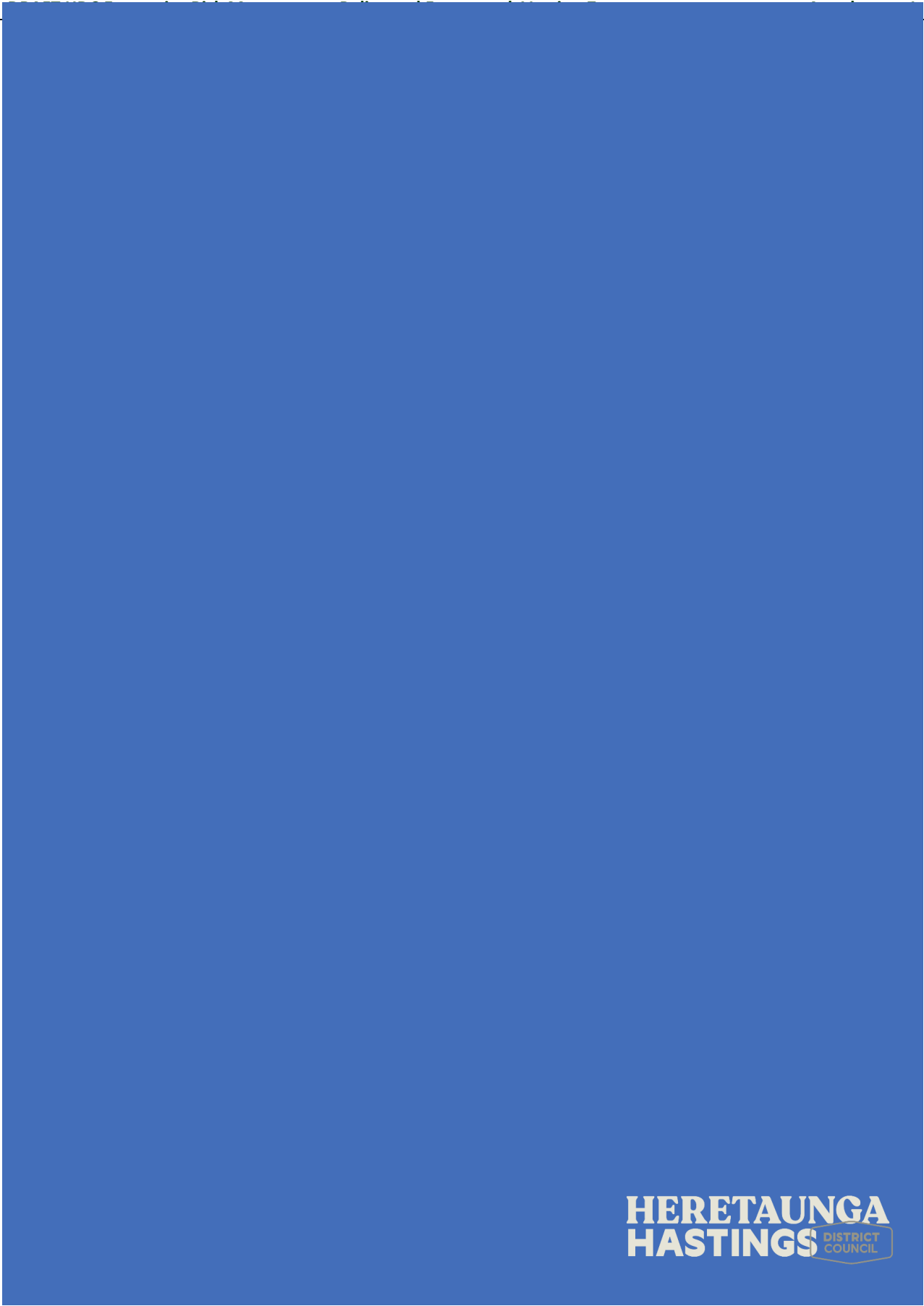
11.1. Treatments for Threat Risk



11.2. Treatments for Opportunity Risk



IMPORTANT: Before pursuing an opportunity an assessment of the unintended consequence must be undertaken. This is required to confirm that any potential threat risks that might arise are within the Council risk appetite. By doing so it is possible to confirm an appropriate balance between risk vs reward is maintained.

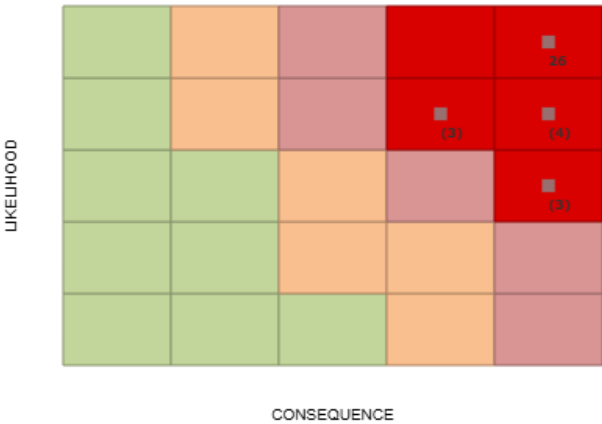




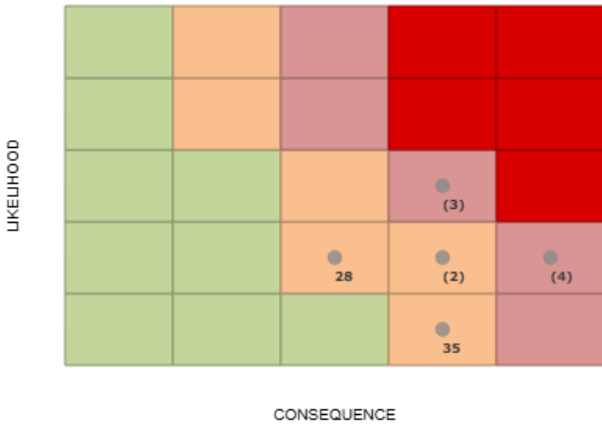
HDC Strategic (Tier 1) Risk Register (Council) as at July 2025

The register below includes the top risks facing Hastings District Council as at 1 July 2025.
The register includes a description and assessment of the Inherent Risk, which is the risk level Council would face if no controls were in place, and the Current Risk, which is the risk level after the current controls have been considered.

Inherent Risk



Residual Risk



Strategic Threat Risk Register

#ID	Description	Details	Inherent risk	Controls	Control	Current risk
2	Natural or man-made disaster exposure	Natural and man-made disasters covers major disasters or emergencies due to a natural hazard or human-made events affecting community safety or property.	Extreme	Asset Management Plan; Building Act and Code; Earthquake Prone Building Regulation; Infrastructure capacity; Land use planning; Lifelines Planning; Resource Consenting; Response and Business Continuity Planning.	Sufficient	High
3	People Health, Safety & Wellbeing	Exposure to health & safety risks (as a result of activities undertaken or directed by Council) which could result in serious health effects to workers, customers and public.	Extreme	Education, Training, Coaching; Incident and Hazard Reporting; Insurance; Monitoring and Compliance; Security Measures.	Strong	High
21	Significant Operational Service Failure	Operational failure that may have a material impact on the delivery of Council services to the community.	Extreme	Communications Plan; Insurance; Legal Advice; Policy and Procedure; Response and Business Continuity Planning; Separation of Duties.	Strong	High
22	Water Quality & Quantity	As a result of climate change and human activities, there may not be a sustainable quantity of quality water to support the communities economic, social and environmental wellbeing aspirations.	Extreme	Communications Plan; Monitoring and Compliance; Policy and Procedure; Response and Business Continuity Planning.	Sufficient	High
23	Financial Sustainability	Due to over committing to work programmes the financial sustainability of the Council may be compromised affecting delivery of all LTP goals.	Extreme	Asset Management Plan; Contingency funds; External Audit; Policy and Procedure; Roles and Responsibilities.	Strong	High
25	Growth planning	Poor timing or under-recovery of growth investment may lead to unexpected cost escalation adversely affecting Council's financial position and ability to achieve LTP objectives.	Extreme	Asset Management Plan; Communications Plan; Community Engagement & Consultation; Contingency funds; Demand Monitoring Land use planning.	Sufficient	High
26	Failure of climate adaptation	Lack of knowledge, protracted decision making or insufficient application of resources may cause climate change adaptation measures to fail adversely impacting economic, social and cultural wellbeing.	Extreme	Asset Management Plan; Building Act and Code; Communications Plan; Contingency funds; Insurance; Land use planning; Policy Direction; Response and Business Continuity Planning.	Sufficient	High

#ID	Description	Details	Inherent risk	Controls	Control	Current risk
28	Significant statutory reform	Failure to proactively adapt to statutory changes could adversely affect economic, environmental, social or cultural wellbeing, and cause significant delays and/or barriers to Council's delivery of LTP objectives.	Extreme	Appropriate Relationship Management; Appropriate Resources; Communications Plan; Community Engagement & Consultation; Education, Training, Coaching; Roles and Responsibilities.	Sufficient	Medium
32	Cyber Security Threat	Increasing sophistication of cyber attacks may cause Council to be unable to defend a significant cyber attack, resulting in an inability to communicate through normal channels, operate core functions or stand up a response, severely impacting Council's reputation, and potential legal implications and/or fines.	Extreme	Appropriate Resources; Communications Plan; Contingency funds; Education, Training, Coaching; Policy and Procedure; Response and Business Continuity Planning; Roles and Responsibilities; Systems and technology.	Strong	Medium
35	Legal Liability	Decisions made without sufficient justification or delegated authority may be successfully challenged resulting in Council being found liable for costs, reparations with consequential loss of trust in confidence.	Extreme	Contingency funds; Delegations; Insurance; Peer Review; Skilled Staff.	Strong	Medium
39	Societal Polarisation	Combinations of inequity, income disparity and misinformation/Truth decay may result in societal fragmentation and polarisation affecting safety of Council staff, property, and services.	Extreme	Accountability and Transparency; Communications Plan; Community Engagement & Consultation; Education, Training, Coaching; Incident and Hazard Reporting; Response and Business Continuity Planning; Security Alarms; Security Measures.	Sufficient	Medium

Strategic Opportunity Risk Register

#ID	Description	Details	Inherent risk	Controls	Control	Current risk
30	Demonstrate good ESG&C practices	Successfully and proactively addressing Environmental, Social, Governance (ESG) and Cultural expectations during decision making processes would contribute to improving equity of resources, enhanced community wellbeing, enrichment of the natural environment, increased trust of and a positive reputation for Council, attraction as an employer and to gain a head start on complying with potential future legislation.	Silver	Accountability and Transparency; Asset Management Plan; Communications Plan; Community Engagement & Consultation; Education, Training, Coaching; Land use planning; Legal Advice; Organisation Culture; Performance Review & Planning; Policy and Procedure; Policy Direction; Roles and Responsibilities.	Strong	Gold
36	Successful Strategic Partnerships	Provision of sufficient capacity and capability within the organisation to manage relationships with other agencies, would lead to successful partnerships and a collaborative, effective approach to projects. This would result in a positive reputation with communities, better outcomes for the community and other stakeholders, and potentially limit financial costs for each partner.	Bronze	Accountability and Transparency	Sufficient	Gold
40	Generative AI Efficiency	Proactive implementation of Generative Artificial Intelligence tools may lead to improved operational efficiency and increased productivity enhancing delivery of council services and meeting additional demand without significant increase in cost.	Silver	Independent Expert Advice; Policy Direction	Limited	Gold

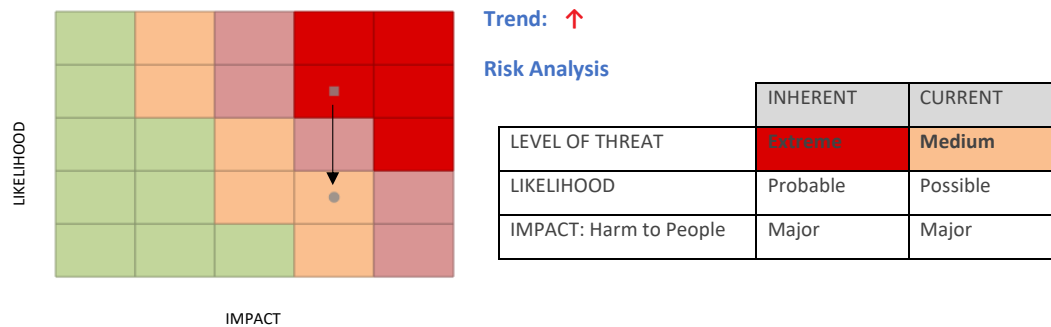


HDC Strategic Risk One Page Summary

Threat #39: Societal Polarisation

Details

Combinations of inequity, income disparity and misinformation/Truth decay may result in societal fragmentation and polarisation affecting safety of Council staff, property and services.



Controls

CONTROL
Accountability and Transparency: Open Council meetings & reporting of decisions
Communications Plan: Media releases and social media management
Community Engagement & Consultation: Proactive engagement on topic of concern.
Education, Training, Coaching: Conflict resolution training
Incident and Hazard Reporting: Post event review and improvements
Response and Business Continuity Planning: Plans to cope address disruption
Security Alarms: Duress alarms
Security Measures: Kaitiaki at public sites

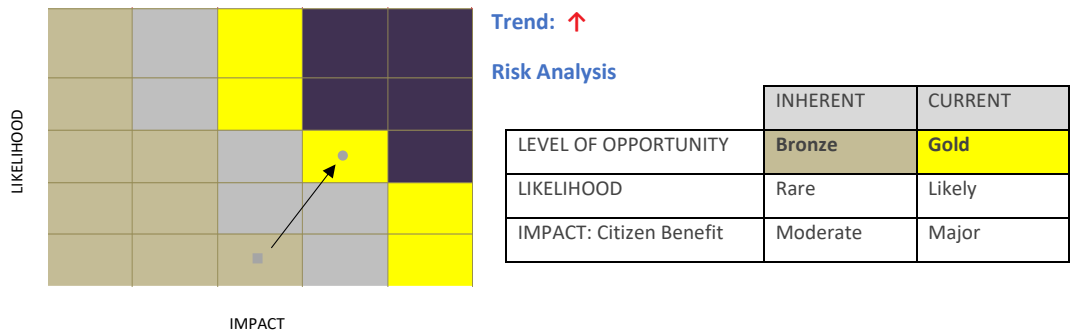


HDC Strategic Risk One Page Summary

Opportunity #40: Generative AI Efficiency

Details

Proactive implementation of Generative Artificial Intelligence tools may lead to improved operational efficiency and increased productivity enhancing delivery of council services and meeting additional demand without significant increase in cost.



Controls

CONTROL
Independent Expert Advice: Vendor advice
Policy Direction: AI use policy