
Thursday, 9 September 2021

Te Hui o Te Kaunihera ā-Rohe o Heretaunga

Hastings District Council

Council Meeting

Kaupapataka

Attachments – Volume 1

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

Te Wā:
Time: **1.00pm**

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

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HASTINGS DISTRICT COUNCIL
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TE KAUNIHERA Ā-ROHE O HERETAUNGA

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9.	APPLICATION FOR A TEMPORARY ALCOHOL BAN	
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12.	PLAN CHANGE 3 - PROVIDING FOR MARAE IN RURAL AND PLAINS PRODUCTION ZONE - RECOMMENDATIONS AND PROCESS	
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Spring Carnival Alcohol Ban Area 2021

Alcohol Ban Area

All public places highlighted in yellow on the Spring Carnival Alcohol Ban Plan A, including streets, roads and footpaths.

- The entire lengths of Knight Street and Prospect Road.
- Market Street South from Southampton Street to the Racecourse entrance.
- King Street South from Southampton Street to Prospect Road.
- Nelson Street South from Southampton Street to Knight Street.
- Southland Road between Southampton Street and Gordon Road.
- Henry Street between Charles Street and Southland Road

Specified Period

Saturday 16 October 2021 between 9.00am and 11.59pm

Plan A: Spring Carnival Alcohol Ban



Livamol Classic Alcohol Ban Area – Hawkes Bay Racecourse 16.10.21

Police would like to apply for a temporary alcohol ban in relation the Livamol race day being held at the Hawkes Bay Racing Centre on 16 October 2021.

- The following hours, and area are requested for the ban:
 - Between the hours of 9am and 11.59pm on Saturday 16th of October 2021.
- Area (See attached map)
 - The entire lengths of Knight Street and Prospect Road.
 - Market Street South from Southampton Street to the Racecourse entrance.
 - King Street South from Southampton Street to Prospect Road.
 - Nelson Street South from Southampton Street to Knight Street.
 - Southland Road between Southampton Street and Gordon Road.
 - Henry Street between Charles Street and Southland Road
- The area requested is the same area previously implemented for the Livamol Classic events which has repeatedly proved to be beneficial.
- Police have concerns and have witnessed preloading (i.e. the consumption of alcohol prior to entering the venue) in previous events and the general consumption of alcohol by some patrons in the vicinity of the racecourse, leading to alcohol related disorder issues.
- In June last year a similar Good Vibes concert was held at the Hawkes Bay Racing Centre and an alcohol ban was not in place. Police were kept busy prior to the event starting with disorder and preventing fights, several arrests resulted. People were drinking in the streets as they walked up to the venue entrance and discarded numerous cans and bottles on the street.
- The purpose of the request is to help minimise alcohol related disorder issues that lead to violence and breaches of the peace in the residential area surrounding the venue.
- Alcohol bans have been used for previous Spring Carnival events and the Summer Solstice festival in this location and at many other concerts around the country. They have been very successful in reducing disorder and breaches of the peace by providing police with an additional tool for helping to deal with these matters.
- Having this tool gives police the ability to take a preventative approach and set the tone for the event going forward.

For your consideration please.

R Wylie

A/Senior Sergeant G919

Events and Operations planning

Eastern District Police



10A Report 2020/2021

**Report on the Administration of
Hastings District Council's
Policy and Practices in Relation to the
Control of Dogs for the year
1 July 2020 to 30 June 2021**

Pursuant to:
(Section 10A of the Dog Control Act 1996)



1. Background

The policy is made under section 10 of the Dog Control Act 1996. Council adopted the "Dog Policy" 6 August 2009. The policy underwent a review and public consultation in conjunction with the Bylaw in 2016. The policy has recently undergone a five year review in conjunction with the Consolidated Bylaw 2016 and a new policy was adopted 13 July 2021 and took effect 1 August 2021.

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

- a) *"the need to minimise danger, distress and nuisance to the community generally; and*
- b) *the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and*
- c) *the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and*
- d) *the exercise and recreational needs of dogs and their owners"*

The anticipated outcomes of the policy are:

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

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

2. Dog Prohibited Areas

Dogs are prohibited from the following areas:

1. Hastings District Council Civic Building
2. Hastings District Council Public Libraries
3. Hastings District Council Swimming Pools
4. Children's playing areas under the control of Hastings District Council
5. All areas under the control of Hastings District Council set aside for organised games or sports and all other areas zoned as sports parks in the Hastings District
6. Rangaiika Beach at Ocean Beach / Cape Kidnappers.

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

3 Dog Exercise and Leash Control

There are currently areas where dogs are required to be leashed and areas where they may free run (under control of the owner). Council does not provide specific dog exercise areas. The majority of dog owners are responsible and considerate.

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

4 Dog Aggression

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

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

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

5 Dog Control Statistics

Year	Registered	Impound	Claimed
20/21	13,266	877	72.3%
19/20	12,769	947	69.8%

NB: Impounded does not include dogs relinquished

The increase in the number of dogs registered is a result of a registration drive.

The claim rate is a reflection of the number of dogs suitable for adoption.

Complaints	19/20	20/21
Person Attacked	67	61
Person Rushed	129	136
Animal Attacked	147	108
Roaming	1,701	1,429
Barking	487	573
Fouling	6	7
Other	194	183
Total	2,954	2,686

Complaint numbers in most categories are down, which is a welcomed trend.

Generally when roaming dog complaints decrease, barking dog complaints increase.

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

Owner Classification	18/19	19/20	20/21
Probationary owners s21	0	0	0
Disqualified owners s25	5	9	13
Menacing s33A 1b(i) – (Behaviour)	27	25	30
Menacing s33A 1b(ii) – (Breed Characteristics)	0	0	0
Menacing s33C – (Government listed breeds)	190	181	170
Dangerous s31 (1)(a) – (Conviction under s57)	0	1	1
Dangerous s31 (1)(b) – (Sworn evidence)	11	10	10
Dangerous s31 (1)(c) – (Owner admits in writing)	22	19	23

	Infringements	Prosecutions
20/21	610	10
19/20	204	47

Few infringements were processed the previous year as a result of Covid-19

The 10 prosecutions involved 7 dogs and 6 people.

Offence	Attack Stock	Attack Person	Attack Dog	Failing to Control
Number	2	3	2	3

Registration categories (total dogs)

Category	19/20	20/21
Urban	7,126	7,088
Rural	6,518	6,513
Other	16	15
Total	13,660	13,616

6 Fees

Dog registration fees are set by Council resolution.

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

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

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

7 Education

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

Dog bite prevention and responsible dog ownership addresses are undertaken free of charge to schools, kindergartens and any other community groups. This training is also offered to contractors and internal HDC staff.

A copy of Council's 'Dogs Policy' is available on the Hastings District Council website together with other educational material.

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Recommendations from Hearings Committee (from hearing on 21 June 2021)
referred to Council meeting on 9 September 2021 for consideration

PLAN CHANGE 3 - PROVIDING FOR MARAE IN THE RURAL ZONE AND PLAINS PRODUCTION ZONE

The Hearing Committee make the following recommendations on submissions to Plan Change 3.

Topic 1: Full Support For Plan Change 3

That the submissions of Heritage New Zealand Pouhere Taonga; Te Taiwhenua o Heretaunga; and the further submission from Pukehou Marae in support of Plan Change 3 be accepted.

With the reason being:

That these submissions are consistent with the findings of the Section 32 evaluation. This concluded that the proposed plan change is the most efficient and effective way to achieve the purpose of the Resource Management Act 1991, particularly duties under Sections 6 and 8 of the Act. Also to achieve the stated objectives identified for marae development in the Rural Zone and Plains Production Zone.

Topic 2: Firefighting Water Supply

That while the submission of Fire and Emergency New Zealand (FENZ) supported the intention to provide for marae as a permitted activity, it is rejected as this submitter requested an amendment to the standards and assessment criteria for the provision of water supply for firefighting purposes.

With the reasons being:

To insert the specific additional standards and assessment criteria for marae would result in extra regulation and mean that marae are singled out in the District Plan for different treatment on this issue.

It is considered that the issue of water supply for firefighting services is adequately identified in the District Plan. This issue is identified in Part D Subdivision and Land Development (30.1) specifically in the Policies SLDP8 and SLDP9; Outcome SLDO10; the Methods Section; and in the General Standard on Water Supply (30.1.7B) referring to alternative solutions. There are subsequently specific references in the Engineering Code of Practice. This includes a clause on the need to consult with the New Zealand Fire Service on development proposals and the need to provide adequate on-site water supply in rural location, for firefighting services.

On the basis of this analysis, changes to the current provisions as per the submission are not considered necessary, therefore the proposed provisions should remain as they are.

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As a result of the recommendation on submissions the following recommendations on amendments to the partially operative district plan are made:

CHANGES TO SECTION 5.2 RURAL ZONE

Anticipated Outcomes

Add new outcome RZAO10:

Provision for the use and development of marae.

Objectives and Policies

Add new objective RZO7:

To recognize and provide for tangata whenua's cultural and physical relationship with their land.

Add new policy RZP21 and associated explanation:

To provide for the development and maintenance of marae in rural locations in recognition of their cultural significance and taking into account the adverse effects on rural character.

Explanation

The District Plan recognizes that marae are essential for Maori to maintain the traditional relationship with their land providing both a spiritual and cultural home for hapu and iwi. They are an important place where significant cultural events occur and serve as a multi-purpose community facility.

Rule Table 5.2.4 Rural Zone

Add new rule:

Rule	Land Use Activities	Activity Status
RZ31	Marae	P

5.2.5 General Performance Standards and Terms

5.2.5B YARDS

Add new heading

4. Marae Buildings

Specify

Front yard 7.5m

All other boundaries 5m

5.2.6 Specific Performance Standards

Identify 5.2.6L Marae and specify:

SITE DENSITY AND COVERAGE

Maximum building coverage – 35%

Maximum gross floor area – 1000m²

Outcome:

Marae will be integrated into the scale and amenity of the zone

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SALE OF ALCOHOL

The sale of alcohol may take place

5.2.8 Assessment criteria – Restricted Discretionary and Discretionary Activities:

Add 5.2.8J Marae and insert following criteria:

The suitability of the site and the extent to which alternative sites or locations have been considered.

The impact of the scale, character and/or intensity of the use and its compatibility with surrounding activities.

The ability of any proposed buildings to be integrated with the character of the site and locality.

The extent to which the activity affects the natural, cultural and heritage activities of the site.

Whether the site can be adequately serviced.

Matters of Consideration

The recognition of tikanga Maori values including enabling marae-based development in accordance with those advocated in the Hawke's Bay Regional Resource Management Plan 2012 (POL UD6.1, POL UD6.2, OBJ34 POL 57).

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CHANGES TO SECTION 6.2 PLAINS PRODUCTION ZONE

Anticipated Outcomes

Add new outcome PPAO11:

Provision for the use and development of marae.

Objectives and Policies

Add new objective PPO10:

To recognize and provide for tangata whenua's cultural and physical relationship with their land.

Add new policy PPP26 and related explanation:

To provide for the development and maintenance of marae in rural locations in recognition of their cultural significance and taking into account the adverse effects on rural character.

Explanation

The District Plan recognizes that marae are essential for Maori to maintain the traditional relationship with their land providing both a spiritual and cultural home for hapu and iwi. They are an important place where significant cultural events occur and serve as a multi-purpose community facility.

Rule Table 6.2.4 Plains Production Zone

Add new rule:

Rule	Land Use Activities	Activity Status
PP43	Marae	P

6.2.5 General Performance Standards and Terms

6.2.5B YARDS

Add new heading

5. Marae Buildings

Specify

Front yard 7.5m

All other boundaries 5m

6.2.5J TOTAL BUILDING COVERAGE

Add a new clause stating

Note: For Marae refer to the specific performance standard 6.2.6P for the maximum site coverage and the maximum gross floor area.

6.2.6 Specific Performance Standards and Terms

Add 6.2.6P "Marae" and specify:

SITE DENSITY AND COVERAGE

Maximum building coverage – 35%

Maximum gross floor area – 1000m²

Outcome:

Marae will be integrated into the scale and amenity of the zone

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SALE OF ALCOHOL

The sale of alcohol may take place

6.2.8 Assessment criteria – Restricted Discretionary and Discretionary Activities:

Add 6.2.8U "Marae" and add in selected criteria as follows:

The suitability of the site, particularly in regard to the versatile values of the land, and the extent to which alternative sites or locations have been considered.

The impact of the scale, character and/or intensity of the use and its compatibility with surrounding activities.

The ability of any proposed buildings to be integrated with the character of the site and locality.

The extent to which the activity affects the natural, cultural and heritage activities of the site.

Whether the site can be adequately serviced.

Matters of Consideration

The recognition of tikanga Maori values including enabling marae-based development in accordance with those advocated in the Hawke's Bay Regional Resource Management Plan 2012 (POL UD6.1, POL UD6.2, OBJ34 POL 57).