

Minutes for a meeting of the Policy & Regulatory Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawaahia on **TUESDAY, 3 OCTOBER 2023** commencing at **9.36am**.

Present:

Cr CA Eyre (Chairperson)
Her Worship the Mayor, Mrs JA Church
Cr C Beavis
Cr EM Patterson
Cr V Reeve
Cr LR Thomson
Cr P Thomson
Cr D Whyte

Attending:

Mr G Ion (Chief Executive)
Ms M May (General Manager Service Delivery)
Mr W Gauntlett (Acting Deputy General Manager Community Growth)
Mr A Averill (Acting General Manager Service Delivery)
Mr W Hill (Consents Team Leader)
Ms H Beaven (Principal Corporate Planner)
Mr D Sharma (Acting Waters Manager)
Mr T McIntyre (Policy Advisor)
Ms J Underwood (Roading Contractor)
Mr M Balloch (Manager Building)
Mrs LM Wainwright (Democracy Advisor)

The meeting opened with a Karakia.

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs L Thomson/Whyte)

THAT the Policy & Regulatory Committee accept the apologies from:

- a. Cr JM Gibb, Cr M Keir, Cr P Matatahi-Poutapu, Cr K Ngataki, Cr M Raumati and Cr T Turner for non-attendance.**

CARRIED

P&R2310/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Eyre/P Thomson)

THAT:

- a. the agenda for a meeting of the Policy & Regulatory Committee held on Tuesday, 3 October 2023 be confirmed; and
- b. all reports be received.

CARRIED

P&R2310/02

CONFIRMATION OF MINUTES

Resolved: (Crs Patterson/Reeve)

THAT the Policy & Regulatory Committee confirms:

- a. the minutes for a meeting of the Policy & Regulatory Committee meeting held on Tuesday, 22 August 2023 as a true and correct record; and
- b. the minutes for a meeting of the Policy & Regulatory Committee (Proposed Freedom Camping Bylaw 2023) meeting held on Tuesday, 12 September 2023 as a true and correct record.

CARRIED

P&R2310/03

DISCLOSURES OF INTEREST

There were no disclosures of interest.

ACTIONS REGISTER

Agenda Item 5

The report was received [*P&R2310/02 refers*] and the Consents Team Leader spoke to the report and the following items were discussed:

Resource Consent Information

- A summary of consent applications was provided to the committee. This summary was based on the information drawn from Council's reporting systems. It was noted that landuse consent applications and permitted boundary activities formed a large part of Council's business. Subdivisions had lessened over the last year.
- Rural subdivision consents were affected by the National Policy Statement on highly productive land.
- Applications had been processed for Raglan Wharf, Paterson Park lighting, carparks and toilet blocks.
- Two solar farm applications had been granted, one at Glen Murray Road and the other at Coalfields Road, Kopuku. The solar farms were located close to the national grid transmission lines. Two more solar farm applications had been received by Council for processing.
- Property enquiries and Land Information Memorandums had risen.
- Retrospective consents. These were mostly for earthworks that were undertaken without first obtaining a consent, the balance being due to a lack of understanding by people as to what was required to obtain consent.
- Fast tracking for windfarms was a central government process and a specific panel would hear and consider the applications. Comments only were requested from Waikato District Council and landowners on these applications.
- Council provided a quarterly newsletter called "Growing Places" which provided information regarding building and resource consents in the Waikato district. The newsletter could be accessed on the Council's website as follows:
<https://www.waikatodistrict.govt.nz/services-facilities/land-and-property/growing-places-newsletter>
- It was noted that the new District Plan was more complicated to navigate than the previous one.
- Discussion was held on the ten (10) year resource consent granted to Soundsplash and how concerns could be raised following the event. Haapu needed to be given a voice on events being held on the Raglan airfield. There were two (2) statutory processes that covered the Soundsplash application, one being the resource consent process and the other required permission under the Reserves Act. If it was considered that the event had been incorrectly assessed, a judicial review process would need to be worked through.

Resource Consent Forecast Reporting

ACTION: This item to be remain on the schedule and placed on the April 2024 Policy & Regulatory Committee agenda.

REPORTS

Approval to consult on the Proposed Water Supply Bylaw 2023 Agenda Item 6.1

The report was received [*P&R2310/02 refers*] and the Principal Corporate Planner, supported by the Acting Waters Manager, spoke to the report and the following items were discussed:

- The report addresses the risks of not having an actionable water supply bylaw. To protect the water supply system, Council previously had the Water Supply Bylaw 2014 which was reviewed and consulted on in 2021. However, the review was not within the required legislative timeframe and was unenforceable. Therefore, Council had no regulatory tools to manage the water supply system. Various standards had been updated throughout the process.
- The bylaw had been reviewed by staff, the Legal Team and Watercare who had provided feedback.
- Consultation on the proposed bylaw would be undertaken between Thursday, 5 October 2023 to Sunday, 5 November 2023 and submissions would be heard on Wednesday, 22 November 2023 with Council adopting the bylaw on Monday, 18 December 2023.
- The Water Supply Bylaw workshop had been held on Monday, 11 September 2023.
- Concern was raised on restricted water supply areas where dwellings had a tank and the properties were on restricted supply. The Statement of Proposal would draw attention to both clause 9.6.1 b and c, and that Council may require water meters.

ACTION: Staff to ensure the names of roads and towns in the district are spelt correctly before any communications go out.

ACTION: That the Statement of Proposal Key Change 3 is amended to reflect that Council 'may' require waters meters for minor or ancillary dwellings, and to additionally refer to Clause 9.6.1(c).

Resolved: (Her Worship the Mayor/Cr Beavis)

That the Policy & Regulatory Committee:

- a. **confirms that, in accordance with Section 155 of the Local Government Act:**
 - i. **a Bylaw is the most appropriate way of addressing the perceived problems;**
 - ii. **the proposed Bylaw is the most appropriate form of Bylaw; and**
 - iii. **the proposed Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 2002.**
- b. **adopts the Statement of Proposal (Attachment 3) noting requested changes to “Key Change 3” in the Statement of Proposal, and submission form (Attachment 4);**
- c. **approves the commencement of public consultation on the Proposed Water Supply Bylaw (Attachment 1 and 2), to be undertaken between Thursday, 5 October to Sunday, 5 November 2023; and**
- d. **agrees to hear submissions on the Bylaw, if requested by submitters, at a hearing scheduled for Wednesday, 22 November 2023.**

CARRIED

P&R2310/04

Approval to Consult – Speed Management Plan
Agenda Item 6.2

The report was received [*P&R2310/02 refers*] and the Policy Advisor, supported by the Roading Contractor, spoke to the report and the following items were discussed:

- A workshop had been held earlier in the year. Material on the proposed changes had been sent out to councillors and drop-in sessions held.

The meeting adjourned at 10.33am and resumed at 10.35am.

- Local views from the community were important as they were aware of what was happening in their areas.
- Community Boards had a good understanding of their areas and needed to be part of any consultation process in future. There was time before consultation took place to provide information to Community Board members to prepare them for any queries from their communities. The consultation period had been extended from four (4) weeks to six (6) weeks which would assist in getting information out to Community Boards and Committees.

- It was noted that the report and tables were well formatted and easy to understand. Staff were working with GIS and Communications to provide readable maps to be placed on Council's website. All base data had been prepared, but the interface with Council's systems was being reviewed.
- It was noted on page 119 of the agenda report the wording ".....interim Speed Management Plan ". The word "interim" was incorrect and would be ignored.
- Discussion was held on what constituted a material change to the plan.

ACTION: Council's Legal Team to provide feedback on "what constituted a material change to the plan".

- Any feedback from communities would be provided immediately to staff to assist with the plan.
- Council needed to keep in mind the possible change in central government and what that would mean for the bylaw as there had been discussions on changing State Highways back to 100km/hr.
- Many roads in the Waikato district were in rural areas and not covered by Community Boards or Committees. Discussion was held on ways of getting information out to the rural communities. It was noted that Hall Committees and Resident & Ratepayer groups in rural areas were a good source of getting information out.
- Pre engagement with Community Boards, Committees and the public would assist with getting information into the plan at an earlier time.

ACTION: Staff to ensure the names of roads and towns in the district are spelt correctly before any communications go out.

Resolved: (Crs Patterson/Whyte)

That the Policy and Regulatory Committee:

- adopts the Statement of Proposal (Attachment 1), with amendments, to reflect that this is pre engagement; and**
- approves pre engagement to commence on the Speed Management Plan (Attachment 2) in accordance with the Land Transport Rule: Setting of Speed Limits 2022 and Section 82 of the Local Government Act 2002 (subject to any amendments directed by the Policy & Regulatory Committee) prior to going out to consultation in the New Year.**

CARRIED

P&R2310/05

Hearings and Deliberations for the proposed Dangerous, Affected and Insanitary Buildings Policy 2023

Agenda Item 6.3

The report was received [P&R2310/02 refers] and the Policy Advisor, supported by the Manager Building, spoke to the report and the following items were discussed:

- A workshop had been held with councillors on this policy.
- The policy was legislative in terms of what the policy covered and the changes which were suggested were not substantive.
- There were three (3) submitters to the proposed policy during the consultation period.

Resolved: (Crs L Thomson/Beavis)

That the Policy and Regulatory Committee:

- a. **pursuant to section 83 of the Local Government Act 2002, considers and makes decisions on all submissions and, where requested, hears submissions on the proposed Dangerous, Affected and Insanitary Buildings Policy;**
- b. **provides direction to staff on any changes to make to the proposed Dangerous, Affected and Insanitary Buildings Policy;**
- c. **recommends that Council:**
 - i. **adopts the Dangerous, Affected and Insanitary Buildings Policy 2023 (Option 1), and**
 - ii. **revokes the Dangerous, Affected and Insanitary Buildings Policy 2018.**

CARRIED

P&R2310/06

October update on Policy and Bylaw Review Programme

Agenda Item 6.4

The report was received [P&R23/10/02 refers] and the Policy Advisor, supported by the Principal Corporate Planner and Acting Deputy General Manager Service Delivery, spoke to the report and the following items were discussed:

- Standing Orders were currently under review.
- The Notable Tree policy was an inherited policy that is covered in part by the District Plan and the Tree policy. The process was to obtain funding to assist in caring for notable trees.
- A workshop covering the “Use of Council Land Policy” would be held on Tuesday, 14 November 2023.
- The Reserves and Beaches bylaw had been quashed by the High Court in 2022 as the bylaw had not been sent to the Minister for review. The process would be restarted at the beginning of 2024.

There being no further business the meeting was declared closed at 11.31 am.

Minutes approved and confirmed this day of 2023.

Cr C Eyre
CHAIRPERSON