

Minutes for the meeting of the Policy & Regulatory Committee of the Waikato District Council held via Audio Visual Conference on **WEDNESDAY, 1 SEPTEMBER 2021** commencing at **9.30am**.

Present:

Cr JD Sedgwick (Chairperson)
His Worship the Mayor, Mr AM Sanson
Cr AD Bech
Cr JA Church
Cr C Eyre
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Mrs M Moana-Tuwhangai [*from 10.08am*]
Cr EM Patterson
Cr NMD Smith
Cr LR Thomson
Cr CT Woolerton

Attending:

Mr GJ Ion (Chief Executive)
Mr T Whittaker (Chief Operating Officer)
Ms S O'Gorman (General Manager Customer Support)
Mr R MacCulloch (General Manager Service Delivery)
Mr V Ramduny (Acting General Manager Community Growth)
Mr J Ebenhoh (Planning and Policy Manager)
Ms M Russo (Team Leader Corporate Planning)
Ms H Beaven (Corporate Planner)
Ms B Clarke (Corporate Planner)
Ms A Diaz (Chief Financial Officer)
Ms K Ridling (Senior Solicitor RMA)
Mr R Bayer (Team Leader Roading)
Mrs C Nutt (Waters Contract Relationship Manager)
Mz Z Al-Khaleefa (Three Waters Contract Engineer)
Mr J Fuller (Strategic Planner)
Mr J Brown (Senior Communications & Engagement)
Mrs G Kanawa (Team Leader Democracy)
Mrs LM Wainwright (Democracy Advisor)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Thomson/Patterson)

THAT the Policy & Regulatory Committee accept the apology from Mrs Moana-Tuwhangai for lateness.

CARRIED

P&R2109/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Thomson/Eyre)

THAT:

- a) the agenda for the meeting of the Policy & Regulatory Committee held on Wednesday, 1 September 2021 be confirmed;
- b) all reports be received; and
- c) in accordance with Standing Order 9.4 the order of business be changed with agenda item 7.6 [*Chief Executive's Business Plan*] being considered after agenda item 6.

CARRIED

P&R2109/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Crs Thomson/Bech)

THAT the minutes of the meeting for the Policy & Regulatory Committee held on Wednesday, 21 July 2021 be confirmed as a true and correct record.

CARRIED

P&R2109/03

RECEIPT OF MINUTES

Resolved: (Crs Smith/Bech)

THAT the minutes of the meeting for the Proposed District Plan Subcommittee held on Wednesday, 4 August 2021 be received.

CARRIED

P&R2109/04

ACTIONS REGISTER

Agenda Item 6

The report was received [*P&R2109/02 refers*] and the following point was raised:

- to assist the community, it was suggested that a list of all external facing policies be placed on Council's website with each one having a quick access link.

ACTION:	Staff to work with the Communications Team to place all external facing policies onto Council's website with a quick access link to each policy.
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REPORTS

Chief Executive's Business Plan

Agenda Item 7.6

The report was received [*P&R2109/02 refers*] and taken as read: The following matters were noted:

- Watercare Waikato operates under the umbrella of Watercare Auckland. As Auckland were still under Level 4, Watercare Waikato would only complete emergency works. As an organisation, Watercare had made the decision for the Waikato branch to remain at Level 4 on health and safety grounds.
- Construction work for the Waikato district was in the planning phase and office based at this time with the construction season commencing on Friday, 1 October 2021. Concerns were raised on supply chain issues which were outside council's control. This concern would be raised with contractors tendering for future works.
- Online meetings were continuing to be held with our strategic partners.
- Building and resource consents were still being processed through lockdown.
- 32 staff had requested to return to the Ngaruawahia office at Level 3. Assessments would be made on a case-by-case basis.

Update on Policy and Bylaw Review Programme – September 2021

Agenda Item 7.1

The report was received [P&R2109/02 refers] and taken as read: The following matters were noted:

- To assist with a longer consultation period for Community Boards, the Dog Control Bylaw review workshop had been moved to Wednesday, 13 October 2021 at 1.00pm.
- A Policy Advisor had been employed for a two (2) year term and would commence work with council on Monday, 6 September 2021. A review of all policies would be carried out and a report would be provided to the committee on which policies were high priority.
- Subject matter experts (SMEs) would provide technical guidance on policies and bylaws that would be reviewed.

Resolved: (Crs Lynch/Church)

THAT the Policy & Regulatory Committee provide feedback to staff on the policies available on Council's website for the public to view.

CARRIED

P&R2109/05

Adoption of the proposed Waikato District Council Stormwater Bylaw 2021

Agenda Item 7.2

The report was received [P&R2109/02 refers] and taken as read: The following amendments were noted:

- Te Ture Whaimana o Te Awa o Waikato - the vision and strategy of the Waikato River to be placed with the Introduction in the bylaw document.
- Remove the words “within the urban areas” in the introduction.

Resolved: (His Worship the Mayor/Cr McGuire)

THAT the Policy & Regulatory Committee recommends to Council the adoption of the Proposed Waikato District Council Stormwater Bylaw 2021 (as detailed in Appendix I to the staff report), with the following amendments:

- a) **Te Ture Whaimana o Te Awa o Waikato - the vision and strategy of the Waikato River to be placed with the introduction in the bylaw document, and**
- b) **remove the words “within the urban areas” in the introduction**

CARRIED

P&R2109/06

Pursuant to Standing Order 18.7, Councillor Eyre requested that her abstention be recorded.

Mrs Moana-Tuwhangai entered the meeting at 10.08am during discussions on item 7.2 and was present when voting took place.

Adoption of the 2021 Proposed Amendments to the Waikato District Council Water Supply Bylaw 2014 and the Proposed Water Leak Relief Policy

Agenda Item 7.3

The report was received [P&R2109/02 refers] and taken as read: The following matters were noted:

- No changes to the policy had been proposed.
- Restricted Flow Supply 9.5.3(f) - farms in Huntly West had an unrestricted flow supply and protection of their rights to this supply would need to continue.

ACTION: Staff to review clause 9.5.3(f) and clarify whether an exemption for this supply could be applied for and considered on a case-by-case basis.

Resolved: (His Worship the Mayor/Cr Lynch)

THAT the Policy & Regulatory Committee recommends to Council the adoption of the Proposed Water Supply Bylaw 2014 (as detailed in Appendix 1 to the staff report) and the Water Leak Remission Policy 2021 (as detailed in Appendix 2 to the staff report) with the following amendments to Section 8.5.3 (a):

- (i) **Any property owner who receives written notice may make a written application within 10 working days of receiving such notice for an exemption, and**
- (ii) **Matters which will be taken into account when assessing an application for exemption include (but are not limited to):**
 - **Location of the property;**
 - **The basis on which the exemption is claimed;**
 - **Any other matter which the Council deems relevant.**

CARRIED

P&R2109/07

Pursuant to Standing Order 18.7, Councillor Eyre requested that her abstention be recorded.

Submission on the Natural and Built Environments Act – Exposure Draft

Agenda Item 7.4

The report was received [*P&R2109/02 refers*] and taken as read: The following matter was noted:

- Cr Bech would present the submission to a parliamentary subcommittee this week.
- Concern was raised on metro spatial plans and how they would be affected under the NBEA Exposure Draft.

Resolved: (Crs Gibb/Thomson)

THAT the Policy and Regulatory Committee notes that the approved submission on the NBEA - Exposure Draft (as detailed in Appendix I to the staff report), was lodged with the Ministry for the Environment on Wednesday, 4 August 2021.

CARRIED

P&R2109/08

Approval for Consultation: Proposed Waikato District Council Livestock Movement Bylaw 2021

Agenda Item 7.5

The report was received [*P&R2109/02 refers*] and taken as read: The following amendment was noted:

- Appendix 2 – Permits (Conditions for Livestock Crossing Permits), paragraph 6 reads:
“At least one competent adult (18 years of age or older) shall be present at all times while livestock are using the crossing.”

This paragraph to be amended to read:

“At least one competent person (16 years of age or older) shall be present at all times while livestock are using the crossing.”

Resolved: (Crs Smith/Patterson)

THAT as required under section 83 of the Local Government Act 2002, the Policy & Regulatory Committee:

- a) adopts the Statement of Proposal (as detailed in Appendix I to the staff report);
- b) approves the commencement of public consultation on the proposed Waikato District Council Livestock Movement Bylaw 2021 (as detailed in Attachment 3 to the staff report) to be undertaken between Monday, 20 September 2021 to Friday, 29 October 2021;
- c) considers the submissions on the Bylaw be considered, and if requested by submitters, be heard by the Policy & Regulatory Committee at a hearing to be held on Tuesday, 30 November 2021;
- d) recommends to Council that the Bylaw is the most appropriate form of Bylaw;
- e) recommends that Council confirm the Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 and that it is satisfied that the Bylaw can be justified as a reasonable limitation on people's rights and freedoms; and
- f) in the event that the consultation period is affected by the Covid pandemic, alternative means of consultation and hearing of submitters, including audio visual, may be used as required to meet the timeframe for consultation with communities.

CARRIED

P&R2109/09

His Worship the Mayor left the meeting at 10.42am during discussion on item 7.5 and was not present when voting took place.

Exclusion of the Public

Agenda Item 8

The report was received [P&R2109/02 refers].

Resolved: (Crs Woolerton/Lynch)

THAT the public be excluded from the following parts of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
PEX I - Receipt of Minutes	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item PEX I Receipt of Minutes		Refer to the previous Public Excluded reason in the agenda for this meeting.

CARRIED

P&R2109/10

Resolutions P&R2109/11 to P&R2109/12 are contained in the public excluded section of these minutes.

There being no further business the meeting was declared closed at 10.53am.

Minutes approved and confirmed this _____ day of _____ 2021.

JD Sedgwick
CHAIRPERSON