

Agenda for a meeting of the Proposed District Plan Subcommittee to be held in the Councillors Lounge, 15 Galileo Street, Ngaruawaahia on **THURSDAY, 28 MARCH 2024** commencing at **9.30am**.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

The register of interests is no longer included on agendas; however, members still have a duty to disclose any interests under this item.

4. MINUTES FOR CONFIRMATION

Minutes for a meeting held on Thursday 1 February 2024 (extraordinary), and 5

Minutes for a meeting held on Thursday, 22 February (ordinary) 2024. 8

5. EXCLUSION OF THE PUBLIC

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CHIEF EXECUTIVE

TERMS OF REFERENCE

PROPOSED DISTRICT PLAN SUBCOMMITTEE

Reports to:	Policy & Regulatory Committee
Chairperson:	Deputy Mayor Carolyn Eyre
Deputy Chairperson:	Cr Eugene Patterson
Membership:	Her Worship the Mayor Cr Crystal Beavis Cr C Eyre Cr Eugene Patterson Cr Kandi Ngataki
Meeting frequency:	As and when required
Quorum:	A majority of members (including vacancies)

Purpose

1. To assist the Chief Executive and officers to make timely decisions on any matters relating to the hearings on submissions and further submissions on the Proposed Waikato District Plan (including Stages 1, 2 and any variations) (“the Proposed District Plan”) and any appeals or other proceedings relating to Council’s decisions on the Proposed District Plan.

The Subcommittee is delegated the following powers to act:

- To make decisions in relation to any direction sought by the Chief Executive and/or officers in relation to any matters relating to:
 - a) The hearings on submissions and further submissions on the Proposed District Plan; and
 - b) Any appeals or other proceedings relating to Council’s decisions on the Proposed District Plan.

NOTE: The authority under paragraphs 1 a) and b) includes the power to direct the Chief Executive or officers to engage any expert or legal counsel.

- To determine an approach for resolving any appeals or other proceedings on Council’s decisions on the Proposed District Plan.

- To delegate to the Chief Executive or any officer participating in an alternative disputes resolution process (“ADR process”) (as defined in section 268(4) of the Resource Management Act 1991) in relation to any Environment Court proceeding arising from Schedule 1 of the Act or any other ADR process directed in any other proceedings), the authority to make decisions on behalf of Council, within any parameters given by the Subcommittee, on any matters that may reasonably be expected to arise in the ADR process.
- To authorise the Chief Executive, or his delegate, together with any other member of the Executive Leadership Team, to jointly consider and approve, within any parameters given by the Subcommittee, the content of any draft consent order to be submitted to the Environment Court to resolve any appeal on Council’s decisions on the Proposed District Plan.
- To report to the Policy & Regulatory Committee on a quarterly basis (as a minimum) with a summary of the matters considered and decisions made by the Subcommittee.

To	Proposed District Plan Subcommittee
Report title	Confirmation of Minutes
Date:	5 March 2024
Report Author:	Karla Brotherston, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

1. Purpose of the report

Te Take moo te puurongo

To confirm the minutes for a meeting of the Proposed District Plan Subcommittee (PDP).

2. Executive summary

Whakaraapopotanga matua

To confirm the minutes for a meeting of the Proposed District Plan Subcommittee (PDP) held on;

1. Thursday, 1 February 2024 (extraordinary) and
2. Thursday, 22 February (ordinary) 2024.

3. Staff recommendations

Tuutohu-aa-kaimahi

THAT the Proposed District Plan Subcommittee:

- a. **confirms the minutes as a true and correct record for the following meetings:**
 1. **Thursday, 1 February 2024 (extraordinary), and**
 2. **Thursday, 22 February (ordinary) 2024.**

4. Attachments

Ngaa taapirihanga

Attachment 1 – 240201 PDP Subcommittee OPEN unconfirmed minutes (extraordinary)

Attachment 2 – 240222 PDP Subcommittee OPEN unconfirmed minutes (ordinary)

Minutes for a meeting of the Proposed District Plan Subcommittee held via audio-visual conference on **THURSDAY, 1 FEBRUARY 2024** commencing at **1.05PM**.

Present:

Cr C Eyre (Chairperson)
Her Worship the Mayor, Mrs JA Church - from 1.10pm
Cr C Beavis
Cr E Patterson
Cr K Ngataki

Attending:

Mr W Gauntlett (General Manager, Community Growth) – from 1.05pm
Mrs S Kelly (Programme Manager District Plan)
Mrs S Chidnall (Policy Planner)
Ms B Parham (Legal Counsel, Tompkins Wake)
Ms C Wratt (Principal Planner)
Ms Keri Davis-Miller (Resource Management Policy Manager)
Mrs K Brotherston (Democracy Advisor)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Patterson/Ngataki)

THAT the Proposed District Plan Subcommittee accepts the apologies from Her Worship the Mayor, Mrs JA Church for lateness.

CARRIED

PDP2402/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Agenda Item 2

Resolved: (Crs Eyre/Patterson)

THAT the agenda for a meeting of the Proposed District Plan Subcommittee held on Thursday, 1 February 2024 be confirmed:

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 4 which shall be considered with the public excluded; and**

CARRIED

PDP2402/02

DISCLOSURES OF INTEREST

Agenda Item 3

No further conflicts were disclosed.

EXCLUSION OF THE PUBLIC

Agenda Item 4

Resolved: (Crs Beavis/Ngatiki)

- a. 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
Item PEX 1.1 Appeals to the Proposed Waikato District Plan: a. Topic 5.2 Infrastructure Reverse Sensitivity - Hamilton Airport.	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 1.1 Appeals to the Proposed Waikato District Plan:	7(2)(g)	To protect legally privileged information.
a. Topic 5.2 Infrastructure Reverse Sensitivity – Hamilton Airport.	7(2)(i)	To enable negotiations to carry on without prejudice or disadvantage.

- b. THAT, Ms B Parham and Ms C Wratt be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the Proposed District Plan process. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter to inform and advise the Subcommittee members.

CARRIED

PDP2402/03

Resolutions PDP2402/04 & PDP2402/05 are contained in the public excluded section of these minutes.

There being no further business the meeting was declared closed at 1.33pm.

Minutes approved and confirmed this day 2024.

CA Eyre
CHAIRPERSON

Minutes for a meeting of the Proposed District Plan Subcommittee held in the Councillors Lounge on **THURSDAY, 22 FEBRUARY 2024** commencing at **9.32AM**.

Present:

Cr C Eyre (Chairperson)
Her Worship the Mayor, Mrs JA Church - *departed 11.59am*
Cr C Beavis
Cr K Ngataki – *from 9.45am*

Attending:

Mr W Gauntlett (General Manager, Community Growth) - *departed 9.59am*
Mrs S Kelly (Programme Manager District Plan)
Mr J Ebenhoh (Planning & Policy Manager) - *from 9.37am, departing 10.29am*
Mrs H Coalter (Growth & Analytics Manager)
Mrs S Chibnall (Policy Planner)
Ms B Parham (Legal Counsel, Tompkins Wake)
Ms C Wratt (Principal Planner)
Ms K Davis-Miller (Resource Management Policy Manager)
Mrs K Brotherston (Democracy Advisor)

The Subcommittee opened the meeting with a karakia.

APOLOGIES AND LEAVE OF ABSENCE

Agenda Item 1

Resolved: (Her Worship the Mayor, JA Church / Cr Beavis)

THAT the Proposed District Plan Subcommittee accepts the apologies from Cr Patterson and from Cr Ngataki For lateness.

CARRIED

PDP2402/06

CONFIRMATION OF STATUS OF AGENDA ITEMS

Agenda Item 2

Resolved: (Crs Eyre / Beavis)**THAT the agenda for a meeting of the Proposed District Plan Subcommittee held on Thursday, 22 February 2024 be confirmed:**

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 5 which shall be considered with the public excluded; and
- b. all reports be received.

CARRIED**PDP2402/07****DISCLOSURES OF INTEREST**

Agenda Item 3

Cr Ngataki noted her involment with Te whakakitenga.

CONFIRMATION OF MINUTES

Agenda Item 4

The report was received [*PDP2402/07 refers*] and the following discussion held:

The Democracy Advisor noted there was a backlog of minutes to confirm due to a breakdown within the process. She explained the issue(s) had been identified and rectified before providing an outline of how the process would flow. The subcommittee noted that it was hard to recall some of the meetings with detailed accuracy due to length of time which has past between the meeting and now, however, the fact that recordings from all meetings were kept provided comfort and allivated concern.

It was noted that the minutes could not be confirmed in bulk due to member attendance.

Resolved: (Crs Beavis / Ngataki)**THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Tuesday, 29 November 2022.****CARRIED****PDP2402/08**

Resolved: (Her Worship the Mayor, JA Church / Cr Beavis)

THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Thursday, 1 December 2022.

CARRIED

PDP2402/09

Resolved: (Crs Eyre / Beavis)

THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Friday, 9 December 2022.

CARRIED

PDP2402/10

Resolved: (Cr Beavis / Her Worship the Mayor, JA Church)

THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Wednesday, 14 December 2022.

CARRIED

PDP2402/11

Resolved: (Cr Eyre / Her Worship the Mayor, JA Church)

THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Tuesday, 20 December 2022.

CARRIED

PDP2402/12

Resolved: (Crs Eyre / Beavis)

THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Friday, 9 June 2023.

CARRIED

PDP2402/13

Resolved: (Crs Eyre / Beavis)

THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Thursday, 22 June 2023.

CARRIED

PDP2402/14

Resolved: (Crs Eyre / Beavis)

THAT the Proposed District Plan Sub-Committee confirms the minutes for a meeting held on Thursday, 23 August 2023.

CARRIED

PDP2402/15

Resolved: (Cr Eyre / Her Worship the Mayor, JA Church)

THAT the Proposed District Plan Sub-Committee Friday, 23 November 2023.

CARRIED

PDP2402/16

EXCLUSION OF THE PUBLIC

Agenda Item 4

Resolved: (Her Worship the Mayor, JA Church / Cr Beavis)

a. 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
Item PEX 1 Minutes for confirmation:	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 2.1 Appeals to the Proposed Waikato District Plan:		

To	Proposed District Plan Subcommittee
Report title	Exclusion of the Public
Date:	7 March 2024
Report Author:	Karla Brotherston, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

1. Staff recommendations Tuutohu-aa-kaimahi

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
Item PEX 1 Minutes for confirmation	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 7(2)(i)
Item PEX 2.1 Appeals to the Proposed Waikato District Plan		

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 1 Confirmation of minutes	Refer to the previous agenda for this meeting.	Public Excluded reason in the
Item PEX 2.1 Appeals to the Proposed Waikato District Plan	7(2)(g) 7(2)(i)	To protect legally privileged information To enable negotiations to carry on without prejudice or disadvantage

2. Attachments Ngaa taapirihanga

There are no attachments for this report.
