

Minutes for a meeting of the Policy & Regulatory Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY, 7 MARCH 2023** commencing at **9.30am**.

Present:

Cr CA Eyre (Chairperson)
Cr C Beavis
Cr JM Gibb
Cr M Keir
Cr EM Patterson
Cr M Raumati
Cr LR Thomson
Cr P Thomson
Cr T Turner
Cr D Whyte

Attending:

Mr G Ion (Chief Executive)
Mr T Whittaker (Chief Operating Officer)
Ms A Diaz (Chief Financial Officer)
Mr R MacCulloch (General Manager Service Delivery)
Mr J Ebenhoh (Planning & Policy Manager)
Ms N Hubbard (Corporate Planning Team Leader)
Ms A Sayer (Corporate Planner)
Ms J Bell-Wymer (Corporate Planner)
Ms T Heera (Strategic Planner)
Mr T McIntyre (Policy Advisor)
Ms G Shaw (Democracy Advisor)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Raumati/L Thomson)

THAT the Policy & Regulatory Committee accepts apologies from Her Worship the Mayor and Crs Reeve for non-attendance, noting that Cr Ngataki and Cr Matatahi-Poutapu were also not in attendance.

CARRIED

P&R2303/01

ACTION: Democracy Manager to schedule a workshop to discuss the upcoming review of the Code of Conduct and what occurs in the interim with the existing Code of Conduct.

ACTION: Democracy Manager to provide Councillors with guidance regarding Committee meeting apologies/non-attendance requirements.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs L Thomson/Gibb)

THAT:

- a. the agenda for a meeting of the Policy & Regulatory Committee held on Tuesday, 7 March 2023 be confirmed; and
- b. all items therein being considered in open meeting, with the exception of those items detailed at agenda items 7, which shall be considered with the public excluded; and
- c. all reports be received.

CARRIED

P&R2303/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

REPORTS

Policy and Bylaw Review Update
Agenda Item 4.1

The report was received [P&R2303/02 refers] and the following discussion was held:

- Staff had worked on updating several bylaws and policies since September 2022. Policy work had focused on the Development Contributions policy review, the Strategic Property policy suite review, and working to establish plans with people leaders to further progress the review of policies under their remit.
- Reviews of the Public Places, Cemeteries, Freedom Camping, Trade Waste and Wastewater and Traffic bylaws had continued and were at varying stages of the review process.
- The Provisional Local Alcohol Policy was adopted on 6th October 2022 after which the appeal period opened. Three appeals had been received. Council was awaiting further direction from the Alcohol Regulatory and Licensing Authority.
- Noted some Councillors felt rushed into making decisions on some bylaw reviews. Received confirmation that resourcing issues had resulted in decisions needing to be

made quickly to ensure bylaws remained current, and that staff were working on more rigorous planning to allow additional time for decision making in future.

Revocation of Policies

Agenda Item 4.2

The report was received [P&R2303/02 refers] and the following discussion was held:

- Staff sought approval to revoke the Funding for Road Closures for Community Events Policy (2009).
- Noted policies are key decision-making documents and therefore needed to be kept up to date to ensure that decisions being made are appropriate and consistent. This policy was no longer required as it was out-of-date and unnecessary.
- Expressed concern that the cost of traffic management plans would fall on communities.
- *Under the Proposed District Plan, some events no longer required traffic management plans? Is there discrepancy between what does and does not require a traffic management plan?* The infrastructure team would provide further information/guidance regarding traffic management plan requirements.

ACTION: Infrastructure team to provide Councillors with guidance regarding requirements for traffic management plans in the community, considering rules under the Proposed District Plan and other relevant policy.

Resolved: (Crs Gibb/P Thomson)

THAT the Policy and Regulatory Committee recommends to Council:

- a. **that the Funding for Road Closures for Community Events Policy 2009 be revoked with immediate effect.**

CARRIED

P&R2303/03

Appointment and Remuneration of Directors Policy

Agenda Item 4.3

The report was received [P&R2303/02 refers] and the following discussion was held:

- The proposed Appointment and Remuneration of Directors Policy, if adopted, would replace the existing Appointing Directors and Trustees to Council Controlled Organisation Policy.
- The proposed Policy had been drafted through a legislative requirements lens and sought balance in administrative effort by broadening the application to cover

appointments to all Council organisations and removing content held in other governing documents.

- From a risk perspective the proposed policy set clear parameters for the appointment and remuneration of elected members and/or Council employees as directors.
- The significance of this policy while required by legislation was low. The political uncertainty and potential for changes to legislative reforms may require new entities or shareholdings to be established within our region which the policy would allow for.

Resolved: (Crs Patterson/Raumati)

THAT the Policy and Regulatory Committee recommends to Council that:

- a. the Appointing Directors and Trustees to Council Controlled Organisation Policy (2014) is revoked; and**
- b. the Appointment and Remunerations of Directors Policy is adopted.**

CARRIED

P&R2303/04

Amendments to the Speed Limits Bylaw 2011 Schedules
Agenda Item 4.4

The report was received [*P&R2303/02 refers*] and the following discussion was held:

- A review of the Speed Limits Bylaw 2011 occurred in 2021 and was adopted by Council at their meeting on 23 May 2022. Installation of the new speed signs were scheduled at the end of 2022.
- When the new speed signs were implemented several errors in the schedules were found. Those errors were mainly administrative and primarily related to the speed limits outside of schools.
- The original consultation proposed for all urban schools to have permanent speed limit reductions to 40km per hour within their vicinity and Rural schools were proposed to have a variable speed limit of 60km during specified times of 8am–9am and 2.30-3.30pm only.
- Following feedback and hearings, through the deliberations process, the decision was made to install variable speed limits outside of both urban and rural schools between 8am–9am and 2.30-3.30pm.
- During the approval process the permanent speed limits that were in the original schedules for urban school roads were not removed and this had resulted in sections of road within school zones having both a lower permanent speed limit and a variable speed limit for the same road.

- Roading Staff recommended retracting some of the variable speeds from around some of the urban school roads making them permanent 40km speed limits as per option one (1) in the original proposal.
- Discussion ensued regarding the Matangi community and its efforts to be recognised as a 50km/h zone. What the Matangi community had thought it agreed to was different to what had been presented in the Council schedule.

ACTION: Staff to work with Cr Beavis regarding speed limits in the Matangi community. Staff would look into the decisions made at deliberations to ensure these were reflected in the speed limit schedule.

- *How can we ask for an amendment to the schedule?* Only if there had been previous public consultation on the point of amendment. By 2024, we would aim to have the Speed Management Plan finalised, thereby causing the current schedule to become redundant at that point.
- *What influence do we have over Waka Kotahi when making decisions regarding major state highways?* State highways were not included in the bylaw. Waka Kotahi would propose its intentions for schools on state highways.
- *Has Council communicated with affected schools regarding the speed limits issue?* Not at this stage, but staff would work on improving communication with key stakeholders and customers.

Resolved: (Crs L Thomson/Whyte)

THAT the Policy and Regulatory Committee approves and recommends to Council:

- adoption of the amendments to the Speed Limits Bylaw 2011 schedules.**

CARRIED

P&R2303/05

Approval to consult on the Proposed Cemeteries Bylaw 2023

Agenda Item 4.5

The report was received [P&R2209/02 refers] and the following discussion was held:

- Staff sought approval to consult on the draft Waikato District Council Cemeteries Bylaw 2023 (Bylaw).
- The proposed Bylaw was a review of the 2016 Bylaw with two clauses added and one removed. The changes were made to reflect current practice and enhanced burial options. Two workshops were held with Council and early engagement undertaken with stakeholders and the public.
- The Bylaw applies to Council Controlled Cemeteries – not private cemeteries or Urupa.

- The key changes proposed in the draft Bylaw were to include a provision for natural burials and to allow dogs on leads in cemeteries. The prohibiting of backfilling a burial site had been removed to allow whaanau to backfill if they wish.
- Bottom of page 183 on the agenda should read 'no more than the H3 standard'. Staff to amend.

ACTION: Staff to amend proposed Cemeteries Bylaw 2023 to read 'no more than the H3 standard' as opposed to 'to at least the H3 standard' (refer to end of page 183 of the 7 March 2023 Policy & Regulatory agenda).

- *Do we have bins in cemeteries for disposal of waste created by dogs being allowed in cemeteries? How common are bins in cemeteries? Staff would investigate and provide an update to Councillors at a later date.*

ACTION: Staff to investigate if/how many cemeteries within the district have bins to address waste caused by dogs being allowed in cemeteries.

- *In terms of natural burials, was the public aware that there were only 1-2 sites available for natural burials, therefore, it would not always be possible for natural burials to be made available locally? Staff would investigate and report back at later date.*

ACTION: Staff to investigate if the public had been made aware that natural burials were only possible in 1-2 sites throughout the district (therefore, those who opted for a natural burial might not necessarily be buried locally).

Resolved: (Crs Patterson/Gibb)

THAT the Policy and 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 problem;**
 - 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 (contained in Attachment 2); and**
- c. **approves the commencement of formal consultation in accordance with section 83 of the Local Government Act 2002 on the Proposed Cemeteries Bylaw.**

CARRIED

P&R2303/06

WDC Submission on Consultation on National Direction for Plantation and Exotic Carbon Afforestation AND Submission(s) on Change I to the Waikato Regional Policy Statement
Agenda Item 4.6

The report was received [*P&R2209/02 refers*] and the following discussion was held:

- A submission was made to the Discussion Document on the National Direction for Plantation and Exotic Carbon Afforestation (the Discussion Document), which indicates intentions for the management of exotic carbon forestry's environmental (biophysical) effects.
- The questions outlined in the Discussion Document focused on vital areas of exotic forestry concerning carbon afforestation.
- A submission was made on Change I of the Waikato Regional Policy Statement, which sought to incorporate the requirements of the National Policy Statement on Urban Development 2020 and to reflect recent changes to the Future Proof Strategy 2022.
- A governance-approved submission and an officer-level submission on Change I to the Waikato Regional Policy Statement were lodged on 16th December 2022. The submission was overall in support of Change I.
- Concerns regarding local communities' ability to speak/contribute to the topic were noted.

There being no further business the meeting was declared closed at 10.32am.

Minutes approved and confirmed this day of 2023.

CA Eyre
CHAIRPERSON