

		<p>(b) prescribing, for the purpose of section 88(2)(b) (making an application), the information that an application for a resource consent must include if it is a fast-track application.</p> <p>(2) The Minister—</p> <p>(a) must not recommend that regulations be made under subsection (1)(a) unless he or she is satisfied that the scale and complexity of the activities are unlikely to warrant a consent authority taking more than 10 working days to notify an applicant of the authority’s decision on a relevant application; and</p> <p>(b) must not recommend that regulations be made under subsection (1)(b) unless he or she is satisfied that the prescribed information requirements are proportional to the likely effects of activities that may be the subject of a fast-track application.</p> <p>(3) In subsection (2), relevant application, in relation to an activity, means an application for a resource consent for the activity.</p> <p>(4) Section 360(2) and (4) applies to regulations made under this section.</p>	<p>Not all controlled activities are equal – plans have different approaches to CAs</p> <p>See earlier comments.</p> <p>WDC supports LGA comments above.</p>
151	New sections 360F and 360G inserted	<p>360G Regulations relating to notification of consent applications</p> <p>(1) The Governor-General may, by Order in Council made on the recommendation of the Minister, make regulations for all or any of the following purposes:</p> <p>(a) prescribing particular activities or classes of activities, or the methods or criteria that a consent authority must use to identify particular activities or classes of activities,—</p> <p>(i) for the purpose of section 95A(5)(b)(iii) (to preclude public notification of an application for a resource consent for the activity):</p> <p>(ii) for the purpose of section 95B(6)(b)(ii) (to preclude limited notification of an application for a resource consent for the activity to certain affected persons):</p> <p>(b) prescribing, for the purpose of section 95DA(3) (to limit who may be considered an affected person in respect of an application for a resource consent),—</p> <p>(i) particular activities or classes of activities, or the methods or criteria that a consent authority must use to identify particular activities or classes of activities:</p>	<p>There may be some advantage in having regulations which reduce uncertainty in making notification decisions, but it is difficult to comment further in the absence of draft regulations.</p>

		<p>(ii) particular persons or classes of persons, or the methods or criteria that a consent authority must use to identify particular persons or classes of persons.</p> <p>(2) The Minister must not—</p> <p>(a) make a recommendation for the purpose of subsection (1)(a)(i) unless the Minister is satisfied that the nature and likely effects of the activities are unlikely to warrant public notification of a relevant application or review in the absence of special circumstances; or</p> <p>(b) make a recommendation for the purpose of subsection (1)(a)(ii) unless the Minister is satisfied that the nature and likely effects of the activities are unlikely to warrant limited notification of a relevant application or review under section 95B(9) to affected persons referred to in section 95B(7) and (8); or</p> <p>(c) make a recommendation for the purpose of subsection (1)(b) unless the Minister is satisfied that the nature and likely effects of the activities referred to in subsection (1)(b)(i) are unlikely to warrant limited notification of a relevant application or review under section 95B(9) to affected persons referred to in section 95B(8) other than persons or classes of persons referred to in subsection (1)(b)(ii).</p> <p>(3) In subsection (2), relevant application or review, in relation to an activity, means an application for a resource consent for the activity, a review of a resource consent for the activity, or an application to change or cancel a condition of a resource consent for the activity.</p> <p>(4) Section 360(2) and (4) applies to regulations made under this section.</p>	
<i>Amendment to Schedule 1 of principal Act</i>			
152	Schedule 1 amended	<p>In Schedule 1, after clause 10, insert:</p> <p>10A Application to Minister for extension of time</p> <p>(1) A local authority must, before the time for making its decision under clause 10, apply to the Minister for an extension of the time for giving a decision under that clause if the local authority is unable, or is likely to be unable, to meet the requirement of clause 10(4)(a) (under which decisions must be given within 2 years of notification of a proposed policy statement or plan).</p> <p>(2) An application under subclause (1) must be in writing, and must set out—</p>	<p>Implications of 2 years for a plan change – data from councils about the feasibility?</p> <p>The consequence of exceeding the 2 years: potential enforcement action and sections 24A and 25.</p>

		<p>(a) the reasons for the request for an extension; and</p> <p>(b) the duration of the extension required.</p> <p>(3) Before applying for an extension, a local authority must take into account—</p> <p>(a) the interests of any person who, in its opinion, may be directly affected by an extension; and</p> <p>(b) the interests of the community in achieving adequate assessment of the effects of the proposed policy statement or plan or change to a policy statement or plan; and</p> <p>(c) its duty under section 21 to avoid unreasonable delay.</p> <p>(4) The Minister—</p> <p>(a) may decline or agree to an extension applied for under subclause (1); but</p> <p>(b) in the case of a regional coastal plan, must consider the views of the Minister of Conservation before granting an extension.</p> <p>(5) The Minister must serve notice of his or her decision on the local authority.</p> <p>(6) If the Minister grants an extension, the local authority must give public notice of that extension.</p> <p>(7) This clause applies instead of section 37 if the time limit prescribed by clause 10(4)(a) is to be extended.</p>	<p>If the minister declines the request potentially could seek an enforcement order or exercise powers under sections 24A and 25.</p> <p>Check availability of NMS data</p> <p>WDC agrees with this proposed change in principle and supports LGA comments above.</p>
Subpart 3—Amendments that commence 5 years after Royal assent			
<i>Amendments to Part 6 of principal Act</i>			
153	Section 108 amended (Conditions of resource consents)	Repeal section 108(2)(a), (9), and (10).	Further analysis to come re FCs Need to ensure the Crown is bound by DCs I LGA02 Does special provision need to be made re vesting of reserves?
154	Section 110 repealed (Refund of money and return of land where activity does not proceed)	Repeal section 110.	
155	Section 111	Repeal section 111.	

	repealed (Use of financial contributions)		
<i>Amendments to Part 10 of principal Act</i>			
156	Section 222 amended (Completion certificates)	In section 222(1),— (a) delete “or on the making of a financial contribution (as defined in section 108(9))”; and (b) delete “or make the financial contribution (as the case may be)”.	Consequential amendment.
<i>Amendments to Part 15 of principal Act</i>			
157	Section 407 amended (Subdivision consent conditions)	In section 407(1), delete “108(2)(a) or”.	Consequential amendment.
158	Section 409 repealed (Financial contributions for developments)	Repeal section 409.	Consequential amendment.
159	Section 411 repealed (Restriction on imposition of conditions as to financial contributions)	Repeal section 411.	Consequential amendment.
<i>Amendment to Schedule 12 of principal Act</i>			
160	Schedule 12 amended	In Schedule 12, after clause 16 (as inserted by section 110 of the Resource Legislation Amendment Act 2015), insert the clauses set out in Schedule 4 of this Act.	
<i>Consequential amendments</i>			
161	Consequential amendments relating to	Amend the enactments specified in Schedule 5 as set out in that schedule.	

	financial contributions		
Part 2 Amendments to Reserves Act 1977			
162	Principal Act	This Part amends the Reserves Act 1977 (the principal Act).	
163	New sections 14A and 14B and cross-heading inserted	<p>After section 14, insert:</p> <p style="text-align: center;"><i>Exchange of reserves for other land</i></p> <p>14A Minister may authorise exchange of reserve land for other land</p> <p>(1) The Minister may, by notice in the Gazette, authorise the exchange of the whole or any part of the land comprised in any reserve for any other land to be held for the same purposes.</p> <p>(2) If the land is vested in an administering body, the Minister may authorise the exchange under subsection (1) only on the request of the administering body.</p> <p>(3) Before making a request under subsection (2), either—</p> <ul style="list-style-type: none"> (a) the administering body must pass a resolution authorising the request; or (b) a change must have been made to a district plan under the Resource Management Act 1991 to enable the exchange to be made. <p>(4) Before passing a resolution for the purpose of subsection (3)(a), the administering body must—</p> <ul style="list-style-type: none"> (a) publish a notice of the proposal in 1 or more newspapers circulating— <ul style="list-style-type: none"> (i) in the district of the administering body; or (ii) in the district or locality of the people who benefit from or enjoy the reserve; and (b) give interested parties no less than 1 month to comment; and (c) consider any submissions received within that period. <p>(5) The administering body must forward to the Commissioner for transmission to the Minister—</p> <ul style="list-style-type: none"> (a) a copy of all submissions (including any objections) received on the proposed exchange; and (b) the administering body's comments on any of those submissions; and (c) a copy of any resolution made for the purpose of subsection (3)(a). 	<p>Further analysis to come</p> <p>We have not reviewed these provisions in any detail.</p>
163	14B Administering body may authorise	<p>14B Administering body may authorise exchange of recreation reserve land for other land</p> <p>(1) An administering body may, by notice in the Gazette, authorise the exchange of</p>	

	<p>exchange of recreation reserve land for other land</p>	<p>the whole or any part of the land comprised in a recreation reserve that is vested in that administering body for other land to be held for the same purposes in accordance with this section if—</p> <ul style="list-style-type: none"> (a) a person (the applicant) applies to a consent authority for— <ul style="list-style-type: none"> (i) a resource consent under section 88 of the Resource Management Act 1991; or (ii) a change to a district plan or a regional plan (including a regional coastal plan) under section 65(4) or 73(2) of the Resource Management Act 1991; and (b) as part of an application under paragraph (a),— <ul style="list-style-type: none"> (i) the applicant proposes an exchange of any land comprised in a recreation reserve for other land to be held for the same purposes; and (ii) the proposed exchange has been processed in accordance with— <ul style="list-style-type: none"> (A) sections 88 to 88F, 91(1) and (2), 91A to 92B, 95, 95A(2), and 96 to 103B of the Resource Management Act 1991; or (B) Part 2 of Schedule 1 of the Resource Management Act 1991; and (iii) the proposed exchange was publicly notified— <ul style="list-style-type: none"> (A) under section 95A of the Resource Management Act 1991 as part of the application for a resource consent; or (B) under clause 26 of Schedule 1 of the Resource Management Act 1991; and (c) the relevant consent authority or local authority (as the case may be) is also the administering body in which the recreation reserve land is vested; and (d) in the case of a resource consent, the resource consent is subject to the exchange of recreation reserve land; and (e) all appeals (if any) in relation to the application for resource consent or the request for a change to the district plan or regional plan (as the case may be) are completed. <p>(2) Before authorising an exchange under this section, the administering body must—</p> <ul style="list-style-type: none"> (a) have regard to any submissions received on the exchange of recreation reserve land; and 	
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		<p>(b) consider that the exchange would result in a net benefit for recreation 30 opportunities to the community that benefits from or enjoys the reserve.</p> <p>(3) To avoid doubt, this section does not limit section 14A.</p>	
164	Section 15 amended (Exchange of reserves for other land)	<p>(1) Replace the heading to section 15 with “Giving effect to reserves exchanges”.</p> <p>(2) Repeal section 15(1) and (2).</p> <p>(3) In section 15(3),—</p> <p>(a) replace “Sovereign or the administering body, as the case may require,” with “Crown or the administering body (as the case may be)”; and</p> <p>(b) replace “any exchange authorised as aforesaid” with “an exchange for the purposes of section 14A(1) or 14B(1)”.</p> <p>(4) In section 15(5), replace “this section” with “section 14A(1) or 14B(1)”.</p> <p>(5) In section 15(7)(a), replace “this section” with “section 14A(1) or 14B(1)”.</p> <p>(6) In section 15(8), replace “this section” with “section 14A(1) or 14B(1)”.</p>	
165	Consequential amendments	<p>(1) This section amends the Resource Management Act 1991. (2) After section 36(1), insert:</p> <p>(1A) To avoid doubt, charges may be fixed under subsection (1) to recover costs incurred by the consent authority for performing its functions under—</p> <p>(a) sections 88 to 88F, 91(1) and (2), 91A to 92B, 95, 95A(2), and 96 to 103B in relation to an application for the exchange of recreation reserve land under section 14B of the Reserves Act 1977 that is made as part of an application for a resource consent:</p> <p>(b) Part 2 of Schedule 1 in relation to an application for the exchange of 15 recreation reserve land under section 14B of the Reserves Act 1977 that is made as part of an application for a change to a district plan or regional plan.</p> <p>(3) After section 65(4), insert:</p> <p>(4A) A request may include a request for an exchange of recreation reserve land under section 14B of the Reserves Act 1977 if the regional council is also the administering body in whom the recreation reserve land is vested.</p> <p>(4) After section 73(2), insert:</p> <p>(2A) A request may include a request for an exchange of recreation reserve land under section 14B of the Reserves Act 1977 if the territorial authority is also the administering body in whom the recreation reserve land is vested.</p> <p>(5) After section 88(1), insert:</p>	

		<p>(1A) A person may make a joint application for a resource consent and an exchange of recreation reserve land under section 14B of the Reserves Act 1977 if the relevant consent authority is also the administering body in whom the recreation reserve land is vested.</p> <p>(6) After section 88(5), insert:</p> <p>(6) In the case of a joint application for a resource consent and an exchange of recreation reserve land under section 14B of the Reserves Act 1977, the application for the exchange of recreation reserve land must be processed in accordance with sections 88 to 88F, 91(1) and (2), 91A to 92B, 95, 95A(2), and 96 to 103B.</p> <p>(7) After section 95A(2)(b), insert:</p> <p style="padding-left: 40px;">(ba) the application includes a proposal to exchange recreation reserve land under section 14B of the Reserves Act 1977; or</p> <p>(8) After section 114(7), insert:</p> <p>(8) If a resource consent is subject to a decision to grant a request for an exchange of recreation reserve land under section 14B of the Reserves Act 1977, the consent authority must—</p> <p style="padding-left: 40px;">(a) send the Minister responsible for the administration of the Reserves Act 1977—</p> <p style="padding-left: 80px;">(i) a copy of the decision on the application for a resource consent; and</p> <p style="padding-left: 80px;">(ii) any notice served under subsection (2); and</p> <p style="padding-left: 80px;">(iii) advice of the administering body’s likely decision on the request for an exchange of recreation reserve land (if the decision on the application for a resource consent is not changed on appeal); and</p> <p style="padding-left: 40px;">(b) advise the applicant that—</p> <p style="padding-left: 80px;">(i) the resource consent is still subject to a decision by the administering body on the request for an exchange of recreation reserve land (which will be made following the determination of all appeals, if any, against the decision on the application for resource consent); and</p> <p style="padding-left: 80px;">(ii) the consent may commence only in accordance with section 116B.</p> <p>(9) If there is no appeal relating to the decision on the application for a resource consent, or following the determination of any such appeal, the administering body must—</p> <p style="padding-left: 40px;">(a) make a decision under section 14B of the Reserves Act 1977 on the request</p>	
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		<p>for an exchange of recreation reserve land; and</p> <p>(b) advise the applicant of the decision; and</p> <p>(c) send a copy of the decision to the Minister responsible for the administration of the Reserves Act 1977.</p>	
165	Consequential amendments	<p>(9) After section 116A, insert:</p> <p>116B When resource consent commences where application includes request for exchange of recreation reserve land</p> <p>If a resource consent is subject to a decision to grant a request for an exchange of recreation reserve land under section 14B of the Reserves Act 1977,—</p> <p>(a) the consent authority must notify the applicant when the procedures in sections 14B and 15 of that Act are complete; and</p> <p>(b) the resource consent commences on—</p> <p>(i) the date of the notification under paragraph (a); or</p> <p>(ii) any later date that is specified in the notification.</p> <p>(10) In Schedule 1, clause 26(b)(ii), after “clause 27”, insert “; and”.</p> <p>(11) In Schedule 1, after clause 29(8), insert:</p> <p>(8A) If the decision to make a change to the district plan or regional plan is subject to a decision to grant a request for an exchange of recreation reserve land under section 14B of the Reserves Act 1977, the local authority must—</p> <p>(a) send the Minister responsible for the administration of the Reserves Act 1977—</p> <p>(i) a copy of the notice served under paragraph (b); and</p> <p>(ii) advice of the administering body’s likely decision on the request for an exchange of recreation reserve land (if the decision to change the district plan or regional plan is not changed on appeal); and</p> <p>(b) advise the person who made the request under clause 21 that the decision on the request for an exchange of recreation reserve land will be made following the determination of all appeals, if any, against the decision to change the district plan or regional plan.</p> <p>(8B) If there is no appeal relating to the decision to change the district plan or regional plan, or following completion of any such appeal, the administering body must—</p> <p>(a) make a decision under section 14B of the Reserves Act 1977 on the request</p>	

		for an exchange of recreation reserve land; and (b) advise the person who made the request under clause 21 of the decision; and (c) send a copy of the decision to the Minister responsible for the administration of the Reserves Act 1977.	
Part 3 Amendments to Public Works Act 1981			
166	Principal Act	This Part amends the Public Works Act 1981 (the principal Act).	
167	New section 2A inserted (Transitional, savings, and related provisions)	After section 2, insert: 2A Transitional, savings, and related provisions The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.	
168	Section 4C amended (Delegation of Minister's powers)	Replace section 4C(2) with: (2) Despite subsection (1), the Minister for Land Information must not delegate the power to issue a notice of intention to take land under section 23(1).	A notice of desire can now be delegated.
169	Section 24 amended (Objection to be heard by Environment Court)	After section 24(6), insert: (6A) The Environment Court may, whether or not the parties consent,— (a) accept evidence that was presented at a hearing described in section 39(1) of the Resource Management Act 1991, or at a related inquiry or appeal heard by the court; and (b) direct how evidence is to be given to the court.	Support this amendment but there would still be a weight issue.
170	Section 59 amended (Interpretation)	In section 59, replace the definition of owner with: owner , in relation to land, includes— (a) a person who occupies the land under a lease, sublease, or licence, or a renewal of a lease, sublease, or licence, that— (i) is granted by the owner of the fee simple of the land or by the lessee of the land; and (ii) is not— (A) a weekly tenancy agreement; or (B) a monthly tenancy agreement; or (C) a tenancy to which the Residential Tenancies Act 1986 applies: (b) a tenant for life of the land: (c) a beneficial owner of the land.	The main change in substance is the reference to the Residential Tenancies Act 1986.

171	Section 72 amended (Additional compensation for acquisition of notified dwelling)	<p>(1) Replace section 72(1) with:</p> <p>(1) Compensation of up to \$50,000 must be paid to the owner of land if—</p> <ul style="list-style-type: none"> (a) the land has been notified; and (b) the land is taken or acquired for the public work for which it was notified; and (c) the land contains a dwelling that is used as the land owner’s principal place of residence; and (d) the payment of compensation is not excluded by subsection (2), (3), or (3A). <p>(1A) The amount of compensation paid under subsection (1) must be determined in accordance with section 72A.</p> <p>(1B) The compensation paid under subsection (1) must not in total exceed \$50,000 regardless of—</p> <ul style="list-style-type: none"> (a) the number of owners of the land; or (b) the nature of the estate or interest that the various owners of the land may hold. <p>(2) After section 72(3), insert:</p> <p>(3A) Compensation must not be paid under subsection (1) to the owner of land if that person is paid compensation for that land under section 72C(1).</p> <p>(3) In section 72(6), replace “had he been a weekly or a monthly tenant” with “if the lessee or sublessee had been a tenant (as defined in section 75(4))”.</p>	<p>The combination of clause 72(1) and 72A(1) means that a minimum of \$35,000 must be paid irrespective of the circumstances. In our view there should be some ability to pay less based on stated criteria.</p>
172	New sections 72A to 72E inserted	<p>After section 72, insert:</p> <p>72A Amount of compensation to be paid under section 72</p> <p>(1) The amount of compensation paid under section 72(1) must be determined as follows:</p> <ul style="list-style-type: none"> (a) \$35,000 must be paid to the owner of the land if the owner qualifies for compensation under section 72(1); and (b) a further \$10,000 must be paid to the owner if— <ul style="list-style-type: none"> (i) the Minister or local authority, as applicable, and the owner, within 6 months after the negotiation start date, execute an agreement for the sale and purchase of the land under section 17; and (ii) the agreement specifies a date on which vacant possession of the land, and all buildings and structures on the land, will be given to the notifying authority; and 	<p>See comments above about the fixed nature of the payment.</p>

		<p>(c) a further \$5,000 may be paid to the owner if the Minister (if the land is taken or acquired for a Government work) or local authority (if the land is taken or acquired for a local work) decides, in his, her, or its discretion, that—</p> <p>(i) the personal circumstances of the owner warrant such a payment and compensation is not otherwise paid under this Act for this purpose; or</p> <p>(ii) the circumstances concerning the acquisition of the owner's principal place of residence warrant such a payment and compensation is not otherwise paid under this Act for this purpose.</p> <p>(2) In this section, negotiation start date means the earlier of the following:</p> <p>(a) the date on which the notifying authority notifies the owner of land that it intends to acquire the land under section 17:</p> <p>(b) the date on which the notifying authority serves notice in relation to land in accordance with section 18(1)(a).</p>	
172	New sections 72A to 72E inserted	<p>72B Definitions of terms used in sections 72C and 72D</p> <p>In this section and sections 72C and 72D, unless the context otherwise requires,—</p> <p>category value means the portion of total land value that is payable under this Act, as assessed in accordance with section 62, for each category of interest or estate in land (for example, for all leasehold interests in land)</p> <p>individual value means the portion of category value that is payable to a qualifying owner, determined by the percentage of the relevant category of interest or estate that is held by the owner in land</p> <p>land means all land that is acquired or taken from an owner under this Act by the Minister or a local authority for a particular notified public work</p> <p>notification date means the date on which land is notified</p> <p>qualifying owners means the owners of land who qualify for compensation under section 72C(1) and are not disqualified under section 72D(2)</p> <p>total land value means the total amount of compensation payable under this Act, as assessed in accordance with section 62, for land</p> <p>vacant possession date means the date on which vacant possession of land, and all buildings and structures on the land, is given to the notifying authority.</p>	
172	New sections 72A to 72E inserted	<p>72C Additional compensation for acquisition of notified land</p> <p>(1) Compensation must be paid to an owner of land if—</p> <p>(a) the land has been notified; and</p>	It is difficult to understand the rationale for the payment of additional compensation in the

		<p>(b) the land is taken or acquired for the public work for which it was notified; and</p> <p>(c) either of the following applies:</p> <p>(i) the land does not contain a dwelling that was used as the owner of the land's principal place of residence for the period between the notification date and the vacant possession date: (ii) the owner used a dwelling on the land as his or her principal place of residence for less than a substantial part of the period between the notification date and the vacant possession date; and</p> <p>(d) the payment of compensation is not excluded by section 72D.</p> <p>(2) The compensation paid under subsection (1) must—</p> <p>(a) equal 10% of the total land value; or</p> <p>(b) be \$250 if 10% of the total land value is equal to or less than \$250; or</p> <p>(c) be \$25,000 if 10% of the total land value is equal to or more than \$25,000.</p> <p>(3) However, the compensation paid under subsection (1) must not in total exceed \$25,000 regardless of—</p> <p>(a) the number of owners of the land; or</p> <p>(b) the nature of the estate or interest each of the owners has in the land.</p> <p>(4) If compensation is paid under subsection (1) for land that is owned by more than 1 person, the compensation must be—</p> <p>(a) paid only to the qualifying owners; and</p> <p>(b) apportioned between the qualifying owners in proportion to the individual value each owner has in the land.</p> <p>(5) The amount of compensation paid under this section to an owner who is a lessee or sublessee of the land under a lease or sublease that will expire less than 5 years after the vacant possession date—</p> <p>(a) must be reduced so that it bears the same proportion as the period from the vacant possession date to the date of expiry of the lease or sublease bears to a period of 5 years; but</p> <p>(b) must not be reduced to less than the amount that the owner would have received under section 75 if the owner had been a tenant (as defined in section 75(4)).</p> <p>(6) For the purposes of subsection (5), the date on which a lease or sublease that</p>	<p>circumstances referred to in clause 72C.</p>
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		contains a right of renewal will expire is deemed to be the date on which it would have expired if the right of renewal had been exercised.	
172	New sections 72A to 72E inserted	<p>72D Circumstances in which compensation must not be paid under section 72C</p> <p>(1) Compensation must not be paid to an owner of land under section 72C(1) unless vacant possession of the land and all buildings and structures on the land is given to the notifying authority by that owner—</p> <p>(a) on or before the vacant possession date, or any later date that the authority allows, if the land is acquired under an agreement that specifies a vacant possession date:</p> <p>(b) within 1 month after the date on which the authority serves notice on the vendor or the person from whom the land is taken (as the case may be) that vacant possession is required, or within any longer period that the authority allows, if—</p> <p>(i) the land is acquired under an agreement that does not specify a vacant possession date; or</p> <p>(ii) no agreement for sale is entered into and the land is taken by Proclamation.</p> <p>(2) Compensation must not be paid under section 72C(1) unless the person giving vacant possession—</p> <p>(a) is one of the following:</p> <p>(i) an owner of the land on the notification date;</p> <p>(ii) the spouse, civil union partner, or de facto partner of an owner of 5 the land on the notification date;</p> <p>(iii) the person beneficially interested in the land if an owner dies after the notification date; and</p> <p>(b) was an owner of the land on the vacant possession date; and</p> <p>(c) was an owner of the land for a substantial part of the period between the notification date and the vacant possession date; and</p> <p>(d) was—</p> <p>(i) not a willing party to the taking or acquisition of the land; or</p> <p>(ii) a willing party to the taking or acquisition principally because the land had been notified.</p> <p>(3) Compensation must not be paid under section 72C(1) to an owner of land if that</p>	If compensation is to be paid under clause 72C, then clause 72D is useful in limiting/clarifying the circumstances of payment.

		person is paid compensation for the loss of a dwelling on that land under section 72(1) .	
172	New sections 72A to 72E inserted	72E Adjustment of compensation payable under section 72 or 72C The Governor-General may, by Order in Council made on the recommendation 20 of the Minister, amend section 72, 72A, or 72C by increasing or decreasing any or all of the following: (a) the compensation limit in section 72(1) and (1B) : (b) the compensation limits in section 72A(1)(a) to (c) : (c) the percentages in section 72C(2)(a) to (c) : (d) the compensation limits in section 72C(2)(b) and (c) and (3) .	See earlier comments about the amount of compensation.
173	Section 75 amended (Compensation for tenants of residential and business premises)	(1) In section 75(1)(b), delete “weekly or monthly”. (2) After section 75(3), insert: (4) In this section, tenant means a person who has— (a) a weekly tenancy agreement; or (b) a monthly tenancy agreement; or (c) a tenancy to which the Residential Tenancies Act 1986 applies.	This is useful clarification.
174	Section 249 repealed (Transitional provision)	Repeal section 249.	
175	New Schedule 1AA inserted	Before Schedule 1, insert the Schedule 1AA set out in Schedule 6 of this Act.	Consequential amendment.
Part 4 Amendments to Conservation Act 1987			
176	Principal Act	This Part amends the Conservation Act 1987 (the principal Act).	
177	New section 3A inserted (Transitional, savings, and related provisions)	After section 3, insert: 3A Transitional, savings, and related provisions The transitional, savings, and related provisions (if any) set out in Schedule 1AA have effect according to their terms.	We have not commented on these amendments at this stage.
178	Section 17S replaced (Contents of application)	Replace section 17S with: 17S Contents of application	

		<p>Every application for a concession must include the following information:</p> <ul style="list-style-type: none"> (a) a description of the proposed activity: (b) a description identifying the places where the proposed activity will be carried out (including the status of those places): (c) a description of— <ul style="list-style-type: none"> (i) the potential effects of the proposed activity: (ii) any actions that the applicant proposes to take to avoid, remedy, or mitigate any adverse effects of the proposed activity: (d) details of the type of concession for which the applicant is applying: (e) a statement of— <ul style="list-style-type: none"> (i) the proposed duration of the concession; and (ii) the reasons for the proposed duration: (f) relevant information relating to the applicant, including any information relevant to the applicant's ability to carry out the proposed activity: (g) if the applicant applies for a lease, a profit à prendre, or a licence granting an interest in land, or an easement,— <ul style="list-style-type: none"> (i) reasons for the request; and (ii) sufficient information to satisfy the Minister that, in terms of section 17U, it is both lawful and appropriate to grant the lease, <i>profit à prendre</i>, licence, or easement (as the case may be). 	
	17SA Returning non-compliant applications	<p>17SA Returning non-compliant applications</p> <p>(1) The Minister may, within 10 working days after receiving an application for the purposes of section 17S, determine if the application complies with section 17S.</p> <p>(2) If the Minister determines that an application does not comply with section b, he or she must return the application to the applicant with the reasons for the determination.</p> <p>(3) If an application is resubmitted after having been returned, the application is to be treated as a new application.</p>	
	17SB Minister may decline application that is inconsistent	<p>17SB Minister may decline application that is inconsistent</p> <p>If the Minister is satisfied that an application does not comply with or is inconsistent with the provisions of this Act (including section 17R) or any relevant conservation management strategy or conservation management plan, he or she must, within 20 working days after an application is received,—</p>	

		<p>(a) decline the application; and</p> <p>(b) inform the applicant—</p> <p style="padding-left: 40px;">(i) that he or she has declined the application; and</p> <p style="padding-left: 40px;">(ii) of the reasons for declining the application.</p>	
	17SC Public notification of application for leases, licences, permits, or easements	<p>17SC Public notification of application for leases, licences, permits, or easements</p> <p>(1) The Minister must publicly notify every application for—</p> <p style="padding-left: 20px;">(a) a lease; or (b) a licence for a term (including renewals) of more than 10 years.</p> <p>(2) Despite subsection (1)(b), the Minister may publicly notify any application for a licence if, having regard to the effects of the licence, he or she considers it appropriate to do so.</p> <p>(3) The Minister may publicly notify any application for a permit or an easement if, having regard to the effects of the permit or easement, he or she considers it appropriate to do so.</p>	
	17SD Minister may require applicant to provide further information	<p>17SD Minister may require applicant to provide further information</p> <p>(1) The Minister may, by notice in writing, require an applicant for a concession to supply any further information (including an environmental impact assessment) that the Minister considers necessary to enable a decision to be made.</p> <p>(2) The applicant must provide the information within any reasonable time that is specified in the notice.</p> <p>(3) An environmental impact assessment that is provided for the purposes of this section must be—</p> <p style="padding-left: 40px;">(a) in the form set out in Schedule 4 of the Resource Management Act 1991; or</p> <p style="padding-left: 40px;">(b) in any other form that the Minister requires.</p>	
	17SE Minister may commission report or advice	<p>17SE Minister may commission report or advice</p> <p>(1) The Minister may, at the applicant's expense,—</p> <p style="padding-left: 40px;">(a) commission a report or seek advice from any person (including the Director-General) on any matters raised in relation to an application;</p> <p style="padding-left: 40px;">(b) obtain, from any source, any existing relevant information on the proposed activity (or structure) that is the subject of the application.</p> <p>(2) The Minister must—</p> <p style="padding-left: 40px;">(a) provide the applicant with a copy of any information obtained under subsection (1); and</p> <p style="padding-left: 40px;">(b) provide the applicant with any reasonable time that the Minister considers</p>	

		<p>appropriate in which to comment on the information provided.</p> <p>(3) To avoid doubt, the report or advice under subsection (1) may include a review of the application and any information provided by the applicant.</p>	
179	Section 17T amended (Process for complete application)	<p>Replace section 17T(2) to (7) with:</p> <p>(2) In this section, an application is complete if—</p> <p>(a) it complies with section 17S; and</p> <p>(b) where the Minister has requested information under section 17SD, either—</p> <p>(i) the applicant has provided the requested information; or</p> <p>(ii) the applicant has not provided the requested information but the date specified under section 17SD(2) has passed; and</p> <p>(c) any information requested under section section 17SE(1) has been obtained by the Minister and the applicant has been given reasonable time to comment on that information under section 17SE(2)(b).</p>	
180	Section 17U amended (Matters to be considered by Minister)	<p>(1) In section 17U(1)(d), replace “section 17S or section 17T” with “sections 17SC and 17SD”.</p> <p>(2) After section 17U(7), insert:</p> <p>(8) Nothing in this Act or any other Act requires the Minister to grant any concession if he or she considers that the grant of a concession is inappropriate in the circumstances of the particular application having regard to the matters set out in this section.</p>	
181	Section 49 amended (Public notice and rights of objection)	<p>(1) In section 49(2), after “gives public notice of intention to exercise any power conferred by this Act”, insert “or gives public notice of an application for a concession”.</p> <p>(2) Replace section 49(2)(b) with:</p> <p>(b) the Minister must give interested parties,—</p> <p>(i) in the case of the exercise of a power, at least 40 working days to comment;</p> <p>(ii) in the case of an application for a concession, at least 20 working days to comment; and</p> <p>(ba) every submission must be sent to the Director-General at the place, and before the date, specified in the notice; and</p>	
182	New Schedule 1AA inserted	Before Schedule 1, insert as Schedule 1AA the schedule set out in Schedule 7 of this Act.	

Part 5 20 Amendments to Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012			
See Bill clauses 183 – 235			
183-235	Amendments to Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012		No comment
<i>Amendments to Schedule 1 of Resource Management Act 1991</i>			
	New clause 1AA	In Schedule 1, after the Part 1 heading, insert: 1AA Overview and application of this Part This Part applies to the preparation of, or a change to,— (a) a regional policy statement by a regional council: (b) a regional plan by a regional council: (c) a district plan by a territorial authority: (d) a combined document by local authorities under section 80.	Useful clarification.
	1A Iwi participation arrangements to be complied with	New clauses 1A and 1B In Schedule 1, after clause 1, insert: 1A Iwi participation arrangements to be complied with (1) A proposed policy statement or plan must be prepared in accordance with any applicable iwi participation arrangement. (2) A local authority may comply with clause 3(1)(d) in any particular case by consulting relevant iwi authorities about a proposed policy statement or plan in accordance with an iwi participation arrangement.	Consequential amendment and provides clarification.
	1B Relationship with iwi participation legislation	1B Relationship with iwi participation legislation Nothing in this schedule limits any relevant iwi participation legislation or agreement under that legislation.	Useful clarification.

	<p>4A Further pre-notification requirements concerning iwi authorities</p>	<p>New clause 4A In Schedule 1, after clause 4, insert: 4A Further pre-notification requirements concerning iwi authorities (1) Before notifying a proposed policy statement or plan, a local authority must— (a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and (b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities. (2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.</p>	<p>The relationship between new clause 1A and clause 4A is not entirely clear.</p>
	<p>Clause 5</p>	<p>Clause 5 In Schedule 1, replace clause 5(1)(b) with: (b) if the local authority decides to proceed with the proposed policy statement or plan, do one of the following, as appropriate: (i) publicly notify the proposed policy statement or plan: (ii) give limited notification, as provided for in clause 5A.</p>	<p>See below.</p>
	<p>5A Option to give limited notification of proposed change</p>	<p>New clause 5A In Schedule 1, after clause 5, insert: 5A Option to give limited notification of proposed change (1) This clause applies to a proposed change to a policy statement or plan. (2) The local authority may give limited notification, but only if it is able to identify all the persons directly affected by the proposed change. (3) The local authority must serve limited notification on all persons identified as being directly affected by the proposed change. (4) A notice given under this clause must state— (a) where the proposed change may be inspected; and (b) that only the persons given limited notification under this clause may make a submission on the proposed change; and (c) the process for participating in the consideration of the proposed change; and</p>	<p>Support in principle</p>

		<p>(d) the closing date for submissions; and (e) the address for service of the local authority.</p> <p>(5) The local authority may provide any further information relating to a proposed change that it thinks fit.</p> <p>(6) The closing date for submissions must be at least 20 working days after limited notification is given under this clause.</p> <p>(7) If limited notification is given, the consent authority may adopt, as an earlier closing date, the last day on which the consent authority receives, from all the directly affected persons, a submission, or written notice that no submission is to be made.</p> <p>(8) The local authority must provide a copy of the proposed change, without charge, to—</p> <p>(a) the Minister for the Environment; and (b) for a change to a regional coastal plan, the Minister of Conservation and the Director-General of Conservation; and (c) for a change to a district plan, the regional council and adjacent local authorities; and (d) for a change to a policy statement or regional plan, the constituent territorial authorities and adjacent regional councils; and (e) tangata whenua of the area, through iwi authorities.</p> <p>(9) If limited notification is given in relation to a proposed change under this clause, the local authority must make the change publicly available in the central public library of the relevant district or region, and may also make it available in any other place considered appropriate.</p> <p>(10) The obligations on the local authority under subclause (4) are in addition to those under section 35 (which relates to the keeping of records).</p>	
	<p>6A Making of submissions under clause 5A</p>	<p>Clause 6 In Schedule 1, heading to clause 6, after “submissions”, insert “under clause 5”.</p> <p>New clause 6A In Schedule 1, after clause 6, insert:</p> <p>6A Making of submissions under clause 5A (1) If limited notification is given under clause 5A on a proposed change to a policy</p>	<p>Support in principle</p>

		<p>statement or plan, the only persons who may make submissions or further submissions on the proposed change are—</p> <p>(a) the persons given limited notification under clause 5A(3); and</p> <p>(b) the persons provided with a copy of the proposed change under clause 5A(8).</p> <p>(2) However, if a person with a right to make a submission could gain an advantage in trade competition through making a submission, that person may make a submission only if directly affected by an effect of the proposed change that—</p> <p>(a) adversely affects the environment; and</p> <p>(b) does not relate to trade competition or the effects of trade competition.</p> <p>(3) The local authority in its own area may make a submission.</p> <p>(4) Submissions must be made in the prescribed form.</p>	
	Clause 7	<p>Clause 7</p> <p>In Schedule 1, after clause 7(1), insert:</p> <p>(1A) However, in the case of a submission on a proposed change to a policy statement or plan, if a local authority has given limited notification under clause 5A, it must give notice of the matters listed in subclause (1), as relevant to—</p> <p>(a) the persons given limited notification under clause 5A(3); and</p> <p>(b) the persons provided with a copy of the proposed change under clause 5A(8).</p>	Consequential amendment.
	Clause 8	<p>Clause 8</p> <p>In Schedule 1, after clause 8(1), insert:</p> <p>(1A) However, in the case of submissions on a proposed change to a policy statement or plan, the persons (in addition to the relevant local authority) who may make a further submission are—</p> <p>(a) the persons given limited notification under clause 5A(3); and</p> <p>(b) the persons given a copy of the proposed change under clause 5A(8).</p> <p>In Schedule 1, clause 8(2), after “further submission”, insert “given under subclause (1) or (1A)”.</p> <p>In Schedule 1, clause 8(2), after “clause 6”, insert “or 6A”.</p>	Consequential amendment.
		<p>Clause 8A</p> <p>In Schedule 1, clause 8A(1), after “clause 8”, insert “(1) or (1A)”. In Schedule 1,</p>	Consequential amendment.

		<p>clause 8A(1)(b), after “clause 6”, insert “or 6A”.</p> <p>New clause 20AB In Schedule 1, after the Part 2 heading, insert: 20AB Overview of this Part and application of clause 1B (1) This Part applies if a request described in clause 21(1) or (2) is made. (2) If this Part applies,— (a) clause 1B applies; but (b) Part 1 of this schedule does not otherwise apply except to the extent that it is expressly applied by this Part.</p>	
	Clause 21	<p>Clause 21 In Schedule 1, after clause 21(3), insert: (3A) However, in relation to a policy statement or plan approved under Part 4 of this schedule, no request may be made to change the policy statement or plan earlier than 3 years after the date on which it becomes operative under clause 20 (as applied by section 80A(2)(a)).</p>	Consequential amendment.
	Clause 25	<p>Clause 25 In Schedule 1, clause 25(2)(a)(i), after “clause 5”, insert “or 5A”. In Schedule 1, clause 25(5), after “that decision”, insert “, including the decision on 30 notification”.</p>	Consequential amendment.
	New clause 26A	<p>New clause 26A In Schedule 1, after clause 26, insert: Iwi participation arrangements In exercising or performing any powers, functions, or duties under this Part, a local authority must comply with any iwi participation arrangement that specifically provides a role for iwi authorities in relation to any plan or change requested under this Part.</p>	Consequential amendment.
New Parts 4 and 5			
<i>Part 4 Collaborative planning process</i>			
		<p>In Schedule 1, after clause 35, insert: <i>Part 4 Collaborative planning process</i></p>	WDC agrees with this change in principle. However we suspect that several Council’s will be reluctant

			to use this alternative process due to the time and costs associated with it.
36		<p>36 Interpretation In this Part,—</p> <p>appointer means the local authority that appoints a review panel for the purposes of this Part</p> <p>collaborative group means a group of persons appointed by a local authority under clause 40 for the purpose of assisting the local authority to prepare or change a proposed policy statement or plan that relates to its functions under section 30 or 31, as the case may be</p> <p>proposed policy statement or plan, if prepared under the collaborative planning process,—</p> <p>(a) means a proposed policy statement or plan that relates to the local authority’s functions under section 30 or 31, as the case may be; and</p> <p>(b) includes a combined document described in section 80</p> <p>review panel and panel mean a panel established under clause 63.</p>	
37	Considerations relevant to decision on choice of process	<p><i>Choice of collaborative planning process</i></p> <p>37 Considerations relevant to decision on choice of process</p> <p>(1) A local authority may use the collaborative planning process to prepare or change a policy statement or plan.</p> <p>(2) In determining whether the collaborative planning process is to be used to prepare or change a policy statement or plan, a local authority must consider—</p> <p>(a) whether the resource management issues to be dealt with in the policy statement or plan would benefit from the use of the collaborative planning process, having regard to the scale and significance of the relevant resource management issues; and</p> <p>(b) the views and preferences expressed by persons who are likely to be affected by those resource management issues or who have an interest in them; and</p>	<p>Support in principle</p> <p>Further analysis to come Will seek detailed feedback from RCs already involved in collaborative processes</p> <p>It is unclear as to how this would be</p>

		<p>(c) whether the local authority has the capacity to support the collaborative planning process, having regard to the financial and other costs of the process; and</p> <p>(d) whether there are people in the community able and willing to participate effectively in the collaborative planning process as members of a collaborative group; and</p> <p>(e) whether any matters of national significance are likely to arise and, if so, whether these could be dealt within the collaborative planning process; and</p> <p>(f) whether the relevant provisions of any iwi participation legislation that applies in an area could be accommodated within the collaborative planning process, as required by this Part.</p> <p>(3) Before determining to use the collaborative planning process, a local authority must be satisfied that use of the process is not inconsistent with the local authority's obligations under any relevant iwi participation legislation or iwi participation arrangement.</p>	<p>robustly complied with except by some form of public consultation process, except perhaps in some very narrow circumstances. Given process risk, some clarification would be useful.</p> <p>WDC agrees with this proposed change and supports LGA comments above.</p>
38	38 Notification of planning process to be adopted	<p>38 Notification of planning process to be adopted</p> <p>(1) A local authority must give public notice of its decision made under clause 37, stating—</p> <p>(a) the extent of the area that will be subject to the proposed policy statement or plan; and</p> <p>(b) where the decision and reasons for the decision of the local authority may be inspected.</p> <p>(2) If a local authority gives notice that it intends to use the collaborative planning process to prepare a policy statement or plan, it is not permitted to withdraw from that process at any stage and progress the preparation of a policy statement or plan under any of the other processes in this schedule.</p> <p>(3) However, subclause (2) does not apply if—</p> <p>(a) a local authority has been unable to appoint a collaborative group in accordance with clause 40; or</p> <p>(b) a collaborative group has breached its terms of reference and the local</p>	<p>Clause 38(2) seems too wide – limit to a fixed period?</p> <p>WDC agrees with this proposed change and supports LGA comments above.</p>

		authority has followed the process specified for dispute resolution in the terms of reference, but the dispute is not resolved.	
39	Collaborative group to be established	<p><i>Collaborative group</i></p> <p>39 Collaborative group to be established If a local authority gives notice under clause 38 of its decision to use the collaborative planning process, it must establish a collaborative group.</p>	WDC agrees with this proposed change and supports LGA comments above. However see previous comments.
40	Appointments	<p>40 Appointments</p> <p>(1) In establishing a collaborative group, a local authority must appoint—</p> <p>(a) at least 1 person chosen by iwi authorities to represent the views of tangata whenua; and</p> <p>(b) in the case of a regional policy statement or plan (other than one prepared by a unitary authority), at least 1 person to represent the views of territorial authorities within the relevant area; and</p> <p>(c) in the case of a regional coastal plan, 1 person chosen by any customary marine title holder to represent the views of any customary marine title groups within the relevant area; and</p> <p>(d) other persons who, in the opinion of the local authority, have the knowledge, experience, and skills (including skills in collaboration) that are relevant to the resource management issues to be considered by the group.</p> <p>(2) A local authority may appoint as many persons as it considers appropriate, having regard to—</p> <p>(a) the scale and significance of the resource management issues to be dealt with; and</p> <p>(b) the need to comply with subclauses (4) and (5).</p> <p>(3) A local authority must not appoint persons who are employees or officers of any local authority within the relevant area.</p> <p>(4) However, the collaborative group may include 1, but not more than 1, elected member from—</p> <p>(a) the local authority that is using the collaborative planning process to prepare or change a policy statement or plan; or</p> <p>(b) in the case of a combined instrument under section 80, each local authority that is using the collaborative planning process to prepare or change a policy</p>	<p>Clause 40(1)(d) does not seem to expressly allow the appointment of stakeholders as such. However clause 40(5) suggests that stakeholders can be appointed. This should be clarified. (They may be entitled to be approved in a more general capacity as long as they have requisite status etc.)</p> <p>WDC agrees with this proposed change and supports LGA comments above.</p>

		<p>statement or plan.</p> <p>(5) The appointments made under this clause must result in a collaborative group whose membership, collectively, reflects a balanced range of the community's interests, values, and investments in the relevant area as they relate to the resource management issues to be considered by the group.</p> <p>(6) The Local Government Official Information and Meetings Act 1987 applies to a collaborative group established under this Part as if it were a committee of the local authority under the Local Government Act 2002.</p>	
41	Terms of reference for collaborative group	<p>41 Terms of reference for collaborative group</p> <p>(1) A local authority must set the terms of reference for a collaborative group that it establishes, in consultation with that group.</p> <p>(2) The terms of reference must direct a collaborative group—</p> <ul style="list-style-type: none"> (a) to consider specified matters; and (b) to report to a local authority with recommendations for a proposed policy statement or plan within a specified time; and (c) to consider how to comply with the obligations identified by the local authority that arise under this Act or any other enactment that applies to the preparation or changing of a policy statement or plan under this Act; and (d) to consider how to give effect to the provisions of a national policy statement, a New Zealand coastal policy statement, or the national planning template that are identified by the local authority as relevant; and (e) to consider how to comply with the provisions in regulations (including any national environmental standards) and water conservation orders that are identified by the local authority as relevant; and (f) to consider how to comply with the obligations that are identified by the local authority as arising under— <ul style="list-style-type: none"> (i) the provisions of any relevant iwi participation legislation, or any agreement entered into under that legislation: (ii) the provisions of any relevant legislation that require a local authority, in preparing or changing a policy statement or plan under this Act, to give particular consideration to a document prepared under other legislation; and (g) to establish and use a process for seeking the views of the community of the 	<p>Further analysis to come</p> <p>WDC agrees with this proposed change.</p>

		<p>relevant area on the work that the collaborative group is carrying out and to specify how the local authority will support the collaborative group; and (h) to prepare an evaluation of the costs and benefits of any recommendations it makes to the local authority.</p> <p>(3) The terms of reference must include— (a) the period for which a collaborative group is established (including the period until any appeals are completed); and (b) whether, and, if so, how much, members of a group are to be paid; and (c) how the local authority will provide resources to a group for the period between the establishment of a collaborative group and the date on which the local authority’s decision is made under clause 54; and (d) a dispute resolution process that the local authority is to use if necessary in relation to a collaborative group, including the process for removing and replacing any of the group’s members or discharging the group.</p> <p>(4) A local authority may, at any time after consulting a collaborative group, amend the terms of reference that apply to the group.</p> <p>(5) The local authority must give public notice and notice to the chairperson of the collaborative group if amendments are made to the terms of reference under subclause (4).</p> <p>(6) A notice given under subclause (5) must state where a copy of the amended terms of reference may be inspected.</p> <p>(7) The terms of reference are binding on both the local authority and the collaborative group.</p>	
42	Other matters relevant to collaborative group	<p>42 Other matters relevant to collaborative group</p> <p>(1) As soon as practicable after establishing a collaborative group and providing the terms of reference, a local authority must give public notice that it has appointed a collaborative group and has set its terms of reference.</p> <p>(2) The public notice must— (a) include details of the appointments; and (b) state where the terms of reference may be inspected.</p> <p>(3) A collaborative group must determine its own procedure.</p> <p>(4) Section 43 of the Local Government Act 2002 (which relates to indemnification) applies to the members of a collaborative group as if the group were a committee of</p>	WDC agrees with this proposed change

		a local authority.	
43	Report of collaborative group	<p>43 Report of collaborative group</p> <p>(1) A collaborative group must report to the local authority in accordance with the terms of reference.</p> <p>(2) The report must include—</p> <ul style="list-style-type: none"> (a) a record of the recommendations on which the collaborative group has reached consensus; and (b) a summary of the costs and benefits that the collaborative group has identified in relation to those recommendations; and (c) a summary of any alternative options that the collaborative group considered; and (d) a record of the matters that the collaborative group considered but on which it did not reach consensus; and (e) a summary of how the collaborative group obtained and considered the views of the community of the relevant area. 	WDC agrees with this proposed change
44	Notification of report of collaborative group	<p style="text-align: center;"><i>Notification of report and preparation of planning document</i></p> <p>44 Notification of report of collaborative group</p> <p>A local authority must publicly notify the report received under clause 43, stating where the report may be inspected.</p>	WDC agrees with this proposed change
45	Preparation of proposal	<p>45 Preparation of proposal</p> <p>(1) As soon as is reasonably practicable after the report of the collaborative group is publicly notified under clause 44, the local authority must—</p> <ul style="list-style-type: none"> (a) prepare a proposed policy statement or plan or change; and (b) comply with subclauses (2) and (3) and clauses 2 and 3. <p>(2) A proposed policy statement or plan—</p> <ul style="list-style-type: none"> (a) must give effect to the consensus position reached by a collaborative 15 group; and (b) may include provisions— 	WDC agrees with this proposed change

		<p>(i) that are necessary or appropriate for giving effect to or implementing the consensus position; and</p> <p>(ii) for matters on which the collaborative group did not reach a consensus position, provided those matters were within the terms of reference given to the collaborative group.</p> <p>(3) However, subclause (2)(a) does not apply if, in giving effect to the consensus position, the proposed policy statement or plan would not comply with—</p> <p>(a) the relevant provisions of Parts 4 and 5 of this Act; or</p> <p>(b) any other provisions of this Act or of any other enactment that apply to the preparation or changing of a policy statement or plan under this Act.</p>	
46	Advice from iwi authorities	<p>46 Advice from iwi authorities</p> <p>(1) Before notifying a proposed policy statement or plan prepared or changed under clause 45, a local authority must—</p> <p>(a) provide a copy of the relevant draft proposed policy statement or draft plan to tangata whenua of the relevant area through the relevant iwi authorities, ensuring that the iwi authorities have adequate time and opportunity to provide advice to the local authority; and</p> <p>(b) have particular regard to any advice received on the draft policy statement or draft plan from the iwi authorities if, and to the extent that, the advice is not inconsistent with the consensus position.</p> <p>(2) This section applies only if the local authority does not have an iwi participation arrangement with any relevant iwi authority.</p>	<p>Needs a timeframe (especially given the 2 year limit now set)</p> <p>WDC agrees with this proposed change</p>
47	Evaluation report	<p>47 Evaluation report</p> <p>(1) Before a local authority may notify a proposed policy statement or plan prepared or changed under clause 45, it must prepare an evaluation report under section 32 for the proposed policy statement or plan or the changing of a policy statement or plan.</p> <p>(2) The evaluation report must state the extent (if any) to which the proposed policy statement, plan, or change does not give effect to the consensus position, and the reasons for that.</p> <p>(3) The local authority must have particular regard to the evaluation report before deciding whether to notify a proposed policy statement or plan or change.</p>	<p>WDC agrees with this proposed change</p>

48	Notification of proposed policy statement or plan or change	<p>48 Notification of proposed policy statement or plan or change</p> <p>(1) A local authority must publicly notify a proposed policy statement or plan prepared or changed under clause 45.</p> <p>(2) In carrying out its obligation to give public notice under subclause (1), the local authority must comply with—</p> <ul style="list-style-type: none"> (a) clause 5(2) and (3) (which relates to the contents and timing of the notice); and (b) clause 5(1C) and (4) to (6) (which relates to the distribution of the notice and the proposed policy statement or plan). 	
49	Submissions on proposed policy statement or plan or change	<p>49 Submissions on proposed policy statement or plan or change</p> <p>(1) Clauses 6 to 8A apply to the making of submissions to a local authority on a proposed policy statement or plan or change notified under clause 48.</p> <p>(2) A challenge to any part of a proposed policy statement or plan or change on the grounds that it does not comply with clause 45(2) may be made only in a submission to the relevant local authority under clause 6 or 8 (as applied by subclause (1)).</p>	WDC agrees with this proposed change
50	Local authority report on submissions	<p>50 Local authority report on submissions</p> <p>(1) Not later than 3 months after the closing date for further submissions as notified under clause 7(1)(d) (as applied by clause 49), a local authority must prepare a report that includes—</p> <ul style="list-style-type: none"> (a) an analysis of whether the decisions requested by submitters are consistent or inconsistent with the consensus position of the collaborative group; and (b) the response of the local authority to the decisions requested. <p>(2) The local authority must—</p> <ul style="list-style-type: none"> (a) provide a copy of that report to the collaborative group and to tangata whenua of the relevant area through iwi authorities; and (b) invite comments on the report and the proposed policy statement or plan from the collaborative group and the iwi authorities. 	WDC agrees with this proposed change and supports the timeframes proposed.
51	Hearing of submissions by review panel	<p>51 Hearing of submissions by review panel</p> <p>10 (1) A review panel established by a local authority under clause 63 must hold a hearing on any submissions lodged under clause 6 or 8 (as applied by clause 49).</p> <p>(2) Notice of the date, time, and place of any hearing must be given to every submitter and to the chairperson of the collaborative group at least 10 working days</p>	WDC agrees with this proposed change

		<p>before the hearing.</p> <p>(3) Clauses 63 to 73 apply to the establishment and procedures of a review panel.</p>	
52	Role of collaborative group in procedures of review panel	<p>52 Role of collaborative group in procedures of review panel</p> <p>(1) At the same time as a collaborative group gives comments to a local authority under clause 50(2)(b), the collaborative group may give notice to the local authority that the group has appointed one of its members to attend the hearing of the review panel in order to assist the panel by—</p> <ul style="list-style-type: none"> (a) clarifying matters included in the proposed policy statement or plan; (b) discussing with the panel issues raised in submissions; (c) providing any relevant information that the panel may request. <p>(2) Subclause (1) does not exclude any member of the collaborative group from making a submission to the panel on the proposed policy statement or plan.</p>	WDC agrees with this proposed change
53	Decision and recommendations of review panel	<p>53 Decision and recommendations of review panel</p> <p>(1) A review panel established by the local authority must provide a report to the local authority with recommendations on—</p> <ul style="list-style-type: none"> (a) the proposed policy statement or plan; and (b) the matters raised in submissions. <p>(2) The report must include—</p> <ul style="list-style-type: none"> (a) a statement about the extent to which a proposed policy statement or plan, as notified, is inconsistent with the consensus position of the collaborative group; and (b) the panel's reasons for accepting or rejecting submissions and, for that purpose, the panel may group submissions according to— <ul style="list-style-type: none"> (i) the provisions of the proposed policy statement or plan to which they relate; or (ii) any other provisions of this Act or of any other Act that apply to the preparation or changing of a policy statement or plan under this Act; and (c) a further evaluation of the proposed policy statement or plan in accordance with section 32AA; and (d) the panel's recommendations in respect of— 	WDC agrees with this proposed change. However interesting that only a recommendation is made.

		<p>(i) any changes it proposes to the policy statement or plan; and (ii) whether the recommended changes would be consistent with the consensus position of the relevant collaborative group.</p> <p>(3) The review panel may also include in its report— (a) any changes that the panel considers necessary to the proposed policy statement or plan that arise from submissions; (b) any other matters that the panel considers to be relevant to the proposed policy statement or plan that arise from submissions or from other information provided to the panel.</p> <p>(4) However, the review panel must not recommend changes to a proposed policy statement or plan unless it is satisfied— (a) that changes are needed to ensure that a proposed policy statement or plan is consistent with the consensus position; or (b) that changes are needed to ensure that the proposed policy statement or plan complies with— (i) the relevant provisions of Parts 4 and 5 of this Act; or (ii) the provisions in any other enactment that require a local authority, in preparing or changing a policy statement or plan under this Act, to give particular consideration to a document prepared under that other enactment; or (c) that there are matters identified in submissions that were not, or not fully, considered by the collaborative group or by the local authority when preparing the proposed policy statement or plan.</p> <p>(5) In making recommendations to the local authority, the review panel may only make recommendations that are within the scope of— (a) the proposed policy statement or plan as notified; and (b) the submissions on the proposed policy statement or plan; and (c) any comments— (i) received under clause 50(2)(b); or (ii) provided to the review panel under clause 73.</p> <p>(6) A review panel is not required to deal individually with each submission, and may group submissions according to the provisions or matter to which they relate.</p>	
54	Decision of local	54 Decision of local authority following recommendations of review panel	WDC agrees with this proposed

	<p>authority following recommendations of review panel</p>	<p>(1) As soon as is reasonably practicable after receiving a report from a review panel, a local authority must decide whether to accept or reject each recommendation in the report.</p> <p>(2) If a local authority rejects a recommendation, it must develop an alternative provision for its proposed policy statement or plan, giving reasons for the alternative provision.</p> <p>(3) An alternative provision must be within the scope of—</p> <ul style="list-style-type: none"> (a) a matter raised in a submission; or (b) the reports and comments provided to a review panel under clause 73; or (c) comments received under clause 50(2)(b). <p>(4) Before deciding on an alternative provision, a local authority must—</p> <ul style="list-style-type: none"> (a) prepare an evaluation of the alternative provision under section 32; and (b) ascertain whether the alternative provision is inconsistent with the consensus position; and (c) ascertain whether any inconsistency is necessary to ensure that the proposed policy statement or plan complies with— <ul style="list-style-type: none"> (i) the relevant provisions of Parts 4 and 5 of this Act; and (ii) the provisions of any relevant enactment, including any enactment specified in Schedule 3 of the Treaty of Waitangi Act 1975, that require a local authority, in preparing or changing a proposed policy statement or plan under this Act, to give particular consideration to a document prepared under any other enactment; and (d) specify any other reasons why the alternative provision is preferred. <p>(5) A local authority is not required, when making a decision under subclause (1), to consult or consider submissions, evidence, or other information that was not before the review panel when it made its decision under clause 53.</p>	<p>change. However this may be problematic where staff have not been part of the original hearing.</p>
55	<p>Approval of regional coastal plan</p>	<p>55 Approval of regional coastal plan</p> <p>(1) If the collaborative planning process is used by a regional council to prepare or change a regional coastal plan, the Minister of Conservation must approve the proposed plan.</p> <p>(2) Clauses 18 and 19 apply, with the necessary modifications, to the consideration and approval of a proposed regional coastal plan prepared or changed using the collaborative planning process.</p>	<p>WRC</p>

56	Notification of local authority's decision	<p>56 Notification of local authority's decision</p> <p>(1) Not later than 2 years after notifying a proposed policy statement or plan or change under clause 48(1), a local authority must publicly notify—</p> <ul style="list-style-type: none"> (a) its decision under clause 54(1) and (2); and (b) the report and recommendations of the review panel; and (c) the place where the decision and reasons may be inspected. <p>(2) On and from the date on which the decision is publicly notified, the proposed policy statement or plan is amended in accordance with the decision.</p>	WDC agrees with this proposed change.
57	Early use of collaborative planning process	<p style="text-align: center;"><i>Transitional arrangement</i></p> <p>57 Early use of collaborative planning process</p> <p>Clause 14 of Schedule 12 provides the transitional arrangements for the early use of a collaborative planning process.</p>	WDC agrees with this proposed change
58	Overview	<p><i>Rights of appeal under collaborative planning process</i></p> <p>58 Overview</p> <p>The only rights of appeal that are available in respect of decisions made under clause 54 are—</p> <ul style="list-style-type: none"> (a) by way of a rehearing under clause 59; (b) on a question of law under clause 60. 	WDC agrees with this proposed change.
59	Appeals by way of rehearing	<p>59 Appeals by way of rehearing</p> <p>(1) An appeal by way of rehearing may be made in respect of a decision under clause 54(1) to change a provision of the proposed policy statement or plan in a way that is inconsistent with the decision and recommendations of the review panel given under clause 53.</p> <p>(2) The following groups and persons may appeal to the Environment Court under subclause (1):</p> <ul style="list-style-type: none"> (a) a collaborative group that provided, in relation to the provision or matter that is the subject of the appeal,— <ul style="list-style-type: none"> (i) comments to a local authority under clause 50(2)(b); (ii) information to a panel under clause 52; (b) an iwi authority that provided comments to a local authority under clause 	WDC agrees with this proposed change in principle. However we are not sure how practical this is?

		<p>50(2)(b), but only in relation to a provision or matter on which it provided those comments:</p> <p>(c) a person who made a submission to the local authority under clause 6 or 8 (as applied by clause 49), but only in relation to a provision or matter on which the person made a submission.</p> <p>(3) However, there is no right of appeal under this clause if the local authority records in its decision that a change has been made (or not made) to a provision of a proposed policy statement or plan to ensure that the proposed policy statement or plan complies with—</p> <p>(a) Parts 4 and 5 of this Act, as relevant:</p> <p>(b) the provisions in any enactment, including any enactment specified in Schedule 3 of the Treaty of Waitangi Act 1975, that require a local authority, in preparing or changing a policy statement or plan under this Act, to give particular consideration to a document prepared under any other enactment.</p> <p>(4) Section 277A applies to an appeal under this clause.</p>	
60	Appeals on questions of law	<p>60 Appeals on questions of law</p> <p>(1) A group or person specified in clause 59(2) may appeal to the Environment Court against a decision of a local authority made under clause 54(1) if there is no right of appeal in relation to that matter under clause 59.</p> <p>(2) An appeal under this clause is an appeal on a question of law only.</p>	WDC agrees with this proposed change. Status Quo.
61	Procedural matters	<p>61 Procedural matters</p> <p>(1) A notice of appeal under clause 59 or 60 must,—</p> <p>(a) not later than 30 working days after a local authority publicly notifies a decision under clause 56,—</p> <p>(i) be lodged with the Environment Court in the prescribed form; and</p> <p>(ii) be served on the local authority whose decision is the subject of the appeal; and</p> <p>(b) if the notice of appeal relates to the coastal marine area, be served on the Minister of Conservation not later than 5 working days after the notice of appeal is lodged with the Environment Court.</p> <p>(2) Parts 11 and 11A of this Act apply to appeals under clauses 59 and 60.</p>	WDC agrees with this proposed change.

62	Amendment, variation, merger, and approval	<p style="text-align: center;"><i>Approval of proposed policy statement or plan</i></p> <p>62 Amendment, variation, merger, and approval (1) The following provisions of Part 1 of this schedule apply, as far as they are relevant and with the necessary modifications, to a proposed policy statement or plan: (a) clauses 16 to 16B (which relate to amending, varying, or merging a variation with, a proposed policy statement or plan); and (b) clause 17 (which relates to the final consideration and approval of a proposed policy statement or plan, other than a regional coastal plan); and (c) clauses 18 and 19 (which relate to the consideration and ministerial approval of a regional coastal plan). (2) If a proposed policy statement or plan is prepared in accordance with the collaborative planning process, any variation to that statement or plan must also be undertaken in accordance with the collaborative planning process.</p>	WDC agrees with this proposed change.
63	Establishment of panel	<p style="text-align: center;"><i>Review panels</i></p> <p>63 Establishment of panel A review panel must be established by a local authority (the appointer) to hear submissions and make recommendations on a proposed policy statement or plan in the course of the collaborative planning process undertaken under this Part.</p>	WDC agrees with this proposed change.
64	Membership of panel	<p>64 Membership of panel (1) Every panel established under clause 63 must comprise at least 3, but not more than 8, members, including the chairperson of the panel. (2) The majority of the members of a panel must be persons who are not elected members of an appointer. (3) A panel must consist of members who collectively have the appropriate knowledge, skills, and experience in relation to— (a) this Act; and (b) the matter or type of matter that is to be the subject of the hearing; and (c) the local community. (4) All the members of a panel must be accredited. (5) Every panel must include at least 1 member who—</p>	

		<p>(a) has an understanding of tikanga Māori and the perspective of tangata whenua; and</p> <p>(b) is appointed after consultation with tangata whenua through the relevant iwi authorities.</p> <p>(6) A panel (other than one provided for in subclause (7)) must include the chairperson or another person nominated by the Minister if the Minister gives notice, not later than 5 working days after the date by which further submissions must be lodged under clause 7(1)(d), of his or her intention to make a nomination.</p> <p>(7) A panel established to hear submissions that relate to a proposed regional coastal plan must include the chairperson or another person nominated jointly by the Minister and the Minister of Conservation if the Ministers give notice, not later than 5 working days after the date by which further submissions must be lodged under clause 7(1)(d), of their intention to make a nomination.</p> <p>(8) Members must be appointed in accordance with clause 65.</p>	<p>Should require the Minister to consult the LA in appointing panel (see process for AUP re ministerial appointments)</p> <p>WDC agrees with this proposed change and supports the LGAs comments above. However ask why would the Minister need an appointee?</p>
65	How members are appointed	<p>65 How members are appointed</p> <p>(1) An appointer must give written notice that states—</p> <p>(a) the date on which the appointment takes effect; and</p> <p>(b) the term of the appointment.</p> <p>(2) As soon as practicable after the members of a panel have been appointed, the appointer concerned must notify the appointments on an Internet site to which the public has free access, stating—</p> <p>(a) that the panel has been established; and</p> <p>(b) the purpose for which the panel is established.</p> <p>(3) An appointer may appoint—</p> <p>(a) a member to replace a member who ceases to hold office;</p> <p>(b) additional members, after the initial appointments, if the total number of members on a panel is not more than 8, including the chairperson.</p> <p>(4) This clause applies, to the extent that it is relevant, to the appointment of a replacement member or an additional member.</p>	<p>WDC agrees with this proposed change.</p>
66	Term of panel and term of office of members	<p style="text-align: center;"><i>Terms and liabilities</i></p> <p>66 Term of panel and term of office of members</p> <p>(1) Every panel continues until it has performed its functions and exercised its</p>	<p>WDC agrees with this proposed change.</p>

		<p>powers in relation to the matters for which the panel is established (including the period required to complete any appeals).</p> <p>(2) A member of a panel remains a member until the earliest of the following:</p> <ul style="list-style-type: none"> (a) the panel to which the member is appointed ceases to exist: (b) the member's term of office ends: (c) the member dies or is no longer able to perform the functions and duties of a member on account of ill health or other indisposition: (d) the member resigns by giving 20 working days' written notice to the appointer: (e) the member is removed from office under subclause (3). <p>(3) An appointer may, at any time for just cause, remove a member from a panel by providing written notice to the member, and a copy of that notice to the chairperson of the panel, that states—</p> <ul style="list-style-type: none"> (a) the date on which the member's removal takes effect, which must not be earlier than the date on which the notice is received by the member; and (b) the reasons for the removal. <p>(4) A member of a panel is not entitled to any compensation or other payment or benefit relating to his or her ceasing, for any reason, to hold office as a member.</p> <p>(5) In subclause (3), just cause includes misconduct, an inability to perform the functions of office, a neglect of duty, and any breach of the collective duties of the panel or the individual duties of members.</p>	
67	Liability of members of panel	<p>67 Liability of members of panel</p> <p>A member of a panel is not liable for anything the member does, or omits to do, in good faith in performing the functions and duties or exercising the powers of a panel.</p>	WDC agrees with this proposed change.
68	Functions of panel	<p style="text-align: center;"><i>Functions and powers</i></p> <p>68 Functions of panel</p> <p>The function of every panel is—</p> <ul style="list-style-type: none"> (a) to conduct a public hearing of submissions; and (b) to make recommendations to a local authority on a proposed policy statement or plan under the collaborative planning process. 	WDC agrees with this proposed change.
69	Powers of panel	69 Powers of panel	WDC agrees with this proposed

		<p>(1) A panel has the same powers and duties as a local authority under the following provisions:</p> <ul style="list-style-type: none"> (a) section 39 (which provides for how hearings are to be conducted), except section 39(2)(c) and (d): (b) section 39C (which sets out the effect of a lack of accreditation): (c) section 40 (which provides for the persons who may be heard at hearings): (d) section 41 (which provides for the application of certain provisions of the Commissions of Inquiry Act 1908): (e) section 41A (which relates to the control of hearings): (f) section 41B (which provides for the giving of directions as to the time for providing evidence in relation to a hearing): (g) section 41C (which sets out the directions and requests that may be given before or at a hearing), except section 41C(4): (h) section 41D (which provides for submissions to be struck out before or at a hearing). <p>(2) If a panel exercises a power under section 41D,—</p> <ul style="list-style-type: none"> (a) a person whose submission is struck out has a right of objection under section 357 as if the references in that section to an authority were references to the panel; and (b) sections 357C to 358 apply to the panel as the body to which the objection is made under section 357. <p>(3) A panel may exercise the powers conferred by clause 8AA, except that in clause 8AA(2) to (6) the references to a local authority are to be read as references to a panel.</p> <p>(4) Subclause (3) applies for the purpose of clarifying or facilitating the resolution of a matter relating to a proposed policy statement or plan.</p> <p>(5) If a panel considers it appropriate, it may on its own initiative, or if requested, invite anyone who made a submission on a proposed policy statement or plan to meet with the local authority.</p>	change.
70	Procedures of panel	<p style="text-align: center;"><i>Procedural matters</i></p> <p>70 Procedures of panel (1) Every panel must—</p>	WDC agrees with this proposed change.

		<p>(a) regulate its own procedure in a manner that is appropriate and fair in the circumstances; and</p> <p>(b) keep a full written record of its proceedings.</p> <p>(2) Parts 1 to 6 and sections 48 and 53 of the Local Government Official Information and Meetings Act 1987 apply to a panel as if that panel were a committee appointed by a local authority under the Local Government Act 2002.</p> <p>(3) In the event of an equality of votes, the chairperson of the panel has a casting vote.</p>	
71	Reports	<p>71 Reports</p> <p>(1) At any time before or during a hearing, a panel may commission, or require an appointer to commission, a report on any matter, including a report by an officer of a local authority, as the panel considers necessary.</p> <p>(2) A report does not need to repeat material included in submissions.</p> <p>(3) An appointer must—</p> <p>(a) make any report commissioned under this clause available for inspection as soon as practicable at its offices or on an Internet site to which the public has free access; and</p> <p>(b) give written notice to the persons who made submissions that a report has been commissioned and is available for inspection.</p> <p>(4) A panel may request, from the person making a report under this clause, any information and advice that the panel considers is relevant and reasonably necessary to enable the panel to make recommendations under clause 68(b).</p>	WDC agrees with this proposed change.
72	Conference of experts	<p>72 Conference of experts</p> <p>(1) A panel may, at any time during a hearing, direct that a conference of experts be convened for the purpose of—</p> <p>(a) clarifying a matter relating to the proposed policy statement or plan:</p> <p>(b) facilitating the resolution of a matter relating to a proposed policy statement or plan.</p> <p>(2) A member of the panel, or a person appointed for the purpose by the panel, must be appointed to act as the facilitator of the conference.</p> <p>(3) If directed by the panel to do so, the facilitator must prepare a report on the conference and provide it to the panel and persons attending the conference.</p>	WDC agrees with this proposed change.

		<p>(4) No information given or made available to the conference on a without prejudice basis may be included in a report given under subclause (3).</p> <p>(5) The appointer or his or her representatives may not attend a conference unless authorised to do so by the panel.</p>	
73	Information provided to review panel	<p>73 Information provided to review panel</p> <p>An appointer must provide a review panel with copies of—</p> <ul style="list-style-type: none"> (a) the publicly notified proposed policy statement or plan that is the subject of a hearing before the panel; and (b) the report of the relevant collaborative group provided under clause 43; and (c) an evaluation report required by clause 47; and (d) the submissions that were received on the proposed policy statement or plan by the closing date for submissions; and (e) the report prepared by the relevant local authority under clause 50; and (f) any planning documents recognised by an iwi authority and lodged with the relevant local authority; and (g) any documentation relevant to obligations arising for the relevant local authority under any relevant iwi participation legislation or iwi participation arrangement; and (h) any comments provided to the relevant local authority under clause 50(2)(b) by an iwi authority or the relevant collaborative group; and (i) any other relevant information held by the local authority and requested by the panel. 	WDC agrees with this proposed change.
Part 5 Streamlined Planning Process			
74	Contents of application for directions	<p>74 Contents of application for directions</p> <p>An application to a Minister for a direction under section 80C to enter the streamlined planning process must—</p> <ul style="list-style-type: none"> (a) be in writing; and (b) set out the following matters: <ul style="list-style-type: none"> (i) a description of the planning issue for which a planning instrument is required, with an explanation as to how the proposal meets any of the criteria set out in section 80C(2); and 	<p>General comment - these two new processes indicate the need to review Schedule 1</p> <p>Further analysis to come</p>

		<p>(ii) an explanation of why use of the streamlined planning process is appropriate as an alternative to using the process under Part 1 of this schedule; and</p> <p>(iii) a description of the process that the local authority wishes to use and the time frames that it proposes for the steps in that process, having regard to the relevant criteria under section 80C(2); and</p> <p>(iv) the persons that the local authority considers are likely to be affected by the proposed planning instrument; and</p> <p>(v) a summary of any consultation undertaken by the local authority, or intended to be undertaken, including consultation with iwi authorities under clauses 1A to 3C; and</p> <p>(vi) the implications of the proposal for any relevant iwi participation legislation or iwi participation arrangement entered into under subpart 2 of Part 5 of this Act.</p>	WDC agrees with this proposed change.
75	How responsible Minister considers request	<p>75 How responsible Minister considers request</p> <p>(1) The requirements of this clause apply to a local authority's request to use the streamlined planning process.</p> <p>(2) The responsible Minister must have regard to—</p> <ul style="list-style-type: none"> (a) the local authority's written request; and (b) whether the local authority has, in the Minister's opinion, provided sufficient information in support of its request; and (c) any relevant obligations set out in any iwi participation legislation or iwi participation arrangement; and (d) any other matters that the Minister considers relevant; and (e) the purpose of the streamlined planning process, as stated in section 80B(1). <p>(3) The responsible Minister may require the local authority to provide any further information in support of its request that he or she may reasonably specify in writing.</p> <p>(4) The responsible Minister—</p> <ul style="list-style-type: none"> (a) must consult the local authority and any other relevant Ministers of the Crown about the streamlined planning process he or she is proposing to implement by way of a direction under clause 77; and 	WDC agrees with this proposed change.

		<p>(b) may consult any other person about the content of that streamlined process.</p> <p>(5) The responsible Minister must ensure that the streamlined planning process to be implemented by a direction given under clause 77 is not inconsistent with obligations under any relevant iwi participation legislation or iwi participation arrangement.</p> <p>(6) Nothing in subclause (4) requires the responsible Minister to obtain the local authority's prior agreement to the streamlined planning process before making his or her decision on the local authority's request.</p>	
76	Responsible Minister's decision	<p>76 Responsible Minister's decision</p> <p>(1) The responsible Minister may decide a local authority's application for a direction to enter the streamlined planning process by—</p> <p>(a) giving a direction under clause 77 that the local authority follow the streamlined process set by the Minister in that direction; or</p> <p>(b) declining the local authority's request.</p> <p>(2) The responsible Minister's decision must be in writing.</p> <p>(3) A decision declining a local authority's request must contain or be accompanied by the reasons for the decision.</p>	WDC agrees with this proposed change.
77	Direction and its content	<p>77 Direction and its content</p> <p>(1) A direction applied for under section 80C is given under this clause.</p> <p>(2) In deciding the content of the direction, the responsible Minister must have regard to—</p> <p>(a) the purpose of the proposed streamlined planning process, the local authority's request, and any supplementary information provided by the local authority; and</p> <p>(b) the views of persons and bodies consulted under clause 75(4).</p> <p>(3) The direction—</p> <p>(a) must provide for the matters set out in subclause (4); and</p> <p>(b) must include a statement of expectations for the local authority that complies with clause 78; and</p> <p>(c) may include any matters provided for in subclause (5).</p> <p>(4) The streamlined planning process set out in the direction must, at a minimum,</p>	WDC agrees with this proposed change.

		<p>provide for—</p> <ul style="list-style-type: none"> (a) consultation with affected parties on the proposed planning instrument, including with the responsible Minister and iwi authorities (if not already undertaken); and (b) a requirement for public notification or limited notification of the proposed planning instrument; and (c) an opportunity for written submissions; and (d) a report showing how submissions have been considered and the changes (if any) made to the proposed planning instrument; and (e) an assessment of the costs and benefits of the proposed planning instrument, or reports under sections 32 and 32AA, as may be relevant. <p>(5) The responsible Minister may also include in the streamlined planning process any other procedural requirements and time frames that the Minister considers appropriate, including—</p> <ul style="list-style-type: none"> (a) any time frames within which the process must be completed; and (b) any reporting requirements; and (c) any relevant planning process requirements set out in this schedule or elsewhere in this Act. <p>(6) The direction must be given in writing, be dated, and be served on the relevant local authority.</p>	
78	Statement of expectations	<p>78 Statement of expectations</p> <p>(1) The responsible Minister’s statement of expectations in the Minister’s direction to a local authority must include a time frame within which the relevant direction must be complied with.</p> <p>(2) The statement of expectations may also include any other matters that the responsible Minister considers relevant.</p>	WDC agrees with this proposed change.
79	Form and status of directions under Legislation Act 2012 (1)	<p>79 Form and status of directions under Legislation Act 2012 (1)</p> <p>A direction under clause 77 is a disallowable instrument, but not a legislative instrument, for the purposes of the Legislation Act 2012 and must be presented to the House of Representatives under section 41 of that Act.</p> <p>(2) As soon as is reasonably practicable after a direction has been made in accordance with clause 77, the responsible Minister must notify it in the Gazette.</p>	WDC agrees with this proposed change.

		(3) The relevant local authority must ensure that, as soon as is reasonably practicable after a direction has been notified in the Gazette, the public can access or download the direction free of charge at or from an Internet site maintained by the local authority or on its behalf.	
80	Amendment of terms of direction	<p>80 Amendment of terms of direction</p> <p>(1) A local authority may apply to the responsible Minister in writing to request that the Minister amend a direction that applies to the local authority, including if the local authority considers that this is necessary or expedient because of a change in circumstances.</p> <p>(2) The local authority must provide to the responsible Minister a statement that explains why the amendment is requested.</p> <p>(3) The responsible Minister may amend his or her direction as the Minister thinks appropriate.</p> <p>(4) Unless an amendment made under this clause has no more than a minor effect or is made to correct a technical error, clauses 75(2), (3), (5), and (6), 77(6), and 79 apply.</p>	WDC agrees with this proposed change.
81	Time limits	<p style="text-align: center;"><i>Other matters relevant to direction</i></p> <p>81 Time limits</p> <p>(1) A local authority may apply in writing to request that the responsible Minister approve an extension to any time frames that apply to the local authority under the Minister's direction.</p> <p>(2) The Minister must consider and determine the application.</p> <p>(3) If no time limit is set in a direction, section 21 (obligation to avoid unreasonable delay) applies, but section 37 (power of waiver and extension of time) does not apply.</p>	WDC agrees with this proposed change.
82	Local authority must comply with direction	<p>82 Local authority must comply with direction</p> <p>(1) A local authority must comply with the terms of a direction served on it under clause 77(6).</p> <p>(2) The direction applies as from time to time amended in accordance with clause 80 and subject to any extension of time allowed under clause 81.</p>	WDC agrees with this proposed change.

83	Local authority must submit proposed planning instrument to responsible Minister	<p style="text-align: center;"><i>Process for approval of proposed planning instrument</i></p> <p>83 Local authority must submit proposed planning instrument to responsible Minister</p> <p>(1) A local authority that is subject to a direction under clause 77 must submit to the responsible Minister, within the time required by the direction,—</p> <ul style="list-style-type: none"> (a) the proposed planning instrument; and (b) a summary report of the written submissions; and (c) a report showing how submissions have been considered and any modifications to the proposed planning instrument in light of the submissions; and (d) the required assessment of costs and benefits, or reports under sections 32 and 32AA, as may be relevant; and (e) a summary document showing how the local authority has met the statement of expectations; and (f) a summary document showing how the proposed planning instrument complies with— <ul style="list-style-type: none"> (i) any relevant national direction; and (ii) the requirements of this Act; and (g) any other information and documentation that is specified in the direction. <p>(2) The local authority may provide any further information in addition to the requirements of subclause (1).</p>	WDC agrees with this proposed change.
84	Responsible Minister to consider proposed planning instrument	<p>84 Responsible Minister to consider proposed planning instrument</p> <p>(1) The responsible Minister may—</p> <ul style="list-style-type: none"> (a) refer the proposed planning instrument back to the local authority— <ul style="list-style-type: none"> (i) with his or her approval; or (ii) for further consideration; or (iii) with specific recommendations for changes to the proposed planning instrument; or (b) decline to approve the proposed planning instrument. <p>(2) In deciding which action to take under subclause (1), the responsible Minister must have regard to—</p> <ul style="list-style-type: none"> (a) whether the local authority has complied with the terms set out in the direction, including the statement of expectations; and 	WDC agrees with this proposed change.

		<p>(b) whether the proposed planning instrument complies with any relevant national direction; and</p> <p>(c) whether the proposed planning instrument meets the requirements of this Act.</p> <p>(3) In making his or her decision, the responsible Minister may have regard to the purpose of the streamlined planning process.</p> <p>(4) The responsible Minister's decision on a local authority's proposed planning instrument must be in writing and be served on the local authority.</p>	
85	Decision to approve local authority's proposed planning instrument	<p>85 Decision to approve local authority's proposed planning instrument</p> <p>(1) This clause applies if the responsible Minister approves a local authority's proposed planning instrument under clause 84(1)(a)(i).</p> <p>(2) The responsible Minister must refer the local authority's proposed planning instrument back to the local authority for the local authority's further action and, in referring it back to the local authority, must notify the local authority of his or her approval and give the local authority the reasons for the decision.</p> <p>(3) The local authority must give a final decision on the proposed planning instrument, and publicly notify that decision in the time frame specified in the Minister's direction.</p> <p>(4) On and from the date on which the local authority's decision is publicly notified, the proposed planning instrument is amended in accordance with that decision.</p> <p>(5) See clause 91 for notification requirements.</p>	WDC agrees with this proposed change.
86	Minister may refer proposed planning instrument back to local authority	<p>86 Minister may refer proposed planning instrument back to local authority</p> <p>(1) This clause applies if the responsible Minister decides that a local authority's proposed planning instrument needs further consideration under clause 84(1)(a)(ii).</p> <p>(2) The responsible Minister must notify the local authority of his or her decision and give the local authority the reasons for the decision.</p> <p>(3) The responsible Minister may extend any time frame in the relevant direction as may be required for the purposes of this clause to ensure that the local authority can comply with the direction.</p> <p>(4) The local authority must—</p> <p>(a) reconsider the planning instrument in light of the responsible Minister's stated reasons; and</p>	WDC agrees with this proposed change.

		<p>(b) make any changes that the local authority considers appropriate; and (c) resubmit the planning instrument to the responsible Minister.</p> <p>(5) The responsible Minister may reconsider the local authority's revised proposed planning instrument and approve it once he or she is satisfied that it meets the requirements for approval in clause 84.</p>	
87	Decision to recommend specific changes	<p>87 Decision to recommend specific changes</p> <p>(1) This clause applies if the responsible Minister recommends that a local authority adopt specific changes to its proposed planning instrument under clause 84(1)(a)(iii).</p> <p>(2) The responsible Minister must notify the local authority of his or her decision and give the local authority the reasons for the decision.</p> <p>(3) The responsible Minister may extend any time frame in the relevant direction as may be required for the purposes of this clause to ensure that the local authority can comply with the direction.</p> <p>(4) The local authority must adopt the responsible Minister's specified changes and submit a revised proposed planning instrument (incorporating the specified changes) for approval by the Minister.</p>	WDC agrees with this proposed change.
88	Decision to decline to approve proposed planning instrument	<p>88 Decision to decline to approve proposed planning instrument</p> <p>(1) This clause applies if the responsible Minister declines to approve a local authority's proposed planning instrument under clause 84(1)(b).</p> <p>(2) The responsible Minister must notify the local authority of his or her decision and give the local authority the reasons for the decision.</p> <p>(3) The local authority must not proceed further with the proposed planning instrument under this subpart.</p>	WDC agrees with this proposed change.
89	Local authority may withdraw from proposed planning instrument	<p>89 Local authority may withdraw from proposed planning instrument</p> <p>(1) A local authority that is subject to a direction under clause 77 may withdraw the proposed planning instrument set out in the direction at any time before the Minister's decision is made under clause 84.</p> <p>(2) The local authority must give public notice of any withdrawal under subclause (1), including the reasons for the withdrawal.</p> <p>(3) On the public notification of the local authority's withdrawal of the proposed</p>	WDC agrees with this proposed change.

		planning instrument, the direction ceases to have effect and is revoked.	
90	Minister may revoke direction	<p>90 Minister may revoke direction</p> <p>(1) If the responsible Minister wishes to revoke, in whole or in part, a direction given under clause 77, the Minister—</p> <p style="padding-left: 40px;">(a) must give public notice, with adequate time and opportunity for the public to comment on the proposed revocation, and then give notice of the revocation in the Gazette; but</p> <p style="padding-left: 40px;">(b) may otherwise make the revocation without further consultation.</p> <p>(2) The revocation of the whole or part of a direction does not have the effect of revoking any provision of a plan included as a consequence of that direction.</p> <p>(3) The proposed planning instrument is deemed to be withdrawn unless the local authority decides to continue its preparation of the proposed planning instrument under Part 1 of this schedule.</p>	WDC agrees with this proposed change.
91	Notification of local authority's decision	<p style="text-align: center;"><i>Notification and operation of planning instrument</i></p> <p>91 Notification of local authority's decision</p> <p>(1) This clause applies if a local authority makes a decision on a proposed planning instrument under clause 85(3).</p> <p>(2) As soon as is reasonably practicable after the local authority is notified of the responsible Minister's approval, the local authority must publicly notify—</p> <p style="padding-left: 40px;">(a) the Minister's approval; and</p> <p style="padding-left: 40px;">(b) the local authority's final decision under clause 85(3).</p> <p>(3) At the same time as the local authority gives public notice of the Minister's approval under subclause (2)(a), it must serve a copy of that public notice on landowners and occupiers who, in the local authority's opinion, are directly affected by the Minister's approval and the local authority's decision.</p> <p>(4) The local authority must also—</p> <p style="padding-left: 40px;">(a) make a copy of the public notice and the reports prepared under clause 83(1) publicly available (whether physically or by electronic means) at all of its</p>	WDC agrees with this proposed change.

		<p>offices, and all public libraries in the district (if it relates to a district plan) or region (in all other cases); and</p> <p>(b) include with the notice a statement of the places where a copy of the decision is available; and</p> <p>(c) send or provide, on request, a copy of the decision within 3 working days after the request is received.</p>	
92	Operative date	<p>92 Operative date</p> <p>The planning instrument that is approved by the responsible Minister under clause 84(1) and decided by the local authority under clause 85(3) becomes operative on and from the day after the date on which public notice is given in accordance with clause 91(2).</p>	WDC agrees with this proposed change.
93	Appeal rights	<p><i>Effect of decisions under this Part on appeal rights</i></p> <p>93 Appeal rights</p> <p>(1) No right of appeal under this Act lies against any decision or action of the responsible Minister, a local authority, or any other person under this Part.</p> <p>(2) However, the fact that a planning instrument is prepared under a streamlined planning process under this Part does not affect any right of appeal under this Act against any decision or action of a person under the planning instrument.</p> <p>(3) Nothing in this clause affects a person's right to apply, in accordance with the law, for judicial review in relation to any decision or action of the responsible Minister, a local authority, or any other person under this Part.</p>	WDC agrees with this proposed change.
Schedule 2 Amendments to Schedule 12 of Resource Management Act 1991 commencing on day after Royal assent			
	Schedule 12 heading	<p>Replace the Schedule 12 heading with "Transitional, savings, and related provisions".</p> <p>New Part heading</p> <p>In Schedule 12, above clause 1, insert:</p> <p style="text-align: center;"><i>Part 1 Resource Management Amendment Act 2013</i></p>	Minor / Transitional / Consequential amendments.
1	Clause 1	In Schedule 12, clause 1, replace "schedule" with "Part".	Minor / Transitional / Consequential amendments.

4	Clause 4	In Schedule 12, clause 4(1), replace “this section” with “this clause”.	Minor / Transitional / Consequential amendments.
11		<p>Interpretation New Part 2 In Schedule 12, after clause 10, insert: 11 Interpretation In this Part,— amendment Act means Part 1 of the Resource Legislation Amendment Act 2015 commencement, in relation to a provision of the amendment Act or an amendment made by that provision, means the date on which that provision comes 25 into force.</p>	Minor / Transitional / Consequential amendments.
12	Specified matters subject to transitional arrangements	<p>12 Specified matters subject to transitional arrangements (1) An amendment made by the amendment Act does not apply in respect of a matter specified in subclause (2) if, immediately before the commencement of the amendment, the matter— (a) has been lodged with a local authority, the EPA, or a Minister, or called in by the Minister; but (b) has not proceeded to the stage at which no further appeal is possible. (2) The matters referred in subclause (1) are— (a) an application for a resource consent (or anything treated by this Act as if it were an application for a resource consent); (b) any other matter in relation to a resource consent (or in relation to anything treated by this Act as if it were a resource consent); (c) a challenge under section 85 in relation to a provision or proposed provision of a plan or proposed plan that would render any land incapable of reasonable use; (d) an application relating to a nationally significant proposal lodged with the EPA or called in by the Minister under Part 6AA: (e) a notice of requirement— (i) for a designation or heritage order; or (ii) to alter a designation or heritage order; (f) an application for a water conservation order made under section 201(1) or to amend or revoke an order under section 216(2); (g) an application or a proposal to vary or cancel an instrument that creates an</p>	Minor / Transitional / Consequential amendments.

		<p>esplanade strip under section 234(1) or (3):</p> <p>(h) the creation of an esplanade strip by agreement under section 235(1).</p> <p>(3) This clause does not limit clauses 13 to 15.</p>	
13	Proposed policy statement or plans, changes, or variations	<p>13 Proposed policy statement or plans, changes, or variations</p> <p>(1) This clause applies to a proposed policy statement or plan, change, or variation that, immediately before the commencement of a relevant amendment made by the amendment Act,—</p> <p>(a) has been publicly notified under clause 5 or 26(b) of Schedule 1; but</p> <p>(b) has not proceeded to the stage at which no further appeal is possible.</p> <p>(2) The proposed policy statement, plan, change, or variation must be determined as if the amendments made by the amendment Act had not been enacted.</p>	Minor / Transitional / Consequential amendments.
14	Transitional arrangements for early use of collaborative process	<p>14 Transitional arrangements for early use of collaborative process</p> <p>(1) A collaborative process may be used in accordance with this clause if, before the commencement of subpart 4 of Part 5 (which provides for the use of a collaborative planning process), a local authority—</p> <p>(a) has commenced preparing, changing, or reviewing a policy statement or plan; but</p> <p>(b) has not publicly notified the proposed policy statement or plan or change under Part 1 of this schedule.</p> <p>(2) If a local authority wishes to use a collaborative process in the circumstances set out in subclause (1), the local authority must—</p> <p>(a) publicly notify its intention to apply to the Minister for approval to continue its process of preparing or changing a policy statement or plan using the collaborative planning process under this Part; and</p> <p>(b) invite submissions, to be submitted within 20 working days of the notice, on the proposal to use the collaborative planning process; and</p> <p>(c) submit to the Minister a summary of the submissions and a report setting out how the collaborative planning process meets the criteria set out in subclause (3).</p> <p>(3) The criteria are as follows:</p> <p>(a) whether there has been a clear intention to set up a collaborative group and appoint its members:</p> <p>(b) whether the composition of the collaborative group reflects the</p>	Minor / Transitional / Consequential amendments.

		<p>requirements set out in clause 40 of Schedule 1:</p> <p>(c) whether, in the opinion of the Minister, the commitment of the local authority to the consensus of the collaborative group is consistent with the requirement of clause 45(2)(a) of Schedule 1:</p> <p>(d) whether, in the opinion of the Minister, the terms of reference for the collaborative group are consistent with the terms of reference required 20 by clause 41 of Schedule 1.</p> <p>(4) After considering any submissions and the report submitted under subclause (2)(c), the Minister—</p> <p>(a) may accept the application if the Minister is satisfied that the local authority meets the criteria set out in subclause (3), but must otherwise reject the application; and</p> <p>(b) if the Minister accepts the application, must notify that decision to the local authority not later than 2 months after the date of the application.</p> <p>(5) If the Minister accepts the application under subclause (4), the local authority must—</p> <p>(a) give public notice that the Minister has accepted the local authority's application to continue its process of preparing, changing, or reviewing a policy statement or plan using the collaborative planning process; and</p> <p>(b) amend the terms of reference in accordance with clause 41 of Schedule 1.</p> <p>(6) This clause ceases to apply on the date that is 1 year after the commencement of this clause or on a later prescribed date.</p>	
15	Application to fresh water of rules relating to water quality	<p>15 Application to fresh water of rules relating to water quality</p> <p>Nothing in section 69(4) (as inserted by the amendment Act) affects any plan approved, or water conservation order made, immediately before the commencement of that amendment if that plan or order refers to or incorporates any standards set out in Schedule 3.</p>	Minor / Transitional / Consequential amendments.
16	Matters before the Environment Court	<p>16 Matters before the Environment Court</p> <p>An amendment made by the amendment Act does not apply to any proceeding lodged with the Environment Court immediately before the commencement of that amendment.</p>	Minor / Transitional / Consequential amendments.
Schedule 3 Consequential amendments commencing on day after Royal assent			

		<p>Environmental Protection Authority Act 2011 (2011 No 14) After section 13(c)(ii), insert: (iia) to provide secretarial and support services to a person appointed under an Act to make a decision requiring the application of provisions of the Resource Management Act 1991 as applied or modified by the Act under which the person is appointed:</p>	Minor / Transitional / Consequential amendments.
		<p>Housing Accords and Special Housing Areas Act 2013 (2013 No 72)</p>	
		<p>In section 77(1), replace “section 36(4) of the Resource Management Act 1991” with “section 36AAA of the Resource Management Act 1991”. Replace section 77(2) with: (2) Sections 36(5) to (7) and 36AAA of the Resource Management Act 1991 apply to charges fixed by the authorised agency under this section— (a) as if the reference in section 36(5) of that Act to that section were a reference to this section; and (b) as if the reference in section 36AAA(1) of that Act to section 36 of that Act were a reference to this section; and (c) with all other necessary modifications.</p> <p>In section 81(1)(g), replace “section 36(3) of the Resource Management Act 1991” with “section 36(5) of the Resource Management Act 1991”.</p> <p>In section 83(b), replace “36(3) of the Resource Management Act 1991” with “36(5) of the Resource Management Act 1991”.</p>	Minor / Transitional / Consequential amendments.
	<p>Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3)</p>	<p>Marine and Coastal Area (Takutai Moana) Act 2011 (2011 No 3) Replace section 19(3) with: (3) This subsection and subsections (3A) to (3C) apply— (a) if the ownership is uncertain in respect of a structure in a part of the common marine and coastal area for which a regional council has responsibility; and (b) there is no current resource consent in respect of the structure. (3A) The regional council must— (a) undertake an inquiry under subsection (2); or (b) remove the structure under section 12(7) of the Resource Management Act 1991.</p>	This change is welcome in principle.

		<p>(3B) The regional council may take action under subsection (3A)(b) if, in the opinion of the council, an inquiry under subsection (2) is not warranted because—</p> <ul style="list-style-type: none"> (a) the structure is likely to have no, or minimal, value to any owner or to the community; and (b) efforts to locate the owner have not been successful, including, as a minimum,— <ul style="list-style-type: none"> (i) a search of the relevant records held by the council; and (ii) a reasonable effort to locate the owner from any contact details in those records. <p>(3C) A regional council may determine whether to remove a structure, in whole or in part,—</p> <ul style="list-style-type: none"> (a) in accordance with the provisions of the regional coastal plan; or (b) without complying with any conditions in the regional coastal plan or obtaining a resource consent if, in the council’s opinion, any adverse effects of removing the structure would be no more than minor. 	
	<p>Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (2010 No 119)</p>	<p>Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (2010 No 119)</p> <p>In section 13(1)(b), after “1991”, insert “; and”.</p> <p>After section 13(1)(b), insert:</p> <ul style="list-style-type: none"> (c) the national planning template published under section 58F of the Resource Management Act 1991, to the extent that it contains provisions referred to in section 58C(1)(b) of that Act (which refers to matters that may be included in a national policy statement): <p>After section 13(3), insert:</p> <p>(3A) A local authority must not amend under section 58H of the Resource Management Act 1991 a document defined in that section, to the extent that the document contains provisions referred to in section 58C(1)(b) of that Act, if the amendment would make the document inconsistent with the vision and strategy.</p>	
	<p>Resource Management Amendment Act 2005 (2005 No 87)</p>	<p>Resource Management Amendment Act 2005 (2005 No 87)</p> <p>Repeal section 115(2) to (4).</p> <p>Repeal section 117.</p>	

	Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (2010 No 24)	Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 (2010 No 24)	
		<p>In section 12(1)(b), after “1991”, insert “; and”.</p> <p>After section 12(1)(b), insert: (c) the national planning template published under section 58F of the Resource Management Act 1991, to the extent that it contains provisions referred to in section 58C(1)(b) of that Act (which refers to matters that may be included in a national policy statement):</p> <p>After section 13(3), insert: (3A) A local authority must not amend under section 58H of the Resource Management Act 1991 a document defined in that section, to the extent that the document contains provisions referred to in section 58C(1)(b) of that Act, if the amendment would make the document inconsistent with the vision and strategy</p>	
Schedule 4 Amendments to Schedule 12 of Resource Management Act 1991 commencing 5 years after Royal assent			
17	Matters relating to financial contributions	<p>17 Matters relating to financial contributions</p> <p>(1) An amendment specified in subclause (2) does not apply in respect of an application for a resource consent that is lodged before the commencement of the amendment.</p> <p>(2) The amendments referred to in subclause (1) are the amendments, made by the amendment Act, that repeal or amend the following provisions:</p> <p>(a) section 108(2)(a), (9), and (10):</p> <p>(b) sections 110 and 111:</p> <p>(c) section 222(1):</p> <p>(d) section 407(1):</p> <p>(e) section 409:</p> <p>(f) section 411:</p> <p>(g) the provisions of the enactments set out in Schedule 5 of the amendment</p>	This is welcome – see earlier comments about transition.

		Act.	
18	Local authorities must amend plans to remove financial contributions provisions	<p>18 Local authorities must amend plans to remove financial contributions provisions</p> <p>(1) This clause applies to a plan or proposed plan that, for the purpose of section 108(10), includes any provision that—</p> <p>(a) specifies the purposes for which conditions requiring a financial contribution may be included in a resource consent; or</p> <p>(b) describes the manner in which the level of a financial contribution is to be determined.</p> <p>(2) A local authority must, before the expiry of 5 years after the date of Royal assent of the amendment Act, change the plan or proposed plan to remove the provisions described in subclause (1).</p> <p>(3) The local authority—</p> <p>(a) need not make the change in the manner set out in Schedule 1; but</p> <p>(b) must give public notice of the change as soon as practicable after it has been made.</p>	See above. Timing will be important in terms of the next round of LTPs.
Schedule 5 Consequential amendments commencing 5 years after Royal assent			
Part 1 Amendments to Acts			
	Goods and Services Tax Act 1985 (1985 No 141)	Goods and Services Tax Act 1985 (1985 No 141) In section 5(7B)(a) and (7C)(a), after “condition of a resource consent under the Resource Management Act 1991”, insert “, where the condition is imposed under section 108(2)(a) of that Act (before the repeal of section 108(2)(a) by section 153 of the Resource Legislation Amendment Act 2015)”.	
	Local Government Act 2002 (2002 No 84)		
		Local Government Act 2002 (2002 No 84) In section 102(2)(d), delete “or financial contributions”. Repeal section 103(2)(h). In the heading to section 106, delete “or financial contributions”. Repeal section 106(1) and (4). 15	

		<p>Replace section 106(2) with:</p> <p>(2) A policy adopted under section 102(1) must, in relation to the purposes for which development contributions may be required,—</p> <p>(a) summarise and explain the total cost of capital expenditure identified in the long-term plan, or identified under clause 1(2) of Schedule 13, that the local authority expects to incur to meet the increased demand for community facilities resulting from growth; and</p> <p>(b) state the proportion of that total cost of capital expenditure that will be funded by—</p> <p>(i) development contributions:</p> <p>(ii) other sources of funding; and</p> <p>(c) explain, in terms of the matters required to be considered under section 101(3), why the local authority has determined to use those funding sources to meet the expected total cost of capital expenditure referred to in paragraph (a); and</p> <p>(d) identify separately each activity or group of activities for which a development contribution will be required and, in relation to each activity or group of activities, specify the total amount of funding to be sought by development contributions; and</p> <p>(e) if development contributions will be required, comply with the requirements set out in sections 201 to 202A. In section 200(1)(a), after “under section 108(2)(a) of the Resource Management Act 1991”, insert “(before the repeal of section 108(2)(a) by section 153 of the Resource Legislation Amendment Act 2015)”.</p>	
	Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37)	Local Government (Auckland Transitional Provisions) Act 2010 (2010 No 37) Repeal sections 58 to 60 and the cross-heading above section 58.	
	Ngāti Awa Claims Settlement Act 2005 (2005 No 28)	Ngāti Awa Claims Settlement Act 2005 (2005 No 28) Repeal section 159(4).	
	Ngāti Koroki	Ngāti Koroki Kahukura Claims Settlement Act 2014 (2014 No 74)	

	Kahukura Claims Settlement Act 2014 (2014 No 74)	Repeal section 59(5). Repeal section 85(2). Ngāti Manawa Claims Settlement Act 2012 (2012 No 27) Repeal section 87(3).	
	Ngāti Whare Claims Settlement Act 2012 (2012 No 28)	Ngāti Whare Claims Settlement Act 2012 (2012 No 28) Repeal section 90(3). Repeal section 105(4).	
	Taxation (GST, Trans-Tasman Imputation and Miscellaneous Provisions) Act 2003 (2003 No 122)	Taxation (GST, Trans-Tasman Imputation and Miscellaneous Provisions) Act 2003 (2003 No 122) In section 144(2), after “condition of a resource consent under the Resource Management Act 1991”, insert “, where the condition is imposed under section 108(2)(a) of that Act (before the repeal of section 108(2)(a) by section 153 of the Resource Legislation Amendment Act 2015) ”.	
Part 2 Amendment to legislative instrument			
	Local Government (Financial Reporting and Prudence) Regulations 2014 (LI 25 2014/76)	Local Government (Financial Reporting and Prudence) Regulations 2014 (LI 25 2014/76) In regulation 3, definition of financial contribution, after “under section 108(2)(a) of the Resource Management Act 1991”, insert “(before the repeal of section 108(2)(a) by section 153 of the Resource Legislation Amendment Act 2015) ”.	
Schedule 6 New Schedule 1AA of Public Works Act 1981 inserted Schedule 1AA Transitional, savings, and related provisions			
		Part 1 Provisions relating to Part 3 of the Resource Legislation Amendment Act 2015	
1	Interpretation	Interpretation In this schedule,— amendment Act means Part 3 of the Resource Legislation Amendment Act 2015 commencement date means the date on which the amendment Act comes into force.	

2	New rule on evidence does not apply to hearings that have begun	New rule on evidence does not apply to hearings that have begun Section 24(6A) does not apply to any hearing of the Environment Court under section 24 that begins on or before the commencement date.	Supported.
3	Circumstances in which this Act applies as if unamended	Circumstances in which this Act applies as if unamended (1) If the Minister or a local authority, as applicable, and the owner of land have, before the commencement date, executed an agreement for the sale and purchase of the land under section 17, this Act continues to apply to the agreement, and to any claim for compensation for or in respect of the land, as if the amendments referred to in subclause (2) had not come into force. (2) If a Proclamation taking land has been issued in accordance with section 26 before the commencement date, this Act continues to apply to the Proclamation, and to any claim for compensation for or in respect of the land, as if the amendments referred to in subclause (1) had not come into force. (3) The amendments referred to in subclause (1) and (2) are the amendments, made by the amendment Act, that repeal, amend, replace, or insert the following provisions: (a) section 4C(2): (b) section 24: (c) section 59: (d) section 72: (f) section 75.	Important to have these transitional arrangements.
4	Negotiation start date includes dates before commencement of amendment Act	Negotiation start date includes dates before commencement of amendment Act To avoid doubt, the dates specified in paragraphs (a) and (b) of the definition of negotiation start date in section 72A(2) include dates that occur before the commencement date.	
5	Extended time to comply with section 72A(1)(b) in certain	Extended time to comply with section 72A(1)(b) in certain circumstances (1) If the negotiation start date that applies to the owner of land under section 72A(1)(b)(i) is 4 months or more before the commencement date, section 72A must be read as if—	

	circumstances	<p>(a) it requires the agreement referred to in that section to be executed within 2 months after the commencement date; and (b) the deadline referred to in that section (“within 6 months after the negotiation start date”) does not apply.</p> <p>(2) However, no compensation must be paid to the owner of land under section 72A(1)(b) if—</p> <p>(a) the negotiation start date that applies to the owner under section 72A(1)(b)(i) is 6 months or more before the commencement date; and</p> <p>(b) the notifying authority serves notice in relation to the owner’s land in accordance with section 18(1)(a) within 2 months after the commencement date.</p>	
<i>Schedule 7 New Schedule 1AA of Conservation Act 1987 inserted</i>			
Schedule 7 Schedule 1AA Transitional, savings, and related provisions			
Part 1 Provisions relating to Part 4 of the Resource Legislation Amendment Act 2015			
1		<p>Savings provisions relating to Part 4 of the Resource Legislation Amendment Act 2015</p> <p>All applications for a concession under section 17R that were pending or in progress immediately before the day on which Part 4 of the Resource Legislation Amendment Act 2015 came into force must be continued and completed as if this Act had not been amended by Part 4 of the Resource 15 Legislation Amendment Act 2015.</p>	
Schedule 8 New Schedules 2 and 3 of Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012 inserted			
See Bill			
Schedule 2 EPA hearings for publicly notifiable activities (other than section 20 activities)			
Schedule 3 Boards of inquiry for publicly notifiable section 20 activities			

Open Meeting

To	Waikato District Council
From	GJ Ion Chief Executive
Date	10 February 2016
Prepared by	LM Wainwright Committee Secretary
Chief Executive Approved	Y
DWS Document Set #	1147646
Report Title	Receipt of Infrastructure Minutes

1 Executive Summary

To receive the minutes of a meeting of the Infrastructure Committee held on Tuesday 9 February 2016 and to adopt the recommendations contained therein.

2 Recommendation

THAT the minutes of the Infrastructure Committee meeting held on Tuesday 9 February 2016 be received;

AND THAT the following become resolutions of Council:

INF1602/06/3 Proposed Waikato District Sport and Recreation Strategy

THAT Council support the development of the Waikato District Sport and Recreation Strategy in partnership with Sport Waikato.

INF1602/06/6 Service Delivery Report for February 2016

THAT an independent peer review be undertaken of the cost of repair and refurbishment of the Huntly Memorial Hall and report back to Council prior to any further action being taken.

INF1602/06/7 New Street Naming Proposal – Te Kauwhata

THAT Council endorses the wishes of the Te Kauwhata Community to name the new cul-de-sac,

to be accessed from Roto Street, Matau Close.

INF1602/06/8

New Street Naming Proposals, River Terraces Subdivision, Ngaruawahia

THAT Council endorses the view of the Ngaruawahia Community Board to name the new streets shown on the Scheme Plan the following:

- Road “A” to be Matariki Terrace
- Road “B” to be Matawhero Place
- Road “G” to be Tawera Lane
- Road “G2” to be Te Ika Way.

INF1602/06/9

Rotokauri Lake Management Committee 2014/15 AGM, Budget & Election of Committee for 2015/16

THAT the AGM minutes, 2015/16 budget and work programme be endorsed;

AND THAT Council approve the elected committee membership as per the Waikato District Council Delegations Register for Rotokauri Lake Management Committee membership as per delegations as follows:

- Waikato District Council - Cr Noel Smith
- Waikato Regional Council – Cr Peter Buckley
- Hamilton City Council – Jeremy Froger / Cr Martin Gallagher
- Three residents living within 1 kilometre of the reserve boundary – Heather Perring, Bruce Sparrow, Keith Owen
- One Auckland/Waikato Fish and Game Council representative - Tom Mills
- One Hamilton Fish and Game Association Representative – Trevor Dilks
- One Ngati Mahanga representative – Poata Watene
- Any other persons appointed by the Waikato District Council – at the AGM 2 extra local people requested to sit on the Committee – Liz Gibson, Chris Dawson.

AND FURTHER THAT the two additional nominations elected at the AGM be appointed to the

committee.

INF1602/06/10

Whatawhata Cemetery Additional Budget Request

THAT additional budget of \$18,100 be made available through loan funding for the Whatawhata Cemetery.

INF1602/06/11

Waikato District Alliance - Key Results Areas and Key Performance Indicators

THAT the Waikato District Alliance proposed Key Results Areas and Key Performance Indicators for implementation within the Waikato District Alliance be approved by Council.

3 Attachments

Infrastructure Minutes 9 February 2016



MINUTES of a meeting of the Infrastructure Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 9 FEBRUARY 2016** commencing at **9.02am**.

Present

Cr WD Hayes (Chairperson)
 His Worship the Mayor Mr AM Sanson [until 10.10am and from 10.51am until 11.48am and from 11.51am until 11.54am and from 12.01]
 Cr JC Baddeley
 Cr J Church
 Cr R Costar
 Cr DW Fulton
 Cr J Gibb [from 9.25am]
 Cr S Lynch
 Cr RC McGuire
 Cr L Petersen
 Cr J Sedgwick
 Cr NMD Smith
 Cr MR Solomon [from 9.18am]
 Cr CS Tait

Attending

Mr GJ Ion (Chief Executive)
 Mr T Harty (General Manager Service Delivery)
 Mrs LM Wainwright (Committee Secretary)
 Mr A Corkill (Parks & Facilities Manager)
 Mr M Mould (Waters Manager)
 Mr C Clarke (Roading Manager)
 Ms J Remihana (Programme Delivery Manager)
 Ms M McIntyre (Operations Engineer)
 Mr T Mylchreest (Interim Cyclic Supervisor)
 Mr G Bailey (Open Spaces Operation Team Leader)
 Ms J White (Waikato Coalfields Museum)
 Mr M McGuire (Sport Waikato)
 Ms M Holland (Sport Waikato)

INF1602/01

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Sedgwick/Lynch)

THAT an apology for lateness be received from Cr Gibb.

CARRIED on the voices

INF1602/02 CONFIRMATION OF STATUS OF AGENDA ITEMS

INF1602/02/1 **Resolved: (Crs Baddeley/Sedgwick)**

THAT the agenda for a meeting of the Infrastructure Committee held on Tuesday 9 November 2016 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 8 which shall be discussed with the public excluded.

CARRIED on the voices

INF1602/03 DISCLOSURES OF INTEREST

There were no disclosures of interest.

INF1602/04 CONFIRMATION OF MINUTES

INF1602/04/1 **Resolved: (Crs Costar/Church)**

THAT the minutes of a meeting of the Infrastructure Committee held on Tuesday 10 November 2015 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

INF1602/05 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

INF1602/06 REPORTS

INF1602/06/1 Waikato Coalfields Museum Chairperson's Quarterly Report - 1 October 2015 to 31 December 2015
Item 6.1

Ms White gave a verbal presentation and answered questions of the committee.

Resolved: (Crs Church/Fulton)

THAT the report of the General Manager Service Delivery – *Waikato Coalfields Museum Chairperson's Quarterly Report - 1 October 2015 to 31 December 2015* - be received.

CARRIED on the voices

INF1602/06/2

Sport Waikato Activity Report | October to 31 December 2015
Item 6.2

Mr McGuire gave a verbal presentation and answered questions of the committee.

Resolved: (Crs Costar/Lynch)

THAT the report of the General Manager Service Delivery – Sport Waikato Activity Report | October to 31 December 2015 - be received.

CARRIED on the voices

Cr Solomon entered the meeting [9.18am] during discussion on the above item and was present when voting took place.

INF1602/06/3

Proposed Waikato District Sport and Recreation Strategy
Item 6.3

The Parks & Facilities Manager gave a verbal presentation and answered questions of the committee.

Ms Holland answered questions of the committee.

Resolved: (Crs Baddeley/Petersen)

THAT the report of the General Manager Service Delivery – Waikato District Sport and Recreation Strategy - be received;

AND THAT Council support the development of the Waikato District Sport and Recreation Strategy in partnership with Sport Waikato.

CARRIED on the voices

Cr Gibb entered the meeting [9.25am] during discussion on the above item and was present when voting took place.

INF1602/06/4

Road Safety Education
Item 6.4

The Roading Manager gave a verbal presentation and answered questions of the committee.

Resolved: (Crs McGuire/Gibb)

THAT the report of the General Manager Service Delivery – Road Safety Education - be received.

CARRIED on the voices

INF1602/06/5

Woodlands Historic Homestead Chairman's Report - January 2016
Item 6.5

Resolved: (Crs Costar/Smith)

THAT the report of the General Manager Service Delivery – Woodlands Historic Homestead Report – January 2016 - be received.

CARRIED on the voices

INF1602/06/6

Service Delivery Report for February 2016
Item 6.6

The General Manager Service Delivery gave a verbal presentation and answered questions of the committee.

Resolved: (Crs Tait/McGuire)

THAT the report of the General Manager Service Delivery – Service Delivery Report for February 2016 - be received;

AND THAT an independent peer review be undertaken of the cost of repair and refurbishment of the Huntly Memorial Hall and report back to Council prior to any further action being taken.

CARRIED on the voices

The meeting adjourned at 10.29am and resumed at 10.49am.

His Worship the Mayor withdrew from the meeting [10.10am] during discussion on the above item and re-entered the meeting [10.51am] and was present when voting took place.

INF1602/06/7 New Street Naming Proposal – Te Kauwhata
Item 6.7

Resolved: (Crs Sedgwick/Tait)

THAT the report of the General Manager Service Delivery – New Street Naming Proposal – Te Kauwhata - be received;

AND THAT the Infrastructure Committee endorses the wishes of the Te Kauwhata Community to name the new cul-de-sac, to be accessed from Roto Street, Matau Close.

CARRIED on the voices

INF1602/06/8 New Street Naming Proposals, River Terraces Subdivision, Ngaruawahia
Item 6.8

Resolved: (Crs Solomon/Gibb)

THAT the report of the General Manager Service Delivery – New Street Naming Proposals – River Terraces subdivision, Ngaruawahia - be received;

AND THAT the Infrastructure Committee endorses the view of the Ngaruawahia Community Board to name the new streets shown on the Scheme Plan the following:

- Road “A” to be Matariki Terrace
- Road “B” to be Matawhero Place
- Road “G” to be Tawera Lane
- Road “G2” to be Te Ika Way

CARRIED on the voices

INF1602/06/9 Rotokauri Lake Management Committee 2014/15 AGM, Budget & Election of Committee for 2015/16
Item 6.9

The Parks & Facilities Manager gave a verbal presentation and answered questions of the committee.

Resolved: (Crs Smith/Sedgwick)

THAT the report of the General Manager Service Delivery – Rotokauri Lake Management Committee 2014/15 AGM, Budget & Election of Committee for 2015/16 - be received;

AND THAT the AGM minutes, 2015/16 budget and work programme be endorsed;

AND FURTHER THAT Council approve the elected committee membership as per the Waikato District Council Delegations Register for Rotokauri Lake Management Committee membership as per delegations as follows:

- **Waikato District Council - Cr Noel Smith**
- **Waikato Regional Council – Cr Peter Buckley**
- **Hamilton City Council – Jeremy Froger / Cr Martin Gallagher**
- **Three residents living within 1 kilometre of the reserve boundary – Heather Perring, Bruce Sparrow, Keith Owen**
- **One Auckland/Waikato Fish and Game Council representative - Tom Mills**
- **One Hamilton Fish and Game Association Representative – Trevor Dilks**
- **One Ngati Mahanga representative – Poata Watene**
- **Any other persons appointed by the Waikato District Council – at the AGM 2 extra local people requested to sit on the Committee – Liz Gibson, Chris Dawson.**

AND FURTHER THAT the two additional nominations elected at the AGM be appointed to the committee.

CARRIED on the voices

His Worship the Mayor withdrew from the meeting [11.48am] during discussion on the above item, re-entered the meeting [11.51am] following discussion and was not present when voting took place.

INF1602/06/10

Whatawhata Cemetery Additional Budget Request
Item 6.10

Resolved: (Crs Smith/Sedgwick)

THAT the report of the General Manager Service Delivery – Whatawhata Cemetery Additional Budget Request - be received;

AND THAT additional budget of \$18,100 be made available through loan funding.

CARRIED on the voices

INF1602/06/11

Waikato District Alliance - Key Results Areas and Key Performance Indicators

Item 6.11

The Roading Manager gave a verbal presentation and answered questions of the committee.

Resolved: (Crs Gibb/Church)

THAT the report of the General Manager Service Delivery – Waikato District Alliance - Key Results Areas and Key Performance Indicators – be received;

AND THAT the Committee recommend to Council the proposed Key Results Areas and Key Performance Indicators for implementation within the Waikato District Alliance.

CARRIED on the voices

His Worship the Mayor withdrew from the meeting [11.54am] during discussion on the above item, re-entered the meeting [12.01pm] following discussion and was not present when voting took place.

INF1602/07

CONTRACTS

INF1602/07/1

Increase to Approved Contract Sum, Contract No. 14/212, Morrison Road Pavement Rehabilitation

Item 7.1

The General Manager Service Delivery gave a verbal presentation and answered questions of the committee.

Resolved: (Crs Smith/Fulton)

THAT the report of the General Manager Service Delivery - Increase to Approved Contract Sum – Contract No. 14/212, Morrison Road Pavement Rehabilitation – be received.

CARRIED on the voices

INF1602/07/2

Contract No. 12/061, Open Spaces & Amenities Maintenance, Variation to Contract
Item 7.2

Resolved: (Crs Smith/Gibb)

THAT the report of the General Manager Service Delivery – Contract No. 12/061, Open Spaces & Amenities Maintenance, Variation to Contract – be received.

CARRIED on the voices

INF1602/07/3

Award of Contracts
Item 7.3

Resolved: (Crs Smith/Fulton)

THAT the report of the General Manager Service Delivery – Award of Contracts - be received.

CARRIED on the voices

INF1602/08

Exclusion of the Public
Item 8

Resolved: (Crs Gibb/Baddeley)

THAT the report of the Chief Executive – Exclusion of the Public – be received;

AND THAT the public be excluded from the meeting during discussion on the following item of business:

1. Holmes Road Fire Loss Reinstatement Options
2. Stopping and Disposal of unformed Spence Road, Horotiu
3. Lake Hakanoa Motor Caravan Park

This resolution is made in reliance on sections 48(1)(a) and 48(2)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by sections 6 or 7 of that Act which would be prejudiced by the holding of the whole or the relevant part(s) of the proceedings of the meeting in public are as follows:

That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

- a) **Protect members, or officers, or employees of any local authority, or any persons to whom section 2(5) of the Local Government Official Information and Meetings Act 1987 applies, from improper pressure or harassment;**
- b) **Protect the privacy of natural persons, including that of deceased natural persons;**
- c) **Prevent the disclosure or use of official information for improper gain or improper advantage;**

AND THAT the exclusion of the public from the whole or relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings before the local authority where a right-of-appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings.

CARRIED on the voices

Resolutions INF1602/09 - INF1602/12 are contained in the public excluded section of these minutes.

There being no further business, the meeting was declared closed at 12.46pm.

Minutes approved and confirmed this day of 2016.

WD Hayes
CHAIRPERSON
Minutes2016/INF/160209 INF M.doc

Open Meeting

To	Waikato District Council
From	GJ Ion Chief Executive
Date	22 February 2016
Prepared By	RJ Gray Council Support Manager
Chief Executive Approved	Y
DWS Document Set #	1462666
Report Title	Receipt of Minutes – Chief Executive’s Performance Review

1. Executive Summary

To receive the minutes of a meeting of the Chief Executive’s Performance Review Subcommittee held on Wednesday 17 February 2016.

2. Recommendation

THAT the minutes of a meeting of the Chief Executive’s Performance Review Subcommittee held on Wednesday 17 February 2016 be received.

Attachment - Minutes



MINUTES of the Chief Executive's Performance Review Subcommittee meeting of the Waikato District Council held in the Board Room, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY 17 FEBRUARY 2016** commencing at **9.00am**.

Present His Worship the Mayor Mr AM Sanson
Cr C Baddeley
Cr DW Fulton
Cr W Hayes
Cr S Lynch

Attending Mr GJ Ion (Chief Executive)
Mrs RJ Gray (Council Support Manager)
Mr G Tims (HR Consultant)

CEI602/01 APOLOGIES AND LEAVE OF ABSENCE

All members were present.

CEI602/02 CONFIRMATION OF STATUS OF AGENDA ITEMS

CEI602/02/1 **Resolved: (Crs Baddeley/Lynch)**

THAT the agenda for the Chief Executive's Performance Review Subcommittee meeting of the Waikato District Council held on Wednesday 17 February 2016 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 5 which shall be considered with the public excluded.

CARRIED on the voices

CEI602/03 DISCLOSURES OF INTEREST

There were no disclosures of interest.

CE1602/04 CONFIRMATION OF MINUTESCE15/04/1 **Resolved: (Crs Fulton/Lynch)**

THAT the minutes of a meeting of the Waikato District Council held on **Wednesday 21 September 2015** be confirmed as a true and correct record of that meeting.

CARRIED on the voices

CE1602/05 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

CE1602/06 EXCLUSION OF THE PUBLIC

Resolved: (Crs Lynch/Hayes)

THAT the public be excluded from the meeting during discussion on the following items of business:

- **Confirmation of public excluded minutes dated 23 September 2016**
- **Chief Executive's Performance Review 2015/2016.**

This resolution is made in reliance on sections 48(1)(a) and 48(2)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by sections 6, or 7 of that Act which would be prejudiced by the holding of the whole or the relevant part(s) of the proceedings of the meeting in public are as follows:

That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:

- a) **Protect members, or officers, or employees of any local authority, or any persons to whom section 2(5) of the Local Government Official Information and Meetings Act 1987 applies, from improper pressure or harassment;**
- b) **Protect the privacy of natural persons, including that of deceased natural persons;**
- c) **Prevent the disclosure or use of official information for**

improper gain or improper advantage;

AND THAT the exclusion of the public from the whole or relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings before the local authority where a right-of-appeal lies to any Court or Tribunal against the final decision of the local authority in those proceedings;

AND FURTHER THAT Mr Greg Tims, Human Resources Consultant, remains in the meeting after the public has been excluded to facilitate the discussion of the Chief Executive's performance review.

CARRIED on the voices

Resolution nos CE1602/07 to CE1602/10 are contained in the public excluded section of these minutes.

Having resumed open meeting and there being no further business the meeting was declared closed at 10.38am.

Minutes approved and confirmed this day of 2016.

AM Sanson

CHAIRPERSON

Minutes2016/CCL/160217 CEPR M.docx

Open Meeting

To	Waikato District Council
From	GJ Ion Chief Executive
Date	3 February 2016
Prepared by	LM Wainwright Committee Secretary
Chief Executive Approved	Y
DWS Document Set #	1469160
Report Title	Receipt of Onewhero-Tuakau Community Board Minutes

1 Executive Summary

To receive the minutes of the Onewhero-Tuakau Community Board meeting held on Tuesday 2 February 2016.

2 Recommendation

THAT the minutes of the meeting of the Onewhero-Tuakau Community Board held on Tuesday 2 February 2016 be received.

3 Attachments

OTCB Minutes 2 February 2016



MINUTES of a meeting of the Onewhero-Tuakau Community Board held at Nikau Café, 1779 Waikaretu Valley Road, Waikaretu, on **MONDAY 2 FEBRUARY 2016** commencing at **7.30pm**.

Present Mr N Miller (Chairperson)
Cr R Costar
Cr L Petersen
Mr B Cameron
Mr R Gee
Mrs F Gower
Mrs B Watson

Attending Mr GJ Ion (Chief Executive)
Mrs LM Wainwright (Committee Secretary)
Members of the public

OTCBI602/01 APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Mr Miller/Mrs Watson)

THAT an apology be received from and leave of absence granted to Mrs Anderson.

CARRIED on the voices

OTCBI602/02 CONFIRMATION OF STATUS OF AGENDA ITEMS

OTCBI602/02/1 Resolved: (Cr Costar/Mr Cameron)

THAT the agenda for a meeting of the Onewhero-Tuakau Community Board held on Tuesday 2 February 2016 be confirmed and all items therein be considered in open meeting;

AND THAT the Board resolves that the following item be added to the agenda as a matter of urgency as advised by the Chief Executive:

- Closure of Pukekohe Transfer Station.

CARRIED on the voices

OTCBI602/03 DISCLOSURES OF INTEREST

There were no disclosures of interest.

OTCBI602/04 CONFIRMATION OF MINUTES

Resolved: (Cr Costar/Mr Gee)

THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 7 December 2015 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

OTCBI602/05 MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

OTCBI602/06 REPORTS

OTCBI602/06/1 Discretionary Fund Report to 19 January 2016
Item 6.1

Resolved: (Mr Gee/Cr Petersen)

THAT the report of the General Manager Strategy & Support – Discretionary Fund Report to 19 January 2016 – dated 19 January 2016 be received.

CARRIED on the voices

OTCBI602/06/2 Works & Issues Report
Item 6.2

Resolved: (Mr Gee/Mrs Watson)

THAT the report of the Chief Executive – Works & Issues Report - be received.

CARRIED on the voices

OTCBI602/06/3 Survey Result - Engagement with Community Boards
Item 6.3

Resolved: (Cr Costar/Cr Petersen)

THAT the report of the **General Manager Strategy & Support – Survey Result - Engagement with Community Boards** - be received.

CARRIED on the voices

OTCBI602/06/4 Closure of Pukekohe Transfer Station
Item 6.4

Resolved: (Ms Gower/Mr Gee)

THAT the report of the **General Manager Service Delivery – Closure of Pukekohe Transfer Station** - be received;

AND THAT Council be requested to engage with the **Community Board** to investigate the establishment of a recycling centre in the north **Waikato** area.

CARRIED on the voices

OTCBI602/06/5 Pre-meeting Forum
Item 6.4

- Road cones not collected,
- Spraying of yellow bristle grass, and
- Rubbish collection.

OTCBI602/06/6 Chairperson's Report
Item 6.5

The Chair provided an overview of meetings he had attended.

OTCBI602/06/7 Councillors' and Community Board Members' Report
Item 6.6

Councillors and members provided a brief update on district issues.

There being no further business, the meeting was declared closed at 8.30pm.

Minutes approved and confirmed this day of 2016.

NJ Miller
CHAIRPERSON

Minutes2016/OTCB/160202 OTCB Minutes

Open Meeting

To	Waikato District Council
From	GJ Ion Chief Executive
Date	22 February 2016
Prepared By	RJ Gray Council Support Manager
Chief Executive Approved	Y
DWS Document Set #	1462529
Report Title	Receipt of Minutes – Taupiri Community Board

1. Executive Summary

The minutes of a meeting of the Taupiri Community Board held on Monday 15 February 2016 are submitted for receipt.

2. Recommendation

THAT the minutes of a meeting of the Taupiri Community Board held on Monday 15 February 2016 be received.

3 Attachments

Minutes



MINUTES of a meeting of the Taupiri Community Board held in the Memorial Hall, Greenlane Road, Taupiri on **MONDAY 15 FEBRUARY 2016** commencing at **6.30pm**.

Present Mr K Clewlow (Chairperson)
 Cr J Gibb
 Mrs E Gouk
 Mr WF Hansen
 Mrs K Kohu
 Mr H Lovell
 Mrs J Ross
 Cr MR Solomon

Attending Ms S Duignan (General Manager Customer Support)
 Mrs RJ Gray (Council Support Manager)
 Mr & Mrs Lambie

TCBI602/01 APOLOGIES AND LEAVE OF ABSENCE

All members were present.

TCBI602/02 CONFIRMATION OF STATUS OF AGENDA ITEMS

TCBI602/02/1 **Resolved: (Ms Ross/Mrs Kohu)**

THAT the agenda for the meeting of the Taupiri Community Board held on Monday 15 February 2016 be confirmed and all items therein be considered in open meeting.

CARRIED on the voices

TCBI602/03 DISCLOSURES OF INTEREST

There were no disclosures of interest noted.