

Minutes for a meeting of the Policy & Regulatory Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngauruawaahia on **TUESDAY, 14 NOVEMBER 2023** commencing at **9.30am**.

Present:

Cr CA Eyre (Chairperson)
Cr C Beavis
Cr JM Gibb
Cr M Keir
Cr K Ngataki
Cr EM Patterson
Cr M Raumati
Cr V Reeve
Cr LR Thomson
Cr P Thomson
Cr D Whyte

Attending:

Mr G Ion (Chief Executive)
Mr R MacCulloch (Manager Customer Support)
Ms M Rinaldi (Corporate Planner)
Mr W Hill (Consents Manager)
Mr J Ebenhoh (Planning & Policy Manager)
Ms S Kelly (Programme Manager District Plan)
Ms K Davis-Miller (Resource Management Policy Manager)
Ms K Ridling (Senior Solicitor RMA)
Mr V Ramduny (Strategic Initiatives and Partnerships Manager)
Ms N Hubbard (Corporate Planning Manager)
Ms M Rinaldi (Corporate Planner)
Ms T O'Shannessey (Monitoring Team Leader)
Mrs LM Wainwright (Democracy Advisor)

The meeting opened with a Karakia.

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Ngataki/L Thomson)

THAT the Policy & Regulatory Committee accept the apology from:

- a. Her Worship the Mayor, Mrs JA Church and Cr T Turner for non-attendance.**

CARRIED

P&R2311/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Eyre/Ngataki)

THAT:

- a. the agenda for a meeting of the Policy & Regulatory Committee held on Tuesday, 14 November 2023 be confirmed;**
- b. all items therein be considered in open meeting, and**
- c. all reports be received.**

CARRIED

P&R2311/02

DISCLOSURES OF INTEREST

Cr Eyre advised members of the Committee that she would declare a non-financial conflict of interest in Item 6.4 *[Appointment of Council's Representative on the Future Proof Hearings Subcommittee]*.

Cr Patterson advised members of the Committee that he would declare a non-financial conflict of interest in Item 6.4 *[Appointment of Council's Representative on the Future Proof Hearings Subcommittee]*.

CONFIRMATION OF MINUTES

Resolved: (Crs Keir/P Thomson)

THAT:

- a. the minutes for a meeting of the Policy & Regulatory Committee held on Tuesday, 3 October 2023 be confirmed as a true and correct record; and
- b. the minutes for a meeting of the Policy & Regulatory Committee (Freedom Camping Bylaw Deliberations) held on Monday, 16 October 2023 be confirmed as a true and correct record.

CARRIED

P&R2311/03

ACTIONS REGISTER – NOVEMBER 2023

Agenda Item 5

The report was received [*P&R2311/02 refers*] and the following discussion was held:

Proposed Water Supply Bylaw 2023

- The Proposed Water Supply Bylaw Hearing & Deliberations would be held on Tuesday, 22 November 2023.

REPORTS

Update on Appeals to the Proposed Waikato District Plan

Agenda Item 6.1

The report was received [*P&R2311/02 refers*]. The Project Manager District Plan, supported by the Senior Solicitor RMA and Resource Management Policy Manager, spoke to the report and the following discussion was held:

- The Environment Court had issued consent orders which confirmed the resolution of 18 appeals. In summary, out of 66 appeals, 18 had been resolved and 48 remain to be resolved either in full or in part. Of these, at least ten (10) appeals would proceed to the Environment Court. It was anticipated that the remaining 38 would be resolved by mid-2024. The Environment Court schedule for 2024 had not been confirmed.
- Throughout 2023, the PDP Subcommittee had reviewed all appeal topics and subtopics. The Appeals team had worked closely with the appellants negotiating appeal resolutions.
- Written and verbal reports were provided to the Committee when required.

- The District Plan process was explained to the Committee. No appeals related to the two (2) previous District Plans of Franklin District Council and Waikato District Council. The National Planning Framework had added a layer of complexity in terms of having two (2) plans.
- Length of time for the District Plan process was discussed. 66 legal processes were running concurrently and would take considerable time to resolve. It was noted that each appeal could have multiple parties attached to it which meant a longer time to resolve.

Adoption of the Freedom Camping Bylaw 2023

Agenda Item 6.2

The report was received [P&R2311/02 refers]. The Corporate Planner, supported by the Monitoring Team Leader, spoke to the report and the following discussion was held:

- The changes made to the Bylaw had been decided through the deliberations process.
- There were inconsistencies between the Bylaw and the two (2) Reserve Management Plans for Onewhero Domain and Te Kauwhata Domain. The Reserve Management Plans would be amended to be consistent with the Freedom Camping Bylaw.
- The Cultural Significance part of the process was explained to the Committee.

Resolved: (Crs Patterson/P Thomson)

THAT the Policy and Regulatory Committee recommends that Council:

- a. confirms that further consultation is not required under section 76 of the Local Government Act 2002;**
- b. confirms, in accordance with Section 11 of the Freedom Camping Act 2011, that a bylaw is necessary in the Waikato District for one or more of the following purposes:**
 - a. to protect the area;**
 - b. to protect the health and safety of people who may visit the area; and**
 - c. to protect access to the area;**
- c. confirms, in accordance with Section 11 of the Freedom Camping Act 2011, that the bylaw is the most appropriate and proportionate way of addressing the perceived problem(s) in relation to each area;**
- d. confirms that the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990;**
- e. notes the changes made to the proposed Freedom Camping Bylaw 2023 (Attachment 1), as directed during deliberations by the Policy and Regulatory Committee on 16 October 2023;**

- f. confirms that the **Waikato District Council Freedom Camping Bylaw 2023 (Attachment 2)** is adopted; and
- g. confirms that staff will make changes to reserve management plans to reflect the **Freedom Camping Bylaw**.

CARRIED

P&R2311/04

Ministry for the Environment National Monitoring System and Resource Consent Data
Agenda Item 6.3

The report was received [*P&R2311/02 refers*]. The Consents Manager spoke to the report and the following discussion was held:

- When comparing Waikato District Council against all Councils, the number of applications granted in Waikato District were amongst one of the highest and was indicative that it was a growing district.
- The median number of working days taken to process a consent remains below the national median, despite the median number of days increasing more recently. Processing of applications for Waikato District Council's remained at 45 days.
- The percentage of consents processed by Waikato District Council within statutory timeframes was approximately 95% and remained higher than the national median, although the national median had dropped recently.
- The National Planning Framework plan rules could be scattered through five (5) different chapters which meant more time consuming assessments took place. This assisted in increasing the costs of applications.
- Waikato District Council's cost to process non notified applications was above the national median. This would be indicative of processing consents under two (2) District Plan frameworks and the complexity of one (1) of those plans being under the National Planning Standards template.
- The median cost of processing notified applications was heavily weighted by a small number of very complex applications. Smaller limited notified applications attracted less costs.
- Summary information regarding resource consents was contained in the MfE's Resource Consent Explorer which could be found on the MfE's website at the following links:

<https://environment.govt.nz/what-government-is-doing/areas-of-work/rma/national-monitoring-system/>, and

https://mfenz.shinyapps.io/ResourceConsentsExplorer_2122/.

- MacPherson's Quarry. This was a joint application to Waikato District Council and Waikato Regional Council with the hearing having been heard by a panel of three (3) Commissioners. Prior to the application being notified, it was amended which meant a double assessment of the application. There were many experts involved in the process including landscape, ecology, traffic, acoustic, water quality and geotechnical. The Quarry application was publicly notified which meant costs had increased.
- Waikato District Council's RMA processes had been streamlined and was working efficiently.
- Acknowledgement was given to Council's staff on the work to date.
- Applications received were taken on their own merits when assessed by staff. It was noted that Waikato District Council had the lowest notification rate across the councils.
- Waikato District Council had a small rating base and had a user pay philosophy for RMA applications.
- Hamilton City Council had an operative district plan which had been in place for a number of years and costs had remained more consistent. Costs could not be compared to Waikato District Council.
- A project was being worked on called the P2B2 (Planning to Build Together) which was the biggest transformation that Council was looking at for the resource and building consenting processes. A customer could go online and put in their address which would bring up all the different planning and building rules that related to their property. It was hoped that this project would be up and running within the next 12 months.

Appointment of Council's Representative on the Future Proof Hearings Subcommittee Agenda Item 6.4

Cr Eyre vacated the Chair owing to declaring a conflict of interest, withdrew to the public gallery and did not speak to, or vote on this item.

Cr Patterson declared a financial conflict of interest, withdrew to the public gallery and did not speak to, or vote on this item.

Cr Beavis assumed the Chair for this item.

The report was received [*P&R2311/02 refers*]. The Strategic Initiatives and Partnerships Manager spoke to the report and the following discussion was held:

- Future Proof was developing a Future Development Strategy which would go out for consultation in January 2024.

- The “Future Proof 101 Strategy” workshop would be held on Tuesday, 21 November 2023.

Resolved: (Crs L Thomson/Reeve)

That the Policy and Regulatory Committee recommends to Council that:

- a. Cr Carolyn Eyre (who is the Deputy Mayor and is also one of Waikato District Council’s representative on the Future Proof Implementation Committee) be Waikato District Council’s representative on the Future Proof Hearings Subcommittee; and**
- b. Cr Eugene Patterson (who is Council’s alternate representative on the Future Proof Implementation Committee) be Cr Eyre’s alternate should the latter not be able to discharge her duties.**

CARRIED

P&R2311/05

Cr Beavis vacated the Chair following discussion and voting on the above item.

Cr Eyre resumed the Chair for the remainder of the meeting.

Recommendation to Adopt – Significance and Engagement Policy
Agenda Item 6.5

The report was received [P&R2311/02 refers]. The Corporate Planning Manager spoke to the report and the following discussion was held:

- The policy sat alongside the Long Term Plan and was used when determining significant decisions through the LTP process.
- The policy had been working well to date and no complaints or issues had been received. The Engagement Strategy was in progress and it was felt that it would be premature to make changes to the Significance and Engagement Policy until that work had been completed. Once the engagement strategy had been adopted, consideration would be given as to whether any changes were required to the policy.

Resolved: (Crs Whyte/Gibb)

That the Policy and Regulatory Committee recommends that Council:

- a. adopts the Significance and Engagement Policy 2023 (Option One – Attachment 1), and**
- b. revokes the Significance and Engagement Policy 2020 (Attachment 3).**

CARRIED

P&R2311/06

The meeting closed with a Karakia.

There being no further business the meeting was declared closed at 10.22am.

Minutes approved and confirmed this day of 2023.

Cr C Eyre
CHAIRPERSON

Unconfirmed