Strategic Planning & Policy Committee Agenda - 3 November 2020

Council Chambers
Waipa District Council
101 Bank Street, Te Awamutu

Chairperson
SC O'Regan

Members
His Worship the Mayor JB Mylchreest, EM Andree-Wiltens, EH Barnes, AW Brown, LE Brown, PTJ Coles, RDB Gordon, ML Gower, MJ Pettit, EM Stolwyk, CS St Pierre, M Tauroa (Te Kanohi Representative), BS Thomas, GRP Webber

03 November 2020 09:00 AM - 05:00 PM

Agenda Topic		Presenter	Time	Page
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4.	Confirmation of Order of Meeting	Chairperson	09:04 AM-09:05 AM	6
5.	Confirmation of Minutes	Chairperson	09:05 AM-09:07 AM	7
	5.1 Strategic Planning & Policy Committee Minutes Dated 6 October 2020		09:07 AM-09:10 AM	8
6.	Update from Sport Waikato	Matthew Cooper & Amy Marfell	09:10 AM-09:40 AM	15
7.	Public Feedback and Staff Recommendations on the Draft Lake Te Koo Utu Concept Plan	Tofeeq Ahmed	09:40 AM-10:00 AM	17
8.	Civil Defence Emergency Management Quarterly Report	Dave Simes	10:00 AM-10:15 AM	53
9.	Morning Tea Break		10:15 AM-10:35 AM	

10.	Quarterly District Growth Report	Karl Tutty, Tony Quickfall & Kirsty Downey	10:35 AM-11:05 AM	74
11.	Proposed Plan Change 15 - Permeable Surfaces	Julie Hansen	11:05 AM-11:20 AM	138
12.	Proposed Plan Change 16 – Technical Improvements	Julie Hansen	11:20 AM-11:35 AM	205
13.	Proposed Plan Change 18 – Beekeeping in Residential Zones	Simone Williams	11:35 AM-11:45 AM	275
14.	Proposed Private Plan Change 12 – Sanderson Group Limited & Kotare Properties Limited – T2 Growth Cell Rezoning, Te Awamutu	Tony Quickfall & Place Group	11:45 AM-12:05 PM	318
15.	27-19-04 District Wide Sewer Pipe Renewals – Increase to Approved Contract Sum	James McKinnon	12:05 PM-12:10 PM	336
16.	Report on the September 2020 Audit and Risk Committee Meeting	Ken Morris	12:10 PM-12:20 PM	340
17.	Lunch Break		12:20 PM-12:50 PM	
18.	Resolution to Exclude the Public	Chairperson	12:50 PM-12:52 PM	416

WORKSHOPS

Plan Change 19 – Cambridge Industrial/Commercial - Tony Quickfall & GMD Consultants (20 mins)
Infrastructure Strategy 101 - David Totman (30 mins)
Central Waikato Sub-Region Sports Field Supply & Demand Study - Brad Ward & Richard Hutchinson (30 mins)
Memorial Park Draft Concept Plan Public Feedback and Staff Recommendations - Tofeeq Ahmed (30 mins)

STRATEGIC PLANNING AND POLICY COMMITTEE AGENDA

Waipa DISTRICT COUNCIL

APOLOGIES

STRATEGIC PLANNING AND POLICY COMMITTEE AGENDA

Waipa DISTRICT COUNCIL

DISCLOSURE OF MEMBERS' INTERESTS

Members are reminded to declare and stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interest they may have.

STRATEGIC PLANNING AND POLICY COMMITTEE AGENDA

Waipa DISTRICT COUNCIL

LATE ITEMS

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas, agenda format and content.

STRATEGIC PLANNING AND POLICY COMMITTEE AGENDA

Waipa DISTRICT COUNCIL

CONFIRMATION OF ORDER OF MEETING

Recommendation

That the order of the meeting be confirmed.

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipā DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Governance
Subject:	**CONFIRMATION OF MINUTES**
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

To confirm the minutes of the Strategic Planning and Policy Committee meeting held on 6 October 2020.

2 RECOMMENDATION

That the open minutes of the Strategic Planning and Policy Committee meeting held on 6 October 2020, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

3 ATTACHMENTS

Strategic Planning and Policy Minutes – 6 October 2020

STRATEGIC PLANNING AND POLICY COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

Time: 9.00am

Date: Tuesday 6 October 2020

Meeting: Council Chambers
Waipa District Council
101 Bank Street, Te Awamutu

PRESENT

Chairperson
SC O'Regan

Members
His Worship the Mayor JB Mylchreest [via Zoom], EM Andree-Wiltens, AW Brown, LE Brown, PTJ Coles, RDB Gordon [via Zoom], MJ Pettit, EM Stolwyk, CS St Pierre, BS Thomas, GRP Webber, M Tauroa (Te Kanohi).

1 APOLOGIES

RESOLVED
02/20/58
That the apology for non-attendance from Councillors Barnes and Gower be received.

Councillor A. Brown/ Councillor Andree-Wiltens

2 DISCLOSURE OF MEMBERS' INTERESTS

Councillor L. Brown declared an interest in Item 6 - Overview of Public Feedback on the draft Memorial Park Concept Plan.

Councillor St Pierre declared an interest in Item 6 - Overview of Public Feedback on the draft Memorial Park Concept Plan.

[At 9.10am Councillor L. Brown removed himself from the table for the duration of Item 6 and took no part in discussions or deliberations.]

3 LATE ITEMS

There were no late items.

STRATEGIC PLANNING AND POLICY COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

4 CONFIRMATION OF ORDER OF MEETING

RESOLVED
02/20/59
That the order of the meeting be confirmed.

Councillor Webber/ Councillor Thomas

5 MINUTES OF PREVIOUS MEETING

RESOLVED
02/20/60
That the open minutes of the Strategic Planning and Policy Committee meeting held on 1 September 2020 having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

Chairperson O'Regan/ Councillor Coles

[Councillors L. Brown and St Pierre had declared an interest in Item 6. Councillor St Pierre took no part in discussions. Councillor L. Brown had already removed himself from the table.]

6 OVERVIEW OF PUBLIC FEEDBACK ON THE DRAFT MEMORIAL PARK CONCEPT PLAN

The purpose of the report presented by Reserves Planner Tofeeq Ahmed was to provide an update on the Draft Memorial Park Concept Plan (draft plan) process and provide an initial high level summary of community feedback received for the draft plan, as staff work through the feedback received.

The Council's Strategic Planning and Policy Committee approved the draft plan on 5 May 2020 (Document number 10374214) for public consultation. Individuals and organisations were able to provide feedback both online and via hard copy forms over an eight week period from 18 May 2020 to 13 July 2020.

The draft plan was met with huge interest, with 517 forms of feedback received; 45 percent of these being in the form of a petition. There was a strong desire voiced by many to retain, and restore all of the original memorial features, and to ensure an improved park maintenance regime going forward.

Many people however, saw merit in some of the other proposals put forward in the draft plan; particularly the proposed restoration of the Mangaohoi and Mangapiko streams and puna (natural springs), the creation of a gathering place at the stream

confluence where people could learn about the area and its connections, new wayfinding and educational signage, and the development of a wide shared pathway.

The Committee heard from 10 Members of the public who presented their feedback in person. One member of the public presented via Zoom. Concerns were raised around the neglect of the park, the need for preservation of the solemn aspects and the need for rejuvenation of the park.

Reassurance was given that all feedback would inform staff options and recommendations which would be brought back to the Committee to consider later in the year.

The Committee thanked the public for presenting at the meeting.

RESOLVED
02/20/61
That the Council's Strategic Planning and Policy Committee:

a) ***RECEIVE*** *the report titled 'Overview of Public Feedback on the Draft Memorial Park Concept Plan' from Tofeeq Ahmed, Reserves Planner (Document number 10467899).*

Councillor Gordon/ Councillor A. Brown

[Meeting adjourned at 10.07am and reconvened at 10.25am]

[Councillor L. Brown re-joined the meeting at 10.25am]

7 DRAFT MAUNGATAUTARI RESERVE MANGEMENT PLAN – SUBMISSION SUMMARY

The Maungatautari Reserve Management Plan 2005 has been reviewed in accordance with section 75(6) of the Ngāti Koroki Kahukura Claims Settlement Act 2014 (NKKCSA), section 41 of the Reserves Act 1977 and with the assistance of a Reference Group in accordance with section 75(7) of the Ngāti Koroki Kahukura Claims Settlement Act 2014.

In February the Draft Maungatautari Reserve Management Plan 2020 (RMP) was presented to the Maungatautari Reserve Committee, in order to obtain support for the draft RMP to be presented to the Strategic Planning and Policy Committee for approval to seek community feedback.

Subsequently, the Strategic Planning and Policy Committee resolved on 5 May 2020, to approve the draft RMP for public consultation. Consultation opened on Monday,

STRATEGIC PLANNING AND POLICY COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

25 May 2020 and closed on Friday, 31 July 2020.

A total of 21 submissions were received, comprising 134 submission points. No submitters wished to be heard.

There were 25 submission points that had comments in relation to the draft RMP and 109 submission points selecting support, oppose or neutral and no comments.

Ms McElrea advised that the Reserve Management Plan would be in place for 10 years.

Once the draft RMP had been approved by the Strategic Planning and Policy Committee, the Minister of Conservation's approval would be sought in accordance with the Reserve Act 1977.

RESOLVED
02/20/62
That

a) *The report titled 'Draft Maungatautari Reserve Management Plan – Submission Summary' (Document number 10472590) of Shelley Monrad, Consultant Planner (Beca) be **RECEIVED**;*

b) *The Strategic Planning and Policy Committee **APPROVES** the Submission Summary by Topic (Appendix 2; Document number 10468371) and the revised Maungatautari Reserve Management Plan (Appendix 3 Document number 10375978);*

c) *The Strategic Planning and Policy Committee **ENDORSES** staff seeking Minister approval in accordance with section 41(6)(e) of the Reserves Act and;*

d) *The Strategic Planning and Policy Committee **RESCINDS** the Maungatautari Reserve Management Plan 2005.*

Councillor Andree-Wiltens/ Councillor Coles

8 DOG CONTROLS ON MOUNT KAKEPUKU

On Tuesday 1 September 2020 this Committee received a summary report on this issue, highlighting the matters of concern, and advising that the matter was to be referred to the Iwi Consultative Committee on 2 September 2020.

STRATEGIC PLANNING AND POLICY COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

The Iwi Consultative Committee were asked to provide recommendations back to this Committee with regard to the controls as applied to Kakepuku Maunga, whether the Dog Control Policy should be reviewed, and what other areas may be of concern to Iwi in respect to dog control.

The Iwi Consultative Committee resolved:
The Iwi Consultative Committee recommended to the Strategic Planning & Policy Committee that:

i) The review of the Dog Control Policy and Dog Bylaw is brought forward to commence as soon as possible and prior to the 2025 deadline;
ii) The Strategic Planning & Policy Committee investigate the change of the reserve classification.

Mr Karl Tutty, Manager Compliance, presented the report and outlined the background informing the recommended actions.

RESOLVED
02/20/63
That
a) The report titled 'Dog controls on Mount Kakepuku' (document number 10474991) of Karl Tutty, Manager Compliance be received;

b) The Strategic Planning and Policy Committee approve Waipā District Council staff pursuing with the Department of Conservation options around changing the reserves classification or management.

c) The Strategic Planning and Policy Committee resolve that the decision on the formal review of the Waipā District Dog Control Policy 2015 and associated bylaw be deferred until the matter outlined in b) is progressed.

Councillor Stolwyk/ Councillor L. Brown

STRATEGIC PLANNING AND POLICY COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

9 RESOLUTION TO EXCLUDE THE PUBLIC

(Section 48, Local Government Official Information and Meetings Act 1987)

RESOLVED
02/20/64
THAT the public be excluded from the following parts of the proceedings of this meeting.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
10. Confirmation of Public Excluded Minutes *11. District Plan work programme*	*Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987*	*Section 48(1)(a)*

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

Item No.	Section	Interest
10,11	*Section 7(2)(j)*	*To prevent the disclosure or use of official information for improper gain or advantage.*

Councillor A. Brown/ Councillor Coles.

There being no further business, the meeting closed at 11.15am.

STRATEGIC PLANNING AND POLICY COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

CONFIRMED AS A TRUE AND CORRECT RECORD

CHAIRPERSON: .....

DATE: .....

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipā DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Group Manager Strategy & Community Services
Subject:	Update From Sport Waikato
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

This report introduces a presentation from Sport Waikato on the changes to their organisation.

2 RECOMMENDATION

That

*a) The report titled 'Update from Sport Waikato' (document number 10503882) of Debbie Lascelles, Group Manager Strategy & Community Services be **RECEIVED**.*

3 Background

Council entered into a contract for services with Sport Waikato in August 2018 to deliver outcomes from Moving Waikato 2025 and the Regional. Services that they agreed to provide included:

- Provide opportunities/ programmes/ information to ensure more people are more active more often;
- Improve the delivery of sport through club and volunteer development;
- Advocate an inclusive approach to sport and recreation with equal opportunities for all in Waipa;
- Coordination of specialised Sport Waikato staff in the district;
- Develop community partnerships through individuals and organisations to enhance the quality of outcomes for sport and recreation;
- Provide an advocacy role for Council facility usage and give feedback to the Council from user groups when appropriate;

- Advocate for healthy active lifestyles;
- Assistance with agreed recreation and sports planning in the Waipa district, including identification of any gaps in services;
- Assistance with agreed Council events that have a physical activity focus;
- Bi-monthly meetings (minimum) with Council contact to track support and recreation outcomes.

Sport Waikato will attend the meeting to present on how they will increase impact in the Waipa play, active recreation and sport sector under their new model. They will also provide Council with information and clarity about future funding requests to support a continued Waipa District Council and Sport Waikato partnership.

DEBBIE LASCELLES
GROUP MANAGER STRATEGY AND COMMUNITY SERVICES

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipa DISTRICT COUNCIL

INFORMATION ONLY

To:	The Chairperson and Members of the Strategic Planning & Policy Committee
From:	Tofeeq Ahmed, Reserves Planner
Subject:	**Public feedback and staff recommendations on the draft Lake Te Koo Utu Concept Plan**
Meeting Date:	3 November 2020
File Reference:	10480114

1 EXECUTIVE SUMMARY

The purpose of this report is to provide a summary of community feedback on the draft Lake Te Koo Utu Concept Plan (draft plan) and to seek endorsement of staff's recommended changes to the draft plan in response feedback received. Following this meeting, amendments will be made to the draft plan to be presented to the Strategic Planning and Policy Committee for adoption in February 2021.

The draft plan was approved by the Strategic Planning and Policy Committee on 5 May 2020 (Document number 10374214) for public consultation. Individuals and organisations were able to provide feedback both online and via hard copy forms over an eight-week period from 18 May to 13 July 2020.

A high level of interest was shown in the draft plan, with 220 forms of feedback received. The majority of the respondents were very supportive of the key components of the draft plan. Improving the water quality of the lake was a clear priority for the community; with high levels of support for the proposed initiatives to achieve this including the creation of a western lake wetland, the integration and enhancement of all outlets flowing into the lake, daylighting and riparian planting of piped waterways. There were also high levels of support for protecting and restoring all the heritage features and restoring and enhancing the reserve banks through planting indigenous vegetation.

Some concerns were raised that the proposed mārā hūpara play trail and the meeting place would detract from the natural beauty of the reserve, create additional parking demand and potentially create conflicts between visitors walking dogs and other users.

Others noted the need to consider improving accessibility of the reserve and stormwater quality prior to it entering the lake.

The community feedback, staff's recommended changes and the Cambridge Community Board's position are set out within the report and appendices 2 and 3.

The report also summarises the findings of the investigation into the proposed flushing of the lake and based on these findings recommends retaining the proposed lake water quality improvement projects.

The staging and prioritisation to implement the draft plan will largely be determined through the Waipa District Council 10 Year Plan 2021 – 2031 and subsequent budget processes, however it is noted Council will also be seeking external funding to implement aspects of the draft plan.

The following appendices accompany this report:

- Appendix 1: Copy of the survey form available online and in hardcopy
- Appendix 2: Feedback received (Document number 10473467)
- Appendix 3: Summary of feedback seeking changes to the draft plan, staff responses and recommendations
- Appendix 4: Staff recommendations on amendments to the draft plan's action plan
- Appendix 5: Lake Te Koo Utu – Water Quality Lake Flush Report; Te Miro Water Consultants Ltd, 15/09/2020 (Document number 10473480)

2 RECOMMENDATION

That the Strategic Planning and Policy Committee:

a) ***RECEIVE*** *the report titled 'Public Feedback and staff recommendation on the Draft Lake Te Koo Utu Concept Plan' from Tofeeq Ahmed, Reserves Planner (Document number 10480114);*

b) ***ENDORSE*** *staff recommended changes to the draft Lake Te Koo Utu Concept Plan as set out in appendices 3 and 4 (Doc ID Set 10480114); and*

c) ***ENDORSE*** *staff recommendation to not progress any further investigations into the option of flushing the lake to improve its water quality.*

3 BACKGROUND

The Lake Te Koo Utu Draft Concept Plan was approved by the Strategic Planning and Policy Committee on 5 May 2020 (Document number 10374214) for public consultation.

In response to COVID-19, Council extended the public engagement period to 8 weeks (18 May 2020 to 13 July 2020) and took a number of measures to ensure the public were informed of the opportunity to provide feedback on the draft plan. This included numerous press releases and social media posts, a letter drop, signs up in local businesses and a drop-in session at the park.

A copy of the survey that was available online and in hard copy is included in Appendix 1.

Staff have analysed the feedback and discussed this and their recommended changes with mana whenua representatives. There was general agreement on the recommended changes to the draft plan.

4 PUBLIC FEEDBACK ANALYSIS

Number of forms received and method by which people provided feedback
A total of 220 forms of feedback were received (Appendix 2). 89% of this feedback was provided using the online feedback form with 11% provided by alternative means including emails and hard copy survey forms.

Who provided feedback?
While some organisations provided feedback, the majority of feedback received was from individuals living in Cambridge (Figure 1). Of the 95% of people who provided information about their age, there was a good spread of ages above 18 years old (figure 2).

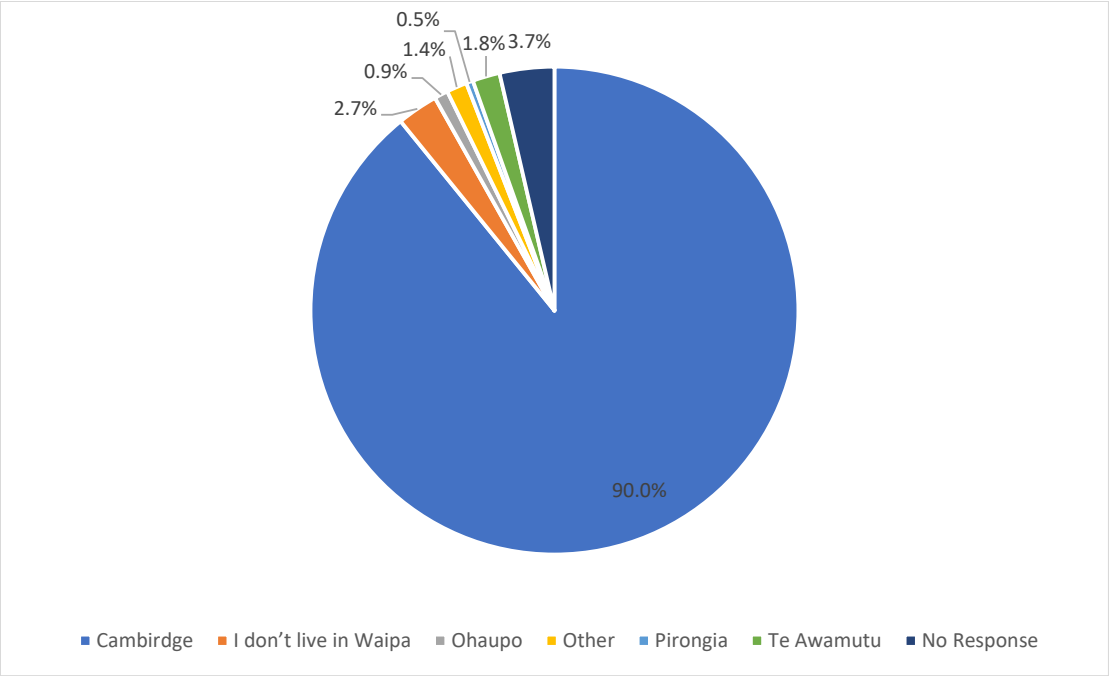


Figure 1. Home location of people that provided feedback

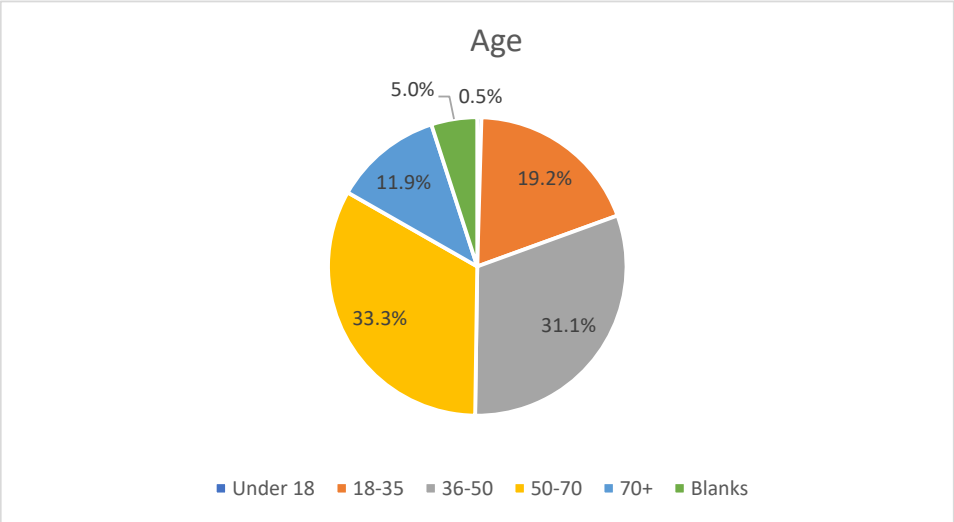


Figure 2. Age of people that provided feedback

How do people access Lake Te Koo Utu?

Of those that responded, the main ways they accessed Lake Te Koo Utu were by private vehicle (50%) and walking (40%) (Figure 3).

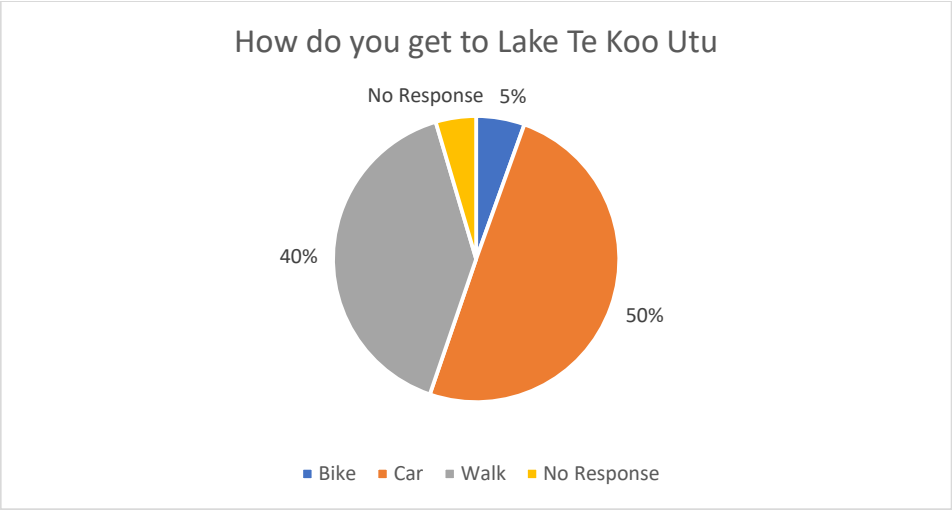


Figure 3. How respondents travel to Lake Te Koo Utu

Feedback on the overall draft plan and key design aspirations

There was a high level of support for the draft plan. Figure 4 highlights almost half of the respondents loved the draft plan and another 42% stated they liked some aspects but wanted changes. Only 4% of respondents opposed the plan.

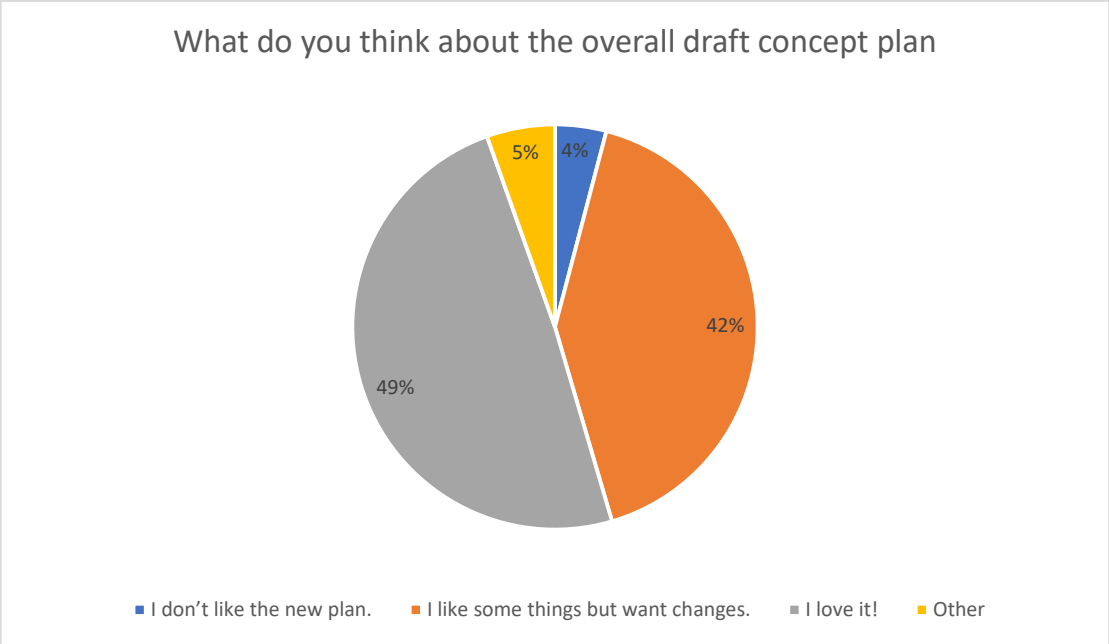


Figure 4. Feedback about the overall draft concept plan

The community were asked to rank key design aspirations set out in the draft plan. Figures 5 records the responses to this question. The respondents ranked the design aspirations from most important to least as:

1. Improve water quality of Lake Te Koo Utu, including the quality of the water flowing into Karāpiro Stream and the Waikato River.
2. Enhance biodiversity.
3. Acknowledge the historical and cultural significance - honour the history of place.
4. Strengthen connections between Lake Te Koo Utu and the Cambridge community.
5. Improve and increase the range of play and recreation opportunities.

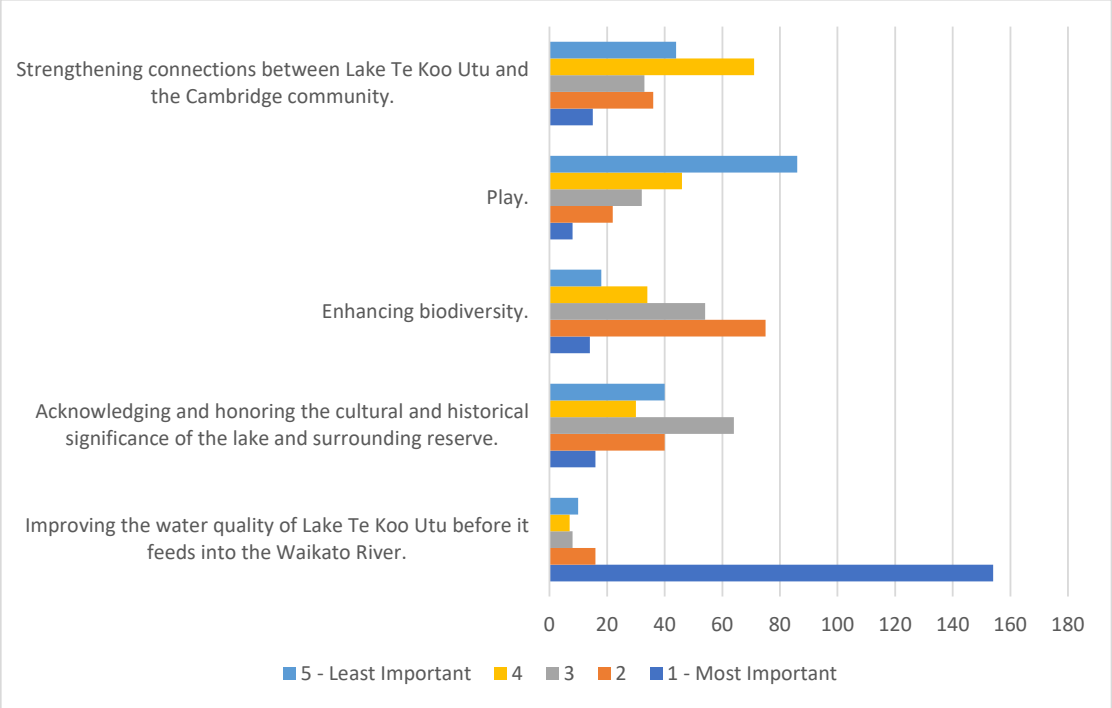


Figure 5. Respondent's ranking of draft plan's key design aspirations

Feedback on key proposals

The draft plan identified a number of proposals to deliver the key design aspirations. The survey was designed to collect the community's opinion of the draft plan's key proposals under the following categories:

- Water and water quality
- Increasing biodiversity and enhancing amenity planting
- Community facilities, and
- Heritage features and gateways into the reserve.

The levels of support for the 16 key proposals identified in the survey ranged from 37 – 64%.

The results shown in Figure 6 highlight the proposal to enhance the banks of the reserve through planting indigenous species, received the highest level of support. The proposals to protect and maintain all existing heritage features received second highest level of support. The other proposals that were strongly supported were:

- transforming the Western end of the lake into a wetland
- enhancing stormwater outlets and integrating them into the surrounding environment
- groundwater daylighting and planting; and
- indigenous low-growing planting between the lake and the base of the steep banks.

The proposals that received less support were the Eastern Gateway, the meeting place and amenity planting. It is however noted that at least 77 respondents still selected these proposals as one of the eight proposals they supported.

The survey also sought feedback on what aspects of the plan respondents didn't like. The results to this question are shown in Figure 7 and discussed in more detail in Appendix 3. Concerns related to the proposed mārā hūpara play trail and the meeting place were largely focused on the impact of the proposed new built facilities on the natural amenity, the potential risk of conflict they may create for visitors exercising their dogs and the demand for additional parking they may generate. Other concerns included the commercialisation of the reserve, the need to treat the stormwater before it enters the lake, the accessibility of the track network, the costs to implement the plan and the impact of the proposed planting on viewshafts and the current identity of the lake.

Feedback on prioritisation of short and medium-term projects

The community were asked to rank their priorities for implementation; choosing a maximum of three options. The results in Figure 8 highlight that the respondents top 4 priorities ranked from highest to lowest were:

- groundwater daylighting and planting
- lake outfall structure and planting
- western lake wetland feasibility study, and
- restoring and enhancing the banks by planting indigenous species.

On the basis of the feedback provided, discussions with mana whenua representatives and initial discussions on the 10 Year Plan 2021 – 2031, staff recommend amending the priorities shown in the Action Plan. These recommendations are set out in Appendix 4. As noted in Appendix 3, staff also recommend removing the timeframes indicated in the Action Plan as these will need to be considered through Council's budget processes. It is also noted while some projects might be identified to start in the short-term, the duration of the project may stretch into the long-term timeframes.

Of the short-term priorities, the following are recommended as the highest priority to progress:

- 03 Mana whenua Eastern gateway
- 05 Western lake wetland feasibility study
- 08 Groundwater daylighting and planting

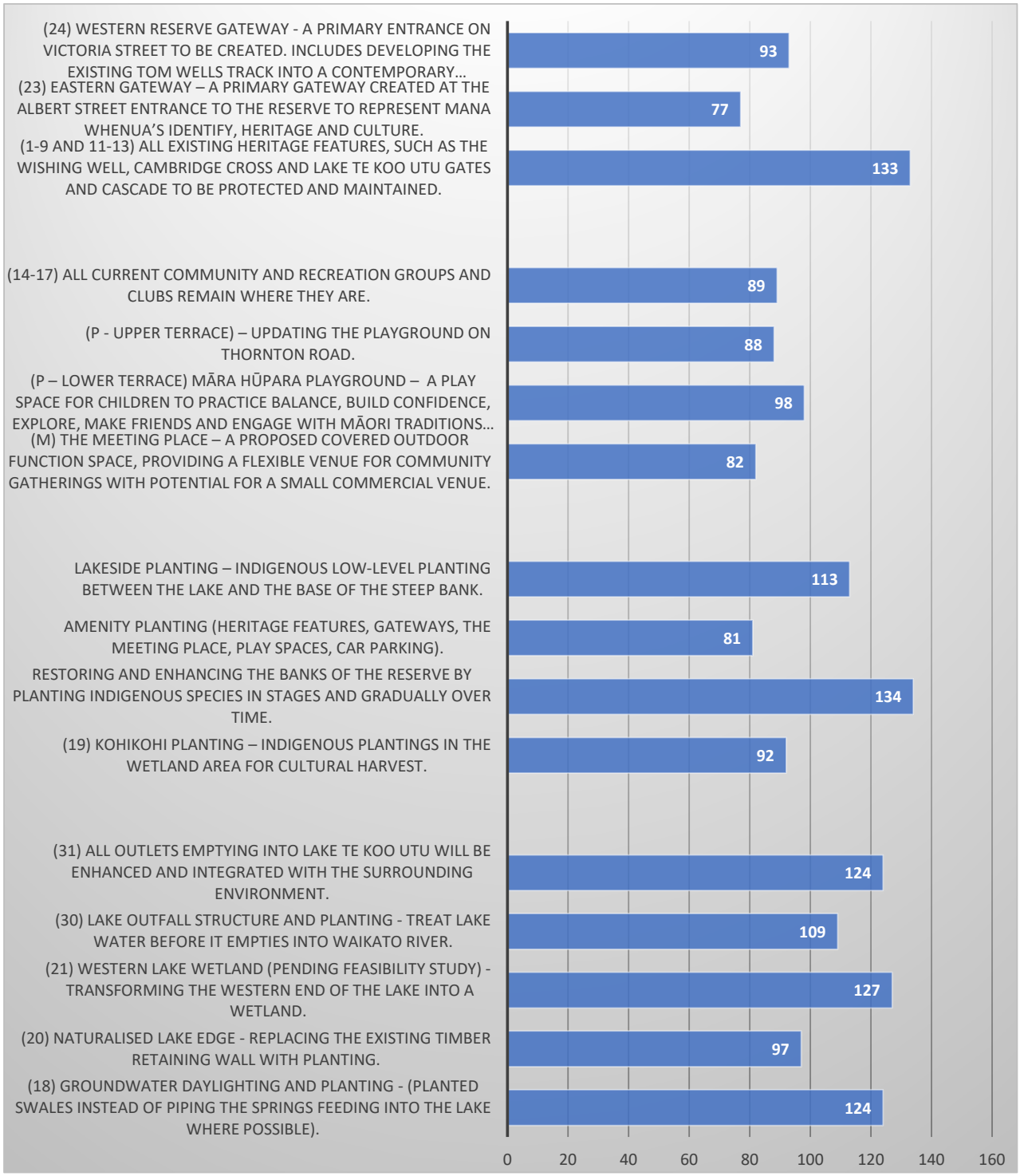


Figure 6. Support for the draft plan's proposals (number of 210 respondents that selected each proposal as one of the eight proposals they supported)

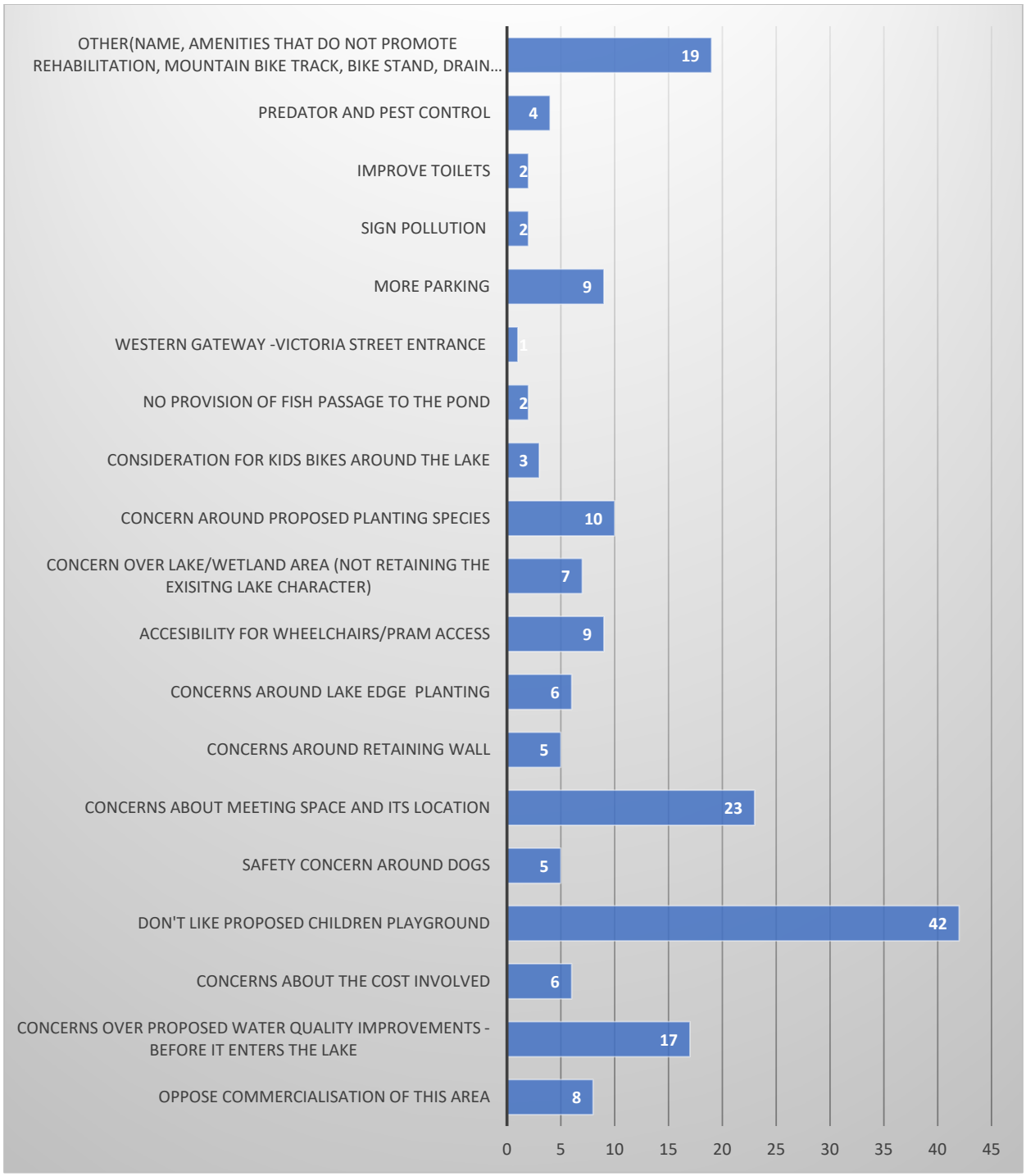


Figure 7. Number of respondents that didn't like aspects of the draft plan by key themes

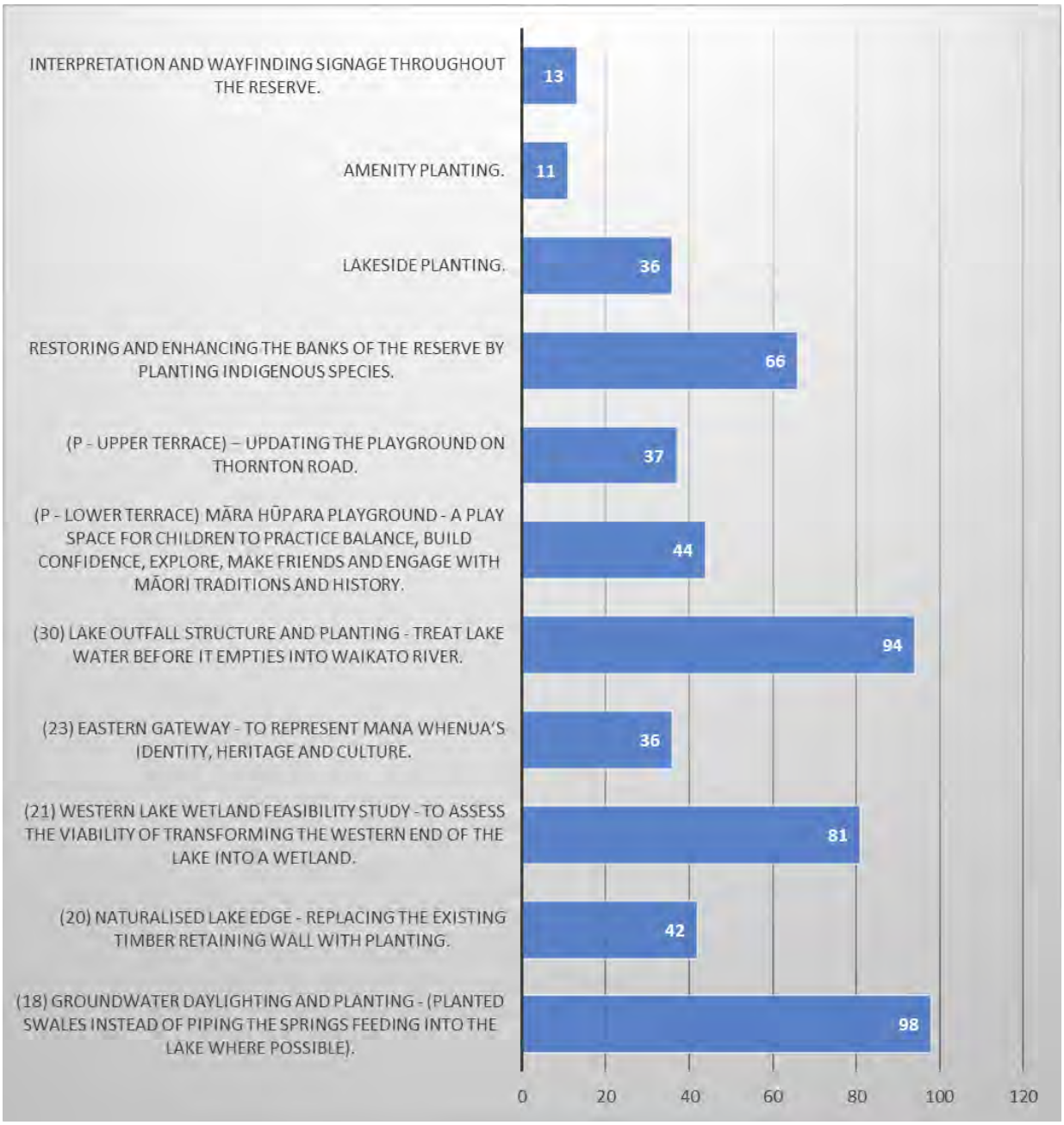


Figure 8. Respondents' top 3 priorities (210 respondents provided a response to this question)

5 FURTHER INVESTIGATION INTO PROPOSAL TO ADD ADDITIONAL WATER TO THE LAKE

The Strategic Planning and Policy Committee at its 5 May 2020 meeting, requested staff explore the option of adding additional water to Lake Te Koo Utu to improve the lake's water quality. This option has subsequently been explored by Te Miro Water Consultants Limited, discussed with Waikato Regional Council and mana whenua representatives.

Appendix 5 contains a report summarising their investigation into two alternative options to direct additional water into the lake to improve water quality; surface water sourced from the waterway often referred to as 'Moon Creek' running behind the Cambridge Resthaven and flushing the lake with groundwater from a new bore.

The findings were:

- The current recharge rate to the lake (observed seeps around the lake edge) is between 10 L/s and 18 L/s groundwater inflow over a year or between 331,000m^3 and 574,000m^3 per annum.
- The use of water from Moon Creek would go against mana whenua values, require a grade and new infrastructure that would make this option technically difficult and potentially very expensive. The water quality is also likely to be marginal given it receives untreated stormwater runoff from neighbouring urban areas.
- Potential flow rates from a new single large diameter bore are expected in the region of ~8L/s. This is unlikely to achieve the required >3ML/day (~34L/s minimum) flushing volume identified in previous reports, and even if the volumes were achieved, there is a risk the groundwater quality would not be of a good enough quality to the improve lake water quality.

Given the findings of the Lake Te Koo Utu – Water Quality Lake Flush investigation by Te Miro Water Consultants Ltd, staff recommend focusing on progressing the proposals set out in the draft plan and working with Council's Stormwater Department, developers, businesses and residents within the stormwater catchment to develop catchment solutions such as stormwater treatment at source to improve the water quality of Lake Te Koo Utu.

6 CAMBRIDGE COMMUNITY BOARD

At its 7 October 2020 meeting, the Cambridge Community Board considered the matters set out in this report (Document number 10468901) and endorsed the recommended changes to the draft plan set out in appendices 3 and 4 (Document number 10480114). They also endorsed the staff recommendation to not progress any further investigations into the option of flushing the lake to improve its water quality.

7 NEXT STEPS

Outlined below is an overview of the next steps to finalise and gain endorsement for the concept plan. Those who have provided feedback on the draft plan will be kept updated through social media, council website updates and press releases.

Date	Next Steps
November - January 2021	Amend the draft plan
February 2021	Present the amended draft plan to Council's Strategic Policy and Planning Committee for adoption

Tofeeq Ahmed
RESERVES PLANNER

Reviewed by Anna McElrea
SENIOR RESERVES PLANNER

Approved by Sally Sheedy
MANAGER COMMUNITY SERVICES

Approved by Debbie Lascelles
GROUP MANAGER STRATEGY & COMMUNITY SERVICES

APPENDIX 1 FEEDBACK FORM

Lake Te Koo Utu

CAMBRIDGE

Draft concept plan

Have your say on the future of Lake Te Koo Utu

Last year Cambridge residents told Council that improving natural health of the lake and telling its history was a top priority. We went away and worked with landscape architects, ecologists, engineers, our mana whenua partners and community groups to create this long-term vision for the future of the lake.

Now we'd like to know what you think.

We had five key aspirations for this plan;

- Improving the water quality of the lake before it feeds into the Waikato River,
- Acknowledging and honouring the cultural and historical significance of the lake and surrounding reserve,
- Enhancing biodiversity,
- Creating and improving spaces for play, and
- Strengthening connections between the lake and the Cambridge community.

To achieve these aspirations, we've proposed projects such as a wetland area at the lake's western end to help remedy water quality issues, a boardwalk across the water with educational signage, restorative planting, a playground and upgraded walkways and entrances to the reserve.

Head to www.waipadc.govt.nz/tekooutu to see what else we have proposed. An online interactive map is also available along with answers to frequently asked questions.

Consultation is open from 18 May to 13 July. After this time, your feedback will be presented to Council for consideration.

Tell us what you think!

Contact details (We need these so we can accept this as a formal submission).

Full name:

Email address:

Where do you live/where is your main residence?

◯ Cambridge ◯ Te Awamutu ◯ Kihikihi ◯ Ohaupo ◯ Pirongia ◯ Other ◯ I don't live in Waipa

Age

◯ Under 18 ◯ 18-35 ◯ 36-50 ◯ 51-70 ◯ 70+

How do you get to Te Koo Utu? (please tick main form of transport)

◯ Walk ◯ Bike ◯ Bus ◯ Car ◯ Other

What do you think about the overall draft concept plan?

◯ I love it! ◯ I like some things but I'd like to see changes. ◯ I don't like it.

We've identified five key aspirations of the draft concept plan. Based on what's important to you, how would you rank them? (1 most important, 5 least important).

◯ Improving the water quality of Lake Te Koo Utu before it feeds into the Waikato River
◯ Acknowledging and honoring the cultural and historical significance of the lake and surrounding reserve
◯ Enhancing biodiversity
◯ Play
◯ Strengthening connections between Lake Te Koo Utu and the Cambridge community.

What aspects of the draft concept plan DO you like? Please select from the list below (8 max).

Water and water quality

◯ (18) Groundwater Daylighting and Planting - (planted swales instead of piping the springs feeding into the lake where possible).
◯ (20) Naturalised Lake Edge - replacing the existing timber retaining wall with planting.
◯ (21) Western Lake Wetland (pending feasibility study) - transforming the western end of the lake into a wetland.
◯ (30) Lake Outfall Structure and Planting - treat lake water before it empties into Waikato River.
◯ (31) All outlets emptying into Lake Te Koo Utu will be enhanced and integrated with the surrounding environment.

Increasing biodiversity and enhancing amenity planting

◯ (19) Kohikohi Planting – indigenous plantings in the wetland area for cultural harvest.
◯ Restoring and enhancing the banks of the reserve by planting indigenous species in stages and gradually over time.
◯ Amenity planting (Heritage Features, Gateways, The Meeting Place, Play Spaces, Car Parking).
◯ Lakeside planting – indigenous low-level planting between the lake and the base of the steep bank.

Community facilities

◯ (M) The Meeting Place – A proposed covered outdoor function space, providing a flexible venue for community gatherings with potential for a small commercial venue.
◯ (P – lower terrace) Māra Hūpara Playground – a play space for children to practice balance, build confidence, explore, make friends and engage with Māori traditions and history.
◯ (P - upper terrace) – Updating the playground on Thornton Road.
◯ (14-17) All current community and recreation groups and clubs remain where they are.

Heritage features and gateways into the reserve

- ◯ (1-9 and 11-13) All existing heritage features, such as the Wishing Well, Cambridge Cross and Lake Te Koo Utu Gates and Cascade to be protected and maintained.
- ◯ (23) Eastern Gateway – A primary gateway created at the Albert Street entrance to the reserve to represent mana whenua's identity, heritage and culture.
- ◯ (24) Western Reserve Gateway - A primary entrance on Victoria Street to be created. Includes developing the existing Tom Wells Track into a contemporary "landmark" staircase or potential option for an accessible ramp descending to a new lookout across Lake Te Koo Utu to replace the existing one.

What aspects of the concept plan DON'T you like?

Has something slipped through the cracks? Are we missing something really important in the draft concept plan?

The concept plan will provide us with a clear vision for the future of Lake Te Koo Utu Reserve, but it is a long-term project. Some projects could commence in the next five years. Others will be delivered over the long-term as funding allows. Which of the following short and medium-term projects do you think Council should prioritise? (Pick up to three).

- ◯ (18) Groundwater Daylighting and Planting - (planted swales instead of piping the springs feeding into the lake where possible).
- ◯ (20) Naturalised Lake Edge - replacing the existing timber retaining wall with planting.
- ◯ (21) Western Lake Wetland Feasibility Study - to assess the viability of transforming the western end of the lake into a wetland.
- ◯ (23) Eastern Gateway - to represent mana whenua's identity, heritage and culture.
- ◯ (30) Lake Outfall Structure and Planting - treat lake water before it empties into Waikato River.
- ◯ (P - Lower terrace) Māra Hūpara Playground - a play space for children to practice balance, build confidence, explore, make friends and engage with Māori traditions and history.
- ◯ (P - Upper terrace) – Updating the playground on Thornton Road.
- ◯ Restoring and enhancing the banks of the reserve by planting indigenous species.
- ◯ Lakeside planting.
- ◯ Amenity planting.
- ◯ Interpretation and wayfinding signage throughout the reserve.

Would you like to be kept informed of Council's final decision on this concept plan?

- ◯ Yes, keep me in the loop!
- ◯ No, don't contact me.

Waipā DISTRICT COUNCIL

For more information on this project head to www.waipadc.govt.nz/tekooutu.

APPENDIX 2 FEEDBACK FORM

Please click here for a pdf of all feedback (with personally identifiable information redacted) Document number 10473467 58 MB

APPENDIX 3 SUMMARY OF FEEDBACK SEEKING CHANGES TO THE DRAFT PLAN AND STAFF RESPONSES AND RECOMMENDATIONS

Design Aspiration	Theme	Feedback	Staff Response and Recommendation(s)
Improve water quality of Lake Te Koo Utu, including the quality of the water flowing into Karāpiro Stream and the Waikato River	Quality of stormwater entering the lake	8 percent of respondents suggested improving water quality before it enters the wetland.	This is beyond the scope of the draft plan and the draft plan already notes the importance of a wider cross department approach to improving the stormwater entering the lake. RECOMMEND acknowledging the concerns raised but no changes to the plan.
	Changes to the lake character through the wetland development	Some respondents suggested increasing the focus on cleaning up the water inputs to the lake rather than repurposing half the lake as a retention pond.	The Water Quality, Stormwater Management and Ecology Report developed by Boffa Miskell as part of draft plan recommends formalising the naturally functioning wetland in the western end of the lake to treat runoff at the pipe outlets from the western catchments. The impact to the existing landscape character is considered to be relatively minimal in order to implement the recommended approach to improving the lake water quality. RECOMMEND acknowledging the concerns raised but no changes to the plan.
Acknowledge the historical and cultural significance - honour the history of place	Meeting Place	11 percent of respondents raised concerns about the Meeting Place as a man-made structure that will be detract from natural beauty of the area. Concerns were also raised about potential commercial activities associated with this facility because of their impacts on the peaceful and non-commercial nature of the reserve.	The intention is that the Meeting Place be integrated into the surrounding environment and positively contribute the visual amenity and mana whenua values of the reserve. Staff note that with the Lakewood Cambridge development adjoining the reserve that there is now a full range of food and drink vendors in close proximity to the reserve removing the need for this activity to be catered for on the reserve. RECOMMEND acknowledging the concerns raised and amending the draft plan as follows:

			- Move the proposed location of the Meeting Place towards the toilet area to reduce the visual impact of the structure and provide more detail as to the scale and nature of the facility to ensure it is designed to integrate into the surrounding environment, and - Amend the wording in the Ngā Wawata – Design Aspirations section of the draft plan (page 4) to remove reference to "potential commercial activities" as part of the Meeting Place – pavilion and function space.
Enhance biodiversity	Predator and pest control	4 respondents raised concerns about the draft plan not acknowledging volunteer contribution and there is no mention of providing funding for future work.	The draft plan doesn't acknowledge the contribution of volunteers to date. It also doesn't address predator and pest control other than to discuss pest plant and weed management in the section about the proposed Vegetation Management Strategy. Predator and pest control are not within scope of this project but will be considered this as part of wider predator control programme in partnership with Regional Council. RECOMMEND acknowledging the concerns raised and amending the draft plan to acknowledge the work undertaken by Cambridge Tree Trust and Predator free Cambridge to date and importance of continuing these partnerships and growing the volunteer base to enable the successful implementation of the draft plan.
	No provision of fish passage to the pond/lake	2 respondents raised concerns that there was no provision for fish passage to the pond/lake.	The Lake Te Koo Utu ecology, stormwater management and restoration options report prepared by Boffa Miskell Ltd and Te Miro Water Consultants Ltd in April 2020 outlines that the lake has predominantly non-native pest fish such as goldfish, gambusia, and perch. Lake Te Koo Utu discharges to Karāpiro Stream via a grated overflow which poses a significant barrier to fish passage. This ensures the pest fish won't get into the Karāpiro stream. The report didn't recommend providing fish passage from Karāpiro Stream up into Lake Te Koo Utu.

			RECOMMEND acknowledging the concerns raised but no changes to the plan.
	Proposed underplanting	Some respondents were concerned about the proposed underplanting of exotic trees with natives as there is a possibility that it will cause damage to the existing exotic tree roots and that a succession approach to reducing the number of exotic trees within the reserve will disrespect the early European settlers' efforts and work undertaken by volunteers and change the character of the lake.	The draft plan recommends a focus on indigenous biodiversity and habitat enhancement and succession planting on the basis of the Lake Te Koo Utu ecology, stormwater management and restoration options report prepared by Boffa Miskell Ltd and Te Miro Water Consultants Ltd in April 2020. The draft plan proposes underplanting in stages with indigenous species that would naturally occur in this habitat to balance the existing exotic trees. RECOMMEND acknowledging the concerns raised and amending the draft plan to acknowledge the work undertaken by Cambridge Tree Trust and other volunteer and amending the text on page 18 of the draft plan under 'Develop a vegetation management plan' to note that an underplanting must be undertaken in consultation with an arborist to ensure no negative impacts on existing trees.
	Lake edge planting	6 respondents raised concerns that the proposed edge plantings would restrict access to the water	It is considered that the concerns raised are already address in the draft plan, which states in relation to re-naturalising the lake edge that "Particular areas along the lake edge will be planted with only low-growing indigenous species to maintain views from the Lake Circuit Track to open water" and "This naturalisation does not have be around the entire lake edge but should respond to the needs and desires of the community for access and views of the lake". RECOMMEND acknowledging the concerns raised but no changes to the plan.
	Removal of the lake retaining wall	5 respondents raised concerns that removing retaining wall will make lake edge untidy and make it prone to erosion.	The proposed removal of the retaining timber, regrading, stacking of planted coir logs and planting of the edge will reduce current erosion issues as well as improve the lake water and habitat quality by attenuating nutrients and providing shade. RECOMMEND acknowledging the concerns raised but no changes to the plan.

Improve and increase the range of play and recreation opportunities	Proposed mārā hupara play trail	42 respondents raised concerns about the proposed new play trail on the lower terrace; ranging from concerns that brightly coloured play equipment detract from the natural beauty to the potential conflict it might create given the area is currently an off-lead dog exercise area. It was also noted by one submitter that this was not the focus of their visits to the Lake and would detract from the experience.	Lake Te Koo Utu has been identified as an important area to exercise dogs. It is noted there are also a number of other areas in Cambridge that dogs are permitted off lead and that the proposed mārā hūpara play trail would be small area in terms of the total area of the lake and that this area, which is also the favoured picnic area, could be an appropriate location to introduce new dog restrictions such as temporal requirements to have dogs on lead at high visitation times. These matters will need to be considered when the Waipā Dog Control Bylaw is reviewed in the future. As noted in the draft plan, the nature and scale of the proposed play trail, the type of materials used e.g. logs and ropes and the surrounding landscaping would ensure it is integrated into the surrounding landscape. It is noted that almost half of the respondents indicated support for this proposal. RECOMMEND acknowledging the concerns raised but no changes to the plan.
	Consideration for children biking around the lake	3 respondents suggested building more bike tracks on the bank and allowing bike use, while 1 respondent suggests building bike tracks in the area between Albert and Queen streets under the exotic.	The draft plan notes actions to achieve a safe accessible shared path to the reserve's upper terrace and along the road network to the car park. It is considered that any further track development specifically for biking would negatively impact the reserve's values and that the topography and alignment and that allowing bikes to use the existing tracks connecting the upper and lower terraces through the reserve would present health and safety risks pedestrians using the tracks. It is also noted that the reserve is currently an off-lead dog exercise area. For these reasons the track network outside of the shared path is identified in the draft plan as pedestrian only. RECOMMEND acknowledging the concerns raised but no changes to the plan.

	Toilet facilities	2 respondents suggested improving the toilet facilities	The draft plan proposes that the existing toilet facilities to be maintained to a high standard and that they be replaced by new toilets when the Meeting Place proposal is implemented. RECOMMEND acknowledging the concerns raised but no changes to the plan.
	Signs	2 respondents raised concerns that the reserve will be littered with signage that will detract from the reserve's natural beauty.	The draft plan proposes the development of a signage strategy for placement, design and implementation of all interpretation and way-finding signs to ensure a consistent approach. RECOMMEND acknowledging the concerns raised and amending the draft plan to note that the signage strategy will ensure the number, location and design of signs don't detract from the visual amenity of Lake Te Koo Utu.
	Accessibility for wheelchairs/prams	9 respondents suggested a concrete or smooth paved area from the car park round the lake and up to the top area of the lake as the current tracks are too rough for wheelchairs and walkers.	While the gradient from the carpark to the Lake Circuit Track and around the track is relatively even, the track surfaces are largely compacted metal. The draft plan proposed to retain and maintain these tracks to a high standard. The draft plan also proposes to develop the Tom Wells Track into a more accessible track however the gradients to be traversed present a significant challenge to achieve maximum gradients of 1:12. It is considered that sealing or concreting the paths would detract from the landscape character of Lake Te Koo Utu and also create additional impervious surfaces but that through maintenance and better track connections that accessibility throughout the reserve can and should be improved. RECOMMEND acknowledging the concerns and amend the plan to note more clearly the aspiration to achieve better accessibility for end to end journeys within the reserve.
Strengthen connections between Lake Te	Additional parking	9 respondents were concerned that the proposed Meeting Place and	The feedback survey shows that around 40% of people visiting Lake Te Koo Utu walk to the lake while 5% of people bike. We will be actively looking to work with Transport to improve pedestrian and cyclist access

Koo Utu and the Cambridge community		mārā hūpara play trail would need additional parking	to the reserve. This, together with promoting on-street car parking in close proximity, will be part of the parking demand management strategy for the reserve. RECOMMEND acknowledging the concerns raised but no changes to the plan.
	Western Gateway	One respondent didn't support the proposed larger entrance from Victoria Street	The Western Gateway from Victoria Street is proposed to be a primary entrance to the reserve; including developing the existing tracks and a new lookout across the lake. 94 respondents supported this proposal. RECOMMEND acknowledging the concerns raised but no changes to the plan.
Other	Cost	6 respondents were concerned about the cost involved with the implementation	While the costs associated with implementing the draft plan are significant, the draft plan is developed as a long-term plan that is likely to take at least 20 years to fully implement. Council will consider the priorities and timing of projects through the 10 Year Plan 2021 – 2031 process and also seek external funding and volunteer support to deliver some of the proposals. RECOMMEND acknowledging the concerns raised and amending the Action Plan section of the draft plan to remove the years indicated for implementation to allow for decisions to be made on timing through the Council's budget processes.

APPENDIX 4 STAFF RECOMMENDATIONS ON AMENDMENTS TO THE DRAFT PLAN'S ACTION PLAN

Staff recommend the following amendments to the action plan set out on pages 41 and 42 of the draft plan:

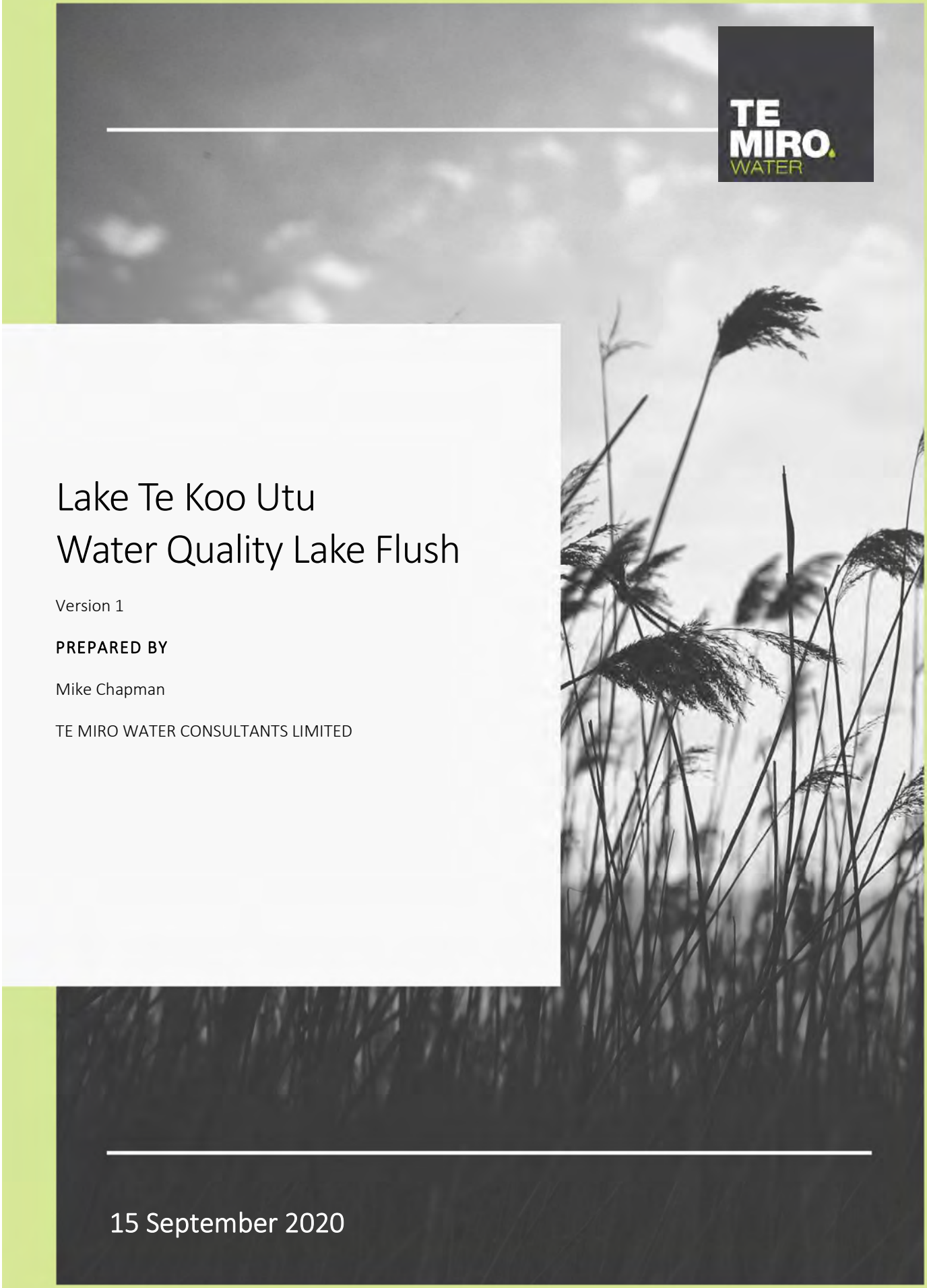
- Amend 12 Naturalised Lake Edge (southern lake edge) from a short-term to medium-term project
- Amend 17 Entry Thresholds from a short-term to medium-term project
- Amend 18 Geotechnical Remedial Work from a short-term to medium-term project
- Amend 21 Play (Mārā Hūpura Play Trail) from a short-term to medium-term project, and
- Amend 08 Groundwater Daylighting and planting from a medium-term to a short-term project.

This would result in the following categorisation of projects:

TIMEFRAME	PROJECTS
SHORT-TERM	01 Community engagement and education on ducks and water quality 02 Heritage management and maintenance plan 03 Mana whenua Eastern gateway 04 Vegetation management plan 05 Western lake wetland feasibility study 08 Groundwater daylighting and planting 14 Terrace bank restoration and enhancement planting 23 Signage (interpretation) 24 Signage (wayfinding)
MEDIUM-TERM	10 Lake outfall planting 11 Naturalised lake edge (southern lake edge) 17 Entry thresholds 18 Geotechnical remedial work 21 Play (Mārā Hūpura Play Trail) 22 Play (upper terrace neighbourhood play space) 25 Site furniture
LONG-TERM	06 Amenity planting 07 Canopy ecology 09 Kohikohi planting 11 Naturalised lake edge (northern lake edge) 13 Open space planting 15 Western lake wetland planting 16 Car parks 19 Lighting 20 Outlets 26 The Meeting Place 27 Tracks 28 Western lake wetland forebay 29 Western lake wetland bund

	30 Western gateway 31 Reserve interface with adjoining Lakewood Development 32 Stormwater treatment infrastructure work

APPENDIX 5 LAKE TE KOO UTU – WATER QUALITY FLUSH REPORT, TE MIRO WATER CONSULTANTS LTD, 15/09/2020 DOCUMENT NUMBER 10473480



Lake Te Koo Utu
Water Quality Lake Flush

Version 1

PREPARED BY

Mike Chapman

TE MIRO WATER CONSULTANTS LIMITED

15 September 2020

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Version Control

Version	Date	Author	Reviewer	Change Description
1.1	16/09/20	Mike Chapman mike@temirowater.co.nz	Britta Jensen Britta@temirowater.co.nz	Final

This report is for the use by Waipa District Council and Boffa Miskell Ltd and should not be used or relied upon by any other person or entity or for any other project. No responsibility is accepted by Te Miro Water Consultants Limited or its directors for the accuracy of information provided by third parties and/or the use of any part of this report in any other context or for any other purposes.

1. Introduction

Te Miro Water Ltd (TMW) was engaged by Boffa Miskell and Waipa District Council to undertake an assessment of the feasibility of diluting and flushing the lake to improve water quality. This report investigates this option further to understand the hydrology inputs that would be required from either groundwater or an alternative surface water source to achieve this outcome. TMW partnered with Wallbridge Gilbert Aztec (WGA) who are based at the Ruakura Research Centre, Hamilton to estimate groundwater recharge to the lake. The WGA technical report is available on request and is referenced in this report.

The option to dilute and flush the lake has been presented previously at a high level in a GHD report for WDC (May 2018) which in turn referenced earlier reports:

1. Tonkin & Taylor Ltd, 2005 report titled: "Options for the management of Lake Te Ko Utu and surrounding park" (T&T, 2005).
2. Kessels Ecology, 2015 report titled: "Cambridge Lakefront Development – Ecological Opportunities and Constraints Report" (Kessels, 2015).

The GHD report stated that dilution and flushing can potentially improve water quality through the lowering of nutrient concentrations, flushing of algal mass and shortening of water residence times.

GHD state the flushing option is likely to require the introduction of >3ML (million litres) per day to the lake. The key points being:

a. Could provide cost effective improvement of lake conditions.

b. Water source would need to have low nutrient content. Returning of water to the environment can offset use.

Early discussions with Waikato Regional council indicate that adding 'clean' water to the lake could help with lake water quality but it will depend on a number of factors such as flow rate, quality of new water as well as how the new addition of water would circulate throughout the lake. In addition, there are also cost and energy inputs to provide clean water.

2. Study Scope

It is important to understand that local groundwater quality must be 'clean' to avoid further degradation of lake water quality. TMW and WGA have undertaken the following tasks to support the project:

a. Reviewed available information on the lake in terms of interaction with groundwater.

b. Assessed available information on local hydrogeology to:

1. Provide a preliminary high-level estimate of groundwater recharge into the lake to compare with flushing volume presented by GHD.

2. Comment on feasibility of flushing the lake with groundwater and whether we can identify a feasible supply (i.e. new bore).

3. Alternative Stream Source

One option for adding additional water to Lake Te Koo Utu is to take from the Moon Creek by Resthaven (Figure 1). Although it is unlikely this small stream would make any measurable change to water quality as the main input for the lake will still be stormwater. There is also infrastructure cost associated with piping stream flows to the Lake. Another key constraint with this option is related to Mana Whenua values and diversion/mixing of water from one spring source to another.

Figure 1: Location of Moon Creek which used to supply the Cambridge Water Tower

4. Groundwater Setting

The lake is surrounded on three sides by high cliffs and our site visit shows a constant supply of groundwater/seepage from the cliff sides especially around the south and south east sides. There are no bore water supplies flowing into the lake (WGA, 2020).

Lake Te Koo Utu is situated within the Hamilton Basin, a large tectonic basin centred on Hamilton City with an area of approximately 2,000 km^2 and traversed by the Waikato River. The basin is infilled with Tauranga Group alluvial sediments up to 300m thick and include gravels, sands, silts, and peat. The Hinuera formation of the Tauranga Group underlies much of the Hamilton Basin and was deposited by braided river systems of the

Waikato River. The Hinuera Formation contains the aquifers used most extensively across the Hamilton Basin. The most productive aquifers consist of well sorted coarse sands and gravels. Locally groundwater generally flows from the basin edge to the east (Cambridge Hills) towards the North West.

Literature values for hydraulic conductivity in the Hamilton Basin range from 0.5 m/day in the silts and peat layers to 13.5 m/day in the course gravelly sands. Aquifer transmissivity values derived from pumping tests range from 10 m2/day to 1,000 m2/day but are usually less than 100 m2/day. Storativity values vary from 0.001 for deep, confined, or semi-confined aquifers to 0.1 for shallow, unconfined aquifers in the Hamilton Basin (Petch and Marshall 1988).

4.1. Lake – Groundwater Interaction

The lake is intersecting the shallow water table (Hinuera Aquifer) which is generally 2 m to 6 m below ground depending on the local topography. Annually the water table will fluctuate by 1 m to 2 m (Petch and Marshall 1988).

The position of the lake is such that only a local groundwater catchment will be contributing to groundwater inflow (Figure 2). There are obvious seeps into the lake from the surrounding cliffs on the southern edge of the lake. Groundwater inflow towards the lake was not obvious in the cliffs on the northern side, however there may be drainage underlying the walking path in this area.

Figure B1: Estimated area of groundwater catchment using Waikato Regional Council on line maps (https://waikatomaps.waikatoregion.govt.nz/Groundwater/).
Note: This is a high-level estimate for initial potential groundwater inflow calculations only.

Figure 2: Estimated Lake Te Koo Utu Groundwater Catchment (WGA, 2020)

A high level analysis based on an estimated groundwater catchment area of 114 ha and a local annual rainfall recharge (contributing to baseflow in the lake) of between 288 mm and 500 mm per year, compared to average rainfall of 1,224 mm (rainfall data from Hamilton Airport1) was undertaken to estimate the current maximum groundwater inflow to the lake currently The previously published recharge estimates (delayed flow) are 288 mm per year (Petch and Marshall 1988). The recharge calculation results in between 10 L/s and 18 L/s average groundwater inflow to the lake over a year or between 331,000 m^3 and 574,000 m^3 per year.

These estimates of current groundwater could be better refined by carrying out baseflow monitoring of the lake out flow.

4.2. Local Groundwater Quality

The shallower Hinuera Aquifer has been identified locally as having high nitrate concentrations, especially in the Huatapu area. For example, a nearby long-term water quality monitoring bore (70_47, 4.5 km to the north east on Aspin Road) in the Hinuera Aquifer shows that the local aquifer has nitrate concentrations generally between 2 g/m^3 and 5 g/m^3 and a 5-year median of 2.5 g/m^3. This shallow monitoring bore is only 4.5 m deep and is in a rural area. Shallow monitoring bores to the north west of the lake and within the Hamilton Basin have higher concentrations (69_1709, 5 yearly median 7.0 g/m^3). Within the Cambridge town area the shallow aquifer is considered to have a potentially lower nutrient concentration, however, local urban groundwater quality data are not available at this time (WGA, 2020).

Issues with iron flocculation leading to bore clogging have been reported from the Hamilton basin and the Hautapu Aquifer in particular (Schofield 1972). If this water were to be further investigated as a "flushing" source the local iron content of the water and effects on the lake water quality would have to be investigated in more detail. The concentrations tend to be generally over 0.2 g/m^3 which is the New Zealand drinking water guideline for staining. Although the iron concentrations in groundwater tend to be highly variable spatially (Schofield 1972).

4.3. Feasibility of Flushing the Lake with Groundwater

Previous reports suggest >3ML (million litres) per day of water is required for the dilution flushing option. This equates to a constant inflow of ~34L/s of clean water over the year. Given this inflow, the lake could be expected to fully flush over ~1 month based on total lake water volume from lake area and average depth.

[1] Cliflo data from NIWA for Hamilton AWS, agent number 2112, https://cliflo.niwa.co.nz/.

Potential local groundwater sources for flushing Lake Te Koo Utu are the two aquifers: Hinuera Aquifer or Hautapu Aquifer. The shallower aquifer is highly connected to the lake and therefore potential for stream depletion would counter abstraction to flush the lake. In addition the shallow aquifer has relatively higher concentrations of nitrate-nitrogen compared with the lake water quality (WGA, 2020).

The deeper Hautapu Aquifer has variable aquifer properties and local pumping tests have resulted in transmissivities between 20 m^2/day and 300 m^2/day. Based on the lower local transmissivity values the flow rate from one large diameter bore would be only up to 8 L/s. More permeable lenses have been found in some nearby locations which have allowed for a larger flow rates of up to 30 L/s but in many cases the flow rates are more restricted. The water quality in terms of iron is also highly variable and the local conditions in the Hautapu Aquifer are not known (WGA, 2020).

5. Conclusions

The following conclusions can be drawn from this study:

a. The estimated recharge rate to the lake (observed seeps) is between 10 L/s and 18 L/s average inflow over a year or between 331,000 m^3 and 574,000 m^3 per year.
b. Flow rates from a new single large diameter bore are expected in the region of ~8L/s.
c. The flow rates above are unlikely to achieve the required >3ML/day flushing volume presented in previous reports (~34L/s constant inflow over the year - minimum).
d. There is a risk that, even if volumes were achieved, groundwater quality may display elevated nitrate/iron levels and not be of good enough quality to improve lake water quality.
e. The closest alternative surface water source is from the Moon Creek running behind Resthaven. Mixing and diversion of spring fed streams goes against Mana Whenua values and the grade required and new infrastructure needed to provide water to the lake makes this option technically difficult and potentially very expensive. Stream water quality is also likely to be marginal, given it receives untreated stormwater runoff from neighboring urban area, and unlikely to improve lake water.

6. Recommendations

a. If the flushing option is to be progressed further, then I recommend a water balance study to understand groundwater inflow using flow gauging at the Lake outlet over the summer period. The volume of groundwater recharge could then be validated assuming groundwater inflows equal recorded outflow.
b. Sampling of existing groundwater seeps to check for nitrate would also provide useful information on flushing water quality.

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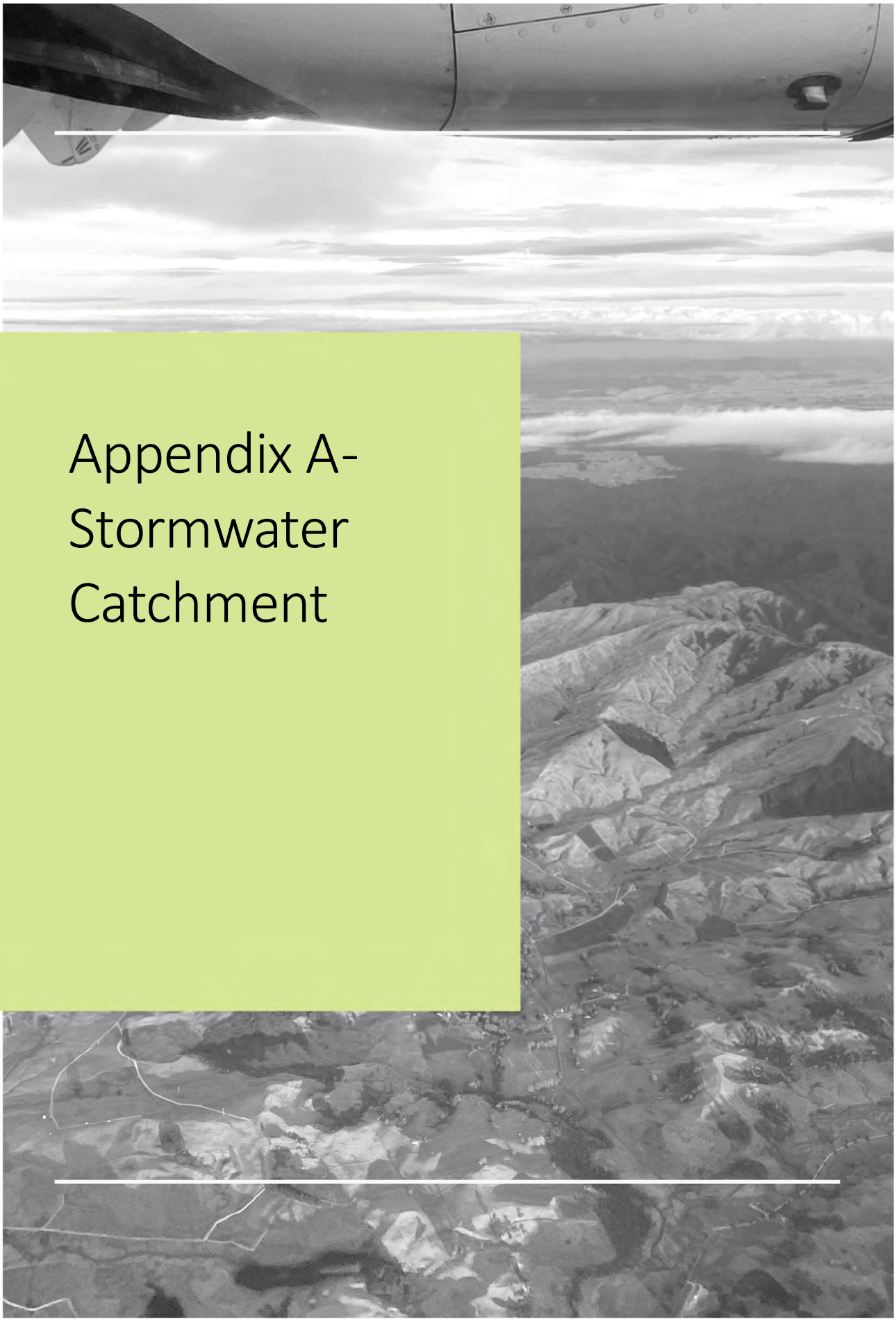
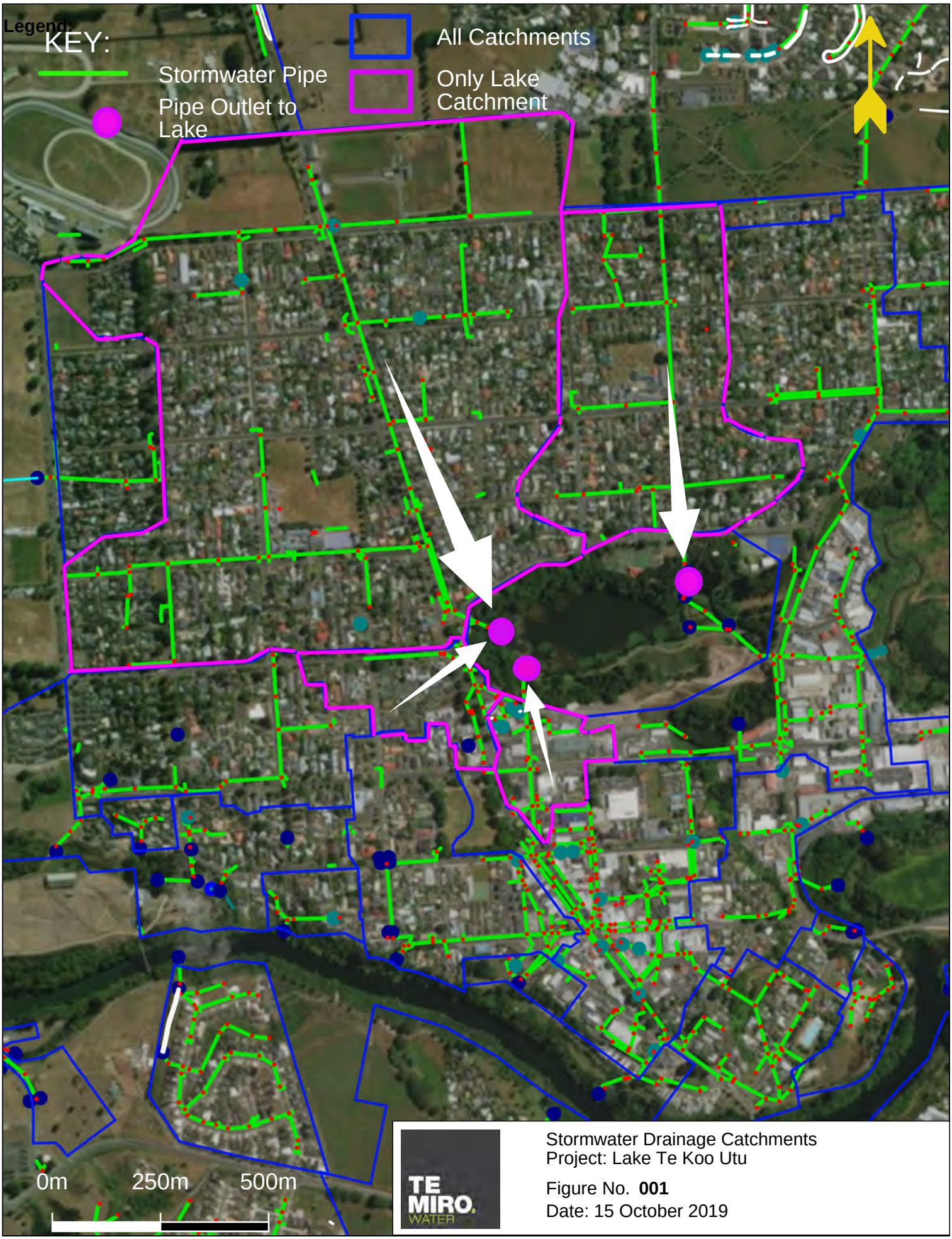


Appendix A- Stormwater Catchment



ESRI Map Tiler

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipā DISTRICT COUNCIL

INFORMATION ONLY

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Emergency Management Operations Manager
Subject:	**CIVIL DEFENCE EMERGENCY MANAGEMENT QUARTERLY REPORT**
Meeting Date:	Tuesday, 3 November 2020

1 EXECUTIVE SUMMARY

The purpose of this report is to provide the Committee with a quarterly update on matters relating to civil defence emergency management (CDEM) in the Waipā District. This includes matters arising at national, regional and district levels including emergency management activities under the shared service arrangement between Waipā, Ōtorohanga and Waitomo District Councils.

This report is provided for information purposes and does not require any decision-making on the part of Elected Members. The following appendix has been attached to this report:

a) Appendix 1: Waikato CDEM Group Joint Committee unconfirmed minutes from 7 September 2020.

2 RECOMMENDATION

*That the Strategic Planning and Policy Committee **RECEIVE** report 'Civil Defence Emergency Manager Quarterly Report' (document number 10470811) of David Simes, Emergency Management Operations Manager.*

3 NATIONAL OVERVIEW

Tsunami sirens

Due to the Bay of Plenty incident where the alarms were accidentally triggered, Fire and Emergency New Zealand (FENZ) have reviewed the use of sirens and have decided to remove sirens for the purposes of civil defence. The siren at Kawhia will only be used for fires.

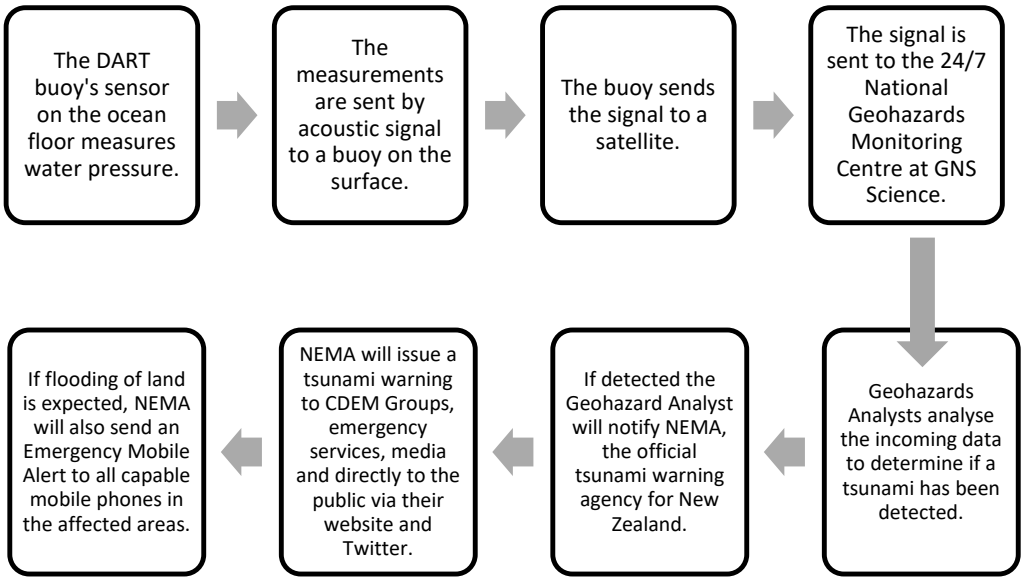
This also affects 19 sirens in the Thames-Coromandel district which have isolated areas without cell phone or WI-FI coverage. The Council's chief executive has requested a phased withdrawal of the sirens with a caveat relating to a firm plan and timeline for a replacement system.

Tsunami detection buoys

A further five DART (deep-ocean assessment and reporting of tsunami) buoys are being deployed. The DART buoy network will provide ongoing tsunami monitoring and detection information for New Zealand and Pacific countries, including Tokelau, Niue, the Cook Islands, Samoa and Tonga. The network will be completed in 2021, with the last three DART Buoys to be deployed near the New Hebrides Trench to monitor tsunami sources near New Caledonia and the Solomon Islands.

When an event that could trigger a tsunami, such as a large undersea earthquake or undersea volcanic eruption, occurs there are rapid and unusual changes to the water pressure on the sea floor.

The DART buoy network in an event



Wilding pine control

Wilding pines overwhelm our native landscapes, killing native plants and forcing out native animals. Unlike commercial forests, wilding pines are weeds. They are self-seeded, spread aggressively and are not intentionally planted. Once they get established, wilding pines spread quickly and are a significant fire hazard.

As part of the nationwide programme, Waikato was allocated $1.3 million for nine projects including sites on the Coromandel, at Orakei Korako, Red Hills, Tutukau Forest, Alum lakes/Te Kiri O Hine Kai, and Tauhaura Maunga.

4 REGIONAL OVERVIEW

Waikato CDEM Group Joint Committee

The latest meeting of the Joint Committee was held on 7 September 2020. The unconfirmed minutes are included as Appendix 1.

Strengthening of Maori/iwi relationships

The work undertaken with Maori and Iwi throughout the response was acknowledged. A Regional CDEM Maori Framework was developed to progress the relationship between the Waikato CDEM Group and Maori. The Waikato CDEM Group will continue to look specifically at Maori/Iwi engagement within CDEM.

Ensuring the right staff are trained and available across all levels

A resolution was passed at the meeting to recommend to Waikato Regional Council an increase in funding be provided for additional training and development including both emergency management and leadership skills.

A further resolution was passed endorsing a common Key Performance Measure be included in all member Council's Long Term Plan 2021-2031 relating to 'the evaluation of annual exercises as a measure of effectiveness and training delivery'.

Planning is undertaken to ensure scalability of operations for long-term sustained responses (structural and staffing) including cross-boundary coordination

A COVID-19 Resurgence Plan has been released by NEMA containing a revised structure including a Regional Leadership Group. The RLG is to include Joint Committee and Coordinating Executive Group members, iwi groups and central Government agencies to provide guidance and support to resurgence planning and response.

Trigger for CDEM leading the operational coordination will be moving to level 3 or 4. Any emergency response to a COVID resurgence is intended to be managed under the COVID Public Health Response Act 2020 and not the CDEM Act.

CDEM Group is working with partners to provide advice to the Ministry of Health or central Govt on the most effective use of the powers within the COVID Public Health Response Act. The Minister of Health has signalled that, currently, any movement restrictions would be regionally based and not a town or city.

5 WESTERN WAIKATO SHARED SERVICE

CDEM SHARED SERVICE

Negotiations are underway to formalise a joint emergency operating centre EOC during emergency activations. During the COVID-19 event, all three Councils provided staff to the combined EOC (known as Western Waikato EOC) which was recognised as extremely effective. It was also acknowledged events such as flooding would likely affect more than one district.

Staff from the three Councils have received identical training and occasionally perform in simulated exercises as one EOC. A joint EOC would only be activated when triggers have been met, otherwise a local EOC e.g. Ōtorohanga would be established . These trigger points are currently being discussed.

A joint EOC allows for local area knowledge and the ability to draw from each Council's specialists as needed. It also provides the contingency to manage a longer event where a 24/7 staffing resource was required. A further benefit from a joint EOC would be the greater exposure to more events/training/exercises for the EOC Leadership Team.

REDUCTION

No reduction activities were undertaken during this quarter due to the COVID-19 response consistent with the Alert Levels 2.

READINESS

Local Controllers and Welfare Managers have been conducting a series of workshops to discuss readiness in regard to a resurgence response for COVID and in particular, the engagement with Iwi partners. There is a desire for Iwi partners to be included within an EOC on the first day and within the first hour. The suitability of establishing EOC's (location) has also been included within these workshops and the benefit to have these located at an alternative space than a Council Chamber has been investigated. The former Kihikihi Memorial Hall space has been established and would be able to be activated easily if required.

Foodbanks were heavily relied upon during the COVID Response and this has been reflected in $1.8 million dollars being provided by the Ministry of Social Development to foodbanks in the Waikato, including the Western Waikato area. This is to provide support for the next two years as it was determined this service would continue to be required while the area recovers.

Work with our communities continues with Community Response Plans initiated for Pio Pio, Ngāhinapōuri, Wharepapa South, Te Pahu and Ōhaupō during this period.

Regular contact with outlying communities, especially those on the west coast continues and enables sharing of information with the Community Response Leaders. Information like adverse weather event alerts and expected storm surges along the coast helps them prepare their communities in regard to securing their properties and belongings in the event of a coastal flood due to a storm and/or a king tide.

Training resumed once the Level 2 restrictions were lifted and we saw staff attending the four hour introductory Foundation course on the role of Civil Defence in an emergency. Staff also attended the Intermediate two-day training which provides greater knowledge into the functions and workings of an EOC. This a requirement for anyone who is likely to be involved in an EOC function.

Advanced training for the Planning and Intelligence functions are currently being tested with roll out before the end of the year depending on the capability of the Group to deliver these. The Advanced courses are in depth training providing the materials and knowledge of how the function will operate and how their role will interact with others in and out of the EOC. Once these courses have been finalised, this will provide greater capability for local and Group staffing for the future.

RESPONSE

Adverse weather events

In late September two severe weather systems passed through Western Waikato, which occurred on the 24th and 27th September. These were predominantly centred in the Waitomo district, being classified respectively as a 'weather watch' and 'weather warning' by the MetService.

The Waikato Regional Council's Flood Room was activated on 27 September once river alerts reached Level 2 and Local Civil Defence corresponded by moving to a monitoring activation. While surface flooding was experienced in Awakino, the weather systems moved through quickly, and no significant damage occurred.

6 RECOVERY

IWI PARTNERSHIP

Discussions have been held and continue to be held with the majority of our iwi partners. Regular reporting to the Iwi Consultative Committee on Recovery has been in place since lock-down. Iwi representatives were invited to assist with interviews for the Community Advisor roles and two appointments to the Waipa Recovery Fund Working Group are in progress.

Waikato Tainui have prepared a resilience plan and have invited local council's to contribute to this where possible. The Chair and CEO of Maniapoto Maori Trust Board

(MMTB) together with the mayors of Ruapehu, Waipā, Waitomo and Ōtorohanga districts met on 16 October to discuss potential opportunities to partner in recovery activities.

There was a consensus on the need to develop wider relationships in the region, particularly with larger employees and key government agencies to ensure a proactive approach is taken to the recovery. The key areas where the mayors agreed the partnership could focus on initially are skills and employment and health/housing.

The Ministers of Social Development and Maori Development will be invited to a meeting once ministerial portfolios are allocated to assist in developing the partnership. A joint statement will also be released by MMTB and the Mayors.

WAIPĀ SPECIFIC RECOVERY ACTIONS

The recovery programme for COVID-19 is becoming established within the organisation. A Recovery Project Control Group (Recovery PCG) has been established and has the following objectives:

The objectives of the Recovery PCG and its supporting workstreams are as follows:

- To ensure any strategic direction provided by the Elected Members around the Council's overall approach to recovery is effectively and efficiently implemented, monitored and reviewed;
- To co-ordinate and maintain an overview of recovery initiatives/ projects within the organisation and across the District;
- To promote the uptake and implementation of recovery planning, prioritisation and management of recovery priorities within each of the four environment sectors for the organisation and District;
- To provide an organisational response and direction to meeting central government requirements and ensure these are well linked to community outcomes;
- To ensure that the recovery actions are well informed, data-led, consistent with Council's strategic direction and reflect community aspirations and priorities;
- To ensure there is a high level of transparency and collaboration of recovery initiatives, projects and developments across the organisation;
- To ensure robust communication, engagement and leadership on issues for our community on recovery related matters;
- To provide a co-ordinated reporting structure for recovery related matters from sector leads through the PCG to Executive.

Sector leads for the social, economic, built and natural environment have been appointed. Actions plans, risk and issue registers and reporting templates are currently being developed. Recruitment for two Community Advisors who will lead recovery in

partnership with community organisations and iwi is nearly complete. The Community Advisors will report to Manager, Strategic Partnerships.

Economic environment

Monitoring of economic trends continues via regular updates from Infometrics and Te Waka. A project plan to review the Economic Development Strategy has been endorsed by the Recovery PCG and work has commenced. The Business Development Manager is working with Te Waka to heat map the District's largest employers with a view to setting up a reference group of economic leaders.

A Procurement Strategy that prioritises local suppliers has been completed. The Procurement Advisor has made a number of presentations to local Chambers of Commerce on the Procurement Strategy to build the capability and awareness of local industry. Chambers of Commerce with other business organisations across the Waikato planned a united drive at Labour Weekend to help Waikato people find work, by encouraging their networks of employers and HR companies to feed any and every job that is locally available into the free regional job matching website www.waikato.nxtstep.co.nz. Waipa's vacancies are also being featured on this site. As at 18 October there were 7,000 site visits with 52% from Waikato, 26% from Auckland.

Work is well advanced on the development of the draft 2021-31 LTP. Council adopted a revised 'Vision, Community Outcomes and External Strategic Priorities' at its meeting on 25 August 2020. Leading the recovery of Waipā is identified as one of the External Strategic Priorities and will be a focus of Years 1 to 3 of the 2021-31 LTP.

Social environment

The first round of the Waipa Recovery Fund is currently open, closing on 30 October and appointments to the Community Recovery Fund Working Group are underway. A representative from social services in Cambridge and another from Te Awamutu will be part of the working group. Presentations have been made to the Cambridge Committee of Social Services about the organisation's recovery plans.

Staff have met with staff from Te Wananga o Aotearoa who are leading a programme under the Mayor's Taskforce for Jobs in South Waikato to place young people into employment with wrap-around care. There are opportunities to extend these programmes into our District.

Natural environment

Staff are continuing to work on opportunities to put together a programme of employment from green initiatives in partnership with local iwi. An initial meeting with Te Waka and a representative from the Ministry of Social Development suggests that there is funding available from central government if a programme could be developed that provides a sizeable number of job opportunities.

David Simes
EMERGENCY MANAGEMENT OPERATIONS MANAGER

Debbie Lascelles
RECOVERY MANAGER

APPROVED BY

Wayne Allan
GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES

7 SUPPORTING INFORMATION: STATUTORY REQUIREMENTS

Civil Defence Emergency Management Act

Section 59 of the Act requires every local authority to take all necessary steps to perform its functions and duties under the Act.

National Civil Defence Emergency Management Strategy

The Strategy requires all agencies to carry out activities across the 4Rs:

a) **Reduction**: The objective of reduction is to take preventive steps to avoid or mitigate adverse consequences.

b) **Readiness**: The objective of readiness is to build capacity and capability, and to enable an effective response to, and recovery from, emergencies.

c) **Response**: Response objectives include—

- i) the preservation of life; and
- ii) the prevention of escalation of the emergency; and
- iii) the maintenance of law and order; and
- iv) the provision of safety and security measures for people and property; and
- v) the care of sick, injured, and dependent people; and
- vi) the provision of essential services; and
- vii) the preservation of governance; and
- viii) the protection of assets (including buildings and their contents and cultural and historic heritage assets); and
- ix) the protection of natural and physical resources and the provision of animal welfare (to the extent reasonably possible in the circumstances); and
- x) the continuation or restoration of economic activity; and
- xi) the putting into place of effective arrangements for the transition to recovery.

d) **Recovery**: Recovery objectives include—

- i) minimising the escalation of the consequences of the emergency; and
- ii) regeneration and enhancement of—
  - the social, psychological, economic, cultural, and physical wellbeing of individuals and communities; and
  - the economic, built, and natural environments that support that well-being; and
- iii) taking practicable opportunities to adapt to meet the future needs of the community; and
- iv) reducing future exposure to hazards and their associated risks; and
- v) supporting the resumption of essential community functions.

APPENDIX 1: WAIKATO CIVIL DEFENCE AND EMERGENCY MANAGEMENT GROUP JOINT COMMITTEE UNCONFIRMED MINUTES FROM THE MEETING HELD ON 7 SEPTEMBER 2020

Waikato Civil Defence and Emergency Management Group Joint Committee

MINUTES

Date:	**Monday, 7 September, 2020, 1:00 pm**
Location:	**Te Puia Room, Genesis Building** **94 Bryce Street** **Hamilton**

Members Present:	Cr H Vercoe - (Waikato Regional Council) Cr A Park (Taupō District Council) - Deputy Chair Cr P Buckthought (Hauraki District Council) Cr A Williams (Otorohanga District Council) Cr T Lee (South Waikato District Council) Cr S Christie (Thames - Coromandel District Council) Cr N Smith (Waikato District Council) (via Teams – from 2.05 pm) Cr L Brown (Waipa District Council) Cr A Goddard (Waitomo District Council)
Others Present:	L Cavers – Chair (Co-Ordinating Executive Group) J Snowball – Group Controller M Bang – Team Leader (Waikato Group Emergency Management Office) S Vowles – NEMA L Bartley – Democracy Advisor N Hawtin – Democracy Advisor J Tetlow – TOA Consulting T Thompson-Evans – Waikato Group Po Ārahai

1. Apologies

Apologies were noted from alternates Cr Rimmington (Waikato Regional Council) and Mayor Toby Adams (Hauraki District Council) and Mr Thornton, NZ Police.

2. Confirmation of Agenda

WCDEM20/25
Moved by: Cr A Park
Seconded by: Cr S Christie

RESOLVED (SECTION A – under delegated authority)

THAT the agenda of the meeting of the Waikato Civil Defence and Emergency Management Group, as circulated, be confirmed as the business of the meeting noting that Item 9 Covid-19 Debrief would be considered after item 3.

The motion was put and carried

4. Confirmation of Minutes - 8 June 2020

WCDEM20/26
Moved by: Cr T Lee
Seconded by: Cr L Brown

RESOLVED (SECTION A – under delegated authority)

That the minutes of the Waikato Civil Defence and Emergency Management Joint Committee's meeting dated 8 June 2020 be received and accepted as a true and accurate record.

The motion was put and carried

5. Joint Committee Terms of Reference

Chair Vercoe introduced the report. Legislation currently determines who should be appointed to committee. The recommended changes provide for the Joint Committee to appoint individuals to the Committee, non-voting but allows in principle the appointment of externals.

WCDEM20/27
Moved by: Cr L Brown
Seconded by: Cr P Buckthought

RESOLVED (SECTION A – under delegated authority)

1. That the report Change to Waikato Civil Defence Group Terms of Reference (Waikato Civil Defence and Emergency Management, 7 September 2020) be received.

2. That the Waikato Civil Defence Emergency Management Group Terms of Reference be amended to express the power to appoint representatives of relevant agencies as subject matter experts to the Group.

The motion was put and carried

9. Covid-19 Debrief

Report presented by Te Pora Thomson-Evans and Jim Tetlow

An overview of the debriefing was provided to members noting:

- Terms of reference for the feedback
- variety of meetings held with partners to gather information
- A distinct feedback process for iwi partners
- Iwi discussions noted their level of involvement / participation in their capacity of their EOC
- There was strong effective leadership at all levels throughout the response
- Existing relationships were strong: The effectiveness of these relationships were most evident within PIM, Welfare and Emergency Services
- Conflict existed between BAU for council staff and redeployment to CDEM
- Observed that non-trained staff were deployed to response, but trained staff were kept back for council and agency BAU
- Need to be prepared for this as COVID will last at least 2 years. Need to work on training more staff to be available
- Fortunate that this event was a slow burner as staff had time to come on board and get trained on the go - if the event had been a rapid on-set event, then there would have been challenges in effectively resourcing the response
- Need to relook at who is trained - need to have a conversation with TLA's about who they are prepared to release and ensure they have training. Not only Council's but also other agencies who stepped up
- Acknowledged that every event will be different and will require different staff
- Way forward is the role-out of the iwi framework developed during the response
    - Māori involvement; clarity of role between all parties
    - Strong leadership; good welfare
- Area for development identified:
    - Staffing of the response at the group level
    - Staffing of BAU/Local Authority IMT verses CDEM response requirements
    - Ability to scale up for long term sustained response – structural and staffing
    - Improved cross-boundary co-ordination with neighbouring CDEM Groups

Outcomes:

- Development of procedures to support the GECC response capability
- Improvement of intelligence gathering
- Application of the planning process across all levels of group
- Unification of response systems across the GECC and local EOC's
- Strengthening the Māori/iwi relationships
- Need to work on ensuring right staff are trained and available.
- Acknowledgment that each event is different and will require different staff

WCDEM20/28
Moved by: Cr A Williams
Seconded by: Cr T Lee

RESOLVED (SECTION A – under delegated authority)

That the report COVID-19 Regional after-action report (Waikato CDEM Group Joint Committee 7 September 2020) be received

The motion was put and carried

6. Long Term Plan 2021 - 2031 - Business Case Studies

The reports were presented by Team Leader, GEMO M Bang

6.3 Capability Development

This proposal is to provide additional resource in training and development

The Committee received a strategic outline of this proposal in June and this has now been scoped more fully, including proposed costs.

- The significant change between the outline and this report was that the outline requested additional 2 FTE and the subsequent report requests an increase to 1 FTE, with supporting budget for the provision of specialist training from external providers
- Compared to the strategic outline: The proposal shows an increase of $50,000 in year 1, but scales down over 5 years. The proposal recommends training fewer staff, but to a higher level.
- Training to include both emergency management and leadership skills.
- Need to ensure the quality of training is higher and that specialties are defined.
- Members also noted that GEMO staffing during the response in accessing staff particularly from WRC was not acceptable. Groups needs to identify sufficient staff and training.

6.1 Public Warnings and Responder Notifications

This business proposal is for an investment of up to $68,000 next financial year to maintain and service the technology solution which will automate and provide public warnings via social media and other web based platforms in a timely manner and to provide effective and consistent systems for notifying staff who are required to attend an event.

- The funds sought will be for the licence fee of the automated software. Capital costs will be met by operational budgets.

- The System will offer a common subscription which will allow each TLA to utilise.
- It is proposed to negotiate with an existing provider who already supports neighbouring CDEM Groups and National Agencies. (An Intl company with good track record in NZ with a number of other parties).
- Ongoing annual cost.

6.2 Community Resilience

This business case relates to community resilience. COVID 19 has highlighted that more of the community is vulnerable than had been identified.

- It had previously been identified to start in year 3, but is now proposed for commencement in year 1.
- Request for $91,000 (1 additional FTE) to bring Group community engagement capacity up to a level that meets the requirements of CDEM Group Plan, responds to Govt stated intentions in their Emergency Management system reforms and implements National Disaster Resilience Strategy.
- It was noted that in each of the projects, there is a higher first year cost of $6,000 due to onboarding of new staff.
- Community resilience will bring together all partners in community and also target education via schools/ministry of education.
- Total cost to ratepayer is $1.91 per ratepayer's = year 1, $1.71 for years 2-5, $1.42 for years 6 onwards. Costs based on all project starting in year 1 of the LTP.
- Need to be a service level agreement with TLA's that if the training is provided and paid for, then the staff will need to be released in the event of an incident.

2.05 pm Cr N Smith joined the meeting via Teams

WCDEM20/29
Moved by: Cr A Park
Seconded by: Cr P Buckthought

RECOMMENDED (SECTION B – for Council approval)

1. **That the three reports LTP – 2021-2031 Business Case – Community resilience (Waikato CDEM Joint Committee – 7 September 2020); Business Case - Capability Development and Business Case - Public Warnings be received, and**
2. **That the Optimal option for increased investment, contained in business case – CDEM Group community resilience, be approved and recommended to Waikato Regional Council for inclusion in its Long Term Plan 2021-2031.**

3. **That the Optimal option for increased investment, contained in business case – CDEM Group CDEM Group Capability Development, be approved and recommended to Waikato Regional Council for inclusion in its Long Term Plan 2021-2031.**

4. **That the Optimal option for increased investment, contained in business case – CDEM Group public warning and responder notification, be approved and recommended to Waikato Regional Council for inclusion in its Long Term Plan 2021-2031.**

The motion was put and carried

7. Long Term Plan - Key Performance Indicators - 1st Quarter

Report presented by Group Controller J Snowball.

- It was noted that all Council's undertake training and preparedness exercises and therefore it is appropriate that a common KPI's be adopted for measuring the outcomes of the training of the annual exercise.

WCDEM20/30
Moved by: Cr L Brown
Seconded by: Cr A Goddard

RESOLVED (SECTION A – under delegated authority)

That the report Long Term Plan – Group wide Key Performance Indicators (Waikato CDEM Group Joint Committee 9 September 2020) be received

That the CEG decision made 21 August 2020, to have the measure "the evaluation of annual exercises as a measure of effectiveness of training delivery" and KPIs included in Group member LTPs 2021-2031 is endorsed.

The motion was put and carried

8. Covid-19 Response Cost Recovery - 1st Quarter

The report was presented by Group Controller J Snowball.

- It was outlined that the CDEM Group does not maintain a contingency budget for emergencies
- The report identified the need for cost-recovery due to unbudgeted emergency expenses during the COVID Emergency.
- It was noted that it had been determined that the costs incurred during the GECC response provided a regional benefit and therefore were considered to be a group cost that should be met by the group and not split across the region.

- The costs have in part been offset against GEMO work not undertaken due to emergency and any uncommitted financial reserves have also been offset against the emergency.
- Leaves a balance of $345,000 and CEG recommends that this be recovered in one year and that it be included in WRC in LTP. Works out at $1.65 per ratepayer for one year.
- Some welfare related reimbursement has been provided by WRC to external third-party partners. This amounts to a total of $1.6 million, which is now being claimed back from NEMA. Due diligence has been undertaken to ensure any expenditure meets the reimbursement criteria. There is still a risk is that some of the NEMA claim is determined not to be reimbursable.
- Any financial short-fall between the amount paid to third-party providers by WRC and the amount reimbursed by NEMA, will need to be met by the CDEM Group.

There was discussion around the building of an emergency fund and how that would be implemented and funded and to what level. It was considered that communities may expect CDEM to have an emergency fund that can be drawn on in the event of an emergency without having to incur a further cost each year. It was also discussed whether it was fair and equitable to rate today for tomorrow's problems.

- The COVID debrief has highlighted that we have done very well but there are areas for improvement that will require funding resources.
- Staff believe that WRC would support a reserve so that the amount of financial risk exposure is reduced in future significant emergency events

The joint committee have requested CEG to report back on an appropriate level of reserve for the next LTP process.

WCDEM20/31
Moved by: Cr L Brown
Seconded by: Cr P Buckthought

RECOMMENDED (SECTION B – for Council approval)

1. **That the report COVID-19 – Recovery of COVID-19 Response Costs (Waikato CDEM Group Joint Committee 7 September 2020) be received**
2. **That the joint committee endorses the Group Controller's recommendation, that unbudgeted costs are met by the Group; and;**
3. **That total unbudgeted costs relating to the Group Emergency Coordination Centre responding to COVID-19 be recovered from a targeted rate in the 2021/22 financial year and that Waikato Civil Defence Emergency Management Joint Committee request WRC to include a targeted rate of $1.65 per rateable property in the LTP for year 1 to offset debt incurred by COVID and then continue in years 2-3 to build a reserve.**

The motion was put and carried

10. Covid-19 Resurgence Planning

Report presented by Group Controller J Snowball.

An update on the planning from central and local government was presented.

- The update for resurgence planning is that there is a NEMA COVID Resurgence Planning document.
- Origins of content are from a cabinet paper.
- NEMA have provided NEMA/CDEM groups of the relevant parts of the cabinet paper for their sector.
- Within planning document is a new structure for how the emergency is going to be managed:
- Hierarchy of PM/Cabinet on top, national leadership group in middle, with NEMA under central leadership, NEMA allocate down to regions. CDEM sits under NEMA and role is to co-ordinate. CDEM won't be under conventional CEG or Joint Committee structures
- It is the intent of Central Govt that CDEM will be supported by a Regional Leadership Group – To include JC and CEG members, iwi groups, central govt agencies to provide guidance and support to resurgence planning and response.
- For the purposes of providing legal protections of the CDEM Act and clarity: Staff would have preferred to see the wider non-traditional CDEM partners co-opted onto a sub-committee of the Joint Committee.
- Work is ongoing with partner agencies to agree a Regional Leadership Group structure and membership
- Updates will be provided to the members as available.
- Operational planning for a COVID resurgence is underway irrespective that the regional leadership group structure and membership is still under development. Lots of meetings being held with partners at all levels to ensure preparedness based on last lockdown evidence.
- Trigger for CDEM leading the operational coordination will be moving to level 3 or 4.
- Any emergency response to a COVID resurgence is intended to be managed under the COVID Public Health Response Act 2020 and not the CDEM Act.
- CDEM Group is working with partners to provide advice to the Ministry of Health or central Govt on the most effective use of the powers within the COVID Public Health Response Act. The Minister of Health has signalled that, currently, any movement restrictions would be regionally based and not a town or city.

WCDEM20/32
Moved by: Cr P Buckthought
Seconded by: Cr S Christie

RESOLVED (SECTION A – under delegated authority)

That the report COVID-19 Resurgence planning (Waikato CDEM Group Joint Committee 7 September 2020) be received.

The motion was put and carried

11. Tsunami Siren Withdrawal - FENZ

Report presented by Group Controller J Snowball.

There is a proposal by FENZ to remove their legacy sirens for tsunami warnings by end of 2020 calendar year.

Due to BOP incident where the alarms were accidentally set off, FENZ have reviewed the use of sirens and have decided to remove sirens for the purposes of Civil Defence. This will affect 19 sirens in the Thames Coromandel DC area which have isolated areas without cell phone coverage or wifi. It was noted that the Chief Executive of Thames Coromandel District Council has written to NEMA and FENZ challenging the decision and CEG have decided to support this. It is recommending that a phased withdrawal of the sirens based on risk with a caveat that sees a time bound plan from TCDC that is a firm plan and timeline with a replacement system.

WCDEM20/33
Moved by: Cr S Christie
Seconded by: Cr A Park

RESOLVED (SECTION A – under delegated authority)

That the report "FENZ proposal to withdraw use of sirens" (Waikato CDEM Group Joint Committee 7 September 2020) be received.

The motion was put and carried

12. CEG Minutes

CEG Chair L Cavers presented the report as read.

- GIS data agreement template has been adopted
- COVID Debrief - formed a subcommittee - had a meeting this morning to finalise TOR and made changes to business process which have been very beneficial. Review business process from a CDEM point of view - what have we observed, learnt and what could be better implemented.
- Formal plan to be coming back to Joint Committee on how to implement changes - need to put in place learnings very quickly.

WCDEM20/34
Moved by: Cr P Buckthought
Seconded by: Cr T Lee

RESOLVED (SECTION A – under delegated authority)

That the report Summary Report – CEG Meeting – 21 August 2020 (Waikato Civil Defence Emergency Management Group Joint Committee 7 September 2020) be received.

The motion was put and carried

13. Group Work Plan

Report presented by Group Controller J Snowball.

- No significant deliberate progress on the workplan since last meeting due to COVID.

WCDEM20/35
Moved by: Cr L Brown
Seconded by: Cr A Williams

RESOLVED (SECTION A – under delegated authority)

That the report Group Work Plan – Progress towards completion of priority 1 actions (Waikato Civil Defence Emergency Management Group Joint Committee 7 September 2020) be received.

The motion was put and carried

14. National Emergency Management Agency Update

A verbal update was presented by Suzanne Vowles, NEMA

- COVID levels change plus planning for resurgence
- Planning on capability of NEMA
- Review of legislation.
- Tsunami Dart buoys that the Govt has funded have been deployed around NZ coastline and out into Pacific Ocean. They will give warning of what is happening in the ocean.
- Planning is being undertaken in the event that Wellington would need to move to Auckland due to COVID or an emergency.

WCDEM20/36
Moved by: Cr S Christie
Seconded by: Cr P Buckthought

RESOLVED (SECTION A – under delegated authority)

That the report Update from the National Emergency Management Agency (Waikato CDEM Group Joint Committee 7 September 2020) be received.

The motion was put and carried

15. Items for Next Meeting

There were no items requested.

The Chair thanked members for their attendance and also noted his thanks to Group Controller J Snowball as leader of CDEM and highlighted that very positive feedback acknowledged by central government of his capabilities.

WCDEM20/37
Moved by: Cr H Vercoe
Seconded by: Cr A Park

RESOLVED (SECTION A – under delegated authority)

That a vote of thanks be extended to Group Controller J Snowball for his exemplary work undertaken throughout the Covid-19 emergency.

The motion was put and carried

3.35 pm The meeting closed.

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipā DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Group Manager District Growth and Regulatory Services
Subject:	**QUARTERLY DISTRICT GROWTH REPORT**
Meeting Date:	Tuesday, 3 November 2020

1 EXECUTIVE SUMMARY

The purpose of this report is to provide the Committee with a quarterly update on matters relating to growth in the Waipā District. This includes matters arising at national, regional, sub-regional and district levels. This report is provided for information purposes and does not require any decision-making on the part of Elected Members. Please note that matters pertaining to capital projects and their associated risks will be separately reported to Council's Service Delivery and Audit & Risk committees respectively.

The following appendices accompany this report:

- Appendix 1 – Waipā District growth cells
- Appendix 2 – Major resource consent applications.
- Appendix 3 – Building consents issued
- Appendix 4 – Applications determined by the District Licensing Committee
- Appendix 5 – Quarterly statistics for 2019/20
- Appendix 6 – Year on year statistics
- Appendix 7 – Submissions submitted on behalf of Council

2 RECOMMENDATION

That the Strategic Planning and Policy Committee receive the report titled 'Quarterly District Growth Report' (document number 10469435) of Wayne Allan, Group Manager District Growth and Regulatory Services.

3 NATIONAL & REGIONAL LEGISLATION, REGULATIONS, PLANNING AND POLICY

During this quarter the Council has reviewed one submission in respect of the following:

Organisation	Document	Due Date	Status	Document #
Ministry for the Environment	Removal of hard-to-recycle plastics from the environment	4 Nov 2020	Complete	10465250

The draft submission was discussed and supported at Council's Service Delivery Committee meeting on 15 September 2020. The submission has since been checked and finalised and will be lodged with the Ministry for the Environment before the deadline on 4 November 2020.

4 SUB-REGIONAL STRATEGIC PLANNING INITIATIVES

Hamilton Waikato Metropolitan Spatial Plan

A summary of the draft Hamilton Waikato Metropolitan Spatial Plan (HW-MSP) was included in a Cabinet paper that was considered by Cabinet on 10 August 2020. Cabinet agreed support for finalisation of draft HW-MSP provided the plan remained consistent with the government's strategic priorities.

The final draft HW-MSP was endorsed by the Future Proof Implementation Committee (FPIC) on 10 September 2020. It will be consulted on as part of the Future Proof Strategy Phase 2 public consultation process in 2021.

Sub-Regional Three Waters Study

A detailed business case (DBC) for the Southern Metro Wastewater is now underway. The technical work to support the strategic and economic case will be applicable to the full Metro area (both North and South areas).

While the Southern area detailed business case is progressing, staff are working on potential funding options and terms of reference for a similar business case for the Northern Metro Wastewater. Ideally, the view is that this work should proceed in parallel or close succession with the Southern Metro Wastewater detailed business case.

Housing Preference Study

The final report of the Housing Preference Study has been completed and provided to the members of the Future Proof Technical Implementation Group for review. Preliminary comment is that Maori and Pacific people were under represented in the

survey carried out as the basis for the study. Consideration is being given to linking the work to that being done for the Regional Housing Initiative by Lale Ieremia.

Proposed National Policy Statement on Urban Development (NPS-UD)

Following a meeting between the Future Proof partner councils, Market Economics together with government representatives of Ministry for the Environment and Ministry for Housing and Urban Development, a revised project scope was prepared. This revised project scope was endorsed by Future Proof Chief Executives Advisory Group on 1 September 2020.

The consultants expect to have a draft final report completed by the year end.

5 DISTRICT LEVEL STRATEGIC PLANNING

Ngāhinapōuri Village Concept Plan

On 1 September, Council's Strategic Planning and Policy Committee approved the draft Ngāhinapōuri Village Concept Plan for public engagement. Subsequent meetings with key landowners and community group resulted in exploration of a sixth intersection option to include in public engagement. The project team are currently working with Waka Kotahi New Zealand Transport Agency, the Ministry of Education, key landowners and the Ngāhinapōuri Community Group to produce 'Option 6', with the aim of bringing 'Option 6' back to elected members for approval to include it for public engagement in November 2020.

Pirongia Village Concept Plan Refresh

On 29 September, Council adopted the Pirongia Village Concept Plan Refresh document. The Refresh was based on a community-led approach, with mana whenua recognised as having partnership status. The Refresh outlines an action plan to achieve objectives over a 50 year period.

C4 Structure Plan

On 29 September, Council endorsed the C4 Structure Plan. The structure plan was based on technical reports and feedback received from landowners, key stakeholders and mana whenua. It will provide for 500-600 residential homes.

C1, C2 and C3 growth cells (Cambridge Road, Cambridge)

The C1, C2 and C3 Master Plan has been completed. Waipā's consents for stormwater discharge have been received from Waikato Regional Council. In C1, there are on-going enquiries around development opportunities. Council is commencing land purchase for the construction of critical stormwater and transportation assets. A

resource consent application for Stage 1 development (subdivision and land use) is expected shortly.

In C2, discussions continue with the Ministry of Education on the new primary school site. Discussions also continue with developers regarding respective development agreements. Detailed design of key stormwater, roading, water and wastewater infrastructure to service the developments is progressing along with associated land purchase negotiations. A subdivision consent has been issued to create key infrastructure lots.

In C3, site work is underway for the staged development of the Chartwell Properties Ltd land.

6 DISTRICT PLANNING DEVELOPMENT AND IMPLEMENTATION

District Plan

National Planning Standards

Implementing the National Planning Standards remains deferred to enable staff to focus on the list of plan changes that need progressing.

e-Plan: The E-Plan has been tendered. The next steps are presentations from tenderers on their E-Plan platforms. We expect to award a tender before the end of December 2020. It is a statutory requirement to have the District Plan in an E-Plan format by 2024.

Figure 1: MFE E-Plan Timeframe (Gazettal April 2019)

National Directions & RMA Reform

A programme is in place for implementing the National Policy Statement for Urban Development. The mandatory plan changes to remove minimum car parking requirements form the district plan will be notified in December. There is no consultation process.

There are no further updates to Government's National Directions (National Policy Statements and National Environmental Standards). Staff continue to monitor for updates and implications for the District Plan and Council's work programme.

Government enacted the Resource Management Amendment Act 2020 which came into effect in July 2020. Staff have reviewed the implementations, and Financial Contributions under chapter 18 of the District Plan, are now able to be used. We have started assessing resource consent applications for financial contributions.

Overall, we remain "response ready" to national directions, and will adjust our work programme if and as required. Unless advised otherwise, staff will apply a "do minimum" approach in responding to any national direction. "Do minimum" will ensure that Council meets any statutory obligations, while minimising any resourcing and budget impacts.

Plan Changes

Staff are continuing to progress changes to the district plan. Plan changes in progress are shown in Table 1 below.

Table 1: Plan Changes update (as at October 2020)

PLAN CHANGES	STATUS	ENGAGEMENT	NOTIFICATION (INDICATIVE)
DO NOW			
PPC 12 Structure plan and rezoning of growth cell T2	Lodged with council	Awaiting notification	December 2020
PC13 Uplifting Deferred Zones	Plan change has been prepared	Awaiting notification	December 2020
PC15 Permeable surfaces	Plan change has been prepared	Iwi engagement during October	December 2020
PC16 Technical improvements	Plan change has been prepared	Iwi engagement during October	December 2020
PC17 Structure plan Alignment in growth cells C8 & C9	Scoping	Public engagement not started.	2021
PC18 Beekeeping in the Residential Zone	Plan change has been prepared	Stakeholder and Iwi engagement during October	December 2020
PC19 Industrial Zones (Carters Flat, Aotearoa Park, Cook St)	Issues and Options paper finalised	Public engagement not started.	Second half of 2021
PC20 Papakāinga	Awaiting scoping	Public engagement not started.	2021
PC21 Anchor Park	Awaiting scoping	Public engagement not started.	2021
ND1/20 remove minimum car parking	Being Prepared	Not applicable	December 2020

PLAN CHANGES	STATUS	ENGAGEMENT	NOTIFICATION (INDICATIVE)
Do next			
NPSUD Infill subdivision and consequential changes	Not started	2021	2021
NPSUD housing bottom lines	Not started	Not applicable (no consultation)	2021
Iwi Sites of Significance	Not started	2021	2021
T8 zone extension	Not started	2021	2021

Infrastructure Development

Development activity continues to show an increased emphasis on construction and growth in Cambridge, Te Awamutu, and around the District. Applications, pre-app meetings and enquiries remain at a level higher than pre-lockdown.

Airport: Ossie James Drive extension is currently underway, and John Spencer Way has had footpath construction held up with negotiations with Waka Kotahi (NZTA) but looks like a resolution will unfold allowing the finalisation of Stage 2 there.

C2: Main designs for the receiving infrastructure are 95% complete although design has been paused until the land acquisition agreement is finalised. This has meant the private development has also been put on hold, but there seems to be many requests from adjacent land owners wanting to also develop once the main infrastructure is constructed.

C3: Road construction started last week in the Chartwell Properties Ltd development and looks to complete the connection to Cambridge Road before Christmas. This is to allow a staged approach in which the childcare facility is able to be operational early next year. The terminal wastewater pump station designs initial review has come up with a few items for the design team to work through but no major red flags are foreseen. The main designs for the road and stormwater infrastructure in St Peters School land are partially complete although design has been paused until St Peters School development plans are finalised.

C10 (BIL): The BIL terminal wastewater pump station has now been commissioned meaning the developer's temporary arrangement is no longer required. This is a big milestone and has taken a long time to finalise. It relied on the completion of multiple council contracts run simultaneously to achieve the desired outcome.

C8/9: The masterplan is virtually complete and the initial stages of upgrading lower Hannon Road are about to be tendered.

Cambridge North; The main stormwater discharge pipe from the western catchment is being tendered following extensive consent negotiations with Regional Council and

Fonterra. Significant development in this catchment is being planned but is reliant on further land acquisition and construction of stormwater swales along Laurent Road.

T1: With the first 2 stages now completed and signed off, the developer is underway with the design phase of the next 3 stages. The developer has asked for initial feedback regarding retaining walls and looks to have a set of plans for review to then start construction late this year.

T2: DE has provided commentary on the plan change, subdivision and earthworks consent of the Sanderson/Kotare developments section of T2. We are awaiting the Sanderson retirement village portion to be submitted.

T8 is in progress, with designs for infrastructure accepted now with a bit of detailing for the stormwater pond still required. Construction is in progress in relation to the acquired land use and subdivision consent.

T9 Thorncombe Stage 2, 224c is completed. Infrastructure, including the new road Wetere Drive, is vested to Council with a standard defect liability period with the developer.

Other Areas

The proposed vesting of the private way in Hannon Road for industrial sites will not be pursued as the developer has chosen not to proceed with that option.

Lakewood Townhouse subdivision consent is received, and this involves works in the park which has a separate condition in the consent. The latest consent application is in progress for the titling of individual units.

Transland compact housing in Swayne Road has acquired subdivision consent for the development. An amendment is applied to make the project 4 stages.

22 Williamson St, Cambridge, has acquired a subdivision consent for their compact housing.

The reserve along Freedom Village under a Development Agreement is in process for handing over. This includes the walkway/cycleway and the swale.

Resource Consents

Below is a summary of consents that were approved during the quarter (July to September). This covers all consent applications during this period. The list of major applications is attached (Appendix 2).

The number of resource consents completed during this quarter has increased. There were 79 landuse consents (55 last quarter) and 51 subdivision consents (38 last quarter). All resource consents were processed within statutory time-frames.

Deemed Permitted Boundary applications also saw an increase with 43 being processed, compared to 26 in the previous quarter. Refer to Figure 1 below.

A substantial increase in the number of LIMS was seen with 344 completed compared to 152 from the previous quarter. All LIMS were processed within statutory timeframes. Refer to Figure 2 below.

Figure 1: Resource Contents July - September 2020

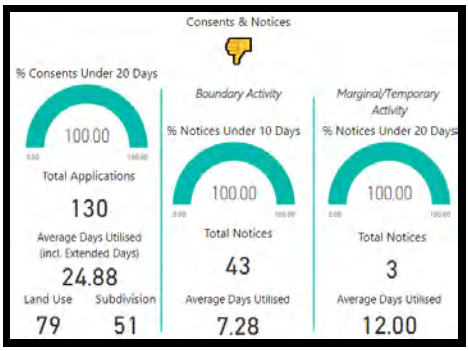
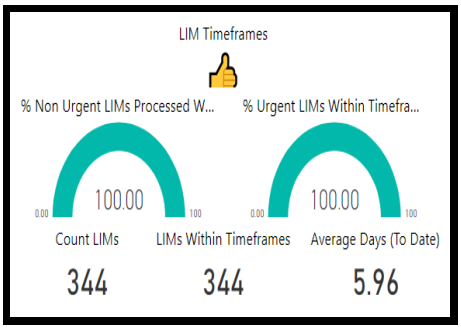


Figure 2: LIMS July - September 2020



Building Compliance

Building consents post lockdown have shown an increased emphasis on construction in the Waipā district. Consent numbers are showing a steady increase in building applications being submitted compared to previous years. The new applications are a mix of commercial and residential with a slight increase in commercial work from a comparison with the 2019 quarter.

Figure 3: New dwellings by location

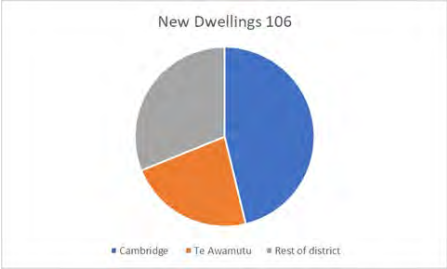


Figure 4: Code Compliance Certificates

Building consents lodged to Council

There were 491 building consents lodged to Council with a total value of $117,080,000. The results indicate a positive outlook post-Covid-19 lockdown. When compared to the same period in 2019 this is an increase of 59 building consents submitted.

Figure 5: Building consent applications 2019

Figure 6: Building consent applications 2020

Building Consents issued

There were 342 building consents issued with a total value of $94,039,191. This included 106 new dwellings. When compared to the same period in 2019 this is an increase of 20 building consents issued.

The significant building consents issued in the quarter are:

- John Spencer Way Titanium Park Rukuhia Hamilton, New office, workshop and sales development.
- 437 Luck At Last Road Maungatautari Cambridge, Pukekura 11 Block - New Dwelling With Attached Garage.
- 353 Raynes Road Hamilton, Stage 2 - New commercial plastic moulding warehouse and offices.
- 87 Hautapu Road Cambridge, Lot 2 - Erect 10 Industrial Units for Commercial Use.
- 1866 Cambridge Road Cambridge, Construct attached Serviced Cottages Apartments as part of an Aged care Facility connected to end of an existing link Bridge constructed under a separate Building Consent.

7 MONITORING AND ENFORCEMENT

Monitoring and Enforcement

In total Council's Enforcement team responded to and dealt with 149 complaints concerning Resource Consent conditions and breaches of the District Plan Rules. 29 swimming pool barrier inspections were undertaken during the quarter.

Complaints were amenity values, the use of shipping containers, home occupations, setback distances and secondary dwellings. All complaints were responded to within four days.

138 complaints were received regarding Bylaw breaches including 32 littering jobs and 102 parking complaints. The parking complaints covered the normal issues of obstruction, grass berms and HT parking in town.

Figure 3: Complaints of regulation breach

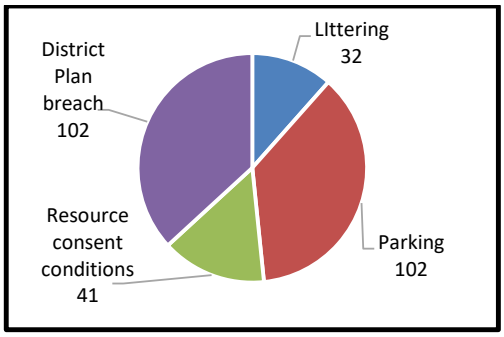
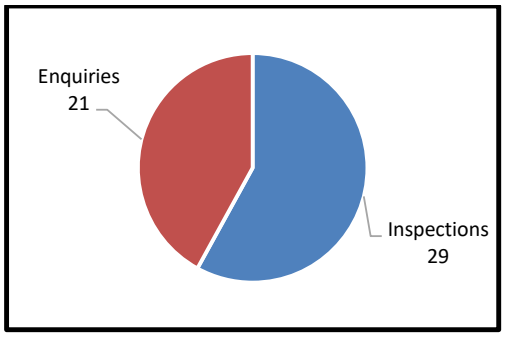


Figure 4: Swimming pool barriers



Animal Control

The total number of calls to the animal control team during this quarter is comparable with the same quarter last year. The volume of admin type calls received during the first and last quarter each year always increases due to the dog re-registration process which runs from May to August.

In terms of types of complaints (i.e. non-admin) received, barking complaints doubled compared to the last quarter, and increased from the same period last year. We expected the increase in barking issues with the end of COVID-19 lockdown (during which barking complaints dramatically decreased) and a return to the workplace for many dog owners.

Rushing complaints (i.e. where a dog "rushes at" a person, animal or vehicle in a public place) increased compared to the same quarter last year, but numbers are still relatively in line with previous years. Most occurred in close proximity to the dog's property, with a few happening in other public areas like dog parks etc. Rushing incidents tend to be more common in spring and summer time when more people are out in public.

There were five dog bite incidents on people. Two of these were in a public place (footpath), and one was on private property (where the dog resides). The other two were 'dog vs dog' incidents in a public place where an owner was inadvertently bitten during the event. Following these attacks, one dog was seized, remained unclaimed and was subsequently euthanised. One was classified menacing, one is in the process of being signed over to Council, and with one the owner received education and made property changes. One attack wasn't able to be verified.

Overall most complaint types are on a par with last year's figures.

The total number of dogs recorded on our database continues to climb, and is now sitting around 8,839.

The re-registration process from May to August ran relatively smoothly, and the re-registration rate has been very similar to previous years with the percentage of dogs not yet re-registered for the current year at 5%. Staff are currently following up the unregistered dogs and issuing infringement fines where necessary.

The number of infringement notices issued for failing to register in this quarter is higher than in previous years. This is mostly due to support from a contractor employed to alleviate the high work-load of Te Awamutu staff following the resignation of a staff member after an extended period of sick leave. Due to the contractor's status work on complaints management has been restricted to low-level issues only, including the investigation of unregistered dogs, resulting in more infringement notices being issued than would usually be the norm.

The total number of menacing dogs has increased a little, mostly under Section **33C** of the Dog Control Act which requires classification of certain breeds/types. Dogs classified under Section **33A** of the Act have had concerning behaviours observed or reported, but most of the increases under this Section are dogs that have recently transferred to Waipa having been classified in other districts prior.

Numbers of impounded dogs are still fairly low compared to previous years, with the exception of last year when we had lower numbers than usual primarily due to staff returning wandering dogs home during the COVID-19 Levels 4 and 3 rather than impounding them. There will be increased monitoring of the entire district so this may impact on dogs observed wandering and subsequently impounded.

Ten dogs were rehomed from the 17 that were never claimed by their owner during this quarter. Local charity, Pound Hounds Rescue Charitable Trust currently rehomes or assists with rehoming most of our unclaimed dogs that are suitable for rehoming.

We are investigating options to place security cameras at our two pounds following theft issues (of impounded dogs) in recent months. A dog that has previously been stolen from both of our pounds came back into our care recently, and we utilised pound facilities at a neighbouring Council to ensure her security on this occasion. The owner made contact with us, but failed to follow due process to claim her back.

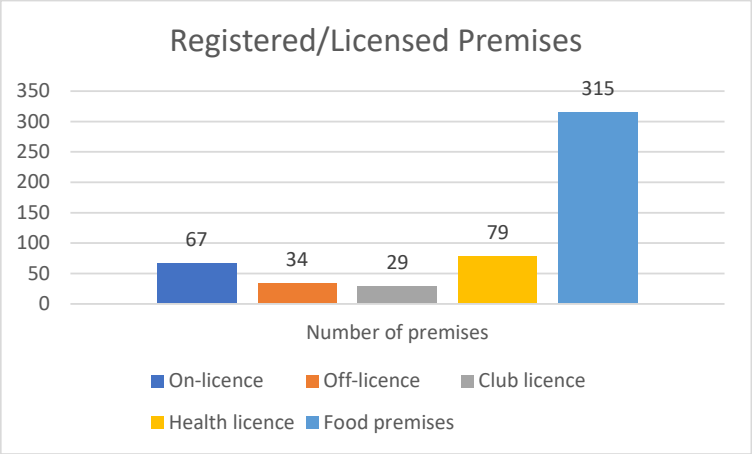
Environmental Health

The number of registered food premises continues to grow (294 in last quarter) while the number of premises licensed for alcohol and health registrations remains on-par with previous quarters.

The increase in National Programme numbers reflects the last of premises moving from the old reporting regime to align with the current reporting system.

There appears to be a reduction in the number of on-licences compared to last quarter (previously 75). This is due to two premises surrendering or not renewing licenses after the lock down, some old inactive licences expiring, and a reporting error that saw a

small number of licences that had been renewed being counted twice. This has now been resolved.



The number of visits to food operators and licensed premises has increased compared to last quarter which is attributed to the easing of COVID restrictions allowing for more site visits. A total of 5 food complaints were received which related to cleanliness, cross contamination of food etc. No significant issues were identified on investigation and or during auditing/ inspecting food premises.

The number of noise and smoke complaints reduced compared to the previous quarter while nuisance complaints increased by 11. Noise directions (written or verbal) issued to stop excessive/loud noise increased by 14 and none of the directions resulted in equipment seizure.

No hearings were conducted by the District Licensing Committee and total of 110 applications were processed and approved. An application for a new bottle store has been received for 451 Alexandra Street, Te Awamutu which is currently being processed and has attracted opposition from Police and the Medical Officer of Health, and 15 objections from the public.

JAS-ANZ conducted an assessment in July on behalf of Ministry of Primary Industries to review Waipā District Council's Quality Management System, and the requirements to be a Recognised Agency to conduct verification services under the *Food Act 2014*. A review is generally conducted on resourcing, reporting requirements, processes, managing complaints/ conflicts, quality of reports, training provided to verifiers etc. It is pleasing to note that no non-conformance was identified.

Wayne Allan
GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES

8 SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

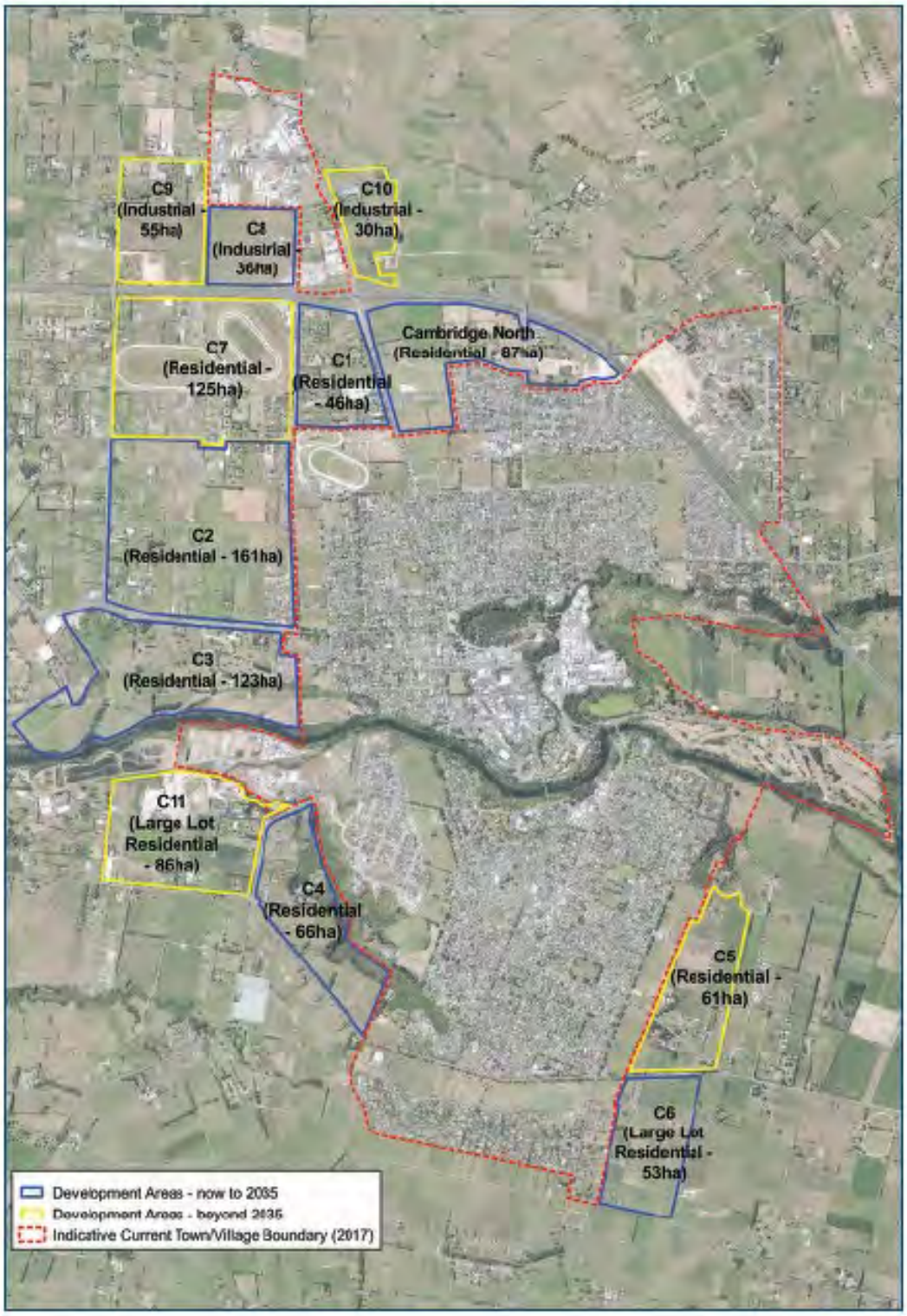
STATUTORY AND POLICY REQUIREMENTS

Legal and regulatory considerations

This has been addressed in the body of the report.

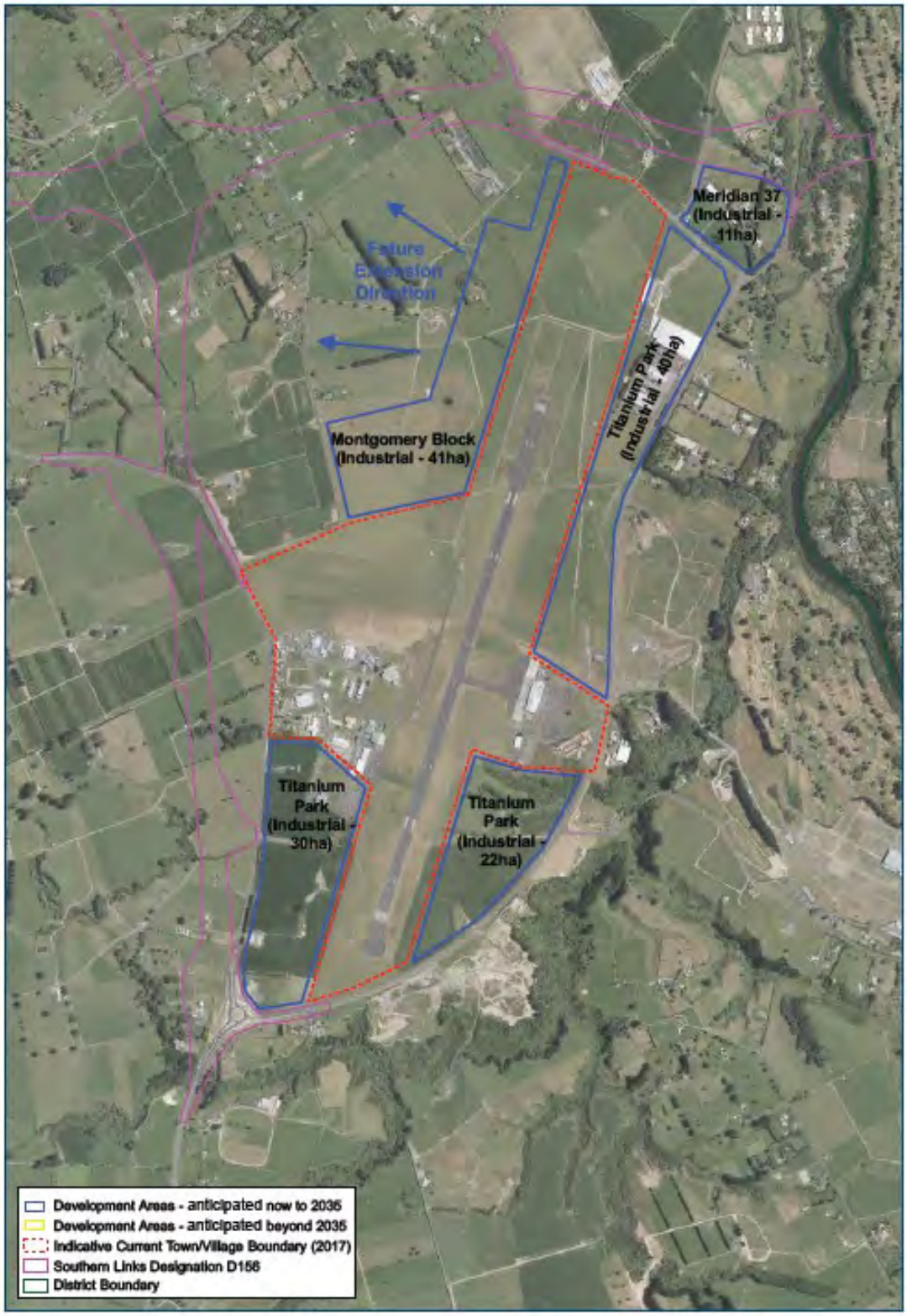
APPENDIX 1: WAIPĀ DISTRICT GROWTH CELLS

CAMBRIDGE GROWTH CELLS



GROWTH CELL	STATUS UPDATE
Cambridge North	Only about 34ha of Cambridge North remain to be developed. St Kilda is practically fully developed.
C1	Master plan complete. Council commencing strategic land purchases for supporting infrastructure. Stormwater discharge consent approval has been received.
C2	Master plan complete. Discussions continue with Ministry of Education regarding new primary school site. Discussions also underway with developers and development agreements are being drafted. Council in discussion regarding strategic land purchases for supporting infrastructure. Comprehensive Regional Council stormwater discharge consent has been received.
C3	Masterplan complete. Stormwater discharge consent approval has been received. A resource consent application has been granted to Chartwell Properties to develop a portion of the site that is already zoned residential.
C4	In a developer-led initiative a draft Structure Plan has been prepared. It has notified for public feedback.
C5	Zoned deferred residential and earmarked for development post 2035.
C6	Large lot residential approximately 20% developed.
C7	No Structure Plan. Earmarked for residential development post 2035. Due to stormwater management issues, a half of the cell could be large lot residential.
C8	Industrial zoned. Approximately only 15% developed. Council is providing water and wastewater connections to this area currently.
C9	Deferred industrial zoned. Approximately only 15% developed. Council is providing water and wastewater connections to this area currently.
C10	Identified for industrial development, a structure plan has been approved for the 60ha Bardowie portion of the cell. Within this structure plan 35ha, is currently being stage developed to accommodate the new APL manufacturing facility.
C11	No Structure Plan. Earmarked for large lot residential development post 2035.

HAMILTON AIRPORT GROWTH CELLS

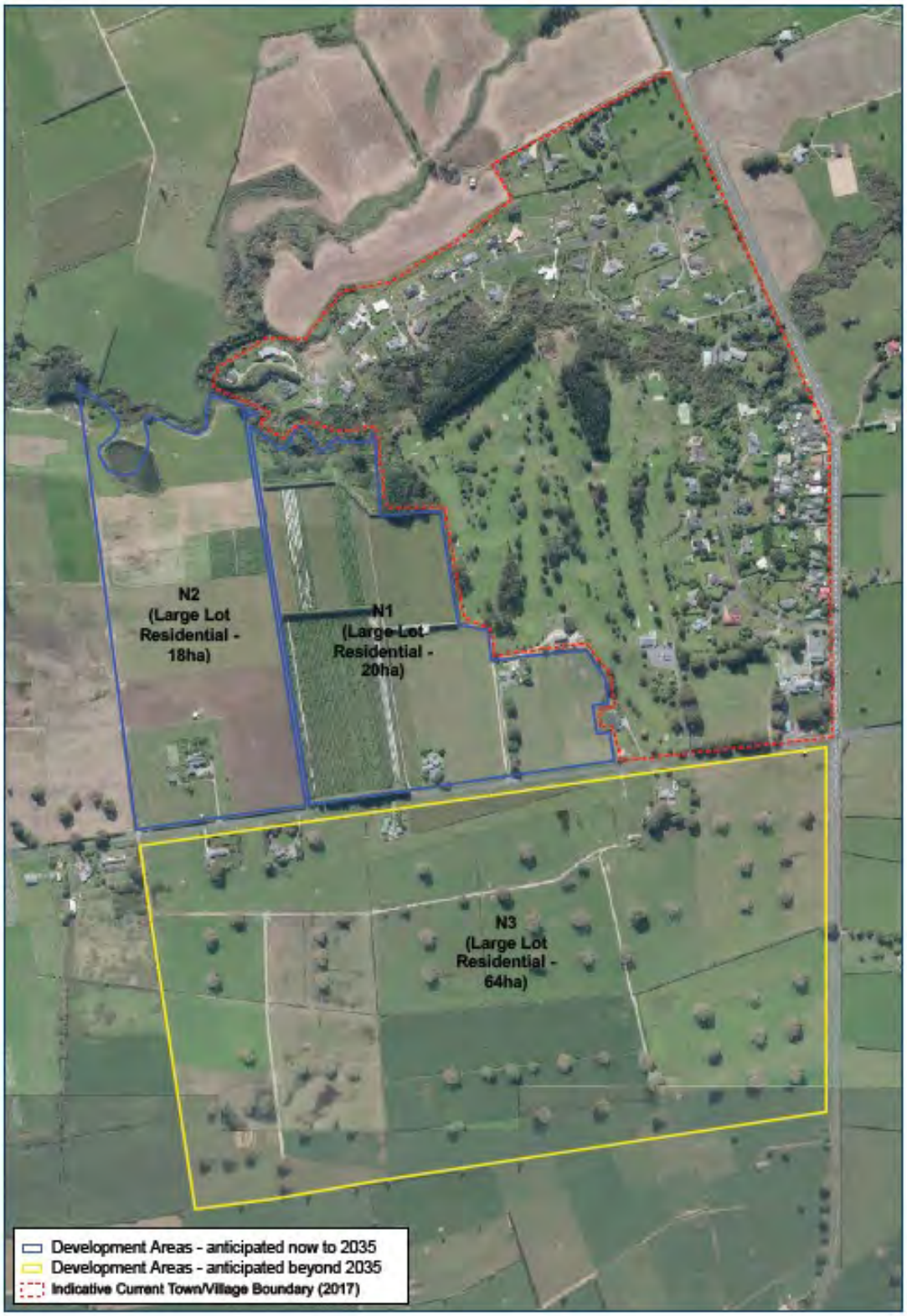


GROWTH CELL	STATUS UPDATE
Titanium Park	Airport business zoned with structure plan. Approximately 95% is developed.
Meridian 37	Industrial zoned approximately 35% developed.
Montgomery Block	Airport business zoned. A structure plan is being prepared for this undeveloped block.
Montgomery Block extension	Rural zoned. Anticipated for development post 2035.

KARĀPIRO GROWTH CELLS

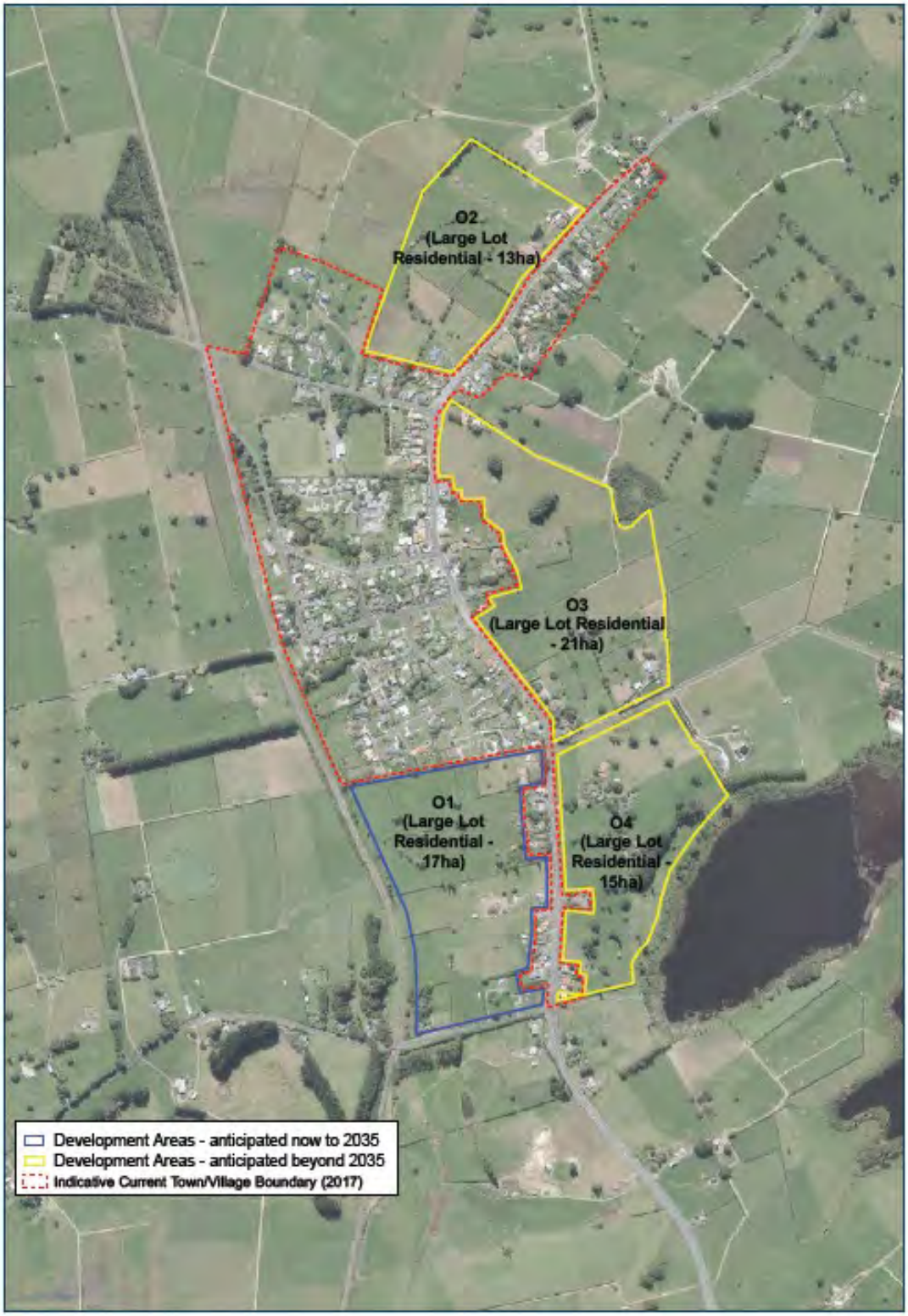
GROWTH CELL	STATUS UPDATE
K1	Zoned deferred large lot residential. Although there is no structure plan for this cell, it is approximately 40% developed. This cell is earmarked for current development
K2	Zoned deferred large lot residential. This cell is earmarked for development post 2035

NGAHINAPOURI GROWTH CELLS



GROWTH CELL	STATUS UPDATE
N1	Zoned large lot residential. There is developer led structure plan for this cell and development is proceeding with the first stage well underway.
N2	Zoned deferred large lot residential, this cell is earmarked for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status. Development of a structure plan is underway.
N3	Zoned deferred large lot residential. This cell is earmarked for development after 2035 however a structure plan is underway.

OHAUPŌ GROWTH CELLS

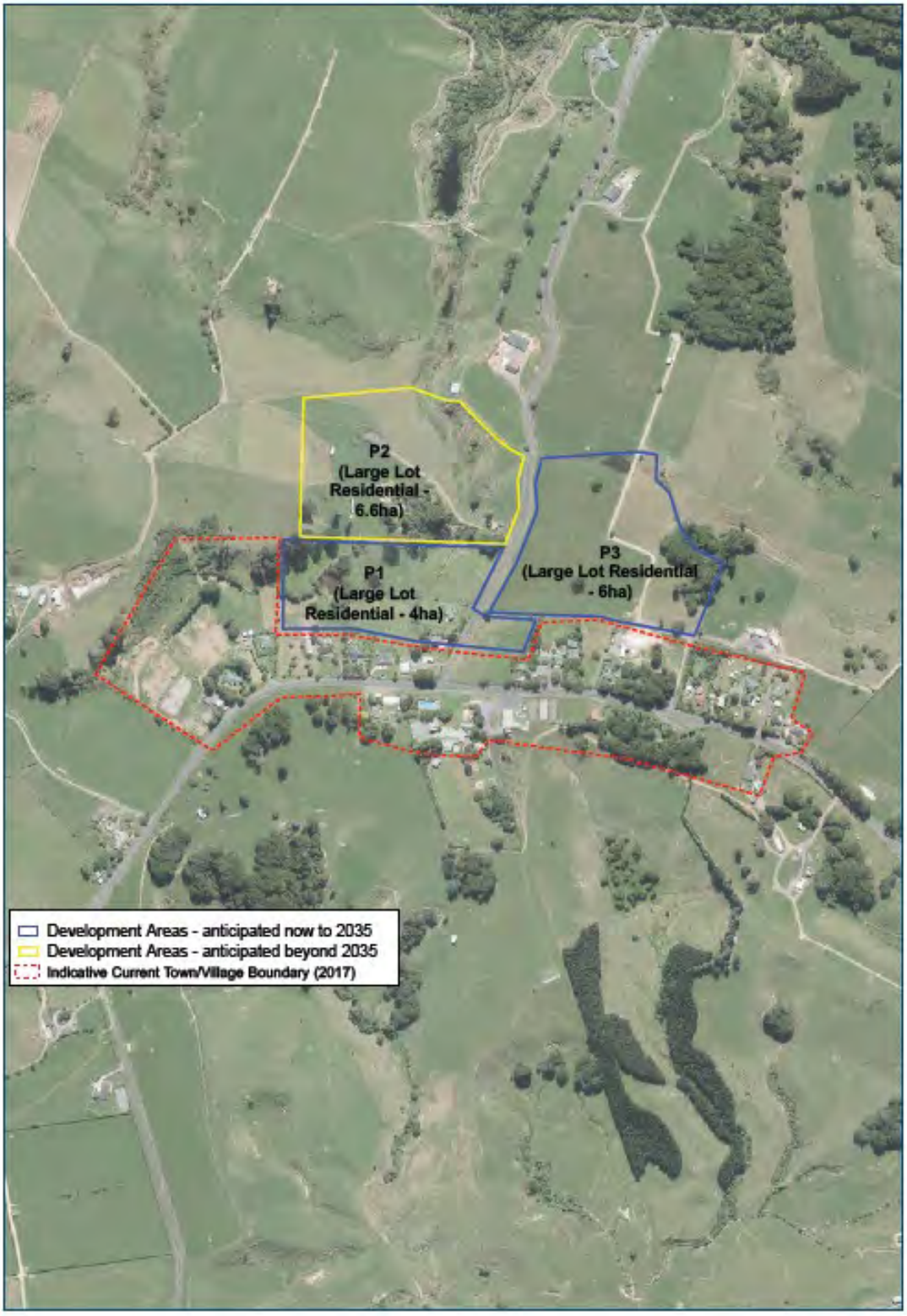


GROWTH CELL	STATUS UPDATE
O1	This cell is zoned large lot residential with a structure plan and is approximately 85% developed.
O2	Zoned deferred large lot residential, this cell is earmarked for development post 2035.
O3	Zoned deferred large lot residential, this cell is earmarked for development post 2035.
O4	Zoned deferred large lot residential, this cell is earmarked for development post 2035.

PIRONGIA

There is no staging of growth areas within Pirongia as all growth has been identified as being within the current town boundaries.

PUKEATUA GROWTH CELLS

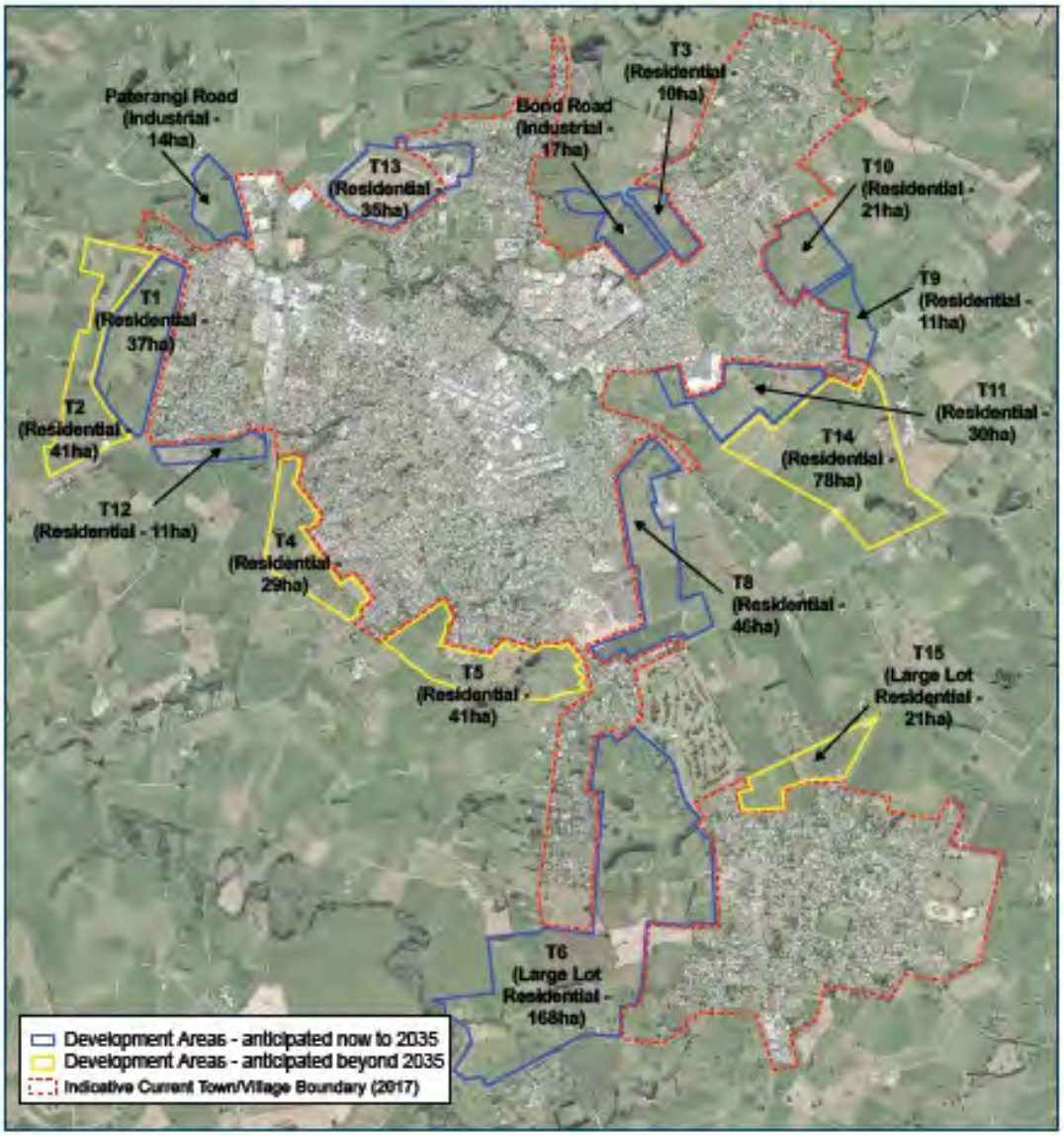


GROWTH CELL	STATUS UPDATE
P1	Zoned deferred large lot residential, this undeveloped cell is available for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status.
P2	Zoned deferred large lot residential, this cell is earmarked for development post 2035.
P3	Zoned deferred large lot residential, this undeveloped cell is available for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status.

RUKUHIA GROWTH CELLS

GROWTH CELL	STATUS UPDATE
R1	Zoned deferred large lot residential, this largely undeveloped cell is available for development currently subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status.
R2	Zoned deferred large lot residential, this undeveloped cell is available for development currently subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status.
R3	Zoned deferred large lot residential, this undeveloped cell is available for development currently subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status.
R4	Zoned deferred large lot residential, this cell is earmarked for development post 2035.
R5	Zoned deferred large lot residential, this cell is earmarked for development post 2035.

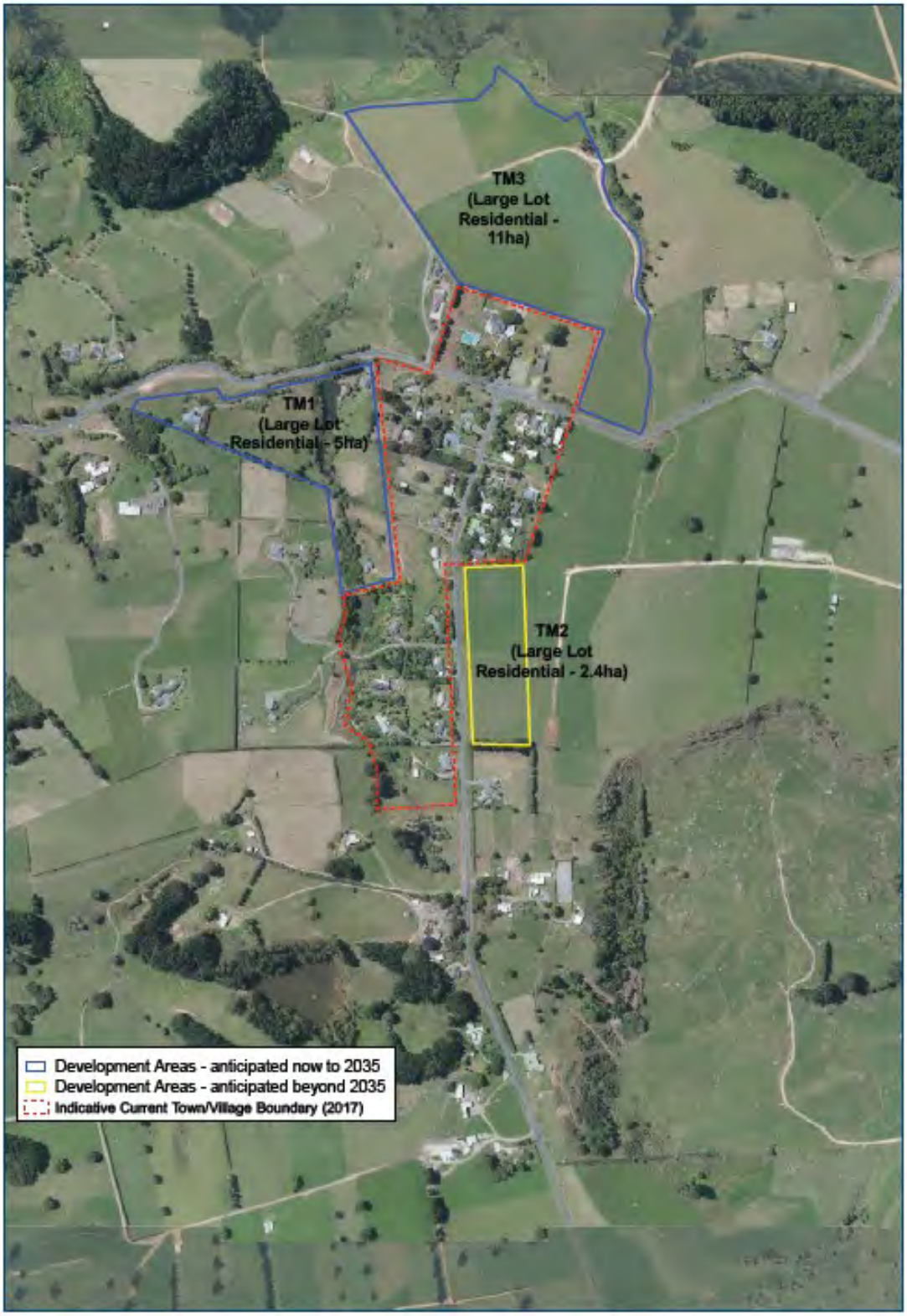
TE AWAMUTU AND KIHIKIHI GROWTH CELLS



GROWTH CELL	STATUS UPDATE
T1	Has a development plan and is zoned residential. This entire growth cell is currently being developed.
T2	Zoned deferred residential however a private plan change is expected in 2020/21.
T3	Zoned deferred residential, this growth cell has been split into two. One half has been developed in accordance with the structure plan. The other has yet to have a structure plan developed.
T4	Zoned deferred residential, this growth cell is earmarked for development after 2035.
T5	Zoned deferred residential, this growth cell is earmarked for development after 2035.
T6	Zoned for deferred large lot residential, this growth cell has a Council approved structure plan and is now available for landowners and developers to submit resource consent applications for its development. Depending upon the extent of developer interest there will probably need to be a development agreement with the Council regarding securing supporting road and stormwater management infrastructure.
T8	Most of this growth cell has an approved structure plan and is now zoned residential. Stage 1 and approximately 30% of the growth cell is currently being developed.
T9	This growth cell is zoned residential and has an approved structure plan. Approximately 50% is currently being developed for housing.
T10	This growth cell is zoned deferred residential and subject to landowner and developers to submit resource consent applications for its development.
T11	Zoned deferred residential, with a Council endorsed structure plan. Landowners and developers are expected to proceed with resource consent applications for the subdivision and uplift of the deferred zoning to develop housing in this growth cell.
T12	Zoned deferred residential, development is not anticipated until after 2025. Approximately 50% of the cell has existing residential development.
T13	Zoned deferred residential, this growth cell is unlikely to be developed until after 2035.
T14	Zoned deferred residential, this growth cell is unlikely to be developed until after 2035.
T15	Zoned deferred large lot residential, a development plan is being prepared for much of this growth cell by the majority land owner who is keen to proceed with subdivision.

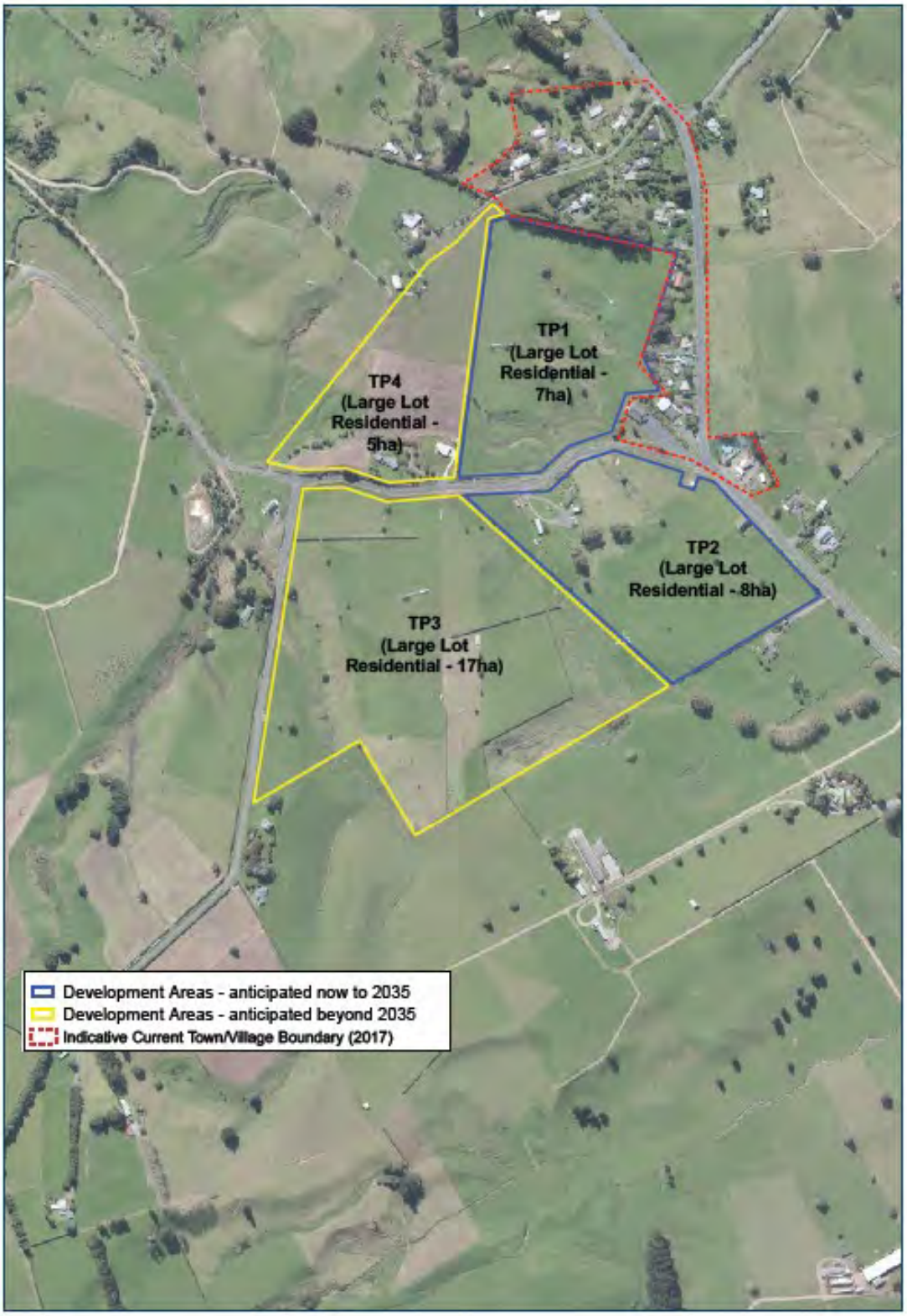
GROWTH CELL	STATUS UPDATE
Bond Road	Zoned for industrial development, a development plan has been prepared and this growth cell is being developed currently. Approximately 70% has been developed of the northern portion.
Paterangi Road	Zoned deferred industrial.

TE MIRO GROWTH CELLS



GROWTH CELL	STATUS UPDATE
TM1	Zoned deferred large lot residential, this largely undeveloped cell is available for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status
TM2	Zoned deferred large lot residential, this undeveloped cell is available for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status post 2035.
TM3	A consent application has been received for the subdivision and upliftment of the deferred status of this cell.

TE PAHU GROWTH CELLS



GROWTH CELL	STATUS UPDATE
TP1	Zoned deferred large lot residential, this undeveloped cell is available for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status.
TP2	Zoned deferred large lot residential, this largely undeveloped cell is available for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status.
TP3	This deferred large lot residential zoned cell is earmarked for development after 2035.
TP4	This deferred large lot residential zoned cell is earmarked for development after 2035.

APPENDIX 2: MAJOR RESOURCE CONSENT APPLICATIONS

Lodged and in progress					
Number	**Applicant/agent**	**Address**	**Proposal**	**Status/key points**	**Planning/engineering contacts**
LU/0239/19	Taotaoroa Quarry	Buckland Road (MMP DC)/ Taotaoroa Road (WDC)	Extension of pit area and overburden area to expand quarry for 35 years	Concurrent application Waikato Regional Council and Matamata-Piako DC	Hayley Thomas
LU/0215/18	Fonterra Limited	168 Laurent Road and 185-195 Swayne Road	To use land for irrigation of dairy manufacturing and all associated wastewaters	Notification decision yet to be made	Quentin Budd & Sara Brown (BCD Group)
LU/0057/20	Fonterra Limited	308 Fencourt Road	Construct and operate a new wastewater treatment facility for treatment of dairy manufacturing process and associated wastewater	Publicly notified - submissions close 31 July 2020. Application to be determined by Regulatory Committee hearing.	Quentin Budd & Andrew Macfarlane (BBO)
LU/0154/20	BBC technologies	35 Lochiel Road, Hamilton	Construct, operate, use and maintain rural based industrial activity	Limited notification decision made. Submission period is 24 September – 22 October 2020.	Quentin Budd & Todd Whitaker (Planning Works)
LU/0233/19	Southpark Agri Developments	Higgins Road, Hamilton	Relocate and expand rural based industry	On Hold - Section 92 (Since Oct 19)	Quentin Budd & Kathryn Drew (BBO)

Lodged and in progress					
Number	**Applicant/agent**	**Address**	**Proposal**	**Status/key points**	**Planning/engineering contacts**
LU/0108/20	Shaw's Property Holdings Limited	928 Kaipaki Road, Cambridge	Establish and operate a sand quarry	Limited notification decision made. Submission period ended 28 September 2020. Application to be determined by Regulatory Committee hearing	Hayley Thomas
LU/0145/20	Festival One	209 Whitehall Road, Karapiro	Establish temporary event (Christian music festival) in the Rural zone	Publicly notified. Eleven submissions received, ten in opposition and one in support. Hearing date is 2 November 2020	Hayley Thomas

Approved					
Number	**Applicant/agent**	**Address**	**Proposal**	**Status/key points**	**Planning/engineering contacts**
LU/0182/20	2Degrees Networks Limited	Thornton Road Reserve, Cambridge	Establish and operate telecommunication facility	Approved 19 August 2020	Quentin Budd
SP/0019/20	Amber Views Limited	McClure Street, Pirongia	Subdivision in Large Lot Residential zone for 115 lots	Approved 15 July 2020	Kimberley Richards

APPENDIX 3: BUILDING CONSENTS ISSUED

JULY 2020												
Project Type*	**Cambridge**	**#**	**Kakepuku**	**#**	**Maungatautari**	**#**	**Pirongia**	**#**	**Te Awamutu**	**#**	**Total Value**	**Total No**
Commercial - Industrial	$2,438,800	4			$35,000	1			$895,000	1	**$3,368,800**	**6**
Dwelling	$8,466,838	17			$1,510,000	3	$3,740,265	6	$4,151,194	11	**$17,748,297**	**37**
Garage	$35,000	1			$117,000	2	$136,933	3	$55,000	2	**$343,933**	**8**
Implement Shed	$156,250	2	$49,000	2	$116,000	2	$431,636	7			**$752,886**	**13**
Re-Sited Dwelling	$20,000	1	$120,000	2	$50,000	1			$120,000	4	**$310,000**	**8**
Alterations and Additions	$650,000	5	$642,000	3	$92,200	2	$607,000	5	$44,600	2	**$2,035,800**	**17**
Pool	$192,000	4	$95,000	1	$93,220	2					**$380,220**	**7**
Retaining Wall									$38,000	1	**$38,000**	**1**
Solid Fuel Heater	$19,500	5	$19,000	4	$5,000	1	$18,000	5	$4,000	1	**$65,500**	**16**
Transportable Dwelling	$551,257	3					$283,000	1			**$834,257**	**4**
Deck/Pergola	$6,500	1	$56,000	1					$28,500	2	**$91,000**	**4**
Plumbing/Drainage	$30,500	4			$10,000	1	$1,000	1			**$41,500**	**6**
Grand Total	**$12,566,645**	**47**	**$981,000**	**13**	**$2,028,420**	**15**	**$5,217,834**	**28**	**$5,336,294**	**24**	**$26,130,193**	**127**

AUGUST 2020												
Project Type*	**Cambridge**	**#**	**Kakepuku**	**#**	**Maungatautari**	**#**	**Pirongia**	**#**	**Te Awamutu**	**#**	**Total Value**	**Total No**
Dwelling	$5,480,276	10	$558,000	1	$2,505,247	3	$1,187,046	3	$2,543,076	5	**$12,273,645**	**22**
Alterations and Additions	$460,000	6	$338,000	1			$59,000	2	$530,000	6	**$1,387,000**	**15**
Commercial - Industrial	$1,570,000	3	$25,000	1			$901,000	3	$1,265,000	1	**$3,761,000**	**8**
Pool	$223,000	4	$43,100	1	$50,000	1	$49,200	1			**$365,300**	**7**
Re-Sited Dwelling							$100,000	1	$30,000	1	**$130,000**	**2**
Solid Fuel Heater	$8,750	2	$7,000	1	$4,500	1	$17,525	4	$11,500	2	**$49,275**	**10**
Transportable Dwelling	$110,000	1					$398,000	2			**$508,000**	**3**
Implement Shed	$48,000	1					$34,452	1			**$82,452**	**2**
Garage	$40,000	1	$40,000	1	$28,000	1					**$108,000**	**3**
Garden Shed							$52,000	1			**$52,000**	**1**
Plumbing/Drainage	$10,000	1					$13,903	1			**$23,903**	**2**
Fence	$1,500	1									**$1,500**	**1**
Carport	$15,546	1									**$15,546**	**1**
Grand Total	**$7,967,072**	**31**	**$1,011,100**	**6**	**$2,587,747**	**6**	**$2,812,126**	**19**	**$4,379,576**	**15**	**$18,757,621**	**77**

SEPTEMBER 2020												
Project Type*	**Cambridge**	**#**	**Kakepuku**	**#**	**Maungatautari**	**#**	**Pirongia**	**#**	**Te Awamutu**	**#**	**Total Value**	**Total No**
Plumbing/Drainage	$4,700	2							$8,000	1	**$12,700**	**3**
Dwelling	$11,553,725	22	$1,739,764	4	$985,000	2	$5,500,371	10	$4,378,967	9	**$24,157,827**	**47**
Detached Habitable Building									$150,000	1	**$150,000**	**1**
Commercial - Industrial	$290,000	2			$220,000	1	$17,360,000	7	$350,000	2	**$18,220,000**	**12**
Implement Shed			$164,420	2	$159,480	2	$144,511	3	$116,000	2	**$584,411**	**9**
Solid Fuel Heater	$8,800	1	$7,000	1	$8,500	1	$5,000	1	$11,000	3	**$40,300**	**7**
Alterations and Additions	$692,725	7	$39,700	1	$140,000	3	$280,000	2	$329,500	3	**$1,481,925**	**16**
Pool	$396,800	8			$58,000	1	$132,100	2	$60,000	1	**$646,900**	**12**
Transportable Dwelling	$1,535,879	8					$870,000	4			**$2,405,879**	**12**
Garage	$98,912	4	$95,659	1	$58,000	1	$152,874	3	$56,000	2	**$461,445**	**11**
Retaining Wall	$5,500	1									**$5,500**	**1**
Deck/Pergola					$50,000	1					**$50,000**	**1**
Re-Sited Dwelling							$185,000	1			**$185,000**	**1**
Grand Total	**$14,587,041**	**55**	**$2,046,543**	**9**	**$1,678,980**	**12**	**$24,629,856**	**33**	**$5,459,467**	**24**	**$48,401,887**	**133**

APPENDIX 3: APPLICATIONS DETERMINED BY THE DISTRICT LICENSING COMMITTEE

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
WAIPA WORKINGMENS CLUB INCORPORATED	WAIPA WORKINGMENS CLUB	CLUB RENEWAL
TE AWAMUTU SQUASH RACKETS CLUB INCORPORATED	TE AWAMUTU SQUASH CLUB	CLUB RENEWAL
CAMBRIDGE COSMOPOLITAN CLUB INC	CAMBRIDGE COSMOPOLITAN CLUB	CLUB RENEWAL
CENTRAL BOWLING CLUB CAMBRIDGE INCORPORATED	CENTRAL BOWLING CLUB	CLUB RENEWAL
BRIGHT RICHARD ELDON	GROUP ONE TURF BAR	MANAGER RENEWAL
TAPLIN EMMA JANE	PARK ROAD SPORTS CLUB	MANAGER RENEWAL
DHILLON PRITPAL	THE BOTTLE-O TE AWAMUTU	MANAGER RENEWAL
SONYA PAYNTER	CLUBHOUSE CAFÉ AND BAR	MANAGER RENEWAL
STEWART-MCCURDY KAYLA MARIE	FRESH CHOICE LEAMINGTON	MANAGER RENEWAL
SINGH JAGMEET	THE MASONIC HOTEL	MANAGER RENEWAL
MCHUGH HELEN JANE	FRESH CHOICE LEAMINGTON	MANAGER RENEWAL
HARPREET SINGH	HIDDEN LAKES	MANAGER RENEWAL
PADMA WATI	THE COFFEE CLUB	MANAGER RENEWAL
MORGAN REYNOLDS	GOOD UNION	MANAGER RENEWAL
RAJBIR SINGH	MASONIC HOTEL	MANAGER RENEWAL
DELWYN DANIELS	PRINCE ALBERT	MANAGER RENEWAL
RAKESH THANKUR	ONYX	MANAGER RENEWAL
CAMERON PEACOCK	CAMBRIDGE NEW WORLD	MANAGER RENEWAL
SINGH GURBINDER	THE BOTTLE-O TE AWAMUTU	MANAGERS RENEWAL
VASUDEVA YOGESH	REDOUBT BAR & EATERY	MANAGERS RENEWAL

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
SHEEHAN DONNA LOUISE	CAMBRIDGE COSMOPOLITAN CLUB	MANAGERS RENEWAL
MEEKE GWENDA MAREE	TE AWAMUTU GOLF CLUB	MANAGERS RENEWAL
KUMAR VARINDER	BIG BARREL	MANAGERS RENEWAL
SHEEHAN EMMA LOUISE	CAMBRIDGE COSMOPOLITAN CLUB	MANAGERS RENEWAL
BERTAUT MICHAEL PAUL	LEAMINGTON RUGBY SPORTS CLUB	MANAGERS RENEWAL
RATAI TYSON HAKI	GOOD UNION	MANAGERS RENEWAL
SWAN OWEN	THE WOOLSHED	MANAGERS RENEWAL
SCOTT ARDEENA MURRELL	ST KILDA CAFE AND BISTRO	MANAGERS RENEWAL
RAPANA DEBRA-JEAN	MATANGI HILLCREST SPORTS CLUB	MANAGERS RENEWAL
AUJLA MAJOR SINGH	THE BOTTLE O TE AWAMUTU	MANAGERS RENEWAL
KELLY MARK PETER JOSEPH	WAIPA WORKINGMEN'S CLUB	MANAGERS RENEWAL
SINGH VARINDER PAL	PIRONGIA FOUR SQUARE	MANAGERS RENEWAL
BURTON KAYNE KENNET	PROPELLER AIRPORT CAFÉ	MANAGERS RENEWAL
FRANCISCUS BROEKMANS	CENTRAL BOWLING CLUB	MANAGERS RENEWAL
ANNANDALE SONIA	FRESH CHOICE TE AWAMUTU	MANAGERS RENEWAL
KING NATALEAH	FIRKIN SPORTS BAR	MANAGERS RENEWAL
GARRETT MICHELLE BREANNAN	LEAMINGTON SQUASH CLUB	MANAGERS RENEWAL
GEMMA METCALF	PROPELLA CAFÉ	MANAGERS RENEWAL
EDMEADES CHRISTINE ROBYN	THE OLDE CREAMERY CAFE	MANAGERS RENEWAL
SINGH RAJINDER	PIRONGIA FOUR SQUARE	MANAGERS RENEWAL
DASS SATENDRA	COFFEE CLUB CAMBRIDGE	MANAGERS RENEWAL
MELINA JANE BLEVANS	GROUP ONE TURF BAR	MANAGERS RENEWAL

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
BRENDA BRIGHT	GROUP ONE TURF BAR	MANAGERS RENEWAL
SINGH SUKHWINDER	THE FIRKIN SPORTS BAR	MANAGERS RENEWAL
NORTHCOTT NEVILLE ALBERT	PIRONGIA BOWLING CLUB	MANAGERS RENEWAL
FOWKES ADELE KATHRYN	FRESH CHOICE TE AWAMUTU	MANAGERS RENEWAL
DEBBIE MARIE YOUNG	NEW WORLD CAMBRIDGE	MANAGERS RENEWAL
FRANCHESCA ELIZABETH FARNUM	ST KILDA CAFÉ	MANAGERS RENEWAL
MEGAN MUNRO	FRESH CHOICE LEAMINGON	MANAGERS RENEWAL
SEAGER DAVID ALAN	TE AWAMUTU SQUASH CLUB INCORPORATED	MANAGERS RENEWAL
MEARS GEOFFREY NORMAN	CAMBRIDGE GOLF CLUB	MANAGERS RENEWAL
PARK ANDREW CRAIG	NGAHINAPOURI GOLF CLUB	MANAGERS RENEWAL
PRASAD SAMBHAV SREENIVAS	MERCHANTS LIQUOR STORE	MANAGERS RENEWAL
SINGH SUKHDEEP	NARROWS LANDING	MANAGERS RENEWAL
ORANGE STEPHEN JOHN	LEAMINGTON RUGBY SPORTS CLUB	MANAGERS RENEWAL
GRAINGER CAROLYNE	TE AWAMUTU AFC	NEW MANAGERS
JASKARAN SINGH TAK	BLACKBULL LIQUOR	NEW MANAGERS
SINMON ROSS SINGERS	CAMBRIDGE NEW WORLD	NEW MANAGERS
RAMONA RONGANUI	PRINCE ALBERT	NEW MANAGERS
JAMES JOSHUA ALFRED	FRESH CHOICE TE AWAMUTU	NEW MANAGERS
RANGIHAEATA SHAAMIKA	SUPER LIQUOR TE AWAMUTU	NEW MANAGERS
LATU DAVID BRUCE KERKHAM	JET PARK HOTEL	NEW MANAGERS
ALDRIDGE RACHAEL ERIN	WAIPA WORKINGMAN'S CLUB	NEW MANAGERS
KUMAR AKSHAY	PONY BAR & PROVISIONS	NEW MANAGERS

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
WALWORTH CAITLIN	LIQUORLAND CAMBRIDGE	NEW MANAGERS
RICH TIFFANY BRONWYN	FIVE STAGS LEAMINGTON	NEW MANAGERS
GLOVER ANGEL VANESSA-FAY	STABLES ON ALPHA	NEW MANAGERS
WAYNE TREVOR PETERSON	CAMBRIDGE RACQUETS CLUB	NEW MANAGERS
JACOBS WAYNE DAVID	PIRONGIA PINES	NEW MANAGERS
NAYAK -MASUM HIMANSHUBHAI	THE BOATSHED	NEW MANAGERS
SANGHERA JAGDEEP SINGH	BLACK BULL LIQUOR	NEW MANAGERS
PAUL AMRINDER	COUNTDOWN TE AWAMUTU	NEW MANAGERS
TURNER CHRISTOPHER ANDREW	HIDDEN LAKE HOTEL	NEW MANAGERS
RAWIRI - HILARY NICOLE WHAKAMURA	HAUTAPU RUGBY AND SPORTS CLUB	NEW MANAGERS
MAHUTONGA JESIKAH	THE OVAL SPORTS BAR	NEW MANAGERS
VINCENT PAUL MCDONALD	COUNTDOWN CAMBRIDGE	NEW MANAGERS
NICKALLS SANDRA KAY	SANCTUARY LODGE MAUNGATAUTARI	NEW MANAGERS
SHUTE RHONDA HELEN	TE AWAMUTU RUGBY SPORTS	NEW MANAGERS
SINGH GURPARTAP	THE OVAL SPORTS BAR	NEW MANAGERS
JUETT NICHOLAS JOHN	HENLEY HOTEL	NEW MANAGERS
KERRY BISHOP	ONYX	NEW MANAGERS
KENNEDY BROOKLYN JEAN MARIE	THE ALEXANDRA HOTEL	NEW MANAGERS
HOLLAND	GRACE MRY- ANNE	NEW MANAGERS
KAUR SIMARJEET	ONYX CAMBRIDGE	NEW MANAGERS
HOCKLY KARLY RITA	CAMBRIDGE RACEWAY	NEW MANAGERS
ALISON JEFFCOT	CLUBHOUSE CAFÉ AND BAR	NEW MANAGERS

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
INDIA TODAY 2015 LIMITED	KOI- SPICE, CRAFT & WHISKEY LOUNGE	NEW ON LICENCE
SANCTUARY LODGE MAUNGATAUTARI LIMITED	SANCTUARY LODGE MAUNGATAUTARI	NEW ON LICENCE
TAYLOR STREET LIMITED	THE CLUBHOUSE CAFE & BAR	OFF LICENCE
THE MERCHANT COLLAB LIMITED	MERCHANTS LIQUOR TE AWAMUTU	OFF RENEWAL
CAMBRIDGE COSMOPOLITAN CLUB INC	CAMBRIDGE COSMOPOLITAN CLUB	OFF RENEWAL
THY MERCHANTS LTD	SHAKESPEARE LIQUOR	OFF RENEWAL
TAYLOR STREET LIMITED	THE CLUBHOUSE CAFE & BAR	ON LICENCE
GILL KEVIN COLIN	OASIS HIDEAWAY	ON RENEWAL
PERSIMMON TREE CAFE LIMITED	PERSIMMON TREE CAFE	ON RENEWAL
FERGUS ROSE LIMITED	BOAT SHED CAFÉ	ON RENEWAL
THAI PUTARURU LIMITED	THAI CAMBRIDGE	ON RENEWAL
CAMBRIDGE GOLF CLUB INCORPORATED	CAMBRIDGE GOLF CLUB	SPECIAL LICENCE
TE AWAMUTU LIGHT OPERATIC SOCIETY INCORPORATED	WOOLSHED THEATRE (MUSICAL PRODUCTIONS)	SPECIAL LICENCE
TE AWAMUTU RUGBY SPORTS AND RECREATION CLUB INCORPORATED	TE AWAMUTU RUGBY SPORTS CLUB (FUNERAL BEV KAY)	SPECIAL LICENCE
ROTARY CLUB OF CAMBRIDGE INCORPORATED	CAMBRIDGE HIGH SCHOOL	SPECIAL LICENCE
PIRONGIA BOWLING CLUB INCORPORATED	PIRONGIA BOWLING CLUB (FUNERAL RECEPTION FOR GREG RUSCOE)	SPECIAL LICENCE
OWEN BRYDEN SWAN	THE WOOLSHED (MANDYS BIRTHDAY)	SPECIAL LICENCE
CORRIE AND HER LIMITED	THE BIKERY	SPECIAL LICENCE
CAMBRIDGE REPERTORY SOCIETY INCORPORATED	GAS LIGHT THEATRE	SPECIAL LICENCE
WAIPA WORKINGMENS CLUB INCORPORATED	WAIPA WORKINGMENS CLUB (PATERANGI SCHOOL QUIZ NIGHT)	SPECIAL LICENCE
BEGIN DISTILLING LIMITED	MOTORHOME SHOW	SPECIAL LICENCE
TE AWAMUTU GOLF CLUB INCORPORATED	TE AWAMUTU GOLF CLUB (OPEN COUNTRY SHAREHOLDERS MEETINGS)	SPECIAL LICENCE
TIRAU LIMITED	MOTORHOME SHOW	SPECIAL LICENCE
SANCTUARY LODGE MAUNGATAUTARI LIMITED	OUT IN THE STYX	TEMP AUTH

APPENDIX 4: QUARTERLY STATISTICS

	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Resource consents					
Number of complaints	41				**41**
Number of compliance investigations	41				**41**
Number of breaches detected	7				**7**
Number of abatement notices issued	0				**0**
Number of infringement notices issued	0				**0**
Number of warning letters issued	7				**7**
District Plan					
Number of complaints	102				**102**
Number of compliance investigations	102				**102**
Number of breaches detected	14				**14**
Number of abatement notices issued	0				**0**
Number of infringement notices issued	0				**0**
Number of warning letters issued	14				**14**
Bylaw – vehicle parking					
Parking complaints	102				**102**
Infringement tickets	36				**36**
Warning letters	19				**19**
Bylaw – illegal dumping					
Dumping complaints	32				**32**
Infringement notices	0				**0**
Warning letters	0				**0**
Bylaw – trees overhanging footpath					
Tree complaints	5				**5**
Warning letters	2				**2**
Bylaw – long grass (fire hazard)					
Long grass complaints	0				**0**
Warning letters	0				**0**
Resource Management Act / Bylaw - signs					
Illegal signs removed	0				**0**

QUARTERLY STATISCTICS

		1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Noise						
Excessive noise complaints	Total (all wards)	168				**168**
	CB/Maungatautari	85				**85**
	TA/Kakepuku	74				**74**
	Pirongia	9				**9**
Unreasonable noise complaints		27				**27**
Abatement notices issued		0				**0**
Infringement notices issued		0				**0**
Written noise directives issued		35				**35**
Verbal noise directives issued		37				**37**
Stereo equipment seizures		0				**0**
Bylaw – fire and smoke						
Fire and smoke complaints		30				**30**
Bylaw – other nuisance complaints						
Nuisance complaints		17				**17**
Animal control						
Total complaints and requests for service		1110				**1110**
Aggression complaints		18				**18**
Attack or bite on animal		18				**18**
Attack or bite on child		0				**0**
Attack or bite on adult		5				**5**
Barking		126				**126**
Breach of bylaw	Dog off lead	4				**4**
	Fouling in public place	1				**1**
	Dog in prohibited area	0				**0**
	Multi dogs on property	0				**0**
	Aggression at boundary	1				
Bin or sign requests / maintenance		8				**8**
Rushing in public		16				**16**
Dog worrying stock		0				**0**
General info / admin		606				**606**
Lost / found dog notifications		63				**63**
Welfare		12				**12**
Unregistered		9				**9**
Wandering		200				**200**
Stock on roads / trespassing		22				**22**
Stock - other (eg Welfare of stock)		1				**1**

QUARTERLY STATISCTICS

	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Animal control – Dogs (* Registration process commences in May)					
Registered (total)	8427				**0**
Un-registered (total)	412				**0**
Impounded	58				**58**
Re-homed[1]	10				**10**
Claimed[1]	41				**41**
Euthanased[1]	5				**5**
Stolen / escaped	1				**1**
In pound / foster care at end of quarter	1				**0**
Menacing dog classification (total)	130				**N/A**
Dangerous dog classification (total)	5				**N/A**
Infringement notices issued	34				**34**
Food and health premises					
Food / premises complaints	5				**5**
Registered food control plans (total)	239				**N/A**
Registered national programs (total)	76				**N/A**
Outstanding food and health premises registrations / inspection fees (total)	12				**N/A**
Food Act audits	44				**44**
Non-compliances	0				**0**
Infringements	0				**0**
Improvement/other notices	0				**0**
Registered health premises	79				**79**
Health premises inspections	1				**1**
Alcohol licensing					
Licensed Premises Complaints	2				**2**
Premises visits (excluding CPO)	20				**20**
Controlled purchase operations (CPO)[2]					
- Premises visited	0				**0**
- Premises with breaches detected (selling alcohol to minors)	0				**0**
Check food availability operation[3]					
- Premises visited	0				**0**
- Premises with breaches detected	0				**0**

[1] Provisional figures pending outcome of dog registration process /dogs currently impounded.
[2] Operations in conjunction or undertaken by NZ Police and/or DHB.
[3] Operations in conjunction or undertaken by DHB.

QUARTERLY STATISCTICS

	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Number of current on-licences	67				N/A
Number of current off-licences	34				N/A
Number of current club licenses	29				N/A

APPENDIX 5: YEAR ON YEAR STATISTICS

	2016/17	2017/18	2018/19	2019/20	2020/21
Resource consents					
Number of complaints	63	121	120	97	**41**
Number of compliance investigations	104	171	160	140	**41**
Number of breaches detected	9	35	51	31	**7**
Number of abatement notices issued	1	2	0	0	**0**
Number of infringement notices issued	0	0	0	0	**0**
Number of warning letters issued	9	33	51	22	**7**
District Plan					
Number of complaints	250	319	376	348	**102**
Number of compliance investigations	195	319	376	348	**102**
Number of breaches detected	50	44	122	92	**14**
Number of abatement notices issued	0	4	2	1	**0**
Number of infringement notices issued	0	0	0	0	**0**
Number of warning letters issued	50	40	32	70	**14**
Bylaw – vehicle parking					
Parking complaints	285	368	347	244	**102**
Infringement tickets	96	291	173	90	**36**
Warning letters	101	211	181	80	**19**
Bylaw – illegal dumping					
Dumping complaints	134	120	112	241	**32**
Infringement notices	2	4	2	2	**0**
Warning letters	1	0	0	0	**0**
Bylaw – trees overhanging footpath					
Tree complaints	58	33	24	71	**5**
Warning letters	33	14	23	60	**2**
Bylaw – long grass (fire hazard)					
Long grass complaints	27	56	3	32	**0**
Warning letters	25	23	2	32	**0**
Resource Management Act / Bylaw - signs					
Illegal signs removed	9	0	0	0	**0**

YEAR ON YEAR STATISCTICS

		2016/17	2017/18	2018/19	2019/20	2020/21
Noise						
Excessive noise complaints	Total (all wards)	888	928	789	753	**168**
	CB/Maungatautari	459	478	364	330	**85**
	TA/Kakepuku	379	415	375	362	**74**
	Pirongia	52	35	53	61	**9**
Unreasonable noise complaints		77	92	56	89	**27**
Abatement notices issued		0	0	0	0	**0**
Infringement notices issued		0	0	0	0	**0**
Written noise directives issued		39	20	73	119	**35**
Verbal noise directives issued		192	109	67	111	**37**
Stereo equipment seizures		0	1	4	4	**0**
Bylaw – fire and smoke						
Fire and smoke complaints		157	83	90	72	**30**
Bylaw – other nuisance complaints						
Nuisance complaints		63	104	72	83	**17**
Animal control						
Total complaints and requests for service		4837	5009	4295	3733	**1110**
Aggression complaints		91	91	64	48	**18**
Attack or bite on animal		46	85	59	57	**18**
Attack or bite on child				2	2	**0**
Attack or bite on adult				14	29	**5**
Barking		80	546	476	392	**126**
Breach of bylaw	Dog off lead	37	15	11	15	**4**
	Fouling in public place	11	8	3	3	**1**
	Dog in prohibited area	8	3	2	2	**0**
	Multi dogs on property	3	8	6	2	**0**
	Aggression at boundary					**1**
Bin or sign requests / maintenance		12	24	18	21	**8**
Rushing in public		10	38	47	37	**16**
Dog worrying stock		48	13	5	9	**0**
General info / admin		2556	2514	2038	1912	**606**
Lost / found dog notifications		307	354	321	249	**63**
Welfare		27	48	37	41	**12**

YEAR ON YEAR STATISCTICS

	2016/17	2017/18	2018/19	2019/20	2020/21
Unregistered	71	57	48	38	**9**
Wandering	1049	1080	989	767	**200**
Stock on roads / trespassing	134	161	124	124	**22**
Other (e.g. classified dogs)	0	1	5	5	**1**
Animal control – Dogs					
Registered (total)	4837	8229	8561	8529	**8427**
Un-registered (total)	-	76	135	190	**412**
Impounded	440	477	466	290	**58**
Re-homed[4]	32	28	35	15	**10**
Claimed[4]	342	359	389	224	**41**
Euthanized[4]	45	53	35	25	**5**
Stolen / escaped	2	0	1	6	**1**
In pound / foster care at end of year	15	4	4	1	**1**
Menacing dog classification (total)	95	113	118	118	**130**
Dangerous dog classification (total)	5	6	8	5	**5**
Infringement notices issued	133	148	121	71	**34**
Food and health premises					
Food / premises complaints	34	19	15	24	**5**
Registered food control plans (total)	118	264	241	242	**239**
Registered national programs (total)			54	52	**76**
Outstanding food and health premises registrations / inspection fees (total)	0	12	9	1	**12**
Food Act audits	177	91	224	151	**44**
Non-compliances	Not recorded separately.	Not recorded separately.	7	0	**0**
Infringements	Not recorded separately.	Not recorded separately.	2	1	**0**
Improvement notices	Not recorded separately.	Not recorded separately.	3	8	**0**
Registered health premises	261	74[5]	80	81	**79**
Health premises inspections	39	6	15	16	**1**
Alcohol licensing					
Licensed premises complaints					2

[4] Provisional figures pending outcome of dog registration process /dogs currently impounded.
[5] This figure is reduced due to changes in reporting. Food and health premises are now recorded separately.

YEAR ON YEAR STATISCTICS

	2016/17	2017/18	2018/19	2019/20	2020/21
Premises visits (excluding CPO)					20
Controlled purchase operations (CPO)[6]					
- premises visited	20	18	16	13	**0**
- premises with breaches detected (selling alcohol to minors)	1	0	3	4	**0**
Food availability operators					
- Premises visited	0	0	0	0	**0**
- Premises with breaches detected	0	0	0	0	**0**
Number of current on-licences	62	63	66	74	**67**
Number of current off-licences	31	31	32	32	**34**
Number of current club licenses	29	29	31	31	**29**

[6] Operations in conjunction or undertaken by NZ Police and/or DHB.

APPENDIX 6: SUBMISSION SUBMITTED ON BEHALF OF COUNCIL

- Ministry for the Environment – Removal of hard-to-recycle plastics from the environment (document number 10465250)

Submission

Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items

November 2020

Waipa DISTRICT COUNCIL

Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items

By: Waipa District Council Submission

Deadline: 4 November 2020

Introduction

Waipa District Council (Council) welcomes the opportunity to provide comment on the Ministry for the Environment's consultation document titled 'Reducing the impact of plastic on our environment – moving away from hard-to-recycle and single-use items'.

Our Council is active in the waste minimisation space with a full programme of engagement, education and opportunities for our residents, businesses and community groups. Waipa District Council appreciates the relationship with the Ministry and the waste levy funding that allows this work to occur on the ground, in our communities.

We provide a recycling service to over 21,000 homes, both urban and rural across our district. That includes a 140L wheelie bin for glass that is collected monthly and a 240L bin for co-mingled mixed recycling (plastics #1,2 & 5, tins, cans, paper and cardboard) that is collected every two weeks.

The information below was shared with elected members and discussed at the Service Delivery Committee meeting on Tuesday 15 September, where it was resolved to support the submission.

Please contact me if you wish to clarify or discuss any aspect of our submission.

Nga mihi na - warm wishes,
Sally Fraser

Sally Fraser *Waste Minimisation Officer* **WAIPA DISTRICT COUNCIL**
sally.fraser@waipadc.govt.nz | www.waipadc.govt.nz
Ph: 07 8720030|**Ext.** 7599|MOBILE: 027 7029 855 |**FAX:** 07 872 0033

Question 1
Do you agree with the description in this document of the problems with hard-to-recycle plastic packaging and single-use plastic items? If not, why?

The Council agrees that lightweight plastics that escape from the waste management service can go end up in an environment far from source. We are conscious of our large rivers being a possible conduit for plastics that our residents have purchased, used and disposed of, ending up in the sea.

Our recycling contractor works hard to access markets. Having more onshore opportunities would be beneficial to our contract costs and be beneficial to our ratepayers.

Like all Councils, Waipa District Council and our contractor have felt the effects of changing export markets. We anticipate that the Basel Convention for Transboundary Movements of Hazardous Waste will only make exporting lower grade plastics harder. In June 2020 the decision was made to stop collecting plastics #3,4,6 and 7 and inform our community that viable markets for these products were no longer available. Waipa District Council has been educating our community on how to identify these plastics and which products are commonly packaged in these plastics, as well as how to avoid using them (behaviour change project). The Waipa Waste Minimisation Officer initiated preparation of a recent video series showing people easy tips for avoiding plastics 3,4, 6 and 7 that was funded by, and co-delivered with, WasteMINZ.

References to examples on our website educating about the change to plastics we can recycle, and videos are here:
https://www.waipadc.govt.nz/our-services/rubbish-and-recycling/recycling/know-your-plastics
https://www.waipadc.govt.nz/our-services/rubbish-and-recycling/recycling/plastics-1-2-5-faqs

The recent WasteMINZ audit of rubbish and recycling showed that there are more plastics with no plastic type number on them at all (8.3% in rubbish and recycling by weight) than hard to recycle plastics 3 and 6 combined (2.7% in rubbish and recycling by weight). This shows that the manufacturing, food and beverage and importing industries have further work to do on clearly marking all plastic products so that the community and the resource recover sector can readily identify which items can and can't be recycled.

Furthermore simply leaving the decision on which plastics to use up to the market to decide, has contributed to the current problem of un-wanted plastics in the environment, as manufacturers are not responsible for the end of life disposal of their products. The issue of disposal mostly falls to local councils as does the associated costs. In addition to the phasing out of plastics #3 and #6 we would encourage the Government to look closely at #4 and #7 in the future and at compulsory labelling (plastic number, clear directions on what to do with it, e.g. remove sleeve, and the size of any labelling to allow readability by most in our community).

We agree oxo-degradable products need to be included in the phase out. Micro-plastics are a growing environmental health concern for both terrestrial and aquatic environments. They are difficult to remediate due to their minute size once broken down in the environment. It is important to prevent more oxo-degradable products being unintendedly created during this proposed phase out.

Question 2
Have we identified the correct objectives? If not, why?

Yes, the main objective supports the Council's work in recycling our ratepayers' recycling materials. The secondary objectives will also help contractors at the Recycling Materials Recovery Facility to sort faster as they will not be needing to identify PVC from PET. Removing PVC will minimise contamination in our PET bales.

Not having to communicate the message about what plastics can and can't be recycled would, over time, save

the Council time and money that can be better used working on dirtier recycling contamination (fabric, soft plastics, rubbish etc) and waste reduction messaging.

Question 3
Do you agree that these are the correct options to consider? If not, why?

Yes, the Council agrees that looking at what is occurring overseas and what is currently working best is a good place to start and the options outlined cover a broad range of economic, policy, voluntary and target led triggers for change.

Question 4
Have we identified the right criteria (including weightings) for evaluating options to shift away from PVC and polystyrene packaging, oxo-degradable plastics and some single-use items? If not, why?

We the Council agrees with the identified criteria and weighting.

Question 5
Do you agree with our assessment of the options, and our decision to take forward only one option (a mandatory phase-out)? If not, why?

Yes, the Council agrees that the mandatory phase-out delivers the most certainty on the elimination (or significant reduction) in the use of PVC and polystyrene packaging, oxo-degradable plastics, and single-use item from the supermarket shelves and our recycling system.

Question 6
Do you agree with the proposed phase-out of PVC and polystyrene packaging as set out in two stages (by 2023 and by 2025)? If not, why?

The sooner the better would suit the Council, but do appreciate the complexities of the manufacturing and distribution process. We suggest further work by the Ministry with the manufacturing and food and beverage industries to understand their re-tooling and product testing timelines needed to ensure that they can comply with these time frames. It was suggested in a recent WasteMINZ webinar with Plastics NZ and Square 1 that it is valuable to test product shelf life in real time, for example, one year, rather than try to accelerate it artificially. That type of food safety testing is important but does add time. Plus, allowing time for the change-over and using up of existing stocks of bulk purchase items, for example sushi trays held by individual shops. Perhaps an import and manufacture ban could come into effect earlier and allowing a further 12 Months to use up existing stocks is a way to handle this.

Question 7
Have we identified the right packaging items that would be covered by a phase-out of PVC and polystyrene packaging? If not, what would you include or leave out, and why?

Yes, the Council supports the identification of PVC items and the polystyrene items and the two stage phase out. The Council believes further work with producers and transporters of cool products is needed when considering expanded polystyrene bins.

We agree a clear differentiation between single use PVC and long use items needs to be clear. PVC piping and guttering is not an issue; that is a valuable item with a long life.

Question 8
Do you think we should include all PVC and hard polystyrene packaging in stage 2 of the phase-out (e.g., not just food and beverage and EPS packaging)? Please explain your answer.

The Council would like the Ministry to consider including display packaging which makes up a large part of PVC packaging and often included in recycling creating unwitting contamination. For example, toy display boxes, toothbrush and smoke detector packaging.

Question 9
What would be the likely costs or benefits of phasing out all PVC and polystyrene packaging (hard polystyrene and EPS) by 2025?

The Council does not have the background knowledge to comment on this matter.

Question 10
Do you believe there are practical alternatives to replace hard-to-recycle packaging (PVC, polystyrene and EPS)? If not, why?

The Council agrees that consideration to food shelf life is important. It is well-known that New Zealanders waste a lot of food, and with that food waste all the associated packaging and the embedded resources used in growing and getting the food to market. Balancing those wasted resources with finding viable packaging alternatives is important.

The Council believes that the issue with expanded polystyrene packaging is that disposal problem is left with the consumer. Despite the EPS industry saying they are working hard to collect it back, without an easily accessible way to get this waste back to the producers, the EPS packaging waste problem is left with the individual consumer households across New Zealand. If the industry was able to develop a system where the same courier/supplier company that delivers a product with EPS packaging (whiteware, TV etc) is also able to take the delivery box, packaging and old item away (if needed) that could be worth an exemption, especially if the box and packaging were reused. Consumers are likely to accept seeing a somewhat less perfect hard polystyrene casing and know that the product inside is still new.

With the right timeframes indicated and support for R&D for replacements, many environmentally suitable solutions are possible. The main issue with the ongoing use of EPS is that it so cheap to make that manufacturers not currently costing in the end of life disposal of the products, do not face sufficient incentives or requirements to work towards acceptable alternative. The Council believes the proposed phase out is key to kick start the innovative search and move to acceptable alternatives.

There are a number of global manufacturers that have already successfully moved away from the use of any non-recyclable plastic packaging for white ware and electronic products and have a whole of life product perspective to provide other manufacturers with environmentally good practice alternatives to follow.

Question 11
Do you agree with a mandatory phase-out of all oxo-degradable plastics by January 2023? If not, why?

The Council agrees to the mandatory phase out of all oxo-degradable plastics. We cannot, however, comment on

the time frame as the list of all products has not been formed, and the work with those stakeholders to understand the time needed for businesses to adjust has not been done.

Question 12
If you manufacture, import or sell oxo-degradable plastics, which items would a phaseout affect? Are there practical alternatives for these items? Please provide details.

Not applicable to the Council.

Question 13
Have we identified the right costs and benefits of a mandatory phase-out of the targeted plastics? If not, why not? Please provide evidence to support your answer.

The Council can only comment on the assessment of costs and benefits of a mandatory phase-out of the targeted plastics to the Council. One benefit would be simpler messaging. If these products are no longer coming through our recycling system, the Council will not have to try to educate householders as to which products can and can't be recycled and what to do with them. The Ministry's stated benefit of "cost saving from diverting materials from landfill" is negligible, as the volumes of these plastics already so low currently. With plastics being light, they are not a costly contamination stream for us. The anticipated benefit is rather the improved efficiency for the recycling centres sorting process as there will be less items to remove.

In regard to the seven smaller plastic items, it is likely that there would be some decrease in litter cost implications. It would also simplify the Council's recycling communication messaging by not needing to specifically mention that households can't recycle plastic straws etc.

Question 14
How likely is it that phasing out the targeted plastics will have greater costs or benefits than those discussed here? Please provide details to explain your answer.

Please refer to the answer for Question 13 regarding simplification on recycling messaging. Further to this, if the Ministry adopts the standardisation of recycling items based on the recommendations of the Ministry commissioned WasteMINZ report it recently released. The recommended standardisation would allow for a national level promotion of simple recycling messages and free local councils to focus on other communication rather than constantly reminding people of what can and can't be recycled locally. In Waipa we have a lot of people moving from other regions and districts with different waste recycling regimes. Consequently we get a lot of items that can be recycled in other areas but which aren't in Waipa. For example, liquid paperboard (cartons). A lot of Councils are already familiar with most of the standardised items and it would be good if the Ministry could stipulate a standard. A nationally applicable standard would compel the small changes needed for country-wide consistency regarding recycling items and lead to less unnecessary contamination of recyclable waste and simpler messaging using national platforms (e.g. TV and radio).

Question 15
What would help to make it easier for you and your family, or your business/organisation to move away from hard-to-recycle plastic packaging and use higher value materials or reusable/refillable alternatives?

The Council believes that simply providing guidance regarding the wish to move away from hard-to-recycle plastic packaging and leaving the market to resolve the environmental issues is not satisfactory. The global environmental problems associated with disposed plastic waste are such that the Council considers it imperative that there is national level regulation and standardisation in the use of hard-to-recycle plastics in packaging.

Perhaps product stewardship legislation could help to at least financially incentivise the best choices? Furthermore, it is suggested that there is mandatory national labelling to make it clear that some items are "Not recyclable – this is rubbish".

Question 16
What do you think about the proposed mandatory phase-out of some single-use plastic items (see table 7)? Please specify any items you would leave out or add and explain why.

The Council totally supports providing for exemptions to allow access to plastic straws for disabled persons and for medical purposes.

It would be excellent if national level communication was done on the best alternative option if these are to be phased out. For example, really challenging the need for a straw/stirrer at all. There are still lots of resources used to create bamboo/cardboard straws and wooden single use stirrers and they will become single use waste items. It is only recently that people have been using these items. A policy change would create the chance to change how New Zealanders think about items they "need". Anything that can move people away from wanting things they do not need, should be pursued and have some resource assigned to it to make it happen. This stance aligns with the waste hierarchy and supports overall sustainability, not just waste minimisation.

Options for produce bags: The Council would not like to see synthetic fabrics excluded from the options here. Synthetic fabrics create very strong, durable and light weight bags and they are less expensive than the natural fibres mentioned. We think having options that are not cost prohibitive is key in getting the support of all of our community. If one reusable produce bag costs more than the fruit they plan to put into it, that could restrict some people making the change in a timely manner. Getting a full life cycle assessment done on all these options would be useful, before the public promotion of alternatives so people will know if they buy a hemp bag they will have to use it X times before its overall life impact is less than a single use plastic produce bag.

Question 17
Do the proposed definitions in table 7 make sense? If not, what would you change?

Yes, the Council believes the definitions make sense.

Question 18
What would be an appropriate phase-out period for single-use items? Please consider the impact of a shorter timeframe, versus a longer timeframe, and provide details where possible. a) 12 months? b) 18 months? c) 2 years? d) 3 years? e) Other? If you think some items may need different timeframes, please specify.

The Council suggests further consultation with manufactures and those who rely on these items to inform this question.

Question 19
What options could we consider for reducing the use of single-use coffee cups (with any type of plastic lining) and wet wipes that contain plastic? You may wish to consider some of the options discussed in this consultation document or suggest other options.

Coffee cups:
The Council would challenge the notion that "Plastic-free, single-use alternatives are not widely available" in regards to coffee cups? We consider that reusable on the go cups are widely available and quite reasonable in price. It is considered that the issue is driven by a behaviour of supply and convenience that could be changed.

There is the option of taking a mug from home or work for your take-out or drinking in. If it were a case where everyone knew there was no takeaway coffee cups available at all in New Zealand, they would easily be able to change their expectations and use a reusable vessel for their drink.

Recent research from WasteMINZ showed that many New Zealanders think (and are very confident in their knowledge) that coffee cups can be recycled. This is partially because the industry creating the cups has confusing labelling, for example, promoting and printing on the cup the 3-triangle symbol and that the cup is made from recycled material confuses some consumers that it can be recycled also. None are actively labelling "This needs to be landfilled" or "this can't be recycled". It's imperative these companies and cafes are clear about the end destination for their products. Many lids are compostable, but only if sent to one of the very few commercial composting facilities in New Zealand. This just does not happen in most cases. In our experience, the more compostable plastic lids that are made, (particularly with poor labelling), the more end up in our recycling collections. Most people do not understand the 3-triangle symbol and associated number is a plastic type label only, most people think it means it can be recycled.

The Council wonders if there is an opportunity in this consultation or in your Product Stewardship to compel this change? We wonder if a set fee for all takeaway cup use could possibly be considered? Not just relying on leaders in the industry to step out from their competitors (and risk market share) by using the negative incentive of charging for a disposable coffee cup over and above the reusable or drink in rate. It is suggested that this lever has been shown to be more effective in leading behaviour change than giving a discount to those bringing in a reusable cup.

The disposable coffee cup is acknowledged to be a large issue and any national level solution would need to be well researched. Including disposable coffee cups in this phase out with a longer time frame would ensure that work was done and that is our Council's recommendation.

In regard to alternatives, the Council supports actions that sit towards the top of the waste hierarchy (e.g. reuse). We support the roll out of a cup-lending programme nationwide. This provision allows ease for the consumer on the go (cups provided, deposit is cheap, can return dirty cups). To be successful and provide the maximum benefit it needs to be the same system country wide, that allows no risk on when the purchaser can redeem their deposit or which café they can use their cup in.

Regarding the cardboard cup alternative: This alternative would create a future recycling contamination issue as the cup would be dirty, and people are already often trying to recycle coffee cups now. If this were to be pursued the labelling would need to be very clear "This is rubbish".

Regarding collection of compostable cups: This options is not our preference. If this option is considered further by the Ministry, the Council strongly suggests that it should be clear that the cost for this collection should sit with the manufacturer not the consumer householder. If a company chooses to put these products onto the market then it should accept the responsibility for the collection and end of life commercial composting. Even so it should be noted that this option has no guarantee that coffee cups do not remain a common recycling contaminant.

Wipes:
Waipa District Council supports mandating that labels include a clear and obvious 'do not flush' message, and information to highlight that the wipes contain plastic with a short lead in time for this change.

Equally support the other ideas outlined:

- public education campaigns to encourage reduction in use and appropriate disposal

- product (NB compulsory product stewardship would be most effective) stewardship approach – for example; in Europe producers will have to cover the cost of waste management, data gathering, and education and awareness associated with wet wipes from 31 December 2024.
- working with industry on a voluntary agreement to shift away from plastic as an ingredient in wet wipes.

Question 20
If you are a business involved with the manufacture, supply, or use of single-use plastic coffee cups or wet wipes (that contain plastic), what would enable you to transition away from plastic based materials in the future?

Not applicable to Council.

Question 21
What do you consider an appropriate timeframe for working toward a future phase out of plastic lined disposable coffee cups and wet wipes containing plastic?

The Council does not have enough information to make an informed recommendation.

TE AWAMUTU - HEAD OFFICE
101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

CAMBRIDGE - SERVICE CENTRE
23 Wilson Street, Cambridge Ph 07 823 3800

/WaipāDistrictCouncil /Waipā_NZ /Waipā_DC

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipa DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning & Policy Committee
From:	Julie Hansen – Policy Advisor District Plan
Subject:	**Proposed Plan Change 15 – Permeable Surfaces**
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

This report seeks approval from the Strategic Planning and Policy Committee to notify Proposed Plan Change 15 – Permeable Surfaces.

A full Section 32 evaluation report has been prepared in accordance with the requirements of the Resource Management Act 1991 ('the Act'). It outlines the issues and evaluates the options considered. The Section 32 evaluation report, including Proposed Plan Change 15 is included as an attachment to this report (Appendix 1).

Proposed Plan Change 15 is a matter for district wide notification and it is proposed to notify this Plan Change in December 2020. Following the notification process it is anticipated Proposed Plan Change 15 hearings will occur in March/April 2021.

The following appendix accompanies this report:

- Appendix 1 – Proposed Plan Change 15: Permeable Surfaces incorporating Section 32 Evaluation *(document number 10477465).*

2 RECOMMENDATION

That:

a) The report titled 'Proposed Plan Change 15 – Permeable Surfaces' (document number 10481992) from Julie Hansen – Policy Advisor District Plan, be received; and

b) The Strategic Planning and Policy Committee ***RESOLVE TO RECEIVE*** *the Proposed Plan Change 15 – Permeable Surfaces Report incorporating Section 32 Evaluation (document number 10477465); and*

c) *The Strategic Planning and Policy Committee **RESOLVE TO NOTIFY** Proposed Plan Change 15 to the Waipa District Plan (Appendix 1 of this report - document number 10477465) in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991; and*

d) *The Strategic Planning and Policy Committee **RESOLVE THAT** prior to notification, the Chief Executive; Group Manager District Growth and Regulatory Services; or Manager District Plan and Growth, be delegated authority to make any final necessary changes to Proposed Plan Change 15 that may arise from stakeholder or iwi feedback.*

3 NOTIFICATION OPTIONS AND ASSESSMENT

Option 1: Approve Proposed Plan Change 15 for notification, with staff who are delegated making any necessary final amendments

This option provides for staff, under delegated authority, to make any final necessary changes arising from stakeholder and/or iwi feedback. This will allow the public notification process to commence at the start of December 2020 with an anticipated further submission period likely occurring in the new year. Following the notification and submission process it is anticipated the Proposed Plan Change 15 hearing will occur March/April 2021.

Option 2: Recommend significant changes to Proposed Plan Change 15

This option will delay Proposed Plan Change 15. It is almost certain that some stakeholders will submit requesting amendments to the Proposed Plan Change 15 during the notification period. The risk of this option is delayed notification and the continued ambiguity within the definitions, as well as a higher category of resource consent application.

4 BACKGROUND

The Waipa District Plan contains many provisions that aim to promote sustainable management within the District, in accordance with the purpose of the Resource Management Act (RMA). Proposed Plan Change 15 is proposed so that improvements can be made to provisions in the District Plan relating to relating to permeable and impermeable surfaces and site coverage. The definitions in particular are ambiguous and difficult to interpret. Some of the rules are also difficult to implement because they overlap with each other or leave some activities with no rule being able to be applied.

The provisions that are the subject of Proposed Plan Change 15 have been identified by Council staff and others as being ambiguous and difficult to interpret and implement and have been programmed for review for some time.

In September 2020, an issue and options paper was circulated to iwi and key stakeholders regarding Proposed Plan Change 15. The SP&P Committee also workshopped options for consideration which were as follows:

- Option 1 – Status Quo
- Option 2 – Amend provisions in the District Plan
  - Amend the definitions and other provisions
  - Change the threshold in the rule
  - Change activity status

In light of pre-consultation feedback and the Committee workshop, it was agreed in principle that the preferred option for Proposed Plan Change 15 was Option 2 – amend provisions in the District Plan. Council staff therefore prepared the attached Section 32 Report which outlines the proposed changes to the District Plan to implement this option. In summary the amendments include:

Definitions

A number of changes to the definitions of permeable and impermeable surfaces, and site coverage are proposed so they are better aligned. Proposed changes have been made to the following definitions:

- Impermeable surfaces
- Permeable surfaces
- Coverage
- Site coverage

Section 2 – Residential Zone

A number of proposed changes to the existing rules in the Residential Zone are summarised below:

- Delete Rule 2.4.1.4(a)(v) – because non-compliance with the rule is no longer a discretionary activity.
- Amend Rule 2.4.2.11 – to improve the wording and reduce confusion around the effect of a garage or carport on the calculation of site coverage.
- Amend Rule 2.4.2.12 – so that it measures impermeable surfaces rather than permeable surfaces to improve consistency across similar rules in different zones.
- Amend Rule 2.4.2.12 – so that the category of consent becomes restricted discretionary rather than discretionary if the standard cannot be met and introduce matters over which discretion is restricted.
- Amend Rule 2.4.2.16 – so that the part of the rule referencing the C3 cell is deleted.
- Delete Rule 2.4.2.17 – as it will no longer apply.

Section 3 - Large Lot Residential Zone

A number of proposed changes to the existing rules in the Large Lot Residential Zone are summarised below:

- Delete 3.4.1.4(a)(vi) – because non-compliance with the rule is no longer a discretionary activity.
- Amend Rule 3.4.2.7 – so that all size sites are covered by the rule.
- Amend Rule 3.4.2.8 – to improve consistency across similar rules in different zones.
- Amend Rule 3.4.2.8 – so that the category of consent becomes restricted discretionary rather than discretionary if the standard cannot be met, and introduce matters over which discretion is restricted.

Section 13 – Marae Development Zone

Minor changes to the rules in the Marae Development Zone are summarised below:

- Delete Rule 13.4.1.4(a)(ii) – because non-compliance with the rule is no longer a discretionary activity.
- Amend Rule 13.4.2.7 – so that it measures impermeable surfaces rather than permeable surfaces to improve consistency across similar rules in different zones;
- Amend Rule 13.4.2.7 Impermeable surfaces so that the category of consent becomes restricted discretionary rather than discretionary if the standard cannot be met, and introduce matters over which discretion is restricted.

Section 21 – Assessment Criteria and Information Requirements

Changes to Section 21 - Assessment criteria and information requirements are proposed so that the assessment criteria relating to impermeable surfaces is moved from discretionary activity assessment criteria to restricted discretionary activity criteria.

These amendments are outlined in the attached Section 32 Report.

Consultation with Iwi

As this proposal involves a district wide Proposed Plan Change, in accordance with Clause 4A of Schedule 1 of the Resource Management Act 1991, the following Iwi Authorities and Groups (along with key stakeholders) have been provided a draft of Proposed Plan Change 15:

- Maniapoto Maori Trust Board
- Waikato Tainui
- Ngāti Hauā Iwi Trust
- Raukawa Settlement Trust

- Ngāti Korokī Kahukura Trust
- Apakura Runanga Trust
- Ngā Iwi Toopu O Waipa

At the time of preparing this report, no feedback had been received from the abovementioned parties.

5 NEXT STEPS

The next steps for Council staff, following the resolutions outlined in this report, are as follows:

a) Proposed Plan Change 15 will be publicly notified on 4 December 2020 incorporating any final amendments from stakeholder or iwi feedback;

b) The submission period will close on 29 January 2021;

c) Accredited Hearings Commissioners who are members of the Regulatory Committee will hear submissions and further submissions, and decide on Proposed Plan Change 15 in March/April 2021.

6 ADDITIONAL CONSIDERATIONS

Financial status

The cost of Proposed Plan Change 15 will be funded from the Waipa District Plan budget. There is sufficient budget and the actual cost will be dependent on submissions received, whether people wish to be heard, and the extent of any changes requested.

Report prepared by:

Julie Hansen
POLICY ADVISOR DISTRICT PLAN

Report reviewed by:

Tony Quickfall
MANAGER DISTRICT PLAN AND GROWTH

Report authorised by:

Wayne Allan
GROUP MANAGER DISTRICT GROWTH & REGULATORY SERVICES

SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

1 Statutory and policy requirements

Legal and regulatory considerations

Local Government Act 2002

This Proposed Proposed Plan Change 15 15 enables a sustainable development approach which takes account of the social interests of people and communities and the need to maintain and enhance the quality of the environment for the reasonably foreseeable needs of future generations. This is in accordance with the Council's obligations and the purpose of the Local Government Act 2002 (performance of regulatory functions).

Resource Management Act 1991

The Proposed Proposed Plan Change 15 15 has been prepared in accordance with Section 32 of the Resource Management Act 1991 and public notification is proposed pursuant to Schedule 1 of the Act which states:

32 Requirements for preparing and publishing evaluation reports

(1) An evaluation report required under this Act must—

(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(ii) must—

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives—

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.

(4AA) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and

(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

(5) The person who must have particular regard to the evaluation report must make the report available for public inspection—

(a) as soon as practicable after the proposal is made (in the case of a standard or regulation); or

(b) at the same time as the proposal is notified.

(6) In this section,—

***objectives** means,—*

(a) for a proposal that contains or states objectives, those objectives:

(b) for all other proposals, the purpose of the proposal

***proposal** means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*

***provisions** means,—*

(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:

(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

Schedule 1

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.

5 Public notice and provision of document to public bodies

(1) A local authority that has prepared a proposed policy statement or plan must—

(a) prepare an evaluation report for the proposed policy statement or plan in accordance with section 32 and have particular regard to that report when deciding whether to proceed with the statement or plan; and

(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.

(1A) A territorial authority shall, not earlier than 60 working days before public notification or later than 10 working days after public notification of its plan, either—

(a) Send a copy of the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, to every ratepayer for the area of the territorial authority where that person, in the territorial authority's opinion, is likely to be directly affected by the proposed plan; or

(b) Include the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, in any publication or circular which is issued or sent to all residential properties and Post Office box addresses located in the affected area—

and shall send a copy of the public notice to any other person who, in the territorial authority's opinion, is directly affected by the plan.

(1B) Notwithstanding subclause (1A), a territorial authority shall ensure that notice is given of any requirement or modification of a designation or heritage order under clause 4 to land owners and occupiers who, in the territorial authority's opinion, are likely to be directly affected.

(1C) A regional council shall, not earlier than 60 working days before public notification or later than 10 working days after public notification, send a copy of the public notice and such further information as the regional council thinks fit relating to the proposed policy statement or plan to any person who, in the regional council's opinion, is likely to be directly affected by the proposed policy statement or plan.

(2) Public notice under subclause (1) shall state—

(a) Where the proposed policy statement or plan may be inspected; and

(b) That any person may make a submission on the proposed policy statement or plan; and

(c) The process for public participation in the consideration of the proposed policy statement or plan; and

(d) The closing date for submissions; and

(e) The address for service of the local authority.

(3) The closing date for submissions—

(a) Shall, in the case of a proposed policy statement or plan, be at least 40 working days after public notification; and

(b) Shall, in the case of a proposed change or variation to a policy statement or plan, be at least 20 working days after public notification.

(4) A local authority shall provide one copy of its proposed policy statement or plan without charge to—

(a) The Minister for the Environment; and

(b) Repealed.

(c) In the case of a regional coastal plan, the Minister of Conservation and the appropriate regional conservator for the Department of Conservation; and

(d) In the case of a district plan, the regional council and adjacent local authorities; and

(e) In the case of a policy statement or regional plan, constituent territorial authorities, and adjacent regional councils; and

(f) The tangata whenua of the area, through iwi authorities

(g) Repealed.

(5) A local authority shall make any proposed policy statement or plan prepared by it available in every public library in its area and in every other place in its area that it considers appropriate.

(6) The obligation imposed by subclause (5) is in addition to the local authority's obligations under section 35 (records).

Consultation and Engagement

Proposed Plan Change 15 has been considered under Council's Significance and Engagement Policy and deemed to have a low degree of significance. This level is considered to be low due to the legal requirement to consult with the community under the Resource Management Act 1991 engagement process, and the positive impacts Proposed Plan Change 15 will have for community.

Council policy or strategy

The matters included within the report relate to the Operative District Plan. This proposed plan change is considered to be in keeping with the strategic direction in the District Plan and Council's Growth Strategy.

Iwi environmental management plans

A review of the relevant iwi environmental management plans was undertaken to assess whether there was any impediments in these plans to the introduction of Proposed Plan Change 15. The proposed plan change is considered to be in keeping with the strategic direction of the relevant iwi management plans within the Waipa District.

APPENDIX 1

Proposed Plan Change 15 – Permeable Surfaces / Section 32 Evaluation Report *(document number 10477465).*

Proposed Plan Change 15: Permeable Surfaces

Incorporating

Section 32 Evaluation Report

October 2020

Waipa DISTRICT COUNCIL

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Report Information

Author	Julie Hansen	September 2020
Reviewed by:	Tony Quickfall	October 2020
Approved to notify	Strategic Planning & Policy Committee	
Date publicly notified		

Executive Summary: Permeable Surfaces

As part of the ongoing review and assessment of the District Plan, Council have identified several provisions that are ambiguous, and difficult to interpret and implement, particularly those provisions relating to permeable and impermeable surfaces and site coverage.

The purpose of Proposed Plan Change 15 is to make improvements to those provisions in order that they are more effective and efficient. Council staff have considered and assessed several options in relation to the provisions subject of this report.

A plan change is the preferred option as a result of Council's Section 32 analysis, and involves the following changes to the District Plan:

Definitions

- Amend the definitions of coverage and site coverage so that there is only one definition.
- Amend the definitions of impermeable surfaces and permeable surfaces so they are better aligned.

Section 2 – Residential Zone

- Amend the rule for site coverage to reduce confusion about how to make the site coverage calculation.
- Amend the rule for impermeable surfaces so its format is consistent with similar rules in other zones. Additionally, make the category of consent where the standards cannot be complied with restricted discretionary instead of discretionary.
- Delete part of the rule referring to stormwater disposal in the C3 growth cell, as it does not relate to the primary purpose of the rule.
- Delete the rule relating to avoiding flood risk as it is not measurable and the Building Code can be relied on instead.

Section 3 – Large Lot Residential Zone

- Amend the site coverage rule so that all size sites are covered.
- Amend the rule for impermeable surfaces so its format is consistent with similar rules in other zones. Additionally, make the category of consent where the standards cannot be complied with restricted discretionary instead of discretionary.
- Amend the rule for impermeable surfaces so that the maximum for larger sites in the zone is increased.

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Section 13 – Marae Development Zone

- Amend the rule for impermeable surfaces so its format is consistent with similar rules in other zones. Additionally, make the category of consent where the standards cannot be complied with restricted discretionary instead of discretionary.

Section 21 – Assessment Criteria and Information Requirements

- Consequential amendment to move assessment criteria from discretionary activities to restricted discretionary activities.

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Part A – Proposed Plan Change 15

Part A – Proposed Plan Change 15

1 Summary of proposed changes to the Waipā District Plan

1.1 Introduction

The purpose of Proposed Plan Change 15 is to amend the provisions relating to permeable and impermeable surfaces in the Residential Zone, Large Lot Residential Zone and the Marae Development Zone.

Proposed Plan Change 15 makes changes to the following sections of the Waipā District Plan:

- Definitions
- Section 2 – Residential Zone
- Section 3 – Large Lot Residential Zone
- Section 13 – Marae Development Zone
- Section 21 – Assessment Criteria and Information Requirements

1.2 Definitions

A number of changes to the definitions of permeable and impermeable surfaces, and site coverage are proposed so they are better aligned. Proposed changes have been made to the following definitions:

- Impermeable surfaces
- Permeable surfaces
- Coverage
- Site coverage

1.3 Section 2 – Residential Zone

A number of proposed changes to the existing rules in the Residential Zone are summarised below:

- Delete Rule 2.4.1.4(a)(v) – because non-compliance with the rule is no longer a discretionary activity.
- Amend Rule 2.4.2.11 – to improve the wording and reduce confusion around the effect of a garage or carport on the calculation of site coverage.
- Amend Rule 2.4.2.12 – so that it measures impermeable surfaces rather than permeable surfaces to improve consistency across similar rules in different zones.

- Amend Rule 2.4.2.12 – so that the category of consent becomes restricted discretionary rather than discretionary if the standard cannot be met and introduce matters over which discretion is restricted.
- Amend Rule 2.4.2.16 – so that the part of the rule referencing the C3 cell is deleted.
- Delete Rule 2.4.2.17 – as it will no longer apply.

1.4 Section 3 – Large Lot Residential Zone

A number of proposed changes to the existing rules in the Large Lot Residential Zone are summarised below:

- Delete 3.4.1.4(a)(vi) – because non-compliance with the rule is no longer a discretionary activity.
- Amend Rule 3.4.2.7 – so that all size sites are covered by the rule.
- Amend Rule 3.4.2.8 – to improve consistency across similar rules in different zones.
- Amend Rule 3.4.2.8 – so that the maximum permeable surfaces on sites greater than 2500m^2 increases from 800m^2 to 1200m^2; and the category of consent becomes restricted discretionary rather than discretionary if the standard cannot be met, and introduce matters over which discretion is restricted.

1.5 Section 13 – Marae Development Zone

Minor changes to the rules in the Marae Development Zone are summarised below:

- Delete Rule 13.4.1.4(a)(ii) – because non-compliance with the rule is no longer a discretionary activity.
- Amend Rule 13.4.2.7 – so that it measures impermeable surfaces rather than permeable surfaces to improve consistency across similar rules in different zones.
- Amend Rule 13.4.2.7 Impermeable surfaces so that the category of consent becomes restricted discretionary rather than discretionary if the standard cannot be met, and introduce matters over which discretion is restricted.

1.6 Section 21 – Assessment Criteria and Information Requirements

Changes to Section 21 - Assessment criteria and information requirements are proposed so that the assessment criteria relating to impermeable surfaces is moved from discretionary activity assessment criteria to restricted discretionary activity criteria.

2 Recommended Tracked Changes to Waipā District Plan

The following sets out the recommended changes for Proposed Plan Change 15. The proposed changes are shown with new additions underlined, and deletions shown as ~~strikeouts~~. Consequential renumbering may occur throughout amended Sections.

2.1 Definitions

~~**'Coverage'** means that portion of a SITE which is covered by BUILDINGS, and includes parts covered by overhangs or cantilevered structures including covered decks but excluding the eaves of a BUILDING. Fences, terraces, retaining walls or uncovered decks less than 1m above GROUND LEVEL, and swimming pools are not included in the definition of COVERAGE, however may be included within impervious surfaces, see IMPERMEABLE SURFACES.~~

'Impermeable surfaces' means a surface ~~which~~ that does not allow natural percolation of water into the ground at a rate that avoids ponding or runoff; and includes roofs, roads, footpaths, paving including proprietary pavers, decking that does not allow water to drain through to a permeable surface, swimming pools, patios ~~gobi-blocks, grasscrete,~~ metalled driveways, highly compacted soils, hard surfaced materials, and other similar materials. ~~but excludes wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck~~.

'Permeable surfaces' means any part of a site that is grassed, planted in trees or shrubs or similar natural landscaping and is capable of ~~being entirely permeated by~~ absorbing rainwater. ~~Permeable surface shall include (but is not limited to) grass, soil, planting or similar such natural landscaping and wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck, but shall not include pavers, gobi-blocks, grasscrete, gravel, wooden decks or metalled driveways or hard-surfaced materials or other similar materials.~~ It does not include impermeable surfaces or any area that:

- Falls within the definition of site coverage; or
- Is covered by decks that do not allow water to drain through to a permeable surface; or
- Is occupied by swimming pools; or
- Is paved, sealed or formed to create a solid surface; or
- Is used for vehicle parking, manoeuvring or access.

'Site coverage'

~~refer to definition of COVERAGE.~~
means that portion of a SITE which is covered by BUILDINGS, and includes parts covered by overhangs or cantilevered structures including covered decks but excludes the eaves of a BUILDING. Fences, terraces, retaining walls or uncovered decks less than 1m above GROUND LEVEL, and swimming pools are not included in the definition of SITE COVERAGE, however may be included within ~~impervious surfaces, see~~ IMPERMEABLE SURFACES.

2.2 Section 2 – Residential Zone

Rules

2.4.1.4	Discretionary activities
(a)	Any permitted, controlled or restricted discretionary activity that fails to comply with: (i) … (ii) … ~~(v) Rule 2.4.2.12 – Permeable surfaces~~

Rule – Maximum site coverage

2.4.2.11 ~~Site coverage shall not exceed 40% of the net area of the site where no garage or carport has been provided the maximum site coverage shall be reduced by 20m²~~,

Site coverage:

(a) Must not exceed 40% of the net site area, and

(b) Where the site does not contain a garage or carport, the site coverage is calculated by reducing the total area of the coverage by 20m^2,

provided that this rule does not apply to the St Kilda Structure Plan Area (refer to Rules 2.4.2.13 and 2.4.2.14) and compact housing (refer to 2.4.2.43).

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule – ~~Permeable~~ Impermeable surfaces

2.4.2.12 ~~Each site shall be grassed, planted in trees and/or shrubs or otherwise landscaped in a manner that retains a minimum of 40% of the gross site area in permeable surfaces, provided that in the Cambridge North Structure Plan Area where 55% of the gross site area shall be retained in permeable surfaces. For the avoidance of doubt Rule 2.4.2.43 shall apply to any compact housing.~~

Impermeable surfaces must not exceed:

(a) 45% of the net site area in the Cambridge North Structure Plan Area; or

(b) 60% of the net site area in the remainder of the Zone (except St Kilda Structure Plan Area).

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- On-site stormwater disposal
- The effect of stormwater run-off to adjoining properties.

Rule - Cambridge North and C1 and C2 Structure Plan Area: on site soakage

2.4.2.16 On-site soakage shall be provided for every lot in the C1 and C2 Structure Plan Areas to dispose of all runoff from a two year average recurrence interval (ARI) 24 hour duration rainfall event, except where regional and/or district resource consents for the structure plan stormwater system allow alternative stormwater management provisions and these consents are complied with. ~~For the avoidance of doubt, on-site soakage within the C3 cell is not anticipated due to the risk of exacerbating slope stability issues. Alternative methods of stormwater management will need to be demonstrated for the C3 cell.~~

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

~~**Rule – Cambridge North Structure Plan Area: flood risk**~~

~~2.4.2.17 Principal and secondary dwellings within the Cambridge North Structure Plan Area shall be sited and constructed to avoid or manage flood risk.~~

~~Advice Note: Technical reports associated with the Cambridge North Structure Plan will provide guidance on minimum floor levels.~~

~~Activities that fail to comply with this rule will require a resource consent for a discretionary activity.~~

2.3 Section 3 – Large Lot Residential Zone

Rules

3.4.1.4	Discretionary activities
(a)	Any building or activity that fails to comply with: (ii) … (iii) … ~~(vi) Rule 3.4.2.8 – Impermeable surfaces~~

Rule – Site coverage

3.4.2.7 ~~The maximum total building coverage on a site shall not exceed the following:~~

Site coverage must not exceed:

(a) 25% of the net site area on sites less than or equal to 1000m²

(b) 250m² on sites ~~between~~ greater than 1000m² and ~~1249m²~~ less than or equal to 1250m² ~~a maximum of~~

(c) 20% of the net site area on sites ~~between~~ greater than 1250m² and ~~2499m²~~ less than or equal to 2500m²

(d) 500m² on sites ~~between~~ greater than 2500m2 and ~~3344m²~~ less than or equal to 3345m² ~~a maximum of~~

(e) 15% of the net site area on all other sites

Provided that, in all instances the gross floor area of all accessory buildings on a site shall not exceed 100m².

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule – Impermeable surfaces

3.4.2.8 ~~Impermeable surface coverage on a site shall not exceed 800m², provided that for sites of 2500m² or less, the maximum impermeable surface coverage shall not exceed 33% of the net site area.~~

Impermeable surfaces must not exceed:

(a) 33% of the net site area on sites less than or equal to 2500m^2; or

(b) 1200m^2 of the net site area on sites greater than 2500m^2.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- On-site stormwater disposal
- The effect of stormwater run-off to adjoining properties.

2.4 Section 13 – Marae Development Zone

Rules

13.4.1.4	Discretionary activities
(a)	Any building or activity that fails to comply with: (i) … ~~(ii) Rule 13.4.2.7 – Impermeable surfaces~~

Rule – Impermeable surfaces

13.4.2.7 ~~A minimum of 40% of the net site area shall be grassed, planted in trees and/or shrubs or otherwise landscaped in a manner that retains the permeable nature of the surface.~~

Impermeable surfaces must not exceed 60% of the net site area.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- On-site stormwater disposal
- The effect of stormwater run-off to adjoining properties.

2.5 Section 21 – Assessment Criteria and Information Requirements

21.1.2 Residential Zone

	Residential Zone Assessment Criteria	
	Restricted Discretionary Activities	
21.1.2.10A	Impermeable surfaces	(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events. (b) The extent to which any increase in the level of impermeable surfaces will affect or has the potential to result in stormwater run-off to adjoining properties. (c) Alternative methods of retaining stormwater on site.

	Residential Zone Assessment Criteria	
	Discretionary Activities	
~~21.1.2.19~~	~~Permeable surfaces~~	~~(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events.~~ ~~(b) The extent to which any increase in the level of impermeable surfaces will effect or has the potential to result in stormwater run-off to adjoining properties.~~ ~~(c) Alternative methods of retaining stormwater on site.~~

21.1.3 Large Lot Residential

	Large Lot Residential Zone Assessment Criteria	
	Restricted Discretionary Activities	
21.1.3.10A	Impermeable surfaces	(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events. (b) The extent to which any increase in the level of impermeable surfaces will affect or has the potential to result in stormwater run-off to adjoining properties. (c) Alternative methods of retaining stormwater on site.

	Large Lot Residential Zone Assessment Criteria	
	Discretionary Activities	
~~21.1.3.14~~	~~Impermeable surfaces~~	~~(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events.~~ ~~(b) The extent to which any increase in the level of impermeable surfaces will effect or has the potential to result in stormwater run-off to adjoining properties.~~ ~~(c) Alternative methods of retaining stormwater on site.~~

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B

Part B – Section 32 Evaluation

Part B – Section 32 Evaluation

3 Background and Context

3.1 Introduction

This report presents an evaluation undertaken by the Waipā District Council (Council) in accordance with Section 32 of the Resource Management Act 1991 (Act) in relation to Proposed Plan Change 15 – Permeable Surfaces to the Waipā District Plan. Undertaking a section 32 evaluation assists in determining why changes to existing plan provisions may be needed and formalises a process for working out how best to deal with resource management issues.

This report is as a result of a review of several provisions in the Waipā District Plan. Proposed Plan Change 15 makes improvements to the permeable surfaces and impermeable surfaces definitions, and rules in the Residential Zone, Large Lot Residential Zone, and the Marae Development Zone. Changes to the Definitions may also have consequential effects on the application of other rules, for example in the Marae Development Zone.

This report examines the extent to which the objectives of Proposed Plan Change 15 are the most appropriate way to achieve the purpose of the Act and assesses whether the proposed provisions are the most appropriate way of achieving those objectives. In assessing the proposed provisions, Council must consider other reasonably practicable options and assess the efficiency and effectiveness of the provisions in achieving Proposed Plan Change 15 objectives. Assessing effectiveness involves examining how well the provisions will work. Determining efficiency involves an examination of benefits and costs.

This report has been prepared to fulfil the obligations of the Council under Section 32 of the Act, with respect to undertaking a Plan Change within the Waipā District Plan.

3.2 Background

The Waipā District Plan contains many provisions that aim to promote sustainable management within the District, in accordance with the purpose of the Resource Management Act (RMA). This Plan Change is proposed so that improvements can be made to provisions in the District Plan relating to relating to permeable and impermeable surfaces and site coverage. The definitions in particular are ambiguous and difficult to interpret. Some of the rules are also difficult to implement because they overlap with each other or leave some activities with no rule being able to be applied.

The provisions that are the subject of this plan change have been identified by Council staff and others as being ambiguous and difficult to interpret and implement and have been programmed for review for some time.

3.3 Current District Plan Provisions

This part of the report outlines provisions that have been identified by Council staff and others that require improvement in order that they are more easily interpreted or applied. In summary, the policy framework is adequate and does not require amendment. However, the definitions and rules in the Residential Zone, Large Lot Residential Zone and Marae Development Zone are affected by Proposed Plan Change 15.

Definitions

The current definition of "impermeable surfaces" is:

means a surface which does not allow natural percolation of water into the ground at a rate that avoids ponding or runoff; and includes roofs, paving, decking, gobi-blocks, grasscrete, metalled DRIVEWAYS, highly compacted soil, hard surfaced materials, and other similar materials but excludes wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a PERMEABLE surface below the deck.

The current definition of "permeable" is:

means capable of being entirely permeated by rainwater. Permeable surface shall include (but is not limited to) grass, soil, planting or similar such natural landscaping and wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck, but shall not include, pavers, gobi-blocks, grasscrete, gravel, wooden decks or metalled driveways or hard-surfaced materials or other similar materials.

3.3.1 Site coverage

Section 2 - Residential Zone

Rule - Maximum site coverage

2.4.2.11 Site coverage shall not exceed 40% of the net site area of the site where no garage or carport has been provided the maximum site coverage shall be reduced by 20m^2, provided that this rule does not apply to the St Kilda Structure Plan Area (refer to rules 2.4.2.13 and 2.4.2.14) and compact housing (refer to Rule 2.4.2.43).

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Section 3 - Large Lot Residential Zone

Rule - Site coverage

3.4.2.7 The maximum total building coverage on a site shall not exceed the following:

(a)	*On sites less than or equal to 1000m^2*	*25% of the net site area*
(b)	*On sites between 1000m^2 and 1249m^2*	*a maximum of 250m^2*
(c)	*On sites between 1250m^2 and 2499m^2*	*20% of the net site area*
(d)	*On sites between 2500m^2 and 3344m^2*	*a maximum of 500m^2*
(e)	*On all other sites*	*15% of the net site area*

Provided that, in all instances the gross floor area of all accessory buildings on a site shall not exceed 100m2.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

3.3.2 Permeable surfaces

Section 2 - Residential Zone

Rule - Permeable surfaces

2.4.2.12 Each site shall be grassed, planted in trees and/or shrubs or otherwise landscaped in a manner that retains a minimum of 40% of the gross site area in permeable surfaces, provided that in the Cambridge North Structure Plan Area where 55% of the gross site area shall be retained in permeable surfaces.

For the avoidance of doubt Rule 2.4.2.43 shall apply to any compact housing.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rules - Maximum site coverage and permeable surfaces: St Kilda Structure Plan Area

2.4.2.13 Site coverage and impermeable surfaces of residential lots shall not exceed 700m^2.

2.4.2.14 The balance of the net area of each lot, once site coverage and impermeable surfaces have been taken into account, shall be grassed, planted in trees and or shrubs or otherwise landscaped in a manner that retains the permeable nature of the surface.

Section 3 - Large Lot Residential Zone

Rule - Impermeable surfaces

3.4.2.8 Impermeable surface coverage on a site shall not exceed 800m2, provided that for sites of 2500m^2 or less, the maximum impermeable surface coverage shall not exceed 33% of the net site area.

Section 13 - Marae Development Zone

Rule - Impermeable surfaces

13.4.2.7 A minimum of 40% of the net site area shall be grassed, planted in trees and/or shrubs or otherwise landscaped in a manner that retains the permeable nature of the surface.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

3.4 Statutory Considerations

The following statutory documents are considered relevant to Proposed Plan Change 15. A discussion of each of the key statutory considerations is provided below. The documents are as follows:

- Resource Management Act 1991
- National Policy Statement on Urban Development 2020
- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010
- Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)
- Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River
- Nga Wai o Maniapoto (Waipā River) Act 2012
- Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato
- Joint Management Agreements
- Iwi Environmental Plans

3.4.1 Resource Management Act 1991

Section 5 of the Resource Management Act 1991 (the Act) states as its purpose:

1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way,

or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The purpose of the Act is only achieved when the matters in (a) to (c) have also been adequately provided for within a District Plan. The Council has a duty under Section 32 to examine whether a proposed objective and its provisions are the most appropriate way of achieving the purpose of the Act. In order to achieve the purpose of the Act, Council must enable people and communities to provide for their economic, social, and cultural well-being and for their health and safety.

Proposed Plan Change 15 better achieves the purpose of the Act than the current plan definitions and rules relating to permeable surfaces.

3.4.2 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 ('NPS-UD 2020') was gazetted on 23 July 2020 and has legal effect from 20 August 2020. The NPS-UD 2020 has identified Waipā District as a high-growth urban area and a tier 1 urban environment.

The NPS-UD 2020 recognises the national significance of:

- *having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future*
- *providing sufficient development capacity to meet the different needs of people and communities.*

While the NPS-UD is a high level, central government policy document, the principles within it must be given effect to by Council. Although Proposed Plan Change 15 contains detailed improvements, it is considered to give effect to the provisions of the NPS-UD in that the amendments to the rules will better promote well-functioning urban environments that enable people and communities to provide for the social, economic and cultural wellbeing and for their health and safety.

3.4.3 Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The Waikato River was subject to the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 which seeks to provide direction for planning

documents under the Resource Management Act 1991 in order to protect the health and well-being of the Waikato River. The legislation addresses a number of issues and created a single co-governance entity to set the agenda for the health and wellbeing of the Waikato River for future generations being the Waikato River Authority.

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, is part of the second schedule to the Settlement Act, and is deemed part of the Waikato Regional Policy Statement. Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents.

During the preparation of Proposed Plan Change 15, Council staff have considered the vision for the Waikato River and its significance under this legislation for iwi. The overall objectives for the proposed plan change relate to rules that already exist in the District Plan.

Overall, the outcomes sought by Proposed Plan Change 15 are not considered to be contrary to the directions sought under this legislation.

3.4.4 Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)

The Waikato River is also subject to the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act) which recognises the significance of the river to Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi. The legislation recognises Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, provides for co-management arrangements and grants functions and powers to the Waikato River Authority.

As outlined above, Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents. During the preparation of Proposed Plan Change 15, Council staff have considered the vision for the Waikato River and its significance under this legislation for Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi. The outcomes sought by Proposed Plan Change 15 are not considered to be contrary to the directions sought under this legislation.

3.4.5 Nga Wai o Maniapoto (Waipā River) Act 2012

In September 2010, the Crown and Maniapoto signed a Deed in Relation to Co-Governance and Co-Management of the Waipā River (the Maniapoto Deed). The Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed which seeks to "deliver a new era of co-management over the Waipā River with an overarching purpose of restoring and maintaining the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations and the care and protection of

the mana tuku iho o Waiwaia". During the preparation of Proposed Plan Change 15, Council staff have considered the vision for the Waipā River and its significance under this legislation for Maniapoto. The outcomes sought by Proposed Plan Change 15 are not considered to be contrary to the directions sought under this legislation.

3.4.6 Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River arises from the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010. These acts establish a co-governance regime to protect the health and wellbeing of the Waikato River for future generations. This includes the lower Waipā River to its confluence with the Puniu River.

The vision for the Waikato River is "for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come."

The Vision and Strategy also includes objectives and strategies to achieve the vision. Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents.

Waipā District Council has joint management agreements in place with the iwi that have rohe within the District. During the formulation of Proposed Plan Change 15 Council staff provided information on the draft plan change in general accordance with those joint management agreements. The Vision and Strategy has been fully considered during the formulation of the Proposed Plan Change 15 and the Plan Change does not alter the ability of the District Plan to give effect to the Vision and Strategy.

3.4.7 Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato

The Waikato Regional Policy Statement (RPS) is the overarching regional policy document and Waipā District Council must give effect to the RPS through its district plan. Part 6 of the RPS includes policies related to the built environment, some of which are relevant to the Waipā District Plan. They are very broad policies associated with long term strategic urban development.

Part 6A of the RPS also identifies some general development principles such as:

> *m) avoid as far as practicable adverse effects on natural hydrological characteristics and processes (including aquifer recharge and flooding patterns), soil stability, water quality and aquatic ecosystems including through methods such as low impact urban design and development (LIUDD);*

n) adopt sustainable design technologies, such as the incorporation of energy efficient (including passive solar) design, low-energy street lighting, rain gardens, renewable energy technologies, rainwater harvesting and grey water recycling techniques where appropriate;

Policy 8.3 seeks to maintain or enhance the identified values of fresh water bodies. Proposed Plan Change 15 gives effect to the implementation methods included in the RPS by managing the effects of subdivision, use and development by considering various matters relating to stormwater and best practice stormwater management.

For this reason, the RPS is considered highly relevant to Proposed Plan Change 15.

3.4.8 Joint Management Agreements ("JMA")

DRAFTING NOTE – The following sections relate to the engagement with iwi that is to be undertaken during October. The following sections will be updated based on any feedback from this engagement.

3.4.8.1 Waikato Raupatu River Trust

The Waikato Raupatu Claims Settlement Act 1995 gave effect to certain provisions of the deed of settlement between the Crown and Waikato dated 22 May 1995 and settled certain Raupatu claims made to the Waitangi Tribunal by Robert Te Kotahi Mahuta, the Tainui Maaori Trust Board, and Ngaa Marae Toopu (Wai 30). Renegotiations in 2009 led to the agreement of a new deed of settlement which included provisions related to joint management agreements. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 was enacted to give effect to that deed of settlement and subsequently a Joint Management Agreement with Waipā District Council was made.

This agreement includes giving appropriate weight to relevant matters provided for in the Settlement Act 2010, respecting the mana whakahaere rights and responsibilities of Waikato-Tainui, recognising the statutory functions, powers and duties of both parties, and recognising the Trust's rights to participate in processes where circumstances may be appropriate.

Schedule B of the Agreement outlines the anticipated process with regards to Schedule 1 of the Resource Management Act 1991 (RMA), in accordance with section 46(1) and 46(2) of the Act.

The changes in Proposed Plan Change 15 will not affect the ability of the District Plan to implement the requirements of the Waikato Raupatu Claims Settlement Act 1995.

3.4.8.2 Raukawa Settlement Trust

The Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 was enacted to give effect to the Co-Management Deed signed between Raukawa and the Crown in December 2009. The Joint Management Agreement was consequently established pursuant to Section 43 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

This agreement covers matters relating to co-management, agreement to embrace new and holistic ways of working together, and the continuation of building a functional and effective long-term partnership. The agreement includes matters relating to the preparation, reviewing, change or variation to Resource Management Act 1991 documents, pursuant to Section 48 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

Section 7 of the agreement outlines the expectations with regard to planning documents. The process for preparing Proposed Plan Change 15 resulted in early and on-going engagement with Raukawa, which is a relevant consideration under the JMA.

3.4.8.3 Maniapoto Māori Trust Board

As outlined above, the Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed, and a deliverable of this settlement was the establishment of a joint management agreement between the local authorities and the Maniapoto Māori Trust Board.

The agreement covers matters relating to the Waipā River, activities within its catchment, matters relating to the exercise of functions, duties and powers in relation to monitoring and enforcement, Resource Management Act planning documents and applications, and other duties as agreed between the relevant parties.

Section 6 of the agreement outlines the expectations with regard to planning documents. Early engagement and the consideration of a Joint Working Party are the relevant considerations with regard to Proposed Plan Change 15. The process for preparing Proposed Plan Change 15 has achieved the intent of the JMA.

3.4.9 Iwi Environmental Plans

3.4.9.1 Tai Tumu, Tai Pari, Tai Ao – Waikato Tainui Iwi Environmental Management Plan

The purpose of Tai Tumu, Tai Pari, Tai Ao is to enhance collaborative participation between Waikato Tainui and agencies in resource and environmental management. It provides high level guidance on Waikato Tainui values, principles, knowledge and perspectives on, relationship with, and objectives for natural resources and the environment. The plan highlights the need for enhancement and protection of

freshwater from allocation to discharges. Although many of the freshwater objectives and policies relate to regional council obligations, Proposed Plan Change 15 has taken into account Tai Tumu, Tai Pari, Tai Ao because the outcomes sought can be translated into district plan provisions, such as on-site stormwater management.

3.4.9.2 Ko Tā Maniapoto Mahere Taiao – Maniapoto Environmental Management Plan

Ko Tā Maniapoto Mahere Taiao is a high level direction setting document and describes issues, objectives, policies and actions to protect, restore and enhance the relationship of Maniapoto with the environment including their economic, social, cultural and spiritual relationships. The Plan is also a tool to support the leadership of Maniapoto at the forefront of exercising kaitiakitanga and rangatiratanga within the Maniapoto rohe. Although the issues identified relate to water quality and allocation, and not specifically to urban stormwater management, Proposed Plan Change 15 has taken Ko Tā Maniapoto Mahere Taiao into account by recognising that the consequential effect of good stormwater management is that overall water quality is maintained.

3.4.9.3 Te Rautaki Taiao a Raukawa - Raukawa Environmental Management Plan

Te Rautaki Taiao a Raukawa, the Raukawa Environmental Management Plan provides a statement of values, experiences and aspirations pertaining to the management of, and relationship with the environment. It assists in engagement in policy and planning processes and resource management decisions. The Management Plan offers broad objectives in relation to this matter. It makes many suggestions about improving the quality of water, and requests that local authorities restore and protect the mana and mauri of water bodies, and ensure the health and wellbeing of water bodies so they are safe to take food from and swim in all year round. Proposed Plan Change 15 has taken Te Rautaki Taiao a Raukawa into account by recognising that non-point source discharges such as those from on-site stormwater management systems ultimately directly affect water quality.

3.4.9.4 Te Rautaki Tāmata Ao Turoa o Hauā — Ngāti Hauā Environmental Management Plan

Te Rautaki Tāmata Ao Turoa o Hauā explains the importance of communication between local authorities and Ngāti Hauā in terms of keeping the Iwi Trust informed about projects, providing a feedback loop and opportunity for relationship building. One of the main issues identified in relation to water is the impact of activities on the quality of water within rivers, streams and aquifers. The plan clearly outlines that engagement is expected and that the Iwi seek opportunities to participate in consent and site monitoring and restoration projects. Initial and on-going communication and consultation has occurred, thus taking into account Te Rautaki Tāmata Ao Turoa o Hauā.

3.4.10 Ngāti Koroki Kahukura

The ancestral tribal rohe of Ngāti Koroki Kahukura spans from Southern Hamilton City, following the Waikato River to the northern end of Lake Arapuni, inland to western Te Awamutu and through again to southern Hamilton City encompassing Mount Maungatautari and many kāinga settlements. Although Council does not have a Joint Management Agreement in place with Ngāti Koroki Kahukura, they are part of the local tangata whenua and for this reason Council have consulted with Ngāti Koroki Kahukura regarding Proposed Plan Change 15. During the review of the formulation of Proposed Plan Change 15, Council staff have corresponded with and provided information on the draft Plan Change 15 to Ngāti Koroki Kahukura.

3.5 Other Considerations

3.5.1 Regional Infrastructure Technical Specification

The Regional Infrastructure Technical Specification (RITS) sets out the standards for design and construction of public infrastructure for several councils within the Waikato Region. It contains a section on stormwater, noting that:

> *"stormwater systems have the potential to convey pollutants and increase the flow rate and volume of water to a receiving environment such as streams (natural and modified), rivers lakes and groundwater. Discharges will impact on these environments and the environmental, cultural and social values which they support."*

It contains specifications for the construction of stormwater pipe networks, and detention ponds and wetlands. The primary objective of the stormwater system is to manage stormwater runoff to minimise flood damage and adverse effects on the environment. The design of the stormwater system is intended to ensure an acceptable stormwater service for each property by providing a treatment, control and disposal system.

The RITS is directly relevant to Proposed Plan Change 15 because it requires that a stormwater system ensures an acceptable stormwater service for each property by proving a treatment, control and disposal system. Within more developed areas of the district e.g. the Residential Zone, it is very important to manage the amount of land covered by buildings and other structures, and impermeable surfaces in order that the stormwater systems work effectively.

3.5.2 New Zealand Urban Design Protocol

Waipā District Council is a signatory to the New Zealand Urban Design Protocol, a document that provides a platform to make New Zealand towns and cities more successful though quality urban design. The Protocol identifies key urban design qualities and has an expectation that signatories will be committed to quality urban design and will implement it through the work of each organisation. Although

urban design is mostly seen "above ground" it is important that public infrastructure performs in a way that does not result in poor environmental and amenity outcomes. An example of good urban design outcomes in Waipā District is the creation of stormwater ponds and wetlands in new subdivisions that increase recreation opportunities, add to the amenity of an area, as well as perform the desired function of stormwater management. The New Zealand Urban Design Protocol is directly relevant to Proposed Plan Change 15 and has been taken into account in preparing Proposed Plan Change 15.

3.5.3 Future Proof, Three Waters Strategy and Waipā 2050 (Growth Strategy)

The Future Proof Strategy is a 30 year growth management and implementation plan for the Hamilton, Waipā and Waikato sub-region. It is a high level, policy document with several principles and outcomes sought that are relevant to this proposed plan change. For example, in relation to "Three Waters", one of the applicable principles is to ensure that the settlement pattern "avoids as far as practicable adverse effects on natural hydrological characteristics and processes, soil stability, water quality and aquatic ecosystems …".

As part of the Future Proof Strategy, the Three Waters Strategy recognises there is a need to manage water supply, wastewater and stormwater networks in a sustainable and integrated way between Future Proof Councils.

The Waipā 2050 Growth Strategy is Waipā District Council's strategic growth document and identifies the location of growth cells in the district beyond 2035.

Proposed Plan Change 15 implements the three strategic documents by restricting impermeable surfaces and requiring on-site stormwater management systems in residential areas. These directly impact subsequent effects on major stormwater infrastructure, and ultimately important water bodies such as the Waikato River.

3.6 Development of Plan Change 15

The development of Proposed Plan Change 15 has been carried out over a number of months during 2020. The basis of the proposed plan change came from the identification that the definitions of permeable and impermeable surfaces and some of the related rules in the District Plan were ambiguous and difficult to interpret. Additionally, the rule for permeable surfaces in the Cambridge North area constantly triggered resource consent applications, and in almost all cases were granted.

Consultation was undertaken with staff and the Strategic Planning and Policy (SP&P) Committee once the topics had been assessed for priority. Workshops were held with the SP&P Committee on several occasions to keep them informed of the issues and options, and progress being made on a potential plan change.

Alongside staff consultation was an engagement process with Iwi Authorities that is ongoing. Council staff attended Waipā Iwi Consultative Committee meetings and Ngā Iwi Tōpū O Waipā meetings throughout 2020 providing presentations of the issue and options being considered, and regular updates regarding the progressing of Proposed Plan Change 15.

A full copy of the Proposed Plan Change 15 document and accompanying draft Section 32 Report was provided to Waikato-Tainui, Maniapoto, Raukawa, Ngati Hauā, and Ngāti Koroki Kahukura on October 2020 for comment. This was both to fulfil Council's obligations pursuant to Clause 4A of the First Schedule of the Act and under the various Joint Management Agreements that Council has with Tangata Whenua in the District.

Council staff identified key stakeholders, including adjoining territorial authorities, Ministry for the Environment, surveyors, planners, real estate agents and building companies. These key stakeholders were consulted with prior to public notification of Proposed Plan Change 15 and had the opportunity to provide feedback on the proposed options.

This feedback from key stakeholders and iwi was considered by Council staff and incorporated into Proposed Plan Change 15 prior to public notification. **F**eedback received from stakeholders is shown in **Appendix 1**.

4 Issues

4.1 Issue 1 – Definitions

The definitions of permeable and impermeable surfaces are difficult to interpret. Some of the surfaces are included in one definition and excluded from the other but there are exceptions and cross-overs. These cause the most difficulty with applying the definitions, i.e. deciding what is impermeable and what is not. For example, the definition of impermeable surfaces includes "roofs", but the definition of permeable surfaces does not exclude "roofs". So in some cases "roofs" are counted, and in others they are not.

It is considered that the similar nature and wording of the definitions in the Waipā District Plan (even though supposed to mean the opposite of each other) is confusing.

Additionally, the definition name of permeable is just that – permeable. It is not listed as permeable surfaces. This may also cause difficulty because the word "permeable" is used in other rules in a completely different context[1].

[1] "visually permeable" relates to fences in the Residential Zone, although is defined separately.

4.2 Issue 2 – Rules for site coverage

Another issue with the provisions are the rules. Rule 2.4.2.11 in the Residential Zone is poorly worded. It could be reworded to clarify what is meant by the garage or carport exception. The rules raise issues in the physical sense and for resource consent applicants.

The rule in the Large Lot Residential Zone is also difficult to use. Some properties do not fit into the size categories and therefore are not covered by the rule. For example, those sites larger than 1249m^2 but smaller than 1250m^2 e.g. 1249.5m^2 are not covered by the rule, leaving it open to interpretation which part of the rule applies.

4.3 Issue 3 – Rules for permeable surfaces

These rules are not consistent in their formatting. Generally, the same or similar rules in different zones are formatted in a consistent way throughout the District Plan. This makes the rules easier to use as they are a similar format and use the same language and terminology. The rules within the Residential Zone and the Large Lot Residential Zone use different terminology and measures, and generally seem "untidy".

The Residential Zone requires that 40% of the gross site area, and 55% if in the Cambridge North Structure Plan Area, is retained in permeable surfaces. However, in the St Kilda Structure Plan Area, the same rule requires a combined site coverage and impermeable surfaces total of 700m^2.

Further, the Large Lot Residential Zone rule requires either a maximum area or percentage of impermeable surfaces according to the size of the site. The Marae Development Zone also contains a rule on impermeable surfaces.

5 Objectives

The objective of Proposed Plan Change 15 is to:

1) Amend provisions in the District Plan relating to permeable and impermeable surfaces, and site coverage, in order that they are more effective and efficient.

The planning outcome sought by the objective is that the provisions subject of the proposed plan change are less ambiguous and more easily interpreted and implemented by all plan users.

5.1 Relevance of existing objectives

Proposed Plan Change 15 retains the existing planning framework of the District Plan which is generally to maintain and enhance amenity values of the Residential Zone and Large Lot Residential Zone. The Marae Development Zone seeks to promote tāngata whenua values, as well as high standard of amenity.

5.1.1 Section 2 – Residential Zone

Section 2 of the District Plan includes issues, objectives, policies and rules for the Residential Zone. Many of them relate to amenity outcomes anticipated for the Zone, such a controls on building size and location.

As an example, Objective 2.3.2 is to "Maintain amenity values and enhance safety in the Residential Zone". This objective has a number of associated policies that identify how the objective will be achieved, including (of relevance to this plan change):

2.3.2.6 To ensure that all sites have sufficient open space to provide for landscaping, outdoor activities, storage, on-site stormwater disposal, parking, and vehicle manoeuvring by maintaining a maximum site coverage requirement for buildings in the Residential Zone.

2.3.2.7 Maintain a proportion of each site in permeable surfaces such as lawn and gardens, in order to ensure there is sufficient capacity to enable the on-site disposal of stormwater. In the Cambridge North Structure Plan Area, increased standards apply because of the difficulty of disposing of stormwater in this location. In the C1 and C2/C3 Structure Plan areas on-site disposal of stormwater may not be required where regional and/or district consents for the overall structure plan stormwater system provide for alternative means of stormwater management and disposal. Furthermore, on-site soakage within the C3 cell is not anticipated due to the risk of exacerbating slope stability issues. Alternative methods of stormwater management will need to be demonstrated for the C3 cell.

5.1.2 Section 3 – Large Lot Residential Zone

Section 3 of the District Plan includes issues, objectives, policies and rules for the Large Lot Residential Zone. Like the Residential Zone, many of them relate to amenity outcomes anticipated for the Zone, such as controls on building size and location. Again, the objective of relevance to this plan change is "To maintain and enhance amenity values in the Large Lot Residential Zone".

Associated policies include:

3.3.5.2 Development and all impermeable surfaces should not exceed a maximum site coverage in the Large Lot Residential Zone, in order to ensure that all sites:

a) Maintain the open character and spaciousness of the zone; and

b) Maintain sufficient open space to provide for landscaping, and on-site wastewater and stormwater disposal.

5.1.3 Section 13 – Marae Development Zone

Section 13 notes the following issue:

13.2.3 On-site servicing of rural marae for water, wastewater, stormwater and appropriate transport infrastructure currently restricts the ability of most marae to develop beyond providing core functional purposes.

Objectives and policies in the Marae Development Zone seek to recognise and provide for environmental values and protection principles of the Waikato River Vision and Strategy, and the Waipā River Agreement (Maniapoto Deed).

5.2 Appropriateness of Proposed Plan Change 15 Objective

Assessment of appropriateness of Plan Change Objectives	Objective 1: Improve provisions in the District Plan relating to permeable and impermeable surfaces, and site coverage, in order that they are more effective and efficient
Relevance	▪ Assists Council to carry out statutory functions through improved interpretation and implementation of rules. ▪ Implements other documents that Council is a signatory to.
Usefulness	▪ Provides certainty for decision making and resource consent applicants. ▪ Provides practical and useful outcomes by reducing the need for resource consent in some situations.
Achievability	▪ Achievable through Council's functions in regard to its District Plan.
Reasonable	▪ Fewer costs because fewer resource consents required for some activities.

The above assessment has considered relevance, usefulness, achievability and reasonableness in order to determine if the objective of Proposed Plan Change 15 is appropriate for achieving the purpose of the Resource Management Act.

It is not considered necessary to include a new objective that would specifically address permeability issues. While the existing objectives do not completely or specifically address permeability issues, the policies are adequate to provide support for the rules. In addition, the objectives and policies focus on on-site

amenity, with rules that control the extent of building work on a site. This acts as a default method to restrict impermeable surfaces.

Improving the efficiency and effectiveness of provisions relating to permeable and impermeable surfaces, including the definitions of each addresses current problems in interpretation and implementation of the rules.

For these reasons, the objective of Proposed Plan Change 15 is considered an appropriate way to achieve the purpose of the Act in accordance with section 32(1)(a).

5.3 Options to deliver Proposed Plan Change 15 Objective

Section 32(1)(b)(i) of the Act requires this report to identify *"other reasonably practicable options"* to promote sustainable management, including retaining the status quo, non-regulatory methods and plan changes. This part of the report outlines the processes undertaken and examines other reasonably practicable options considered to achieve the objectives of Proposed Plan Change 15.

In considering reasonably practicable options, a number of matters were examined before the alternative options were identified. Options were identified through feedback from internal and external stakeholders, consultation and examination of policy options by other territorial authorities.

The alternatives evaluated for the objectives of Proposed Plan Change 15 are discussed below.

5.3.1 Option 1 – Status Quo

The option to "do nothing" or retain the existing provisions as they are in the District Plan would not amend the rules for permeable and impermeable surfaces. This option is not appropriate because it is clear that the definitions in particular, but also the rules are not working in the way they were intended to.

In relation to the definitions of permeable and impermeable surfaces, they are considered to be confusing and ambiguous because although they should be "mirror images" of each other they are not, leading to some activities not being considered impermeable when they should.

The rules for permeable and impermeable surfaces are not consistent across the zones in which they apply. In the Residential Zone, data shows that almost all resource consents are granted, because appropriate on-site stormwater systems will be put into place, thus meeting requirements. However, this is a cost to applicants that may not be as high if the provisions were more clear.

5.3.2 Option 2 – Plan Change to amend the provisions

A plan change would improve the definitions of permeable and impermeable surfaces, as well as amend some of the rules in the Residential Zone, Large Lot Residential Zone, and the Marae Development Zone.

For example, the current definitions of permeable and impermeable surfaces do not align and cause confusion for plan users. The plan change would reduce confusion and make it clear which activities are included in either definition, as well as improving consistency across rules in different zones.

Additionally, it would "tidy' some rules that currently do not capture some land uses because the rule does not cover the size category they fall into. The plan change would also remove some rules that are not well drafted and serve no purpose in the District Plan.

5.3.3 Option 3 – Other reasonably practicable options

This option would rely on other methods, for example non-regulatory methods, other legislation or policies to achieve the purpose of the RMA.

The most likely document to be relied upon would be the RITS. The RITS is governed by the requirements of the Local Government Act 2002, and its administration is undertaken by the Local Authority Shared Services (LASS). It contains all the design and construction specifications for stormwater management and disposal.

The RITS sits outside the District Plan, and if there are conflicts between the standards in the District Plan and the RITS, then the District Plan prevails. The RITS is a means of compliance with the District Plan and therefore provides valuable guidance to developers but is not a regulation in itself, like a rule in a District Plan.

Any of the iwi Environmental Management Plans could be considered a reasonably practicable option, given their focus on good environmental outcomes. However, because iwi authorities are not the regulatory authority i.e. able to issue subdivision, resource and building consents, they would be unable to require particular design and construction methods that would adequately manage or control on-site stormwater.

The Building Act can be relied upon in terms of the rule relating to flood risk in the Cambridge North Structure Plan Area. The rule as it is worded currently in the District Plan does not contain any measurable standards and is therefore difficult to implement. The Building Act adequately covers dwellings and their floor levels so in this case it is appropriate to delete the rule.

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5.4 Evaluation of Options

The above section outlines the reasonably practicable options considered. In order to determine whether the other options are reasonably practicable, a comparative analysis has been undertaken. Council is not legally obliged to detail the evaluation process for other reasonably practicable options that were not identified as the preferred option. However, it is considered fair and transparent to demonstrate how the preferred option was decided upon following an assessment against other reasonably practicable options. The following is an assessment of the efficiency and effectiveness of the proposed provisions in achieving the plan change objectives.

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Objective 1 and 2:			
	Option 1: Status Quo	Option 2: Plan Change	Option 3: Other reasonably practicable option
Costs	Environmental: ▪ None identified Economic Cost: ▪ Cost of discretionary resource consent ($2500 deposit) Social Cost: ▪ None identified Cultural effect: ▪ None identified	Environmental: ▪ None identified Economic Cost: ▪ None identified Social Cost: ▪ None identified Cultural effect: ▪ None identified	Environmental: ▪ Other methods are not mandatory and cannot be relied on to improve environmental outcomes ▪ Stormwater not managed in a cohesive and integrated manner Economic Cost: ▪ None identified Social Cost: ▪ Potentially poor stormwater management i.e. not managed in a cohesive and integrated manner. Cultural effect: ▪ None identified
Benefits	Environmental: ▪ None identified Economic benefits: ▪ None identified Social benefits: ▪ Anticipated resource consent process in place Cultural effect: ▪ No additional benefits identified because rules already exist	Environmental: ▪ No additional benefits identified Economic benefits: ▪ Reduced number of resource consents required ▪ Reduce cost for land use consent ($1200 deposit) Social benefits: ▪ Improved outcomes for residential customers Cultural effect: ▪ None identified	Environmental: ▪ Options for alternative solutions Economic benefits: ▪ None identified Social benefits: ▪ None identified Cultural effect: ▪ More input from iwi about on-site stormwater management issues

Objective 1 and 2:			
	Option 1: Status Quo	Option 2: Plan Change	Option 3: Other reasonably practicable option
Opportunities for economic growth and employment to be provided or reduced	Economic growth: ▪ None identified Employment: ▪ None identified	Economic growth: ▪ None identified Employment: ▪ None identified	Economic growth: ▪ None identified Employment: ▪ None identified
Efficiency and Effectiveness of achieving objectives	The provisions would continue to be inefficient and ineffective in achieving the objectives.	Improved efficiency and effectiveness of the provisions because of increased clarity, and reduced ambiguity and difficulty in interpretation.	Relying on other methods may have some merit, but these need to be carried out in conjunction with regulatory methods in order to achieve the objectives. As a stand-alone option they are ineffective.
Risk of acting or not acting if there is insufficient or uncertain information about the subject matter of the provisions	N/A	N/A	N/A
Overall appropriateness for achieving objectives	This option does not meet the current objectives of the District Plan and is demonstrated to be inefficient and ineffective, so is not considered to be appropriate.	Overall this option is considered to be the most appropriate because it meets the current objectives of the District Plan and best meets the assessment of costs, benefits, efficiency and effectiveness.	This option relies on other methods that are not mandatory and would result in ineffective outcomes. For these reasons it is not considered to be appropriate.

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6 Evaluation of Provisions

6.1 Proposed Provision Assessment

This part of the section 32 analysis assesses if the proposed provisions are the most appropriate to support the Proposed Plan Change 15 objective. The purpose of this evaluation is to ensure that the amended provisions are the most appropriate way to promote the sustainable management of natural and physical resources.

The preferred options identified in this report are considered to be aligned to the existing policy direction of the District Plan. In order to implement the preferred options, amendments to Definitions, Section 2 – Residential Zone, Section 3 – Large Lot Residential Zone, Section 13 – Marae Development Zone and Section 21 – Assessment Criteria and Information Requirements are proposed.

Council is required to assess the efficiency and effectiveness of the Proposed Plan Change 15 provisions. "Effectiveness" is the measure of contribution that the proposed provisions make towards resolving the issue, while "efficiency" refers to benefits and costs to all members of society.

This part of the report assesses the Proposed Plan Change 15 provisions in achieving the objectives outlined later in this report. It identifies and assesses the benefits and costs of the environmental, social, cultural and economic effects anticipated from the implementation of the Proposed Plan Change 15 provisions.

6.1.1 Amendments relating to permeable and impermeable surfaces

Definitions would be amended by amending the definitions of permeable and impermeable surfaces, and site coverage.

Provisions in Section 2 – Residential Zone, Section 3 – Large Lot Residential Zone and Section 13 – Marae Development Zone are amended by reducing the category of consent for impermeable surfaces to restricted discretionary, and improving the consistency of provisions across the zones.

Amendments to Section 21 – Assessment Criteria and Information Requirements are consequential amendments as a result of changes to other parts of the plan.

Therefore, make amendments to Definitions, Section 2 – Residential Zone, Section 3 – Large Lot Residential Zone, Section 13 – Marae Development Zone, and Section 21 – Assessment Criteria and Information Requirements as follows:

Definitions

Amend Definitions as follows:

~~**'Coverage'** means that portion of a SITE which is covered by BUILDINGS, and includes parts covered by overhangs or cantilevered structures including covered decks but excluding the eaves of a BUILDING. Fences, terraces, retaining walls or uncovered decks less than 1m above GROUND LEVEL, and swimming pools are not included in the definition of COVERAGE, however may be included within impervious surfaces, see IMPERMEABLE SURFACES.~~

'Impermeable surfaces' means a surface ~~which~~ that does not allow natural percolation of water into the ground at a rate that avoids ponding or runoff; and includes roofs, roads, footpaths, paving including proprietary pavers, decking that does not allow water to drain through to a permeable surface, swimming pools, patios ~~gobi-blocks, grasscrete,~~ metalled driveways, highly compacted soils, hard surfaced materials, and other similar materials. ~~but excludes wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck~~.

'Permeable surfaces' means any part of a site that is grassed, planted in trees or shrubs or similar natural landscaping and is capable of ~~being entirely permeated by~~ absorbing rainwater. ~~Permeable surface shall include (but is not limited to) grass, soil, planting or similar such natural landscaping and wooden decks with spacing between boards of 4mm or more, where water is allowed to drain through to a permeable surface below the deck, but shall not include pavers, gobi-blocks, grasscrete, gravel, wooden decks or metalled driveways or hard-surfaced materials or other similar materials.~~ It does not include impermeable surfaces or any area that:

- Falls within the definition of site coverage; or
- Is covered by decks that do not allow water to drain through to a permeable surface; or
- Is occupied by swimming pools; or

- Is paved, sealed or formed to create a solid surface; or
- Is used for vehicle parking, manoeuvring or access.

'Site coverage' ~~refer to definition of COVERAGE.~~ means that portion of a SITE which is covered by BUILDINGS, and includes parts covered by overhangs or cantilevered structures including covered decks but excludes the eaves of a BUILDING. Fences, terraces, retaining walls or uncovered decks less than 1m above GROUND LEVEL, and swimming pools are not included in the definition of SITE COVERAGE, however may be included within ~~impervious surfaces, see~~ IMPERMEABLE SURFACES.

Section 2 – Residential Zone

2.4.1.4	Discretionary activities
(a)	Any permitted, controlled or restricted discretionary activity that fails to comply with: (iii) … (iv) … ~~(vii) Rule 2.4.2.12 – Permeable surfaces~~

Rule – Maximum site coverage

2.4.2.11 ~~Site coverage shall not exceed 40% of the net area of the site where no garage or carport has been provided the maximum site coverage shall be reduced by 20m²~~,

Site coverage:

(a) Must not exceed 40% of the net site area, and

(b) Where the site does not contain a garage or carport, the site coverage is calculated by reducing the total area of the coverage by 20m^2,

provided that this rule does not apply to the St Kilda Structure Plan Area (refer to Rules 2.4.2.13 and 2.4.2.14) and compact housing (refer to 2.4.2.43).

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule – ~~Permeable~~ Impermeable surfaces

2.4.2.12 ~~Each site shall be grassed, planted in trees and/or shrubs or otherwise landscaped in a manner that retains a minimum of 40% of the gross site area in permeable surfaces, provided that in the Cambridge North Structure Plan Area where 55% of the gross site area shall be retained in permeable surfaces. For the avoidance of doubt Rule 2.4.2.43 shall apply to any compact housing.~~

Impermeable surfaces must not exceed:

(a) 45% of the net site area in the Cambridge North Structure Plan Area; or

(b) 60% of the net site area in the remainder of the Zone (except St Kilda Structure Plan Area).

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- On-site stormwater disposal; and
- The effect of stormwater run-off to adjoining properties.

Rules – Cambridge North and C1 and C2 Structure Plan Area: on site soakage

2.4.2.15 …..

2.4.2.16 On-site soakage shall be provided for every lot in the C1 and C2 Structure Plan Areas to dispose of all runoff from a two year average recurrence interval (ARI) 24 hour duration rainfall event, except where regional and/or district resource consents for the structure plan stormwater system allow alternative stormwater management provisions and these consents are complied with~~. For the avoidance of doubt, on-site soakage within the C3 cell is not anticipated due to the risk of exacerbating slope stability issues. Alternative methods of stormwater management will need to be demonstrated for the C3 cell.~~

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule – Cambridge North Structure Plan Area: flood risk

~~2.4.2.17 Principal and secondary dwellings within the Cambridge North Structure Plan Area shall be sited and constructed to avoid or manage flood risk.~~

~~Advice Note: Technical reports associated with the Cambridge North Structure Plan will provide guidance on minimum floor levels.~~

~~Activities that fail to comply with this rule will require a resource consent for a discretionary activity.~~

Section 3 – Large Lot Residential Zone

3.4.1.4	Discretionary activities
(a)	Any building or activity that fails to comply with: (iv) … (v) … ~~(viii) Rule 3.4.2.8 – Impermeable surfaces~~

Rule – Site coverage

3.4.2.7 ~~The maximum total building coverage on a site shall not exceed the following:~~

Site coverage must not exceed:

(a) 25% of the net site area on sites less than or equal to 1000m²

(b) 250m^2 on sites ~~between~~ greater than 1000m^2 and ~~1249m²~~ less than or equal to 1250m^2 ~~a maximum of~~

(c) 20% of the net site area on sites ~~between~~ greater than 1250m^2 and ~~2499m²~~ less than or equal to 2500m^2

(d) 500m^2 on sites ~~between~~ greater than 2500m2 and ~~3344m²~~ less than or equal to 3345m^2 ~~a maximum of~~

(e) 15% of the net site area on all other sites

Provided that, in all instances the gross floor area of all accessory buildings on a site shall not exceed 100m².

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

Rule – Impermeable surfaces

3.4.2.8 ~~Impermeable surface coverage on a site shall not exceed 800m², provided that for sites of 2500m² or less, the maximum impermeable surface coverage shall not exceed 33% of the net site area.~~

Impermeable surfaces must not exceed:

(a) 33% of the net site area on sites less than or equal to 2500m^2; or

(b) 1200m^2 of the net site area on sites greater than 2500m^2.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- On-site stormwater disposal; and
- The effect of stormwater run-off to adjoining properties.

Marae Development Zone

13.4.1.4	Discretionary activities
(a)	Any building or activity that fails to comply with: (ii) … ~~(iii) Rule 13.4.2.7 – Impermeable surfaces~~

Rule – Impermeable surfaces

13.4.2.7 ~~A minimum of 40% of the net site area shall be grassed, planted in trees and/or shrubs or otherwise landscaped in a manner that retains the permeable nature of the surface.~~

Impermeable surfaces must not exceed 60% of the net site area.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- On-site stormwater disposal
- The effect of stormwater run-off to adjoining properties.

Section 21 – Assessment Criteria and Information Requirements

21.1.2 Residential Zone

	Residential Zone Assessment Criteria	
	Restricted Discretionary Activities	
21.1.2.10A	Impermeable surfaces	(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events. (b) The extent to which any increase in the level of impermeable surfaces will affect or has the potential to result in stormwater run-off to adjoining properties. (c) Alternative methods of retaining stormwater on site.

	Residential Zone Assessment Criteria	
	Discretionary Activities	
~~21.1.2.19~~	~~Permeable surfaces~~	~~(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events.~~ ~~(b) The extent to which any increase in the level of impermeable surfaces will effect or has the potential to result in stormwater run-off to adjoining properties.~~ ~~(c) Alternative methods of retaining stormwater on site.~~

21.1.3 Large Lot Residential Zone

	Large Lot Residential Zone Assessment Criteria	
	Restricted Discretionary Activities	
21.1.3.10A	Impermeable surfaces	(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events. (b) The extent to which any increase in the level of impermeable surfaces will affect or has the potential to result in stormwater run-off to adjoining properties. (c) Alternative methods of retaining stormwater on site.

	Large Lot Residential Zone Assessment Criteria	
	Discretionary Activities	
~~21.1.3.14~~	~~Impermeable surfaces~~	~~(a) The degree to which on-site stormwater disposal can be achieved in a range of stormwater events.~~ ~~(b) The extent to which any increase in the level of impermeable surfaces will effect or has the potential to result in stormwater run-off to adjoining properties.~~ ~~(c) Alternative methods of retaining stormwater on site.~~

6.1.2 Assessment of amendments relating to permeable and impermeable surfaces

Proposed Plan Change 15 would make several amendments to the District Plan, including to Definitions, Section 2 – Residential Zone, Section 3 – Large Lot Residential Zone, Section 13 – Marae Development Zone, and Section 21 – Assessment Criteria and Information Requirements. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments.

Proposed Amendments	
Effectiveness/Efficiency	**Benefit/Cost**
Effectiveness: The addition of improved definitions and consistent format of rules in different zones improves the effectiveness of the plan.	**Benefits:** Environmental: No additional benefits as rules already exist. Economic: Reduced cost to customers seeking resource consents. Social: Improved customer relations through less ambiguous provisions. Cultural: None identified.
Efficiency: Changing the category of resource consent for impermeable surfaces reduces the cost of resource consent applications, thus increasing the cost efficiency of the provisions.	**Costs:** Environmental: None identified. Economic: None identified as already requirement to obtain resource consent. Social: None identified. Cultural: None identified.

Proposed Amendments	
Effectiveness/Efficiency	**Benefit/Cost**
Opportunities for economic growth and employment to be provided or reduced: Minor reduction in employment opportunities for house building companies because fewer resource consents may be required or lower category of consent required.	
Sufficiency of information and risk of not acting: Sufficient information has been provided and consultation undertaken with internal and external stakeholders to assess adequacy of existing and new provisions. The risk of leaving the rules as they are continues interpretation difficulties.	

7 Scale and Significance

7.1 Implementation of Proposed Plan Change 15

This report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of Proposed Plan Change 15. 'Scale' refers to the magnitude of effects, and 'significance' refers to the importance that the wider community places on those effects. The following table outlines the criteria considered to determine the scale and significance of the effects that are anticipated from implementation of Proposed Plan Change 15. An ordinal scale has been used for this assessment.

Criteria	Assessment High/Medium/Low/NA
Number of people who will be affected	Medium
Magnitude and nature of effects	Low
Immediacy of effects	Medium
Geographic extent	High
Degree of risk or uncertainty	Low
Stakeholder interest	Medium
Māori interest	Medium/High
Information and data is easily available	Medium
Information and data is easily quantified for assessment	Medium
Extent of change from status quo	Medium

In this instance, the scale and significance of the effects that are anticipated from the implementation of Proposed Plan Change 15 are considered to be medium.

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8 Conclusion

This report presents an evaluation undertaken by Council in accordance with Section 32 of the Act for Proposed Plan Change 15 regarding amendments to the permeable and impermeable surfaces provisions. This report outlines the process that was taken to identify the issue and options, and then broadly evaluates the options. The report then evaluates the preferred option in detail. The report concludes with an assessment of the scale and significance of the effects anticipated from Proposed Plan Change 15 and concludes that these are considered to be low to medium.

As such, it is considered appropriate to revise the Waipā District Plan to amend the provisions within Definitions, Section 2 – Residential Zone, Section 3 – Large Lot Residential Zone, Section 13 – Marae Development Zone and Section 21 – Assessment Criteria relating to permeable and impermeable surfaces definitions, site coverage rules, impermeable surfaces rules, and assessment criteria.

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Appendix 1 – Feedback received from Stakeholders

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Report: Summary of Submissions by Submitter Number/Name

Submitter Number:	**1**	**Submitter:**	**Garry Thomas**
Trade Competition- Gain Advantage :	NO	**Trade Competition- Directly Affected:**	NO

Point Number	1.1	**Category**	Permeable Surfaces - Option 2a

Comments: Amend the definitions to include permeable pavers as part of permeable surfaces. Permeable pavers that are laid as per manufacturers specifications have more permeability than most soil types within the residential zones of Cambridge and these are accepted by most other councils within the Waikato Building Consent Group.

Also nearly all other councils do not require turning bays for onsite vehicle manoeuvring to be paved in non permeable product, as you can use grassed areas just as easy to manoeuvre vehicles and this allows for greater permeability of sites.

Point Number	1.2	**Category**	Permeable Surfaces - Option 2b

Comments: It has been proved that once sub soil structure is put in place for roading in problem areas to meet compaction tests for roading requirements, it does allow for adjacent surface water to seep into this base work and dry out surrounding areas. So a reduction of the 55% threshold should be implemented.

Point Number	1.3	**Category**	Permeable Surfaces - Option 2c

Comments: If you changed the rules to align through similar to the above comments and perhaps a lot of resource consent activity would be alleviated and time frames for owners and builders would be greatly reduced. It is a lot quicker to get engineers to design systems to put into place for that particular site than go through the resource consent process. The Cambridge North area was put under a blanket assessment when it has been proved several times that individual sites are totally different from others and do not need the requirement / guidelines set down in the district plan.

Point Number	1.4	**Category**	Permeable Surfaces - Other comments

Comments: All has been said in the above comments

Submitter Number:	**2**	**Submitter:**	**Waikato Pools Ltd (Kerry Cramond)**
Trade Competition- Gain Advantage :	NO	**Trade Competition- Directly Affected:**	NO

Point Number	2.1	**Category**	Permeable Surfaces
Comments:	Agreed - not a viable option		

Point Number	2.2	**Category**	Permeable Surfaces - Option 2a
Comments:	The wording is also hard to understand - "each site shall be grassed, planted in trees and or shrubs or otherwise landscaped in a manner that provides 40% of the gross site are in permeable surfaces, provided that in Cambridge North Structure Plan Area where 55% of the gross site shall be retained in permeable surfaces". Does that mean that the homeowner can have landscaped gardens with weed control such as stones or bark - these are pervious surfaces but would they count in the 40% trees and shrubs or would they count towards the 55% of permeable surfaces? I think it is also worth noting that in-ground swimming pools - although an impervious surface, collect rainwater (around 6 inches of rainwater) and do not add to the stormwater demands. An in-ground fibreglass or concrete pool is nearly never drained as the risk of it popping out of the ground is too high. We build in-ground fibreglass pools and renovate existing fibreglass pools - in general an in-ground fibreglass pool will only need to be drained after 20 years, when the colour will have faded after 20 years of sun & water exposure and the surface will need re-coating. Even during this one in a 20 year event, the draining water flows through one 40mm or 50mm PVC Pipe - so it is a controlled slow drain - not a sudden gush of water. Swimming pool building consents contain a drainage plan so the pool is drained into the sewer system. I do not believe in-ground swimming pools pose any threat to a stormwater management plan, and that they should not be treated the same as other impervious surfaces - they do not treat rainwater anywhere the same as a roof or a concrete driveway or other existing impervious surface. Rather they contain the rainwater. To replace the water lost by evaporation, or to be disposed of in a controlled manner at a later date, usually when it is not raining when the homeowner does their pool maintenance and the stormwater system is not under pressure.		

Point Number	2.3	**Category**	Permeable Surfaces - Option 2b
Comments:	Resource consents are an expensive extra cost for homeowners. When they have already budgeted for home improvements - to then add $2,100 in resource consent fees, and usually		

an additional $3,000 in special fees - that is a huge extra expense and can result in the homeowner not being able to complete their home improvements.

As most resource consents concerning permeable surfaces are granted - this seems to be just a money making scheme for council - at the expense of its home owning ratepayers and local small businesses.

The Cambridge North area has seen stormwater infrastructure development and further analysis needs to be done to see if the 55% threshold can be reduced.

This is my preferred option.

Point Number	2.4	**Category**	Permeable Surfaces - Option 2c

Comments: But it will still be an additional cost to the homeowner. Which is not the optimal solution.

Each site needs to be reviewed on a case by case basis, dependant on the amount and type of extra impermeable surface and the effect that the build will have on the stormwater system. Perhaps this is where the exception for in-ground swimming pools could be added, as they don't have an effect on the stormwater system - whereas a garage or driveway will cause more water to flow into the stormwater system while the system is under pressure - ie while it is raining.

Submitter Number:	**3**	**Submitter:**	**Waikato Regional Council (Sultana Shah)**
Trade Competition-Gain Advantage :	NO	**Trade Competition-Directly Affected:**	NO

Point Number	3.1	**Category**	Permeable Surfaces - Other comments

Comments: Thank you for the opportunity to provide feedback on the proposed Plan Changes 15. Waikato Regional Council (WRC) staff have done a preliminary review and staff have specific comments on Plan Change 15 Issue 12: Rule 2.4.2.17.

We agree that Rule 2.4.2.17 as outlined in Plan Change 15, issue 12 is both unclear and ambiguous. The suggested course of action outlined in the option paper is to either delete the rule or determine a minimal floor level to be included as a performance standard. We support a minimum floor level being included as a performance standard and note it would be important to include the impact of climate change in the minimum floor level determination. We also note that although the current rule is unclear and ambiguous, if it is deleted, there is no rule to replace Rule 2.4.2.17. We suggest providing clarity on flood management hazard in

this regard. The WRC Regional Resilience team would be happy to work with Waipa District Council on this matter including any technical reports.

Submitter Number:	**4**	**Submitter:**	**Cogswell Surveys Ltd (Rebecca Steenstra)**
Trade Competition-Gain Advantage :	NO	**Trade Competition-Directly Affected:**	NO

Point Number	4.1	**Category**	Plan Change 15 - Permeable Surfaces

Comments:

It is agreed that there is an issue which Council needs to address with regards to permeability rules within the Residential and Large Lot Residential Zones. A practical solution addressing stormwater matters should be found. The status quo is expensive, time consuming and is causing unnecessary delays.

I do not agree that there should be further control on site coverage within a compact housing development. The overall development is intended to appear compact and there is a permeable surface minimum requirement of 30% over the entire site to assist in the management of stormwater. There is no danger here of a compact development being designed to have buildings consuming 70% of the site, as driveways, rights of way, service areas and outdoor living space will also consume areas which are free of structures. The status quo should remain for compact developments.

There is no such title with 0.5m^2 defined. The Large Lot Residential Rules (Rule 3.4.2.7) are at no risk in the regard mentioned.

Point Number	4.2	**Category**	Permeable Surfaces - Option 2a

Comments:

The suggested amended definitions are not clear. The impermeable definition needs to directly mirror the permeable definition. Also consider all rules in the plan referring to 'permeable' area requirements – rather than permeable and impermeable.

Also, in the suggested impermeable definition decks are included. The permeable definition may allow decks to be included if they allow water to drain. Does that mean that a deck with a 3mm gap with some permeable area beneath are permeable surface?

Swimming Pools are still contentious and should be removed – they should have their own drainage system and not contribute to secondary stormwater flows.

Point Number	4.3	**Category**	Permeable Surfaces - Option 2b

Comments:

We see no reason why Cambridge North can't revert back to 40% permeable now that stormwater solutions for extreme / secondary flows are in place. Council reporting will show this.

We suggest that either one of the following options is undertaken: -

Cambridge North must have a minimum of 40% permeable area, as per all other Residential Zones;

If the above option is not acceptable in Council's opinion, then we suggest: -
b) That it is a Permitted Activity provided that more than 40% permeable area is achieved and less than 55%, and a stormwater report is submitted by someone appropriately qualified with a building consent, if it is a new build.
c) If it is not a new build, then a Controlled Activity consent with a SW report should be submitted for approval with a set fee (provided there are no other non-compliances).
OR
d) Alternatively, consent them as Marginal and Temporary Activities under s87BB RMA. A set fee could be charged for Development Engineering to check them only with a very brief planning assessment.

The intention is to mitigate stormwater effects and these suggestions would give Council an opportunity to do that in a cost-effective way for the customer.

Point Number	4.4	**Category**	Permeable Surfaces - Option 2c

Comments:

This will still not fix the issue of cost, time delays and complexity for rate payers.

Point Number	4.5	**Category**	Permeable Surfaces - Other comments

Comments:

We also don't see any reason for Rule 2.4.2.17 and it should be deleted – you can't put a minimum FFL in the rules as the flood levels will vary (minimum FFL's only need to meet Building Code requirements ie 300mm above 100 year flood levels and these should be determined by Consultants at the subdivision consent stage).

Large Lot Residential Zone – Rule 3.4.2.8 doesn't correlate with 3.4.2.7 ie on an 8000m² site you are allowed 15% site coverage (1200m²) but a maximum of 800m² impervious area. Rule 3.4.2.8 needs amending to refer to a percentage i.e 25% for sites over 3345m². Individual stormwater management plans are the key here.

B&A
Urban & Environmental
•
Whangarei
Warkworth
Auckland
Hamilton
Napier
Christchurch

Level 5
286 Victoria Street
Hamilton Central 3204
•
PO Box 9342
Waikato Mail Centre
Hamilton 3240

admin@barker.co.nz
barker.co.nz

T +6427 425 3902

18 September 2020

Waipa District Council

Attention: Ms Julie Hansen

Plan Change 15 and 16

I write to you on behalf of Classic Builders, A1 Homes, ZB Homes, Jennian Homes and Generation Homes in relation to the forthcoming Waipa District Council (Council) Plan Changes.

Firstly, on behalf of the above referenced housing companies, we would like to acknowledge the proactive approach taken by Council in order to address a number of these key issues.

Having now reviewed Plan Change 15 and 16 we are able to comment as follows.

Permeable Surfaces

- We are in agreement with tidying up the definition – specifically in relation to what is and isn't excluded. This is particularly relevant to the area of a dwelling directly under the eaves.

- Our preferred option is to amended the permeability rule as follows (or an example thereof):

  'Permeable surfacing that equates to an area less than 40% or 55% in Cambridge North shall be a Permitted Activity provided a 'drainage plan' is submitted by a suitably qualified person that demonstrates that the proposed development will not generate any additional demand on the reticulated infrastructure'.

  The upshot of the above standard would ensure permeability less than 40% or 55% no longer triggers a consenting requirement.

- If the above option is not deemed appropriate, then we would like the activity status for non-complying permeability to be reduced from Discretionary to Controlled. In the discussion document, it was suggested that the reduced timeframes (10 working days) will not allow enough time for planning and engineering staff to assess the application. We disagree with this assertion on the basis that if a full and complete resource consent application is lodged, then processing the consent should be a simple procedure. If an application is not complete, then Council staff are able to return the application under Section 88, noting that Section 37 can also be used to extend the timeframes. Given there are very few 'controlled' activities represented in the Waipa District Plan, this change should not represent a significant change for Council staff.

- Permeable surfaces provisions need to relate to Net Lot Area, otherwise it's impossible for rear lots to comply post subdivision.

- We suggest excluding swimming pools from the permeable surface provision. In our opinion swimming pools do not contribute to any additional stormwater affects, as all the water is retained within the pool; however, they often get caught out needing permeable surface resource consents, which places an extra burden on home owners.

Site Coverage

Although site coverage has not been *officially* recognised in the discussion document, we feel as though it is prudent to promote the following scenario (as site coverage is intrinsically linked to permeable surfaces)

- Our preferred option would be for site coverage to increase from 40% to 50% on sites smaller than 500m^2. As the demand for housing sizes is increasing, it is becoming increasingly difficult for housing companies to comply with the required site coverage calculations.

  The 'site coverage' restrictions have been imposed in District Plans to protect amenity values. However, in our opinion, provided a dwelling is able to comply with the other various amenity related provisions, such as boundary setbacks and glazing, an additional 10% building coverage will not generate any noticeable change to the permitted baseline. For example, from a visual perceptive, it is often virtually impossible to determine if a development fails to comply with the maximum permitted site coverage percentages on the basis that a site can only be viewed from one vantage point at any given time. As such the actual extent of the depth of buildings simply cannot be determined when viewed from a single vantage point located on the road boundary or neighboring site. Only when an aerial photograph or site plan is produced can the true nature of the non-compliance be digested. However, in reality, this is not how a development is perceived by adjoining landowners. As such, we believe that providing further flexibility by slightly increasing the percentage will not generate any additional effects on the environment and represent a pragmatic approach to future development.

Garaging on Front Facade

- As our clients do not generally build stand along garaging, we have chosen not to comment on the variables associated with the *'stand-alone'* garaging component of this provision.

- In terms of *attached* garaging and the corresponding front façade percentage, we believe that this provision *could* theoretically be removed. It is our understanding that this provision was introduced primarily for CPTED (Crime Protection Through Environmental Design) reasons. As such, provided a dwelling complies with the required glazing requirements, then suitable passive surveillance is accomplished, satisfying the intent of the provision. On this

basis the percentage of the façade taken up by garaging actually becomes irrelevant in our opinion. Furthermore, it is very difficult for long narrow sites to narrow with this provision.

Glazing

- In our opinion, garaging and non-habitable rooms should be removed from the glazing requirements, as it doesn't make sense requiring windows in rooms which will not generate any benefits in terms of passive surveillance on the street frontages. Furthermore, placing windows on the southern side of dwellings is also in direct conflict with Objective 2.3.5.1 which seeks to maximize passive solar gains.

- Subject to garaging and non-habitable rooms being excluding from the glazing requirements, in our opinion the glazing requirement on the remaining façade should be reduced to 10%. Should this approach not be deemed appropriate by Council then reducing the glazing to 10% (excluding garaging and non-habitable rooms) on the southern façade only, could be a suitable compromise. This approach would prevent unnecessary/token windows being placed in garages and other non-habitable rooms with the only benefit/purpose being to avoid a consenting process.

- Subject to the outcome of the topics raised in the above bullet points we suggest reducing the activity status from Restricted Discretionary to Controlled in order to expediate the consent process and avoid unnecessary costs.

Outdoor Living

- In our opinion reducing the outdoor living area to 40m^2 with a minimum dimension of 3.5m would be the preferred approach. Based on the information provided to me by our clients, an area of 40m^2 is considered to be large enough in order to retain onsite amenity values. Note, this is a similar stance that Hamilton City Council have taken with Plan Change 6, where outdoor living areas are now assessed on a 'per bedroom' basis.

- We would like some *flexibility* in terms of the location of the outdoor living areas. For example, someone might prefer to have their outdoor living area to the south facing their favorite vista as opposed to a busy street. We don't believe making someone go through a full resource consent process is a good use of time and resources to account for such an outcome. In addition, we also believe there should be some flexibility in relation to where and how you access the outdoor living area. Just because an outdoor living area is not *directly* accessible off a habitable room should not generate a consenting process. For example, an outdoor living area could be created in an alternative location in order to maximize shade or views.

- Subject to the outcome of the topics raised in the above bullet points we suggest reducing the activity status from Restricted Discretionary to Controlled in order to expediate the consent process and avoid unnecessary costs.

Firefighting

- We agree with Council's '*Option 1',* in that we believe that the firefighting provision should be removed from the District Plan and advisory notes placed on subdivision consent approvals. Based on my experience referencing non-RMA documents within District Plans is not good practice, furthermore imposing them directly as consent conditions is likely to be ultra-varies.

Thank you for considering our above referenced discussion points and we look forward to hearing from you in due course. If you have any further questions, feel free to contact me directly on 021745979 (Garethm@barker.co.nz).

Yours faithfully,

Gareth Moran

Associate

Barker & Associates Ltd

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipa DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning & Policy Committee
From:	Julie Hansen – Policy Advisor District Plan
Subject:	**Proposed Plan Change 16 – Technical Improvements**
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

This report seeks approval from the Strategic Planning and Policy Committee to notify Proposed Plan Change 16 – Technical Improvements.

A full Section 32 evaluation report has been prepared in accordance with the requirements of the Resource Management Act 1991 ('the Act'). It outlines the issues and evaluates the options considered. The Section 32 evaluation report, including the Proposed Plan Change is included as an attachment to this report (Appendix 1).

Proposed Plan Change 16 is a matter for district wide notification and it is proposed to notify this Proposed Plan Change in December 2020. Following the notification process it is anticipated the Proposed Plan Change hearing will occur in March/April 2021.

The following appendix accompanies this report:

- Appendix 1 – Proposed Plan Change 16: Technical Improvements incorporating Section 32 Evaluation *(document number 10464167).*

2 RECOMMENDATION

That:

a) The report titled 'Proposed Plan Change 16 – Technical Improvements' (document number 10482599) from Julie Hansen – Policy Advisor District Plan, be received; and

b) The Strategic Planning and Policy Committee ***RESOLVE TO RECEIVE*** *the Proposed Plan Change 16 – Technical Improvements Report incorporating Section 32 Evaluation (document number 10464167); and*

c) *The Strategic Planning and Policy Committee **RESOLVE TO NOTIFY** Proposed Plan Change 16 to the Waipa District Plan (Appendix 1 of this report - document number 10464167) in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991; and*

d) *The Strategic Planning and Policy Committee **RESOLVE THAT** prior to notification, the Chief Executive; Group Manager District Growth and Regulatory Services; or Manager District Plan and Growth, be delegated authority to make any final necessary changes to Proposed Plan Change 16 that may arise from stakeholder or iwi feedback.*

3 NOTIFICATION OPTIONS AND ASSESSMENT

Option 1: Approve Proposed Plan Change 16 for notification, with staff who are delegated making any necessary final amendments

This option provides for staff, under delegated authority, to make any final necessary changes arising from stakeholder and/or iwi feedback. This will allow the public notification process to commence at the start of December 2020 with an anticipated further submission period likely occurring in the new year. Following the notification and submission process it is anticipated the Proposed Plan Change 16 hearing will occur March/April 2021.

Option 2: Recommend significant changes to the Proposed Plan Change 16

This option will delay the Proposed Plan Change. It is almost certain that some stakeholders will submit requesting amendments to Proposed Plan Change 16 during the notification period. The risk of this option is delayed notification and the continued requirement for resource consents that may not be necessary.

4 BACKGROUND

The Waipa District Plan contains many provisions that aim to promote sustainable management within the District, in accordance with the purpose of the Resource Management Act (RMA). This Plan Change is proposed so that improvements can be made to provisions in the District Plan relating to relating to water supply for firefighting purposes in rural areas, facades and glazing on stand-alone garages in the Residential Zone, and outdoor living areas in the Residential Zone.

The rule for water supply for firefighting purposes was originally included in the District Plan as a result of a submission from the New Zealand Fire Service during the District Plan Review. Since then, due to its ambiguity and the expense to property owners to implement, the rule has not been well administered or enforced by the Council. It has been programmed for review for some time.

The provisions relating to facades, neighbourhood amenity and safety, and glazing are part of a suite of rules to encourage higher amenity streetscape and CPTED

(Crime Prevention through Environmental Design). They include design of building façade, and neighbourhood amenity and safety. The relevant rules relate to glazing and design of the building façade. Concern has been raised by planning staff that new stand-alone garages cannot meet glazing requirements, nor, when located in front of the house, the requirement to be less than 50% of the façade.

The current rule for outdoor living areas is difficult to implement, and sometimes results in unusual outcomes for the site on which it is located. The main concern is that the conditions in the rule, particularly the minimum dimension condition, can result in an odd shaped outdoor living area i.e. one that wraps around the corner of the building and is split by being located on a side boundary. This renders the outdoor living area an unusable shape.

The provisions that are the subject of this plan change have been identified by Council staff and others as being ambiguous and difficult to interpret and implement and have been programmed for review for some time.

In September 2020, an issues and options paper was circulated to iwi and key stakeholders regarding the Proposed Plan Change. The SP&P Committee also workshopped options for consideration which were as follows:

- Option 1 – Status quo
- Option 2 – Amend provisions in the District Plan
- Option 3 – Delete provisions in the District Plan

After the first Committee workshop, further research was undertaken, particularly in relation to water supply for firefighting purposes, and outdoor living areas.

After receiving stakeholder feedback, and a second Committee workshop, it was agreed in principle that the preferred option for the Proposed Plan Change was Option 2 – amend provisions in the District Plan. Council staff therefore prepared the attached Section 32 Report which outlines the proposed changes to the District Plan to implement this option. In summary the amendments include:

Water supply for firefighting purposes

Section 15 – Infrastructure, Hazards, Development and Subdivision:

- Insert a new issue, objective and policy so there is increased policy support for the existing rule that requires water supply for firefighting purposes in rural areas; and
- Introduce measurable standards into the existing rule so that it specifies more clearly the levels of water supply required for firefighting purposes.

Facades, glazing and outdoor living areas

Section 2 – Residential Zone:

- Change rules relating to facades and glazing so that the rules no longer apply to stand-alone garages; and
- Change the existing outdoor living areas rule to provide greater flexibility in the location of outdoor living space and to reduce the minimum area of outdoor living space that is required.

These amendments are outlined in the attached Section 32 Report.

Consultation with Iwi

As this proposal involves a district wide plan change, in accordance with Clause 4A of Schedule 1 of the Resource Management Act 1991, the following Iwi Authorities and Groups (along with key stakeholders) have been provided a draft plan change:

- Maniapoto Maori Trust Board
- Waikato Tainui
- Ngāti Hauā Iwi Trust
- Raukawa Settlement Trust
- Ngāti Korokī Kahukura Trust
- Apakura Runanga Trust
- Ngā Iwi Toopu O Waipa

At the time of preparing this report, no feedback has been received from the abovementioned parties.

5 NEXT STEPS

The next steps following the resolutions outlined in this report are as follows:

a) Proposed Plan Change 16 will be publicly notified on 4 December 2020 incorporating any final amendments from stakeholder or iwi feedback;

b) The submission period will close on 29 January 2021;

c) Accredited Hearings Commissioners who are members of the Regulatory Committee will hear submissions and further submissions, and decide on Proposed Plan Change 16 in March/April 2021.

6 ADDITIONAL CONSIDERATIONS

Financial status

The cost of Proposed Plan Change 16 will be funded from the Waipa District Plan budget. There is sufficient budget and the actual cost will be dependent on submissions received, whether people wish to be heard, and the extent of any changes requested.

Report prepared by:

Julie Hansen
POLICY ADVISOR DISTRICT PLAN

Report reviewed by:

Tony Quickfall
MANAGER DISTRICT PLAN AND GROWTH

Report authorised by:

Wayne Allan
GROUP MANAGER DISTRICT GROWTH & REGULATORY SERVICES

SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

1 Statutory and policy requirements

Legal and regulatory considerations

Local Government Act 2002

This Plan Change enables a sustainable development approach which takes account of the social interests of people and communities and the need to maintain and enhance the quality of the environment for the reasonably foreseeable needs of future generations. This is in accordance with the Council's obligations and the purpose of the Local Government Act 2002 (performance of regulatory functions).

Resource Management Act 1991

The Plan Change has been prepared in accordance with Section 32 of the Resource Management Act 1991 and public notification is proposed pursuant to Schedule 1 of the Act which states:

32 Requirements for preparing and publishing evaluation reports

(1) An evaluation report required under this Act must—

(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(ii) must—

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives—

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.

(4AA) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and

(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

(5) The person who must have particular regard to the evaluation report must make the report available for public inspection—

(a) as soon as practicable after the proposal is made (in the case of a standard or regulation); or

(b) at the same time as the proposal is notified.

(6) In this section,—

***objectives** means,—*

(a) for a proposal that contains or states objectives, those objectives:

(b) for all other proposals, the purpose of the proposal

***proposal** means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*

***provisions** means,—*

(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:

(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

Schedule 1

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.

5 Public notice and provision of document to public bodies

(1) A local authority that has prepared a proposed policy statement or plan must—

(a) prepare an evaluation report for the proposed policy statement or plan in accordance with section 32 and have particular regard to that report when deciding whether to proceed with the statement or plan; and

(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.

(1A) A territorial authority shall, not earlier than 60 working days before public notification or later than 10 working days after public notification of its plan, either—

(a) Send a copy of the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, to every ratepayer for the area of the territorial authority where that person, in the territorial authority's opinion, is likely to be directly affected by the proposed plan; or

(b) Include the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, in any publication or circular which is issued or sent to all residential properties and Post Office box addresses located in the affected area—

and shall send a copy of the public notice to any other person who, in the territorial authority's opinion, is directly affected by the plan.

(1B) Notwithstanding subclause (1A), a territorial authority shall ensure that notice is given of any requirement or modification of a designation or heritage order under clause 4 to land owners and occupiers who, in the territorial authority's opinion, are likely to be directly affected.

(1C) A regional council shall, not earlier than 60 working days before public notification or later than 10 working days after public notification, send a copy of the public notice and such further information as the regional council thinks fit relating to the proposed policy statement or plan to any person who, in the regional council's opinion, is likely to be directly affected by the proposed policy statement or plan.

(2) Public notice under subclause (1) shall state—

(a) Where the proposed policy statement or plan may be inspected; and

(b) That any person may make a submission on the proposed policy statement or plan; and

(c) The process for public participation in the consideration of the proposed policy statement or plan; and

(d) The closing date for submissions; and

(e) The address for service of the local authority.

(3) The closing date for submissions—

(a) Shall, in the case of a proposed policy statement or plan, be at least 40 working days after public notification; and

(b) Shall, in the case of a proposed change or variation to a policy statement or plan, be at least 20 working days after public notification.

(4) A local authority shall provide one copy of its proposed policy statement or plan without charge to—

(a) The Minister for the Environment; and

(b) Repealed.

(c) In the case of a regional coastal plan, the Minister of Conservation and the appropriate regional conservator for the Department of Conservation; and

(d) In the case of a district plan, the regional council and adjacent local authorities; and

(e) In the case of a policy statement or regional plan, constituent territorial authorities, and adjacent regional councils; and

(f) The tangata whenua of the area, through iwi authorities

(g) Repealed.

(5) A local authority shall make any proposed policy statement or plan prepared by it available in every public library in its area and in every other place in its area that it considers appropriate.

(6) The obligation imposed by subclause (5) is in addition to the local authority's obligations under section 35 (records).

Consultation and Engagement

Proposed Plan Change 16 has been considered under Council's Significance and Engagement Policy and deemed to have a low degree of significance. This level is considered to be low due to the legal requirement to consult with the community under the Resource Management Act 1991 engagement process, and the positive impacts Proposed Plan Change 16 will have for community.

Council policy or strategy

The matters included within the report relate to the Operative District Plan. This proposed plan change is considered to be in keeping with the strategic direction in the District Plan and Council's Growth Strategy.

Iwi environmental management plans

A review of the relevant iwi environmental management plans was undertaken to assess whether there was any impediments in these plans to the introduction of Proposed Plan Change 16. The proposed plan change is considered to be in keeping with the strategic direction of the relevant iwi management plans within the Waipa District.

APPENDIX 1

Proposed Plan Change 16 – Technical Improvements / Section 32 Evaluation Report *(document number 10464167)*

Proposed Plan Change 16: Technical Improvements

Incorporating

Section 32 Evaluation Report

October 2020

Waipa DISTRICT COUNCIL

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Report Information

Author	Julie Hansen	September 2020
Reviewed by:	Tony Quickfall	October 2020
Approved to notify	Strategic Planning & Policy Committee	
Date publicly notified		

Executive Summary: Technical Improvements

As part of the ongoing review and assessment of the District Plan, Council have identified several provisions that are ambiguous, difficult to interpret and implement or have little policy support, particularly those provisions relating to water supplies for firefighting purposes in rural areas, facades and glazing on stand-alone garages, and outdoor living areas.

The purpose of Proposed Plan Change 16 is to make technical improvements to those provisions in order that they are more effective and efficient, and better meet the purpose of the Resource Management Act (RMA).

Council staff have considered and assessed several options in relation to the provisions that are the subject of this report.

The preferred option as a result of Council's Section 32 analysis, involves the following changes:

Topic 1 - Water supply for firefighting purposes

Section 15 – Infrastructure, Hazards, Development and Subdivision:

- Insert a new issue, objective and policy so there is increased policy support for the existing rule that requires water supply for firefighting purposes in rural areas; and
- Introduce measurable standards into the existing rule so that it specifies more clearly the levels of water supply required for firefighting purposes.

Topic 2 - Facades, glazing and outdoor living areas

Section 2 – Residential Zone:

- Change rules relating to facades and glazing so that the rules no longer apply to stand-alone garages; and
- Change the existing outdoor living areas rule to provide greater flexibility in the location of outdoor living space and to reduce the minimum area of outdoor living space that is required.

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A

Part A – Proposed Plan Change 16

Technical Improvements

Part A – Proposed Plan Change 16

1 Summary of proposed changes to the Waipā District Plan

1.1 Introduction

The purpose of Proposed Plan Change 16 is to make amendments to the District Plan in order that the provisions subject of this plan change are more easily interpreted and implemented.

Specifically, it introduces a more supportive policy framework for the existing rule relating to water supplies for firefighting purposes in the rural areas of the district, and measurable standards introduced to the existing rule to assist interpretation.

Further, existing rules relating to facades, glazing and outdoor living areas are amended to improve efficiency and effectiveness.

Proposed Plan Change 13 makes changes to the following sections of the Waipā District Plan:

- Section 2 – Residential Zone
- Section 15 – Infrastructure, Hazards, Development and Subdivision
- Section 21 – Assessment Criteria and Information Requirements

The following summary of proposed changes are by Topic.

1.2 Water supply for firefighting purposes

A number of changes to the existing, and the insertion of new provisions are proposed as summarised below.

1.2.1 Section 15 – Infrastructure, Hazards, Development and Subdivision

<u>Issues</u>

- Insert Issue 15.2.1A – to identify the resource management issue relating to rural fires and health and safety.

<u>Objectives</u>

- Insert Objective 15.3.5A – so that significant adverse effects arising from subdivision in un-serviced areas of the district are avoided.

<u>Polices</u>

- Insert Policy 15.3.5A.1 – to provide policy support for the existing rule.

Rules

- Amend Rule 15.4.2.22 – consequential amendment as a result of amending part (b) and making it a new rule.
- Insert Rule 15.4.2.22A – insert as a new rule and introduce measurable standards.

1.2.2 Section 21 – Assessment Criteria and Information Requirements

- Insert Criteria 21.1.15.20A – include new assessment criteria.

1.3 Facades

Changes to the existing, and the insertion of new provision is proposed as summarised below:

1.3.1 Section 2 – Residential Zone

- Amend 2.4.2.3 – improve wording and make the rule no longer apply to stand-alone garages that are setback further than a dwelling on a site.

1.3.2 Section 21 – Assessment Criteria and Information Requirements

- Insert Criteria 21.1.2.6(c) – to provide guidance where there is no other practical location for a stand-alone garage.

1.4 Glazing

A minor change to an existing provision is proposed as summarised below:

1.4.1 Section 2 – Residential Zone

- Amend 2.4.2.19(e) – to exempt stand-alone garages from the 15% glazing requirement.

1.5 Outdoor living areas

A minor change to an existing provision is proposed as summarised below:

1.5.1 Section 2 – Residential Zone

- Amend 2.4.2.18 – remove the location requirement, and reduce the size and minimum dimension for an outdoor living area.

1.5.2 Section 21 – Assessment Criteria and Information Requirements

- Amend 21.1.2.11 – delete reference to orientation of the outdoor living area.

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2 Recommended Tracked Changes to Waipā District Plan

The following sets out the proposed changes for Proposed Plan Change 13. The proposed changes are shown with new additions underlined, and deletions shown as ~~strikeouts~~. Consequential renumbering may occur throughout amended Sections.

2.1 Water supply for firefighting purposes

2.1.1 Section 15 – Infrastructure, Hazards, Development and Subdivision

Resource Management Issues

On-site infrastructure

15.2.1A Inadequate or unsuitable on-site infrastructure at the time of, and subsequent to subdivision in un-serviced areas can expose future residents to risks associated with natural hazards and other threats, affecting their health and safety.

Objective – subdivision in areas that are not serviced

15.3.5A Avoid significant adverse effects on people, property, infrastructure and the environment arising from any subdivision in areas that are not serviced by Council infrastructure.

Policy – health and safety on rural properties

15.3.5A.1 Health and safety for residents in areas that are not serviced by Council infrastructure should be provided through appropriate design and mitigation measures.

Rules – When infrastructure services are not provided by Council

15.4.2.21 …..

15.4.2.22 Where water is **not** supplied by Council each lot shall provide~~: (a) A~~an independent potable water supply sufficient for activities permitted on the site~~; and~~

~~(b) Access to an adequate water supply for firefighting purposes.~~

15.4.2.22A Where water is not supplied by Council or a private community supply, or water is supplied by Council but is a restricted flow supply, each lot shall provide access to water supply for firefighting purposes that is or will be:

(a) Accessible to firefighting equipment; and

(b) Between 6 and 90 metres from a dwelling on the site; and

(c) On the same site as a dwelling (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and

(d) Either:

(i) Stores at least 45,000 litres, or

(ii) Provides at least 25 litres per second for 30 minutes..

~~Advice note:~~ Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and NZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. ~~sets out a number of options to provide water for the New Zealand Fire Service's operational requirements, and shall be used as a guide when designing fire fighting water protection.~~

2.1.2 Section 21 – Assessment Criteria and Information Requirements

	Infrastructure, Hazards, Development and Subdivision Assessment Criteria	
21.1.15.20A	Water supply for firefighting purposes where there is no, or restricted flow Council water supply	(a) The extent of consistency with the New Zealand Fire Service Code of Practice. (b) The potential for spread of fire to other buildings or properties. (c) Whether other fire mitigation measures are proposed.

2.2 Facades

2.2.1 Section 2 – Residential Zone

Rule – Design of building façade

2.4.2.3 ~~Not more than 50% of the overall front façade of a building can consist of garaging, as measured from the inside internal walls of the garage.~~

~~Where the garage is accessory to a dwelling but detached from the dwelling, not more than 50% of the combined front facades (of the dwelling and detached garage) can consist of garaging.~~

A garage that is integrated into and forms part of a dwelling:

(a) Must not exceed 50% of the total front façade length of a building as measured from the inside internal walls of the garage.

2.4.2.3A A garage that is an accessory building:

(a) Must not exceed 50% of the total combined front façade length of a dwelling and detached garage when:

(i) Viewed from the street; and

(ii) Located either forward of, or directly beside, an existing residential unit.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effect from the road; and
- Crime Prevention through Environmental Design; and
- Ability to practically locate a garage on the site of an existing dwelling.

These matters will be considered in accordance with the assessment criteria in Section 21.

2.2.2 Section 21 – Assessment Criteria and Information Requirements

	Residential Zone Assessment Criteria	
21.1.2.6	Design of building facade	(a) The visual effect of the development on the streetscape. (b) The extent to which the development takes into account the personal safety of people and principles of Crime Prevention Through Environmental Design (CPTED). (c) Whether the garage is practically located on the site of an existing dwelling.

2.3 Glazing

2.3.1 Section 2 – Residential Zone

Rules – Neighbourhood amenity and safety

2.4.2.19 The minimum area of glazing on the front façade(s) of a building that adjoins a public place shall be 15%.

Provided that:

(a) ……

(e) This rule shall not apply to relocated buildings or a garage that is an accessory building.

2.4 Outdoor living areas

2.4.1 Section 2 – Residential Zone

Rule - Outdoor living area

2.4.2.18 Each dwelling shall have an outdoor living area which:

(a) …

(d) ~~Is located in the north, east or west of the site~~.

(e) Where a Principal Dwelling has a living area at Ground Level, it shall have a minimum continuous area of ~~60~~ 50m² at ground level with a minimum dimension of ~~5~~ 4m over the entire area.

(f) Where a Principal Dwelling has the Living Area solely above ground level, part of the ~~60~~ 50m2 outdoor living area requirement must comprise a balcony that is directly accessible from the living area with a minimum area of 8m2 and a minimum dimension of 2m. For the avoidance of doubt the remaining outdoor living area shall have a minimum dimension of ~~5~~ 4m.

2.4.2 Section 21 – Assessment Criteria and Information Requirements

	Residential Zone Assessment Criteria	
21.1.2.11	Outdoor living area	(a) The internal layout of the dwelling and its relationship to the outdoor living area. (b) The size~~,~~ and dimension~~, and orientation~~ of the outdoor living area.

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B

Part B – Section 32 Evaluation

Part B – Section 32 Evaluation

3 Background and Context

3.1 Introduction

This report presents an evaluation undertaken by the Waipā District Council (Council) in accordance with Section 32 of the Resource Management Act 1991 (Act) in relation to Proposed Plan Change 16 – Technical Improvements to the Waipā District Plan. Undertaking a section 32 evaluation assists in determining why changes to existing plan provisions may be needed and formalises a process for working out how best to deal with resource management issues.

This report is as a result of a review of several provisions in the Waipā District Plan. Proposed Plan Change 16 makes technical improvements to the facades and glazing rules, and the outdoor living area rule in the Residential Zone, and to the water supply for firefighting purposes subdivision rule, which mainly affects rural or un-serviced properties.

This report examines the extent to which the objectives of Proposed Plan Change 16 are the most appropriate way to achieve the purpose of the Act and assesses whether the proposed provisions are the most appropriate way of achieving those objectives. In assessing the proposed provisions, Council must consider other reasonably practicable options and assess the efficiency and effectiveness of the provisions in achieving Proposed Plan Change 16 objectives. Assessing effectiveness involves examining how well the provisions will work. Determining efficiency involves an examination of benefits and costs.

This report has been prepared to fulfil the obligations of the Council under Section 32 of the Act, with respect to undertaking a Plan Change within the Waipā District Plan.

3.2 Background

The Waipā District Plan contains many provisions that aim to promote sustainable management within the District. Many of them relate to amenity within residential areas. Of particular note in this plan change, are those provisions that are ambiguous or difficult to interpret, or have proven to be challenging in a physical sense i.e. difficult to implement on the ground.

This Plan Change is proposed so that improvements can be made to provisions in the District Plan relating to water supply for firefighting purposes in the Rural Zone, facades and glazing, and outdoor living areas in the Residential Zone.

The provisions that are the subject of this plan change have been identified by Council staff and others as being ambiguous and difficult to interpret and implement and have been programmed for review for some time.

3.3 Current District Plan Provisions

This part of the report outlines provisions that have been identified by Council staff and others that require improvement in order that they are more easily interpreted or applied. In summary, for some of the topics identified, the policy framework is adequate and does not require amendment. In other cases, proposed amendments to the rules require that adjustments are made to objectives and policies, or indeed new objectives and policies are introduced to give greater justification for the rules.

<u>Water for firefighting purposes</u>

Rule 15.4.2.22 of Section 15 – Infrastructure, Hazards, Development and Subdivision states:

> *Where water is not supplied by Council each lot shall provide;*
>
> *(a) An independent potable water supply sufficient for activities permitted on the site; and*
>
> *(b) Access to an adequate water supply for firefighting purposes.*
>
> *Advice note: SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice sets out a number of options to provide water for the New Zealand Fire Service's operational requirements, and shall be used as a guide when designing fire fighting water protection.*
>
> *Activities that fail to comply with [Rule] 15.4.2.22 will require a resource consent for a non-complying activity.*

Part (b) of the rule is the subject of this plan change. The rule seeks to ensure that the effects of a fire can be mitigated, particularly in the rural areas of the district, where there is no reticulated water supply. The Advice Note refers to the New Zealand Fire Service Firefighting Water Supplies Code of Practice (COP) as a means of compliance with the rule, or for guidance when designing firefighting water protection. The COP contains a number of options for providing firefighting water, but is not mandatory in rural areas where there is no Council water supply. More detailed analysis of this issue is covered later in this report.

The rule is not well supported by objectives and policies. The existing objectives and policies focus on subdivision in areas where natural hazards are a risk e.g. flood hazard areas. They do not focus on risk associated with other threats that might affect the health and safety of residents e.g. fire that is not a result of natural processes. Improvements to the policy framework, as well as to the rule itself are necessary to improve the effectiveness of the provisions.

Facades

In Section 2 – Residential Zone, Rule 2.4.2.3 states:

Rule – Design of building façade

2.4.2.3 *"Not more than 50% of the overall front façade of a building can consist of garaging, as measured from the inside internal walls of the garage.*

Where the garage is accessory to a dwelling but detached from the dwelling, not more than 50% of the combined front façade (of the dwelling and detached garage) can consist of garaging.

Any activity that does not comply with this rule will require a resource consent for a restricted discretionary activity.

The purpose of the rule is to minimise blank walls presenting to the street (i.e. garage walls or doors) and therefore enable passive surveillance of the street from inside the dwelling. This in turn meets the obligations of the Crime Prevention Through Design principles (CPTED), which is part of the New Zealand Urban Design Protocol, to which Waipā District Council is a signatory.

The rule on facades is reasonably well supported by a suitable objective and a number of policies. Objective 2.3.2 Neighbourhood amenity and safety aims:

"To maintain amenity values and enhance safety in the Residential Zone"

with associated policies as below:

"2.3.2.19 *to enhance the safety of residential neighbourhoods through site layouts and building designs that incorporate Crime Prevention through Environmental Design (CPTED) principles."*; and

"2.3.2.20 *To ensure that passive surveillance is provided to roads, reserves and walkways."*

Glazing

Rule 2.4.2.19 in the Residential Zone, relating to glazing states:

The minimum area of glazing on the front façade(s) of a building that adjoins a public place shall be 15%.

It then goes on to explain further the requirements for determining the front façade of a building so that it is clear which façade or side of the building the glazing rule refers to. Note that clause (e) of the rule states that it does not apply to relocated buildings.

The purpose of the rule is to require a certain amount of glazing on the front façade of a building that adjoins a public place, in order to allow passive surveillance of those public places. The principles of Crime Prevention through Environmental Design are evident in this rule.

This rule on glazing shares the same objective and policies as the rule on facades, and is considered to be sufficiently supported by that framework.

Outdoor Living Area

The District Plan requires that an outdoor living area be provided for every new dwelling in the Residential Zone. Rule 2.4.2.18 states:

Each dwelling shall have an outdoor living area which:

(a) Is for exclusive use of the dwelling and is contained within the site on which the dwelling is located; and

(b) Is free of buildings, driveways, manoeuvring areas, parking spaces, and outdoor storage areas, but may include covered or uncovered decks, roof overhangs, and pergolas and that are designed to provide cover for users of the outdoor living area; and

(c) Is directly accessible from a living area of the dwelling; except where the outdoor living area complies with (g) below; and

(d) Is located in the north, east or west of the site.

(e) Where a Principal Dwelling has a living area at Ground Level, it shall have a minimum continuous area of 60m² at ground level with a minimum dimension of 5m over the entire area.

(f) Where a Principal Dwelling has the Living Area solely above ground level, part of the 60m2 outdoor living area requirement must comprise a balcony that is directly accessible from the living area with a minimum area of 8m2 and a minimum dimension of 2m. For the avoidance of doubt the remaining outdoor living area shall have a minimum dimension of 5m.

(g) In the case of Secondary Dwellings, the outdoor living area shall be:

(i) Additional to the outdoor living area for the Principal Dwelling; and

(ii) A minimum of 35m2 in a continuous area with a minimum dimension of 4m over the entire area.

The rule then goes on to identify some exceptions.

This rule is supported by a strong objective and policy framework, including provisions that address whole-of-town, neighbourhood and on-site amenity in the Residential Zone. The outdoor living area rule is one of many that contribute to achieving the objectives of the Residential Zone. Other examples include minimum building setbacks from road and side boundaries, building height and length restrictions, and maximum site coverage limits.

The problem with the current rule is that it can result in outdoor living areas that are an unusable shape, and often only minor infringements result in the need for a resource consent. Further analysis of the issue is detailed in section 2.1.3 of this report.

3.4 Statutory Considerations

The following statutory documents are considered relevant to Proposed Plan Change 16. A discussion of each of the key statutory considerations is provided below. The documents are as follows:

- Resource Management Act 1991
- National Policy Statement on Urban Development 2020
- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010
- Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)
- Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River
- Nga Wai o Maniapoto (Waipā River) Act 2012
- Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato
- Joint Management Agreements
- Iwi Environmental Plans
- Building Act 2004
- Civil Defence Emergency Management Act 2002

3.4.1 Resource Management Act 1991

Section 5 of the Resource Management Act 1991 (the Act) states as its purpose:

1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
   - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
   - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The purpose of the Act is only achieved when the matters in (a) to (c) have also been adequately provided for within a District Plan. The Council has a duty under Section 32 to examine whether a proposed objective and its provisions are the most appropriate way of achieving the purpose of the Act. In order to achieve the purpose of the Act, Council must enable people and communities to provide for their economic, social, and cultural well-being and for their health and safety.

Proposed Plan Change 16 is considered to achieve the purpose of the Act.

3.4.2 Building Act 2004

The Building Act 2004 is the primary legislation governing the building industry. Its purpose is that:

- People can use buildings safely and without endangering their health.
- Buildings have attributes that contribute appropriately to the health, physical independence and wellbeing of people who use them.
- People who use a building can escape from the building if it is on fire.
- Buildings are designed, constructed and able to be used in ways that promote sustainable development.

The Building Act and its accompanying Building Code set out requirements for protection of buildings against fire, but are more concerned with public buildings, buildings that are joined together by a common wall, neighbouring properties and the materials used in such buildings. While the Building Act does not concern itself with water supply for firefighting purposes for rural buildings, an issue arises at the time of building consent under the current rule for rural firefighting which refers to the Firefighting Water Supplies Code of Practice. If compliance with the Code of Practice is required in the district plan, this creates a disconnect with the Building Act which does not require compliance with the Code of Practice. This issue manifests at the time of building consent, with builders and homeowners challenging Council's ability to impose a district plan requirement, for what they see as a building issue, over and above the requirements of the Building Act. They also raise the issue of the additional cost of providing on-site water supply, although these costs are relatively minor relative to the cost of a build and the potential benefits (safety, building, contents and insurance) that accrue from on-site water supply from firefighting.

This puts Council in a difficult position, particularly given the ambiguity and lack of clarity in the Code of Practice.

The intent of Proposed Plan Change 16 is to more clearly separate out the resource Management Act functions (section 5 purpose of the Act - providing for peoples' social, economic, and cultural well-being and for their health and safety), from the functions of the Building Act (physical and structural integrity of built structures).

The Proposed Change is considered an improvement on the current rule, and will go some way to creating clearly and more certain separation.

3.4.3 Civil Defence Emergency Management Act 2002

One of the purposes of the Civil Defence Emergency Management Act 2002 (CDEM) is to "encourage and enable communities to achieve acceptable levels of risk" by identifying risks and applying risk reduction management practices. While generally thought of as applying to district-wide risk from natural hazards or emergencies, the principle of encouraging people to be prepared for risk on an individual basis on their own property is important. For this reason, it is considered that the CDEM has some relevance to Proposed Plan Change 16, in particular section 5, the purpose of the Resource Management Act (providing for peoples' social, economic, and cultural well-being and for their health and safety).

3.4.4 National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 ('NPS-UD 2020') was gazetted on 23 July 2020 and has legal effect from 20 August 2020. The NPS-UD 2020 has identified Waipā District as a high-growth urban area and a tier 1 urban environment.

The NPS-UD 2020 recognises the national significance of:

- *having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future*
- *providing sufficient development capacity to meet the different needs of people and communities.*

While the NPS-UD is a high level, central government policy document, the principles within it must be given effect to by Council. Although Proposed Plan Change 16 contains detailed technical improvements, it is considered to align with the provisions of the NPS-UD in that the amendments to the rules in the Residential Zone will promote well-functioning urban environments that enable people and communities to provide for the social, economic and cultural wellbeing and for their health and safety. The NPS-UD is not relevant to the topic of water supply for firefighting purposes in rural areas.

3.4.5 Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

The Waikato River was subject to the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 which seeks to provide direction for planning documents under the Resource Management Act 1991 in order to protect the health and well-being of the Waikato River. The legislation addresses a number of issues and created a single co-governance entity to set the agenda for the health and wellbeing of the Waikato River for future generations being the Waikato River Authority.

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, is part of the second schedule to the Settlement Act, and is deemed part of the Waikato Regional Policy Statement. Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents.

During the preparation of Proposed Plan Change 16, Council staff have considered the vision for the Waikato River and its significance under this legislation for iwi. The overall objectives for the proposed plan change relate to rules that already exist in the District Plan. The rules apply district wide, but are specific to particular buildings and on individual sites.

Overall, the outcomes sought by Proposed Plan Change 16 are not considered to be contrary to the directions sought under this legislation.

3.4.6 Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)

The Waikato River is also subject to the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act) which recognises the significance of the river to Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi. The legislation recognises Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, provides for co-management arrangements and grants functions and powers to the Waikato River Authority.

As outlined above, Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents. During the preparation of Proposed Plan Change 16, Council staff have considered the vision for the Waikato River and its significance under this legislation for Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi. The outcomes sought by Proposed Plan Change 16 are not considered to be contrary to the directions sought under this legislation.

3.4.7 Nga Wai o Maniapoto (Waipā River) Act 2012

In September 2010, the Crown and Maniapoto signed a Deed in Relation to CoGovernance and Co-Management of the Waipā River (the Maniapoto Deed). The Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed which seeks to "deliver a new era of co-management over the Waipā River with an overarching purpose of restoring and maintaining the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations and the care and protection of the mana tuku iho o Waiwaia". During the preparation of Proposed Plan Change 16, Council staff have considered the vision for the Waipā River and its significance under this legislation for Maniapoto. The outcomes sought by Proposed Plan Change 16 are not considered to be contrary to the directions sought under this legislation.

3.4.8 Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River arises from the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010. These acts establish a co-governance regime to protect the health and wellbeing of the Waikato River for future generations. This includes the lower Waipā River to its confluence with the Puniu River.

The vision for the Waikato River is "for a future where a healthy Waikato River sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come."

The Vision and Strategy also includes objectives and strategies to achieve the vision. Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents.

Waipā District Council has joint management agreements in place with the iwi that have rohe within the District. During the formulation of Proposed Plan Change 16 Council staff provided information on the draft plan change in general accordance with those joint management agreements. The Vision and Strategy has been fully considered during the formulation of the Proposed Plan Change 16 and proposed Plan Change 16 does not affect how the District Plan overall "gives effect" to the Vision and Strategy.

3.4.9 Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato

The Waikato Regional Policy Statement (RPS) is the overarching regional policy document and Waipā District Council must give effect to the RPS through its district plan. Part 6 of the RPS includes policies related to the built environment, some of which are relevant to the Waipā District Plan. However, they are very broad policies associated with long term strategic urban development. For this reason, the RPS is not relevant to Proposed Plan Change 16.

3.4.10 Joint Management Agreements ("JMA")

DRAFTING NOTE – The following sections relate to the engagement with iwi that is to be undertaken during October. The following sections will be updated based on any feedback from this engagement.

3.4.10.1 Waikato Raupatu River Trust

The Waikato Raupatu Claims Settlement Act 1995 gave effect to certain provisions of the deed of settlement between the Crown and Waikato dated 22 May 1995 and settled certain Raupatu claims made to the Waitangi Tribunal by Robert Te Kotahi Mahuta, the Tainui Maaori Trust Board, and Ngaa Marae Toopu (Wai 30).

Renegotiations in 2009 led to the agreement of a new deed of settlement which included provisions related to joint management agreements. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 was enacted to give effect to that deed of settlement and subsequentially a Joint Management Agreement with Waipā District Council was made.

This agreement includes giving appropriate weight to relevant matters provided for in the Settlement Act 2010, respecting the mana whakahaere rights and responsibilities of Waikato-Tainui, recognising the statutory functions, powers and duties of both parties, and recognising the Trust's rights to participate in processes where circumstances may be appropriate.

Schedule B of the Agreement outlines the anticipated process with regards to Schedule 1 of the Resource Management Act 1991 (RMA), in accordance with section 46(1) and 46(2) of the Act. Proposed Plan Change 16 has been undertaken to ensure the JMA requirements are met.

3.4.10.2 Raukawa Settlement Trust

The Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 was enacted to give effect to the Co-Management Deed signed between Raukawa and the Crown in December 2009. The Joint Management Agreement was consequently established pursuant to Section 43 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

This agreement covers matters relating to co-management, agreement to embrace new and holistic ways of working together, and the continuation of building a functional and effective long-term partnership. The agreement includes matters relating to the preparation, reviewing, change or variation to Resource Management Act 1991 documents, pursuant to Section 48 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

Section 7 of the agreement outlines the expectations with regard to planning documents. Early engagement and the consideration of a Joint Working Party are the relevant considerations with regard to Proposed Plan Change 16.

Proposed Plan Change 16 has been undertaken to ensure the JMA requirements are met.

3.4.10.3 Maniapoto Māori Trust Board

As outlined above, the Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed, and a deliverable of this settlement was the establishment of a joint management agreement between the local authorities and the Maniapoto Māori Trust Board.

The agreement covers matters relating to the Waipā River, activities within its catchment, matters relating to the exercise of functions, duties and powers in

relation to monitoring and enforcement, Resource Management Act planning documents and applications, and other duties as agreed between the relevant parties.

Section 6 of the agreement outlines the expectations with regard to planning documents. Early engagement and the consideration of a Joint Working Party are the relevant considerations with regard to Proposed Plan Change 16.

Proposed Plan Change 16 has been undertaken to ensure the JMA requirements are met.

3.4.11 Iwi Environmental Plans

3.4.11.1 Tai Tumu, Tai Pari, Tai Ao – Waikato Tainui Iwi Environmental Management Plan

Tai Tumu, Tai Pari, Tai Ao purpose is to enhance collaborative participation between Waikato Tainui and agencies in resource and environmental management. It provides high level guidance on Waikato Tainui values, principles, knowledge and perspectives on, relationship with, and objectives for natural resources and the environment. The plan highlights the need for enhancement and protection of landscape and natural heritage values.

Proposed Plan Change 16 is not considered to be contrary to Tai Tumu, Tai Pari, Tai Ao.

3.4.11.2 Ko Tā Maniapoto Mahere Taiao – Maniapoto Environmental Management Plan

Ko Tā Maniapoto Mahere Taiao is a high level direction setting document and describes issues, objectives, policies and actions to protect, restore and enhance the relationship of Maniapoto with the environment including their economic, social, cultural and spiritual relationships. The Plan is also a tool to support the leadership of Maniapoto at the forefront of exercising kaitiakitanga and rangatiratanga within the Maniapoto rohe.

Proposed Plan Change 16 is not considered to be contrary to Ko Tā Maniapoto Mahere Taiao.

3.4.11.3 Te Rautaki Taiao a Raukawa - Raukawa Environmental Management Plan

Te Rautaki Taiao a Raukawa, the Raukawa Environmental Management Plan provides a statement of values, experiences and aspirations pertaining to the management of, and relationship with the environment. It assists in engagement in policy and planning processes and resource management decisions. The Management Plan offers broad objectives in relation to this matter.

Proposed Plan Change 16 is not considered to be contrary to Te Rautaki Taiao a Raukawa.

3.4.11.4 Te Rautaki Tāmata Ao Turoa o Hauā — Ngāti Hauā Environmental Management Plan

Te Rautaki Tāmata Ao Turoa o Hauā explains the importance of communication between local authorities and Ngāti Hauā in terms of keeping the Iwi Trust informed about projects, providing a feedback loop and opportunity for relationship building. The plan clearly outlines that engagement is expected and that the Iwi seek opportunities to participate in consent and site monitoring and restoration projects.

Proposed Plan Change 16 is not considered to be contrary to Te Rautaki Tāmata Ao Turoa o Hauā.

3.4.12 Ngāti Koroki Kahukura

The ancestral tribal rohe of Ngāti Koroki Kahukura spans from Southern Hamilton City, following the Waikato River to the northern end of Lake Arapuni, inland to western Te Awamutu and through again to southern Hamilton City encompassing Mount Maungatautari and many kāinga settlements. Although Council does not have a Joint Management Agreement in place with Ngāti Koroki Kahukura, they are part of the local tangata whenua and for this reason Council have consulted with Ngāti Koroki Kahukura regarding Proposed Plan Change 16. During the review of the formulation of Proposed Plan Change 16, Council staff have corresponded with and provided information on the draft Plan Change 16 to Ngāti Koroki Kahukura.

3.5 Other Considerations

3.5.1 New Zealand Fire Service Water Supplies for Firefighting Code of Practice 2008

The main purpose of the New Zealand Fire Service Water Supplies for Firefighting Code of Practice (COP) is to set out what constitutes a sufficient minimum supply of water pressure and volume for firefighting in structures in urban districts. This aspect of the COP is mandatory and is implemented through the Regional Infrastructure Technical Specifications (RITS), a document that standardises the design and construction of infrastructure throughout the region. The COP also contains recommendations for minimum water supplies for firefighting in rural areas, but they are not mandatory. For example, single family dwellings that do not have a sprinkler system are recommended to supply 45,000 litres of water (in addition to potable water supply), or a minimum of 25 litres per second for 30 minutes. Fire and Emergency New Zealand advocates that the recommendations contained in the COP are included in district plans as a way to mitigate the effect of fire risk in rural areas. For this reason, the COP is highly relevant to this plan change.

3.5.2 New Zealand Urban Design Protocol

Waipā District Council is a signatory to the New Zealand Urban Design Protocol, a document that provides a platform to make New Zealand towns and cities more successful though quality urban design. The Protocol identifies key urban design

qualities and has an expectation that signatories will be committed to quality urban design and will implement it through the work of each organisation. In Waipā District Council's case, this would be through provisions in the District Plan. Therefore, given the subject of this plan change, the New Zealand Urban Design Protocol is directly relevant to Proposed Plan Change 16.

3.6 Development of Plan Change 16

The development of Proposed Plan Change 16 has been carried out over a number of months during 2020. The basis of the proposed plan change came from the identification of several rules in the District Plan that were ambiguous and difficult to interpret, as well as some that triggered resource consent applications when there was no other practicable option in the physical sense.

Consultation was undertaken with staff and the Strategic Planning and Policy (SP&P) Committee once the topics had been assessed for priority. Workshops were held with the SP&P Committee on several occasions to keep them informed of the issues and options, and progress being made on a potential plan change.

Alongside staff consultation was an engagement process with Iwi Authorities that is ongoing. Council staff attended Waipā Iwi Consultative Committee meetings and Ngā Iwi Tōpū O Waipā meetings throughout 2020 providing presentations of the issue and options being considered, and regular updates regarding the progressing of Proposed Plan Change 16.

A full copy of the Proposed Plan Change 16 document and accompanying draft Section 32 Report was provided to Waikato-Tainui, Maniapoto, Raukawa, Ngati Hauā, and Ngāti Koroki Kahukura in October 2020 for comment. This was both to fulfil Council's obligations pursuant to Clause 4A of the First Schedule of the Act and under the various Joint Management Agreements that Council has with Tangata Whenua in the District.

Council staff identified key stakeholders, including adjoining territorial authorities, Ministry for the Environment, Fire and Emergency New Zealand, Civil Defence and Emergency Management, surveyors, planners, real estate agents and building companies. These key stakeholders were consulted with prior to public notification of Proposed Plan Change 16 and had the opportunity to provide feedback on the proposed options.

This feedback from key stakeholders and iwi was considered by Council staff and incorporated into Proposed Plan Change 16 prior to public notification. **F**eedback received from stakeholders is shown in **Appendix 1**.

4 Issues

4.1 Issue 1 – Water supply for firefighting purposes

Rule 15.4.2.22 – "When infrastructure services are not provided by Council" - was originally included in the District Plan as a result of a submission from the New Zealand Fire Service[1] during the District Plan Review. Since then, due to its ambiguity and the expense to property owners to implement, the rule has not been well administered or enforced by the Council. It has been programmed for review for some time.

4.2 Issue 2 – Facades and glazing

The District Plan contains provisions relating to facades, neighbourhood amenity and safety, and glazing. They are part of a suite of rules to encourage higher amenity streetscape and CPTED (Crime Prevention through Environmental Design). They include design of building façade, and neighbourhood amenity and safety.

The relevant rules relate to glazing and design of the building façade. Concern has been raised by planning staff that new stand-alone garages cannot meet glazing requirements, nor, when located in front of the house, the requirement to be less than 50% of the façade.

In particular, stand-alone garages have difficulty complying with the rules. This is because such garages are generally built on sites where there is already an existing house. For this reason, it is difficult to meet the glazing and façade requirements, when it is the only building being assessed and is not part of a larger development. It is easier for new buildings and houses to comply because the rule requirements are addressed at the design stage. The consent planners have adopted their own interpretation of the rules in order to provide a practical outcome to resource consent applicants.

4.3 Issue 3 – Outdoor Living Area

The current rule for outdoor living areas is difficult to implement, and sometimes results in unusual outcomes for the site on which it is located. The main concern is that the conditions in the rule, particularly the minimum dimension condition, can result in an odd shaped outdoor living area i.e. one that wraps around the corner of the building and is split by being located on a side boundary. This renders the outdoor living area an unusable shape. It is difficult to determine how many outdoor living areas in the Residential Zone that are an unusable shape, because they comply with

[1] Note that New Zealand Fire Service Commission became Fire and Emergency New Zealand (FENZ) on 1 July 2017. FENZ is the same legal body as the former Commission.

the rule as it is currently worded. However, there are other options that could be used in the rule to ensure that the size and shape of the outdoor living area is suitable for its purpose.

Additionally, the requirement to locate the outdoor living area in the north, east or west of the site reduces options for home owners.

5 Objectives

The objectives of Proposed Plan Change 16 are to:

1) Review the provisions in question to assess their efficiency and effectiveness, and whether they remain the most appropriate method of addressing the resource management issue; and

2) Amend the provisions in question as needed to remedy any issues around efficiency, effectiveness, costs or benefits, so as to ensure the health, safety and wellbeing of residents of the district is provided for through an appropriate policy framework.

The planning outcome sought by Objective 1 is that the provisions subject of the proposed plan change are less ambiguous and more easily interpreted and implemented by all plan users, as well enabling practical outcomes "on the ground".

Objective 2 seeks to provide for the health, safety and wellbeing of the residents of the district through improving residential amenity outcomes (for facades/glazing, and outdoor living areas), and increasing resilience to risks such as fire through improved safety measures at the time of subdivision and subsequent development.

5.1 Relevance of existing objectives

Proposed Plan Change 16 retains the existing planning framework of the District Plan, with the exception of the introduction of a new objective and policy in respect of water supply for firefighting purposes.

5.1.1 Section 15 – Infrastructure, Hazards, Development and Subdivision

Section 15 of the District Plan includes issues, objectives, policies and rules for subdivision, and outlines the matters that determine the ability of a subdivision to proceed. In the Rural Zone, this includes the provision of appropriate on-site infrastructure, and the consideration of matters such as site suitability, natural hazards and protection of important features, such as landscapes, cultural and heritage sites, and productive land.

However, none of the existing objectives are relevant to the matter of providing for people's health and safety within rural areas of the District, or more specifically on-site, where health and safety provisions could be achieved most easily.

5.1.2 Section 2 – Residential Zone

Section 2 – Residential Zone identifies issues, objectives and policies that all have the effect of addressing amenity values in the Residential Zone. As an example, Objective 2.3.2 is to "Maintain amenity values and enhance safety in the Residential Zone". This objective has a number of associated policies that identify how the objective will be achieved, including:

2.3.2.19 To enhance the safety of residential neighbourhoods through site layouts and building designs that incorporate Crime Prevention through Environmental Design (CPTED) principles.

2.3.2.20 To ensure that passive surveillance is provided to roads, reserves and walkways.

2.3.3.4 Each dwelling on a site shall have a usable and easily accessible outdoor living area, that is positioned to receive sun throughout the year, and is accessed from a living area of the dwelling, provided that this policy does not apply to compact housing and retirement village accommodation.

5.2 Appropriateness of Proposed Plan Change 16 Objectives

Assessment of appropriateness of Plan Change Objectives	Objective 1: Review the provisions in question to assess their efficiency and effectiveness, and whether they remain the most appropriate method of addressing the resource management issue.	Objective 2: Amend the provisions in question as needed to remedy any issues around efficiency, effectiveness, costs or benefits, so as to ensure the health, safety and wellbeing of residents of the district is provided for through an appropriate policy framework.
Relevance	▪ Assists Council to carry out statutory functions through improved interpretation and implementation of rules. ▪ Implements other documents that Council is a signatory to.	▪ Meets the purpose of the RMA
Usefulness	▪ Provides certainty for decision making and resource consent applicants. ▪ Provides practical and useful outcomes by reducing the need for resource consent in some situations.	▪ Provides certainty for decision making and subdivision applicants. ▪ Improves resilience to risks for residents through better mitigation measures.
Achievability	▪ Achievable through Council's functions in regard to its District Plan.	▪ Improves policy support for an existing rule.

Assessment of appropriateness of Plan Change Objectives	Objective 1: Review the provisions in question to assess their efficiency and effectiveness, and whether they remain the most appropriate method of addressing the resource management issue.	Objective 2: Amend the provisions in question as needed to remedy any issues around efficiency, effectiveness, costs or benefits, so as to ensure the health, safety and wellbeing of residents of the district is provided for through an appropriate policy framework.
Reasonable	▪ Fewer costs because fewer resource consents required for some activities.	▪ The rule already exists so it is reasonable to continue to implement it.

The above assessment has considered relevance, usefulness, achievability and reasonableness in order to determine if the objectives of Proposed Plan Change 16 are appropriate for achieving the purpose of the Resource Management Act.

Including a new objective and policy in relation to water supply for firefighting purposes is considered to improve policy support for an existing rule and enables people and communities to provide for their health and safety. This in turn meets the purpose of the RMA.

Improving the efficiency and effectiveness of provisions relating to facades and glazing, and outdoor living areas addresses current problems in interpretation and implementation of the rules.

For these reasons, the objectives of Proposed Plan Change 16 are considered an appropriate way to achieve the purpose of the Act in accordance with section 32(1)(a).

5.3 Options to deliver Proposed Plan Change 16 Objectives

Section 32(1)(b)(i) of the Act requires this report to identify *"other reasonably practicable options"* to promote sustainable management, including retaining the status quo, non-regulatory methods and plan changes. This part of the report outlines the processes undertaken and examines other reasonably practicable options considered to achieve the objectives of Proposed Plan Change 16.

In considering reasonably practicable options, a number of matters were examined before the alternative options were identified. Options were identified through feedback from internal and external stakeholders, consultation and examination of policy options by other territorial authorities.

The alternatives evaluated for the objectives of Proposed Plan Change 16 are discussed below.

5.3.1 Option 1 – Status Quo

The option to "do nothing" or retain the existing provisions as they are in the District Plan would not amend the rules for water supply for firefighting purposes, facades and glazing and outdoor living areas. This option is not appropriate because it is clear that the rules are not working in the way they were intended to.

In relation to water supplies for firefighting purposes, the current rule is not well implemented because it is not easy to interpret. It is not clear at which stage of the planning process the rule applies, or whether properties with a restricted flow water supply must also comply. Additionally there is not a policy framework to support the current rule, resulting in it not being well understood or implemented.

In the case of facades and glazing the current rules trigger unnecessary resource consent applications and staff are already interpreting and implementing the rules in a practical way.

With regard to outdoor living areas, while well supported by a strong policy framework, the rule itself results in some odd shaped, unusual and unusable outdoor living areas.

5.3.2 Option 2 – Change the Rules to remedy the Identified Issues

With regard to water supply for firefighting purposes, this option would introduce a new policy framework, including a resource management issue, objective and policy to support the existing rule. The current rule would be amended so that it is clear and unambiguous in its intent. For example, the rule needs to be clear that it applies at subdivision, and where water is supplied on a restricted flow as well as when there is no Council water supply.

A consent notice would continue to be applied to new Records of Title making it clear that subsequent development and buildings will need to comply with the requirements of the district plan.

In relation to facades, this option would also amend Rule 2.4.2.3 to make it clear that the requirement for no more than 50% of the façade applies only:

- If the garage is part of, and integrated into the dwelling; or
- If the garage is stand-alone and it is either forward of, or adjacent to the existing dwelling.

Additionally, this option would also amend Rule 2.4.2.19(e) to make it clear that the requirement for a building to have 15% of its front façade in glazing does not apply to stand-alone garages.

Amendments to Rule 2.4.2.18 would allow more flexibility in the location of outdoor living areas, as well as reduce the size requirement.

For these reasons, option 3 is the preferred option in order to achieve the objectives.

5.3.3 Option 3 – Delete the rules entirely and rely on other methods outside the District Plan

This option would rely on other methods, for example non-regulatory methods, other legislation or policies to achieve the purpose of the RMA.

With regards to the supply of water for firefighting purposes this option would rely on other statutory or non-statutory instruments to ensure that the exposure of people and property to the risk of rural fires is minimised.

Other legislation and standards including the Building Act (and its accompanying Building Code) and the New Zealand Fire Service Firefighting Water Supplies Code of Practice (COP) on its own, cannot be relied upon to provide the necessary risk minimisation. The measures within these documents are often not mandatory in rural areas, and especially not for residential buildings. However, in conjunction with rules in the District Plan, the COP does provide appropriate guidance for water supplies in rural areas.

Interestingly, New Zealand's leading rural insurance provider does not provide discounts on insurance premiums where water for firefighting purposes is provided on site. This is an option that FENZ could pursue.

The Civil Defence Emergency Management Act creates a framework within which New Zealand can prepare for, deal with and recover from local, regional and national emergencies. The National Disaster Resilience Strategy encourages individuals and others to prepare for emergencies, but again this is not mandatory.

Council could rely on a public education campaign or other legislation to mitigate the effect of fire in rural areas. However, as the rule already exists in the District Plan, it would be an organisational risk to Council to remove the rule if it were not to be replaced somewhere else or superseded by other legislation. In the absence of other appropriate methods, the District Plan is considered to be the most suitable place for such a rule at this stage.

In relation to facades and glazing, and outdoor living areas in the Residential Zone, Council could rely on the Urban Design Protocol, to which it is a signatory, to encourage good urban design. The Protocol, published by the Ministry for the Environment, is a "big picture" document and seeks to promote good design on a larger and broader scale. It is intended that the Protocol is used by Councils to develop their urban policies and rules in order to achieve the outcomes sought in the Protocol. In many cases, this can be achieved by applying rules to individual sites so that cumulatively, there are positive outcomes in urban areas. It is considered that

rules in the District Plan are anticipated and suitable methods to achieve good urban design.

The National Guidelines for Crime Prevention through Environmental Design, suggests both regulatory and non-regulatory methods to improve safety in urban areas. Within district plans, Councils can take a limited or comprehensive statutory approach. Waipā District Council already has objectives, policies and rules in the District Plan. This plan change seeks to amend the rules slightly so they are not so difficult to comply with for accessory buildings i.e. stand-alone garages. There is considered to be no perceivable benefit in providing glazing on a garage wall.

This option is not recommended because on these external documents, on their own cannot be relied upon to provide the desired outcomes. They do, in turn rely on district plans to implement the guidance within them, and when used in tandem do result in better outcomes.

5.3.4 Option 4 – Delete the Rules and Replace with a Bylaw

Option 4 would delete the rules and replace with a bylaw.

Section 145 of the Local Government Act states:

> *A territorial authority may make bylaws for its district for 1 or more of the following purposes:*
> *(a) protecting the public from nuisance;*
> *(b) protecting, promoting and maintaining public health and safety;*
> *(c) minimising the potential for offensive behaviour in public places.*

Current Waipā District Council bylaws, by way of example include: Dog Control Bylaw; Public Places Alcohol Control Bylaw; Trade Waste Bylaw; Water Supply Bylaw (for the public water supply); Stormwater Bylaw.

Bylaws generally control or manage nuisance effects. Feedback from regulatory staff indicates that it would difficult to impose a bylaw for something like water supply for firefighting purposes because it does not have a nuisance aspect, and is not otherwise specifically provided for under the Local Government Act.

Section 145(b) could be used to justify making a bylaw to require water supply for firefighting purposes on rural properties without a reticulated water supply. However, the only recourse to Council where people do not comply is prosecution, and Council staff have indicated they would be unlikely to pursue public prosecution in such circumstances, given the low level of threat to the wider public. The RMA has more flexible enforcement tools available and at a lower cost to Council.

5.4 Evaluation of Options

The above section outlines the reasonably practicable options considered. In order to determine whether the other options are reasonably practicable, a comparative

analysis has been undertaken. Council is not legally obliged to detail the evaluation process for other reasonably practicable options that were not identified as the preferred option. However, it is considered fair and transparent to demonstrate how the preferred option was decided upon following an assessment against other reasonably practicable options. The following is an assessment of the efficiency and effectiveness of the proposed provisions in achieving the plan change objectives.

Section 32 also requires that, if practicable, costs and benefits of each option must be quantified. In this case, the options have been quantified to the extent that is practicable. Further quantification would either be uneconomic (i.e. the cost economic analysis would outweigh any additional information if might provide), or would be speculative given the variables for each option.

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Objective 1 and 2:				
	Option 1: Status Quo	Option 2: Change the Rules to remedy the Identified Issues	Option 3: Delete the rules entirely and rely on other methods outside the District Plan	Option 4: Delete the rules and replace with a bylaw
Costs	Environmental: ▪ Some rural properties not adequately protected from fire risk Economic Cost: ▪ Cost to the applicant whether providing the water supply (approx. $10,000) or for a resource consent (approx. $2,500) to not have a water supply ▪ Cost of resource consent ($1200 deposit) for non-compliance with outdoor living rule ▪ Cost to residential customers to apply for resource consent in situations where it is impossible to meet the rule Social Cost: ▪ Existing provisions do not enable people and communities to provide	Environmental: ▪ Potentially reduced on-site amenity Economic Cost: ▪ Cost to the applicant whether providing the water supply (approx. $10,000) or for a resource consent (approx. $2500) to not have a water supply Social Cost: ▪ None identified Cultural effect: ▪ None identified	Environmental: ▪ Other methods are not mandatory and cannot be relied on to improve environmental outcomes such as amenity and resilience to risk Economic Cost: ▪ None identified Social Cost: ▪ Poor urban design outcomes ▪ Potential effect (low probability but high potential impact) of not requiring rural fire fighting supply Cultural effect: ▪ None identified	Environmental: ▪ None identified Economic Cost: ▪ Cost to create bylaw and significantly higher cost of enforcement (prosecutions being the only enforcement tool available) Social Cost: ▪ None identified Cultural effect: ▪ None identified

Objective 1 and 2:				
	Option 1: Status Quo	Option 2: Change the Rules to remedy the Identified Issues	Option 3: Delete the rules entirely and rely on other methods outside the District Plan	Option 4: Delete the rules and replace with a bylaw
	for their health and safety adequately Cultural effect: ▪ None identified			
Benefits	Environmental: ▪ None identified Economic benefits: ▪ None identified Social benefits: ▪ Some residential amenity aspects retained Cultural effect: ▪ None identified	Environmental: ▪ Properties at higher risk of fire in rural areas have greater preparedness and resilience Economic benefits: ▪ Reduced number of resource consents required Social benefits: ▪ Improved outcomes for residential customers Cultural effect: ▪ None identified	Environmental: ▪ None identified Economic benefits: ▪ None identified Social benefits: ▪ None identified Cultural effect: ▪ None identified	Environmental: ▪ None identified Economic benefits: ▪ None identified Social benefits: ▪ None identified Cultural effect: ▪ None identified
Opportunities for economic growth and employment to be provided or reduced	Economic growth: ▪ None identified Employment: ▪ None identified	Economic growth: ▪ None identified Employment: ▪ Minor employment opportunities	Economic growth: ▪ None identified Employment: ▪ None identified	Economic growth: ▪ None identified Employment: ▪ None identified

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6 Evaluation of Provisions

6.1 Proposed Provision Assessment

This part of the section 32 analysis assesses if the proposed provisions are the most appropriate to support Proposed Plan Change 16 objectives. The purpose of this evaluation is to ensure that the amended provisions are the most appropriate way to promote the sustainable management of natural and physical resources.

The preferred options identified in this report are considered to be aligned to the existing policy direction of the District Plan. In order to implement the preferred options, amendments to Section 2 – Residential Zone, Section 15 – Infrastructure, Hazards, Development and Subdivision, and Section 21 – Assessment Criteria and Information Requirements are proposed.

Council is required to assess the efficiency and effectiveness of the Proposed Plan Change 16 provisions. "Effectiveness" is the measure of contribution that the proposed provisions make towards resolving the issue, while "efficiency" refers to benefits and costs to all member of society.

This part of the report assesses the Proposed Plan Change 16 provisions in achieving the objectives outlined in Section 3.1 of this report. It identifies and assesses the benefits and costs of the environmental, social, cultural and economic effects anticipated from the implementation of the Proposed Plan Change 16 provisions.

6.1.1 Amendments relating to water for firefighting purposes

Section 15 – Infrastructure, Hazards, Subdivision and Development would need to be amended by adding a new issue, objective and policy, that would all support the existing rule. The existing rule would also be amended to make it clear which situations it applies in.

Additionally, provisions in Section 21 – Assessment Criteria and Information Requirements will also need to be amended.

Therefore, make amendments to Section 15 – Infrastructure, Hazards, Development and Subdivision, and Section 21 – Assessment Criteria and Information Requirements as follows:

<u>Section 15 - Infrastructure, Hazards, Development and Subdivision:</u>

<u>On-site infrastructure</u>

<u>15.2.1A Inadequate or unsuitable on-site infrastructure at the time of, and subsequent to subdivision in un-serviced areas can expose future residents to risks associated with natural hazards and other threats, affecting their health and safety.</u>

Objective – subdivision in areas that are not serviced

15.3.5A Avoid significant adverse effects on people, property, infrastructure and the environment arising from any subdivision in areas that are not serviced by Council infrastructure.

Policy – health and safety on rural properties

15.3.5A.1 Health and safety for residents in areas that are not serviced by Council infrastructure should be provided through appropriate design and mitigation measures.

Rules – When infrastructure services are not provided by Council

15.4.2.21 …..

15.4.2.22 Where water is **not** supplied by Council each lot shall provide~~: (a) A~~an independent potable water supply sufficient for activities permitted on the site~~; and~~

~~(b) Access to an adequate water supply for firefighting purposes.~~

15.4.2.22A Where water is not supplied by Council or a private community supply, or water is supplied by Council but is a restricted flow supply, each lot shall provide access to water supply for firefighting purposes that is or will be:

(a) Accessible to firefighting equipment; and

(b) Between 6 and 90 metres from a dwelling on the site; and

(c) On the same site as a dwelling (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and

(d) Either:

(i) Stores at least 45,000 litres, or

(ii) Provides at least 25 litres per second for 30 minutes..

~~Advice note:~~ Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and NZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice. ~~sets out a number of options to provide water for the New Zealand Fire Service's operational requirements, and shall be used as a guide when designing fire fighting water protection.~~

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Section 21 – Assessment Criteria and Information Requirements

	Infrastructure, Hazards, Development and Subdivision Assessment Criteria	
21.1.15.20A	Water supply for firefighting purposes where there is no, or restricted flow Council water supply	(a) The extent of consistency with the New Zealand Fire Service Code of Practice. (b) The potential for spread of fire to other buildings or properties. (c) Whether other fire mitigation measures are proposed.

6.1.2 Assessment of amendments relating to water supply for firefighting purposes

In regard to water supply for firefighting purposes, Proposed Plan Change 16 would make several amendments to the District Plan, including to Section 15 – Infrastructure, Hazards, Development and Subdivision, and Section 21 – Assessment Criteria and Information Requirements. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments.

Amendments for water supply for firefighting purposes	
Effectiveness/Efficiency	**Benefit/Cost**
Effectiveness: The addition of a new resource management issue, objective and policy improves the support for an existing rule.	**Benefits:** Environmental: Additional benefits for those on restricted flow water supply. Economic: Potentially reduced fire damage to homes and properties because of an adequate water supply. Social: Sense of security and resilience through being prepared for fire risk. Cultural: None identified.
Efficiency: Amendments to the rule for water supply for firefighting purposes clarifies the situations to which the rule applies.	**Costs:** Environmental: Extra water tanks and associated infrastructure may have an impact on rural character and amenity, particularly on smaller rural properties. Economic: Costs imposed on those wishing to build in rural areas of the district, but no greater than they are now as the rule currently exists. Additional cost will be on those in areas of restricted flow water supply where the rule didn't previously apply. Relative to the benefits, risk reduction, and overall capital cost of a building, the cost of compliance is low. Social: None identified. Cultural: None identified.
Opportunities for economic growth and employment to be provided or reduced: Minor manufacturing and employment opportunities in the provision of water tanks and associated infrastructure and installation.	
Sufficiency of information and risk of not acting: Sufficient information has been provided and consultation undertaken with FENZ and CDEM to assess adequacy of existing provisions. The risk of	

Amendments for water supply for firefighting purposes	
Effectiveness/Efficiency	**Benefit/Cost**
leaving the rule as it is continues interpretation difficulties. The liability risk to the Council is high if the rule was removed from the District Plan, and was not replaced with something else that would adequately mitigate the risks of fire, especially in rural areas.	

6.1.3 Amendments relating to facades, glazing and outdoor living areas

In regard to facades, glazing and outdoor living areas, Proposed Plan Change 16 would make amendments to the District Plan, mainly to Section 2 – Residential Zone, but also to Section 21 – Assessment Criteria and Information Requirements.

6.1.3.1 In relation to facades, the proposed amendments are as follows:

Section 2 – Residential Zone

Rule – Design of building façade

2.4.2.3 ~~Not more than 50% of the overall front façade of a building can consist of garaging, as measured from the inside internal walls of the garage.~~

~~Where the garage is accessory to a dwelling but detached from the dwelling, not more than 50% of the combined front facades (of the dwelling and detached garage) can consist of garaging.~~

A garage that is integrated into and forms part of a dwelling:

(a) Must not exceed 50% of the total front façade length of a building as measured from the inside internal walls of the garage.

2.4.2.3A A garage that is an accessory building:

(a) Must not exceed 50% of the total combined front façade length of a dwelling and detached garage when:

(i) Viewed from the street; and

(ii) Located either forward of, or directly beside, an existing residential unit.

Activities that fail to comply with this rule will require a resource consent for a restricted discretionary activity with the discretion being restricted over:

- Visual effect from the road; and
- Crime Prevention through Environmental Design; and
- Ability to practically locate a garage on the site of an existing dwelling.

These matters will be considered in accordance with the assessment criteria in Section 21.

Section 21 – Assessment Criteria and Information Requirements

	Residential Zone Assessment Criteria	
21.1.2.6	Design of building facade	(a) The visual effect of the development on the streetscape. (b) The extent to which the development takes into account the personal safety of people and principles of Crime Prevention Through Environmental Design (CPTED). (c) Whether the garage is practically located on the site of an existing dwelling.

6.1.3.2 In relation to glazing, the following amendments are proposed:

Section 2 – Residential Zone

Rules – Neighbourhood amenity and safety

2.4.2.19 The minimum area of glazing on the front façade(s) of a building that adjoins a public place shall be 15%.

Provided that:

(a) ……

(e) This rule shall not apply to relocated buildings or a garage that is an accessory building.

6.1.3.3 With regard to outdoor living areas, the following changes are proposed:

Section 2 – Residential Zone

Rule - Outdoor living area

2.4.2.18 Each dwelling shall have an outdoor living area which:

(a) …

(d) Is not located on a side of the dwelling facing within 45° either side of due south ~~in the north, east or west of the site~~.

(e) Where a Principal Dwelling has a living area at Ground Level, it shall have a minimum continuous area of ~~60~~ 50m² at ground level with a minimum dimension of ~~5~~ 4m over the entire area.

(f) Where a Principal Dwelling has the Living Area solely above ground level, part of the ~~60~~ 50m2 outdoor living area requirement must comprise a balcony that is directly accessible from the living area with a minimum area of 8m2 and a minimum dimension of 2m. For the avoidance of doubt the remaining outdoor living area shall have a minimum dimension of ~~5~~ 4m.

6.1.4 Assessment of amendments for facades, glazing and outdoor living areas

In regard to water supply for firefighting purposes, Proposed Plan Change 16 would make several amendments to the District Plan, including to Section 15 – Infrastructure, Hazards, Development and Subdivision, and Section 21 – Assessment Criteria and Information Requirements. The table below assesses the effectiveness, efficiency, benefits and costs of the amendments.

Amendments for facades, glazing and outdoor living areas	
Effectiveness/Efficiency	**Benefit/Cost**
Effectiveness: Proposed Plan Change 16 makes technical improvements to some rules in the Residential Zone so that the rules no longer apply in situations that are impractical in the physical sense.	**Benefits:** Environmental: Improved residential amenity Economic: Amendments to Section 2 will reduce costs to applicants because of fewer resource consents being required. Social: Improved residential amenity Cultural: None identified.
Efficiency: A fewer number of resource consents will be required, especially for stand-alone garages, thus reducing potential costs.	**Costs:** Environmental: May result in smaller outdoor living areas on smaller sites, or those that are closer to maximum site coverage. Economic: Fewer economic costs because of reduced need for resource consents. Social: There may be potential social effects if garages do not provide passive surveillance to the street. Cultural: None identified.
Opportunities for economic growth and employment to be provided or reduced: This plan change improves the implementation if existing rules. It is not anticipated that there will be an increase in economic growth and employment as a result.	
Sufficiency of information and risk of not acting: Sufficient information was available about the rewording to consider the effects of this plan change. The risk of not acting is to leave existing rules that are difficult to interpret and implement.	

7 Implementation of Proposed Plan Change 16

This report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of Proposed Plan Change 16. 'Scale' refers to the magnitude of effects, and 'significance' refers to the importance that the wider community places on those effects. The following table outlines the criteria considered to determine the scale and significance of the effects that are anticipated from implementation of Proposed Plan Change 16. An ordinal scale has been used for this assessment.

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Criteria	Assessment High/Medium/Low/NA
Number of people who will be affected	Medium
Magnitude and nature of effects	Low
Immediacy of effects	Medium
Geographic extent	High
Degree of risk or uncertainty	Medium
Stakeholder interest	Medium
Māori interest	Low
Information and data is easily available	Medium
Information and data is easily quantified for assessment	Medium
Extent of change from status quo	Medium

In this instance, the scale and significance of the effects that are anticipated from the implementation of Proposed Plan Change 16 are considered to be medium.

DRAFT

8 Conclusion

This report presents an evaluation undertaken by Council in accordance with Section 32 of the Act for Proposed Plan Change 16 regarding technical improvements to several provisions in the Residential Zone, as well as an improved policy framework for water supplies for firefighting purposes in rural areas. This report outlines the process that was taken to identify the issue and options, and then broadly evaluates the options. The report then evaluates the preferred option in detail. The report concludes with an assessment of the scale and significance of the effects anticipated from Proposed Plan Change 16 and concludes that these are considered to be low to medium.

As such, it is considered appropriate to revise the Waipā District Plan to amend the provisions within Section 2 – Residential Zone, Section 15 – Infrastructure, Hazards, Development and Subdivision, and Section 21 – Assessment Criteria relating to water supplies for firefighting purposes, facades and glazing, and outdoor living areas.

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Appendix 1 – Feedback received from Stakeholders

DRAFT

PC16: Summary of Submissions by Submitter Number/Name

Submitter Number:	**1**	**Submitter:**	**Waikato Regional Council** (Sultana Shah)
Trade Competition- Gain Advantage :	NO	**Trade Competition- Directly Affected:**	NO

Point Number	1.1	**Category**	Water for firefighting purposes - Option 3

Comments:

Thank you for the opportunity to provide feedback on the proposed Plan Change 16.

Regarding Plan Change 16, section 3: Water for Firefighting Purposes, Waikato Regional Council Civil Defence Emergency Management (CDEM) staff support the attempt to protect life and preserve human safety, and acknowledge the difficulty in meeting that objective with the ambiguous nature and application of the existing rule. CDEM staff draw attention to and support the Plan Change having regard to the National Disaster Resilience Strategy and in particular, Section 5 "Managing Risks" https://www.civildefence.govt.nz/assets/Uploads/publications/National-Disaster-Resilience-Strategy/National-Disaster-Resilience-Strategy-10-April-2019.pdf. This document takes a holistic approach to managing risk and does not rely on just a single mechanism. The rule as written does not permit the landowner to utilise all of the methods to mitigate the risk of fire. It also does not reflect current and future changes in FENZ operations. For example, fire appliances carrying greater quantities of firefighting water (approximately 2,500 litres) than when the rule was written. CDEM staff think the Building Act and Code may be better instruments to mitigate the risk of fire, than a "one size fits all" rule in the District Plan. This would allow the mitigation to be commensurate to the risk and a wider range of solutions to be available to the developer (not subdivider).

Point Number	1.2	**Category**	Other comments

Comments:

In Plan Change 16, section 6: Dust, Smoke and Odour, three options are presented. We recommend option 2, to amend the rules rather than the preferred option 1 of doing nothing. Option 2 allows for an amendment "to include additional provisions for air quality related to land use activities such as mineral extraction, industry, earthworks and intensive farming activities." We support encouraging regulations on these activities to maintain sufficient buffers between sensitive land uses and commercial and industrial activities that have the potential to discharge dust, smoke and odour. Particularly since the issues and options paper mentions the possibility of implementing option 2 at a later date. As stated in option 2, this Plan Change provides an opportunity to take into consideration potential nuisance effects, also outlined in the Health Act of 1956.

Submitter Number:	**2**	**Submitter:**	**Cogswell Surveys Ltd** (Rebecca Steenstra)
Trade Competition- Gain Advantage :	NO	**Trade Competition- Directly Affected:**	NO

Point Number	2.1	**Category**	Water for firefighting purposes -
Comments:	not viable.		

Point Number	2.2	**Category**	Water for firefighting purposes - Option 2
Comments:	Advice notes are easily lost on a subdivision. When a property is sold a new owner would not be guaranteed to see it.		

Point Number	2.3	**Category**	Water for firefighting purposes - Option 3
Comments:	Any consent notice registered should refer to habitable buildings/dwellings only. It should be about protecting people and not property. If a tank needs to be supplied for a cow shed, every implement shed, accessory building etc it becomes very uneconomical and difficult to comply with. There needs to be very clear intent for the requirement.		

Point Number	2.4	**Category**	Water for firefighting purposes - Option 4
Comments:	I dont agree with waiting for this, we require the clarity now.		

Point Number	2.5	**Category**	Water for firefighting purposes - Option 5
Comments:	We require the clarity now, this is not viable.		

Point Number	2.6	**Category**	Facades & Glazing
Comments:	not viable		

Point Number	2.7	**Category**	Facades & Glazing - Facades Option 2

Comments:	agree with amendments		

Point Number	2.8	**Category**	Facades & Glazing - Facades Option 3
Comments:	dont delete		

Point Number	2.9	**Category**	Facades & Glazing - Glazing Option 1
Comments:	Agree, not viable.		

Point Number	2.10	**Category**	Facades & Glazing - Glazing Option 2
Comments:	We agree, this is a good option.		

Point Number	2.11	**Category**	Facades & Glazing - Glazing Option 3
Comments:	Agree.		

Point Number	2.12	**Category**	Outdoor living area
Comments:	Not viable.		

Point Number	2.13	**Category**	Outdoor living area Option 2
Comments:	The outdoor living area dimension split into two 20m2 areas with a 4m dimension to allow morning sun and afternoon sun.		

Point Number	2.14	**Category**	Outdoor living area Option 3
Comments:	Dont delete.		

Point Number	2.15	**Category**	Other comments
Comments:	no		

B&A
Urban & Environmental
•
Whangarei
Warkworth
Auckland
Hamilton
Napier
Christchurch

Level 5
286 Victoria Street
Hamilton Central 3204
•
PO Box 9342
Waikato Mail Centre
Hamilton 3240

admin@barker.co.nz
barker.co.nz

T +6427 425 3902

18 September 2020

Waipa District Council

Attention: Ms Julie Hansen

Plan Change 15 and 16

I write to you on behalf of Classic Builders, A1 Homes, ZB Homes, Jennian Homes and Generation Homes in relation to the forthcoming Waipa District Council (Council) Plan Changes.

Firstly, on behalf of the above referenced housing companies, we would like to acknowledge the proactive approach taken by Council in order to address a number of these key issues.

Having now reviewed Plan Change 15 and 16 we are able to comment as follows.

Permeable Surfaces

- We are in agreement with tidying up the definition – specifically in relation to what is and isn't excluded. This is particularly relevant to the area of a dwelling directly under the eaves.

- Our preferred option is to amended the permeability rule as follows (or an example thereof):

  'Permeable surfacing that equates to an area less than 40% or 55% in Cambridge North shall be a Permitted Activity provided a 'drainage plan' is submitted by a suitably qualified person that demonstrates that the proposed development will not generate any additional demand on the reticulated infrastructure'.

  The upshot of the above standard would ensure permeability less than 40% or 55% no longer triggers a consenting requirement.

- If the above option is not deemed appropriate, then we would like the activity status for non-complying permeability to be reduced from Discretionary to Controlled. In the discussion document, it was suggested that the reduced timeframes (10 working days) will not allow enough time for planning and engineering staff to assess the application. We disagree with this assertion on the basis that if a full and complete resource consent application is lodged, then processing the consent should be a simple procedure. If an application is not complete, then Council staff are able to return the application under Section 88, noting that Section 37 can also be used to extend the timeframes. Given there are very few 'controlled' activities represented in the Waipa District Plan, this change should not represent a significant change for Council staff.

- Permeable surfaces provisions need to relate to Net Lot Area, otherwise it's impossible for rear lots to comply post subdivision.

- We suggest excluding swimming pools from the permeable surface provision. In our opinion swimming pools do not contribute to any additional stormwater affects, as all the water is retained within the pool; however, they often get caught out needing permeable surface resource consents, which places an extra burden on home owners.

Site Coverage

Although site coverage has not been *officially* recognised in the discussion document, we feel as though it is prudent to promote the following scenario (as site coverage is intrinsically linked to permeable surfaces)

- Our preferred option would be for site coverage to increase from 40% to 50% on sites smaller than 500m^2. As the demand for housing sizes is increasing, it is becoming increasingly difficult for housing companies to comply with the required site coverage calculations.

  The 'site coverage' restrictions have been imposed in District Plans to protect amenity values. However, in our opinion, provided a dwelling is able to comply with the other various amenity related provisions, such as boundary setbacks and glazing, an additional 10% building coverage will not generate any noticeable change to the permitted baseline. For example, from a visual perceptive, it is often virtually impossible to determine if a development fails to comply with the maximum permitted site coverage percentages on the basis that a site can only be viewed from one vantage point at any given time. As such the actual extent of the depth of buildings simply cannot be determined when viewed from a single vantage point located on the road boundary or neighboring site. Only when an aerial photograph or site plan is produced can the true nature of the non-compliance be digested. However, in reality, this is not how a development is perceived by adjoining landowners. As such, we believe that providing further flexibility by slightly increasing the percentage will not generate any additional effects on the environment and represent a pragmatic approach to future development.

Garaging on Front Facade

- As our clients do not generally build stand along garaging, we have chosen not to comment on the variables associated with the *'stand-alone'* garaging component of this provision.

- In terms of *attached* garaging and the corresponding front façade percentage, we believe that this provision *could* theoretically be removed. It is our understanding that this provision was introduced primarily for CPTED (Crime Protection Through Environmental Design) reasons. As such, provided a dwelling complies with the required glazing requirements, then suitable passive surveillance is accomplished, satisfying the intent of the provision. On this

basis the percentage of the façade taken up by garaging actually becomes irrelevant in our opinion. Furthermore, it is very difficult for long narrow sites to narrow with this provision.

Glazing

- In our opinion, garaging and non-habitable rooms should be removed from the glazing requirements, as it doesn't make sense requiring windows in rooms which will not generate any benefits in terms of passive surveillance on the street frontages. Furthermore, placing windows on the southern side of dwellings is also in direct conflict with Objective 2.3.5.1 which seeks to maximize passive solar gains.

- Subject to garaging and non-habitable rooms being excluding from the glazing requirements, in our opinion the glazing requirement on the remaining façade should be reduced to 10%. Should this approach not be deemed appropriate by Council then reducing the glazing to 10% (excluding garaging and non-habitable rooms) on the southern façade only, could be a suitable compromise. This approach would prevent unnecessary/token windows being placed in garages and other non-habitable rooms with the only benefit/purpose being to avoid a consenting process.

- Subject to the outcome of the topics raised in the above bullet points we suggest reducing the activity status from Restricted Discretionary to Controlled in order to expediate the consent process and avoid unnecessary costs.

Outdoor Living

- In our opinion reducing the outdoor living area to 40m^2 with a minimum dimension of 3.5m would be the preferred approach. Based on the information provided to me by our clients, an area of 40m^2 is considered to be large enough in order to retain onsite amenity values. Note, this is a similar stance that Hamilton City Council have taken with Plan Change 6, where outdoor living areas are now assessed on a 'per bedroom' basis.

- We would like some *flexibility* in terms of the location of the outdoor living areas. For example, someone might prefer to have their outdoor living area to the south facing their favorite vista as opposed to a busy street. We don't believe making someone go through a full resource consent process is a good use of time and resources to account for such an outcome. In addition, we also believe there should be some flexibility in relation to where and how you access the outdoor living area. Just because an outdoor living area is not *directly* accessible off a habitable room should not generate a consenting process. For example, an outdoor living area could be created in an alternative location in order to maximize shade or views.

- Subject to the outcome of the topics raised in the above bullet points we suggest reducing the activity status from Restricted Discretionary to Controlled in order to expediate the consent process and avoid unnecessary costs.

Firefighting

- We agree with Council's '*Option 1',* in that we believe that the firefighting provision should be removed from the District Plan and advisory notes placed on subdivision consent approvals. Based on my experience referencing non-RMA documents within District Plans is not good practice, furthermore imposing them directly as consent conditions is likely to be ultra-varies.

Thank you for considering our above referenced discussion points and we look forward to hearing from you in due course. If you have any further questions, feel free to contact me directly on 021745979 (Garethm@barker.co.nz).

Yours faithfully,

Gareth Moran

Associate

Barker & Associates Ltd

Level 2 Waitomo House
6 Garden Place, Hamilton 3240, New Zealand
T: +64 7 838 3828 // **F:** +64 7 838 3808
E: info@beca.com // **www.beca.com**

Waipa District Council
Private Bag 2402
Te Awamutu 3840

19 August 2020

Attention: Julie Hansen

Dear Julie

Fire and Emergency New Zealand - Waipa District Plan: Code of Practice Provisions

Following our meeting on 22 July 2020 regarding firefighting water supply provisions in the Waipa District Plan, we provide the following advice to assist Waipa District Council in the review of the firefighting water supply provisions, specifically rule 15.4.2.18 and 15.4.2.22.

The New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ 4509:2008

Fire and Emergency New Zealand's (Fire and Emergency) main areas of concern are the provision of a water supply and vehicle access to this supply which will enable Fire and Emergency to operate effectively and efficiently to save lives and property in the event of a fire. This is best achieved through compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ 4509:2008 (the Code). The Code sets out the standards required for firefighting water supply and vehicle access and applies to both reticulated and non-reticulated areas, as Fire and Emergency may be required to respond to a structural fire emergency in any area. Any water supply that does not achieve the Code standards will typically lack either the water pressure or the water volume (or both) needed for Fire and Emergency to operate effectively and efficiently in an emergency situation.

The Code is a critical document to help achieve those outcomes by providing nationally consistent requirements and guidance for councils and landowners developing land. The Code is integrated into the engineering standards of more than 80% of councils around the country in relation to reticulated networks.

The Code has also been reasonably well integrated into planning documents where it has been referenced in some way in 48% of all district and unitary plans across the country. References to the Code in district plans are typically either direct reference to the Code, or reference to their engineering standards which in turn references the Code. When referenced in these plans, the Code provides a standard that new developments and/or subdivisions must provide adequate water and access to that water for firefighting purposes. The integration of the Code has helped achieve good outcomes across the country, helping to promote early consideration of firefighting water supply in the development planning process.

As set out in the Code, Fire and Emergency may be required to respond to any structural fire emergency in any area therefore all buildings (not just dwellings) should provide firefighting water supply as set out in the Code.

In that regard, the implementation of the Code can be straightforward where applicants and/or council have been willing to engage with Fire and Emergency. A common example of this is an applicant agreeing to providing a dedicated firefighting water supply for new residential lots created in non-reticulated areas. Good outcomes tend to have been achieved where the council is supportive of, and understands how to implement the Code, and is able to explain the issues to applicants.

Different local authorities have taken various approaches to incorporating the Code into their district plans. This is generally guided by how their district plans are already set out, how they have integrated their engineering standards into their district plans, and how they manage their water supply infrastructure.

Our Ref: 4394933

Table 1 provides some examples of how different councils have adopted the Code into their district plans to highlight the wide-ranging practice that exists.

Table 1: Examples of the Codes implementation into District Plans.

Council	Method	Comment
Thames-Coromandel District Council (TCDC)	Assessment criteria in District Plan	During its plan review, TCDC was supportive of including a reference to the Code however preferred to have this as something to be considered when consent is required, rather than a trigger for consent. The District Plan has assessment criteria requiring compliance with the Code if a consent is sought for a subdivision. Refer to Rule Table 5 – Section 38 Subdivision: https://eplan.tcdc.govt.nz/pages/plan/Book.aspx?exhibit=TCDC_Appeals2016_External This assessment criteria is similar to that already within the Waipa District Plan at Rule 21.1.15.18 'Infrastructure servicing: water supply and reticulation', although the TCDC provisions provide direct reference to the Code and is preferred by Fire and Emergency for that reason.
South Waikato District Council (SWDC)	Performance standard in District Plan	In SWDC, any Rural, Rural Residential, Residential, Arapuni Village, Town Centre, Business, Neighbourhood Retail, Industrial, Electricity Generation, or Tokoroa Airport zoned subdivision which meets the relevant standards set out in Rules 10.4 to 10.8 is a controlled activity. Subdivision in these zones is therefore subject to services standards that require 'adequate' water supply be provided to each site (refer to standard 10.4.3, 10.5.3 and 10.6.5). Any subdivision which does not meet this standard is a restricted discretionary activity. The rural zone standard 10.6.5 does not make specific specific reference to the Code as the standard that the provision of firefighting water should comply with. Fire and Emergency do however aim to work with SWDC at the appropriate time to include specific reference to the Code for clarity. It is however noted that standard 10.7.3 Development Concept Plan does require that firefighting capability shall be demonstrated for each new site in accordance with NZ Standard SNZ PAS 4509:2008 under 10.7.5c)d)iii).
Waikato District Council (WDC)	Performance standards in District Plan	Under the operative District Plan, WDC have adopted the Hamilton City Infrastructure Technical Specifications, which requires compliance with the Code in all areas. The Hamilton City Infrastructure Technical Specifications no longer exists as it has been replaced by the Regional Infrastructure Technical Specifications (RITS) which also applies in the Waipa District. RITS makes several references to the Code in respect of water supplies.

		WDC are currently in the process of reviewing their District Plan and through its submission, Fire and Emergency has sought various amendments to Chapter 14 Infrastructure standard 14.3.1.8 to require provision for water supply adequate for firefighting purposes in accordance with the Code in the Rural and Country Living Zones. Fire and Emergency have also sought that zone-specific subdivision standards include conditions including that proposed lots must be connected to water supply sufficient for firefighting purposes and have included this as a matter of discretion. The decision version is yet to be released however Fire and Emergency have had positive feedback from the Panel who recognise the importance of Fire and Emergency and their requirements under the RMA.
Hamilton City Council (HCC)	Code of Practice for Subdivision and Development	HCC have incorporated the Code into their Code of Practice for Subdivision and Development to be applied to both reticulated and non-reticulated areas. The Hamilton City Infrastructure Technical Specifications requires compliance with the Code in all areas. As above the Hamilton City Infrastructure Technical Specifications no longer exist and have been replaced by RITS which similarly makes several references to the Code.
Opotiki District Council	General standards for subdivision in Proposed District Plan	ODC was supportive of introducing firefighting water supply standards in accordance with the Code during their District Plan review. ODC have introduced a general standard for all rural and urban areas of Opotiki to comply with the Code. Refer to Chapter 15 provisions 15.5.5.1(7) and 15.5.8.1 of the Decisions Version: https://www.odc.govt.nz/our-council/policies-plans-and-bylaws/proposed-district-plan/Pages/Decisions-on-submissions-to-the-Proposed-District-Plan.aspx
Whangārei District Council, Grey District Council, Queenstown District Council and Central Otago District Council	Memorandums of Understanding	Some councils have Memoranda of Understanding (MoU) with the former New Zealand Fire Service whereby a condition is added to every subdivision consent requiring firefighting water supply in accordance with the Code. These councils were reluctant to include provisions within their District Plans requiring compliance with the Code, although partially this was as a result of having an MoU and therefore, they deemed the inclusion in the District Plan was unnecessary. While the District Plan reference is preferable (for transparency and certainty) the willingness of these Councils to implement the MoU results in the same outcome, at least for the foreseeable future. Grey District Council have an MoU with Fire and Emergency where a condition will be placed on all land use and subdivision applications requiring compliance with the Code.
Tasman District	Criteria requiring a firefighting water	Tasman District has some very remote areas. Council was supportive of requiring firefighting water supplies and particularly the requirement to consider sprinklers.

	supply to be provided	This is the only District Plan that has a provision requiring sprinklers. Anecdotally local Fire and Emergency officers have advised that most applicants have found the cost of providing sprinklers and 45,000 litres of tanks to be similar, but applicants have chosen sprinklers to avoid the visual impact of tanks. The Tasman District Plan contains criteria requiring a firefighting water supply to be provided. There is no reference to the Code, however the Plan requires: - A Sprinkler system; or - 45,000 litres of water dedicated to firefighting. This applies to both rural (17.5.3.2(d)) and urban areas of Tasman District: https://www.tasman.govt.nz/my-council/key-documents/tasman-resource-management-plan/volume-1-text/part-2-land/

Waipa District Plan Rule Interpretation

In terms of the operation of the current rural rule 15.4.2.22, the rule relies on the wording providing 'adequate water supply for firefighting purposes' and then the advisory note below establishes the Code as being how it is determined. It is noted that the Regional Infrastructure Technical Specifications also makes reference to the Code, being the technical specifications now for the Waikato region.

Fire and Emergency recognise that wording such as 'adequate' introduces the requirement for judgement and interpretation by Council staff which undermines the effectiveness of the rule and potentially the vires of the rule. It is recognised that wording such as 'sufficient' and 'adequate' is better suited to be incorporated into assessment criteria rather than rules. However, the original intent of this was to allow flexibility for developers and landowners, should alternative water supply be provided at the discretion of the local Fire and Emergency representative (which is often the case with the implementation of the Code). There are multiple ways of complying with the Code and often existing water sources (e.g. swimming pools or permanent ponds) can be used. The flexibility enables bespoke, innovative, site-specific solutions. The risk of being too prescriptive (as Tasman District have sought to do as above) is that there is little to no flexibility in the provision of water supply where circumstances allow for alternatives.

Given that Rule 15.4.2.22 refers to "lot", we would consider that this applies only to the subdivision of land and providing water supply for a new lot. This should not be applied to new buildings or extensions to buildings.

Further given that all subdivisions require resource consent, the requirement to provide for firefighting water supply cannot 'trigger' the requirement for a consent on its own, although under the Waipa District Plan it does result in a non-complying activity where a subdivision cannot provide adequate firefighting water supply. This is consistent with the cascade of activity status within the District Plan, but the non-complying activity status is not important to Fire and Emergency with restricted discretionary or discretionary still enabling assessment of the matter. Given the flexibility of the Code and the willingness for Fire and Emergency to work with Council and subdivision applicants on innovative, site-specific solutions, we do not consider this a major barrier to consent, particularly in the Waipa District. Nor does Rule 15.4.2.22 have any relevance to land use proposals for dwellings or other buildings as it is a subdivision rule.

Regulation and monitoring

We understand that there are concerns among regulatory staff about monitoring compliance with the Code. Council staff do not need to monitor compliance with the Code, but the rule is asking Council to be

generally satisfied that a firefighting water supply exists. They have Fire and Emergency staff to offer advice in helping them be satisfied and this should only require a basic level of understanding of what a firefighting water supply is. This is no different to a Council Planner seeking technical advice on the likes of stormwater, acoustics or transport elements of a proposed activity where they are non-experts.

In any situation where a subdivision does not prove a firefighting water supply exists at the time of subdivision, a consent notice on any newly created Record of Title should adequately address compliance. However, we would strongly encourage Council and the developer to work with local Fire and Emergency personnel prior to, or during the subdivision stage to determine whether there is merit in providing collective firefighting water supply systems at the time of application for subdivision consent. This has the potential to address the cost concerns relating to the provision of water supply for individual sites as detailed below.

It is acknowledged that there will be historic subdivisions without firefighting water supplies within the district, which then results in unexpected problems for house builders on individuals. This is not ideal for any party but Rule 15.4.2.22 does not apply in this circumstance anyway.

Cost

Fire and Emergency recognise that councils and developers consider costs of tanks and sprinkler systems are expensive when put in on every site. This perception is likely based on the Table 2 volumes set out in the Code. A community supply for multiple sites will generally be much cheaper than individual supplies. However, where individual sites are being sold as bare land, developers often seek to pass this cost to the future owners of those individual sites. As above, we understand this can come as a surprise to the new landowner who has not undertaken adequate due diligence and understood the requirements set out in the consent notice (or there is no consent notice).

Fire and Emergency consider that education on the costs of compliance and the benefits of having adequate water supply (i.e. saving lives and protecting the surrounding environment) should sufficiently address this matter.

The Code is non-mandatory

There can be confusion that the Code is a New Zealand Standard but is not mandatory and at times there can be resistance from both Council and developers to implement the Code. In terms of Rule 15.4.2.22, this is where the wording of the advice note is important. Regulatory staff are not enforcing the Code, but they are enforcing their own district plan rules, and the rule actually makes no reference to the Code. It is the advice note that sets out the Code as a guide in achieving ‘adequate’ water supply for firefighting purposes.

In the case of Waipa District, the need for adequate firefighting water supply is also referenced within the RITS document and other District Plan rules that require compliance with the RITS standards for subdivision and development. Fire and Emergency also advocate for references to the need for firefighting water supplies to be provided and the Code within assessment criteria within district plans around the country.

For Fire and Emergency, the key point is that for any subdivision of land or construction of buildings where a water supply does not meet the Code of firefighting water supply, then the situation is less safe for the occupants of those buildings. Fire and Emergency does not consider that this outcome promotes the purpose of the RMA which includes the need to enable people and communities to provide for their social, economic, and cultural well-being and **for their health and safety**.

Recommendations

While we recognise that use of the word ‘adequate’ is somewhat subjective in the context of a rule and is not best practice, we do not see that the presence of the rule in the District Plan is particularly problematic. Where we understand the issue lies is a lack of understanding by applicants and Council staff

about the implementation of the Code and the flexibility provided within it. Therefore, the following recommendations are made:

1. Council could consider the development of a guidance document to provide clearer guidance for lay people on the flexible ways compliance with the Code can be achieved (e.g. through the use of communal firefighting water supplies) and how 'adequate' water supply can be determined i.e. through contacting the local Fire and Emergency personnel. We note that this service is free and should be promoted by Council at the likes of pre-application meetings with applicants. This document could be developed in collaboration with Fire and Emergency and could be referred to in the advice note for rule 15.4.2.22.

2. Should the wording 'adequate' not be considered appropriate by Council, consideration should be given to incorporating the requirement (with similar wording) as an assessment criterion under 21.1.15.18 for all subdivision applications creating additional lots, including as a restricted discretionary activity if that is the applicable activity status. We consider that the Thames-Coromandel Proposed District Plan is a good example in this regard.

We hope you find the above advice of use. We would be happy to work with you further to ensure the best outcome for both Waipa District Council and Fire and Emergency in reducing the incidence of unwanted fire and the associated risk to life and property, and preventing or limiting injury, damage to property land, and the environment.

Yours sincerely

Alec Duncan
Planner

on behalf of

Beca Limited

Direct Dial: +64 7 960 7259
Email: alec.duncan@beca.com

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipa DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning & Policy Committee
From:	Simone Williams – Planner
Subject:	**Proposed Plan Change 18 – Beekeeping in Residential Zones**
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

This report seeks approval from the Strategic Planning and Policy Committee to notify the Proposed Plan Change 18 – Beekeeping in the Residential Zones.

A full Section 32 evaluation report has been prepared in accordance with the requirements of the Resource Management Act 1991 ('the Act'). It outlines the issue and evaluates the options considered. The Section 32 evaluation report, including the Proposed Plan Change is included as an attachment to this report (Appendix 1).

This Proposed Plan Change is a matter for district wide notification and it is proposed to notify this Proposed Plan Change in December 2020. Following the notification process it is an anticipated the Proposed Plan Change hearing will occur in March/April 2021.

The following appendix accompanies this report:

- Appendix 1 – Proposed Plan Change 18: Beekeeping in the Residential Zones incorporating Section 32 Report *(document number 10475695).*

2 RECOMMENDATION

That:

a) The report titled 'Proposed Plan Change 18 – Beekeeping in Residential Zones' (document number 10483763) from Simone Williams – Planner, be received; and

b) The Strategic Planning and Policy Committee ***RESOLVE TO RECEIVE*** *the Proposed Plan Change 18 – Beekeeping in the Residential Zones Report incorporating Section 32 Evaluation (document number 10475695); and*

c) *The Strategic Planning and Policy Committee **RESOLVE TO NOTIFY** Proposed Plan Change 18 to the Waipa District Plan (Appendix 1 of this report - document number 10475695) in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991; and*

d) *The Strategic Planning and Policy Committee **RESOLVE THAT** prior to notification, the Chief Executive; Group Manager District Growth and Regulatory Services; or Manager District Plan and Growth, be delegated authority to make any final necessary changes to Proposed Plan Change 18 that may arise from stakeholder or iwi feedback.*

3 NOTIFICATION OPTIONS AND ASSESSMENT

Option 1: Approve the Proposed Plan Change for notification, with staff who are delegated making any necessary final amendments

This option provides for staff, under delegated authority, to make any final necessary changes arising from stakeholder and/or iwi feedback. This will allow the public notification process to commence at the start of December 2020 with an anticipated further submission period likely occurring in the new year. Following the notification process it is an anticipated the Proposed Plan Change hearing will occur in March/April 2021.

Option 2: Recommend significant changes to the Proposed Plan Change 18

This option would delay the Proposed Plan Change. It is almost certain that some stakeholders will submit requesting amendments to the Proposed Plan Change during the notification period. The risk of this option is delayed notification and the resulting pressure that Council will come under from key stakeholders to remove the restrictive rules that do not reflect the actual and existing beekeeping activities within the Residential Zones.

4 BACKGROUND

The Waipa District Plan contains specific provisions relating to beekeeping in the Residential Zone and Large Lot Residential Zone where the keeping of up to two beehives within both of these Zones trigger a land use consent.

As explicitly outlined in the District Plan, these provisions are included for the purpose of retaining on-site amenity within the Residential Zone and Large Lot Residential Zone, and to avoid nuisance effects where necessary. Whilst these provisions recognise beekeeping as having some benefits in these areas such as pollination, the District Plan notes however that activities such as the keeping of beehives within urban environments have particular characteristics that need to be managed to avoid undue adverse effects. Accordingly, the District Plan restricts the keeping of beehives entirely within the Residential Zone, and to undertake such activity automatically triggers a Resource Consent as a Discretionary Activity, and limits up to two beehives. For the

Large Lot Residential Zone, bee keeping is similarly treated the same, while there is no specifically controlled number of beehives, the activity itself triggers Resource Consent as a Restricted-Discretionary Activity.

It has however become apparent that since the District Plan was made operative in 2017 the beekeeping rules do not reflect the actual bee keeping activities within the District, nor are the rules appropriately enforceable due to ambiguity.

The beekeeping rules have been requested to be reviewed by a member of the public, on the basis that "[it is] extremely restrictive, and [is] not really based on the realities of keeping hives on residential properties". A Council review of the information received from the Management Agency - National American Foulbrood Pest Management Plan, the agency for which all beehives must be registered has advised that a total of 48 Apiaries with 363 registered beehives are already located within the residential areas within the Waipa District. Following a review of Councils records, only one resource consent for the keeping of two beehives within the Residential Zone has been issued in the last five years.

Thus the rules for beekeeping activities within the 'Residential Zones' (Residential and Large Lot Residential Zone) are considered to be too restrictive, ambiguous, unenforceable and generally do not reflect the actual beekeeping activities within the Residential Zones.

In October 2020, an issue and options paper was circulated to iwi and key stakeholders regarding the Proposed Plan Change. The SP&P Committee also workshopped the four options for consideration which were as follows:

- Option 1 - Status Quo
- Option 2 – Delete the relevant beekeeping rules and provide no replacement
- Option 3 – Delete the current rules and replace with a Bylaw
- Option 4 – Retain rules in the District Plan that permits beekeeping activities with controls

In light of pre-consultation feedback and the Committee workshop, it was agreed in principle that the preferred option for the Proposed Plan Change was Option 4 – Retain rules in the District Plan that permits beekeeping in the Residential Zones, subject to controls. Council staff therefore prepared the attached Section 32 Report which outlines the proposed changes to the District Plan to implement this option. In summary the amendments include:

- Definition of "Bee keeping" to be changed to "Beekeeping" for consistency and to be grammatically correct;
- Section 2 – Residential Zone: Changes to an existing policy and addition of a new policy specifically relating to beekeeping, insertion of a new rule in the permitted activity status table for two beehives, removal of the current beekeeping rule in the discretionary activity status table and insertion of a new rule in the performance standards outlining the permitted criteria for beekeeping.

- Section 3 – Large Lot Residential Zone: Changes to an existing issue statement relating to beekeeping, insertion of a new rule in the permitted activity status table for two beehives, removal of the current beekeeping rule in the restricted - discretionary activity status table and insertion of a new rule in the performance standards outlining the permitted criteria for beekeeping.
- Section 21 – Assessment Criteria and Information Requirements: Changes to assessment criteria relating to beekeeping in the Residential Zone and Large Lot Residential Zone, outlining setback controls.

These amendments are outlined in the attached Section 32 Report.

Consultation with Iwi

As this proposal involves a district wide plan change, and in accordance with Clause 4A of Schedule 1 of the Resource Management Act 1991, the following Iwi Authorities and Groups, along with key stakeholders, have been provided a copy of the Draft Plan Change:

- Maniapoto Maori Trust Board
- Waikato Tainui
- Ngāti Hauā Iwi Trust
- Raukawa Settlement Trust
- Ngāti Korokī Kahukura Trust
- Apakura Runanga Trust
- Ngā Iwi Toopu O Waipa

At the time of preparing this report, no feedback had been received from the abovementioned parties.

5 NEXT STEPS

The next steps following the resolutions outlined in this report are as follows:

a) Proposed Plan Change 18 will be publicly notified on 4 December 2020 incorporating any final amendments from stakeholder or iwi feedback;

b) The submission period will close on 29 January 2021;

c) Accredited Hearings Commissioners who are members of the Regulatory Committee will hear submissions and further submissions, and decide on Proposed Plan Change 18 in March/April 2021.

6 ADDITIONAL CONSIDERATIONS

Financial status

The cost of Proposed Plan Change 18 will be funded from the Waipa District Plan budget. There is sufficient budget and the actual cost will be dependent on submissions received, whether people wish to be heard, and the extent of any changes requested.

Report prepared by:

Simone Williams
PLANNER

Report reviewed by:

Tony Quickfall
MANAGER DISTRICT PLAN AND GROWTH

Report authorised by:

Wayne Allan
GROUP MANAGER DISTRICT GROWTH & REGULATORY SERVICES

SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

1 Statutory and policy requirements

Legal and regulatory considerations

Local Government Act 2002

This Plan Change enables a sustainable development approach which takes account of the social interests of people and communities and the need to maintain and enhance the quality of the environment for the reasonably foreseeable needs of future generations. This is in accordance with the Council's obligations and the purpose of the Local Government Act 2002 (performance of regulatory functions).

Resource Management Act 1991

The Plan Change has been prepared in accordance with Section 32 of the Resource Management Act 1991 and public notification is proposed pursuant to Schedule 1 of the Act which states:

32 Requirements for preparing and publishing evaluation reports

(1) An evaluation report required under this Act must—

(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and

(b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions; and

(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

(2) An assessment under subsection (1)(b)(ii) must—

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and

(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

(3) If the proposal (an amending proposal) will amend a standard, statement, national planning standard, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to—

(a) the provisions and objectives of the amending proposal; and

(b) the objectives of the existing proposal to the extent that those objectives—

(i) are relevant to the objectives of the amending proposal; and

(ii) would remain if the amending proposal were to take effect.

(4) If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.

(4AA) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—

(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and

(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.

(5) The person who must have particular regard to the evaluation report must make the report available for public inspection—

(a) as soon as practicable after the proposal is made (in the case of a standard or regulation); or

(b) at the same time as the proposal is notified.

(6) In this section,—

***objectives** means,—*

(a) for a proposal that contains or states objectives, those objectives:

(b) for all other proposals, the purpose of the proposal

***proposal** means a proposed standard, statement, national planning standard, regulation, plan, or change for which an evaluation report must be prepared under this Act*

***provisions** means,—*

(a) for a proposed plan or change, the policies, rules, or other methods that implement, or give effect to, the objectives of the proposed plan or change:

(b) for all other proposals, the policies or provisions of the proposal that implement, or give effect to, the objectives of the proposal.

Schedule 1

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.

5 Public notice and provision of document to public bodies

(1) A local authority that has prepared a proposed policy statement or plan must—

(a) prepare an evaluation report for the proposed policy statement or plan in accordance with section 32 and have particular regard to that report when deciding whether to proceed with the statement or plan; and

(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.

(1A) A territorial authority shall, not earlier than 60 working days before public notification or later than 10 working days after public notification of its plan, either—

(a) Send a copy of the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, to every ratepayer for the area of the territorial authority where that person, in the territorial authority's opinion, is likely to be directly affected by the proposed plan; or

(b) Include the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, in any publication or circular which is issued or sent to all residential properties and Post Office box addresses located in the affected area—

and shall send a copy of the public notice to any other person who, in the territorial authority's opinion, is directly affected by the plan.

(1B) Notwithstanding subclause (1A), a territorial authority shall ensure that notice is given of any requirement or modification of a designation or heritage order under clause 4 to land owners and occupiers who, in the territorial authority's opinion, are likely to be directly affected.

(1C) A regional council shall, not earlier than 60 working days before public notification or later than 10 working days after public notification, send a copy of the public notice and such further information as the regional council thinks fit relating to the proposed policy statement or plan to any person who, in the regional council's opinion, is likely to be directly affected by the proposed policy statement or plan.

(2) Public notice under subclause (1) shall state—

(a) Where the proposed policy statement or plan may be inspected; and

(b) That any person may make a submission on the proposed policy statement or plan; and

(c) The process for public participation in the consideration of the proposed policy statement or plan; and

(d) The closing date for submissions; and

(e) The address for service of the local authority.

(3) The closing date for submissions—

(a) Shall, in the case of a proposed policy statement or plan, be at least 40 working days after public notification; and

(b) Shall, in the case of a proposed change or variation to a policy statement or plan, be at least 20 working days after public notification.

(4) A local authority shall provide one copy of its proposed policy statement or plan without charge to—

(a) The Minister for the Environment; and

(b) Repealed.

(c) In the case of a regional coastal plan, the Minister of Conservation and the appropriate regional conservator for the Department of Conservation; and

(d) In the case of a district plan, the regional council and adjacent local authorities; and

(e) In the case of a policy statement or regional plan, constituent territorial authorities, and adjacent regional councils; and

(f) The tangata whenua of the area, through iwi authorities

(g) Repealed.

(5) A local authority shall make any proposed policy statement or plan prepared by it available in every public library in its area and in every other place in its area that it considers appropriate.

(6) The obligation imposed by subclause (5) is in addition to the local authority's obligations under section 35 (records).

Consultation and Engagement

Proposed Plan Change 18 has been considered under Council's Significance and Engagement Policy and deemed to have a low degree of significance. This level is considered to be low due to the legal requirement to consult with the community under the Resource Management Act 1991 engagement process, and the positive impacts Proposed Plan Change 18 will have for community.

Council policy or strategy

The matters included within the report relate to the Operative District Plan. This proposed plan change is considered to be in keeping with the strategic direction in the District Plan and Council's Growth Strategy.

Iwi environmental management plans

A review of the relevant iwi environmental management plans was undertaken to assess whether there was any impediments in these plans to the introduction of Proposed Plan Change 18. The proposed plan change is considered to be in keeping with the strategic direction of the relevant iwi management plans within the Waipa District.

APPENDIX 1

Proposed Plan Change 18 – Beekeeping in the Residential Zones / Section 32 Evaluation Report *(document number 10475695)*

Proposed Plan Change 18: Beekeeping in the Residential Zones

Incorporating

Section 32 Evaluation Report

October 2020

Waipa
DISTRICT COUNCIL

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Report Information

Author	Simone Williams	September 2020
Reviewed by:	Tony Quickfall	October 2020
Approved to notify	Strategic Planning & Policy Committee	
Date publicly notified		

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Executive Summary: Beekeeping in Residential Zones

The Waipā District Plan contains controls around beekeeping in the Residential and Large Lot Residential Zones (hereafter referred to collectively as the "Residential Zones"). Beekeeping and beehives are not permitted in either of these zones, and a resource consent must be obtained for beekeeping activities within these zones.

Council has reviewed the extent of beekeeping activities undertaken, the number of complaints received, and the number of consented beehives within the Residential Zones of the Waipā District. Following this review, it is apparent that the restriction on beekeeping in Residential Zones is both ineffective and inefficient. The very low incidence of complaints and compliance with the rules compared with the number of beehives makes the rule unnecessary.

However, it is recognised that beekeeping activities may, on occasion, result in potential effects where:

- They can result in a loss of on-site amenity for adjoining properties where they are not managed or controlled in urban environments;
- They are located too close to sensitive receiving environments (e.g. houses, schools, neighbourhood reserves etc); or
- There are multiple beehives with a high number of bee movements across neighbouring properties.

To remedy this, Proposed Plan Change 18 seeks to:

- Delete the current rules that restrict beekeeping in Residential Zones; and
- Introduce a new rule that permits beekeeping with restrictions on location and number of beehives.

The effect of Proposed Plan Change 18 would be that beekeeping activities would be permitted under the District Plan, and resource consent would no longer be required for up to two beehives provided they meet the following criteria, for the Residential Zone and Large Lot Residential Zone:

<u>Residential Zone:</u>

- There are no more than two beehives on a site; and
- The beehives are placed at least:
  - 3m from a boundary if there is a solid fence of at least 1.8m on that boundary; or
  - 5m from a boundary if there is no solid fence of at least 1.8m on that boundary; and
- The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly; and
- The site is 500m^2 or greater.

Large Lot Residential Zone:

- There are no more than two beehives on a site; and
- The beehives are placed at least 5m from the boundary; and
- The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly.

These changes will:

- Reduce compliance costs for those wanting to keep beehives.
- Still allow for small scale beekeeping in Residential Zones.
- Enable an effective and practical approach to compliance and enforcement if effects arise.

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A

Part A – Proposed Plan Change 18

Beekeeping in the Residential Zones

Part A – Proposed Plan Change 18

1 Summary of proposed changes to the Waipā District Plan

1.1 Introduction

The purpose of Proposed Plan Change 18 is to amend the rules relating to beekeeping in the Residential and Large Lot Residential Zones to permit beekeeping (which is currently not permitted in either of these zones), and to introduce some permitted criteria to manage any potential on-site amenity and nuisance effects.

Proposed Plan Change 18 makes changes to the following sections of the Waipā District Plan:

- Definitions
- Section 2 – Residential Zone
- Section 3 – Large Lot Residential Zone
- Section 21 – Assessment Criteria and Information Requirements

1.2 Definitions

Change the Definition title from "Bee keeping" to "Beekeeping" for consistency.

1.3 Section 2 – Residential Zone

A number of changes to the existing, and the insertion of new provisions are proposed within Section 2 Residential Zone as summarised below:

<u>Policy</u>

- Amend Policy 2.3.2.18 – to enable the keeping of beehives as a permitted activity.
- Insert Policy 2.3.2.18A – to ensure that beekeeping doesn't detract from residential amenity.

<u>Rules</u>

- Insert Rule 2.4.1.1(r) – to provide for beekeeping as a permitted activity.
- Delete Rule 2.4.1.4(m) – to remove the requirement to obtain resource consent for up to two beehives.
- Insert Rule 2.4.2.40A – to provide for up to two beehives as a permitted activity, with controls relating to a minimum separation distances from internal boundaries and for the site to be 500 square metres or greater.

1.4 Section 3 – Large Lot Residential Zone

Issues

- Amend Issue 3.2.11 – to enable the keeping of beehives as a permitted activity.

Rules

- Insert Rule 3.4.1.1(p) – to provide for beekeeping as a Permitted activity.
- Delete Rule 3.4.1.3(a) – to remove the requirement to obtain resource consent for beehives.
- Insert Rule 3.4.2.13(g) – to provide for up to two beehives as a permitted activity, with controls relating to a minimum separation distances from internal boundaries.

1.5 Section 21 – Assessment Criteria and Information Requirements

- Amend Criteria 21.1.2.30 – to clarify separation distances.
- Amend Criteria 21.1.3.3 – to clarify separation distances.

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2 Recommended Tracked Changes to Waipā District Plan

The following sets out the recommended changes for Proposed Plan Change 18. The proposed changes are shown with new additions underlined, and deletions shown as ~~strikeouts~~. Consequential renumbering may occur throughout amended Sections.

2.1 Definitions

~~'Bee keeping'~~ 'Beekeeping' means the keeping of bees in one or more hives.

'Farming activities' means….

- ~~BEE KEEPING~~ BEEKEEPING …..

2.2 Section 2 - Residential Zone

Policy - Housing and keeping of animals ~~and bees~~

2.3.2.18 The habits and characteristics of some animals (i.e. roosters), are incompatible with the amenity expectations of the Residential Zone and shall not be kept within the Residential Zone. ~~Some other activities such as bee keeping while having benefits for pollination have particular characteristics which shall be managed in order to avoid undue adverse effects.~~ Adverse effects related to noise must be managed to avoid undue adverse effects on residential character and amenity.

2.3.2.18A To ensure that beekeeping activities are carried out in a manner that retains on-site amenity values for adjoining and nearby properties, and avoids nuisance effects.

Rules

2.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
(r)	Beekeeping

2.4.1.4	Discretionary activities
~~(m)~~	~~The keeping of up to two beehives~~

Rule - Housing and keeping of animals

2.4.2.38 …..

2.4.2.39 …..

2.4.2.40 …..

2.4.2.40A Beekeeping is permitted if:

(a) There are no more than two beehives on a site; and

(b) The beehives are placed at least:

(i) 3m from a boundary if there is a solid fence of at least 1.8m on that boundary; or

(ii) 5m from a boundary if there is no solid fence of at least 1.8m on that boundary; and

(c) The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly; and

(d) The site is 500m^2 or greater.

Activities that fail to comply with Rules 2.4.2.38 to 2.4.2.40A will require a resource consent for a discretionary activity.

2.3 Section 3 – Large Lot Residential Zone

3.2.11 While the keeping of small numbers of farm animals and beehives are generally accepted activities in the Large Lot Residential Zone, some animals may generate noise, odour, or other nuisance effects that are not acceptable or compatible within a large lot residential environment. ~~Some activities such as bee keeping, while having benefits for pollination and other activities have particular characteristics which need to be managed in order to avoid undue adverse effects~~

Rules

3.4.1.1	Permitted activities The following activities shall comply with the performance standards of this zone
(p)	Beekeeping

3.4.1.3	Restricted discretionary activities. The following activities must comply with the performance standards of this zone
~~(a)~~	~~Bee keeping.~~ ~~Assessment will be restricted to the following matters:~~ ~~• Location of hives and likely flight path; and~~ ~~• Number of hives; and~~ ~~• Effects on surrounding properties; and~~ ~~• Management techniques employed to reduce the potential for nuisance.~~ ~~These matters will be considered in accordance with the assessment criteria in Section 21.~~

Rule - Beekeeping

3.4.2.13A Beekeeping is permitted if:

(a) There are no more than two beehives on a site; and

(b) The beehives are placed at least 5m from the boundary; and

(c) The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly.

Activities that fail to comply with this rule will require a resource consent for a discretionary activity.

2.4 Section 21 – Assessment Criteria and Information Requirements

21.1.2 Residential Zone

	Residential Zone Assessment Criteria	
21.1.2.30	The keeping of more than ~~up to~~ two beehives	(a) The location of beehives on the site and the likely flight path of bees in relation to neighbouring dwellings, schools, childcare centres, or other sensitive receiving environments ~~community facilities~~. Note: Preferably beehives should be ~~10m from any property boundary and~~ 25m from adjoining ~~dwellings,~~ schools, childcare centres, community centres, places of assembly or other community facilities. (b) The number of hives on the site. (c) The management techniques employed to reduce the likelihood of a nuisance to any person. (d) The positive effect that bees have on pollination (e) Flight path management to direct bees to fly above head height through provision of a flyway barrier of at least 1.8 metres tall, placed 1-2 metres out from the front of the hive entrance.

21.1.3 Large Lot Residential Zone

	Large Lot Residential Zone Assessment Criteria	
21.1.3.3	~~Beekeeping~~ The keeping of more than two beehives	(a) The location of hives on the site and the likely flight path of bees in relation to neighbouring dwellings, schools, childcare centres, or other sensitive receiving environments ~~community facilities~~. Preferably beehives should be ~~10m from any property boundary and~~ 25m from adjoining ~~dwellings,~~ schools, childcare centres, community centres, places of assembly or other community facilities. (b) The number of hives on the site. (c) The management techniques employed to reduce the likelihood of a nuisance to any person. (d) Flight path management to direct bees to fly above head height through provision of a flyway barrier of at least 1.8 metres tall, placed 1-2 metres out from the front of the hive entrance. (d) The positive effect that bees have on pollination

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B

Part B – Section 32 Evaluation

Part B – Section 32 Evaluation

3 Background and Context

3.1 Introduction

This report presents an evaluation undertaken by the Waipā District Council ('Council') in accordance with Section 32 of the Resource Management Act 1991 ('the Act') in relation to Proposed Plan Change 18 – Beekeeping in Residential Zones. Undertaking a Section 32 evaluation assists in determining why changes to existing plan provisions may be needed and formalises a process for working out how best to deal with resource management issues.

This report examines the extent to which the objectives of Proposed Plan Change 18 are the most appropriate way to achieve the purpose of the Act and assesses whether the proposed provisions are the most appropriate way of achieving those objectives. In assessing the proposed provisions, Council must consider other reasonably practicable options and assess the efficiency and effectiveness of the provisions in achieving Proposed Plan Change 18 objectives. Assessing effectiveness involves examining how well the provisions will work. Determining efficiency involves an examination of benefits and costs.

This report has been prepared to fulfil the obligations of the Council under Section 32 of the Act, with respect to undertaking a Plan Change within the Waipā District Plan.

3.2 Background

<u>The Issue</u>

The issue that is being sought to be managed is best described as on-site amenity and nuisance effects. Beekeeping is generally seen as beneficial for many reasons, but nuisance can arise where beehives may be too close to places that people occupy. Allergies are also a valid consideration with a low risk, but high possible impact for anyone who may have an allergic reaction to a Bee sting. This risk can be exacerbated where beehives are kept because of the higher concentration of bees than would otherwise occur naturally.

<u>Compliance and Complaints</u>

Council staff have generally taken the approach that if there is a complaint about beehives in a residential area, then enforcement action may be taken. Six complaints have been received in the last two years about beehives in the urban areas of the district, and another nine queries in relation to existing beekeeping operations, or the requirements for keeping bees in their own garden or a council reserve. The

complaints were all in the months between October and March, the warmer months when bees are at their most active, and generally related to the proximity of beehives to residential dwellings.

A review of compliance with the existing rules has found significant non-compliance. Information received from the Management Agency - National American Foulbrood Pest Management Plan, the agency with which all beehives must be registered, advises the following:

Location	# of Apiaries	# of Registered beehives
Te Awamutu	19	128
Cambridge	29	235

Note that these figures are within the urban boundaries (which may include non-residential zones). It excludes beehives that are not registered, and ones that are located in Large Lot Residential Zones outside the two main towns.

A review of Council records shows that there has only been one resource consent for keeping beehives in the Residential Zone issued in the last five years. This consent was applied for and granted in 2019.

Taken together, this review has presented a clear picture that the existing rules are ineffective:

- 363 registered beehives in the two main towns;
- 1 Apiary (consisting of two beehives) has resource consent within the Residential Zone; and
- 6 complaints over the last 2 years (most in residential zones)

3.3 Current District Plan Provisions

The following provisions of the District Plan have been reviewed:

<u>Residential Zone:</u>

Policy 2.3.2.18 relating to effects of beekeeping

Rule 2.4.1.4 which requires discretionary consent for up to 2 beehives (there are no permitted beehives).

<u>Large Lot residential Zone:</u>

Policy 3.3.5.3 relating to effects of beekeeping

Rule 3.4.1.3 which requires restricted discretionary consent for any number of beehives (there are no permitted beehives).

3.4 Statutory Considerations

The following statutory documents have been considered in developing Proposed Plan Change 18. A discussion of each of the key statutory considerations is provided below. These documents are as follows:

- Resource Management Act 1991 and Local Government Act 2002;
- National Policy Statements;
- National Environmental Standards;
- Various Waikato Treaty Settlement Acts;
- Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato;
- Future Proof;
- Joint Management Agreements; and
- Iwi Environmental Plans.

3.4.1 Resource Management Act 1991

Section 5 of the Resource Management Act 1991 (the Act) states as its purpose:

1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
   - *(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
   - *(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
   - *(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The purpose of the Act is only achieved when the matters in (a) to (c) have also been adequately provided for within a District Plan. The Council has a duty under Section 32 to examine whether a proposed objective and its provisions are the most appropriate way of achieving the purpose of the Act.

In order to achieve the purpose of the Act, Council must enable people and communities to provide for their economic, social, and cultural well-being and for their health and safety.

Overall, Plan Change 18 seeks to deliver a more practical and appropriate approach to beekeeping activities within Residential Zones, that enables people and

communities to undertake small scale and hobbyist beekeeping activities while providing positive benefits for pollination in these urban areas, which lends to safeguarding life-supporting ecosystems.

In achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to the use, development and protection of natural and physical resources, are required to recognise and provide for the matters of national importance identified in Section 6. This includes:

- Preservation of the natural features, landscapes and significant vegetation, enhancement of public access, provision for the relationship of Maori to their ancestral lands and taonga, protection of historic heritage and customary rights, and management of risks from natural hazards.

In addition to the above assessment, it is important to elevate the relevance of the proposed plan changes under the Resource Management Act, this can begin with Section 3 of the Act, which defines the "meaning of effect" as:

(a) any positive or adverse effect; and

(b) any temporary or permanent effect; and

(c) any past, present, or future effect; and

(d) any cumulative effect which arises over time or in combination with other effects regardless of the scale, intensity, duration, or frequency of the effect, and also includes-

(e) any potential effect of high probability; and

(f) any potential effect of low probability which has a high potential impact.

The Act also variously describes the scale of effects as being are "minor"; "less than minor"; or "significant." The Act makes no reference, anywhere, to "nuisance" effect.

3.4.2 Local Government Act 2002

Section 146 of the Local Government Act 2002 ("LGA"), sets out specific bylaw making powers of Councils, including the control of beehives. Section 145 contains general bylaw powers, with the reasons for a bylaw including to "protect the public from nuisance". The LGA also refers to "nuisance" in other sections.

There is therefore a separation of "adverse effects" (which are managed under the Resource Management Act), and "nuisance effects (which are managed under the LGA).

Despite this separation of effect, the Waipā District Plan does contain a number of provisions that seek to control nuisance. These include keeping of animals generally, and dust and odour nuisance. The reason for these controls are the limitations under the LGA for enforcing bylaws. With a few exceptions, enforcement of bylaws requires a prosecution, with associated evidence and court proceedings.

In contrast, the enforcement "tools" under the Resource Management Act are much broader and include:

- Infringement notices (fines);
- Abatement notices (to do something or stop doing something); and
- Prosecution

Advice from Council's Enforcement Team Leader is that the Resource Management Act provides much more flexibility for practical enforcement than the LGA, with the Resource Management Act being the preferred method of managing "nuisance" effects.

The LGA does not define "nuisance". In the absence of definition, the legal principle is that general ordinary meaning is applied. In this case, "nuisance" is defined in the online Oxford Dictionary as:

> *An act which is harmful or offensive to the public or a member of it and for which there is a legal remedy.*
>
> *See also **private nuisance**, **public nuisance***
>
> *'The courts tend to approach the question of the existence of a nuisance, whether public or private, as a question of fact.'*

The following is a comparative analysis of the effects arising from beekeeping:

Nuisance (LGA)

Characteristics: Lowest level in terms of effect, may be frequent or recurring. More of an inconvenience than a tangible effect.

Beekeeping contribution: Swarming, pollen on washing, possible restriction on outdoor activities depending on the location of hives and "flight paths".

Evidential basis: The nature of the complaints received under the existing rules fall under nuisance effects and have all been resolved.

Adverse effect as defined in the Resource Management Act:

Characteristics: Ranges from minor impact to significant. More than an inconvenience and tends to give rise to tangible and measurable effect with bigger impact.

Beekeeping contribution: Significant restriction on outdoor activities, possible allergic reaction. Bees and wasps are naturally occurring, and wild beehives and wasp nests can occur anywhere (with paper wasps being relatively common in household areas). The relative extra contribution of beekeeping to adverse effects is therefore negligible. Furthermore, the risk of allergic reaction from the managed beehives is negligible, as this would require a person to be actively disturbing a beehive, or to be

within the immediate vicinity (within 3 metres) of a beehive. Finally, those with allergies will already be self-aware and taking precautions for protection from wild stings.

Evidential basis: Despite there being 363 registered (known) apiaries in urban areas, Council holds no evidence of allergic reactions (including any complaints) arising from the activity of beekeeping in Residential Zones.

Based on this analysis, beekeeping would fall under nuisance effect. While the Resource Management Act doesn't specifically refer to managing nuisance, the Act does not prohibit or restrict the ability for Councils to control nuisance effects in district plans.

3.4.3 National Policy Statements

There are no National Policy Statements that are directly relevant for the purposes of Proposed Plan Change 18.

3.4.4 National Environmental Standards

There are no National Environmental Standards that are directly relevant for the purposes of Proposed Plan Change 18.

3.4.5 Waikato Treaty Settlement Acts

The Waikato Region contains the following Treaty Settlement Acts:

- Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 which seeks to provide direction for planning documents under the Resource Management Act 1991 in order to protect the health and well-being of the Waikato River. Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, is part of the second schedule to the Settlement Act and is deemed part of the Waikato Regional Policy Statement. Waipā District Council has a duty to give effect to the Vision and Strategy for the Waikato River, through the Waipā District Plan and other planning documents.
- Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act) which recognises the significance of the river to Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi. The legislation recognises Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River, provides for co-management arrangements and grants functions and powers to the Waikato River Authority.
- Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed which seeks to *"deliver a new era of co-management over the Waipā River with an overarching purpose of restoring and maintaining the quality and integrity of the waters that flow into and form part of the Waipā River for present and future generations and the care and protection of the mana tuku iho o Waiwaia".*

None of these acts has direct relevance to the considerations for Proposed Plan Change 18, other than the establishment of the Joint Management Agreements (discussed in a later section).

3.4.6 Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River

Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River arises from the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010. These acts establish a co-governance regime to protect the health and wellbeing of the Waikato River for future generations. This includes the lower Waipā River to its confluence with the Puniu River.

Te Ture Whaimana o Te Awa or Waikato is not relevant for the consideration of Proposed Plan Change 18.

3.4.7 Waikato Regional Policy Statement: Te Tauākī Kaupapahere Te-Rohe O Waikato

Te Tauākī Kaupapahere Te-Rohe O Waikato ('the RPS') provides an overview of the resource management issues in the Waikato Region, and the ways in which integrated management of the Region's natural and physical resources will be achieved. It provides policies and a range of methods to achieve integrated outcomes for the region across resources, jurisdictional boundaries and agency functions, and guides development of sub-ordinate plans (regional as well as district) and consideration of resource consents. The RPS outlines 27 objectives on key regional issues.

The RPS objectives and policies most relevant to Proposed Plan Change 18 are contained in chapters:

Part A issues and objectives

- *3.8 ecosystem services (in respect of the positive contribution of bees)*
- *3.10 sustainable and efficient use of resources*
- *3.12 built environment*
- *3.19 ecological integrity and biodiversity*
- *3.21 amenity*

Part B

- *Chapter 6 built environment*
- *Chapter 11 biodiversity (in respect of the positive contribution of bees)*

The RPS generally seeks to manage effects and enhance ecological integrity and biodiversity.

Proposed Plan Change 18 is aligned with and gives effect to the RPS, particularly in establishing permitted activity status for beehives in residential zones which are not currently permitted.

3.4.8 Joint Management Agreements ('JMA')

DRAFTING NOTE – The following sections relate to the engagement with iwi that is to be undertaken during October. The following sections will be updated based on any feedback from this engagement.

3.4.8.1 Waikato Raupatu River Trust

The Waikato Raupatu Claims Settlement Act 1995 gave effect to certain provisions of the deed of settlement between the Crown and Waikato dated 22 May 1995 and settled certain Raupatu claims made to the Waitangi Tribunal by Robert Te Kotahi Mahuta, the Tainui Maaori Trust Board, and Ngaa Marae Toopu (Wai 30). Renegotiation's in 2009 led to the agreement of a new deed of settlement which included provisions related to joint management agreements. The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 was enacted to give effect to that deed of settlement and subsequentially a Joint Management Agreement with Waipā District Council was made.

This agreement includes giving appropriate weight to relevant matters provided for in the Settlement Act 2010, respecting the mana whakahaere rights and responsibilities of Waikato-Tainui, recognising the statutory functions, powers and duties of both parties, and recognising the Trust's rights to participate in processes where circumstances may be appropriate.

Schedule B of the Agreement outlines the anticipated process with regards to Schedule 1 of the Resource Management Act 1991 (Act), in accordance with section 46(1) and 46(2) of the Act.

With regards to Proposed Plan Change 18, Council staff provided a draft of this section 32 analysis incorporating the Proposed Plan Change to Waikato-Tainui for feedback as part of the pre-notification consultation.

3.4.8.2 Raukawa Settlement Trust

The Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 was enacted to give effect to the Co-Management Deed signed between Raukawa and the Crown in December 2009. The Joint Management Agreement was consequentially established pursuant to Section 43 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

This agreement covers matters relating to co-management, agreement to embrace new and holistic ways of working together, and the continuation of building a functional and effective long-term partnership. The agreement includes matters relating to the preparation, reviewing, change or variation to Resource Management

Act 1991 documents, pursuant to Section 48 of the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

Section 7 of the agreement outlines the expectations with regard to planning documents. Early engagement and the consideration of a Joint Working Party are the relevant considerations with regard to Proposed Plan Change 18.

Council staff provided a draft of this section 32 analysis incorporating the Proposed Plan Change to the Raukawa Settlement Trust prior to the public notification of Proposed Plan Change 18 in accordance with the agreement.

3.4.8.3 Maniapoto Māori Trust Board

As outlined above, the Nga Wai o Maniapoto (Waipā River) Act 2012 (the Waipā River Act) was enacted to give effect to the Maniapoto Deed, and a deliverable of this settlement was the establishment of a joint management agreement between the local authorities and the Maniapoto Māori Trust Board.

The agreement covers matters relating to the Waipā River, activities within its catchment, matters relating to the exercise of functions, duties and powers in relation to monitoring and enforcement, Resource Management Act planning documents and applications, and other duties as agreed between the relevant parties.

Section 6 of the agreement outlines the expectations with regard to planning documents. Early engagement and the consideration of a Joint Working Party are the relevant considerations with regard to Proposed Plan Change 18.

Council staff provided a draft of this section 32 analysis incorporating the Proposed Plan Change to the Maniapoto Māori Trust Board prior to the public notification of Proposed Plan Change 18 in accordance with the agreement.

3.4.9 Iwi Environmental Plans

3.4.9.1 Tai Tumu, Tai Pari, Tai Ao – Waikato Tainui Iwi Environmental Management Plan

Tai Tumu, Tai Pari, Tai Ao purpose is to enhance collaborative participation between Waikato Tainui and agencies in resource and environmental management. It provides high level guidance on Waikato Tainui values, principles, knowledge and perspectives on, relationship with, and objectives for natural resources and the environment. The plan highlights the need for enhancement and protection of landscape and natural heritage values.

Tai Tumu, Tai Pari, Tai Ao contains expectations around consultation, and sets out iwi perspectives around specific environmental areas. Chapter 25 (land use planning) seeks to create positive outcomes while respecting the whenua (land) and managing effects.

Proposed Plan Change 18 is in accordance with Tai Tumu, Tai Pari, Tai Ao.

3.4.9.2 Ko Tā Maniapoto Mahere Taiao – Maniapoto Environmental Management Plan

Ko Tā Maniapoto Mahere Taiao is a high-level direction setting document and describes issues, objectives, policies and actions to protect, restore and enhance the relationship of Maniapoto with the environment including their economic, social, cultural and spiritual relationships. The Plan is also a tool to support the leadership of Maniapoto at the forefront of exercising kaitiakitanga and rangatiratanga within the Maniapoto rohe.

Ko Tā Maniapoto Mahere Taiao promotes protection of natural capital, protection and enhancement of the natural environment and management of infrastructure.

Proposed Plan Change 18 is in accordance with Ko Tā Maniapoto Mahere Taiao.

3.4.9.3 Te Rautaki Taiao a Raukawa - Raukawa Environmental Management Plan

Te Rautaki Taiao a Raukawa, the Raukawa Environmental Management Plan provides a statement of values, experiences and aspirations pertaining to the management of, and relationship with the environment. It assists in engagement in policy and planning processes and resource management decisions. The Management Plan offers broad objectives in relation to this matter.

Te Rautaki Taiao a Raukawa sets out policy including policy for national resources, cultural landscapes, and taonga.

Proposed Plan Change 18 is in accordance with the principles of Te Rautaki Taiao a Raukawa, particularly as they relate to section 2.6 (indigenous plants and animals) and 2.8 (sustainable living).

3.4.9.4 Te Rautaki Tāmata Ao Turoa o Hauā — Ngāti Hauā Environmental Management Plan

Te Rautaki Tāmata Ao Turoa o Hauā explains the importance of communication between local authorities and Ngāti Hauā in terms of keeping the Iwi Trust informed about projects, providing a feedback loop and opportunity for relationship building. The plan clearly outlines that engagement is expected and that the Iwi seek opportunities to participate in consent and site monitoring and restoration projects.

Te Rautaki Tāmata Ao Turoa o Hauā sets out a policy framework around natural resources, aspirations, and implementation.

Proposed Plan Change 18 is in accordance with Te Rautaki Tāmata Ao Turoa o Hauā, particularly as it relates to sustainable land use and developing effective use of the whenua (land – e.g. the contribution of bees to orchards).

3.4.10 Ngāti Koroki Kahukura

The ancestral tribal rohe of Ngāti Koroki Kahukura spans from Southern Hamilton City, following the Waikato River to the northern end of Lake Arapuni, inland to western Te Awamutu and through again to southern Hamilton City encompassing Mount Maungatautari and many kāinga settlements. Although Council does not have a Joint Management Agreement in place with Ngāti Koroki Kahukura, they are part of the local tangata whenua.

Council have provided a draft of this section 32 analysis incorporating the Proposed Plan Change to Ngāti Koroki Kahukura prior to notification.

3.5 Other Considerations

3.5.1 Future Proof

Future Proof was formulated in 2009 and is a combined growth strategy project for three local authorities (Hamilton City, Waikato and Waipā Districts) and Waikato Regional Council. There are no relevant considerations for Proposed Plan Change 18.

3.5.2 Waipā 2050 Growth Strategy

The Waipā 2050 District Growth Strategy is Council's guiding document with regard to the identification and development of growth within the Waipā District. To achieve an integrated approach to managing growth the Strategy seeks to:

- Recognise, protect and enhance the features of Waipā that make the district a special place;
- Set a pattern for the future growth of settlements; and
- Integrate growth with infrastructure provision for a more cost-effective approach to development.

There are no relevant considerations for Proposed Plan Change 18.

3.6 Development of Proposed Plan Change 18

In the development of Proposed Plan Change 18 , feedback was received from parties involved in in beekeeping who initially alerted Council to the issues around the current rule.

This section 32 and the draft plan change was circulated to key stakeholders and iwi authorities for commentary in October 2020.

4 Issues

4.1 Issue: Effectiveness of the current Plan Rules

A review undertaken by Council staff has determined that the current rules restricting beehives in residential zones are ineffective. This has been confirmed by feedback from beekeepers who have requested that the rules be removed.

5 Objectives

5.1 Objective of this Proposed Plan Change 18

The objective of Proposed Plan Change 18 is:

- To review the District Plan to ensure that any effects from beekeeping are managed in the most efficient and most effective way.

5.2 Appropriateness of Proposed Plan Change 18 Objective

The objective of this Plan Change is appropriate in respect of the Act (particularly the definition of "effect") and considering of the most efficient and effective method to manage (nuisance) effects.

Assessment of Appropriateness of Plan Change Objective	Objective: To review the District Plan to ensure that any effects from beekeeping are managed in the most efficient and most effective way.
Relevance	▪ This objective is relevant as it relates to the management of effects and the Purpose of the Act
Usefulness	▪ The objective will provide an outcome that is useful, eminently achievable, and is reasonable to implement.
Achievability	
Reasonable	

The objective of Proposed Plan Change 18 is determined to be an appropriate way to achieve the purpose of the Act pursuant to Section 32(1)(a).

5.3 Options to deliver Proposed Plan Change 18 Objective

Section 32(1)(b)(i) of the Act, requires this report to identify *"other reasonably practicable options"* to promote sustainable management, including retaining the status quo, non-regulatory methods and plan changes. This part of the report outlines the process undertaken and details the other reasonably practicable options considered to achieve the objectives of Proposed Plan Change 18.

In considering reasonably practicable options, a number of matters were examined before the alternative options were identified. Options were identified through feedback from internal and external stakeholders, consultation and examination of policy options by other territorial authorities.

The alternatives evaluated for the objective of Proposed Plan Change 18 are discussed below.

5.3.1 Option 1: Do nothing- Status Quo *(unviable)*

This option would retain the rules as they are now in the District Plan. It is considered that the current rules are onerous and ineffective. Only one resource consent has been granted for the keeping of up to two beehives within the Residential Zone in the last five years, indicating that there is a high level of non-compliance with the rules. Furthermore, information received from the American Foulbrood Pest Management Agency (the agency with which all beehives must be registered), shows that there are 363 apiaries (sites) within urban areas of the Waipā District. It is noted that these figures include only those beehives that are registered, and it is presumed that there are likely to be more that are not registered.

Option 1 is not a viable option because it would not resolve the issue of the effectiveness of the rules.

5.3.2 Option 2: Delete the Rule and Provide No Replacement *(Viable, not recommended)*

This option would delete the current rules from the District Plan. It would leave Council with no ability to manage nuisance effects, and no recourse for complaints or enforcement other than civil dispute proceedings through the District Court. While there have only been 6 complaints in 2 years, relying entirely on civil proceedings is unlikely to reduce complaints or enquires to Council. This option, while viable, is undesirable and not recommended.

Option 2 is not a viable option because it results in no replacement controls and is unlikely to reduce further complaints and enquiries to Council.

5.3.3 Option 3: Delete the Current Rules and replace with a Bylaw *(Viable, not recommended)*

Option 3 would delete the rules from the District Plan and replace them with a bylaw under the Local Government Act. This option retains the ability to manage nuisance effects and provides a clear complaints process and enforcement powers for Council, if required. It falls within Council's powers under the Local Government Act and provides an easier dispute resolution process than relying solely on civil proceedings through the District Courts if the rule was removed and no bylaw was put in place.

Many other Councils manage the nuisance effects of bees (and notably, other animals and livestock activities), through Bylaws rather than RMA District Plans.

While Option 3 is consistent with the practice of many other Councils, it is limited in terms of enforcement, with Court prosecution being the only tool available for low-level infringement.

Option 3 is a viable option but is not recommended due to the limited ability of enforcement and restrictive criteria which cannot be varied.

5.3.4 Option 4: Retain a Rule that Permits Beehives with Controls *(Viable, recommended)*

This option would permit beekeeping activities in the Residential Zone and the Large Lot Residential Zone but retain controls (e.g. on the number of beehives and location).

The Resource Management Act provides a wide range of tools for enforcement, with escalation depending on the nature and scale of any non-compliance and the ability to escalate if compliance is not achieved. For beekeeping, the Resource Management Act provides a more flexible enforcement regime than a Bylaw.

An additional benefit of this option provides for resource consents to be applied for should a land owner seek to have additional beehives on site, or vary the location of the beehives to something other than permitted under the permitted activity rule. Any application would follow a statutory process to assess notification and effects.

Option 4 is a viable option and is recommended. It provides a wider range of enforcement tools and can provide for some flexibility should a resource consent be applied for where an activity is unable to meet the permitted criteria.

5.4 Evaluation of Options

The above section outlines the other reasonably practicable options considered. In order to determine whether the other options are reasonably practicable, a comparative analysis has been undertaken. Council is not legally obliged to detail the evaluation process for other reasonably practicable options that were not identified as the preferred option. However, it is considered fair and transparent to demonstrate how the preferred option was decided upon following an assessment against other reasonably practicable options. The key considerations of this analysis are outlined in the following tables.

In undertaking this analysis, consideration was given to section 32(2)(b) which specifies: "*if practicable, quantify the benefits and costs".*

In preparing this plan change, the quantification of the following has informed the options:

- Number of complaints received (6, representing 1.7% of the registered beehives).

- Number of registered beehives (363).
- Number of consented apiaries (1, representing 0.3% of the registered hives).

This quantification applies to all the options and does not require individual quantification of each option. It is noted that any quantification of an increase in beehives or complaints that might arise from Proposed Plan Change 18 would only be speculative.

In addition, the resource management issue that has been identified is relatively minor in nature, and the cost of undertaking a full Cost-Benefit economic analysis for this issue would far outweigh any benefit that might inform options preferences.

For this reason, costs and benefits have not been quantified for each of the options.

Objective: *To review the District Plan to ensure that any effects from beekeeping are managed in the most efficient and most effective way.*				
	Option 1: Status Quo (do nothing)	Option 2: Delete the rule and do not replace	Option 3: Delete the rule and replace with a bylaw	Option 4: Permit beehives with controls
Costs	Environmental: Not permitted beehives is an ecological cost in terms of not promote ecological benefits. The environmental effects management cost disproportionate to the effect being managed. Economic Cost: The cost of obtaining consent is disproportionate to the effect that is being managed. Social Cost: None identified Cultural effect: None identified	Environmental: This may result in nuisance effects on being exacerbated through no controls. Economic Cost: The cost of compliance is zero, but there may be an economic cost on neighbours having to follow up civil proceedings in the absence of any other processes being available. Social Cost: Having no controls may increase social costs between neighbours. Cultural effect: None identified	Environmental: None identified. Economic Cost: The least cost option in terms of the balance between permitting and managing. However this is the highest cot option for enforcement. In addition, a bylaw does not allow beekeepers to apply for addition beehives. Social Cost: Enforcement requires court prosecution proceedings which would be socially disruptive relative to the issue. Cultural effect: None identified	Environmental: None identified. Economic Cost: Resource consent is still required to exceed the permitted activity status or controls. This is the "least cost" option for both council and beekeepers. in terms of enforcement options. Social Cost: None identified Cultural effect: None identified

Objective: *To review the District Plan to ensure that any effects from beekeeping are managed in the most efficient and most effective way.*				
	Option 1: Status Quo (do nothing)	Option 2: Delete the rule and do not replace	Option 3: Delete the rule and replace with a bylaw	Option 4: Permit beehives with controls
Benefits	Environmental: Non identified. Economic Cost: None identified. Social Cost: None identified Cultural effect: None identified	Environmental: Ecological benefits would be realised, but environmental benefits (nuisance effects) would be reduced. Economic Cost: This option has transfers highest economic benefit to beekeepers and council (no enforcement necessary). Social Cost: Potentially the highest social cost, through neighbour disputes requiring civil proceedings. Cultural effect: None identified	Environmental: This option provides a balance between ecological and environmental benefits. Economic Cost: The option provides an economic imbalance balance between the cost of enforcement and the issue needing enforcing. Social Cost: Likely improved social benefits between neighbours Cultural effect: None identified	Environmental: This option provides a balance between ecological and environmental benefits. Economic Cost: Economic benefits are distributed, and this option provides the most flexible enforcement regime. It also provides a process for application for additional beehives and an effects assessment (a bylaw does not have this mechanism). Social Cost: None identified Cultural effect: None identified
Opportunities for economic growth and employment to be provided or reduced	No change	Increased opportunity at both a hobby and commercial (with no upper limits) level.	Increased opportunity at a hobby beekeeping or "distributed commercial" beekeeping.	Increased opportunity at a hobby beekeeping or "distributed commercial" beekeeping.
Efficiency and Effectiveness of achieving objectives	Shown to be inefficient and ineffective.	Efficient but ineffective in managing nuisance effects.	Efficient but may be ineffective in respect of enforcement (Council would be unlikely to take a prosecution for low level non-compliances)	Most efficient and effective, including enforcement processes.

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Objective: *To review the District Plan to ensure that any effects from beekeeping are managed in the most efficient and most effective way.*				
	Option 1: Status Quo (do nothing)	Option 2: Delete the rule and do not replace	Option 3: Delete the rule and replace with a bylaw	Option 4: Permit beehives with controls
Risk of acting or not acting if there is insufficient or uncertain information about the subject matter of the provisions	n/a there is sufficient information			
Other considerations	Option 3 (bylaws) is a common and accepted approach to managing beekeeping amongst other councils. However, enforcement tools remain limited and require a court prosecution.			
Overall appropriateness for achieving objectives	In summary, the status quo has been determined to be inappropriate due to not be efficient or effective and the high costs relative to the issue being managed.	This option is inappropriate as it retains no limits or controls on the number of hives or proximity to sensitive environments.	Option 3 is appropriate but may not be the most efficient or effective given the limited enforcement options.	Option 4 is the most appropriate and is assessed as the most efficient option.
Overall rating	Option 1: Unviable option	Option 2: Viable but with potential negative consequences	Option 3: Viable but not the best option	Option 4: Viable and recommended

6 Proposed Provision Assessment

This part of the Section 32 analysis assesses if the proposed provisions are the most appropriate to support Proposed Plan Change 18 objectives. The purpose of this evaluation is to make sure that the amended provisions are the most appropriate way to promote the sustainable management of natural and physical resources.

6.1.1 Amendments to the Residential Zone

Deletion of the beekeeping reference in the policy is proposed along with deleting the controls on beekeeping of up to two hives as a discretionary activity.

The effect of Proposed Plan Change 18 in the Residential Zone would be that beekeeping activities would be permitted under the District Plan, and resource consent would no longer be required for beehives provided they meet the following criteria:

- There are no more than two beehives on a site; and

- The beehives are placed at least:
  - 3m from a boundary if there is a solid fence of at least 1.8m on that boundary; or
  - 5m from a boundary if there is no solid fence of at least 1.8m on that boundary; and
- The site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly; and
- The site is 500m2 or greater.

Bees generally, will fly at head height for some distance from their hives unless their surrounding environment directs their flight path upwards. Therefore the proposed rule enables the setback of a beehive from a property boundary to be reduced if a flyway barrier, being at least 1.8m, positioned within 1-2 metres out the front of the hive entrance directs the bees to fly above head height. This mechanism is used to avoid potential on-site amenity and nuisance effects near ground level adjoining the beehive.

These changes implement the plan change objective and the recommended option and are therefore appropriate.

"Nuisance" effects are retained in the proposed policy to enable enforcement for any other unanticipated effects.

6.1.2 Amendments to the Large Lot Residential Zone

Deletion of the beekeeping reference in the explanation and policy is proposed, along with deletion of the controls on beekeeping as a restricted discretionary activity.

This will be replaced with a rule that permits the keeping of up to two beehives where the beehives are located no closer than 5m to any boundary, and where the site does not adjoin a neighbourhood reserve, or any lawfully established school, childcare and pre-school facility, community centre or place of assembly.

The limit on two beehives is derived from the existing rule and is considered a reasonable limit that provides for hobby and distributed commercial beekeeping without impinging on normal residential activities.

"Nuisance" effects are retained to enable enforcement for any other unanticipated effects.

The 5m setback is to achieve a reasonable separation of beehives from sensitive activities in considering the lower density and larger lot sizes that are observed within the Large Lot Residential Zone.

These changes implement the plan change objective and the recommended option and are therefore appropriate.

6.1.3 Amendments to Assessment Criteria (Section 21)

Consequential amendments are required to the assessment criteria for beekeeping activities to clarify reference to more than two beehives, and to clarify the separation distance and barriers that can be implemented to avoid undue on-site amenity and nuisance effects. This change is a consequential amendment to implement the primary changes to the policy and rules, and is the most appropriate change.

7 Implementation of Proposed Plan Change 18

This report must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social and cultural effects anticipated from the implementation of Proposed Plan Change 18. 'Scale' refers to the magnitude of effects, and 'significance' refers to the importance that the wider community places on those effects. The following table outlines the criteria considered to determine the scale and significance of the effects that are anticipated from implementation of Proposed Plan Change 18. An ordinal scale has been used for this assessment.

Criteria	Assessment High/Medium/Low/NA
Number of people who will be affected	Low
Magnitude and nature of effects	Low
Immediacy of effects	High
Geographic extent	Medium
Degree of risk or uncertainty	Low
Stakeholder interest	High (for direct stakeholders)
Māori interest	Low
Information and data is easily available	High
Information and data is easily quantified for assessment	Medium
Extent of change from status quo	Low (status quo is ineffective)

In this instance, the scale and significance of the effects that are anticipated from the implementation of Proposed Plan Change 18 are considered to be low.

DRAFT

8 Conclusion

This report presents an evaluation undertaken by Council in accordance with Section 32 of the Act for Proposed Plan Change 18 (Beekeeping in Residential Zones). This report outlines the process that was taken to identify the issue and options, and then evaluates the options. The report then evaluates the preferred option in detail. The report concludes with an assessment of the scale and significance of the effects anticipated from Proposed Plan Change 18 and concludes that these are considered to be low.

As such, it is considered appropriate to revise the Waipā District Plan to:

- Remove the controls on beekeeping and beehives in residential zones; and
- Establish a new permitted activity for beekeeping activities limited up to two beehives in the Residential Zone and Large Lot Residential Zone with controls relating to setbacks and adjoining sensitive activities.

DRAFT

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipa DISTRICT COUNCIL

INFORMATION ONLY

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Tony Quickfall - Manager District Plan and Growth
Subject:	**Proposed Private Plan Change 12 – Sanderson Group Limited & Kotare Properties Limited – T2 Growth Cell Rezoning, Te Awamutu**
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

The purpose of this report is to inform the Committee of a request that has been received for a private plan change (PPC12) and that a decision has been made to publicly notify the plan change by Wayne Allan (Group Manager District Growth and Regulatory Services) under delegated authority.

Private Plan Change 12 is proposing to rezone the T2 Growth Cell located at Frontier Road, Te Awamutu from deferred residential to a residential zone in order to enable the development of a retirement village and residential subdivision.

2 RECOMMENDATION

That the report titled 'Proposed Private Plan Change 12 – Sanderson Group Limited & Kotare Properties – T2 Growth Cell Rezoning, Te Awamutu' (document number 10483195) from Tony Quickfall, Manager – District Plan & Growth, be received.

3 PLAN CHANGE REQUEST

Sanderson Group Limited (SGL) & Kotare Properties Limited (KPL) have collectively lodged Private Plan Change 12 to the Waipa District Plan (WDP), identified as Private Plan Change 12 (PPC12). PPC12 seeks to rezone the Deferred Residential Zone currently applied to the T2 Growth Cell in Te Awamutu, to a Residential Zone and includes a structure plan for the entire T2 Growth Cell.

The T2 Growth Cell is located to the west of Te Awamutu and is accessed from Frontier Road to the south, and Pirongia Road to the north of the site. The T2 Growth Cell is set out in Appendix S1 of the WDP and is identified in the Waipa Growth Strategy 2050 as being available for release for development after 2035.

SGL focus on providing high quality retirement villages in New Zealand and have been involved in retirement village developments in Tauranga, Queenstown, Hamilton and Tamahere. SGL have identified further demand for the type and quality of age care facilities they offer in the Waikato, including specific demand in the Te Awamutu area. SGL have identified this demand as being a key driver to progress PPC12 ahead of the anticipated 2035 release.

Prior to the onset of the Covid-19 pandemic, SGL had sought to develop the entire southern half of the T2 Growth Cell into a retirement village. However, given the impact of Covid-19 and the economic uncertainty associated with it, SGL have made a decision to downsize their development plans and partner with KPL to jointly develop the southern half of the T2 Growth Cell into a retirement village, and a residential development.

PPC12 consists of the following primary components:

- The establishment of a retirement village development comprising approximately 9.56ha of land in the southern section of the structure plan.
- General residential development for the remainder of the structure plan area to the north and south of the retirement village. This development is to be integrated with the retirement village, and the adjoining T1 Growth Cell to the east.
- Rezoning the entirety of the T2 Growth Cell (approximately 41ha) from the existing 'Deferred Residential Zone', to 'Residential Zone'.

PPC12 therefore seeks to incorporate the following changes to the WDP:

- Insertion of a structure plan for the entirety of the T2 Growth Cell as Appendix S23 – Te Awamutu T2 Growth Cell Structure Plan. The structure plan includes a supporting appendix setting out:
- Insertion of a rule to Section 2 – Residential Zone, proposed to be identified as Rule 2.4.2.54. This rule applies to the T2 Growth Cell Structure Plan area only. The purpose of this rule is to implement the design measures set out in the Structure Plan.
- Insertion of a provision after Rule 15.4.2.90 as Rule 15.4.2.91 requiring all subdivision and development of land before 2035 in Stage 2 shall comply with the Rural zone rules, whereas from 2035 subdivision or development of land shall comply with the Residential zone rules. This is to reflect the proposed staging of the structure plan outlined above.

Both SGL and KPL, and their consultants have been engaging with Council staff prior to lodgement to discuss the design of, and options for, servicing the structure plan. These details have followed through into the plan change request and are largely in accordance with Council staff expectations. No major concerns have been identified with respect to the provision of infrastructure.

SGL and KPL have also consulted with a number of stakeholders, including local iwi, Heritage NZ, and adjoining landowners prior to submission of PPC12.

4 ACCEPTANCE OF PROPOSED PRIVATE PLAN CHANGE 12

A decision has been made by Wayne Allan (Group Manager) under delegated authority to accept PPC12 in whole for processing as a private plan change. This decision was based on the plan change application providing sufficient information to be assessed and that there was sufficient merit in the application that it should be allowed to be negotiated and subject to a public planning process.

5 NOTIFICATION OF PROPOSED PRIVATE PLAN CHANGE 12

SGL and KPL have no concerns with a public notification process which would involve a public notice and direct notification to the directly affected parties surrounding the site. This option is also the recommended option of Council staff and their Planning Consultant who is processing PPC12.

Limited notification is not considered appropriate as there may be parties who are affected who are located outside the immediate geographic area of the site. Limited notification is a more appropriate tool in circumstances where geographic scope is limited and can be clearly defined. There is also a higher potential for a limited notification decision to be legally challenged via a judicial review by any parties not directly notified who feel that they are directly affected and are excluded. This could have potentially significant process implications on the plan change process.

A decision was accordingly made by Wayne Allan (Group Manager) under delegated authority to publicly notify PPC12. The notification of PPC12 is planned for the 30 October 2020.

5 NOTIFICATION DECISIONS FOR PLAN CHANGES

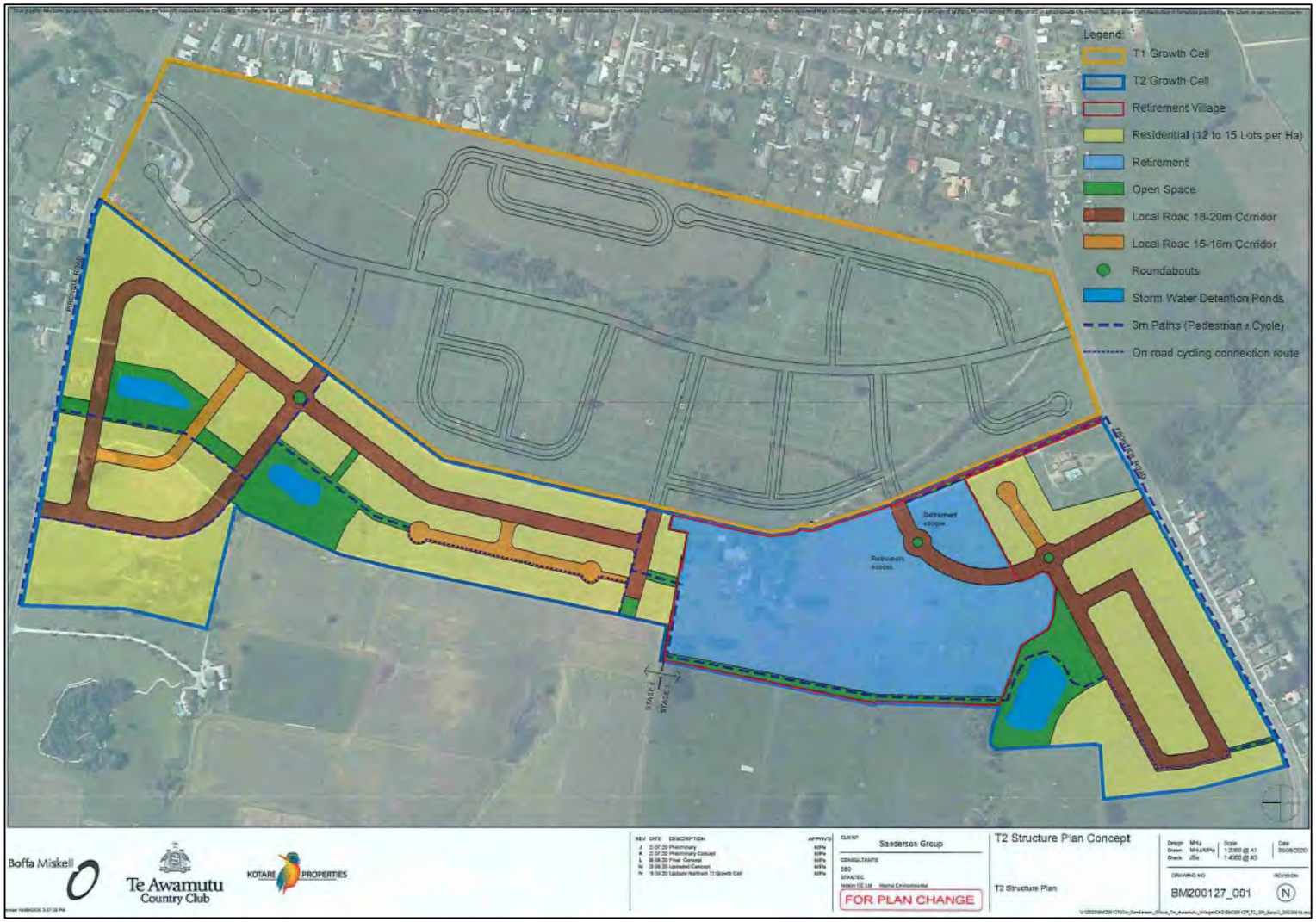
A number of Council management and senior staff have delegated authority to notify plan changes. As PPC12 is not a plan change "of Council", it is appropriate for the notification decision for PPC12 to be made under staff delegation.

Plan changes 13, 15, 16 and 18 are, however, changes initiated by the Council. While staff's delegation includes the approval of Council plan changes for notification, Council's practice has been to obtain SP&P Committee resolution to notify any of Council's own plan changes. For this reason, Plan Changes 13, 15, 16 and 18 are being reported on separately, for a resolution of the Committee to notify these. Staff will exercise their delegation to make any final changes following stakeholder or iwi feedback, prior to notification.

Tony Quickfall
MANAGER DISTRICT PLAN & GROWTH

Wayne Allan
GM DISTRICT GROWTH& REGULATORY SERVICES

Proposed Structure Plan



SUPPORTING INFORMATION: DECISION ON ACCEPTANCE AND NOTIFICATION

Clause 25 and Notification Recommendation *(document number 10482623)*.

MEMO

To:	Wayne Allan – Group Manager District Growth and Regulatory Services	**Cc:**	Tony Quickfall – Manager District Plan and Growth
From:	Tim Wilson – Consultant Planner		
Date:	12 October 2020	**File Ref:**	ECM #10482623
Subject:	Private Plan Change 12 – Sanderson Group Limited & Kotare Properties Limited – T2 Growth Cell rezoning, Te Awamutu		

INTRODUCTION

Sanderson Group Limited (SGL) and Kotare Properties Limited (KPL) have collectively lodged a private plan change request to the Waipa District Plan (WDP), identified as Private Plan Change 12 (PPC12). PPC12 seeks to rezone the Deferred Residential Zone currently applied to the T2 Growth Cell in Te Awamutu, to a Residential Zone. PPC12 includes a structure plan for the entire T2 Growth Cell.

The T2 Growth Cell is located to the west of Te Awamutu and is accessed from Frontier Road to the south, and Pirongia Road to the north of the site. The T2 Growth Cell is set out in Appendix S1 of the WDP and is identified in the Waipa Growth Strategy 2050 as being available for release for development after 2035.

SGL focus on providing high quality retirement villages in New Zealand and have been involved in retirement village developments in Tauranga, Queenstown, Hamilton and Tamahere. SGL have identified further demand for the type and quality of age care facilities they offer in the Waikato, including specific demand in the Te Awamutu area. SGL have identified this demand as being a key driver to progress PPC12 ahead of the anticipated 2035 release.

Prior to the onset of the Covid-19 pandemic, SGL had sought to develop the entire southern half of the T2 Growth Cell into a retirement village. However, given the impact of the Covid-19 pandemic and the medium to long term economic uncertainty associated with this, SGL have decided to downsize the retirement village plans and partner with KPL to jointly develop the southern half of the T2 Growth Cell into a retirement village, and a residential housing development.

The design for the retirement village and residential subdivision have now progressed to a point where resource consent applications (bulk earthworks and subdivision) have been lodged with Council to develop the southern portion of the T2 growth cell (i.e. the retirement village area). These applications have been lodged in anticipation of a favourable outcome on PPC12. The development design for the southern half of the T2 Growth Cell is therefore far more advanced than the northern half, noting the landowners of the northern half have no immediate interests in developing.

Clause 25 of Schedule 1 of the Resource Management Act 1991 (RMA) directs Councils to consider a request for a private plan change and to make a determination as to whether the plan change process should be accepted as requested, be adopted by Council, rejected, or processed as a resource consent. Schedule 1, Clause 5(1)(b) of the RMA requires that once accepted, Council is to publicly notify or give limited notification of the proposed plan change under Clause 5A. The purpose of this report is to make a recommendation regarding **acceptance** and **notification** of PPC12.

PPC12 consists of the following primary components:

- The establishment of a retirement village development comprising approximately 9.56ha of land in the southern section of the growth cell, that will include the following development / amenities:
  - Approximately 98 standalone retirement villas;
  - A care facility including a dementia unit;
  - A club house including a café that will be open to the public;
  - A health spa; and
  - Recreational amenities including a croquet lawn and bowls green, walkways and cycleways.
- General residential development for the remainder of the growth cell to the north and south of the retirement village. This development is to be integrated with the retirement village, and the adjoining T1 Growth Cell to the east.
- The southern residential development consists of approximately 8.95ha, and will include:
  - Approximately 105 residential lots;
  - A stormwater reserve, including a stormwater treatment wetland to vest in Council;
  - A recreation reserve to vest in Council;
  - Various pedestrian and cycle paths to vest in Council; and
  - Infrastructure and utility connections, as necessary.
- The northern residential development comprising the northern half of the growth cell (approximately 22ha), consists of road network, stormwater and recreation reserves, pedestrian and cycle paths and infrastructure and utility connections.

PPC12 therefore seeks to incorporate the following changes to the WDP:

- Rezoning the entirety of the T2 Growth Cell (approximately 41ha) from the existing 'Deferred Residential Zone', to 'Residential Zone'.
- Insertion of a structure plan for the entirety of the T2 Growth Cell as Appendix S23 – Te Awamutu T2 Growth Cell Structure Plan. The structure plan includes a supporting appendix setting out:
  - Purpose statement for the T2 Growth Cell Structure Plan.
  - A description of the key elements of the structure plan, including pedestrian and cycle connections throughout the site, local road connections and internal cross sections, open space network consisting of stormwater swales, treatment ponds, and recreational spaces.
  - Design measures to address the key elements, including buffer planting areas, and requirements relating to building offsets, fencing, and building heights and specimen tree planting requirements.

- Insertion of a rule to Section 2 – Residential Zone, proposed to be identified as Rule 2.4.2.54. This rule applies to the T2 Growth Cell Structure Plan area only. The purpose of this rule is to implement the design measures set out in the Structure Plan, and includes:
  - A minimum building setback of 4m from the western boundary, except for the retirement village area;
  - A buffer planting area 2m wide adjoining the western boundary and planting requirements, except for the retirement village area; and
  - Building height of 5m, and fencing height of 1.2m, and landscape treatment along the Frontier Road boundary.
- Insertion of a provision after Rule 15.4.2.90 as Rule 15.4.2.91 requiring all subdivision and development of land before 2035 in Stage 2 shall comply with the Rural zone rules, whereas from 2035 subdivision or development of land shall comply with the Residential zone rules. This is to reflect the proposed staging of the structure plan outlined above.

Both SGL and KPL, and their consultants have engaged with Council staff prior to lodgement to discuss the design of, and options for, servicing the structure plan. These details have followed through into the plan change request and are largely in accordance with Council staff expectations. No major concerns have been identified with respect to the provision of infrastructure. It is anticipated that refinement of the wording and specific details relating to the proposed changes to the WDP can be worked through with SGL and KPL through the process.

SGL and KPL have also consulted with a number of stakeholders, including local iwi, Heritage NZ, and adjoining landowners. Written approval has been provided from the following landowners:

Address	Landowner/occupier
36 Pirongia Road	Victoria Beale
24 Pirongia Road	Ross & Beatrice McGowan
73 Pirongia Road	Colin and Lynn Pinkerton
35 Pirongia Road	Emma Spiers
10 Frontier Road	Rodney James & Raewyn Spiers
39 Pirongia Road	Blenddyn & Elizabeth Sterling
38 Burn Road	Peter, Steven, Tracy & Yvonne Thompson

PRIVATE PLAN CHANGE REQUEST

Section 73(2) of the RMA states:

> *(2) Any person may request a territorial authority to change a district plan, and the plan may be changed in the manner set out in Part 2 or 5 of Schedule 1.*

Part 2 of Schedule 1 outlines the process for a private plan change request, which has been lodged under the standard provisions of the RMA. Part 5 refers to the streamlined review process whereby the Minister for the Environment essentially must take responsibility for issuing directions for the

review process and making a decision on any plan change. There are no rights of appeal under the streamlined process.

PPC12 has been lodged in accordance with Part 2 of Schedule 1. Part 2 sets out a number of statutory provisions regarding the form of the plan change request (Clause 22), a further information process (Clause 23), and the opportunity to modify the request (Clause 24).

It is considered that the plan change application satisfies the statutory requirements for the form of the plan change in that it includes:

- Information regarding the purpose of and reasons for the plan change;
- Discussion of the alternatives; and
- An assessment of cost and benefits as required under Section 32 of the RMA.

The plan change request also includes an assessment of environmental effects, including an assessment on transport effects, landscape and visual amenity effects, noise effects, economic effects, infrastructure effects (wastewater, water supply, stormwater, roading, and utilities), ecological effects, archaeological effects, geotechnical effects, contamination effects, and positive effects.

With regards to further information, a request for further information was issued pursuant to Clause 23(1) on the 9 September 2020. A response to the request was received on the 18 September 2020. The plan change request and information response received provides sufficient information to enable both Council and any submitters the opportunity to understand the nature and scope of PPC12 and the specific changes requested to the WDP. It is noted that the notification process may identify further matters that need to be considered by Council, which may lead to a further information request.

Waipa DISTRICT COUNCIL

MEMO

CLAUSE 25 CONSIDERATIONS AND ASSESSMENT

Clause 25 of Schedule 1 sets out the decision-making process that Council must follow once a private plan change request has been received as follows.

25 Local authority to consider request

(1) A local authority shall, within 30 working days of—

(a) receiving a request under clause 21; or

(b) receiving all required information or any report which was commissioned under clause 23; or

(c) modifying the request under clause 24—

whichever is the latest, decide under which of subclauses (2), (3), and (4), or a combination of subclauses (2) and (4), the request shall be dealt with.

(1A) The local authority must have particular regard to the evaluation report prepared for the proposed plan or change in accordance with clause 22(1)—

(a) when making a decision under subclause (1); and

(b) when dealing with the request under subclause (2), (3), or (4).

(2) The local authority may either—

(a) adopt the request, or part of the request, as if it were a proposed policy statement or plan made by the local authority itself and, if it does so,—

(i) the request must be notified in accordance with clause 5 or 5A within 4 months of the local authority adopting the request; and

(ii) the provisions of Part 1 or 4 must apply; and

(iii) the request has legal effect once publicly notified; or

(b) accept the request, in whole or in part, and proceed to notify the request, or part of the request, under clause 26.

(2AA) However, if a direction is applied for under section 80C, the period between the date of that application and the date when the application is declined under clause 77(1) must not be included in the calculation of the 4-month period specified by subclause (2)(a)(i).

(2A) Subclause (2)(a)(iii) is subject to section 86B.

(3) The local authority may decide to deal with the request as if it were an application for a resource consent and the provisions of Part 6 shall apply accordingly.

(4) The local authority may reject the request in whole or in part, but only on the grounds that—

(a) the request or part of the request is frivolous or vexatious; or

(b) within the last 2 years, the substance of the request or part of the request—

(i) has been considered and given effect to, or rejected by, the local authority or the Environment Court; or

(ii) has been given effect to by regulations made under section 360A; or

(c) the request or part of the request is not in accordance with sound resource management practice; or

(d) the request or part of the request would make the policy statement or plan inconsistent with Part 5; or

(e) in the case of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years.

(5) The local authority shall notify the person who made the request, within 10 working days, of its decision under this clause, and the reasons for that decision, including the decision on notification.

In accordance with subclause 1A, a Section 32 analysis of the plan change request has been included in the application and this has been given particular regard to.

The key decision pathways for Council in relation to PPC12 are set out in subclauses 2, 3 and 4. Each of these are considered as follows:

- Subclause 2 provides the option for Council to adopt the plan change as a Council led plan change, and then to follow the statutory plan review process. Alternatively, it can accept the plan change, in whole or in part, and then the plan change may be notified and assessed by Council as a private plan change.

- SGL and KPL have lodged the request as a private plan change and are not seeking for it to be adopted by Council. If the Council were to adopt the plan change it would accept responsibility for the processing and costs associated with it. Furthermore, the key driver behind the request, is to enable the development of a retirement village to meet demand for high-quality retirement village facilities in the Waikato. The plan change is not considered critical to the achievement of Council's strategic objectives and it is therefore considered that that there is no merit in Council adopting it.
- The plan change request presents a package of integrated planning and infrastructural solutions for the entire T2 Growth Cell. It is noted that the request includes staging the release of land within the growth cell for development, with the southern half to be developed immediately, and the northern half to be developed after 2035. Therefore, it would not be prudent to only accept part of the request. To provide for integrated land use planning and development the full scope and merits of the plan change should in my opinion be considered as a whole and the plan change should be accepted in whole.
- Subclause 3 allows for Council to consider the changes sought as a resource consent application through the provisions of Part 6 of the RMA. This is not considered appropriate given there are no immediate plans to develop the northern half of the growth cell, therefore the development of the entire growth cell is likely to occur over a reasonable timeframe (>15 years). The request also seeks to change the zone applying to the T2 Growth Cell to provide security for development. A resource consent application would require substantially more design detail than what is has currently been presented, and development through resource consents could possibly be more piecemeal, resulting in inconsistent design and/or development outcomes. Amendments to the WDP including the structure plan provides for a more comprehensive approach.
- Subclause 4 sets out specific grounds where Council may reject the plan change which would negate the opportunity for the plan change to be considered under the RMA. It is considered that the grounds identified within subclause 4 do not apply to the plan change request, as outlined below.
    - PPC12 is not frivolous or vexatious. It directly relates to the development of an identified growth cell, albeit ahead of what was anticipated in the Waipa District Growth Strategy 2050.
    - The substance of the plan change request has not been given effect to or rejected by the Council or the Environment Court.
    - The plan change request has been prepared in accordance with sound resource management practice. It includes a statutory assessment (including a section 32 analysis, assessment of environmental effects and an assessment against relevant higher order planning documents). The level of detail provided with the application is considered to be in accordance with sound resource management practice for the purpose of accepting the plan change.
    - PPC12 will not make the WDP inconsistent with Part 5 of the RMA (Standards, policy statements and plans).
    - The WDP was notified on the 31 May 2012 and made fully operative on the 14 August 2017 (part-operative 1 November 2016). Therefore, PPC12 has been made more than 2 years after the operative date of the WDP.

Clause 26A of Schedule 1 *Mana Whakahono a Rohe* explicitly requires Council to comply with any iwi participation agreements. In this instance, there are currently no statutory partnership agreements in place, however, SGL and KPL have consulted with local tangata whenua for the purpose of informing the assessment of cultural values, including the preparation of a Cultural Impact Assessment (CIA). The CIA includes several recommendations for SGL and KPL relating to establishing relationships with mana whenua, ensuring appropriate cultural protocols are adhered to, cultural health indicator frameworks are implemented as appropriate, and a partnership agreement established with SGL, KPL and Kawenata. SGL and KPL have accepted the recommendations and have committed to implementing them through the subsequent resource consenting, design, and construction phases.

NOTIFICATION ASSESSMENT

The RMA requires a decision as to whether the application should follow a public notification or a limited notification[1] process. The purpose of the limited notification process is to provide an alternative to full (public) notification where full notification may be disproportionate or inefficient in the circumstances.

The RMA states[2] that a local authority may give limited notification of a proposed plan change, but only if it is able to identify all the persons directly affected by the proposed change. The RMA provides no guidance as to how to determine whether a person is directly affected.

Limited notification is not considered appropriate as there may be parties that are affected that are located outside the immediate geographic area of the site. Limited notification is a more appropriate tool in circumstances where geographic scope is limited. The Ministry for the Environment guidance[3] suggests that limited notification is likely to be used for "minor, small scale, or discrete plan changes, for example aligning zones to new property boundaries, or a spot zoning".

There is also a higher potential for a limited notification decision to be legally challenged via a judicial review by any parties not directly notified who feel that they are directly affected and are excluded. This could have potentially severe implications on the plan change process.

Council staff have consulted with the SGL and KPL's consultants on notification, who have confirmed that they are comfortable with a public notification process.

Given the above, it is recommended that PPC12 is publicly notified pursuant to Clause 5(1)(b)(i) of the First Schedule to the RMA and that the procedure set out in Clause 5(1A)(a) of the RMA be followed in regard to notification, which would involve a public notice and direct notification to the directly affected parties surrounding the site.

In terms of directly notified parties, it is recommended that the adjoining landowners identified in Appendix B to this report be directly notified of PPC12. In addition, the Minister for the Environment, and the relevant iwi authorities as identified within the plan change documentation, being Ngati Apakura, Ngati Maniapoto, Raukawa and Waikato-Tainui are also directly notified as required through Clause 3 of Schedule 1 of the RMA.

[1] As set out in Schedule 1, subclause 5A of the RMA
[2] Schedule 1, subclause 5A(2)
[3] Resource Legislation Amendments 2017 – Fact Sheet 4, Ministry for the Environment

Waipa DISTRICT COUNCIL

MEMO

RECOMMENDATION

Pursuant to Clause 25(2)(b) of the First Schedule to the RMA, it is recommended to accept the whole of the request for PPC12 by SGL and KPL to rezone the T2 Growth Cell from deferred residential to residential.

Pursuant to Clause 5(1)(b)(i) of the First Schedule to the RMA, it is recommended that Council publicly notify PPC12 and the procedure set out in Clause 5(1A)(a) be followed with direct notification to the persons identified above and in Appendix B.

Reasons for decision:

1. Sufficient information has been provided to ensure that any person who may wish to submit on PPC12 can clearly understand what is proposed.
2. The plan proponents have provided the necessary information pursuant to the requirements of the RMA.
3. There is no merit in Council adopting PPC12 as a Council plan change and a resource consent process would not provide an effective planning process or outcome to achieve the outcomes sought by the plan change request.
4. Council is satisfied that the plan proponents have undertaken an appropriate consultation process.
5. The grounds on which Council may reject the plan change request are not applicable or justifiable in relation to the plan change request.

Recommendation:

_____

Tim Wilson
CONSULTANT PLANNER
Date: 12 October 2020

Authorised under delegated authority:

_____

Wayne Allan
GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES
Date: 13 October 2020

Waipa DISTRICT COUNCIL

MEMO

BACKGROUND INFORMATION

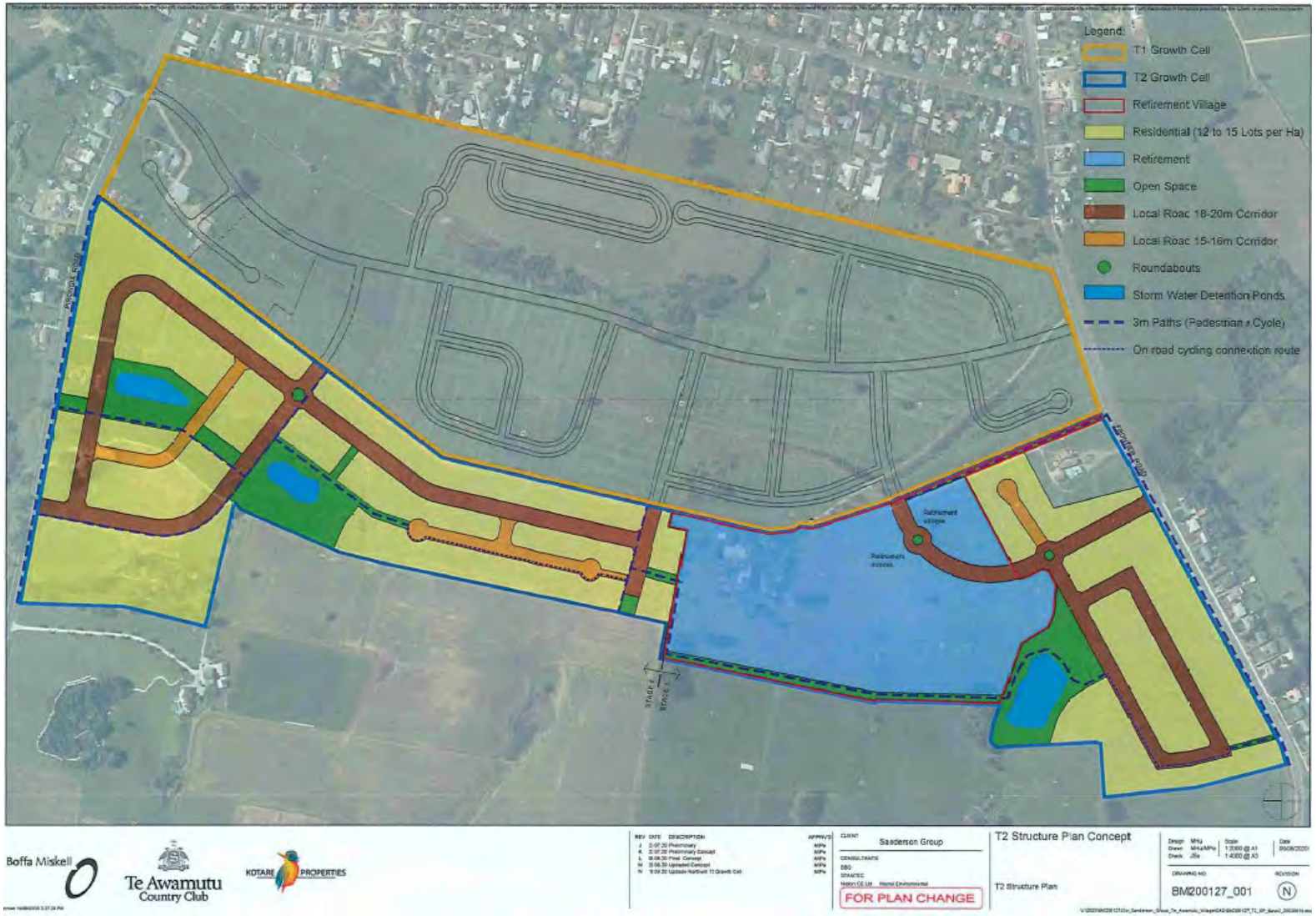
All supporting documentation can be found in the following ECM records:

ECM #	Title	Author
10450552	Plan Change Application	Bloxam, Burnett & Olliver

Waipa DISTRICT COUNCIL

MEMO

APPENDIX A - PROPOSED STRUCTURE PLAN



Waipa DISTRICT COUNCIL

MEMO

APPENDIX B - DIRECTLY AFFECTED PROPOERTIES TO BE NOTIFIED

INDEX	ADDRESS (FULL)	OWNERS
1	1/53 Frontier Road, Te Awamutu	Jeremy Adair Kendrick, Lorraine Josephine Kendrick, Redoubt Trustees Limited
2	10 Frontier Road, Te Awamutu	Raewyn Dale Spiers, Rodney James Spiers
3	28 Frontier Road, Te Awamutu	Waipa District Council
4	29 Frontier Road, Te Awamutu	Sandra Kathryn Underhill
5	31 Frontier Road, Te Awamutu	Diane May Nicoll, Keith Nicoll
6	33 Frontier Road, Te Awamutu	Nigel Craig Phillips, Sharlene Maree Phillips
7	35 Frontier Road, Te Awamutu	Paul Steven Wheeler, Rebecca Jane Fraser
8	37 Frontier Road, Te Awamutu	Courtney Jean Quinn, Kelly Ann Quinn
9	39 Frontier Road, Te Awamutu	Joan Ellen Galloway, Neil John McNamara
10	41 Frontier Road, Te Awamutu	Jodi Joan Thompson, Steven Bruce Thompson, Yvonne Margaret Thompson
11	43 Frontier Road, Te Awamutu	Lisa Helen Ryan
12	45 Frontier Road, Te Awamutu	Joanne Shirley Patmore, Nicholas Dean Patmore
13	47 Frontier Road, Te Awamutu	Bronwyn Jane Denize, Ross David Denize
14	49 Frontier Road, Te Awamutu	Nicole Helen Cavanagh
15	51 Frontier Road, Te Awamutu	Hayley Grace Thompson, Steven Bruce Thompson, Yvonne Margaret Thompson
16	51 Frontier Road, Te Awamutu	Peter Hugh Thompson, Steven Bruce Thompson, Tracy Lee Thompson, Yvonne Margaret Thompson
17	51 Frontier Road, Te Awamutu	Steven Bruce Thompson, Yvonne Margaret Thompson
18	51 Frontier Road, Te Awamutu	Peter Hugh Thompson, Steven Bruce Thompson, Tracy Lee Thompson, Yvonne Margaret Thompson
19	52 Frontier Road, Te Awamutu	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
20	53 Frontier Road, Te Awamutu	Jane Ann Sinclair
21	55 Frontier Road, Te Awamutu	Mitchell Frederick Jones
22	57 Frontier Road, Te Awamutu	Bayliss Properties Limited
23	59 Frontier Road, Te Awamutu	Mark Tutai Strickland, Robyn Lee-Ann Strickland
24	61 Frontier Road, Te Awamutu	Marjorie Dianne Dobson, Neville Poynton
25	63 Frontier Road, Te Awamutu	John Reweti Dixon, Margaret Dixon
26	65 Frontier Road, Te Awamutu	Joanna Adele Heath, Kurt David Collins
27	67 Frontier Road, Te Awamutu	Noeline Isabel Cotterell
28	8 Frontier Road, Te Awamutu	Frontier Developments Limited
29	8 Frontier Road, Te Awamutu	Frontier Developments Limited

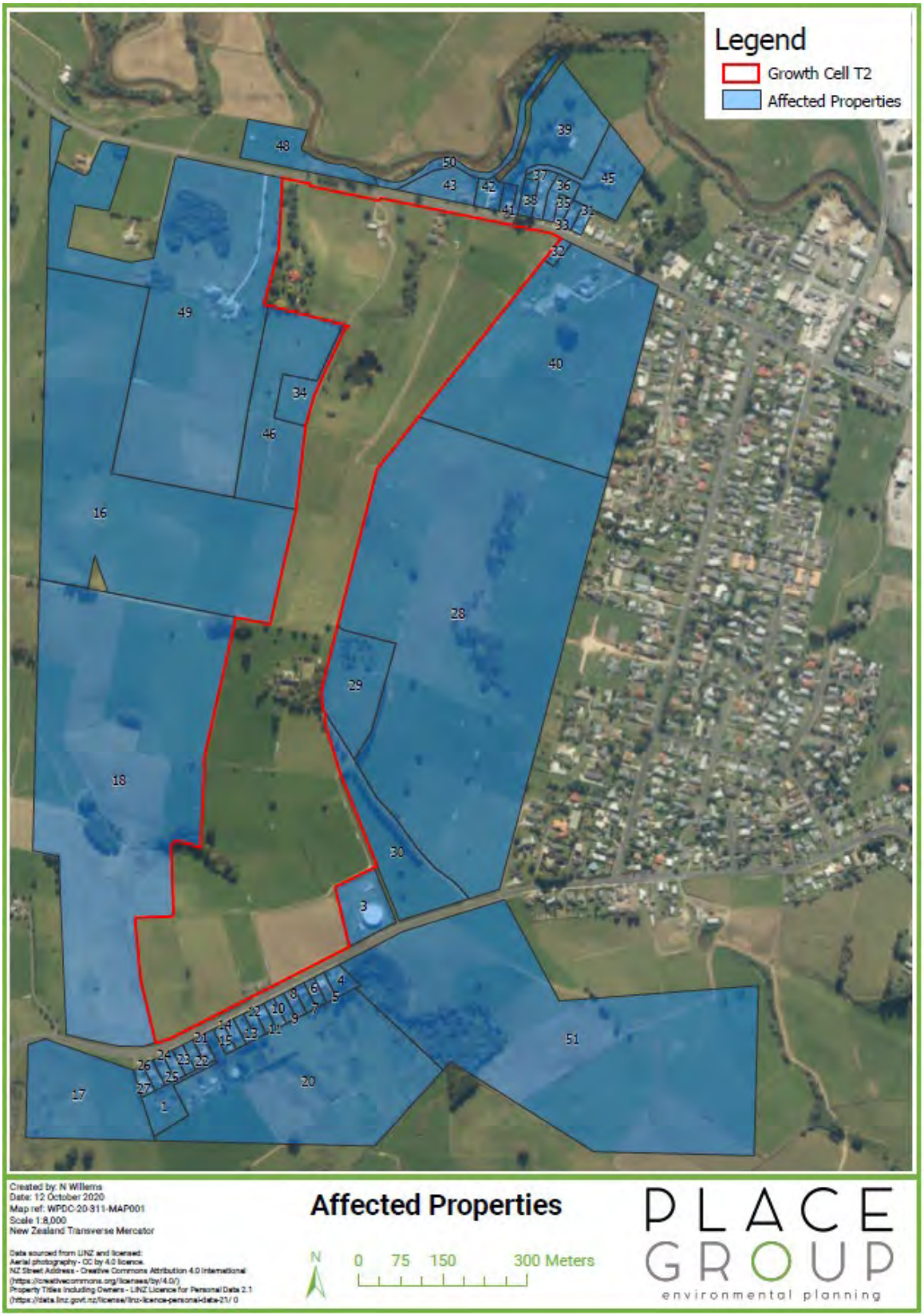
Waipa DISTRICT COUNCIL

MEMO

INDEX	ADDRESS (FULL)	OWNERS
30	8 Frontier Road, Te Awamutu	Frontier Developments Limited
31	16 Pirongia Road, Te Awamutu	Bradley Lawrence Hamilton Magee, Toni Lee Magee
32	17 Pirongia Road, Te Awamutu	Scott Allan Bruce Miller
33	18 Pirongia Road, Te Awamutu	Mark Richard Perkins, Rhiann Frances Perkins
34	2/51 Pirongia Road, Te Awamutu	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
35	20 Pirongia Road, Te Awamutu	Denise Hamilton, Shayne Andrew Hamilton, Te Awamutu Trustees Limited
36	22 Pirongia Road, Te Awamutu	Denise Hamilton, Shayne Andrew Hamilton, Te Awamutu Trustees Limited
37	24 Pirongia Road, Te Awamutu	Beatrice McGowan, Ross Daniel McGowan
38	26 Pirongia Road, Te Awamutu	Diane Swarbrick, Richard Henry Swarbrick
39	28 Pirongia Road, Te Awamutu	David Herbert Salmon, Kaaren Cofman-Nicoresti
40	3 Pirongia Road, Te Awamutu	Frontier Developments Limited
41	30 Pirongia Road, Te Awamutu	Angelina Maorimutuhake Hetaraka, Komene Hector Hetaraka
42	32 Pirongia Road, Te Awamutu	Jeffrey James Fryett, Melissa Ann Fryett
43	36 Pirongia Road, Te Awamutu	Kevin Melvin Beale, Victoria Barbara Beale
44	39 Pirongia Road, Te Awamutu	Blenddyn Thomas Sterling, Elizabeth Ann Sterling
45	5/28 Pirongia Road, Te Awamutu	Colin Anthony Old, Rochelle Maree Old
46	65 Pirongia Road, Te Awamutu	Aubrey Mark Irwin, Raewyn Dale Spiers, Rodney James Spiers
47	67 Pirongia Road, Te Awamutu	Graeme James Blackstock, Kevin Ross Blackstock
48	68 Pirongia Road, Te Awamutu	Glenn Raymond Miller, Kenneth Gary Curtis, Lesley Margaret Curtis
49	73 Pirongia Road, Te Awamutu	Colin Harold Pinkerton, Lynette May Pinkerton, Redoubt Trustees Limited
50	Pirongia Road	Waipa District Council
51	1669 Rewi Street, Te Awamutu	Robert Andrew Wallace

Waipa DISTRICT COUNCIL

MEMO



STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipa DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Project Engineer – Water Services
Subject:	**27-19-04 DISTRICT WIDE SEWER PIPE RENEWALS – INCREASE TO APPROVED CONTRACT SUM**
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

The District Wide Sewer Pipe Renewals Contract (27-19-04) was awarded by an Executive Committee in October 2019 to Reline NZ Ltd. The Contract is for the relining of sewer mains and manholes in Cambridge and Te Awamutu.

The works have progressed well, however due to factors outside of the contractor's control, including the Covid-19 lockdown, the contract has extended past its original completion date, and additional costs have been incurred.

Staff recommend that the contract sum be increased to align with the cost to complete the works, with the variation funded from the District Wide Sewer Pipe Replacement (PR2339) budget.

2 RECOMMENDATION

That

a) The report titled '27-19-04 District Wide Sewer Pipe Renewals – Increase to Approved Contract Sum' (document number 10485409), of James McKinnon, Project Engineer – Water Services, be received;

b) The Strategic Planning and Policy Committee approves the increase to the approved contract sum for Contract 27-19-04 District Wide Sewer Pipe Renewals from ONE MILLION, TWO HUNDRED AND EIGHTY THREE THOUSAND, THREE HUNDRED AND TWENTY EIGHT DOLLARS AND THIRTY SEVEN CENTS ($1,283,328.37), excluding GST, to ONE MILLION, TWO HUNDRED AND EIGHTY SIX THOUSAND DOLLARS ($1,286,000.00), excluding GST, to be funded from Project Code PR2339 District Wide Sewer Pipe Replacement budget.

3 OPTIONS AND ASSESSMENT

Decision making

The contract was awarded to Reline NZ for the relining of sewer mains and manholes in Cambridge and Te Awamutu, in October 2019, by an Executive Committee after a competitive tendering process. The works involved:

- Survey of 10 manholes to confirm pipe inverts and lid levels
- Full cleaning, pre and post Closed Circuit Television (CCTV) inspections of gravity sewers
- Full structural lining of 4,443m of Ø150mm pipeline
- Full structural lining of 1,627m of Ø225mm pipeline
- Full structural lining of 360m of Ø300mm pipeline
- Cut and seal property service connections
- Inspection and assessment report of 18 manholes
- Infiltration and root treatment of manholes as required
- Full structural relining of manholes as required.

Unfortunately the contract has experienced delays, primarily due to the Covid-19 Alert Level 4 lockdown, and additional costs associated with the pandemic, along with additional works that have expended the contract's provisional sums.

The additional works included extra cleaning required to remove heavy debris from pipelines prior to relining, and connection of additional laterals that were found during pipeline preparation.

Financial/risk considerations

As the contract is a NZS3910 Measure and Value contract, the tender sum received is an indication of the probable cost of completing the contract. As the contract is now at the point of completion there is no risk of the cost for completion increasing any further. Therefore staff recommend the contract sum is increased to cover the additional costs incurred over the course of the contract.

The budget commitment (excluding GST) for this project is:

Contract Administration and Supervision	$ 169,505.00
Tender sum for Contracted Services	$1,283,328.37
Additional contract costs	$ 2,671.63
Total	**$1,455,505.00**

The project is funded as follows:

PR2339 District Wide Sewer Pipe Replacement 2019/20	$1,271,057.00
PR2339 District Wide Sewer Pipe Replacement 2020/21	$ 196,939.00
Total	**$1,467,996.00**
Remaining uncommitted budget	**$ 12,461.00**

James McKinnon
PROJECT ENGINEER – WATER SERVICES

Reviewed by Martin Mould
MANAGER WATER SERVICES

Approved by Dawn Inglis
GROUP MANAGER SERVICE DELIVERY

SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

1 Statutory and policy requirements

Alignment with Asset Management

As per the 2018-28 AMP (Activity Management Plan) for Council's Wastewater Treatment and Disposal, renewals are identified by three principles:

- Identification through staff knowledge of individual assets and associated analysis
- Condition reports, maintenance records (asset failure and expenditure history recorded in Assetfinda), request for service (RFS) records, and observations of staff and contractors
- Assessment of remaining asset lives recorded in Assetfinda.

The scheduled pipes and manholes have reached the end of their predicted lifespans and the numerous failures, repairs and maintenance issues have indicated that they have deteriorated to the point where they require rehabilitation to add service life and to improve serviceability.

The Wastewater Network is a strategic and vital piece of infrastructure. There is a need to continuously renew sections of the network as they reach the end of their life to maintain the integrity and serviceability of the network.

Consultation and Engagement
An assessment against the Significance and Engagement Policy has been carried out, and this matter is deemed of low significance and has no Policy implications.

Council policy or strategy
The proposal is not at variance with any separate policy, plan or strategy.

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipā DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Deputy Chief Executive / Group Manager Business Support
Subject:	**Report on the September 2020 Audit and Risk Committee meeting**
Meeting Date:	3 November 2020

1 EXECUTIVE SUMMARY

Council's Audit and Risk Committee met on 14 September 2020, and in an extraordinary meeting on 28 September 2020.

This report provides a summary of the key matters discussed and the outcomes of the meeting.

2 RECOMMENDATION

That –

a) The 'Report on the September 2020 Audit and Risk Committee meeting' (document number 10503881), of Ken Morris, Deputy Chief Executive / Group Manager Business Support, be received;
b) Council adopts the '2020/21 Year Top Risks' (document 10504437), as attached in Appendix 5 and as recommended by the Audit and Risk Committee; and
c) Council adopts the 'Risk Appetite Statement' (document 10456973), as attached in Appendix 6 and as recommended by the Audit and Risk Committee.

3 OPTIONS AND ASSESSMENT

Council's Audit and Risk Committee generally meets quarterly with the most recent ordinary meeting on 14 September 2020. An extraordinary meeting of the Audit and Risk Committee was held on 28 September 2020 for the specific purpose of recommending that Council adopt the 2019/20 Annual Report. The draft minutes of the open parts of these meetings are included as Appendix 1 and 2 of this report and should be referred to for further detail of the matters discussed and the outcomes of the meeting.

In more summarised form however, the following salient points are noted:

- A Risk Management update was provided which reported on a number of risk management related matters and initiatives. These included:

    1) The quarterly risk management report for June to August 2020 – this has been provided as Appendix 3 of this report. The report notes the continuing dominance of the COVID-19 crisis management response throughout the period being reported on, and the impact this has had on other delivery. This report continues to evolve with the introduction of a new Internal Audit Improvement Programme Summary, a Cyber Security Update, and compliance indicators for consent processing timeframes.
    2) A debrief report on Council's COVID-19 response – this is provided as Appendix 4 of this report.
    3) The fully developed 2020/21 Top Risks document. This document now fully identifies the thirteen key strategic risks identified in facilitated workshop session in August, together with the mitigation measures to address those risks. The document included in Appendix 5 is now recommended through by the Committee for Council's approval.
    4) The updated Risk Appetite Statement. This document has been updated to reflect the discussions at the August workshop and is included in Appendix 6, with the Committee recommendation that it too now be approved by Council.

- A draft Compliance Management Strategy and Policy were presented and discussed, and endorsed for adoption by the Executive Team.

- A draft Crisis Management Plan was presented and discussed, and endorsed for adoption by the Executive Team.

- The interim management report of Audit New Zealand which included three new recommendations was received and discussed.

- The results of the annual perception survey of the performance and effectiveness of the Audit and Risk Committee was received and discussed. This presented a good picture of the performance and effectiveness of the Committee. Arising from the discussion, it was suggested that Earl White from Bancorp be approached to potentially run an introductory Treasury Management session for all Councillors.

- A Long Term Plan update was provided to the Committee.

- Council's Insurance Brokers / Advisors, AON, provided an update on the current insurance renewal process and other matters related to the insurance market.

- The Annual Interests Register declarations of elected members and senior staff were reviewed.

- The standing agenda item updates on Outstanding Management Report Items, Capital Programme Delivery and Risks, and the Litigation Update were provided to the Committee.

- Risk updates were provided by the manager Human Resources, the Group Manager Business Support and the Chief Executive.

- The extraordinary meeting on 28 September met for the sole purpose of recommending the 2019/20 Annual Report through to Council for adoption. The recommendation was made to Council and the Annual Report adopted by Council the following day, 29 September 2020.

Questions and comments are invited on any of the matters outlined above.

Ken Morris
DEPUTY CHIEF EXECUTIVE / GROUP MANAGER BUSINESS SUPPORT

APPENDIX 1

Draft Minutes of the 14 September 2020 Audit and Risk Committee meeting (document number 10504693)

AUDIT AND RISK COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

Time: 10:00am

Date: Monday 14 September 2020

Venue: Council Chambers

101 Bank Street, Te Awamutu

PRESENT

Chairperson

Bruce Robertson

Members in Chambers

His Worship the Mayor JB Mylchreest

In attendance via Zoom
Councillors AW Brown, RDB Gordon, SC O'Regan and CS St Pierre.

Leon Pieterse - Audit New Zealand
Kataraina Macown - Audit New Zealand
Deanna Macdonald - AON
Shane Twemlow - AON

1 APOLOGIES

RESOLVED
14/20/25
That the early departure of Councillor Gordon at 2.00pm and the absence of Councillor St Pierre from 1.00 until 1.30pm be received.

Chairperson Robertson / Mayor Mylchreest

2 DISCLOSURE OF MEMBERS' INTERESTS

There were no new disclosures.

3 LATE ITEMS

There were no late items.

DRAFT

4 CONFIRMATION OF ORDER OF MEETING

RESOLVED
14/20/26
That the order of the meeting be confirmed.

Chairperson Robertson / Mayor Mylchreest

5 CONFIRMATION OF MINUTES

RESOLVED
14/20/27
That the open minutes of the Audit and Risk Committee meeting held on 8 June 2020 having been circulated, be taken as read and confirmed as a true and correct record of that meeting subject to the amendment of minor typographical errors.

Chairperson Robertson / Councillor Gordon

6 RISK MANAGEMENT UPDATE

Robust risk management is essential to Waipa District Council to support the achievement of its strategic objective and Council is currently in year two of a three year improvement programme with the objective of raising Council's risk management maturity level from 'sustainable' to 'mature'.

Business Resilience and Risk Advisor, Genny Wilson and Manager Business Improvement & Risk Management, Georgina Knapp took the report as read and provided a highlight of the report.

The Committee considered and discussed each of the following 13 top risks to the achievement of Waipa District Council's 2019/20 strategic priorities:

DRAFT

AUDIT AND RISK COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

#	Risk Area and Statement	Residual (current) level	Trend
1	**Adequate staffing capacity and capability to deliver Council's objectives:** If Council is not adequately resourced, both in terms of capacity and capability, then this under resourcing may contribute to failure and/or significantly increased costs to deliver service levels and key projects.	High	
2	**Failure to deliver the programme of capital works impacting future projects and priorities:** If Council fails to plan and deliver the proposed programme of capital works then this will impact the overall delivery of infrastructure to support growth, levels of service improvements and asset replacement.	High	
3	**COVID-19 Impact:** If Council fails to adequately respond and recover from the ongoing impacts of COVID-19 then there will be a negative impact on the wellbeing of both the organisation and District.	High	
4	**Risks to Information Management:** If information management is compromised through actions of staff or other parties, technology system impacts, cyber-security attacks, privacy breaches, or data loss or corruption then Council's delivery of services and reputation will be negatively impacted.	High	
5	**Changes in Central Government policy or legislation:** If Council does not proactively monitor and respond to the increased level of proposed and pending changes of legislation and/or policy then adequate financial planning and exploiting potential opportunities may be missed.	High	
6	**Failure of relationships with key stakeholders:** If Council has a breakdown in relationships with stakeholders then Council's ability to operate and deliver services and key projects cost effectively and within reasonable timeframes will be significantly impacted.	High	
7	**Failure of Iwi/Mana Whenua partnership:** If Council's partnerships with Iwi/Tangata Whenua breakdown then Council's ability to operate and deliver key projects will be significantly impacted and it may also fail to meet it post Treaty settlement obligations.	High	
8	**Risk to Financial Sustainability:** If Council does not have has sufficient liquidity and/or funding or debt levels are at limit, then delivery of service levels and key projects will be significantly impacted.	High	
9	**Failure to respond to Customer Demand:** If Council does not meet the increasing expectations of customers in how they engage with Council and what services Council provides as well as respond to changing demands then customers will be dissatisfied and Council's reputation will be negatively impacted.	High	
10	**Failure to embed a Health and Safety culture:** If Council does not have a strong Health and Safety culture and commitment to keeping staff, contractors and members of the public safe for Council controlled activities then there will be unacceptable injuries and potentially fatalities with legal consequences.	Medium	
11	**Climate change impacts:** If Council does not understand and/or adequately prepare for climate change impacts then the lack of knowledge and forward planning may have significant financial and reputational effects as well as adverse economic and social impacts on the community.	High	
12	**3 Waters reforms:** If Council does not understand and/or adequately prepare for the proposed 3 waters changes from Central Government then there may be adverse financial and reputational impacts as well as the economic and social wellbeing of the community being negatively impacted.	High	
13	**Failure to prioritise and develop future projects that meet community expectations:** If Council fails to prioritise and develop the future projects that meet community expectations then there will be adverse impacts on finances and reputation and contention for capital expenditure.	High	

DRAFT

In response to a question as to why staff resourcing was indicated at high risk, Ms Wilson advised that this was due to implications of the current market in the current climate due to the effects of Covid-19, for example a limited ability to recruit. It was noted however, that despite the current market forces, the suite of candidates for roles at the moment is improving. This risk will be closely monitored on an ongoing basis.

The high risk rating for failure to deliver the programme of capital works was attributed to the external impacts of Covid-19 and in particular concern on Council's ability to deliver on the 3 Waters reform.

It was noted that the Committee would like the COVID-19 impact risk to take into account staff stress, governance stress and community stress.

Discussion was held around the strong externalities affecting many of the risk areas.

After general discussion it was decided that the Residents Perception survey was a lag indicator and should be replaced with quarterly trends report. Also it was suggested to separate the Treaty obligations with what was happening at local hapu level.

Chairperson Robertson described the appetite to lower the Financial Risk to medium suggested pushing forward when able, preserving the balance sheet and using debt to move forward.

It was noted that the lower the level of financial risk, the higher the risk is to other parts of the Organisation.

It was advised that a flood view finder was due to be released.

RESOLVED
14/20/28
That

a) the 'Risk Management Update' report (document number 10448013), including the Quarterly Risk Report for June to August 2020 (document number 10457261) and COVID-19 CMT Debrief Report (document number 10451695) of Genny Wilson, Business Resilience and Risk Advisor, be received.

b) The Committee endorse the '2020/21 Year Top Risks' (document 10452263), as attached in Appendix 1 and with any changes determined by this meeting to be incorporated, for Council adoption; and

DRAFT

c) *The Committee endorse the 'Risk Appetite Statement' (document 10456973), as attached in Appendix 2 and with any changes determined by this meeting to be incorporated, for Council adoption.*

Mayor Mylchreest/ Councillor Brown

7 COMPLIANCE MANAGEMENT STRATEGY AND COMPLIANCE MANAGEMENT POLICY

A review of Waipa District Council's (Council) Compliance Management Framework was carried out as part of Council's ongoing Internal Audit Plan in March 2019.

Recommendations from this review highlighted the need for Council to develop a comprehensive and coordinated Compliance Management Strategy to enhance compliance practices and mitigate compliance risks across the organisation. It also highlighted the requirement for a Compliance Management Policy to define the organisational approach to compliance management.

These documents have now been prepared and have been reviewed by KPMG with a 'best practice' lens. They were presented to the Audit and Risk Committee for approval.

In response to the question of collaborating with other Council's, Ms Wilson advised that currently conversations are being held with LASS and potential software solutions.

Georgina Knapp, Manager Business Improvement and Risk management, advised that Council was taking a risk based approach and focusing on areas that were of a higher risk to Council.

RESOLVED
14/20/29
That –

a) *The 'Compliance Management Strategy and Compliance Management Policy' report (document number 10448000), of Genny Wilson, Business Resilience and Risk Advisor, be received; and*

b) *The Committee endorse, for adoption by the Executive Team, the 'Compliance Management Strategy – July 2020' (document 10428054), as attached in Appendix 1; and the 'Compliance Management Policy – July 2020' (document*

DRAFT

10414708), as attached in Appendix 2, in both cases with any changes determined appropriate by this meeting to be incorporated.

Chairperson Robertson / Councillor St Pierre

8 CRISIS MANAGEMENT PLAN

Business Resilience encompasses the spectrum of managing disruption-related risk through Crisis Management, Business Continuity Management and Emergency Management.

An updated Business Resilience Policy was approved by the Audit and Risk Committee in July 2019. This policy highlighted the requirement for a Crisis Management Plan and defined the approach for responding to significant incidents or crises. These were drafted prior to COVID-19 and have been reviewed and streamlined based on the experience in managing the COVID-19 response.

The updated Crisis Management Plan was presented to the Audit and Risk Committee for endorsement, prior to adoption by the Executive Team.

The Committee were advised that the Crisis Management Plan would be stood down in reverse order. Georgina Knapp advised that issues of staff sustainability and resilience informed learnings.

Staff were congratulated on the report presented to the Committee.

RESOLVED
14/20/30
That –

a) The 'Crisis Management Plan' report (document number 10448008), of Genny Wilson, Business Resilience and Risk Advisor, be received; and

b) The Committee endorse, for adoption by the Executive Team, the 'Crisis Management Plan' (document 10108069), as attached in Appendix 1, with any changes determined appropriate by this meeting to be incorporated.

Mayor Mylchreest / Councillor St Pierre

DRAFT

9 INTERIM MANAGEMENT REPORT

Audit New Zealand (Audit) have completed the interim audit in preparation for the 30 June 2020 year-end audit.

The focus of the interim audit was to update Audit's understanding of Council's control environment. The assessment was performed for the purpose of planning the most effective and efficient audit approach in order to express an audit opinion on the Council's financial statements and non-financial information.

Director Audit New Zealand, Leon Pieterse and Kataraina Macown from Audit NZ were in attendance via Zoom to present the report and answer questions of the Committee.

Audit New Zealand identified three new recommendations which included monthly general ledger reconciliations to be prepared and independently reviewed on a timely basis, additional employee entitlements updated and recorded in the employee's agreement that is signed by both parties and the establishment of a central register for contractors working at the District Council that was reconciled against payments made to contractors and the network.

Mr Pieterse expected to give a verbal clearance on the Annual Report on 18 September 2020. An extraordinary meeting of the Audit and Risk Committee would be held on 28 September 2020 to recommend to Council that the Annual Report be adopted followed by formal adoption at the Council meeting the following day, 29 September 2020.

RESOLVED
14/20/31
That the information contained in the 'Interim Management Report' report (document number 10462134), of Sarah Davies, Manager Finance, be received.

Councillor St Pierre / Mayor Mylchreest

10 REVIEW OF PERFORMANCE AND EFFECTIVENESS OF THE AUDIT AND RISK COMMITTEE

Council's Audit and Risk Committee was established by a Council resolution on 29 September 2015 and it met for the first time in December 2015.

DRAFT

This report sought to review the performance and effectiveness of the Committee utilising the results of what is now the sixth survey to be carried out seeking the perceptions of the various stakeholders in this Committee in regard to a number of matters associated with the role and function of the Committee and the part it plays in Council's governance structure.

It was advised that the surveys were a means of determining discernible longitudinal change in perception over the course of the Committee's existence.

The verbatim feedback was discussed and it was acknowledged that good data was being compiled.

It was suggested that Earl White from Bancorp be approached to potentially run an introductory Treasury Management session for all Councillors.

RESOLVED
14/20/32
That the information in the 'Review of Performance and Effectiveness of the Audit and Risk Committee' report (document 1044445) of Ken Morris, Group Manager Business Support, be received.

Councillor Gordon / Councillor O'Regan

[Meeting adjourned for lunch at 12.05pm and resumed at 12.35pm]

11 LONG TERM PLAN 2021-31 PROJECT UPDATE

The purpose of the report presented by Strategic Projects Driver, Haven Walsh was to provide the Committee with a quarterly update on the preparation of the 2021-31 Long Term Plan (LTP).

Ms Kirsty Downey, Manager Strategy, advised the Committee that due to time constraints it was not possible to go back to the Community to develop an action plan alongside the Community as previously planned. Council would be engaging with the Community to convey how their feedback has been fed into the LTP in advance of the formal consultation in March 2021.

DRAFT

Concerns were raised over recent high profile community consultations including Memorial Park and Lake Te Koo Utu which due to budget constraints would not be able to be prioritised.

RESOLVED
14/20/33
That the 'Long Term Plan 2021-31 Project Update' report (document number 10459547) of Haven Walsh, Strategic Projects Driver, be received.

Chairperson Robertson / Mayor Mylchreest

12 INSURANCE RENEWAL AND INSURANCE UPDATE

The main purpose of the report was to update the Committee on the Council's 2020 insurance renewal arrangements.

This included the policies taken out under the Waikato Local Authority Shared Services Limited's (WLASS) collective arrangement with AON New Zealand (AON) as broker, which are due for renewal on 31 October 2020, and the public liability and professional indemnity policies which were renewed with Marsh Ltd on 30 June 2020.

Deanna Macdonald and Shane Twemlow from AON presented to the Committee and gave an overview of the services AON provides to Council.

RESOLVED
14/20/34
That the information contained in the 'Insurance Renewal and Insurance Update' report (document number 10451405) of Deborah Frederick, Financial Planner, be received.

Mayor Mylchreest / Councillor Gordon

[Councillor St Pierre departed the meeting at 12.53pm]

13 OUTSTANDING MANAGEMENT REPORT ITEMS

This report presented by Sarah Davies, Manager Finance, provided the latest update on the status of management follow-up action on the outstanding management report recommendations for the 2014/15, 2015/16 and 2016/17 Annual Report audits; and the 2017/18 and 2018/19 Interim Reports and final Management Reports. The matters arising from the 2019/20 Interim Report were also included.

DRAFT

Chairperson Robertson requested that going forward it was important to recognise that the items were being actively diminished.

RESOLVED
14/20/35
That the information contained in the 'Outstanding Management Report Items' report (document number 10462623), of Sarah Davies, Manager Finance, be received.

Chairperson Robertson / Councillor Brown

[Councillor St Pierre re-joined the meeting at 1.26pm]

14 CAPITAL PROGRAMME UPDATE – END OF FINANCIAL YEAR REPORT

Manager Project Delivery, Peter Thomson presented the report and advised the Committee that across the Council, $97.8 million of capital work were delivered, including vested assets, for the year ending 30 June 2020.

Within the Service Delivery and Strategy and Community Services areas, 176 projects made up the 2019/20 programme portfolio. Within these programmes, the actual spend at year end was $83.4 million which was 76% of the 2019/20 Annual Plan budget.

There was an additional $7.5 million of proposed carry forwards/commitments.

There were some significant projects completed this year which included:

- Cambridge North Western Swale
- Growth Land Purchases
- Dedicated Main Leamington to Cambridge North
- Hicks Road Mains Installation
- Playground – Thompson Street
- Centennial Park Toilets
- Parallel Road Water Treatment Plant – Design
- Cambridge Growth C1, C2 and C3 – Design

RESOLVED
14/20/36
That the report of titled Capital Programme Update to 30 June 2020 (document number 10452974), of Peter Thomson, Manager Project Delivery, be received.

Mayor Mylchreest / Councillor Gordon

DRAFT

15 RESOLUTION TO EXCLUDE THE PUBLIC

(Section 48, Local Government Official Information and Meetings Act 1987)

RESOLVED
14/20/37
THAT the public be excluded from the following parts of the proceedings of this meeting.

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
16. Confirmation of PE Minutes *17. Capital Programme Risks to 31 July 2020* *18. Annual Interests Declaration and Register* *19. Litigation Update* *20. Group Risk Discussion with General Managers* *21. Chief Executive Risk Discussion*	*Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987*	*Section 48(1)(a)*

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

DRAFT

AUDIT AND RISK COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

Item No.	Section	Interest
16,17	*Section 7(2)(h)*	*To enable the council to carry out, without prejudice or disadvantage, commercial activities.*
18	*Sections 7 (2)(a)*	*Protect the privacy of natural persons, including that of deceased natural persons*
16,19,20,21	*Sections 7 (2)(a) and Section 7 (2)(b)*	*Protect the privacy of natural persons, including that of deceased natural persons; and* *To protect information which if public would;* *i. disclose a trade secret; or* *ii. unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information.*

Chairperson Robertson /Councillor Gordon

There being no further business the meeting closed at 3.03pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

CHAIRPERSON: .....

DATE: .....

DRAFT

APPENDIX 2

Draft Minutes of the 28 September 2020 Extraordinary Audit and Risk Committee meeting (document number 10505089)

AUDIT AND RISK COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

EXTRAORDINARY MEETING

Time:	9:00am
Date:	Monday, 28 September 2020
Venue:	Council Chambers
	Waipa District Council
	101 Bank Street, Te Awamutu

1 PRESENT

Chairperson via Zoom

Bruce Robertson

Members in Chambers

His Worship the Mayor JB Mylchreest, Councillors AW Brown, RDB Gordon, SC O'Regan and CS St Pierre.

In attendance via Zoom
Leon Pieterse - Audit New Zealand
Kataraina Macown – Audit New Zealand

2 APOLOGIES

There were no apologies.

3 DISCLOSURE OF MEMBERS' INTERESTS

There were no new disclosures.

4 LATE ITEMS

There were no late items.

DRAFT

AUDIT AND RISK COMMITTEE MINUTES

Waipa DISTRICT COUNCIL

EXTRAORDINARY MEETING

5 CONFIRMATION OF ORDER OF MEETING

RESOLVED
E14/20/07
That the order of the meeting be confirmed.

Chairperson Robertson / Councillor St Pierre

6 ADOPTION OF THE ANNUAL REPORT

The purpose of the report was to consider the draft Annual Report and draft Summary of the Annual Report (the Summary) for the year ended 30 June 2020 and, subject to any amendments, to recommend these documents to Council for adoption in the case of the Annual Report, and for approval in the case of the Summary.

The draft Annual Report was considered at a Council workshop on 22 September 2020 and a number of changes from feedback at and after that meeting were incorporated in the document together with further suggested changes from Audit. All changes were discussed at the meeting. The information contained within the Summary is drawn from the full draft Annual Report.

Deputy Chief Executive Ken Morris provided a high level overview of the financial and performance results reported in the Annual Report, and Audit Director Leon Pieterse spoke to a written summary of the audit and the draft audit opinions. The meeting worked through both representation letters required by audit and determined that these were appropriate for signing.

RESOLVED
E14/20/08
That –

a) The information contained in the 'Annual Report for the Year Ended 30 June 2020' report (document number 10473642) of Nada Milne, Financial Accountant, be received;

b) The Committee consider the draft Waipa District Council Annual Report 2019/20 (document 10417989) and any further amendments to be agreed at the meeting, and with the inclusion of the unmodified opinion to be received from Audit New Zealand, the Committee recommends the draft Annual Report

DRAFT

EXTRAORDINARY MEETING

2019/20 to Council for adoption and publication pursuant to section 98 of the Local Government Act 2002, at its meeting on 29 September 2020; and

c) The Committee consider the draft Waipa District Council Summary of the Annual Report 2019/20 (document 10418001) and, subject to any further amendments and with the inclusion of the unmodified opinion to be received from Audit New Zealand, recommends the draft Summary of the Annual Report 2019/20 to Council for approval for publication pursuant to section 98 of the Local Government Act 2002, at its meeting on 29 September 2020.

Chairperson Robertson / Councillor Brown

There being no further business the meeting closed 10.00am.

CONFIRMED AS A TRUE AND CORRECT RECORD

CHAIRPERSON: .....

DATE: .....

DRAFT

APPENDIX 3

Quarterly Risk Management Report for June 2020 to August 2020 (document 10457261)

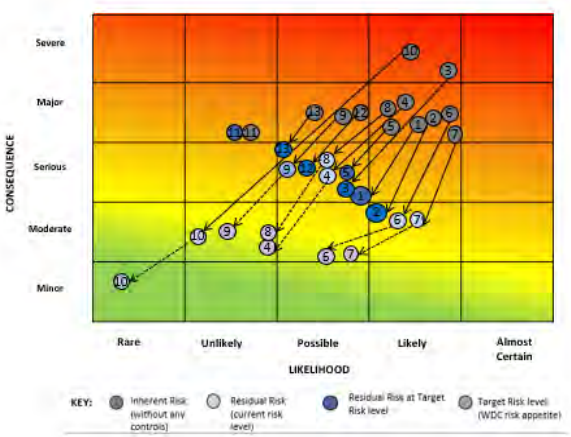
Waipa DISTRICT COUNCIL

Quarterly Risk Management Report for June 2020 to August 2020

Key Insights

- The annual review of the Top Risks was completed in a workshop with Members of ARC, staff and KPMG on 10 August 2020. The 2020/21 Top Risks and refreshed Risk Appetite Statement have been presented to ARC for approval.
- The impact of COVID-19 response and recovery continued to dominate this quarter. This includes the debrief of the response to wave 1; the updating of Crisis Management Documentation and the response to wave 2.
- Progress of the Risk Management Change Programme has been delayed this quarter due to resources supporting COVID response and the new normal Think Tank. Re-planning will be completed in the next quarter, with additional resourcing requirements identified as needed. There are synergies with the Compliance Management Improvement Programme that can be exploited now the Compliance Management Strategy and Policy are agreed. Overall the Risk Management Improvement Programme as outlined in the Risk Management Strategy is on track.
- During the quarter there has been an increase in risk advice requests from across the business, particularly with operational risks that may require escalation. The discussions show an increased awareness of risk management and the role of ARC.
- Regular participation in the cross Council risk and business continuity forum has provided an exchange of ideas, and comparison of COVID response.
- Commentary on the LTP risks is provided in the separate agenda item LTP update.

Top Risks Heat Map



- A total of 13 Top Risks identified and assessed for this financial year.
- The uncertainty created economically by COVID-19 is the key risk driver this year.
- Key Risk Indicators (KRIs) for Top Risks are also now identified and monitoring will be included in future reporting.

Summary of Top Risks (Draft)

#	Risk Area and Statement	Residual (current) level	Trend
1	**Adequate staffing capacity and capability to deliver Council's objectives :** If Council is not adequately resourced, both in terms of capacity and capability, then this under resourcing may contribute to failure and/or significantly increased costs to deliver service levels and key projects.	High	
2	**Failure to deliver the programme of capital works impacting future projects and priorities :** If Council fails to plan and deliver th e proposed programme of capital works then this will impact the overall delivery of infrastructure to support growth , levels of service improvements and asset replacement.	High	
3	**COVID-19 Impact :** If Council fails to adequately respond and recover from the ongoing impacts of COVID -19 then there will be a negative impact on the wellbeing of both the organisation and District.	High	
4	**Risks to Information Management :** If information management is compromised through actions of staff or other parties, technology system impacts, cyber -security attacks, privacy breaches, or data loss or corruption then Council's delivery of services and reputation will be negatively impacted.	High	
5	**Changes in Central Government policy or legislation :** If Council does not proactively monitor and respond to the increased level of proposed and pending changes of legislation and/or policy then adequate financial planning and exploiting potential opportunities may be missed.	High	
6	**Failure of relationships with key stakeholders :** If Council has a breakdown in relationships with stakeholders then Council's ability to operate and deliver services and key projects cost effectively and within reasonable timeframes will be significantly impacted.	High	
7	**Failure of Iwi/Mana Whenua partnership :** If Council's partnerships with Iwi/ Tangata Whenua breakdown then Council's ability to operate and deliver key projects will be significantly impacted and it may also fail to meet it post Treaty settlement obligations.	High	
8	**Risk to Financial Sustainability :** If Council does not have has sufficient liquidity and/or funding or debt levels are at limit, then delivery of service levels and key projects will be significantly impacted .	High	
9	**Failure to respond to Customer Demand:** If Council does not meet the increasing expectations of customers in how they engage with Council and what services Council provides as well as respond to changing demands then customers will be dissatisfied and Council's reputation will be negatively im pacted.	High	
10	**Failure to embed a Health and Safety culture :** If Council does not have a strong Health and Safety culture and commitment to keeping staff, contractors and members of the public safe for Council controlled activities then there will be un acceptable injuries and potentially fatalities with legal consequences.	Medium	
11	**Climate change impacts :** If Council does not understand and/or adequately prepare for climate change impacts then the lack of knowledge and forward planning may have significant financial and reputational effects as well as adverse economic and social impacts on the community.	High	
12	**3 Waters reforms :** If Council does not understand and/or adequately prepare for the proposed 3 waters changes from Central Government t hen there may be adverse financial and reputational impacts as well as the economic and social wellbeing of the community being negatively impacted.	High	
13	**Failure to prioritise and develop future projects that meet community expectations :** If Council fails to prioritise and develop the future projects that meet community expectations then there will be adverse impacts on finances and reputation and contention for capital expenditure.	High	

Emerging Risks

The emerging risks from the previous quarter have been included in the revised Top Risks and mitigant actions identified.

Deleted Risks

The following risk was deleted at the Top Risk workshop held 11 August as it is was more applicable last year being an election year.

- **Elected membership make-up not reflective of a diverse community** leading to poorer decision making and lack of representation. Rated as Medium

Top Risk Mitigation Action and KRI Monitoring

- Mitigation action monitoring will report from next quarter due to delays in business planning and the risk workshop resulting from COVID.
- Mitigants from last year that are still applicable are included in the significant additional mitigants extracted from this years business plans; included with the specific top risk they apply to.

Internal Audit Improvement Programme Summary

Audit	Type of Audit	FY audit completed	Expected programme completion	RAG status
Business Continuity Management Gap Analysis	Maturity	May-2017	Jun-2021	
Procure to Pay	Internal control	May-2017	Jun-2021	
Contract Management	Internal control	Mar-2018	Dec-2020	
Health & Safety Review	SafePlus	Sep-2018	Dec-2020	
Payroll	Internal control	Jun-2018	Dec-2020	
Risk Management Maturity	Maturity	Jun-2018	Jun-2021	
Legislative compliance framework	Maturity	Mar-2019	Jun-2022	
Cyber security maturity assessment	Maturity	Feb-2019	Jun-2022	
Asset management framework	Internal control	May-2020	tbc	
Capex procurement (Professional Services Panel)	Internal control	2020	tbc	
Fraud risk management gap analysis	Internal control	2021	tbc	

This table summarises the current improvement programmes underway from previous audits and their RAG status.

These are:
- Red – improvement programme at risk and significantly off track requiring senior management input to resolve
- Amber – improvement programme is not tracking as planned but will be achieved with actions being taken
- Green – improvement programme is on track and will be achieved as planned.

Note that the two Amber programmes were not tracking as planned prior to COVID impacts. The actions being taken will return these programmes on track in the next quarter.

The other programmes have faced delays due to COVID but are largely tracking to plan.

Quarterly Risk Management Report for June 2020 to August 2020 page 2

Additional Risks to be reported as per Risk Management Policy

Operational Risks

The approach to operational risk reporting has been agreed. The implementation plan needs to be developed. There are no very high (after mitigation) operational risks from the Covid-19 risk register.

Project Delivery Risks (Capital Projects)

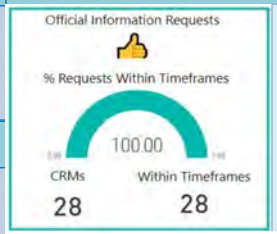
Project Delivery Risks (Capital Projects) will be discussed under Project Delivery Report agenda item (may be Public Excluded)

Other Programme and Project Risks

Project	Description	Risk Reduction Measure & Treatment Type	Residual Risk Rating
Digital programme	If vendor risk is not acknowledged and managed then the programme of work may be negatively affected.	BI BCP established. All projects governed as per project management policy. TechOne Account Manager for NZ Local Government working with WDC. Project Team understanding of TechOne methodology. Stage gateways. Site visits to other councils. Adhere to procurement policy and manual. Lessons learnt log to include any vendor management learnings.	Very High Risk
Digital programme	If the current negativity towards change, based on historic project experiences continues, there will always be resistance to change.	BI PCG established with Executive Sponsor. Communication Plan developed to suppport the programme. Regular updates to the Leadership Team. Change management plans completed for all projects that include a change component. Business Impact Assessments completed for all projects to feed into change management plans. Leading staff through change to be included in Councils' Leadership training programme. Managers Group to be used to help manage change.	Very High Risk
2021-31 LTP Preparation	Not achieving timeframes -The Long Term Plan must be adopted prior to 30 June 2021. 18 months has been allocated to preparation of activity management plans, developing budgets, and other supporting documents. The remaining 6 months is allocated to the auditing process, adoption and consultation on the documents, hearings, amendments. Slippage of meeting timeframes flows into subsequent phases of the project and risks the final deadline of 30 June 2021.	The LTP was included in the 20/21 internal priorities. This should have fed into GM KPIs and teams business plans. Keep business owner and project sponsor informed to escalate issues. External resources have been engaged to assist with deliverables and meet timeframes. Further external resource assistance could be sought.	Very High Risk
2021-31 LTP Preparation	Lack of resourcing / reliance on key staff - The preparation of the LTP represents a higher workload for financial, communications and strategy staff than an Annual Plan. The high level of organisational reliance on key staff in these teams could result in capacity and knowledge gaps when those staff are absent or leave the organisation.	The financial work stream is led by two staff. The service and delivery work stream is led by two staff. The Strategy team also have two staff across the project (oversight through the Strategy manager as 'Business Owner' and a strategic projects driver as project manager). The whole Comms team developed and are across the LTP engagement plan. Key staff are aware of critical times in the project and have contingencies in place for leave. External support has been engaged to assist with preparation of the LTP, and more may be engaged at certain points in the project.	Very High Risk
2021-31 LTP Preparation	Inaccurate forecasting assumptions - The underlying assumptions are critical to the robustness of the LTP and it is essential that we work with the best information available. If our forecasting assumptions are significantly inaccurate it could result in misallocation of resources to plan for the development of our district. Key forecasts for Council are population growth projections and the economic environment.	Regularly review key forecasting assumptions throughout preparation of the plan. Seek external expertise for technical areas where Council is not the expert.	Very High Risk
2021-31 LTP Preparation	Overestimate the level of work Council can do - Departments over estimate the level of work they can achieve and put in budget and project requirements over and above what can be delivered	Organisation needs to develop good understanding what it can realistically deliver. Business owner, Project sponsor and Project Governance Group to keep informed of discussions in this area. Review what has been delivered in previous year to get sense of what can realistically delivered and develop pipeline of work for funding.	Very High Risk
Covid-19 Response	If Alert Level 2 drags on for a long time then there is an increased risk of wellbeing and mental health issues for staff.	HR to increase wellbeing support and advice through a variety of channels.	Very High Risk

Compliance Reporting

Statutory Timeframe Compliance - Figures are reported for year to date (i.e. from 1 July 2020 to 31st August)



Target has consistently been met for LGOIMAs. The number of LGOIMAs received this year is running at ~one third more than for the same time the previous year.

One building consent was overdue at 21 days due to multiple RFIs.

Cyber Security

Overall Risk Trend for Quarter

It is assessed that WDC has reduced the overall level of cybersecurity risk during the reporting period.

This is due to the following recent security enhancement activities which have resulted in an improvement to the cybersecurity posture:

- In June 2020, the majority of WDC staff attended Cybersecurity Staff Awareness. Training providing knowledge of various attack types they may be subjected to, how to identify these attempts, and therefore, not fall victim.
- Multifactor Authentication (MFA) has been implemented for access to Office 365. • Passphrases (longer passwords) have been implemented.

Two key areas of risk that Waipa District Council is exposed to should be acknowledged by the Audit and Risk Committee:

- Ongoing social engineering attacks: Throughout 2020 there have been widespread reports of COVID-19 related attacks.
- Delays in remediating vulnerabilities, unnecessarily exposing Waipa District Council to avoidable criminal exploitation.

Actions planned include:

- Further Cyber awareness training will be provided to staff.
- Council gone to market for a second systems engineer to increase capacity to undertake remedial actions recommended in the monthly reporting.

APPENDIX 4

COVID-19 CMT Debrief Report (document 10451695)

COVID-19 Crisis Management Team Debrief

What we have learned from our COVID-19 response
July 2020

Powered by:

Waipa District Council

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HIGHLIGHTS

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Section Two
How did we respond to COVID-19?

11
Section Four
What did staff tell us?

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Section Five
What did the CMT debrief workshop tell us?

19
Section Six
Recommendations from the debrief

COVID-19 Crisis Management Team Debrief

This report summarises the Council response to the COVID-19 pandemic.

The objectives of the debrief are to:
· Identify the lessons learned, both what worked well and what not so well.
· Identify what improvements we need to make for future crises.
Note: it excludes the EoC responses which is evaluated by the Western Waikato Civil Defence Emergency Management Team and Waikato Group CDEM.

COVID-19 CMT Debrief | 01

01

What happened?

This section outlines the background and context of the COVID-19 Pandemic crisis for Council

From February 2020 planning and the response to the unprecedented global COVID-19 pandemic challenged Council at all levels. The situation rapidly evolved resulting in activation of the Crisis Management Team (CMT).

COVID-19 CMT Debrief | 02

01 - Background

KEY DATES

- **28 February 2020**
  First case of COVID-19 confirmed in New Zealand. First restrictions introduced. Coloured alert levels under national pandemic plan being used.
- **22 March 2020**
  New alert level system introduced.
- **23 March 2020**
  NZ moves to Alert Level 3 immediately after 4 Alert Levels system announced previous day. Prime Minister announces a move to level 4 at 11.59pm Wednesday 25 March. A National State of Emergency put in place.
- **27 April 2020**
  NZ moves to Alert Level 3 at 11.59pm.
- **13 May 2020**
  NZ moves to Alert Level 2 at 11.59pm
- **8 June 2020**
  NZ moves to Alert Level 1 at 11.59pm

Unite against COVID-19

COVID-19 CMT Debrief | 03

GOVERNMENT RESPONSE

External Timeline of COVID-19 Escalation within New Zealand

The situation rapidly escalated with the Government moving to an All of Government (AoG) response. The move to lock down was taken swiftly with a minimum of information being available as to how it applied to Council. This meant that assumptions had to be made and changes made as further information became available, creating a fluid and ambiguous environment.

A Local Government response group was convened that liaised with the necessary parties in the AoG response and further clarity of expectations of operations at each level, including related facilities and services, was provided over time. Due to the rapid escalation, details and requirements for de-escalation down levels was not available until much later than was ideal.

New Zealand COVID-19 **Alert Levels Summary**

Unite against COVID-19

	ALERT LEVEL 1	ALERT LEVEL 2	ALERT LEVEL 3	ALERT LEVEL 4
OUTCOME	Keep ahead of local pandemic. Popularise prepared for increase in alertness if necessary.	Physical distancing and restrictions on gatherings to address sporadic cases or a cluster in New Zealand.	Turn the restrictions on activities, including at workplaces and locally, to address a high risk of transmission within New Zealand.	Strong restrictions to limit all people's movement and contact to curb community transmission and outbreaks.
SUMMARY	Be prepared, and be vigilant. Border measures are in place. Public health measures in place, but no physical distancing is needed.	Businesses open, but physical distancing regulations apply. Gatherings limited.	Stay at home, other than for essential personal movement, and going to work/school. Stay more local/bubble, which can also include close family or caregivers.	Stay at home, other than for essential personal movement and doing essential work. Stay in immediate household/bubble.

01 - Background

Impact on Council Facilities and Services

Alert Level 4
Lockdown

- **Essential Services only operating**
- Contact centre for responding to public queries
- 3 waters operations
- Cemetery operations
- Health and Safety maintenance only for parks, community facilities
- Animal welfare
- Public health and safety for environmental health
- Emergency building works
- Pensioner housing residents checks
- EoC operating and some staff also supporting welfare and enforcement in community
- **Majority of staff working remotely**
- Office staff work remotely
- Review and update of annual plan to include COVID-19 impacts
- Virtual meetings, including Council meetings
- **Facilities closed**
- Front counters
- Libraries
- Museum
- Playgrounds, skate parks, sport grounds
- Community facilities incl halls
- Partner facilities (Go Waipa, MEIT & MRD)
- Boat ramps
- Public Toilets except 15 critical remain open
- Some local parks open as per guidelines

COVID-19 CMT Debrief | 04

Alert Level 3
Restrict

- **Essential Services continue to operate as Alert Level 4. Additional services with safety measures recommence**
- Building inspections and site visits
- Parks maintenance
- Water meter reading
- Major projects - sites reopen
- **Majority of staff working remotely**
- Majority staff continue to work remotely
- Library and Museum staff return under roster
- Review and update of annual plan to include COVID-19 impacts
- Virtual meetings, including Council meetings
- **Facilities closed**
- Front counters
- Libraries
- Museum
- Playgrounds, skate parks, sport grounds
- Community facilities incl halls
- Partner facilities (Go Waipa, MEIT & MRD)
- Boat ramps
- Public Toilets except 15 critical ones remain open with additional cleaning
- Some local parks open as per guidelines

Alert Level 2
Reduce

- **All services recommence with following protocols:**
- Hygiene practices reinforced
- Staff to stay home if sick
- Contact Tracing (security guards assisting at libraries and front counter)
- Removal of items from kitchens
- Some desks taped off to ensure physical distancing
- **Mixed model of staff working**
- Some staff working remotely full time but others do a mix under roster system
- Virtual meetings, including Council meetings
- **Facilities Opened**
- Front counters
- Libraries
- Museum
- Playgrounds, skate parks, sport grounds
- Community facilities incl halls
- Partner facilities (Go Waipa, MEIT & MRD)
- Boat ramps
- Public Toilets

02

What was the response?

This section outlines the Council's response

Council's response to the COVID-19 pandemic focused on organisational business continuity and largely aligned with the response taken by other Councils, with an emphasis on a pragmatic, flexible and risk based approach. This has been a rapidly moving and fluid situation that has required close monitoring and quick responses. The response involved significant resource from across the organisation, with the organisation as a whole displaying amazing resilience and adaptability. Council also followed public health guidelines with an increased emphasis on hygiene, social distancing and not coming to work if sick. These continue to be emphasised as part of both COVID-19 and the current flu season.

Council Response: Timeline

Key points:

- CMT meets from mid February. Frequent focused meetings allowing timely decision making and implementation of the plans was key to the success of the response. CE and Exec attendance assisted decision making.
- Once EoC was activated there was a standing agenda item for CDEM updates to ensure that decision making, communications and actions were aligned and intelligence shared.
- At key points of the response, meetings were held between the CMT and the full Leadership team to ensure everyone understood the processes being followed, the actions required and what they needed to work through with their teams.
- Council's Crisis Communication Plan was activated. A daily blog/email update from Garry as CE was a key component of informing staff. Community communications through different channels also key during the crisis.
- A COVID-19 risk register was created and actively managed with review of highest risks at CMT.
- Full mobilisation of the workforce occurred over a period of 48 hours. This included the rollout of 80 laptops to staff to enable remote working.

14 FEB — Planning
Organisational pandemic plan drafted. Individual BU plans developed. CMT in planning phase.

2 MAR — CMT Activated
CMT moves to response phase, meets regularly - daily as crisis escalates

23 MAR — Prepare Lockdown
Laptops deployed for remote working
Facilities closed
Essential Services only
EoC activated 26 March

APR — Roll Back Planning
Prepare for de-escalation and reopen/return to facilities, H&S planning at each Alert Level

27 APR — Level 3 Return
Depots reopen for Parks maintenance
Building inspections and site visits recommence
Library and museum staff return - facilities closed
Water meter reading recommences

25 MAY — Office Staff Return
Partial return of staff to offices. Facilities reopen with contact tracing and screens

3 JUN — CMT Deactivated
Staff survey underway closing 15 June
Debrief post crisis
Ongoing monitoring by BIRM team

02 - What was the response?

Council Response: Communications

Internal and external communication requirements resulted in heavy workload for the Communications Team. Positive feedback about communications was received.
One team member was assigned to EoC.
All channels utilised for community communications:

- Estimated 10 - 20 website updates were made each day, and around 5 full page updates each week
- For Facebook an average daily impressions (eyes on individual posts) was 8,922
- Highest performing post was an alert to a potential scam reached 16,257 people and had 981 engagements

Communications were the glue for the response

POINT #1

Internal Communications

- Almost 40 CMT updates from the CE
- Staff facebook page established - 'Waipa Working From Home'
- Health, safety and well being messages from HR

POINT #2

Community Communications

- 6 Mayor videos
- 72 press releases
- E-newsletter began when local papers not published
- 3 double page spreads in local papers
- Social media and web updates daily
- Increased web traffic (27 to 45% ⇧)

POINT #3

Antenno Rolled Out

- Antenno app fast tracked for roll out
- Sends alerts to community and allows them to contact Council
- Will be helpful in future crises to get key messages to impacted areas in the district.

COVID-19 CMT Debrief | 07

02 - What was the response?

Crisis Management Team

CMT made up of 13 core staff. These staff were supported by an alternative staff member who stepped in when they were not available. As needed other staff provided advice to the CMT to help with decision making. The Response Manager from the EOC also attended meetings to make sure the CMT stayed connected and acted consistently with the needs of the EOC. The CE also attended most meetings.

Daily Zoom meetings at height of crisis

KEY ROLES

Chair
Filled by Georgina Knapp
Chairs meetings and overall leader of CMT. Liaises with key stakeholders. Supported by Ken Morris and Dawn Inglis as Executive Team members.

Communications
Filled by Charlotte FitzPatrick and team
Disseminate key messages from CMT internally and externally

Operations and Planning
Filled by Dawn Inglis, Karl Tutty, Sally Sheedy, John Miles and Richard Henderson
Provide operational expertise and experience in decision making

Staff welfare
Filled by Stephanie Shores and Steph Curin
Provide HR expertise and experience in decision making
Ensure staff welfare needs are met
Ensure alignment of policies

Support for CMT
Filled by Genny Wilson and Jane Meneer
Provide support for CMT
Ensure decisions and actions are documented and audit trail complete
Undertake tasks required for successful management of response

EoC Liasion
Filled by Karl Tutty and Tony Quickfall (initially Dave Simes)
Liaise with EoC and provide link to CMT to ensure alignment of activities and messaging.

COVID-19 CMT Debrief | 08

03

How did we debrief?

This section outlines the way we debriefed the crisis across Council

The methodology for the debrief is described in this section. The debrief has utilised best practice and common methodologies to obtain the data for analysis. Recommendations are based on the feedback obtained,

The COVID-19 CMT debrief

Outputs:

- Debrief report, including qualitative analysis and themes
- Updated Crisis Management Processes and Collateral
- Other improvement opportunities identified
- Lessons learned shared across Councils through Risk Management Forum

A variety of methodologies were used to inform the debrief:

01 Staff Survey

- All staff surveyed
- Ask Your Team: - including assertion statements
- Questions re staff well being; COVID-19 response; and new normal of working
- Open 29 May to 15 June
- Looked for improvements

02 CMT Debrief Workshop

Scope includes:

- How CMT was established
- How the CMT worked as a team and operated.
- How CMT was supported
- How the response was managed
- The link between CMT/ EoC/Executive Team
- Any other improvements

03 Elected Members Discussion

Discussion to understand:

- General understanding and comments about response
- How communications worked
- Community concerns
- Any improvements

04 Analysis of Responses

- Qualitative analysis
- Results themed using affinity mapping (particularly free text responses)
- Improvements to Crisis Management processes/collateral
- Cross Councils learning through Risk forum

04

What did staff tell us?

This section outlines the staff survey findings

The survey results applicable to Council's response and CMT are reported in this section. There is a separate report for the new normal results. At a very high-level the results were positive. Both lessons learned and ideas for improvement had been thought about by staff and the opportunity to provide input was appreciated.

Survey Results

Responders were asked to rate *How well do you think Council managed their response to COVID-19?* on a scale of 1 not at all to 10 couldn't have done better. The overall rating was 8. A breakdown of the scores show that 10% rated at 5 or lower. Nearly 72% rated at 8 or above.

HIGHLIGHTS:

- 75.8% response rate
- 80% average = high level agreement*
- 96% aware CMT
- 70% saw comms from CMT
- 8 average rating of CMT
- 80% found Garry's daily email helpful
- 32% still working from home
- 62% informed by line manager with team catch ups

* Agree/Disagree Statements

At time of completing survey

Key Statistics

KEY THEMES

Council's COVID-19 response

- Good leadership, including Crisis Management Team (CMT)
- Good communications
- Working from home (zoom and software)
- Working together – adapt and flexible
- Strong emphasis on well being
- IT Support/Response

- Some systems had restricted numbers access o HRSS and Insider
- IT Response but with caveat not their fault – need more resource
- Return to office plans – mixed communications
- IT set up at home – equipment including screens and work mobile phones
- Support from managers and leadership shown varied – some praised by staff and some comments less complimentary

04 – What did staff tell us?

Survey Results

Specific thoughts and feelings of those staff who worked at the office or in the field throughout Levels 4, 3 and 2.

Surreal
weird
strange
different
being used frequently to describe being on empty roads, seeing empty offices, being one of so few people around.

Initial anxiety/nervous on return but relaxed and more comfortable as settled in.
General sense of relief at getting back to normality and being able to connect with others.

EXPERIENCE

Remained on site / Returned to premises

- Social interaction with colleagues and catching up with team mates on return
- Quiet with no distractions as less people
- Induction and transition managed well and clear expectations set
- Health and Safety support, feeling safe including work practices and physical environment

"Had many appreciative people and lots said team delivered a customised helpful service far beyond other councils around the area"

- Health and Safety – including lock down of kitchens at Alert Level 2, not being treated as adults, overkill for H&S
- Confusion and uncertainty as to what was expected when returning – mixed communications, managers giving different messages
- Physical environment – desks off limits; dark dreary, tired office; missing colleagues and others being around

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04 – What did staff tell us?

Survey Results

Responders were asked the following questions:
What worked well with Council's COVID-19 response and what not so well? and
Please provide any other feedback you may have about how you and/or Council have responded to the Covid-19 pandemic that may assist the Improvement Group moving forward?
The improvement feedback identified and/or perceptions were themed using affinity mapping.

Lessons Learned

- Planning could have started earlier, some confused as to what planning had been completed overall or specifically in their area.
- More detail was provided from LGNZ as we rolled back levels that wasn't available at higher levels. Staff indicated this made this part of the response appear more bureaucratic.
- Communications were praised by many. Some concerns raised that they were too late in the day, not all managers communicated, national rather than organisation focus, too much, too little
- Complimentary commentary on how well the response was managed and the team work. Several responses reiterated that they felt safe, working for a caring organisation.
- Less visibility for staff of what was being done in the community.
- The effort in getting staff able to work from home in 48 hours was appreciated.
- Initial IT issues resolved but some ongoing access problems with Citrix and issues around equipment for productivity e.g. work mobile, dual screens.
- IT team was not resourced enough to be able to manage everyone working remotely for extended periods of time.

Lessons Learned

- Challenges with availability and use of PPE and sanitiser etc to support hygiene requirements.
- Generally everyone was resilient and adapted to the changes required.
- Support from managers and leadership shown varied – some praised by staff and some comments less complimentary.
- Appreciation for the role of CMT and the effective and timely decision making.
- Some comments about role of CMT and the EOC show that there is some room for improvement for understanding roles and responsibilities.
- Don't lose opportunity for sustaining the changes made including how we accelerated thinking and made decisions, operational co-ordination, improved processes, flexible work practices by now reverting back to BAU pre COVID.

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05

What did the CMT debrief workshop tell us?

This section outlines the findings from the CMT debrief workshop and Elected Member discussion.

Free and frank discussions at the CMT debrief workshop were captured under what worked well, what not so well and what we would do differently in hindsight.
Key points from an informal discussion with the Elected Members have also been captured.

CMT Debrief Workshop Output

WHAT WORKED WELL

- Having two HR representatives on CMT at both operational and strategic level. Allowed for information to be filtered through to Groups.
- There was a strong multi-disciplinary mix on the CMT team.
- Communications were open and evolving.
- IT focused on infrastructure and were quick to respond to the needs of the business.
- Good attendance at meetings.
- The ability of the CE to freely attend meetings and be fully briefed as a non-member.
- WDC felt connected regionally and was in-tune with how other Councils were responding.
- The daily CMT meetings worked well allowing teams to easily prioritise.
- Information from EOC was critical.
- There was flexibility for others to sit in on meetings.
- Daily communications that went out to the organisation were invaluable.
- Having an Exec member present allowed for key decisions to be made immediately and kept the momentum of meetings going.

WHAT DID NOT WORK SO WELL

- There was confusion around the roles of CMT and Exec. More clarity on what powers the CMT group had versus Exec required.
- How do we ensure the right people are up-skilled for future crises when different CMT make up may be required?
- The same core people were involved throughout the process (particularly those in the Crisis Management roles) – no allowance made/no rostering.
- In meeting daily, staff worked consistently without stops then following meetings had further tasks to do.
- Staff seconded to CMT had to manage their normal roles as well (whereas for the EOC – this was dedicated).
- Timing of bringing in additional resource could have worked better.
- Key messages didn't necessary filter through to everyone. Not all staff have access to a device. Supervisors/TLs provided with instructions on talking with their teams, however this did not eventuate for all teams.
- More interaction from the CE (and Exec) via mechanisms other than email were suggested.
- Pressure of 7-days per week operation during certain periods.

WHAT WOULD WE DO DIFFERENT?

- More transparency required around who was selected for the CMT Group and why.
- Engage the Health & Safety advisors on earlier points (they were only involved in Level 2).
- Clearer definition of critical staff for use in response plans.
- Ensure alternatives are used as intended as an additional resource. More attendance of alternatives throughout the response.
- Filtering of information could have been set up differently (ongoing comms). Need to consider an intel /dedicated role for this.
- Create a roster for CMT roles if crisis is long term.
- Ensure all information saved in one central place (via ECM).
- Address links with EMs.
- Ask EMs what their perspective was on the process (face-to-face).
- CE (and Exec) to have more interaction with staff not just CMT via a variety of different channels.

05 - What did the workshops tell us?

CMT Debrief Workshop Output

WHAT WORKED WELL

- Planning & execution worked well with information coming out of government.
- Zoom meetings were adopted well
- Daily log kept simple capturing actions, decisions and items requiring monitoring.
- Having Comms present at meetings helped with disseminating media releases.
- Positive feedback on communication from Elected Members.
- The group acknowledged the CE's strong leadership throughout the process.
- Recognises one HR rep on CMT as valuable link assisting the EOC.
- The positive 'Just do it' attitude of CMT group
- Breakdown of silos between operating team (CMT, EOC, Exec)
- Staff willingness to be involved
- Facebook page worked well
- Positives are learnings from the experience

WHAT DID NOT WORK SO WELL

- Challenge with some critical staff on EoC while Council operations continued.
- Writing H&S plans once back in the office was time consuming. This process should have commenced earlier.
- Engagement with EMs - unsure of how they felt. Not particularly well defined. CE needed to be in attendance at governance meetings (refer Mayor & Chair meetings that were established without CE input).
- Grey areas of CMT / EOC responsibilities – learning as they went.
- Comms between EOC and staff could be improved (e.g. requirement for Parks staff to close boat ramps.)
- Better coordination of access and security (into buildings).
- Huge amount of information from different sources difficult to manage.
- Preparing offices for the return of staff was left to the last minute.
- H&S Advisor on EoC during critical time.
- Lack of consistency of H&S plans with staff doing different things once in Level 1/2.
- Decision to remove items from kitchen was not received well.

WHAT WOULD WE DO DIFFERENT?

- Ensure H&S Advisor is present on CMT earlier.
- Utilise H&S Committee more.
- More consideration of duties for staff without access to laptops (e.g. Parks/Waters).
- Offering other resources to staff through out crisis such as webinars and guest speakers.
- Keep up other regular communications such as the 5-min Fridays, H&S Updates.
- How to better communicate with staff who don't have access to a laptop? Long emails don't translate well on phones. It was noted that with the introduction of 'Teams' this will present greater communications capability.
- Need to consider the sustainability of the management of daily communications. Allow for some resilience in the process to share the work load

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05 - What did the workshops tell us?

Elected Member Discussion

A discussion was held with Elected Members on 11 August. Overall Elected Members were positive about the response to COVID-19. They gave kudos to the staff who worked through this time to continue to provide services and respond to the crisis. The key points are:

Elected Members continued meeting throughout lock down by Zoom with live streaming.

01

Communications

Councillors appreciated the daily emails and regular updates. It allowed them to respond to the community and queries they received. They felt well informed.
Updates to the community from EoC and Council were well received. Some re-posted information onto their Councillor Facebook pages.
Using varied channels, particularly when papers unavailable, worked well.

02

Governance

Governance by Councillors worked well over this period with the move to virtual meetings. The speed of moving to using Zoom and support was appreciated.
Youtube streaming seen as positive.

Zoom for non-decision making presentations etc. should be considered in future.

03

Iwi/ Tangata Whenua

Initially there was a gap in working with Iwi / Tangata Whenua during the response.
For future events early engagement with our networks is recommended.

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06

Recommendations

This section outlines the recommendations based on the debrief analysis

There was an overall theme of not losing the opportunity provided by the COVID-19 pandemic changes introduced by reverting to how we operated previously. The recommendations in this section will ensure that we learn from the COVID-19 experience and bounce forward in recovery and become more resilient.

General Crisis Management Recommendations

Streamline Crisis Management Plan

Streamline the Crisis Management Plan and artefacts based on the experience of what has worked in this crisis. This includes changing authority for activating CMT to any member of the Executive Team.

Scenario based CMT and planning

Develop a scenario based approach for CMT, including membership. This approach will also be used for developing business continuity plans, which will include a specific pandemic section.

CMT resourcing

- Roster CMT for longer term crisis to pace the response and minimise overload. Inclusion of alternatives early and more frequently to spread the load and add resilience to the team.
- Assign dedicated intelligence role to gather, distill and disseminate information coming from various sources.
- Clarify resourcing of EoC and CMT - including how both will be resourced, roles and responsibilities.

Communications

Review crisis communications plan and update with any key learnings from the Communications team. Review communications channels.

Organisational Resilience

Review resilience across the organisation to identify gaps and vulnerabilities in key areas/services; training needs to successfully manage future crises.

PANDEMIC SPECIFIC RECOMMENDATIONS

Health & Safety

- Include Health and Safety Advisor on CMT from outset as Technical Expert to provide advice to rest of CMT.
- Make more use of Health & Safety Committee

Increase Service Desk resource

Increase Service Desk resource to support remote working staff.

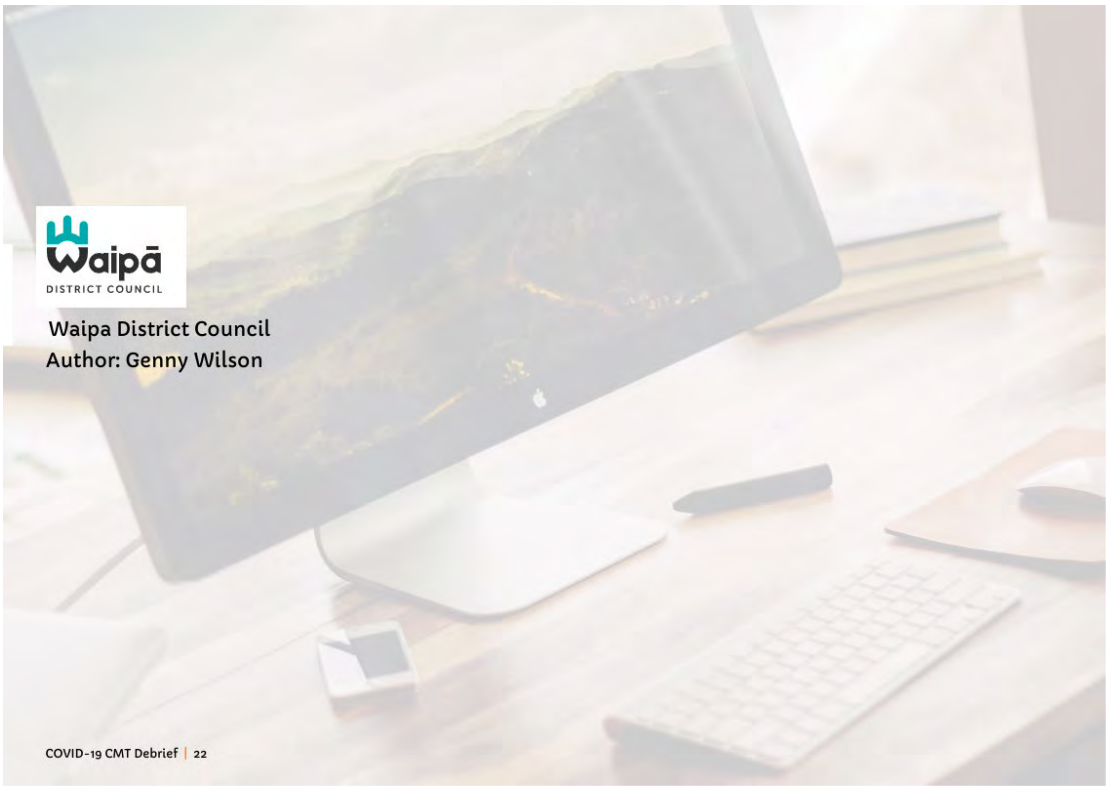
Include Pandemic into BCPs

Have pandemic specific section in business continuity plans.

Maintain baseline stocks

Hold baseline stocks of PPE; sanitisers and additional cleaning materials so hygiene measures can be stepped up immediately there is threat of a further pandemic. These stocks are held by Property. Note: the COVID front counter screens and signage have been stored if required in the future.

Reopening to the new normal



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APPENDIX 5

2020/21 Year Top Risks (document 10452263)

WAIPA DISTRICT COUNCIL 2020/21 YEAR TOP RISKS

August 2020

Waipa DISTRICT COUNCIL

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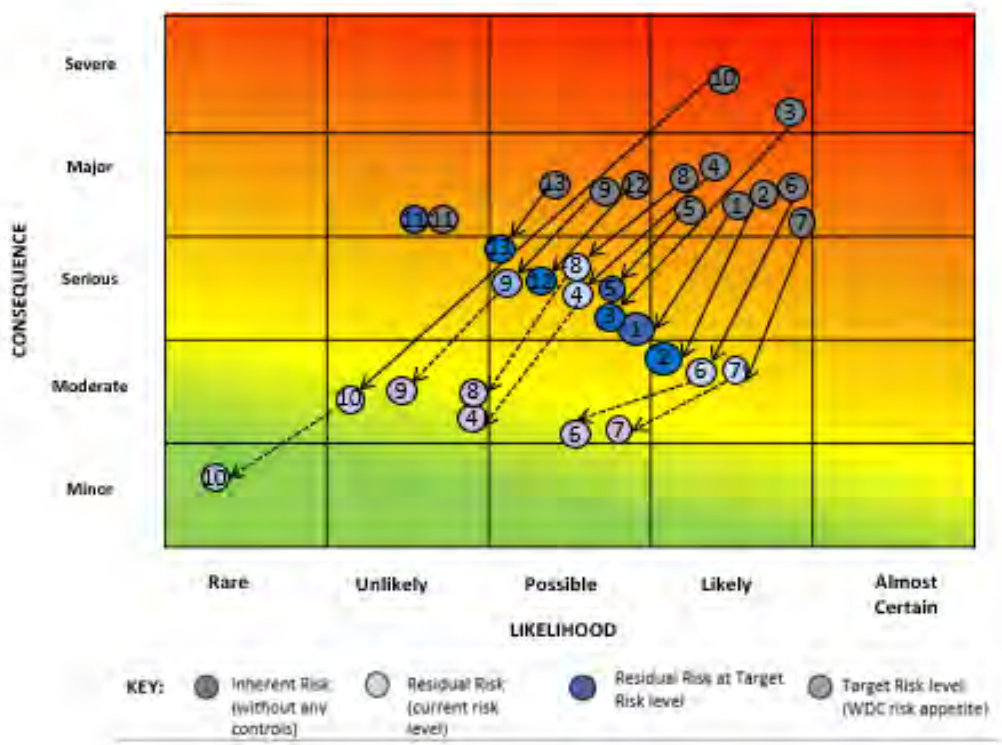
Waipa DISTRICT COUNCIL

SUMMARY OF TOP RISKS

The following are the top risks to the achievement of Waipa District Council's 2019/20 strategic priorities.
Detail on each risk is set out on subsequent pages.
Monitoring and Review:

- Planned activity monitoring will occur through the existing business plan monitoring mechanism.
- Quarterly Executive Team and Audit and Risk Committee reporting on risk management.

Note: that the Target Risk Level for the majority of risks has been raised compared to last year's Top Risk profile to more accurately and realistically state Council's risk appetite rather than an aspirational target. The current economic environment constrains the amount of investment required to lower the target risk further.



#	Risk Area and Statement	Residual (current) level	Trend
1	**Adequate staffing capacity and capability to deliver Council's objectives:** If Council is not adequately resourced, both in terms of capacity and capability, then this under resourcing may contribute to failure and/or significantly increased costs to deliver service levels and key projects.	High	
2	**Failure to deliver the programme of capital works impacting future projects and priorities:** If Council fails to plan and deliver the proposed programme of capital works then this will impact the overall delivery of infrastructure to support growth, levels of service improvements and asset replacement.	High	
3	**COVID-19 Impact:** If Council fails to adequately respond and recover from the ongoing impacts of COVID-19 then there will be a negative impact on the wellbeing of both the organisation and District.	High	
4	**Risks to Information Management:** If information management is compromised through actions of staff or other parties, technology system impacts, cyber-security attacks, privacy breaches, or data loss or corruption then Council's delivery of services and reputation will be negatively impacted.	High	
5	**Changes in Central Government policy or legislation:** If Council does not proactively monitor and respond to the increased level of proposed and pending changes of legislation and/or policy, then adequate financial planning and exploiting potential opportunities may be missed.	High	
6	**Failure of relationships with key stakeholders:** If Council has a breakdown in relationships with stakeholders, then Council's ability to operate and deliver services and key projects cost effectively and within reasonable timeframes will be significantly impacted.	High	
7	**Failure of Iwi/Mana Whenua partnership:** If Council's partnerships with Iwi/Tangata Whenua breakdown then Council's ability to operate and deliver key projects will be significantly impacted and it may also fail to meet it post Treaty settlement obligations.	High	
8	**Risk to Financial Sustainability:** If Council does not have sufficient liquidity and/or funding or debt levels are at limit, then delivery of service levels and key projects will be significantly impacted.	High	
9	**Failure to respond to Customer Demand:** If Council does not meet the increasing expectations of customers in how they engage with Council and what services Council provides as well as respond to changing demands then customers will be dissatisfied, and Council's reputation will be negatively impacted.	High	
10	**Failure to embed a Health and Safety culture:** If Council does not have a strong Health and Safety culture and commitment to keeping staff, contractors and members of the public safe for Council controlled activities then there will be unacceptable injuries and potentially fatalities with legal consequences.	Medium	
11	**Climate change impacts:** If Council does not understand and/or adequately prepare for climate change impacts, then the lack of knowledge and forward planning may have significant financial and reputational effects as well as adverse economic and social impacts on the community.	High	
12	**3 Waters reforms:** If Council does not understand and/or adequately prepare for the proposed 3 waters changes from Central Government, then there may be adverse financial and reputational impacts as well as the economic and social wellbeing of the community being negatively impacted.	High	
13	**Failure to prioritise and develop future projects that meet community expectations:** If Council fails to prioritise and develop the future projects that meet community expectations then there will be adverse impacts on finances and reputation and contention for capital expenditure.	High	

Waipā DISTRICT COUNCIL

TOP RISK 1
Adequate staffing capacity and capability to deliver Council's objectives

1 RISK DESCRIPTION

If Council is not adequately resourced, both in terms of capacity and capability, then this under resourcing may contribute to failure and/or significantly increased costs to deliver service levels and key projects.

2 KEY RISK DRIVER(S)

People
- Staff turnover
- Increased stress levels
- Workload imbalances – perceptions of inequity
- Skills development to facilitate re-deployment
- Remuneration challenges for technical roles
- Uncertainty of 3 Waters reform
- Job Security

Process
- Time taken to recruit, particularly to leadership positions
- Workflow and workload balancing
- Right sizing of workforce
- Recruitment options and mix of internal and external appointments e.g. fixed term contracts for specific projects

External
- Establishment of new water agencies
- Volatile labour market

3 IMPACT

- Staff wellbeing, health and safety
- Non delivery of services, and/or projects
- Decreased staff engagement levels
- Dependence on external contractor support
- Negative financial outcome
- Reputational damage

4 ENTERPRISE RISK OWNER

Manager Human Resources

5 RISK APPETITE

WDC appreciates the challenge of attracting and retaining the right employees to Council, consequently it is willing to accept a **high** level of risk. Retention is more important in the current environment. There are some specific roles that have been identified that have a lower appetite due to their significance to the organisation which are an exception.

Further effort is required to consider alternative strategies to attract new staff and retain existing talent to mitigate this risk in the current environment so as to maintain the risk at a high level and a medium level for exceptions. Any further mitigation to lower the overall level of risk is too costly for Council.

The risk appetite is driven by the potential for non-delivery and reputational damage of Council's objectives as well as the potential financial impacts.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	High

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Current business model takes an account management approach for HR; each business unit is allocated an HR advisor to support addressing capacity and capability challenge, including workforce planning considerations: impending retirements, exits, cadetships, interns, identifying successors/leaders, and development and/or career progression needs.
- Ongoing conversations focused on staffing through the regular Executive Team and Managers' meeting forums.
- The organisation ensures department redesigns are based on the most appropriate department structure to achieve respective workloads.
- Where required external resource is contracted in when internal resourcing is inadequate to deliver key outcomes.

Significant Planned Additional Mitigations

The following actions from the 2020/21 Business Plans will provide additional mitigation:

Action	Owner/s	Timing	Status
Resources are secured through the Long-Term Plan to effectively deliver the 2024-34 LTP.	GM SD	Jun-2021	
Emergency management training is provided and staff are identified to have the appropriate capacity and capability for 2 EOC shifts.	GM DG	Jun-2021	
Staff Retention Framework developed.	Mgr HR	Nov 2020	
Recruitment and Recruitment Platform functionality: maximize Snaphire's functionality and promote Waipa District Council as an employer of choice.	Mgr HR	Jan-2021	
Centralized learning management system – identify phases required to provide Council with a robust mechanism for capturing and recognising organisation-wide learning/training episodes. Phase 1: identify competencies for all roles organisation-wide.	Mgr HR	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Staff turnover: Turnover remains at or under target (13%).
- Percentage of recruitment internal appointments: 50% of recruitment reflects internal appointments made.
- Additional costs for projects for resourcing – i.e.: consultant costs
- Length of time to fill positions – trend in applicants

Waipā DISTRICT COUNCIL

TOP RISK 2
Failure to deliver the programme of capital works impacting future projects and priorities.

1 RISK DESCRIPTION

If Council fails to plan and deliver the proposed programme of capital works then this will impact the overall delivery of infrastructure to support growth, level of service improvements and asset replacement.

2 KEY RISK DRIVER(S)

People
- Specialist role shortages
- Capacity gaps

Process
- Timing of projects
- Resourcing to deliver within planned timeframes
- Adequacy of planning
- Quality of business cases and application of project management framework
- Ambition vs quantum that can be delivered – capacity constraints

External
- Market constraints
- Growth of district – rate and quantum
- Development timing or failure resulting in unnecessary expenditure
- Contention for capex for beautification vs infrastructure projects

3 IMPACT

- Non delivery of projects as planned
- Negative financial outcome
- Reputation damage
- Community outcomes not delivered

4 ENTERPRISE RISK OWNER

Group Manager Service Delivery

5 RISK APPETITE

WDC appreciates the challenge of delivering the aggressive capital works programme in the current Annual Plan and is willing to accept a **high** level of risk. There are capacity constraints that may impact the quantum that can be delivered versus the ambitious programme planned.

The 2021-2031 LTP is being developed and assumes the delivery of the Annual Plan capex programme this year to inform the projects agreed and forecast for the next 10 years. The level of uncertainty for delivery of projects in the current environment given the impacts of COVID on the economy and work programme also leads to an acceptance of a high level of residual risk.
The risk appetite is driven by the potential for non-delivery and reputational damage.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	High

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Clear key capital project programme governance structure and reporting has been implemented to support best practice project delivery.
- Planning across financial years approach to provide more certainty of resource requirements
- Where required external resource is contracted in where internal resourcing is inadequate to deliver key outcomes.
- Monthly reporting to the Executive, and quarterly reporting to ARC, on capital project delivery including tracking of spend against the Annual Plan and approved reforecast.
- BI PCG established to provide governance of digital change projects.

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Reporting to the monthly Finance and Corporate Committee includes risk based financial metrics that include Annual Plan assumption monitoring	GM BS	Jun-2021	
Consideration of an enterprise (whole of organisation) governance framework for Council's project portfolio	GM BS	Mar-2021	
Respond promptly to utilise shovel ready funding as it becomes available	GM SD	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Monitoring of assumptions used in preparing Annual Plan as year progresses
- The 20/21 Annual Plan is delivered within budget, capex projects targets (70%, 80%, 100%) and 75% of level of service measures reach target – Project Delivery MCW reporting.

Waipā DISTRICT COUNCIL

TOP RISK 3
COVID-19 Impact

1 RISK DESCRIPTION

If Council fails to adequately respond and recover from the ongoing impacts of COVID-19 then there will be a negative impact on the wellbeing of both the organisation and District.

2 KEY RISK DRIVER(S)

People
- Capacity and resilience within teams
- Resourcing of recovery programme
- Capability gaps
- Impact of an ongoing response on staff capacity
- Staff stress

Process
- Ability to respond to COVID events
- Must have work programmes
- Financial management
- Don't capitalise on things learned from COVID
- Governance environment

External
- COVID-19 risk continues for foreseeable future
- Further incident that compounds crisis and response required.
- Global economic factors
- Central Government recovery programme

3 IMPACT

- Non delivery of essential services and work programmes
- Reputation damage
- Negative financial outcome – organisation and District
- Social and economic wellbeing reduced for Community and other impacts
- Negative impact on staff culture and morale
- Governance effectiveness
- Staff stress

4 ENTERPRISE RISK OWNER

Chief Executive

5 RISK APPETITE

WDC has a strong and proven response model however
WDC has a high appetite for the COVID-19 impact risk as control of the risk is largely externally driven and dictated by the Alert Levels. It affects the organisation as a whole and the community.

The risk appetite is also driven by the uncertainty of how well the recovery programme is going to deliver. It does also provide opportunities for both Council and the District.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Extreme	Very High	High

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- WDC has a recovery programme in place that will drive the response for the organisation and wider District
- Western Waikato Civil Defence Emergency Management arrangements secured and provide ongoing capability and management through their Business Plan.

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
An internal communications and engagement strategy is developed and implemented	GM S&CS	Jun-2021	
Existing economic information, information from iwi and information from the social sector is regularly reviewed at the Recovery PCG to build an ongoing understanding of the impacts of Covid-19 and reported regularly to Exec team and EMs.	GM S&CS	Jun-2021	
Community Advisors collect information about the recovery priorities within our communities and report regularly to EMs and the Recovery PCG to inform allocation of funding and prioritisation of recovery projects	GM S&CS	Jun-2021	
Recovery action plan is developed in collaboration with iwi, community partners, EMs, central government and regional partners and reported via the PCG to Exec and EMs	GM S&CS	Jun-2021	
Respond promptly to utilise shovel ready funding as it becomes available	GM SD	Jun-2021	
Implement Council's procurement strategy	GM BS	Dec 2020	
Incorporate recovery (as a standing consideration alongside significance and engagement, financial, etc) into the Council reporting template	GM BS	Sep 2020	
Emergency Management monitors any resurgence in the COVID-19 pandemic and is able to immediately establish an EOC in response if required.	GM DG	Jun-2021	
BCPs are kept up to date and current to ensure critical staff are identified and isolated	All	Jun-2021	
Regular forum for briefing between Elected Members and Executive Team – may include Elected Member time only to facilitate discussion	CE	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Recovery programme – actual delivery vs planned
- Deliver approved and funded shovel-ready projects – Project Delivery MCW reporting
- Event funds have been strategically used to enable economic development opportunities in our district, as measured through visitor numbers and spend
- Staff stress levels – number of days sick leave

Waipā DISTRICT COUNCIL

TOP RISK 4
Risks to Information Management

1 RISK DESCRIPTION

If information management is compromised through actions of staff or other parties, technology system impacts, cyber-security attacks, privacy breaches, or data loss or corruption then Council's delivery of services and reputation will be negatively impacted.

2 KEY RISK DRIVER(S)

People
- Human error or other actions of staff
- Privacy breach

Process
- Insufficient controls
- Outdated controls

System
- Data loss or corruption
- Access compromised

External
- Third party
- Cyber security attacks

3 IMPACT

- Theft, ransom demands
- Loss of data or intellectual property
- Compromised service delivery
- Property Loss
- Reputational damage

4 ENTERPRISE RISK OWNER

Group Manager Business Support

5 RISK APPETITE

WDC manages a range of information and data pertaining to its own activities and that of its stakeholders which is one of its most valuable assets. Investment in technology is ongoing and driven by the digital roadmap. This investment is also a critical component of being resilient and delivering services to meet customer expectations. Having secure and robust systems are critical to this.

Although it is deemed to be an unlikely target for information management breaches and cyber risk (compared to other organisations) Council has an aspirational low to medium appetite for cyber risks. However the level of investment required to drive this risk down further drives acceptance of this risk at a target residual risk of medium.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	Medium

7 MITIGATIONS AND CONTROLS

Council actively mitigates against information management risk on an ongoing basis. These mitigants include:

- The implementation of up to date firewalls, anti-virus software and operating system patching
- Organisational internal and external policies aligned with best practice security controls
- Policy awareness and education campaigns
- Auditing and monitoring of systems and controls
- Regular hardware, software and network renewal programme reduces the risk of vulnerability to attack.
- Active testing programme in place with critical security vulnerabilities closed as identified
- Security consulting partner contract in place
- Cyber security improvement programme rolled out in conjunction with WLASS
- Privacy impact assessments completed as part of each digital project

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Security program objectives are progressed	GM BS	Jun-2021	
Continued investment in technology which reduces risk and creates efficiencies, strategic decisions made for Asset Management, Property and Rating, and Human Resources and Payroll solutions	GM BS	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:

- Number of security incidents and corrective actions identified
- Trends in security risks and vulnerabilities as per quarterly compliance reporting (internal and external)

Waipā DISTRICT COUNCIL

TOP RISK 5
Changes in Central Government policy or legislation

1 RISK DESCRIPTION

If Council does not proactively monitor and respond to the increased level of proposed and pending changes of legislation and/or policy then adequate financial planning and exploiting potential opportunities may be missed.

2 KEY RISK DRIVER(S)

People
- Insufficient capacity to respond proactively to significant legislation changes
- Uncertainty and impact of RMA reform and National RMA Directions

Process
- Amount and complexity of changes requiring monitoring and response

External
- Government policy and legislation changes
- RMA and Randerson report – planning changes
- Election and potential change of government
- COVID-19 recovery driving further legislative changes
- Planning to position Waipā positively for RMA reform and ability to implement RMA Directions

3 IMPACT

- Financial planning
- Reputation damage
- Delivery of services
- Legislative non compliance

4 ENTERPRISE RISK OWNER

Group Manager District Growth and Regulatory

5 RISK APPETITE

Council's proactive approach in staying abreast of potential legislative changes is reflected in Council's risk appetite (High) being aligned with the current residual risk (High).

Council acknowledges the size and pace of legislative change is likely to increase but the impacts are largely outside of Council's control.

Council acknowledges challenge and tension as to what Council is trying to achieve and potential changes within the Local Government sector.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	High

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Council has a dedicated role in the form of Principal Policy Advisor of which a fundamental component of the role is to stay abreast of proposed Central Government policy changes, assess impacts and complete submissions on behalf of Council.
- All significant proposed legislative changes are discussed and workshopped with Council as required.
- The Strategy team as a whole co-ordinates and leads the development of organisational submissions on Central Government legislative and policy changes, collaborating with impacted activity areas.
- Legal Counsel keeps abreast of legislative changes impacting Council operations and delegations e.g. LGA delegations change removing ability to appoint commissioners other than for RMA hearings.

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Development of compliance strategy, policy and improvement programme	GM BS	Jun-2021	
The District Plan is reviewed and changed to ensure it remains efficient and effective, and implements national directions and any approved regional and local spatial plan documents are reflected at a District level.	GM DG	Jun-2021	
Carbon Monitoring Programme implemented by December 2020 (informs the Environment Strategy).	GM S&CS	Dec 2020	
Ensure sufficient resources are available to proactively respond to significant legislative changes.	GM DG	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Number of changes of legislation proposed and impact analysed

Waipā DISTRICT COUNCIL

TOP RISK 6
Failure of relationships with key stakeholders

1 RISK DESCRIPTION

If Council has a breakdown in relationships with stakeholders then Council's ability to operate and deliver services and key projects cost effectively and within reasonable timeframes will be significantly impacted.

2 KEY RISK DRIVER(S)

People
- Lack of understanding of who key stakeholders and partners are
- Capacity and capability of staff to respond
- Availability of key stakeholders to engage

Process
- Time taken to build relationships
- Lack of visibility of all interactions with key stakeholders across the organisation
- Lack of engagement with key stakeholders across Council
- Resourcing and affordability to collaborate
- Lack of communication and engagement strategy

External
- Key stakeholders commitment to relationship

3 IMPACT

- Delivery of projects and services that don't meet stakeholder expectations
- Negative financial outcome
- Reputation damaged
- Decision making is inappropriate

4 ENTERPRISE RISK OWNER

Group Manager Strategy and Community Services

5 RISK APPETITE

Council's relationships are so critical WDC has an aspirational low appetite for the impacts of this risk.

However the time and cost of managing and sustaining these relationships mean that the target residual risk level is more realistically medium.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	Medium

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Council has a dedicated roles and staff focusing on building and maintaining effective relationships with key stakeholders and partners.
- Te Ara Wai Governance Committee has been established supported by an engagement programme (in abeyance until funding secured).
- At risk projects identified and planned for appropriately.
- Council's adopted Significance and Engagement policy guides Council as to the level of engagement required for different scenarios
- Input into LASS services and performance
- Business Development Manager role focused on building relationships for economic growth initiatives.
- Community Advisors have been recruited to develop deep, lasting community relationships

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Council develops a Tangata Whenua and Council partnership model	GM S&CS	Jun-2021	
Recovery action plans are developed in collaboration with iwi, community partners, EMs, central government and regional partners	GM S&CS	Jun-2021	
Significant progression of plans to increase the level of availability of housing for the elderly in the district and consideration of affordable/social housing needs	GM BS	Jun-2021	
Active participation across a range of WLASS forums	GM SD	Jun-2021	
The LTP 2021-2031 reflects investment decisions identified by Tangata Whenua and the community	GM S&CS	Jun-2021	
Iwi and the community are actively engaged as partners in Place Shaping	GM S&CS	Jun-2021	
Communications and Engagement strategies are implemented for all programmes of work	GM S&CS	Jun-2021	
Significance and Engagement policy is reviewed to improve its effectiveness	GM S&CS	Jun-2021	
Te Kanohi have been appointed to all major committees	GM S&CS	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Any questions out of the resident survey that might be applicable
- Response to stakeholder issues

Waipā DISTRICT COUNCIL

TOP RISK 7
Failure of Iwi/Mana Whenua partnership

1 RISK DESCRIPTION

If Council's partnerships with Iwi/Tangata Whenua breakdown then Council's ability to operate and deliver key projects will be significantly impacted and it may also fail to meet it post Treaty settlement obligations.

2 KEY RISK DRIVER(S)

People
- Capacity and capability of staff to engage
- Limited understanding by staff of Iwi/Tangata Whenua
- Resourcing and affordability to engage

Process
- Time taken to build relationships
- Inclusion/Omission of Iwi/Tangata Whenua in planning of projects
- Resource consent requirements

External
- Treaty Settlements
- 3 Waters reform
- COVID-19 recovery disproportionately impacting Iwi

3 IMPACT

- Non delivery or delayed delivery of projects
- Reputation damage
- Judicial challenge

4 ENTERPRISE RISK OWNER

Group Manager Strategy and Community Services

5 RISK APPETITE

As Council's Iwi partnerships are so critical WDC has a low appetite for the impacts of this risk but acknowledges that this an aspirational target residual risk level that may not be obtained.

The mitigations are based on strengthening the relationships with Iwi within current resourcing/environment which will equate to a Council Target Residual Risk level of medium as being more realistically achievable.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	Medium

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Council has a dedicated role and staff focusing on building and maintaining effective relationships with key partners including Iwi.
- Council has established a number of partnership forums including NITOW and the Iwi Consultative Committee and also has ongoing involvement (as an interested party) with Treaty negotiations.
- Engagement with Iwi incorporated into Council's communication plan for key projects where the project is of interest to Iwi.
- Te Ara Wai Governance Committee representation (in abeyance until funding secured) .
- Concept design for the Te Ara Wai completed in consultation with partners in particular Iwi.
- At risk projects identified and planned for appropriately.
- Council's adopted Significance and Engagement policy guides council as to the level of engagement required for different scenarios.
- Active partner in JMAs with Waikato Tainui, Raukawa and Maniapoto
- Te Kanohi are appointed to all major committees

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Council develops a Tangata Whenua and Council partnership model	GM S&CS	Jun-2021	
Recovery action plans are developed in collaboration with iwi, community partners, EMs, central government and regional partners	GM S&CS	Jun-2021	
The LTP 2021-2031 reflects investment decisions identified by Tangata Whenua and the community	GM S&CS	Jun-2021	
Iwi and the community are actively engaged as partners in Place Shaping	GM S&CS	Jun-2021	
A review of the iwi arrangements for the resource consent review process is undertaken	GM DG	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Any questions out of the resident survey that might be applicable?

Waipā DISTRICT COUNCIL

TOP RISK 8
Risk to Financial Sustainability

1 RISK DESCRIPTION

. If Council does not have has sufficient liquidity and/or funding or debt levels are at limit, then delivery of service levels and key projects will be significantly impacted.

2 KEY RISK DRIVER(S)

People
- Capacity gaps
- Levels of stress
- Workload imbalances and overload

Process
- Rates remission levels
- Rates collection levels
- Debt levels
- Cash flow

External
- Economic and market factors
- Developer financial viability
- Growth of district – rate and quantum
- Development timing or failure resulting in unnecessary expenditure

3 IMPACT

- Non delivery of projects
- Negative financial outcome
- Reputation damage
- Lowered levels of service
- Staffing reduced

4 ENTERPRISE RISK OWNER

Group Manager Business Support

5 RISK APPETITE

WDC appreciates the challenge of delivering services and projects in a time of growth but also in a time of uncertainty due to COVID.

As per the Long Term plan Council's debt levels are steadily increasing therefore there are less financial contingencies in place. There is limited control by Council of the financial impacts of COVID but due to the adverse impact on financial sustainability Council is willing to accept a medium level of risk. Focus is on ensuring council services are run prudently.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	Medium

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Robust discussion and assessment of the assumptions contained within the Annual and 10-Year plans.
- 2018-28 10-Year Plan projects have been packaged to create scale and efficiency in the use of resources.
- Modular design for expansion of treatment plants
- Improved financial reporting through technology investments

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Reporting to the monthly Finance and Corporate Committee includes risk based financial metrics that include Annual Plan assumption monitoring	GM BS	Jun-2021	
Through the LTP the Council considers alternative funding arrangements for infrastructure required to facilitate growth (e.g. targeted rates and SPVs).	GM BS	Jun-2021	
Respond promptly to utilise shovel ready funding as it becomes available	GM SD	Jun-2021	
Robust prioritisation of business cases that reflect the community's key priorities	GM SD	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Actual against debt ratio benchmark
- Budget vs actual variance for operations and capex
- Rates collection rates
- Number of consents issued

Waipā DISTRICT COUNCIL

TOP RISK 9
Failure to respond to Customer Demand

1 RISK DESCRIPTION

If Council does not meet the increasing expectations of customers in how they engage with Council and what services Council provides as well as respond to changing demands then customers will be dissatisfied and Council's reputation will be negatively impacted.

2 KEY RISK DRIVER(S)

People
- Customers knowledge of and engagement of online options
- Staff response to customers – timeliness and quality of interaction
- Customer is not front of mind
- Capacity and capability of staff

Process
- Inconsistent customer experience
- Inefficient processes delivering sub optimal customer experience

System
- Ease of use and availability of online options

External
- Market constraints
- Vendor constraints for rolling out digital projects
- Impact of Covid-19 and restrictions to face to face services

3 IMPACT

- Reputation damage and trust in the organisation
- Dissatisfied residents/customers
- Manual processing or less efficient processing

4 ENTERPRISE RISK OWNER

Group Manager Strategy and Community Services

5 RISK APPETITE

WDC recognises it needs to take a proactive approach to understand customer demand trends and incorporate these into plans accordingly.

Customer demands in particular how customers interact with Council continue to increase. Council continues to invest in digital technology to support this demand however recognizes the level of investment required to keep pace with external markets may not be realistic. Therefore it accepts a medium target residual level for this risk.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	Medium

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Agreed digital principles to inform projects.
- Ongoing resident satisfaction surveying to provide early alerts.
- One-off customer surveying where further information is sought e.g. communication styles, post transaction surveying.
- Customer support team and CRM process
- Community vision, outcomes and external strategic priorities confirmed with community consultation
- Significant investment in digital technology

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Customer Experience Strategy is developed	GM S&CS	Jun-2021	
Continued investment in technology which reduces risk and creates efficiencies, strategic decisions made for Asset Management, Property and Rating, and Human Resources and Payroll solutions	GM BS	Jun-2021	
What's next Waipā community engagement programme and consultation on the draft LTP is implemented	GM S&CS	Jun-2021	
All projects have a community engagement plan attached to them to support the information needs of our customers	GM SD	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Resident satisfaction survey – specific questions that are relevant
- Uptake of online channels as rolled out
- Levels of community engagement

Waipā DISTRICT COUNCIL

TOP RISK 10
Failure to embed a Health and Safety culture

1 RISK DESCRIPTION

If Council does not have a strong Health and Safety culture and commitment to keeping staff, contractors and members of the public safe for Council controlled activities then there will be unacceptable injuries and potentially fatalities with legal consequences.

2 KEY RISK DRIVER(S)

People
- Human error
- Lack of training
- Inadequate management/leadership
- Ineffective H&S committee

Process
- Inconsistent or poor SoPs and documented processes
- Inadequate H&S plans
- Extensive number of customised risk registers per department/activity
- Contractor pre-qualification process

External
- WorkSafe requirements
- Contractors – inadequate safety protocols in place

3 IMPACT

- Reputational damage
- Prosecution if serious injury/fatality
- Social and economic consequence to injured

4 ENTERPRISE RISK OWNER

Manager Human Resources

5 RISK APPETITE

WDC has an aspirational goal of a low appetite for risk resulting in serious injury or death related to any Council controlled activity.

Whilst minimizing harm is part of Council's culture the impacts of a serious injury or fatality therefore the target residual risk is accepted as low.

Current strategies and efforts are implemented to sustain and embed the Health and Safety culture.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Extreme	Medium	Low

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Due Diligence Plan in place – monitoring through Executive Team meetings and reported on at Finance & Corporate Committee meetings
- Two experienced H&S advisors; each aligned to respective business units
- "Garry's Health and Safety Commitment" and "H&S, it's Vital" brand
- Annual H&S Committee objectives; Committee meetings held on a quarterly basis with representation from across the organisation
- H&S electronic reporting and recording system (TRAX)
- Staff health monitoring programme in place
- Formal H&S reporting to the Executive Team (monthly), Finance & Corporate Committee (four-month report)
- Staff H&S pulse assessed through the annual staff engagement survey
- H&S related policies, training and implementation of
- WLASS Health & Safety Management Framework adopted
- Organisation-wide top health and safety risks identified; mitigation measures incorporated into H&S business plan

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Centralized learning management system – provide Council with a robust mechanism for capturing and recording organisation-wide learning/training episodes. Note: This will provide benefits across Council but will allow specific tracking of H&S training.	Mgr HR	Jun-2021	
Develop best practice documentation for seven of the fourteen workstreams under the H&S Management Framework	Mgr HR	Jun-2021	
Undertake KPMG SafePlus Assessment in Q2; (re-assess 2018 business units to assess effectiveness of improvement initiatives implemented from 2018 recommendations).	Mgr HR	Mar 2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:

- Lead and Lag indicators reported in Health and Safety report to Council

Waipā DISTRICT COUNCIL

TOP RISK 11
Climate change impacts

1 RISK DESCRIPTION

If Council does not understand and/or adequately prepare for climate change impacts then the lack of knowledge and forward planning may have significant financial and reputational effects as well as adverse economic and social impacts on the community.

2 KEY RISK DRIVER(S)

People

- Lack of understanding of impacts of climate change on the organisation and the district
- Capacity and capability to analyse impacts of climate change when planning
- Financial pressures resulting from Covid-19 impact on ability to complete climate change projects

Process

- Financial constraints means projects will not progress to LTP
- Requires significant cross organisational collaboration
- Assessing WDC carbon footprint
- Legislative compliance with risk reporting

External

- Highlighted as an issue by the community
- Central Government response and requirements
- Peer Councils response and planning
- Expert opinions and global knowledge of impacts
- Projected growth and developments

3 IMPACT

- Negative financial outcome
- Reputation damage
- Social and economic, cultural and environmental wellbeing reduced
- Legislative non-compliance

4 ENTERPRISE RISK OWNER

Group Manager Strategy and Community Services

5 RISK APPETITE

Climate change events could have a substantial effect on WDC and its community. However given the current economic WDC will accept a high target residual risk for the next three years. The economic environment is uncertain and the investment in this risk will change as the economy moves.

Whilst Council will include climate change in planning for infrastructure and the community, cost and resource constraints prevent a lower appetite over the next year. This includes responding to reporting requirements.

At this stage Council will monitor the risk and not actively mitigate.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
High	High	High

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Monitoring reputable available information and collaborating with other Councils and Local Government organisations to provide an informed response.
- Assess impact of risk reporting requirements from the Climate Change Response (Zero Carbon) Amendment Act 2019 (CCRA)
- Flood view finder released to allow residents to understand potential flooding impacts.

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Carbon Monitoring Programme implemented by December 2020 (informs the Environment Strategy).	GM SD	Dec 2020	
Review of Environment Strategy	GM S&CS	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:

- Changes in baseline carbon footprint (once assessed)
- Projects delivering climate change response or future proofing
- Climate change reporting requests from Ministry for Environment

Waipā DISTRICT COUNCIL

TOP RISK 12
3 waters reforms

1 RISK DESCRIPTION

If Council does not understand and/or adequately prepare for the proposed 3 waters changes from Central Government then there may be adverse financial and reputational impacts as well as the economic and social wellbeing of the community being negatively impacted.

2 KEY RISK DRIVER(S)

People
- Specialist role shortages
- Capacity gaps
- Uncertainty may affect staff

Process
- Roles and responsibilities not clear
- Financial impacts not clear
- Aggressive time frames for changes to be implemented
- Lack of clarity over transfer of water assets
- Larger programme of work to be delivered

External
- New Water Entity
- New Water Regulator (Taumata Arowai)
- Central Government policy
- Other Local Government organisations
- Diverse community expectations

3 IMPACT

- Negative financial outcome
- Reputation damage
- Projects not delivered
- Social and economic wellbeing reduced
- External relationships affected

4 ENTERPRISE RISK OWNER

Group Manager Service Delivery

5 RISK APPETITE

The level of uncertainty around the 3 waters reforms is very high. Until further clarity is received from Central Government the risk appetite remains high.

Council will undertake ongoing monitoring of the situation and be proactive in planning for any changes.

Delivery of required infrastructure projects will be completed as planned as are necessary for the continued delivery of services which also contributes to the high risk appetite. This will be reviewed when further clarity of the reforms is received which may change this approach.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	High

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- Council maintains a watching brief and will proactively monitor and analyse any changes proposed.
- Key staff will also participate in any forums about the changes.
- Advocacy with regional partners
- Council committed to 'opt in' at August 2020 meeting.
- Council MOU signed by 31 August 2020 (Completed)
- Funding a sub-regional study for the provision of water and waste water services across the Future Proof Council area.
- Collaboration of Waikato and Bay of Plenty Council on stage 1 of the water reforms.

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Te Awamutu Wastewater Treatment Plant Upgrade – Stage 2 Construction completed	GM SD	Jun-2021	
Upgrade to Parallel Rd WTP Construction on track for completion by October 2021	GM SD	Jun-2021	
Detailed Business Case for Southern Metro Waste Water Treatment Plant completed and adopted	GM SD	Jun-2021	
A short term consent for the Cambridge Waste Water Treatment Plant is obtained	GM SD	Jun-2021	
Active participation across a range of WLASS forums	GM SD	Jun-2021	
RATA Collaborative projects are actively supported	GM SD	Jun-2021	
Internal Communications Strategy is supported	GM SD	Jun-2021	
Council submits funding/delivery plan by 30 September 2020	GM SD	Sep 2020	
Tranche 2 Announcements are pro-actively responded to	GM SD	Mar 2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Advocacy with peer Councils (proactive) – active participation by Waipa DC Staff
- Delivery plan milestones are actively managed and reported to Service Delivery Committee

Waipā DISTRICT COUNCIL

TOP RISK 13
Failure to prioritise and develop future projects that meet community expectations.

1 RISK DESCRIPTION

If Council fails to prioritise and develop the future projects that meet community expectations, then there will be adverse impacts on finances and reputation and contention for capital expenditure.

2 KEY RISK DRIVER(S)

People
- Understanding of community needs and wants

Process
- Understanding the priorisation of projects
- Strategic alignment of projects to community outcomes and vision
- Affordability of and capability to deliver projects
- Ineffective and inefficient delivery of projects and services
- Quality of business cases
- Ambition vs quantum that can be delivered – capacity constraints
- Debt levels

External
- Growth of district – rate and quantum and impact on affordability
- Expectations of residents – contention for capex for beautification/amenities vs infrastructure
- Development timing or failure resulting in unnecessary expenditure

3 IMPACT

- We don't deliver on Vision, Community Outcomes & strategic priorities
- Non delivery of projects
- Negative financial outcome
- Reputation damage
- Poor project selection
- Contention for capex

4 ENTERPRISE RISK OWNER

Group Manager Strategy and Community Services

5 RISK APPETITE

Given the financial and capacity constraints of Council it is difficult to balance growth projects and discretionary projects i.e. there is contention for capex for beautification/amenities vs infrastructure. Discretionary projects due to their visibility and social impacts are often more desired by the Community. However Council has an obligation ensure the delivery of essential services.

The impacts of COVID on the financial sustainability of Council and therefore what can be included in the Annual Plan and Long-Term Plan may also further restrict what can be delivered. The target residual risk level is accepted as high based on the level of uncertainty for delivery of projects in the current environment and future years.

6 RISK ASSESSMENT

Inherent Risk	Current Assessed Residual Risk	Council Target Residual Risk
Very High	High	High

7 MITIGATIONS AND CONTROLS

Current Key Mitigations in place on an ongoing basis:

- 2018-28 10-Year Plan projects have been packaged to create scale and efficiency in the use of resources.
- Clear key capital project programme governance structure and reporting has been implemented to support best practice project delivery.
- Planning across financial years approach to provide more certainty of resource requirements
- Where required external resource is contracted in where internal resourcing is inadequate to deliver key outcomes.
- Monthly reporting to the Executive, and quarterly reporting to ARC, on capital project delivery including tracking of spend against the Annual Plan and approved reforecast.
- BI PCG established to provide governance of digital change projects.

Significant Planned Additional Mitigations

Action	Owner/s	Timing	Status
Through the LTP the Council considers alternative funding arrangements for infrastructure required to facilitate growth (e.g. targeted rates and SPVs).	GM BS	Jun-2021	
Robust prioritisation of business cases that reflect the community's key priorities	GM SD	Jun-2021	
Iwi and the community are actively engaged as partners in Place Shaping through the development of a district wide spatial plan	GM S&CS	Jun-2021	
Community vision, outcomes and external strategic priorities are confirmed	GM S&CS	Jun-2021	
Development of an organisational Activity Management Planning framework (improvement road map)	GM SD	Jun-2021	

8 KEY RISK INDICATORS

The Key Risk Indicators identified are trends in the following measures:
- Resident satisfaction – any specific related questions
- Community engagement - including consultation

APPENDIX 1: RISK ASSESSMENT AT WAIPA

Likelihood Assessment

LIKELIHOOD RATING		LIKELIHOOD PERCENTAGE	STRATEGIC	OPERATIONAL	PROJECT
			Probability of the risk occurring	Probability of the risk occurring	Probability of the risk occurring
Almost certain	AC	>95%	It is almost certain to occur in most circumstances in the next three years.	It is almost certain to occur in most circumstances in the next year. In relation to Health and Safety risks, definite probability, very limited or no controls. Has happened in the past and no compensating controls were implemented. Without additional controls the event is expected to occur in most circumstances. Is expected to occur again within a short period of time (likely to occur at least once in the next 3 months).	It is almost certain to occur in most circumstances during the life of the project.
Likely	L	75% - 95%	The event will likely occur sometime in the next three years	The event will likely occur sometime in the next year. In relation to Health and Safety risks, event will probably occur in most circumstances. Weak controls e.g. be careful. No auditing carried out to provide assurances. With existing controls in place this event will probably still occur with some certainty.	The event will likely occur sometime during the life of the project.

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LIKELIHOOD RATING		LIKELIHOOD PERCENTAGE	STRATEGIC	OPERATIONAL	PROJECT
			Probability of the risk occurring	Probability of the risk occurring	Probability of the risk occurring
Possible	P	25% - 75%	Possibly occur sometime in the next three years.	Possibly occur sometime in the next year. In relation to Health and Safety risks, event could occur in some circumstances. Minimal controls. Event has occurred in other Councils or industries with similar levels of controls in place. Is expected to occur within the next 1 - 2 years.	Possibly occur sometime during the life of the project.
Unlikely	U	5% - 25%	Unlikely to occur in the next three years	Unlikely to occur in the next year. In relation to Health and Safety risks, event could occur in some circumstances, however more likely through human error by not following the controls. Event has not occurred in the business, but could in some circumstances in the next 2 - 5 years.	Unlikely to occur during the life of the project.
Rare	R	0% – 5%	Would occur only in rare circumstances in the next three years	Would occur only in rare circumstances in the next year. In relation to Health and Safety risks, event may occur in some exceptional circumstances e.g. serious assault. Improbably: a very small chance of events occurring that may be caused by events not previously seen or certain conditions. Despite effective controls being used an external event or uncontrollable event could occur.	Would occur only in rare circumstances during the life of the project

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Consequence Rating

SOURCE OF RISK	CONSEQUENCE RATING				
	Minor	Moderate	Serious	Major	Severe
	1	2	3	4	5
High level rating definitions	Manageable through routine procedures, unlikely to require specific application of resources	Event with consequences which can be readily absorbed, but which require management effort to minimise the impact	Significant event which can be managed under normal circumstances	Critical event which can be endured with proper management	Disaster with potential to lead to business failure
Health and Safety	First Aid injury. Injury not requiring medical treatment. Health - Infrequent contact with the hazard at low concentration.	Medical Treatment injury. Injury requiring short term medical treatment with some lost time. Health - Frequent (daily) contact with the hazard at low concentration.	Restricted duties injury. Injuries requiring extended treatment. Health - Moderate (weekly) contact with the hazard at moderate concentration.	Lost Time injury or illness. Health - Infrequent (monthly) contact with the hazard at very high concentration. Frequent contact with the hazard at moderate concentration.	Fatality or Permanent Disability. Health - Frequent (daily) contact with the hazard at very high concentration.
Governance, reputation, legislative compliance and control	No impact on public confidence or media attention	Minor impact on public confidence and media attention. May be some local coverage - not front page.	Some impact on public confidence, reflected by local media and community interest in the Council's performance	Major impact on public confidence resulting in some national media coverage	Critical impact on public confidence, resulting in significant national media and Central Government attention e.g. through an inquiry and/or appointment of a Commissioner
Environment	Little or no impact on the environment	Short-term or minor impact on the environment	Serious damage of local importance with possible regulatory intervention	Serious damage of regional importance with possible regulatory intervention	Permanent damage requiring ongoing remediation and monitoring with regulatory involvement
Planning and strategy	Negligible impact on outcomes and handled within normal operations	Temporary impact on long- term levels of service, with limited community interest and media attention	Noticeable impact on long- term levels of service, being consistently below expectations in one or more outcome categories. Some community interest and media attention.	Levels of service significantly below expectations in one or more outcome categories, bringing significant negative community and media attention	Levels of service in significant decline across all outcome categories. Widespread negative commentary attracts Central Government attention e.g. through an inquiry and/or appointment of a Commissioner.

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SOURCE OF RISK	CONSEQUENCE RATING				
	Minor	Moderate	Serious	Major	Severe
	1	2	3	4	5
Financial Organisation	Loss or overrun of less than $100k	Loss or overrun of between $100-250k	Loss or overrun of between $250-500k	Loss or overrun of between $500k-$1m	Loss or overrun of over $1m
Projects	1% project budget overrun	2-5% project budget overrun	5-10% project budget overrun	>10% project budget overrun	>30% project budget overrun
Information management	Isolated equipment failure	Compromise of user password impacting the confidentiality and integrity of data	Exploitation of application security flaws compromising the confidentiality and integrity of data	Loss or theft of USB/laptop/other device compromising confidentiality. Loss of a core system for an extended period.	Loss of infrastructure for an extended period
Operations and service delivery	Temporary disruption in servicing a small number of customers	Disruption affecting some areas for less than a day	Disruption to a community for more than two hours or some areas for more than a day	Disruption to a community for more than a day or some areas for more than two weeks	Disruption to a community for more than a week
Property and assets	Insignificant incident that causes no disruption to services	Isolated damage not requiring relocation of services to an alternative site	Damage to property that requires the relocation of some services to an alternative site	Damage to property that requires the relocation of all services for a short period	Damage to property that requires the relocation of all services for an extended period

Waipa DISTRICT COUNCIL

Risk Matrix and Risk Significance Levels

		CONSEQUENCE				
		Minor	Moderate	Serious	Major	Severe
LIKELIHOOD	Almost certain	High	High	Very High	Extreme	Extreme
	Likely	Medium	High	Very High	Very High	Extreme
	Possible	Low	Medium	High	Very High	Very High
	Unlikely	Low	Medium	Medium	High	Very High
	Rare	Low	Low	Low	Medium	High

Waipa DISTRICT COUNCIL

APPENDIX 6

Risk Appetite Statement (document 10456973)

Waipa District Council Year 2020/21 Risk Appetite Statement

August / 2020

Waipa DISTRICT COUNCIL

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Issue	Reason for Issue	Author	Reviewer	Date
1	Draft for Review after refresh from ARC annual risk workshop	Genny Wilson	Georgina Knapp	25 August 2020
2	Updated post Executive Review for ARC	Genny Wilson	Executive Team	3 September 2020

PART 1 - RISK APPETITE STATEMENT

1.1 Purpose

Risk appetite is the conscious decision about the amount and type of risk that Waipa District Council (WDC) is willing to take in pursuit of its organisational objectives. Its purpose is to define and communicate to the organisation expectations regarding various risk types, and where it is to be pursued and where it will be avoided.

Council's risk appetite reflects its:

- Business model
- Risk maturity
- Internal risk management capabilities
- Culture.

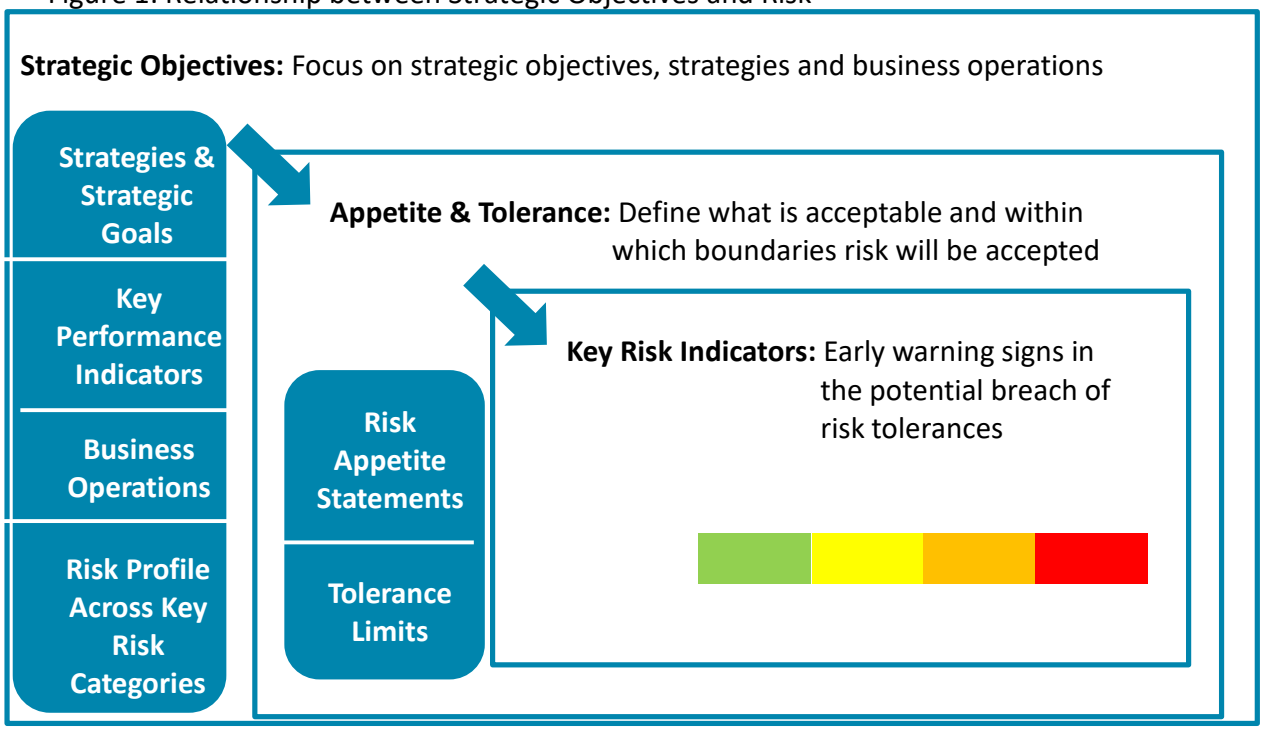
The appetite for risk is influenced by a number of factors including (but not limited to) the:

- Business environment
- People (employees)
- Community needs and wants
- Business systems
- Legislation and policies.

Having a clearly defined risk appetite gives clarity to the wider organisation about the nature and degree of risks that can be taken with our strategic, operational and project work. It is closely linked to defining the overall strategy of WDC therefore setting risk appetite is defined by the Executive Team and Council through the Audit and Risk Committee.

Appetite levels have been determined at the collective level of risk profile as opposed to the individual risk level. The portfolios are aligned with the WDC sources of risk as outlined in the Risk Management Policy. Where the level of appetite are different for different parts of the same portfolio e.g. people and health and safety the portfolio is split. Likewise where the risk portfolio covers more than one source of the risk but the appetite is aligned they are consolidated e.g. resilience.

Figure 1: Relationship between Strategic Objectives and Risk[1]



1.2 Target Risk Level/Risk Appetite

WDC employs the concept of **target risk level**; to describe the level of risk (as defined by likelihood and consequence) that WDC intends to attain. This level of risk is analogous to the more widely practiced concept of **risk appetite.** Both measures provide an indication of the amount and type of risk WDC is willing to take in pursuit of organisational objectives.

Target risk levels will differ across risk types; in some instances being very low/conservative where risk is to be avoided (e.g. health and safety) and higher/more open where an organisation needs to take on risk (e.g. financial returns). Consequently the measure can be used in decision making, monitoring, and building risk culture across an organisation.

At present the target risk level is illustrated as a position on the organisation's risk matrix/heat-map (relative to inherent and residual risk levels[2]), but as WDC's risk management matures it is anticipated that is will be supported by this risk appetite statement; which provides an explanatory narrative to provide guidance to staff of where risk is to be avoided or pursued.

[1] Diagram courtesy of Waikato District Council
[2] Refer to risk definitions in Appendix 1.

Therefore the risk appetite will also inform the targeted residual risk level for the Council's Top Risks.

1.3 Communicating Organisational Risk Appetite

The benefits of communicating the organisation's risk appetite are detailed in the diagram below.

Figure 3: Benefits of Communicating Risk Appetite[3]

Discrepancies between WDC's agreed risk appetite and residual risk level determine whether more controls are required to appropriately manage a risk or whether there is room to exploit more opportunities.

[3] Diagram courtesy of Waikato District Council

1.4 Context

WDC strategic framework is detailed in the diagram below.

Figure 3: Waipa District Council Strategic Framework

The strategic framework above applies for the 2020/21 financial year. There have been changes made that are to be adopted as part of the Long Term Plan process.

The four community outcomes drive Council Strategic Priorities:

- Socially responsible
  - Utilising the knowledge and resources within Waipa for the benefit of the whole community.
- Environmental and cultural champions
  - Building a community that is proud of Waipa's physical and cultural environment.
- Economically Progressive
  - Continuing to build a sustainable thriving economy based upon the district's unique characteristics

- Connected with our Community
    - Ensuring the Waipa Community is actively involved in the decisions and actions that affect Waipa.

The internal and external strategic priorities for WDC are set through yearly planning and through the development of the 10-year plan (respectively). Delivering on the vision and outcomes involves a comprehensive programme of projects.

1.5 Overall Risk Statement

WDC accepts that it is willing to take well defined risks at a moderate to high level where it will result in the achievement of strategic objectives and provide opportunities. It also understands that the successful achievement of these objectives is significantly supported by its perceived reputation with its customers and stakeholders. Accordingly WDC is not willing to accept risks that would significantly adversely impact its reputation, nor where employee or customer wellbeing is compromised.

Where the adoption of strategies, initiatives or actions may exceed the stated risk appetite, the Executive Team and Council, through the Audit and Risk Committee, will be consulted prior to those activities commencing.

The risk statements in this document are for employees and elected officers of WDC and any partners, contractors or participating associates.

The risk appetite has been developed for the following risk portfolios that align with the risk sources within the risk management policy:

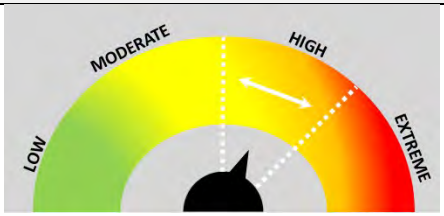
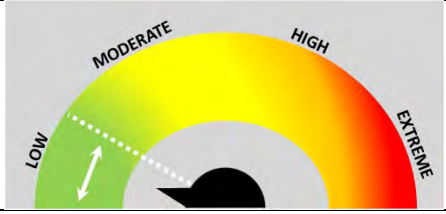
- People, including health and safety
- Governance, reputation, legislative compliance and control
- Environment
- Planning and Strategy
- Financial Organisation (including Projects)
- Information Management
- Resilience including Operations and service delivery and Property and assets

Further detail on risk portfolios are set out subsequently in this document.

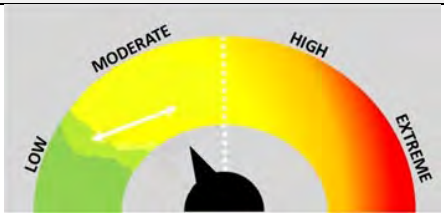
The risk appetite tolerance range is defined as:

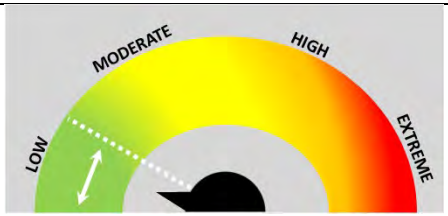
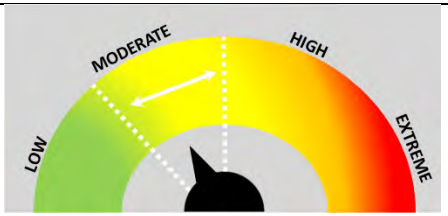
Range	Definition
Low	Acceptable level is no risk to little residual risk. Controls in place to mitigate risks to as low as reasonably practicable.
Moderate	Acceptable level of medium residual risk so that innovation and opportunities can be maximised to provide value and threats are reduced to a safe level appropriately and cost effectively.

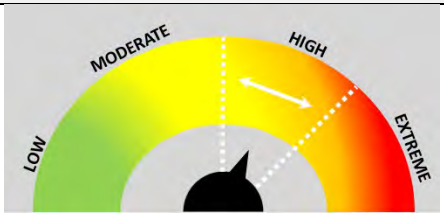
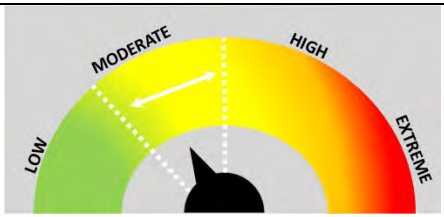
High	Acceptable level of residual risk is high as it is either outside Council's control, provides opportunities that will result in rewards and value higher than the overall risk, or the investment required to mitigate the risk further is not prudent.
Extreme	Acceptable level of residual risk is at a maximum.

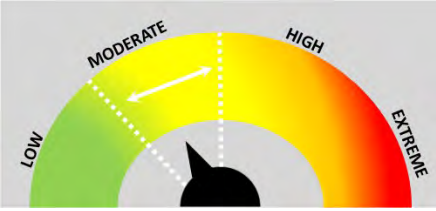
Risk Portfolio	Risk Portfolio Description	Risk Appetite and Tolerance	Risk Appetite Statement	Potential Key Risk Indicator[4]
People People and Culture	Risks associated with health and safety and wellbeing; or the capacity and capability of staff, elected members, contractors and partners; ability to attract and retain skilled staff; behavior and/or performance of leaders and staff. This behaviour is driven by the values of the organisation. The refreshed values are being rolled out to all staff in the 2020/21 financial year. People risks typically result from staff constraints (not being able to fill key positions with skilled staff); incompetence (lack skills and knowledge to do job correctly); dishonesty (theft or fraud); or a corporate culture that does not cultivate risk awareness (lack of health and safety culture and/or risk awareness).		WDC accepts that there is significant competition for talent and resource shortages for key skills required to deliver our services. Council also accepts that strong leadership and investment in staff is necessary to achieve its strategic objectives. WDC appreciates the challenge of attracting and retaining the right employees and building capable leadership and strong governance. Overall WDC accepts an appetite risk level of high. By exception there are some specific roles that will be identified where there is a lower appetite. The risk appetite is driven by the potential for non-delivery of Council's objectives and reputational damage.	Staff turnover: Turnover remains at or under target (13%). Percentage of recruitment internal appointments: 50% of recruitment reflects internal appointments made. Additional costs for projects for resourcing – consultant costs. Annual Staff Engagement Survey Results
People Health and Safety and Wellbeing			WDC has a low appetite for risk resulting in serious injury or death related to any Council controlled activity.	Lead and Lag indicators reported in Health and Safety report to Council

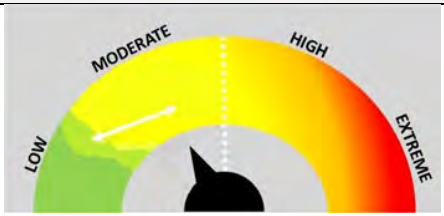
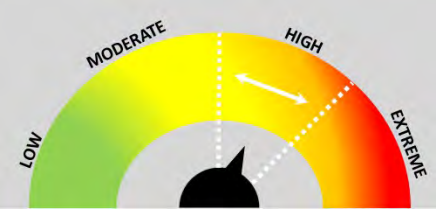
[4] Please note that these are a work in progress and are due to be finalized by 2021 as per the Risk Management Strategy

Risk Portfolio	Risk Portfolio Description	Risk Appetite and Tolerance	Risk Appetite Statement	Potential Key Risk Indicator[4]
Governance, reputation, legislative compliance and control	Risks associated with significant adverse or damaging perception of the Council by the general public and Waipa residents. This risk portfolio also includes risks associated with relationships and the engagement and trust of key stakeholders, including Iwi/Tangata Whenua, and community. Risks related to Council's exposure to liability and/or breaches of legislation and policy.		Relationships with stakeholders including Council's Iwi / Tangata Whenua partnerships are critical to WDC. A significant component of Council operations is the obligation to comply with externally set regulations and statutory requirements. In addition staff are required to follow Councils internal policies and procedures. Non-compliance can introduce financial and reputational damage; this includes the risks associated with fraud and theft and/or bribery and corruption or lack of probity. In regard to fraud, bribery and corruption risk tolerance is low. In summary: A primary mandate of the WDC is to effectively serve its communities. WDC must comply with legislation. However due to the breadth of the risk a moderate level of risk will be tolerated. In some instances the consequence is low or realistically mitigating the risk lower is not economically feasible.	Resident satisfaction survey results Number of non-compliances identified through audit programmes Instance of non-compliance raised by regulatory body

Risk Portfolio	Risk Portfolio Description	Risk Appetite and Tolerance	Risk Appetite Statement	Potential Key Risk Indicator[4]
			Council has a moderate appetite for the risks associated with relationships with Iwi/Tangata Whenua and other key stakeholders as it accepts that there are challenges in building and sustaining effective relationships.	
Environment	Risks associated with significant adverse or damaging effects on the environment.		Adverse impact made on the environment by Council operations, including non-compliance with resource consent conditions, may introduce financial and reputational damage. WDC has a low appetite for the impacts of this risk portfolio.	Number of instances of reported non-compliance with resource consents held.
Planning and Strategy	Risks associated with strategic decisions made by Council; inability to deliver on vision; or the ability to deliver on strategic objectives. This portfolio also considers risks due to the political environment within and external to Council.		The risk appetite is driven by potential damage to reputation and the desire to ensure customers are receiving the best value services for money. As a result WDC has a moderate appetite for this risk, implying it needs to work towards satisfying needs and expectations.	Resident satisfaction survey results Uptake of online channels as rolled out Levels of community engagement

Risk Portfolio	Risk Portfolio Description	Risk Appetite and Tolerance	Risk Appetite Statement	Potential Key Risk Indicator[4]
Planning and Strategy Changes in central Government policy	This can include legislative and policy changes introduced by central government.		The risk appetite is high as Council has very limited ability to control this risk and appreciates the high level of uncertainty and ambiguity for proposed 3 waters and planning reforms. COVID 19 is also driving legislative change. Council's proactive approach in staying abreast of potential changes and participation in forums/submissions, with peer Councils, influences accepting this level of risk appetite.	Number of changes of legislation proposed and impact analysed
Financial Organisation (includes Projects)	Risks related to the financial management of the Council and ability to fund activities and operations now and in the future. It also includes risks related to the management of budgets (both opex and capex) through operations and projects. Liquidity management and debt levels are also factors. External economic factors and market conditions can also impact the financial capability of Council and are also sources of risk.		Financial sustainability of the 10-Year Plan assumes a level of growth which needs to be closely monitored. The inability to effectively deliver due to financial consequences introduces both reputational and potential compliance risk to Council. Noting also that exceeding expenditure or not operating within financial policies may have an adverse impact on rate levels and/or audit outcomes The financial sustainability of Council is critical however as there are some uncertainties that are outside of Council's	Actual against debt ratio benchmark Budget vs actual variance for operations and capex Rates collection rates Number of consents issued

Risk Portfolio	Risk Portfolio Description	Risk Appetite and Tolerance	Risk Appetite Statement	Potential Key Risk Indicator[4]
	The impact of COVID at all levels will continue to cause economic uncertainty over the short to medium term.		control Council is willing to accept a moderate tolerance level.	
Information Management Cyber-security risk / data protection / data use and opportunities	The risks in this portfolio are associated with the failure or compromise of processes, systems and data. They also include failure to utilise data and/or make the best opportunity of the data sets Council holds.		WDC manages a range of data pertaining to its own activities and that of its stakeholders. Although deemed to be an unlikely target for cyber risk (compared to other organisations) it has a moderate appetite. Information is one of the largest assets of Council and the increasing reliance on technology to deliver services and meet customer expectations are key drivers of this appetite. The investment in technology is required to maintain risk levels within this appetite with any further lowering requiring unsustainable levels of funding. The risk is driven by compromised cyber-security resulting in reputational damage and property loss. There is moderate appetite around the use of data and the opportunity to utilise data.	Number of security incidents and corrective actions identified Trends in security risks and vulnerabilities as per quarterly compliance reporting

Risk Portfolio	Risk Portfolio Description	Risk Appetite and Tolerance	Risk Appetite Statement	Potential Key Risk Indicator[4]
Resilience (including Operations and Service Delivery and Property and Assets)	The risks in this portfolio are associated with business continuity; risks impacting the day to day business function and level of service delivery. It also covers risks associated with the immediate management and recovery of normal business operations after a disruptive event. These may be internal and/or external, and may impact only WDC or the District.		The ability to provide essential services following a natural disaster or other unforeseen event is a core function of Council. WDC has a low to moderate appetite for emergency management, crisis management, and business continuity risk. The higher level of risk appetite is for less disruptive events that can be managed to minimize the impact on the Council and District through the established response mechanisms, including the Crisis Management Team. This appetite is driven by potential failure for emergency management and core service delivery introducing significant financial and reputational risk to Council and significant social and economic risk to the District.	Internal audit results for business continuity/crisis management and emergency management compliance and preparedness Programme of testing and reporting of effectiveness of preparedness from simulated and actual incidents COVID debrief reports (WWCDEM, Waikato Group CDEM and Council)
Resilience (including Operations and Service Delivery and Property and Assets)	It also includes risks associated with climate change as we build more resilience within Council and the Community.		Climate change events could have a substantial effect on WDC and its community. However given the current economic situation WDC will accept a high appetite for the next year. The economic environment is uncertain and	Changes in baseline carbon footprint (once assessed) Projects delivering climate change response or future proofing.

Risk Portfolio	Risk Portfolio Description	Risk Appetite and Tolerance	Risk Appetite Statement	Potential Key Risk Indicator[4]
			the investment in this risk will change as the economy moves. Whilst Council will include climate change in planning for infrastructure and the community, cost and resource constraints prevent a lower appetite over the next year.	

PART 2 - GLOSSARY

TERM	DEFINITION
Council	Waipa District Council, elected members.
Strategic risks	Risks that could affect the achievement of our vision, purpose, strategic goals and objectives, and strategies.
Operational risks	Risk associated with day to day business operations of the organisation.
Project risks	Risk event which if it materialises could potentially have an impact on the project objectives, resources and timelines.
Risk/ risk event	The potential effect of a future event that, if it happens, is expected to affect the outcome or outputs of one or more business objectives in a positive or negative way.
Risk appetite	The amount and type of risk that the organisation is willing to take in pursuit of our organisational objectives
Risk culture	The behaviours, attitudes and practices associated with risk management, reflected by staff while performing the day to day business operations.
Risk management	The culture, processes, systems and activities that assist in making informed decisions, with regards to risks to be pursued and/or avoided, to achieve our business objectives.
Risk management process	Systematic application of management policies, procedures and practices to the activities of communicating and consulting; understanding and defining the scope, content and criteria for risk management; identifying and assessing risks; exploring potential options for risk treatment; monitoring and reviewing the risks and risk management processes; recording and reporting on risk management.
Risk profile	Identifying, assessing and rating the top risks based on the effectiveness and efficiency of related control measures and understanding the impact of such risks on the business objectives.
Risk tolerance	The Council's readiness to bear risk after the risk treatment in order to achieve objectives. Risk tolerances are based on the maximum level of acceptable risk and may be expressed in various ways depending on the nature of the risk.
Stakeholder	Person or organisation that can affect, be affected by, or perceive themselves to be affected by a decision or activity
Waipa DC / WDC	Waipa District Council, the organisation.

TE AWAMUTU - HEAD OFFICE
101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

CAMBRIDGE - SERVICE CENTRE
23 Wilson Street, Cambridge Ph 07 823 3800

/WaipaDistrictCouncil /Waipa_NZ /Waipa_DC

STRATEGIC PLANNING AND POLICY COMMITTEE REPORT

Waipā DISTRICT COUNCIL

To:	The Chairperson and Members of the Strategic Planning and Policy Committee
From:	Governance
Subject:	**RESOLUTION TO EXCLUDE THE PUBLIC**
Meeting Date:	3 November 2020

1 RECOMMENDATION

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
17. Confirmation of Public Excluded Minutes	*Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987*	*Section 48(1)(a)*

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

Item No.	Section	Interest
17.	*Section 7(2)(j)*	*To prevent the disclosure or use of official information for improper gain or advantage*