

# Strategic Planning & Policy Committee Public Agenda- 6 April 2021

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 Kanoahi Representative), BS Thomas, GRP Webber

06 April 2021 09:00 AM - 11:00 AM

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# STRATEGIC PLANNING AND POLICY COMMITTEE AGENDA



## APOLOGIES

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### **Recommendation**

*That the apology for the non-attendance of Councillor M. Pettit be received.*

# STRATEGIC PLANNING AND POLICY COMMITTEE AGENDA



## DISCLOSURE OF MEMBERS' INTERESTS

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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



## LATE ITEMS

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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.



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## CONFIRMATION OF ORDER OF MEETING

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### **Recommendation**

*That the Strategic Planning and Policy Committee confirm the order of the meeting.*

# STRATEGIC PLANNING AND POLICY COMMITTEE REPORT



**To:** The Chairperson and Members of the Strategic Planning and Policy Committee  
**From:** Governance  
**Subject:** **CONFIRMATION OF MINUTES**  
**Meeting Date:** 6 April 2021

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## **1 EXECUTIVE SUMMARY**

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To confirm the open minutes of the Strategic Planning and Policy Committee meeting held on 16 March 2021.

## **2 RECOMMENDATION**

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*That the open minutes of the Strategic Planning and Policy Committee meeting held on 16 March 2021, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.*

## **3 ATTACHMENTS**

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Strategic Planning and Policy Minutes – 16 March 2021



**Time:** 1.00pm  
**Date:** Tuesday 16 March 2021  
**Meeting:** Council Chambers, Waipa District Council, 101 Bank Street, Te Awamutu

## PRESENT

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### Chairperson

SC O'Regan

### Members

His Worship the Mayor JB Mylchreest, EM Andree-Wiltens, EH Barnes, AW Brown, LE Brown, RDB Gordon, ML Gower, MJ Pettit, EM Stolwyk, CS St Pierre, M Tauroa (Te Kanohi Representative)<sup>[arrived 1.18pm]</sup>, BS Thomas

## 1 APOLOGIES

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### RESOLVED

02/21/19

*That the apologies from Councillors Coles and Webber for non-attendance be received.*  
Councillor A Brown/Councillor Gordon

## 2 DISCLOSURE OF MEMBERS' INTERESTS

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There were no disclosures of interest

## 3 LATE ITEMS

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There were no late items





#### 4 CONFIRMATION OF ORDER OF MEETING

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**RESOLVED**

02/21/20

*That the Strategic Planning and Policy Committee confirm the order of the meeting.*

Councillor Gower/Councillor Thomas

#### 5 CONFIRMATION OF MINUTES

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**RESOLVED**

02/21/21

*That the open minutes of the Strategic Planning and Policy Committee meeting held on 2 March 2021 having been circulated, be taken as read and confirmed as a true and correct record of that meeting with a correction to minor typographical errors.*

Councillor L Brown/Councillor St Pierre

#### 6 APPROVAL OF CONSULTATION DOCUMENT AND SUPPORTING INFORMATION FOR THE LONG TERM PLAN 2021-31 FOR PUBLIC CONSULTATION

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Council is required to prepare and adopt a Long Term Plan (LTP) under the Local Government Act 2002 (LGA) every three years. A draft 2021-31 Long Term Plan (LTP) budget and supporting documents (draft LTP) and draft Consultation Document, had been developed to be formally consulted on with the community, included in the agenda.

The purpose of the report is to obtain formal approval of the draft Consultation Document, draft financial and funding policies, and draft Significance and Engagement Policy, for public consultation and to adopt the documents listed in the recommendation as the supporting information relied on by Council to inform the content of the draft LTP and draft Consultation Document.

**RESOLVED**

02/21/22

*That –*

# STRATEGIC PLANNING AND POLICY COMMITTEE MINUTES



- a) *The 'Approval of Consultation Document and supporting information for the Long Term Plan 2021-31 for Public Consultation' report (document number 10567495) of Haven Walsh, Strategic Projects Driver, be received;*
- b) *Pursuant to section 93G, and before adopting a consultation document under section 93A of the Local Government Act 2002, the Strategic Planning and Policy Committee adopts the following documents as the supporting information relied on by Council to inform the content of the Draft 2021-31 Long Term Plan and Draft Consultation Document, noting that most of these are still draft documents and are subject to final adoption by Council:*
1. *Strategic context – Vision, Community Outcomes and External Strategic Priorities (document number 10451661)*
  2. *Draft Significant Forecasting Assumptions (document number 10483084)*
  3. *Draft Infrastructure Strategy (document number 10439378)*
  4. *Draft Financial Strategy (document number 10523064)*
  5. *Draft Financial Information, (document number 10533867) which includes*
    - a. *Statement of prospective financial information*
    - b. *Funding and operating expenditure*
    - c. *Funding impact statement*
    - d. *Statement of Accounting Policies*
  6. *Draft Groups of Activity (Our Services) (document number 10536823)*
  7. *Draft Revenue and Financing Policy (document number 10510143)*
  8. *Draft Development Contributions Policy (document number 10484744)*
  9. *Draft Remission and Postponement of Rates Policy (document number 10380672)*
  10. *Draft Significance and Engagement Policy (document number 10535084)*
  11. *Draft development of Māori capacity to contribute to decision-making processes (document number 10482701)*
  12. *Related Policies (document number 10533877)*
    - *Variation from the assessment of water and sanitary services*
    - *Waste management policy*
  13. *Draft Performance Framework (document number 10530855)*



14. *Three Waters Masterplan 2020 (document number 10385789)*
  15. *Libraries Activity Management Plan (document number 10535992)*
  16. *Property Activity Management Plan (document number 10535991)*
  17. *Cemeteries Activity Management Plan (document number 10535990)*
  18. *Parks Activity Management Plan (document number 10535989)*
  19. *Transportation Activity Management Plan (document number 10535988)*
  20. *Heritage Activity Management Plan (document number 10535987)*
  21. *Public Toilets Activity Management Plan (document number 10535986)*
  22. *Swimming Pool Management Plan (document number 10536082)*
  23. *Water Treatment and Supply Activity Management Plan (document number 10537797)*
  24. *Stormwater Management Activity Management Plan (document number 10537796)*
  25. *Wastewater and Supply Activity Management Plan (document number 10537795)*
  26. *Development Contributions methodology document (document number 10545361);*
- c) *Pursuant to sections 82 and 102 of the Local Government Act 2002, the Strategic Planning and Policy Committee considers and subject to any amendments, adopts for consultation purposes the following funding and financial policies:*
- (i) the draft Revenue and Financing Policy ( document number 10510143);*
  - (ii) the draft Policy on the Remission and Postponement of Rates, which contains the Remission and Postponement of Rates on Maori Freehold Land (document number 10380672);*
  - (iii) the draft Treasury Management Policy, which contains the Liability Management and Investment Policies (document number 10516772); and*
  - (iv) the draft Development Contributions Policy (document number 10484744);*
- d) *Pursuant to sections 76AA and 82 of the Local Government Act 2002, the Strategic Planning and Policy Committee adopts for consultation purposes the Significance and Engagement Policy (document number 10535084);*
- e) *Pursuant to and in accordance with sections 83 and 93A to 93G of the Local Government Act 2002, the Strategic Planning and Policy Committee considers and, subject to any amendments, adopts the draft Consultation Document as*



*the Consultation Document for the 2021-2031 Long Term Plan (document number 10570196);*

- f) The Strategic Planning and Policy Committee delegates authority to the Chief Executive to approve any minor amendments required to finalise any of the above documents for printing and distribution as part of the public consultation process;*
- g) The Strategic Planning and Policy Committee approves public consultation on the Consultation Document, the draft financial and funding policies, and the draft Significance and Engagement Policy, with the consultation periods to run concurrently from 26 March to 27 April 2021; and submissions to be heard at the Strategic Planning and Policy Committee meeting on 11 and 12 May 2021 (and on such further days as may be required); and*
- h) The Strategic Planning and Policy Committee receives the one page summary of the engagement methods to be utilised during the public consultation process (document number 10568987)*
- i) The Strategic Planning and Policy Committee receives the Audit NZ draft audit opinion on the draft 2021-31 Long-Term Plan Consultation Document (document number 10570784); and the draft letter of representation (document number 10570795).*

Councillor Stolwyk/Mayor Mylchreest

## **7 MĀORI WARDS ENGAGEMENT**

Recent changes to legislation provided a short window of time in which the Council can consider whether it wishes to establish a Māori ward for the 2022 elections.

The purpose of this report, included in the agenda, was to outline the reasons and process for undertaking such a decision, with a recommendation to commence the first stage in considering this decision by engaging with the community.

### **RESOLVED**

02/21/23

*That the Strategic Planning and Policy Committee –*

- a) Receive the report titled ‘Māori Wards Engagement’ (document number 10560176) of Jo Gread, Manager Governance;*



- b) *Approve undertaking community consultation and continuing on-going discussions with Māori prior to Council making a decision on whether to establish a Māori Ward in Waipa for the 2022 triennial local government elections; and*
- c) *Approve the consultation document included in Appendix 1 of this report (document number 10568770) for use in the consultation on Māori Wards, subject to minor editorial amendments, in particular in relation to replacing the word “submission” with the word “feedback” in the document as appropriate*

Chairperson O’Regan / Mayor Mylchreest

## 8 RESOLUTION TO EXCLUDE THE PUBLIC

### RESOLVED

02/21/24

*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:*

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<i>9. Confirmation of Public Excluded Minutes</i>	<i>Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987</i>	<i>Section 48(1)(a)</i>

*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, or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may be, 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
9	Section 7(2)(j)	To prevent the disclosure or use of official information for improper gain or advantage

Councillor Thomas/Councillor St Pierre

There being no further business, the meeting closed at 1.33pm

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**CONFIRMED AS A TRUE AND CORRECT RECORD**

**CHAIRPERSON:** .....

**DATE:** .....

# STRATEGIC PLANNING AND POLICY COMMITTEE REPORT



**To:** The Chairperson and Members of the Strategic Planning & Policy Committee

**From:** Tofeeq Ahmed, Reserves Planner

**Subject:** **Draft Memorial Park Concept Plan - Public feedback and staff recommendations**

**Meeting Date:** 6 April 2021

**File Reference:** 10567633

## 1 EXECUTIVE SUMMARY

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The purpose of this report is to provide a summary of community and Te Awamutu Community Board feedback on the draft Memorial Park Concept Plan (draft plan), to seek endorsement of staff's recommended changes to the draft plan in response to this feedback.

The draft plan was approved by Council's 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.

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

However, many saw merit in some of the proposals put forward; 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 stop and learn about the area and its connections, new wayfinding and educational signage, and development of more accessible tracks for walking and cycling.

Staff recommendations in response to community feedback is set out in appendix 4. The main recommended changes to the draft plan include:

- retain the majority of heritage features as they currently are
- provide for one-way vehicle access through the park and retain existing carparks

- review the alignment of the broad pathway spine
- replace the existing playground and develop a māra hūpara play trail on the other side of the Mangaohoi Stream, and
- retain one third of the pond for its open water amenity and develop the surrounding area to create wetlands and increase the mown grass area.

These changes together with community feedback informed staff's recommended changes to the implementation programme (see appendix 5).

The following appendices accompany this report:

- Appendix 1 – Copy of survey form that was available online and in hardcopy
- Appendix 2 – Feedback received
- Appendix 3 – Feedback petition form
- Appendix 4 - Summary of changes to draft plan
- Appendix 5 – Staff recommendations on amendments to the draft plan's action plan

## 2 RECOMMENDATION

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*That the Council Strategic Planning and Policy Committee:*

- a) **RECEIVE** the report titled *Draft Memorial Park Concept Plan – Public feedback and staff recommendations from Tofeeq Ahmed, Reserve Planner (Document number 10567633); and*
- b) **ENDORSE** staff recommended changes to the draft Memorial Park Concept Plan as set out in appendices 4 and 5 (Document number 10567633).

## 3 BACKGROUND

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Memorial Park is highly valued by Te Awamutu residents as a place to acknowledge and remember the personal courage and sacrifice of those who served in World War Two and what they fought for, a place to recreate and a place to restore our biodiversity and improve the health of the two streams that run through it. For mana whenua it is a place where their ancestors lived, undertook cultural practices and where they see an opportunity to restore their identity and connection to place, and share the multiple layers of history associated with both the land on which the park was developed and the awa that flow through it.

Throughout the park there are a number of commemorative features that were part of Harrold G Babbage's original design to create a place of remembrance. Council, as the administering body for the park, has previously undertaken a range of projects to



provide quality amenities, address issues such as water quality and the future of non-operational assets.

In 2018, Council identified the need for a concept plan to identify, protect, restore and enhance the values associated with the park, and to provide a coordinated and staged approach to implementing the plan. This work was approved by the Service Delivery Committee in October 2018 (15/18/72) with landscape architects, Boffa Miskell Ltd, awarded the contract to develop the concept plan.

Boffa Miskell Ltd and Community Services staff, in partnership with mana whenua, developed the draft plan based on the input from the Te Awamutu Community Board, Te Awamutu Netball Association, the Returned and Services' Association, Strategic Planning and Policy Committee and historic reports.

The draft concept plan was approved by the Strategic Planning and Policy Committee on 5 May 2020 (Doc Set ID 10374214) for public consultation.

In response to Covid-19, Council extended the public engagement period to 8 weeks (18 May 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, a drop-in session at the park and Council staff attending a Grey Power meeting.

A copy of the online survey and available in hard copy is included in Appendix 2.

Staff analysed the feedback, met with mana whenua, RSA and Friends of Memorial Park representatives to discuss aspects of the feedback and staff's recommendations.

## 4 INITIAL ANALYSIS OF PUBLIC FEEDBACK

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### Number of forms received and method by which people provided feedback

A total of 517 forms of feedback were received (Appendix 3). 33% of this feedback was provided using the online feedback form and 67% was provided by alternative means.

### Feedback on key design aspirations

The draft plan sets out key design aspirations to guide decisions. The community was asked to rank these based on what is most important to them.

The ranking from most important to least was:

1. Acknowledging and honouring the cultural significance and history of the park.
2. Restoring the Mangaohoi Stream and the Mangapiko Stream.
3. Well-connected pathway network providing access for people of all ages, life stages and abilities.
4. Education and play grounded in ecology and culture.
5. Multi-use of spaces such as sports courts and the amphitheatre.

### **Feedback on key aspects of the draft concept plan**

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:

- Heritage and open space for community gathering
- Vegetation and planting, and
- Infrastructure.

The results shown in Figure 1 highlight the protection, restoration and maintenance of heritage features such as the perfumed garden and gazebo, the stone wall and the sunken cross, received the greatest level of support. This was also supported by the 204 petitions received to fix and leave the WW2 memorial and 29 petitions supporting the retention of the WW2 memorial concept/ theme of the park.

The proposals receiving the second and third highest levels of support respectively, were to redesign and replace the three Mangaohoi Stream bridges and the proposed riparian planting along the Mangaohoi and Mangapiko streams.

One third or more of those that answered the survey also indicated their support for:

- new wayfinding and interpretation signage
- removal of cars from the interior of the reserve
- development of a wide pathway with plant identification trail and pergola improvements
- a new western gateway
- retaining and improving the viewshafts to the streams
- a māra hūpara playground
- replacing the pond with a large open space area for community gatherings and restoring the puna
- restoration and reconnection of the puna through the amphitheatre
- creation of a gathering place at the stream confluence where people could stop and learn about the area and its connections, and
- development of a wide primary pathway with plant identification trail.

The proposals with the lowest levels of support were amenity planting around heritage features, the kohikohi planting for cultural harvest, the new pavilion space for community gatherings, and relocation of the amphitheatre and historic relief wall.



**Figure 1. Support for the draft plan’s proposals** (Number of the 270 respondents that selected each proposal as one of the eight proposals they supported)

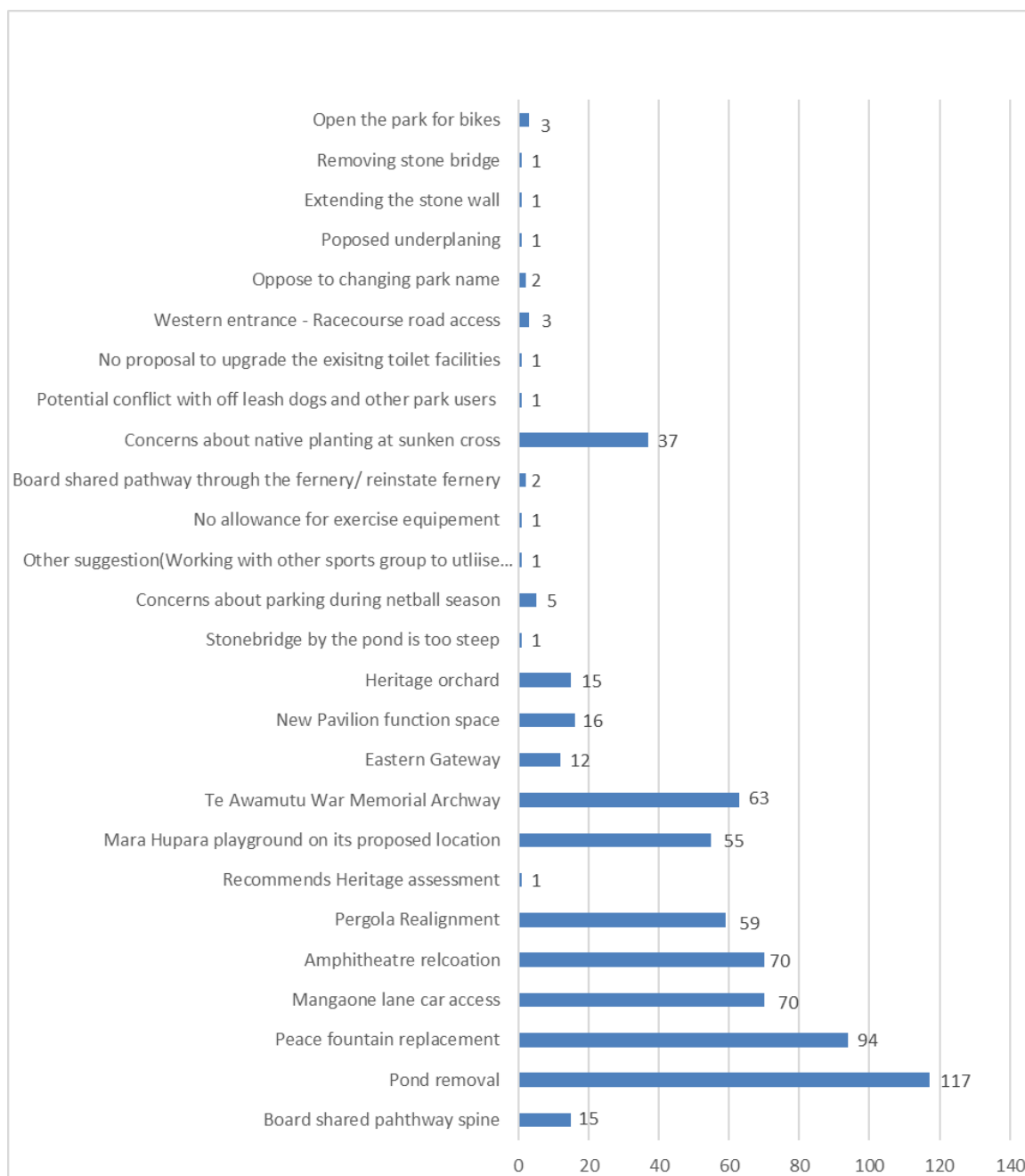
The community was asked to highlight aspects of the plan they did not support using free form text. The main issue raised was the memorial focus of the park would be diminished through the proposed changes and this would negatively impact the park, disrespecting the wishes of those who contributed to the parks original development.

Figure 2 sets out the number of respondents that highlighted opposition to, or concerns about aspects of the plan. It excludes the 204 petitions received to fix and leave the WW2 Memorial (refer to appendix 2a) and another 34 respondents stated they wanted to fix and leave Memorial Park as it is, as this feedback didn't highlight any specific key aspects they didn't like from the plan.

Many respondents asserted lack of maintenance was the key issue and maintenance should be undertaken to reinstate the park to its former glory. This assertion particularly related to the pond which 117 respondents (and the 204 signed petitions and 34 others that provided generic feedback to fix and leave Memorial Park as it is) opposed being removed. 94 respondents (and the 204 signed petitions and 34 others that provided generic feedback to fix and leave Memorial Park as it is) also opposed the peace fountain removal and replacement. It is noted, since receiving this feedback council staff have been working with community volunteers, collectively called the Friends of Memorial Park, on agreed projects to maintain areas within the park.

Other key matters respondents were opposed to were changes to the amphitheatre location (70 respondents), the Mangaone Lane car access (70 respondents), the Te Awamutu War Memorial Archway (63 respondents), the pergola alignment (59 respondents), the existing play provision (55 respondents) and planting at the sunken cross (37 respondents).

These matters and staff's recommended responses are set out in Appendix 4.



**Figure 2. Number of respondents that did not like aspects of the plan.**

**Priority of short and medium term projects**

The public were asked to rank their priorities for implementation; choosing a maximum of three options. 26 of the 277 respondents to this question chose more than three options. 233 were made of the standard petition template, while some feedback provided by email did not contain any response to this question. The graph

shown in Figure 3 excludes the aforementioned feedback which didn't respond to this question.

Replacement of the Mangaohoi Stream bridge clearly came out as the first priority project followed by refurbishment of Te Awamutu and District War Memorial (Sunken Cross area). Riparian and amenity planting, and remediation and development of the fernery followed these projects as the next priorities.

Over 50 respondents also selected the category 'other'; comprising 10 respondents identified the pond removal as a priority, 8 respondents identified pond improvements as a priority and 4 respondents identified restoring the peace fountain as a priority. The remaining 27 respondents' feedback ranged from suggesting prioritising projects ranging from restoring original memorials and a general tidy up to reinstating mini golf.

On the basis of the feedback provided, discussions with mana whenua representatives and initial internal discussions on the 2021 – 2031 Long Term Plan, staff recommend amending the priorities shown in the Action Plan. These recommendations are set out in Appendix 5. As noted in Appendix 4, 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.

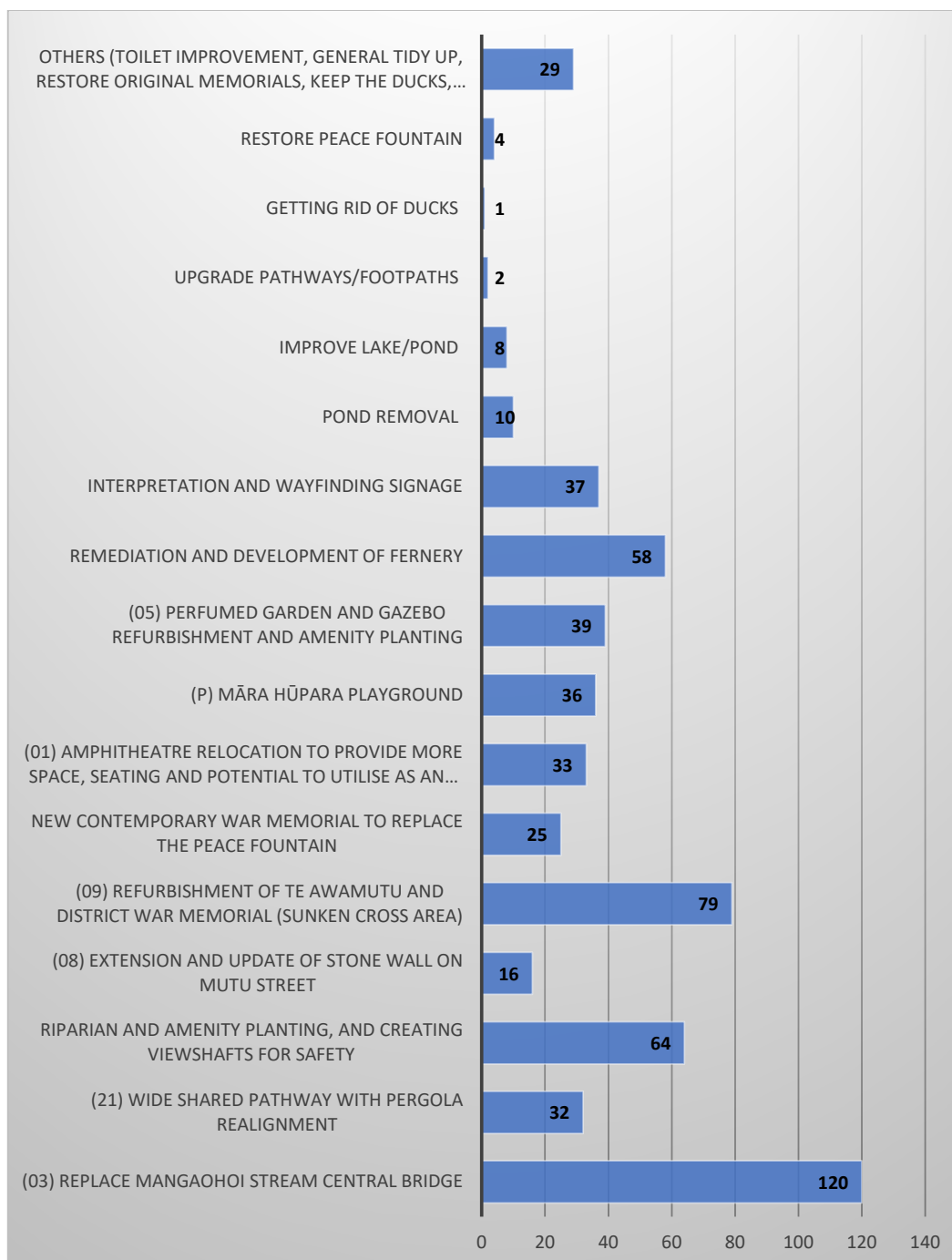


Figure 3. Ranking of the draft plan's key proposals

## 5 MANA WHENUA FEEDBACK

As noted, representatives from Ngāti Apakura, Ngāti Ngāwaero, Maniapoto Māori Trust Board and Waikato-Tainui were closely involved in the development of the draft plan. The representatives were presented with a summary of the community feedback. They noted they represent all of their iwi/hapū and this would number in

the thousands if counted. They noted, even with staff's recommended changes, there remains significant opportunities to acknowledge and share the wider history of the area, to restore the mana and the mauri of some of the features within the park and to reconnect Maori to these features.

Mana whenua endorsed staff's recommended changes to the puna and pond in the centre of the park. While a compromise for them, they acknowledged the challenges/ impacts associated with redirecting the puna to directly connect with the Mangaohoi Stream, the potential to improve the water quality through wetland planting and the desire by many to retain some open water amenity associated with the pond. They further supported the development of a māra hūpara trail on the Kaipaka Pa side of the Mangaohoi Stream.

## 6 TE AWAMUTU COMMUNITY BOARD

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At its 9th March 2021 meeting, the Te Awamutu Community Board considered the matters set out in this report (Document number 10555464) and resolution passed to endorsed the recommended changes to the draft plan set out in Appendices 3 and 4 (Document number 10555464). It is however noted that due to a clerical error the recommended changes in regards to the pond weren't included in Appendix 4 of the TA Community board report (Doc Set ID 10555464). However, it was covered in the main body of the report and had been talked about in the TA community board meeting.

## 7 NEXT STEPS

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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.

<b>Date</b>	<b>Next Step</b>
May 2021	Amend the draft plan
1 June 2021	Present the amended 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



**Memorial Park**  
TE AWAMUTU  
Draft concept plan

# Have your say on the future of Memorial Park

For many years, Memorial Park has held a special place in Te Awamutu's heart as a cherished area to celebrate and remember the men and women of the area who served during the Second World War. There are many memories our community hold dear associated with Memorial Park when the reserve was in prime condition. While acknowledging the history of Memorial Park and the original concept, we also looked at how society, culture and our environment has changed since it first opened in 1955 and what challenges our community is facing today that the original park concept couldn't have anticipated.

The preparation of a Concept Plan is a unique opportunity to create a long-term vision for the future of Memorial Park and a legacy for Te Awamutu. We've met with mana whenua and representatives from the Te Awamutu Returned and Services' Association and the Te Awamutu Netball Association and together, bring to you a vision for the future of Memorial Park in this draft concept plan.

### Now we'd like to know what you think

We had five key aspirations for this plan:

- Acknowledging historical and cultural significance, honouring the different layers of European and Māori history of the reserve
- Restoring the awa (streams) and the puna (spring) through planting; enhancing habitat for our unique native wildlife and reconnecting the puna back to the Mangaohoi Stream through the fernery
- Developing education and play opportunities that are grounded in ecology and culture
- Increasing the range of activities and uses of facilities
- Improving accessibility, connectivity and safety, and prioritising walking and cycling within the reserve

To achieve these aspirations, we've proposed projects such as relocating the amphitheatre so more people can enjoy it, a pavilion function space and Māra Hūpara natural playground, and an educational reflection space where Te Awamutu received its name, where the Mangaohoi and Mangapiko streams meet.

Head to [www.waipac.govt.nz/memorialpark](http://www.waipac.govt.nz/memorialpark) to see what else we have proposed. An online interactive map is also available.

Consultation is open from 18 May to 5pm, Monday 13 July. After this time, your feedback will be presented to Council for consideration.

## Te Whāriki Tuapapa Whakaaro - Foundation of Thought

## 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
  Kihikihī
  Ohaupo
  Pirongia
  Other
  I don't live in Waipā

Age

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

How do you get to Memorial Park? (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).

- Acknowledging and honouring the cultural significance and history of the park  
 Restoring the Mangaohoi and Mangapiko Streams  
 Education and play grounded in ecology and culture  
 Multi-use of spaces, such as sports courts or the amphitheatre  
 Well-connected pathway network providing access for people of all ages, life stages and abilities

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



### Heritage and open spaces for community gatherings

- Heritage features – such as (5) Perfumed Garden and Gazebo, (8) Stone wall, (9) Sunken Cross are protected, restored and maintained.  
 (01) Relocation of the Amphitheatre and Historic Relief Sculpture Wall Panel to increase size for gatherings and Outdoor Classroom; and provide space to reconnect the (16) puna back to the Mangaohoi Stream  
 (02) A gathering place at Mangaohoi and Mangapiko stream confluence with seating and signage telling stories of the land and connection  
 (03) Redesign and reinstatement/replacement of Mangaohoi stream bridges  
 (10) Pond replaced with large open space area for community gatherings and restored (16) puna (natural springs)  
 (12) Peace fountain replaced with new commemorative memorial feature for veterans from WWII and all following wars.  
 (26) New Pavilion Function Space for community gatherings  
 (P) Māra Hūpara playground – a natural playground grounded in ecology and culture to build confidence, explore, make friends and engage with Māori traditions and history replacing the existing play space



### Vegetation and Planting

- New heritage orchard  
 (15) Kohikohi Planting for cultural harvest  
 Amenity planting around heritage features  
 (16) Restoration of the puna (natural springs) reconnecting it back to the Mangaohoi Stream through the fernery  
 Riparian planting along Mangaohoi and Mangapiko streams  
 Retain and improve viewshafts to the streams and for public safety



**Infrastructure**

- (17) New Eastern Gateway (including pedestrian access and safety improvements) at the centre of the park off Mutu Street
- (18) New Western Gateway (including improved carpark access to/from Racecourse Road)
- (21) A wide shared pathway with native plant identification trail and (6) pergola improvements
- (23) Removal of cars from the interior of the reserve
- New wayfinding signage with educational information

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

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What do you think about the long-term future of the Netball area?

- Netball to stay     Netball to be relocated
- Council and TA Netball should explore ways to utilise this area for multiple activities

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

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The concept plan will provide us with a clear vision for the future of Memorial Park, 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).

- (03) Replace Mangaohoi Stream Bridge (centre bridge)
- (21) Wide shared pathway with pergola realignment
- Riparian and amenity planting, and creating viewshafts for safety
- (08) Extension and update of Stone Wall on Mutu Street
- (09) Refurbishment of Te Awamutu and District War Memorial (Sunken Cross Area)
- New contemporary memorial to replace the Peace Fountain
- (01) Amphitheatre relocation to provide for more space, seating and potential to utilise as an outdoor classroom
- (P) Māra Hūpara Playground
- (05) Perfumed Garden and Gazebo refurbishment and amenity planting
- Remediation and development of fernery
- Interpretation and wayfinding signage
- Other (please specify)

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.

For more information on this project head to [www.waipadc.govt.nz/memorialpark](http://www.waipadc.govt.nz/memorialpark).



## **APPENDIX 2 - FEEDBACK RECEIVED**

Please click [here](#) for a pdf of all feedback (with personally identifiable information redacted)

### APPENDIX 3 - FEEDBACK PETITION TEMPLATES

Standard petition templates

A)

The **WAR MEMORIAL PARK** was built + funded by local people to commemorate our men who died in WW2. 1042674

The park was vested to Council in 1955 for it's **maintenance only**. But Council now plans to **change the theme and purpose of the park**. A number of War memorials within the park have been /are going to be removed .

**We must save the park as a WW2 MEMORIAL**

For further information

[www.acb3d.com/warmemorialpark.html](http://www.acb3d.com/warmemorialpark.html)

**Please, submit a note** <sup>ASAP</sup> to council stating this is unacceptable.

Include:

**Name** address date, phone number signature + state  
whether you wish to address Council or not.

The World War two Memorial Park belongs to the people of Te Awamutu  
It was created + land purchased by donation. Councils job is to maintain the park not alter it or it's theme. You have neglected the maintenance of the park in recent years please fix this and leave it as a WORLD WAR TWO MEMORIAL

Name [REDACTED]  
Address [REDACTED]  
Phone Number [REDACTED]  
Signature [REDACTED]



Do you wish to present your ideas to Council in person? y/☐

B)

#193

### Save Our War Memorial Park

Council Propose to destroy items 1-10. Items 11-16 would be greatly modified.

The following items at our W.W 2 Memorial Park must be retained/restored.

YES/NO

- |  |                                     |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|
| 1) Entrance Arch-Ways at front and rear of the Park retained.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2) Scenic Drive-Way through the park + car park retained.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3) The Zion Sundial should be restored.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4) The Water-Way + Waterfall should be retained.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5) The Lake. Turn on the Jet Fountains + reconnect the water inlets.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6) Playground Equipment retained.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 7) The Peace Fountain. Fitted with a recycling pump.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 8) The Sunken Fernery + Gully requires maintenance.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 9) The Semi-Sunken Garden + Historic Mural should be retained.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 10) The Sunken Lily Pond needs to be restored.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 11) The entire Pergola should be kept (Do not demolish curved 1/2)   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 12) Foot bridges x3 need plaques indicating they commemorate the Navy, Air Force and Army. For their service + sacrifice during WW2. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13) Retain the last original Rustic Footbridge.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 14) The Sunken Cross should retain its Peace Roses.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 15) The Sunken Cross mound. To remain free of plantings.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 16) Retain the WW2 Memorial Concept/Theme of the Park.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

I have already made a submission. These are suggestions.

This is my submission.

*All of them  
yes*

Name \_\_\_\_\_

address/ \_\_\_\_\_

phone number/ \_\_\_\_\_

date *9-7-20* \_\_\_\_\_

state whether you wish to address Council

*yes*

**APPENDIX 4 - SUMMARY OF CHANGES TO DRAFT PLAN**

<b>Design Aspiration</b>	<b>Theme</b>	<b>Feedback</b>	<b>Staff Response and Recommendation(s)</b>
Acknowledging historical and cultural significance, honouring the history of place	Amphitheatre and historic relief wall panel	70 respondents opposed amphitheatre relocation. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed the amphitheatre relocation. Respondents highlighted that this feature was part of original design. Concerns were also raised that the relief wall would be difficult to relocate without significantly damaging it.	<p>The draft plan proposed relocating the amphitheatre and historic relief wall panel to the open grass area by the Mangaohoi Stream, to create a larger amphitheatre event space and enable restoration of the puna concreted over at the current amphitheatre location.</p> <p>Upon receiving the feedback and discussions with mana whenua, staff recommend an alternative option to retain the amphitheatre and historic relief wall panel in their current location.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan as follows:</p> <ul style="list-style-type: none"> <li>- Retain the amphitheatre in the current location, and</li> <li>- Daylight puna and undertake puna restoration planting from the source to the fernery.</li> </ul>
	Peace fountain	94 respondents opposed peace fountain replacement. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed the peace fountain replacement. Respondents highlighted that this feature as it was part of original design. The community aspiration is to reconnect water supply.	<p>The draft plan proposed removing the peace fountain due to water conservation measures and replace with a contemporary memorial feature designed in collaboration with Te Awamutu RSA respecting all recent wars. The RSA along with other respondents highlighted their desire to retain the fountain. Doing so will not prevent other proposals.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan as follows:</p> <p>Retain the Peace fountain, and; Restore water connection and install solar pump to recirculate the water.</p>
	Te Awamutu and District War	63 respondents opposed removal of Te Awamutu and District War Memorial Park gateway(archway). It	The draft plan proposed to remove cars from the interior of the park to repurpose the Mangahoe lane for biking and scootering. This created a new main entrance at the start of the pergola designed by the RSA and



	<p>Memorial Park gateway</p>	<p>is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed to removal of Te Awamutu and District War Memorial Park gateway. Respondents highlighted that this feature was fundraised by Te Awamutu RSA and Lions. There is significant community support to retain it.</p>	<p>mana whenua, and for this reason it was recommended that the current gateway feature be removed.</p> <p>Following feedback received, staff are now recommending Mangohoe Lane be kept open to one-way vehicular access, so retention of this gateway feature is considered appropriate.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan as follows: Retain the gateway, and Create another eastern gateway where the Pioneer walkway connects to the park in collaboration with RSA and mana whenua.</p>
	<p>Pergola</p>	<p>59 respondents opposed removing the north curvilinear section of pergola. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed to the removal of north curvilinear section of pergola.</p> <p>Some feedback commented the pergola is attractive in its current shape and form.</p>	<p>The draft plan proposed to remove the north curvilinear section of the pergola, to realign the pergola to connect with the proposed board pathway through the fernery, creating the primary walkway through the park.</p> <p>The importance of the pergola to many in the community is recognised and staff believe a compromise can be achieved that will still result in improved pedestrian access through the park.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan as follows: Retain the pergola, and Develop a pathway veering off from pergola through the fernery to connect to the playground/function space and the middle bridge.</p>
	<p>Heritage assessment</p>	<p>One responder recommended council undertake a heritage assessment before redeveloping the Memorial Park.</p>	<p>Staff are recommending retention of the majority of the heritage features identified by submitters. The draft plan proposed developing a heritage management and maintenance plan to guide the management, maintenance and repair of Memorial Park’s heritage features.</p> <p>RECOMMEND acknowledge concerns raised but no changes to the plan.</p>

<p>Restoration of the awa</p>	<p>Pond removal</p>	<p>117 respondents opposed pond removal. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed the pond removal. Respondents highlighted there are lot of childhood memories attached to the pond and children love feeding ducks. It was also raised the land could become swampy and unfit for purpose.</p>	<p>The draft plan proposed filling the existing pond due to ongoing water quality, water health concerns, reduced public amenity, high operational and maintenance costs. New features proposed included a pavilion function space, Māra Hūpara play trail (play for ages 2 to 12 years), open space lawn area, puna (spring) restoration planting, and riparian planting adjacent to the Mangaohoi Stream.</p> <p>Following feedback received and discussions with Te Awamutu RSA and mana whenua, staff have developed an alternative option to achieve multiple aspirations for this space. This options will reduce the pond to one third of its current size, develop wetland planting, increase the area of mown grass, expose the puna, create a planted watercourse to the pond and improve the track network through this . This option will require the removal of the stone bridge and development of a new trail to the playground and middle bridge from the existing track. Existing messaging to not feed the ducks will be reinforced to improve the amenity of this area.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan to include the proposed option to reduce the pond area, undertake wetland planting and puna restoration to tackle the water quality issue and naturalise the area, increase the grass area and identify changes to improve walking access through this area.</p>
<p>Education and play grounded in ecology and culture</p>	<p>Māra Hūpara play trail</p>	<p>55 respondents opposed creating a māra hūpara where the current playground is. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed māra hūpara in the proposed location.</p>	<p>The draft plan proposed replacing the existing play features with māra hūpara (natural play area) which would be grounded in ecology and Maori tradition.</p> <p>The current playground assets are dated and in poor condition. In response to feedback received, staff support the replacement of this playground with a more standard playground and the later development of a māra hūpara play trail along the Kaipaka Pa side of the Mangaohoi Stream, that is, on the other side. Locating the māra hūpara here will</p>

		<p>Feedback highlighted support to keep the standard playground with the addition of new features.</p> <p>A number of respondents suggested moving the māra hūpara to the other side of the stream.</p>	<p>help share the story of Kaipaka Pa, and activate this side of the stream by creating interest elements encourage families to walk the park circuit.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan as follows:</p> <ul style="list-style-type: none"> <li>Develop new standard playground slightly northwest of the existing site to enable the recommended track from the pergola to the middle bridge</li> <li>Develop a new mara hupara play trail on the other side of the Mangaohoi Stream</li> </ul>
	Native planting at the sunken cross	<p>55 respondents raised concern about native planting at the sunken cross. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also concerned about the native planting at sunken cross.</p> <p>A respondent supported retention of the peace roses and colourful garden bed in the sunken cross.</p>	<p>The draft plan proposed to develop a vegetation management plan in collaboration with mana whenua and key stakeholders such as the RSA. The draft plan proposed a plant palette of indigenous species, contributing to the reserve sense and identity at the sunken cross. This will ensure the rare peace roses are protected but also increase plant diversity.</p> <p>RECOMMEND acknowledge concerns raised but no changes to the plan.</p>
	Proposed underplanting	<p>A responder raised concern regarding the underplanting of the exotics, as they felt this area has its own beauty and the proposed underplanting may hinder the public's ability to touch/interact with trees.</p>	<p>The draft plan proposes to underplant the groves of larges exotic trees with seasonal interest such as bulbs in spring, wildflowers in summer and vegetation with autumn colour. Staff are not anticipating a significant reduction in people's interaction with trees due to underplanting. It is also proposed to have a mown path to provide adventure.</p> <p>RECOMMEND acknowledge concerns raised but no changes to the plan.</p>

Multi-use	Mangahoe Lane car access	<p>70 respondents opposed removal of public vehicle access along Mangahoe Lane. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed to Mangahoe Lane car access.</p> <p>Feedback supported retention of vehicular access and noted the proposed changes will result in the loss of a significant number of car parks which provide access to the centre of the park and toilets. It was also noted removing access would limit emergency services access to the neighbouring properties. A responder also raised concern about access for elderly and disabled with removal of cars from the Mangahoe lane.</p>	<p>The draft plan proposed removing cars from the interior of the reserve and repurposing Mangahoe Lane for biking, scootering and walking. The concept plan proposed retaining parking at the western gateway by the netball courts. The parking along Mutu Street would be retained. The intention was to promote and enable safe and accessible walking and cycling to and through the park for commuting and recreation.</p> <p>In response to feedback, staff recommend a compromise that will see vehicle access reduced to one-way and the development of a dedicated bike lane along Mangahoe Lane.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan to show one-way car access along Mangahoe Lane, retention of the car parks in the centre of the reserve and the development of a dedicated bike lane along Mangahoe Lane.</p>
	Netball court	<p>Feedback received about the netball courts was varied. Some people supported its retention with better parking, some were keen to see more activation of the courts and multi-use , others were keen to see the courts removed with the area developed into a multi-purpose facility. Concerns were raised around anti-</p>	<p>The draft plan proposes if this area is not leased in future by the Netball Club, then the area of The Club House and Sport Courts could be re-designed in collaboration with mana whenua and key stakeholders. As an example the club house can be repurposed for community gathering and the open space can be multi use for a Farmer’s Market.</p> <p>RECOMMEND acknowledge concerns raised but no changes to the plan</p>

		social behaviour, especially in evenings and nights.	
	Western gateway – Racecourse road access	Three responders raised concerned about the proposed western gateway from Racecourse Road. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also concerned about the western gateway. Feedback highlighted the concern in terms of traffic congestion and safety issues.	<p>The draft plan proposes a primary gateway on the Racecourse Road to strengthen connection between Memorial Park, Te Awamutu college and Te Wananga o Aotearoa. Staff already had a brief discussion with the transportation team to check the feasibility for this gateway. The transportation team is confident that this can be achieved without adding to traffic congestion and any safety concerns. These matters will be assessed in more detail at developed design stage.</p> <p>RECOMMEND acknowledging the concerns raised but no changes to the plan.</p>
	Eastern gateway	12 respondents opposed the creation of a new primary entrance from Mutu Street by the pergola. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also opposed to creation of a new primary entrance from Mutu Street by the pergola.	<p>The draft plan proposed creating an eastern gateway on Mutu street as the main entrance to the park. This will strengthen connection between Memorial Park, open space network and town centre. The Eastern gateway will link to the Pioneer Walkway and become the primary accessible walkway through the park.</p> <p>RECOMMEND acknowledge concerns raised but no changes to the plan.</p>
	Heritage orchard	<p>15 respondents raised concern to the proposed heritage orchard. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also concerned about the proposed heritage orchard.</p> <p>Feedbacks highlighted that the proposed area is prone to possums.</p>	<p>The draft plan proposed the heritage orchard as a homage to the Otawhao mission station. There would be an opportunity to share our New Zealand heritage food plants here. Staff would work with the volunteer group to maintain this. Staff will work with contractors to undertake the pest control in this area.</p> <p>RECOMMEND acknowledge concerns raised but no changes to the plan.</p>

		Concerns were raised about pruning and maintaining the orchard.	
Broad shared pathway spine	Shared pathway	<p>15 respondents raised concern to the proposed broad shared pathways spine. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also concerned about the proposed board shared pathway spine.</p> <p>Concerns were raised regarding the shared pathway catering for walking and cyclists posing a danger to elderly and children, and detract from the peaceful ambience. Some feedback raised the existing pathways are inaccessible and dangerous with not enough space for a pushchairs.</p>	<p>The draft plan proposed a broad shared pathway spine as a primary pathway connecting Mutu Street and Racecourse Road. Having considered the feedback and noting the recommendation to retain the pergola alignment and the site constraints north of the pond, staff believe it is preferable to have cycling limited to Mangahoe Lane and the track along the western edge of the Mangahoi Stream.</p> <p>The primary pathway would be 2.5m wide and is intended to be upgraded to cater for pedestrians for all ages and ability and for buggy use. The secondary pathways and dedicated bike lane along Mangaohoi Lane will support commuting and a recreational cycling.</p> <p>RECOMMEND acknowledge concerns raised and amend the draft plan to</p> <p style="padding-left: 40px;">Amend the primary pathway to be pedestrian only More clearly depict the primary and secondary pathways and provision for cycling along Mangahoe Lane and the western track along the Mangaohoi Stream.</p>
	Stone bridge by the pond	<p>Three respondents raised concerns about removing the stone bridge. It is assumed that the 204 people that signed the petition and 34 respondents that wanted to fix and leave Memorial Park as it is also concerned about the removing the stone bridge.</p> <p>A responder highlighted children loved walking over the stone bridge. One respondent noted the stone bridge is too steep for elderly.</p>	<p>The draft plan proposed filling the pond area to create a puna restoration planting connected to the stream riparian planting, a pavilion and open lawn function space. The draft plan didn't specify the removal of the stone bridge.</p> <p>Staff's new recommendation for the pond and surrounding area will require the removal of the stone bridge as its been identified not accessible for all ages and ability. It will be replaced with an accessible walkway through that area.</p> <p>See recommendation above for pond removal.</p>

Other	Cost	Some respondents noted the cost to reinstate the park would be considerably less than the implementation of the proposed concept plan.	<p>While the costs associated with implementing the draft plan are significant, the draft plan is developed as a long-term plan to be implemented over a period of 20 + years and dependent on funding. Council will consider the priorities and timing of projects through the 2021 – 2031 long term plan process, seek external funding and volunteer support to deliver some of the proposals.</p> <p>RECOMMEND acknowledge concerns raised and amend 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.</p>
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## APPENDIX 5 - STAFF RECOMMENDATIONS ON AMENDMENTS TO THE DRAFT PLAN'S ACTION PLAN

Staff recommend the following amendments to the action plan set out on pages 36 and 37 of the draft plan:

- Amend 02 Amphitheatre relocation to 02 Amphitheatre restoration and daylighting puna
- Amend 13 Heritage features proposed to be removed (Pond, Te Awamutu and District War Memorial Gateways, The Peace fountain) to Heritage features to be restored (Te Awamutu and District War Memorial Gateways, The Peace fountain)
- Add 35 pond reduction and wetland planting
- Remove reference of Pergola realignment from 22 Board Shared Pathway spine
- Amend 02 Amphitheatre from a short-term to medium-term project
- Amend 20 Riparian planting from a short-term to medium-term project
- Amend 22 Board shared pathway spine from a short-term to medium-term project
- Amend 23 Entry thresholds from a short-term to medium-term project
- Amend 30 Play from a medium-term to short-term project
- Amend 32 Signage(Wayfinding) from a medium-term to short-term project
- Add 35 Pond reduction and wetland planting as a medium-term project
- Add 36 Develop māra hūpara trail as a long-term project

This would result in the following categorisation of projects:

TIMEFRAME	PROJECTS
SHORT-TERM	01 Heritage Management and Maintenance Plan 05 Mangaohoi stream bridges 11 Stone wall restoration 13 Restore the peace fountain 14 Vegetation Management Plan 15 Amenity planting 30 Play – replace existing playground 32 Signage – Way finding
MEDIUM-TERM	02 Amphitheatre restoration and daylighting puna 07 Perfume Garden and Gazebo restoration 08 Pergola restoration 12 Te Awamutu and District War Memorial restoration and development of contemporary memorial features 13 Restore the Te Awamutu and District War Memorial Gateways 19 Puna restoration planting 20 Riparian planting 22 Primary pathways and trails 23 Entry thresholds 25 Lighting 33 Site furniture 34 Crime prevention through environmental design (CPTED) assessment 35 Pond reduction and wetland planting
LONG-TERM	03 Kohikohi



	<p>04 Mangaohoi and Mangapiko stream confluence - Interpretive landscape intervention 06 Pā Tuna - Interpretive landscape intervention 09 Pioneer Walk - Interpretive landscape intervention 10 Puna - Interpretive landscape intervention 16 Heritage Orchard 17 Kohikohi planting 18 Overland flow path planting 21 Woodland Islands 24 Secondary Pathways and Trails 26 Multi-use car park 27 Multi-use club house 28 Multi-use sport courts 29 Pavilion function space 31 Signage - Interpretation 36 Develop māra hūpara trail.</p>
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**To:** The Chairperson and Members of the Strategic Planning & Policy Committee  
**From:** Tony Quickfall – Manager District Plan and Growth  
**Subject:** **Scope of Proposed Plan Change 21 – Intensification & Housing**  
**Meeting Date:** 6 April 2021

## **1 EXECUTIVE SUMMARY**

This report seeks approval from the Strategic Planning and Policy Committee to confirm the scope of *Proposed Plan Change 21 (PC21) – Intensification & Housing*.

PC21 arises from the requirement in the National Policy Statement on Urban Development (NPSUD) to implement NPSUD intensification policies by July 2022.

Meetings with the Waipā Housing Working Group in February and March 2021, and the Cambridge Community Board in March 2021, have seen requests to expand the scope of PC21 to include:

- (a) Urban intensification under the NPSUD including within all Large Lot Residential Zones
- (b) Mechanisms for affordable housing such as inclusionary zoning
- (c) The ability for Council to manage private covenants which can increase housing costs
- (d) A request to review minimum lot size in rural zones (for family lots or boundary adjustments)
- (e) A request to strengthen urban design provisions.

Papakāinga housing is related, but separate and distinct and is recommended to be a separate plan change.

This report examines each of these components and seeks approval from the Committee on the final scope of PC21.

The following appendices accompany the report:

- Appendix 1: Extract from National Policy Statement on Urban Development 2020
- Appendix 2: Waipā Housing Working Group report

## 2 RECOMMENDATION

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*That the Strategic Planning and Policy Committee:*

- a) **RECEIVE** the report ‘Scope of Proposed Plan Change 21 – Intensification & Housing’ (document number 10571225) of Tony Quickfall – Manager District Plan and Growth;
- b) **APPROVE** the scope of Proposed Plan Change 21: Urban Intensification & Housing to include the following matters:
  - i. *Urban intensification under the NPSUD (including intensification within all Large Lot Residential Zones)*
  - ii. *Mechanisms for affordable housing, such as inclusionary zoning*
  - iii. *The ability for Council to manage private covenants*
  - iv. *Strengthening urban design provisions.*

## 3 PLAN CHANGE NEED

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### **Scope matter A: Urban intensification under the NPSUD including within all Large Lot Residential Zones**

The NPSUD is in force and contains a number of mandatory directions. , The Resource Management Act 1991 (RMA) requires Council to give effect to the NPSUD in planning decisions.

Under the NPSUD, Waipā District Council is a ‘Tier 1’ (high growth) council, and as a tier 1 council has the earliest timeframes for implementation. In addition to tier 1 councils, the NPSUD also describes “tier 1 urban environments”. To summarise:

- Waipā District Council is clearly identified as a *tier 1 council* in the NPSUD.
- Waipā has clearly defined *urban environments* as defined in the NSPSUD with Te Awamutu and Cambridge clearly being urban environments as they are predominately urban in character and have housing and labour markets of more than 10,000 people.
- The other urban settlements in Waipā do not meet the criteria for being classified as tier 1 urban environments at this time.
- Based on current growth patterns, it is assumed that Waipā is both a *tier 1 Council* and contains *tier 1 urban environments*.

The specific provisions of the NPSUD that are the basis for PC21 are set out in Appendix 1. The NPSUD directs tier 1 councils with tier 1 urban environments to implement intensification polices not later than 2 years after commencement (being July 2022). This means that a plan change to give effect to the NPSUD intensification policies must be operative by July 2022.

The most relevant policy directive for PC21 is as follows (greyed out provisions are not applicable in Waipā District at the current time):

**Policy 3:** *In relation to tier 1 urban environments, regional policy statements and district plans enable...:*

- a. *in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*
- b. *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
- c. *building heights of least 6 storeys within at least a walkable catchment of the following:*
  - (i) *existing and planned rapid transit stops [note – this does not apply to Waipā at the current time]*
  - (ii) *the edge of city centre zones*
  - (iii) *the edge of metropolitan centre zones; and*
- d. *in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:*
  - (i) *the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or*
  - (ii) *relative demand for housing and business use in that location.*

Large Lot Residential Zones are described in the Waipā District Plan as follows:

*“The predominant use of this zone is residential, and this character can be undermined by the location of non-residential activities on sites in Large Lot Residential Zones.”*

The Waipā District Plan goes on to describe these zones as “low density residential”.<sup>1</sup> Large Lot Residential Zones are therefore considered to be generally within and part of, the urban environment as it is described in the NPSUD.

The intensification scope is a mandatory requirement under the NPSUD. It is recommended to include this requirement in PC21. Elected members have requested to include Large Lot Residential Zones as well.

**Scope matter B: Mechanisms for affordable housing such as inclusionary zoning**

Housing intensification (under the NPSUD) and affordability are closely correlated. In looking at intensification, there is an opportunity to also consider how PC21 could

<sup>1</sup> Policy 3.3.3.1

enable more affordable housing at the same time. This is of high interest nationally, regionally and locally, and there are emerging examples of regulatory planning tools, such as inclusionary zoning,<sup>2</sup> gaining favour in enabling affordable housing.

The provision of more affordable housing is a live issue in the Waipā District which the District Plan may be able to enable further and it is recommended to include this within the scope of PC21.

### **Scope matter C: The ability for Council to manage private covenants which can increase housing costs**

Private covenants are often promoted and actively marketed as creating pleasant places to live, and they can result in positive urban design outcomes in new developments. As building and legal requirements, covenants can also be more effective in achieving good urban design than regulation.

However, there is some evidence that restrictive private covenants can also increase the cost of housing and restrict the buyer market beyond the reach of affordable housing. Examples of these kinds of covenants include: minimum housing design and/size/material requirements; restrictions on certain types of housing such as relocatable or pre-fabricated; and minimum fencing requirements (types and materials). In restricting housing type and variety, poorly designed covenants can result in housing “monotecture” (all one type of housing) and social “monoculture” (all one demographic).

It is unclear whether the RMA provides sufficient powers for Council to intervene in private covenants. However, because private covenants could potentially negate any affordability gains from intensification, it is recommended that the use of private covenants be included within the scope of PC21 for further investigation.

### **Scope matter D: Lot size in rural zones**

The Waipā District Plan contains certain provisions relating to housing in the Rural Zones. The intent of the Rural Zone is to provide for rural production, and the District Plan contains provisions to minimise fragmentation and loss of productive potential and avoid residential-like clusters in rural zones. The housing-related provisions of the rural zone are:

#### Housing (dwellings):

- Rural zones are permitted to have “one principal dwelling per viable certificate of title”, and “one secondary dwelling of 70m<sup>2</sup> GFA or less excluding garaging”
- One “farm workers dwelling” per 40ha is permitted but may not be subdivided
- Relocated buildings are permitted (with conditions).

<sup>2</sup> <https://urban-regeneration.worldbank.org/node/46>

### Subdivision

- Subdivision is generally restricted to 40ha minimum lot sizes
- “surplus dwelling” subdivisions down to 5000m<sup>2</sup> are a discretionary activity
- Rural boundary locations and Transferable Development Rights down to 5000m<sup>2</sup> are a discretionary activity.

Despite the purpose of the rural zone being for rural production, fragmentation of some rural zones in some parts of Waipā is evident. Boundary adjustments, Environmental Benefit Lots, Transferable Development Rights and surplus dwelling provisions are particular areas where the Objectives and Policies of the Rural Zone is at risk of being eroded. In some parts of the rural zones, the character of the rural zone is becoming more reminiscent of rural lifestyle (which is not provided for in the District Plan) than true rural.

The other consideration that staff have been requested to look at is whether the 5000m<sup>2</sup> minimum lot size for boundary adjustments is appropriate.

At the time of preparing this report, Government is anticipating releasing a National Policy Statement on Highly Productive Land (NPSHPL). It is uncertain how these two documents will work together given the different focus of each, however the policy intention is complimentary, being for the NPSHPL to protect soils and the NPSUD to provide land for growth.

The risk of including rural housing within the scope of PC21 includes:

- The drive for PC21 is intensification of urban environments (rural housing is out of scope).
- The clear intent of the proposed version of the NPSHPL,<sup>3</sup> it to protect rural land by restricting rural fragmentation and housing developments not related to rural productivity. Reviewing the District Plan rural provisions ahead of the imminent NPSHPL is premature and may require re-work based on national direction.
- Rural housing is significantly different from urban intensification to not fall within scope of PC21 – Intensification and Housing.
- Including rural housing within the scope of PC21 may signal to the rural community a premature and unintended easing of subdivision and development restrictions. This has the potential to generate a zoning “gold rush effect”, with unintended consequences, if rural landowners seek to maximise value through general subdivision ahead of the NPSHPL. Similar restrictions on mussel farming in Marlborough District in the 1990s saw Government needing to impose a moratorium on resource consent applications, as speculators sought to cash in ahead of expected planning restrictions.

<sup>3</sup> <https://www.mpi.govt.nz/consultations/proposed-national-policy-statement-for-highly-productive-land/>

For these reasons, it is recommended that rural housing is not included in the scope of PC21, and that rural housing is reviewed following the release of the NPSHPL.

### **Scope matter E: Strengthening urban design provisions**

Good urban design and housing intensification go hand in hand. Intensification require and demand good urban design outcomes, and there has been a clear and consistent message from parts of the community, Council and developers to strengthen urban design provisions in the Waipā District Plan. Furthermore, Waipā Council has committed to urban design as a signatory to the New Zealand Urban Design Protocol<sup>4</sup>.

Waipā District Plan currently has limited urban design provisions, principally relating to compact housing areas. Outside the compact housing areas, the District Plan currently does not include any powers for council to impose urban design standards, and urban design is seen as an optional “add on”.

For these reasons, it is recommended that strengthening urban design is included within the scope of PC21.

### **Additional scope matter: Papakāinga Shared Housing**

Papakāinga housing is inter-related with intensification, insofar as it provides a form of communal or co-shared housing. The District Plan does contain some provisions for papakāinga housing, and a review of this has been identified as being needed. Including papakāinga housing within PC21 could confuse the plan change’s primary purpose and outcome. Given that a review of the papakāinga provisions has already been identified, staff are proposing to run the review of papakāinga housing alongside and separate from PC21, for procedural efficiency.

For these reasons, papakāinga housing is not proposed to be included within the scope of PC21.

## **5 COORDINATION AND ALIGNMENT**

### **Future Proof**

Waipā District Council is within the Future Proof Council partnership. Meetings of the Future Proof Policy and Planning Working Group have identified specific implementation directives under the NPSUD for partner councils. The working group has recommended that each council should be separately responsible for implementing the NPSUD, but that NPSUD plan changes should as far as possible be shared between councils and aligned if possible. There is also some dependency on NPSUD changes to the Regional Policy Statement which need to go ahead of district plan changes.

<sup>4</sup> <https://www.mfe.govt.nz/publications/towns-and-cities/new-zealand-urban-design-protocol>

### Hamilton City Council

Hamilton City Council (HCC) is also scoping a plan change. This goes some way beyond just implementing the NPSUD to a broader district plan review. Waipā staff are liaising with HCC staff around sharing research and consultant resourcing for the NPSUD / intensification component.

## 6 RESOURCING AND CAPACITY

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PC21, as recommended, will be a significant plan change for council requiring adequate resourcing. There is sufficient budget and staff resources to proceed with PC21 as recommended.

## 7 ADDITIONAL CONSIDERATIONS

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### RMA Reform

The Minister for the Environment has publicly advised that the RMA reform (the Natural and Built Environments Act) along with the Spatial Planning Act and Climate Change Adaptation Act will all be enacted around October 2022. This is after the date that the NPSUD requires council to have implemented the intensification provisions of the NPSUD (August 2022).

PC21 is “business as usual” and the RMA reform will occur after PC21 has been made operative.

## 8 NEXT STEPS

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Once the Committee has approved the scope, staff will prepare PC21 in accordance with the following board programme (timeframes are indicative):

May-June 2021:	Issues and Options paper
June-Dec 2021:	Options preference, pre-notification engagement, section 32 policy analysis preparation, draft plan change preparation
Jan-June 2022:	Notification, submissions, hearing, decisions
July 2022:	Operative plan change

### Report prepared by:



Tony Quickfall  
**MANAGER DISTRICT PLAN AND GROWTH**

### Report authorised by:



Wayne Allan  
**GROUP MANAGER DISTRICT GROWTH & REGULATORY SERVICES**



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## APPENDIX 1: NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

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### 1 NPSUD Link

<https://www.mfe.govt.nz/sites/default/files/media/Towns%20and%20cities/AA%20Gazetted%20-%20NPSUD%2017.07.2020%20pdf.pdf>

### 2 Relevant provisions of the NPSUD

**Objective 3:** Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

- (a) the area is in or near a centre zone or other area with many employment opportunities
- (b) the area is well-served by existing or planned public transport
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

**Objective 6:** Local authority decisions on urban development that affect urban environments are:

- (a) integrated with infrastructure planning and funding decisions; and
- (b) strategic over the medium term and long term; and
- (c) responsive, particularly in relation to proposals that would supply significant development capacity.

**Policy 1:** Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:

- (a) have or enable a variety of homes that:
  - (i) meet the needs, in terms of type, price, and location, of different households; and
  - (ii) enable Māori to express their cultural traditions and norms; and
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and
- (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and
- (e) support reductions in greenhouse gas emissions; and
- (f) are resilient to the likely current and future effects of climate change.

**Policy 2:** Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.

**Policy 3:** In relation to tier 1 urban environments, regional policy statements and district plans enable:

- (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
- (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and
- (c) building heights of least 6 storeys within at least a walkable catchment of the following:
  - (i) existing and planned rapid transit stops
  - (ii) the edge of city centre zones
  - (iii) the edge of metropolitan centre zones; and
- (d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:
  - (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
  - (ii) relative demand for housing and business use in that location.

**Policy 4:** Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.

**Policy 10:** Tier 1, 2, and 3 local authorities that share jurisdiction over urban environments

- (a) work together when implementing this National Policy Statement; and
- (b) engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and
- (c) engage with the development sector to identify significant opportunities for urban development.

### **3.2 Sufficient development capacity for housing**

- (1) Every tier 1, 2, and 3 local authority must provide at least sufficient development capacity in its region or district to meet expected demand for housing:
  - (a) in existing and new urban areas; and
  - (b) for both standalone dwellings and attached dwellings; and
  - (c) in the short term, medium term, and long term.
- (2) In order to be sufficient to meet expected demand for housing, the development capacity must be:
  - (a) plan-enabled (see clause 3.4(1)); and
  - (b) infrastructure-ready (see clause 3.4(3)); and
  - (c) feasible and reasonably expected to be realised (see clause 3.26); and

- (d) for tier 1 and 2 local authorities only, meet the expected demand plus the appropriate competitiveness margin (see clause 3.22).

**3.31 Tier 1 territorial authorities implementing intensification policies**

- (1) Every tier 1 territorial authority must identify, by location, the building heights and densities required by Policy 3. If the territorial authority considers that it is necessary to modify the building height or densities in order to provide for a qualifying matter (as permitted under Policy 4), it must:
  - (a) identify, by location, where the qualifying matter applies; and
  - (b) specify the alternate building heights and densities proposed for those areas.
- (2) The territorial authority must make the information required by subclauses (1) and (2) publicly available at the same time as it notifies any plan change or proposed plan change to give effect to Policy 3.

**3.36 Development outcomes consistent with intensification policies**

- (1) Every tier 1 territorial authority must ensure that the development outcomes for zones in its tier 1 urban environments are consistent with the outcomes required by Policy 3.

**4.1 Timeframes for implementation**

- (1) Every tier 1, 2, and 3 local authority must amend its regional policy statement or district plan to give effect to the provisions of this National Policy Statement as soon as practicable
- (2) In addition, local authorities must comply with specific policies of this National Policy Statement in accordance with the following table:

Local authority	Subject	National Policy Statement provisions	By when
Tier 1 only	Intensification	Policies 3 and 4 (see Part 3 subpart 6)	Not later than 2 years after commencement date

## **APPENDIX 2: WAIPĀ HOUSING WORKING GROUP REPORT**

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**To:** The Chairperson and Members of the Waipā Housing Working Group  
**From:** Manager, District Plan and Growth  
**Subject:** **Housing Options: Affordability and Supply**  
**Meeting Date:** Wednesday, 10 March 2021

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## 1. EXECUTIVE SUMMARY

At the November 2020 meeting of the Waipā Housing Working Group, staff were asked to provide a paper back at the February 2021 meeting outlining:

- Current policy and possible approaches to affordable housing
- Implementation of the National Policy Statement Urban Development (NPSUD).

### 1.1 Housing affordability

Compared to national figures<sup>1</sup>, in 2019 housing in Waipā District was *relatively* more affordable.

Anecdotally this situation changed after the March 2020 COVID-19 lockdown with the Waipā market, particularly Cambridge, now reaching national levels of unaffordability, driven by lack of housing supply to meet an increased housing demand.

Further work is needed (through Future Proof and regional housing group) to determine the extent of housing affordability, and Waipā District Council (Council) policy direction for any intervention, in order to inform any options.

### 1.2 National Policy Statement Urban Development (NPSUD)

The NPSUD came into effect in 2020. This directs all councils to enable intensification of urban areas in order to provide for more housing. A plan change to the Waipā District Plan is programmed to implement the NPSUD in 2021/22.

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<sup>1</sup> [https://ecoprofile.infometrics.co.nz/Waipā%2bDistrict/StandardOfLiving/Housing\\_Affordability](https://ecoprofile.infometrics.co.nz/Waipā%2bDistrict/StandardOfLiving/Housing_Affordability)

The Waipā District Plan (District Plan) makes provision for residential development on the urban fringes of Te Awamutu and Cambridge to 2035 and beyond, therefore meeting some aspects of the NPSUD. The District Plan makes provision for residential development in identified greenfield growth cells around Te Awamutu and Cambridge to 2035 and beyond, therefore meeting some aspects of the NPSUD.

The NPSUD also requires intensification of some urban areas ('brownfields') which might require some plan changes to incentivise and enable higher density in existing residential areas (including large lot residential infill).

At a sub-regional level, Future Proof has established a Policy and Planning Working Group of technical staff and managers to share and coordinate agency responses to the NPSUD across the partner agencies (Ngā Karu Atua o te Waka, Waikato-Tainui, Tainui Waka Alliance, Waikato Regional Council, Waipa District Council, Waikato District Council, Hamilton City Council, Waka Kotahi-NZTA and Waikato District Health Board).

The NPS-Highly Productive Land (NPSHPL) may assist if limits are placed on using new highly productive greenfield land for urban development. Final advice is expected to be provided to Cabinet in the first half of 2021. If approved by Cabinet, the NPSHPL will likely take effect soon after.

### 1.3 Supply and affordability

There is a loose link between supply and affordability. Increased supply of housing *may* provide increased access to more affordable housing *if* increased supply also includes increased choice, housing suppliers, and competition to supply housing. This is also highly dependent on market demand, liquidity and lending criteria, with demand broadly made up for first home buyers, investors, and movers.

#### Key messages:

- (a) The NPSUD requires Council to provide sufficient capacity and increased density for residential development
- (b) The NPSHPL is likely to constrain further greenfield development beyond what is already in the District Plan
- (c) The District Plan is generally well set up for new greenfield development land (via the growth cells), but roll out of this land is lagging behind demand
- (d) The District Plan will require changes to enable intensification (brownfields)
- (e) Housing affordability and housing supply are loosely linked
  - (i) Increasing supply does not automatically increase affordability
  - (ii) Increased affordability requires central government policy intervention (economic and financial drivers)
  - (iii) There is less incentive for intensification when there is a forward supply of greenfield development land available that is not taken up

- (f) Local Government’s primary influence is housing supply
- (g) Central Government’s primary influence is affordability and investor demand.
- (h) There is some scope to consider District Plan housing affordability provisions as part of the NPSUD intensification plan change.
- (i) Different land tenure can assist in providing choice to affordable housing.

#### 1.4 Next steps

- (a) Prepare a plan change to implement the NPSUD and to also consider affordability. The scope of the plan change to include:
  - (i) Implementing the NPSUD (intensification and supply, including papakāinga, Residential Zones and Large Lot Residential Zones).
  - (ii) NPSUD consequential amendments.
  - (iii) Housing affordability (incentives and inclusionary zoning).
  - (iv) The use of private covenants.
- (b) Report back to the Strategic Planning and Policy Committee in March to confirm the scope of the NPSUD plan change.
- (c) Liaise and coordinate with the Future Proof Policy and Planning Working Group.

## 2. INTRODUCTION

This report considers two issues facing housing within the Waipā District. The first is the affordability of housing within the District, and the second relates to the urban intensification requirements of the NPSUD. By way of market economics, the housing market follows the economic laws of supply and demand. On the demand side, there are broadly three house buyer classifications: Multiple Property Owners (investors), First Home Buyers, and Movers<sup>2</sup>.

On the supply side are three different housing markets:

- (a) **The social housing market** – unwilling/unable buyer, unwilling seller. This is inadequately serviced by social housing providers.
- (b) **The free market** - willing buyer, willing seller. This remains the dominant market well serviced by the private sector, which also includes retirement villages.
- (c) **The “middle market”** - willing buyer, unwilling seller (at the price point of the buyer). This market is poorly serviced, with First Home Buyers and Movers competing with Multiple Property Owners for a limited supply.

<sup>2</sup> Core Logic Buyer Classification p24: [https://www.corelogic.co.nz/sites/default/files/2020-10/Report\\_QE\\_NZ\\_A4\\_v4.pdf](https://www.corelogic.co.nz/sites/default/files/2020-10/Report_QE_NZ_A4_v4.pdf)

The NPSUD mandates all councils to provide intensification in urban areas. One of the objectives of the NPSUD is that *“planning decisions improve housing affordability by supporting competitive land and development markets”*. The objective is to rebalance supply to meet the demand needs of the middle market.

### 3. HOUSING SUPPLY AND AFFORDABILITY

#### 1.1. Key drivers

Housing markets are complex with a variety of forces (drivers) determining supply and demand (and therefore affordability). Some of these are indicated in Table 1:

**Table 1: Drivers affecting housing supply and affordability**

Factor	Primary Influence	Policy intervention	Policy effectiveness
<b>Base land value</b>	Supply and demand	Central and <b>Local Government</b>	Low-moderate
<b>Housing stocks &amp; supply</b>	Private sector, demand	Central and <b>Local Government</b>	High
<b>Type of housing</b>	Private sector, demand	Central and <b>Local Government</b>	Low
<b>Housing demand</b>	Demographics, population and migration	Central Government	Low
<b>Insurance</b>	Demand	Insurance Providers	Moderate
<b>Regulatory constraints and incentives</b>	National, regional and district rules and policies	Central and <b>Local Government</b>	Moderate-high
<b>Building systems (bespoke homes vs mass produced)</b>	Customer acceptance and returns on investment	Central Government	Moderate-high
<b>Building costs</b>	Materials and labour	Central Government	Low
<b>Geography</b>	Demand for desirable locations	<b>Local Government</b>	high
<b>Proximity to services/education/transport/employment</b>	Demand for desirable locations	<b>Local Government</b>	low
<b>Affordable servicing</b>	Demand	Central and <b>Local Government</b>	moderate
<b>Economic and financial mechanisms (e.g. banking and interest rates)</b>	Fiscal policy	Central Government, Lenders	high

As can be seen, effective housing policy involves complex interplay between Central Government, Local Government, housing providers, developers, builders and the private sector. One wild card example of a demand driver is potential limits on the ability to insure duplex / town house developments.



While these are often offered as an affordable alternative (with no body corporate fees), the Insurance Council has warned buyers of the potential inability to insure common buildings (or higher premiums).

Waikato Regional Council, in their progress indicator report cards,<sup>3</sup> suggests that housing affordability relates to three aspects:

- (a) the ability of people to rent or purchase housing in a locality of their choice at a reasonable price
- (b) people’s capacity to meet ongoing housing costs
- (c) the extent to which discretionary income is available to achieve an acceptable standard of living.

The Waipā District Economic Profile provided by Infometrics<sup>4</sup> indicated that in 2019, Waipā District had a lower ratio in the Housing affordability index than the rest of New Zealand as a whole. Note that this pre-dated COVID 19 and the Central Bank’s economic stimulus (lower interest rates and remove Loan to value ratios).

CoreLogic’s latest Q3 2020 Property Market Update<sup>5</sup> provides an updated picture. Nationally, First Home Buyers were just 23% of the market in December 2020, with Multiple Property Owners having increased their share of the housing market. Multiple Property Owners in Hamilton had the highest market share in NZ – representing 47% of the total Hamilton house buyers, with First Home Buyers having 26% of the market. Anecdotally this appears similar to buying demand in Waipā. This confirms the extent of market failure in the middle market and points to a need for Central Government intervention to redress housing affordability for First Home Buyers and Movers, and a supply constraint on homes listed for sale.

The net effect is that increased Multiple Property Owner and Mover demand for urban housing in Waipā (particularly Cambridge) has increased competition, inflated prices, reduced supply and reduced overall affordability.

While Future Proof is starting to look at regional coordination around housing, this is at an initiation stage and coordination of response will be limited by different planning rules and different political responses. Ideally, the high growth districts would be managed as one single “market” with a coordinated policy response to address the economic scarcity (housing availability). Future Proof’s revised Strategy (in development) may go some way to guiding policy responses, noting this is non-statutory and non-mandatory.

In the absence of integrated Central Government policy, there are limited policy tools available under the Resource Management Act (RMA) and Local Government Act (LGA).

<sup>3</sup> <https://www.waikatoregion.govt.nz/community/waikato-progress-indicators-tupuranga-waikato/report-cards/housing-affordability/>

<sup>4</sup> [https://ecoprofile.infometrics.co.nz/Waipā%2bDistrict/StandardOfLiving/Housing\\_Affordability](https://ecoprofile.infometrics.co.nz/Waipā%2bDistrict/StandardOfLiving/Housing_Affordability)

<sup>5</sup> [https://www.corelogic.co.nz/sites/default/files/2020-10/Report\\_QE\\_NZ\\_A4\\_v4.pdf](https://www.corelogic.co.nz/sites/default/files/2020-10/Report_QE_NZ_A4_v4.pdf)

Coupled with the time needed to implement policy change, councils are typically playing catch up with an inability to respond quickly to market changes, particularly “boom and bust” cycles.

**Key messages:**

- Housing relies on a town or district having a sufficient variety of housing supply (sizes and styles, Local Government influenced), in a variety of different locations (Local Government) in order that people have a choice about where they live, at different price points (Central Government).
- “Choice” in housing type is one of the core principles of the NZ Urban Design Protocol of which Waipā District Council is a signatory.
- Local Government’s primary influence is housing supply.
- Central Government’s primary influence is affordability and investor demand.
- Policy responses nearly always lag behind market changes.
- Waipā and Future Proof councils housing demand (from Multiple Property Owners and in-migration Movers) exceeds housing supply

## 4. STATUTORY FRAMEWORK

### 4.1 National Policy Statement on Urban Development

The NPSUD came into force on 20 August 2020 and applies to all local authorities that have all or part of an urban environment, as defined within the NPSUD, within their district or region. It sets out a number of objectives and policies that must be achieved by local authorities within certain timeframes.

The NPSUD recognises the national significance of:

- (a) 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
- (b) sufficient development capacity to meet the different needs of people and communities.

Importantly, the NPSUD still treats housing supply as one single homogenous market – the NPSUD does not clearly differentiate between social housing, middle housing and the free market, and provides no guidance or policy tools relating to owner occupied housing vs investment housing. The NPSUD leaves the uptake of any increased housing supply to the free market (willing buyer, willing seller).

The NPSUD classifies Waipā District Council as a tier 1 local authority, along with neighbouring councils: Waikato Regional Council, Hamilton City Council and Waikato District Council (the Waikato Future Proof Councils). Tier 1 local authorities face the highest demand for housing, and therefore have greater obligations under the NPSUD.

Specifically, under Policy 3 of the NPSUD councils are required to enable housing:

- (a) in city centre zones<sup>6</sup>
- (b) in metropolitan zones<sup>6</sup>
- (c) building heights of at least 6 storeys<sup>6</sup>
- (d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:
  - (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
  - (ii) relative demand for housing and business use in that location.

Part (d) of Policy 3 is the only mandatory part of the policy that is relevant to Waipā District as there are no city centre or metropolitan zones in the district (as defined in the NPSUD). While there is no requirement to allow 6 storey buildings in Te Awamutu or Cambridge, this does not preclude Council applying a more enabling approach to intensification. Building heights and density will be linked to accessibility to transport links or the relative demand for housing and employment in both towns.

#### 4.2 National Policy Statement on Highly Productive Land (NPSHPL)

The NPSHPL discussion document was released in mid-2019 and outlined three main issues affecting the use of highly productive land for primary production:

- (a) urban expansion disproportionately occurring on highly productive land
- (b) fragmentation of highly productive land for rural lifestyle development, which results in such land no longer being suitable for primary production
- (c) newly located activities in close proximity to highly productive land, reducing the productive capacity due to reverse sensitivity effects

Although Waipā District is not large, 53% of its area is considered to have highly productive soils. The District's soil resource accounts for approximately 9% of all New Zealand's 'high class' soils.

The NPSHPL is expected to be formalised in mid-2021 and is likely to require local authority action to protect highly productive land.

**Key message:** For Waipā, the NPSHPL is likely to constrain further greenfield development (beyond already identified growth cells) and increase intensification. Central Government has not provided any indication how the NPSHPL will interact with the NPSUD, or if there are tensions between protect (NPSHPL) and build (NPSUD), and which has priority.

<sup>6</sup> Not relevant to Waipā District

### 4.3 Housing preference survey

The Housing Preference Survey conducted on behalf of the Future Proof partners culminated in the report “Future Proof Sub-region Housing Study: Demand Preferences and Supply Matters”<sup>7</sup>. The purpose of the report is to present research about housing preferences of residents in Hamilton City, Waikato District and Waipā District. The report found that:

- (a) demand for housing in Waipā District will continue to grow through until 2048
- (b) there will be significant change (increase) in demand for semi-detached dwellings
- (c) the largest growth in demand is anticipated to be for two bedroom dwellings in a duplex or townhouse format
- (d) demand for larger houses on larger sections remains steady for the same period
- (e) targeted planning provisions should be included in the District Plan that continue to enable the development of stand-alone housing, with greater emphasis on enabling a shift to smaller, attached and semi-detached dwellings, especially smaller 1-2 bedroom dwellings.

Retirement home providers may be an important part of this shift as a future provider of housing supply to wider parts of the community. While retirement villages currently supply housing for the aged, this type of housing stock could potentially be made available for a wider market in the future.

Of potential concern is an increasing amount of land dedicated to retirement villages, which is held by the private sector, often on a profit or added-value model (i.e. price of licence to occupy plus non-optional add-ons). Occupiers do not typically receive capital gains so the homes may initially appear more affordable, but they often come with added running costs and fees.

Retirement villages housing stock should be factored into any future housing supply and affordability considerations. Similarly, papakāinga also provide housing stock and need to be also factored in, albeit at a far smaller scale than retirement villages.

**Key message:** The Housing Preferences findings are to be included in the updated Future Proof Strategy currently under review, which will inform council responses.

<sup>7</sup> Future Proof Partners: *Housing We’d Choose. Future Proof sub-region Housing Study: Demand Preferences and Supply Matters*

## 5. WAIPĀ DISTRICT PLAN

### 5.1 Future growth areas

#### 5.1.1 *Greenfield*

The Waipā District Plan provides for greenfield development in identified growth cells around all our towns and villages. These are derived from the Waipā 2050 District Growth Strategy and are classified as Deferred Zone to indicate their intended future use. Some of these areas are earmarked for development between now and 2035, and others for between 2035 and 2050. Plan Change 13 will assist with bringing forward potential development on the pre-2035 growth cells. Staff are also received landowner enquiry for bringing forward post 2035 cells through private plan changes (including privately funded infrastructure).

The identified areas can only be developed once infrastructure requirements have been met. Depending on the NPSUD requirements for providing sufficient capacity for urban development, Council has prioritised funding the upfront costs of bulk infrastructure and services. In other cases, where development is private sector led, infrastructure costs are borne by the private sector and recouped through development agreements and development contributions. This has been factored into the 2021-2031 LTP.

#### 5.1.2 *Intensification*

The District Plan provides for some infill intensification in the residential zone. There are some known issues around the regulatory framework for intensification which will be addressed through the proposed intensification plan change.

One additional opportunity for intensification is the Large Lot Residential (LLR) Zone. Both the Waipā District Plan and the Waikato Regional Plan contain regulatory barriers to the intensification of the LLR Zone. With increasing pressure for more housing in the Waipā District, there is a case for reviewing the efficiency of retaining the very low density in the LLR Zone. If infrastructure can be addressed, the LLR Zone has the potential to contribute significantly to future land available for infill housing. The LLR Zone will be included in the scope of the intensification plan change.

**Key message:** Waipā District is generally set up for future greenfield housing developments to 2050. Plan changes are needed to further enable intensification of Residential Zones and intensification of Large Lot Residential Zones will also be considered in implementing the NPSUD.

## 6. HOUSING SUPPLY AND AFFORDABILITY

### 6.1 Planning mechanisms

The housing preference study “Housing we’d choose” states that there is no easy way to ensure the delivery of affordable housing. Making it easier for a variety of housing types to be delivered by the development sector provides (in economic theory) the opportunity for lower cost housing (based on an increased supply). In New Zealand, leaving supply and demand to the free market has consistently shown that it does not adequately provide for affordable housing (the middle market). In economic terms, there has been market failure in the housing market, and intervention is required if affordability of housing is to be addressed. This part of the report provides examples of planning methods available to Council that could improve housing availability and by default affordability.

Part 3 of the NPSUD “sets out a non-exhaustive list of things that local authorities must do to give effect to the objectives and policies of this National Policy Statement”. Included in the list are providing sufficient development capacity for housing and intensification of existing urban areas.

An examination of these methods below show that the District Plan is reasonably enabling in terms of greenfield land zoned for future residential development, and provisions and rules that cater for different types of housing and urban density. However, some amendments to the existing provisions could make the District Plan more enabling by increasing density within the existing urban areas.

### 6.2 Release more new greenfield land

One option to increase the availability of housing within the District is to increase the supply of greenfield land available for residential development.

Waipā 2050 Growth Strategy (Growth Strategy), when reviewed in 2017 identified that the population of the District is anticipated to grow by an additional 25,000 people by 2050. This would require an additional 10,500 dwellings in Te Awamutu and Cambridge.

The District Plan currently has 396ha in Cambridge zoned Deferred Residential and planned for release prior to 2035, plus a further 125ha earmarked for residential development after 2035.

In Te Awamutu, there is 200ha planned for residential development prior to 2035, and another 189ha<sup>8</sup> planned for release for residential development after 2035. The various rural villages and settlements also have additional land identified as being suitable for large lot residential development in the future.

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<sup>8</sup> Includes T2 which is currently the subject of a proposed private plan change to bring forward residential development prior to 2035.

The Growth Strategy identifies the land that is needed to accommodate expected population growth, based on housing density assumptions, and it is these areas that are included in the District Plan.

The 2017 update to the Growth Strategy contains the most current population and growth projections for development up to and beyond 2035. The Growth Strategy is reviewed every 10 years, but it is likely to be reviewed in 2021 due to quickly changing population growth expectations, building development and demand for housing.

The NPSUD requires that local authorities provide sufficient development capacity to meet expected demand for housing:

- (a) in existing and new urban areas
- (b) for both standalone dwellings and attached dwellings
- (c) in the short term, medium term, and long term.

The release of new greenfield land on the periphery of Waipā's towns after 2035, or additional to what is already identified in the District Plan, is likely to be constrained by the requirements of the NPSHPL and servicing. Continued greenfields expansion is also unsustainable in the long term.

The NPSHPL may help Waipā face the hard choice between retaining high value, but highly productive land for primary production, or encroaching into this as an alternative to higher density urban centres. It is unknown at this stage what the requirements of the NPSHPL will be, or whether they will be more restrictive than what is currently in the District Plan in terms of the protection of highly productive land.

**Key message:** Releasing new greenfield land is an option but will have considerable challenges. There is sufficient forward supply in the growth cells for more greenfield land not to be a priority.

### 6.2.2 *Increase urban density*

A second way in which housing availability can be increased is by increasing the density at which existing urban residential areas can be developed (intensification). Again, the underlying economic assumption is that increased supply equates to more choice and more affordable housing.

There are several ways in which density in residential areas can be increased, e.g. allow smaller lot sizes, allow more dwellings per site, enable different housing typologies, and changing the zone of an area. This can lead to “gentrification” and increases in property value, resulting in lower income groups leaving an area.

The Urban Land Institute (ULI) is a network of land use experts throughout the world. They say that development on infill sites is inherently more sustainable than that on undeveloped sites.

Infrastructure costs may be lower depending on the level of infill and capacity of the existing infrastructure, transportation alternatives are available, it does not use up agricultural or natural lands, and it makes a positive contribution to local economic and social vitality. However, there are concerns about lack of open space unless it is part of a redevelopment. Sites therefore should be connected to trails, open space, parks, streets, and public transit. Project design should think beyond the car, incorporating options for bicycling, ridesharing, accessing trains and buses, and walking.<sup>9</sup>

## 7. INCREASING DENSITY IN URBAN AREAS

### 7.1 Gentle density

The concept of “Gentle Density” has been used in various settings in New Zealand and around the world. The term was coined by internationally acclaimed city planner Brent Toderian and is defined as: *“Gentle density is attached, ground-oriented housing that’s more than a detached house, but with a similar scale and character. Think duplexes, semi-detached homes, rowhouses, or even stacked townhouses.”*

Unlike high density development, gentle density offers a solution that satisfies population growth and its associated demand for housing, without making dramatic changes to existing form and character. Gentle density could provide a viable alternative for the towns of Waipā District, although there may still be scope for some high rise apartment buildings or similar.

Examples of gentle density development include:

- (a) detached secondary dwellings or granny flats
- (b) duplexes – two attached townhouses, whether single or double storey
- (c) conversion of existing houses into flats
- (d) “Fonzi flats” – small flats located above garages
- (e) Papakāinga housing in the New Zealand urban context could also be added to this list.

Research has identified the concept of “Gentle density” as a way in which to increase residential density in existing locations. “Housing Our Nation: Rebalancing the Equation in Planning” by The Property Group notes:

*Whilst being low impact, gentle density can cumulatively accrue some significance in terms of housing supply. It is also an approach that can be more acceptable to many communities afraid of density, and hence politically palatable. Gentle density was utilised in the Proposed Queenstown District Plan. Unlike the proposed Medium Density zone, the proposed gentle density rules received almost no negative feedback in either non-statutory consultation or in submissions on the Proposed District Plan.<sup>10</sup>*

<sup>9</sup> [http://uli.org/wp-content/uploads/2012/07/TP\\_AffordableHousing.ashx\\_.pdf](http://uli.org/wp-content/uploads/2012/07/TP_AffordableHousing.ashx_.pdf)

<sup>10</sup> [https://www.planning.org.nz/Attachment?Action=Download&Attachment\\_id=3776](https://www.planning.org.nz/Attachment?Action=Download&Attachment_id=3776)



Gentle density is already broadly provided for in the District Plan. Secondary dwellings are already permitted activities subject to certain criteria. However, the rules could be tweaked to make it easier to provide more secondary dwellings on existing residential properties. For example, the current rule precludes many properties from adding a secondary dwelling because they cannot be successfully encompassed within the bulk of an existing house.

One potential barrier to gentle density is insurance. This form of infill will only be effective if common buildings with different ownership are able to be adequately insured and/or insurance premiums are affordable.

**Key message:** Amending the Waipā District Plan to allow a secondary dwelling that is not attached to the existing home would allow “tiny houses” or similar standalone minor dwellings. This approach has been successful in Vancouver where the owners of many larger inner city properties have been allowed to build a “laneway house”, similar in style and character to the existing home on the site, and subject to some design criteria.

Anecdotally, there are increasing enquiries to Council about duplexes in the Residential Zone. Currently duplexes are not well provided for in the District Plan. While they are included in the definition of compact housing, they are seldom built under that rule as it requires a minimum of 2000m<sup>2</sup> lot size and seven or more dwellings to be built in the development. The District Plan generally treats them as “more than one dwelling per site” and therefore as a non-complying activity.

Another option to increase the housing stock available in the District is to allow further intensification of the Large Lot Residential Zone. Generally properties in that zone lack Council services like water and wastewater. If those services were provided (e.g. modern aerated wastewater systems can easily accommodate smaller lots than the current minimum lot size in the Large Lot Residential Zone), then intensification is a possibility.

It should be noted that many of the locations of Large Lot Residential Zone are not close to transport links. Increasing population in these areas would also increase reliance on private transport, potentially in contradiction with Council’s Integrated Transport Strategy.

## 7.2 Medium Density Zoning

An alternative to gentle density is the introduction of medium density residential zoning. This zoning is defined in the National Planning Standards as “*Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities*”.

A medium density residential zone is typically applied in the vicinity of city or town centres or close to public transport or open space. The Ministry for the Environment

identifies a number of building typologies typical of medium density housing and their key features<sup>11</sup>:

- (a) Stand-alone dwellings
  - (i) Smaller lot sizes
  - (ii) Not attached to other dwellings but close to neighbouring buildings
  - (iii) Two or three storeys in height
  - (iv) Can be part of a larger master planned development.
  
- (b) Semi-detached or duplex dwellings
  - (i) Two side-by-side dwellings contained within one building
  - (ii) One dwelling is usually the mirror image of its partner
  - (iii) Two or three storeys in height.
  
- (c) Terraced or row housing (townhouses)
  - (i) Row of identical or very similar attached dwellings that are joined on one or both sides of other houses
  - (ii) The 'end' terrace can be different to the rest of the terrace
  - (iii) Sometimes can be joined by garages between houses and can either be built into the terrace and accessed from the front or can be accessed by a rear laneway.

It is important that within medium density zoning, a variety of housing typologies is enabled. Insurance is again a consideration for attached buildings.

### 7.3 Inclusionary zoning

Inclusionary zoning is a planning tool used widely by local authorities overseas to deliver affordable housing to its residents. It is a “planning approach where developers are compelled to deliver a certain proportion of a development as affordable housing – housing delivered to the market at a particular set price point, and which must be ‘retained’ in perpetuity as affordable housing.”<sup>12</sup> In return, developers are provided with additional development rights, for example greater allowable maximum building heights, greater site coverage or smaller lot sizes.

Queenstown has been using Inclusionary Zoning since 2008 as a voluntary tool that provides affordable housing for high need and working families and allows them to remain part of the community.<sup>13</sup> It was originally intended to use the method in order that an on-going supply of affordable housing would be provided. After a series of legal challenges to the original provisions in the Queenstown Lakes District Plan, the use of inclusionary zoning is not mandatory, but instead a matter of assessment.

<sup>11</sup> Ministry for the Environment: Medium-density housing in New Zealand. 2011

<sup>12</sup> The Property Group, *Housing Our Nation: Rebalancing the Equation in Planning*

<sup>13</sup> Queenstown Lakes Community Housing Trust

The Queenstown Lakes District Council is currently preparing a plan change to require/mandate inclusionary zoning.

A report prepared for Community Housing Aotearoa and Community Housing Solutions<sup>14</sup> offers a detailed examination of Inclusionary Zoning and some recommendations. Its summary makes a series of observations for councils considering using inclusionary zoning. These are that inclusionary zoning requirements should:

- (a) be mandatory across the geography of the housing market, not voluntary or selective
- (b) define affordability with reference to the incomes of target households and informed by evidence about the local housing market
- (c) use feasibility modelling to test the impact on different developments of required affordability percentages required and other features
- (d) allow a range of delivery forms (e.g. land, houses or financial contribution)
- (e) require retention through a range of mechanisms (such as covenants, retention of rental stock, recycling of capital gain in shared equity arrangements)
- (f) be accompanied by cost off-setting measures such as faster consenting, delayed payment of development contributions, and/or planning concessions
- (g) provide a significant role for the not-for profit sector in designing and managing the affordable homes with a range of tenure options
- (h) be carefully enforced and monitored by the council.
- (i) be formalised in legal frameworks (e.g. district plans, legislation) that demonstrate long term commitment.

#### 7.4 Other mechanisms

There are several other mechanisms – some available to Council to implement and others not – to support the provision of affordable and accessible housing within the District.

##### 7.4.1 Community Housing Trusts

Community housing trusts are often the conduit through which the affordable housing/development passes through to the eventual homeowner in the Inclusionary Zoning process. *“Community housing is a form of public housing working alongside private housing in the open market. Typically these are not-for-profit groups meeting housing need through a range of social and affordable rental and home ownership options. They provide an alternative to the public housing provided by Kāinga Ora and local authority housing.”*<sup>15</sup>

<sup>14</sup> Community Housing Aotearoa, and Community Housing Solutions: *A sustainable pipeline of affordable housing in New Zealand: How far away are we?*

<sup>15</sup> <https://www.communityhousing.org.nz/what-is-community-housing>

One example is the Housing Foundation. They offer a Shared Ownership Programme and a Rent to Own (HomeSaver Programme).<sup>16</sup>

**For consideration:** Waipā District Council could consider a Community Housing Trust to help address the middle housing market. There are various iterations of this option e.g. Waipā district only; joint with Future Proof councils; in partnership with a housing provider; Council only. **There is some urgency to this consideration, as any Community Housing Trust would need to precede development of the remaining growth cells to maximise the affordable housing opportunity.** This could then provide the mechanism under the Waipā District Plan to provide for affordable housing under any new inclusionary zoning provisions.

#### 7.4.2 *Development Contributions*

Development contributions are financial payments made by developers to cover the cost of infrastructure required due to growth. Council's Development Contributions Policy sets out the development contributions payable by developers, how and when they are to be calculated and paid, and a summary of the methodology and the rationale used in calculating the level of contribution required. Council could choose to amend the rate of development contributions to encourage certain types of development, for example, higher density developments or housing developments provided by a housing trust.

Hamilton City Council recently considered a development contribution remission for the Frankton area that would encourage more development in that area. In this case, the City Council decided against the motion. However, Waipā District Council could consider development contribution remissions in particular circumstances, especially where such developments would meet urban density or housing affordability criteria.

#### 7.4.3 *Private land covenants*

Private land covenants are generally imposed on land by developers at the time of subdivision consent. The covenant is binding between subsequent owners and the developer and will typically contain restrictions on how a property may be developed and include provisions such as specifying building materials, the colour, shape and size or height of buildings, building design, and restrictions on further subdivision or density.<sup>17</sup>

Covenants create a private planning regime over the subject properties that is enforceable in the civil courts.<sup>18</sup> Covenants stand separate from the District Plan and may run counter to any intensification policies or aspirations Council has.

<sup>16</sup> <https://www.nzhf.org/about-us/>

<sup>17</sup> David Mead and Stuart Ryan: *Restrictive Covenants – Is there a case for Public Plans to Control Private Planning Instruments in New Zealand?*

<sup>18</sup> Ibid

Covenants that restrict further subdivision or impose minimum house sizes or values that contradict the concept of urban areas accommodating rising prices through more intensive use of land. As a result, housing affordability suffers if additional development within the existing urban area is not possible.

The authors of the report *“Restrictive Covenants – is there a case for public plans to control private planning instruments in New Zealand?”* conclude that there is a case for district plans to control the effect of private covenants on developments, especially where the covenants do not meet urban intensification provisions.<sup>18</sup>

**Key message:** The use of private covenants will be included in the scope of the intensification plan change.

#### 7.4.4 *Greater standardisation of house plans / builds*

New Zealand houses are varied in style and building materials, but greater standardisation of homes is more cost effective. This could result in better affordability than non-standard housing because of lower-cost builds, and the delivery of more homes within a given budget. There is however some risk with standardised designs of a lack of variety of housing type and design, with many examples of “homogenous housing” around NZ. Modern modular and prefab systems can provide both good and varied design as well as quality builds.

While particular building styles and materials are outside of Council control, there are provisions within the Building Act that enable modular or prefab houses to be built with central government building approval. Council then only has to approve the “marrying up” of the building and the land on which it will be placed (e.g. checking for hazard risks and other restraints), thus reducing consenting and construction costs.

**Key message:** Standardised house plans and modular/prefab building systems are largely market driven. They also rely on land supply, and not being encumbered by private covenants (some of which expressly prohibit pre-fab or modular housing and also relocated dwellings). Without strong market competition, regulation, or unencumbered land supply, there is little incentive for building companies and developers to offer lower priced options with reduced profit margins.

#### 7.4.5 *Different land tenure models*

There are a number of different land tenure models that could be used to improve housing affordability and accessibility. Most significant of these in the New Zealand context is the recognition of Māori land in district plans. The ability of Māori to provide papakāinga housing on their own land has been difficult due to the nature of land tenure. Other councils in the Waikato region have developed provisions in their district plans that recognise the unique ownership model of Māori land and which enable papakāinga housing developments.

Other models that have been used<sup>19</sup> include:

- (a) cooperatives – rental, limited equity and market priced cooperatives
- (b) community land trust (CLT)/ground lease models
- (c) licences to occupy (typical of rest homes)
- (d) co-ownership shared equity model
- (e) shared equity loans/mortgages
- (f) collectives
- (g) Council activity operating as housing developer.

**Key message:** Tenure options are largely offered by sellers, housing providers and Community Housing Trusts. There are few opportunities under the RMA to direct or promote tenure options through the District Plan.

## 8. NEXT STEPS

Housing supply and affordable is a complex area involving multiple agencies, different markets, different drivers and consumer preferences. The NZ housing market is in need of a coordinate Central Government review and possible intervention.

In the meantime, there are some options available to Council through the District Plan, Future Proof and other mechanisms (e.g. community housing trusts) to help provide housing supply and enable more affordable options.

There are three actions arising from this review:

- (a) Prepare a plan change to implement the NPSUD and consider affordability. The scope of the plan change to include:
  - (i) implementing the NPSUD (intensification and supply, including papakāinga, Residential Zones and Large Lot Residential Zones)
  - (ii) NPSUD consequential amendments
  - (iii) housing affordability (incentives and inclusionary zoning)
  - (iv) the use of private covenants
- (b) Report back to Strategic Planning and Policy Committee to confirm the scope of the NPSUD plan change
- (c) Liaise and coordinate with the Future Proof Policy and Planning [Technical] Working Group.

<sup>19</sup> <https://www.buildmagazine.org.nz/index.php/articles/show/alternative-tenures-could-help>



Tony Quickfall  
**MANAGER DISTRICT PLAN AND GROWTH**



Approved by Wayne Allan  
**GROUP MANAGER DISTRICT GROWTH AND  
REGULATORY SERVICES**

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## APPENDIX A: WAIPĀ DISTRICT PLAN DENSITY PROVISIONS

### 8.2 Residential Zone

The Residential Zone specifically contains objectives and associated policies that encourage provision of a variety of housing options in the District's towns and urban settlements.

There are also rules that determine the activity status of various types of development within existing and proposed residential areas. The size of an allotment is a major determinant of the number and density of houses in an area so subdivision rules exert a certain level of influence. After land has been subdivided it is rules relating to bulk and location, and specific higher density provisions that affect amenity.

#### 8.2.1 Permitted activities

The following lists outline permitted residential activities in the Residential Zone.

- (a) Principal dwelling
  - (i) one per site
  - (ii) minimum lot size 500m<sup>2</sup>
- (b) Secondary dwelling –
  - (i) one per site
  - (ii) requires a minimum net size of 850m<sup>2</sup>
  - (iii) be encompassed within bulk of principal dwelling
  - (iv) not be separated from principal dwelling by a garage
  - (v) be no more than 70m<sup>2</sup> GFA, excluding garaging

#### 8.2.2 Restricted discretionary activities

The following are restricted discretionary activities within the Residential Zone.

- (a) Compact Housing<sup>20</sup> –
  - (i) seven or more dwellings per site located within the Compact Housing Overlay identified on the planning maps, or
  - (ii) as provided for in rule 2.4.1.3(c), or
  - (iii) within the following areas of the C1 and C2/C3 Structure Plan areas:
    - within 200m of an active recreation open space, the Town Belt, a neighbourhood centre or a school; or
    - within 100m of a local centre or local open space; or

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<sup>20</sup> Defined as “a housing development in which the design of buildings, their layout, access and relationship to one another has been planned in a comprehensive manner to achieve compatibility between all buildings on a site or sites. This can include Papakāinga housing, terraces, duplexes, apartments and townhouses, but excludes retirement village accommodation and associated care facilities”.



- within a 'compact housing overlay' identified within the structure plan maps.

There is also a list of performance standards designed to protect amenity. The main requirement is to start with minimum site size of 2000m<sup>2</sup>.

- (b) In-fill housing<sup>21</sup> –
  - (i) three to six principal dwellings per site
  - (ii) minimum net site area for each dwelling of 350m<sup>2</sup>
  - (iii) not within Cambridge Residential Character Area, compact housing development overlay, or character cluster identified on planning maps
  - (iv) subdivision consent application must be submitted at the same time
- (c) Large Lot Residential Zone
  - (i) The Large Lot Residential Zone is focused around existing towns and rural villages that have been identified in the Growth Strategy as areas for future growth, including Pirongia, Ōhaupō and Lake Karāpiro. The purpose of the Large Lot Residential Zone is to provide for people to live in a semi-rural environment while remaining within commuting distance to urban centres.

### 8.2.3 Permitted activities

- (a) Principal dwelling
  - (i) one per site
  - (ii) minimum lot size Pirongia – 2000m<sup>2</sup>
  - (iii) minimum lot size remainder of zone – 2500m<sup>2</sup>
- (b) Secondary dwelling
  - (i) one per site
  - (ii) requires minimum size of 2000m<sup>2</sup> or 2500m<sup>2</sup> depending on location
  - (iii) size of lot determines whether needs to be encompassed within principal dwelling or attached to a garage
  - (iv) be no more than 70m<sup>2</sup> GFA, excluding garaging

There are no provisions that enable any form of higher density housing.

<sup>21</sup> Defined as “the further residential subdivision/development of land within the urban limits where subdivision and land use consents are jointly lodged”.

## STRATEGIC PLANNING AND POLICY COMMITTEE REPORT



**To:** The Chairperson and Members of the Strategic Planning and Policy Committee

**From:** Operations Team Leader - Transportation

**Subject:** **27-18-14 TRAFFIC SERVICES CONTRACT – INCREASE TO APPROVED CONTRACT SUM**

**Meeting Date:** 6 April 2021

### 1 EXECUTIVE SUMMARY

This contract is for the maintenance and renewal of traffic signs, edge marker posts, guardrails and road marking. The contract was awarded to Directionz Limited and commenced on 1 July 2018, with a contract period of 36 months (to 30 June 2021), with the option of two possible contract extensions of 12 months each for a maximum time period of five years.

Work has proceeded steadily with cyclic maintenance and renewals and additional safety improvements and speed limit changes achieved under this contract. These included:

- Speed Management Implementation - \$212,326 (2019/20)
- Safety Improvements - \$44,347
- Replacement of guardrails - \$25,682
- Replacement signs - \$120,336
- Road remarking district wide - \$305,825
- Routine inspections, cost fluctuations and maintenance to 28 February 2021 - \$112,903

A higher quantity of renewals and safety improvement works, including speed management changes, have been delivered under the contract to date than anticipated at the time of the contract value estimation. This means that the approved contract sum of \$2,800,000 will be exhausted before 30 June 2021 when the contract is due to be extended for a 12 month term.

It is recommended that the approved contract sum be increased to cover expected maintenance, renewal and safety improvement works to the end of the three year contract period; an increase of \$370,000 (including a \$50,000 contingency), for a total

new contract sum of \$3,169,631. These additional costs will be met within the subsidised roading 2020/21 budget.

## 2 RECOMMENDATION

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*That*

- a) *The report titled 27-18-14 Traffic Services Contract – Increase to Approved Contract Sum, (document number 10572029) of Jennifer Braithwaite, Operations Team Leader – Transportation, be received;*
- b) *The Strategic Planning and Policy Committee approves an increase in the 27-18-14 Traffic Services contract sum to THREE MILLION, ONE HUNDRED AND SIXTY NINE THOUSAND, SIX HUNDRED AND THIRTY ONE DOLLARS (\$3,169,631.00), excluding GST, to be funded from the PR4169 low cost - low risk budget.*

## 3 OPTIONS AND ASSESSMENT

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During the last 32 months, progress in delivery of traffic services over and above the routine maintenance, renewal and improvements has exceeded original expectations; a number of areas across the district have benefited, including:

- Bulk installation of new speed limit signs including electronic variable signs at schools across the district as part of the speed management implementation (\$212,326)
- Safety and amenity improvements including the installation of a new bus shelter on Victoria Street and the application of thermoplastic coatings to the road surface at intersections such as Carlton and Mandeno Streets, Bruntwood/Peake (\$44,347)
- Replacement of damaged guardrails on Maungatautari Road, including repairs to the retaining wall (\$25,682)
- Replacement of missing or damaged traffic signs (\$120,336)
- Road remarking district wide (\$305,825)
- Routine inspections, cost fluctuations and maintenance to 28 February 2021 – (\$112,903).

Several safety improvement works and speed limit changes were delivered through this contract. Victoria Street, Cambridge now has a new bus shelter and better road markings were applied to several intersections to increase anti-skid and reflectivity where there is a crash history.

With the volume of work achieved and expected to be undertaken up to 30 June 2021, an increase to the contract sum is required. Whilst this is in excess of the previous

forecast, it is managed within the overall subsidised roading budget through reallocation of funds within renewal activities, and through the safety (low cost – low risk) improvement budget.

The contractor, Directionz Ltd, continues to deliver a reliable, responsive and cost effective service provider for this activity.

### Financial

Financial Detail	Cost
Current approved Contract Sum	<b>\$2,800,000.00</b>
Cost to 28 February 2021	\$2,774,631.00
Forecast expenditure to 30 June 2021	\$ 345,000.00
Contingency	\$ 50,000.00
Proposed new Contract Sum	<b>\$3,169,631.00</b>

Budget Allocation Forecast (4 months) to 30 June 2021		
Code	Description	Budget
PR4042	Signs Replacement and cost fluctuations	\$46,000
PR4016	Signs Maintenance	\$36,000
PR4017	Edge Marker Pegs	\$3,000
PR4159	Guardrail New/Replacement	\$260,000
PR4169	Low cost low risk safety improvement (contingency)	\$50,000
		<b>\$395,000</b>

A contingency sum of \$50,000 is recommended to cover risks such as vehicle crashes causing damage to guardrails, site railing and minor structures or any other high priority safety improvements.



Jennifer Braithwaite

**OPERATIONS TEAM LEADER - TRANSPORTATION**



Reviewed by Bryan Hudson  
**MANAGER TRANSPORTATION**



Approved by Dawn Inglis  
**GROUP MANAGER SERVICE DELIVERY**

## SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

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### 1 Statutory and policy requirements

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#### Legal and regulatory considerations

##### Local Government Act 2002

##### s.10 Purpose of Local Government

This decision will allow the maintenance and improvement of road traffic services to continue without disruption.

##### Consultation and Engagement

An assessment against Council's Significance and Engagement Policy indicates this matter is not of significance to require consultation or engagement with any party other than the Contractor involved.

##### Council policy or strategy

Traffic Services maintenance is a service provided under the Transportation Activity Management Plan. It is considered an essential service in terms of road safety.

### 2 Background to proposal

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Council has an existing contract with Directionz Ltd to provide traffic services across the district (original contract award report document 7466494). This contract has delivered routine maintenance, new and replacement traffic signs, sign upgrades, road marking and minor repairs to minor structures and included traffic safety improvements.

The contract continues to deliver a satisfactory and value for money service.

The existing contract was for an initial period of three years which commenced on 1 July 2018, with up to two renewal periods, each of one year. The first one year renewal is coming up and a report will be submitted to the May Service Delivery Committee meeting for approval to extend the contract to 30 June 2022 once budgets are confirmed.



**INFORMATION ONLY**

**To:** The Chairperson and Members of the Strategic Planning & Policy Committee

**From:** Principal Engineer

**Subject:** **Carbon Monitoring and Reduction Programme Update**

**Meeting Date:** 6 April 2021

**File Reference:** PR2376

## **1 EXECUTIVE SUMMARY**

In 2019 Waipā District Council joined with the WCLASS Energy Management Programme to carry out carbon monitoring and deliver an annual Greenhouse Gas Emissions (GHG) Inventory report.

At a workshop on 10 August 2020, the Audit and Risk Committee developed actions identifying the top risks to the achievement of Waipā District Council's 2019/20 strategic priorities. In particular, its Risk Statement for Top Risk #11 was Climate Change Impacts.

The formation of the Carbon Monitoring and Reduction Programme within Council is an outcome of these actions and sits alongside a number of initiatives and planning controls that Council is implementing to address climate change.

There are two key components in addressing the impacts of climate change: Adaptation and Mitigation - Emissions Reduction.

Council is addressing climate change through a range of initiatives and workstreams, such as drivers of change, legal requirements, policies, planning controls and infrastructure design.

This report provides an update, as well as proposing future actions to address the Council's carbon monitoring and emissions reduction programme - as an organisation. These include the establishment of workstreams to focus on specific activities and reduction in related emissions.

The following appendices accompany this report:

- Appendix 1 – Risk Statement for Top Risk #11 – Climate change impacts (*document number 10456529*)
- Appendix 2 – Overview of the emissions and sources for the two years FY19 and FY20 (*document number 10564588*)
- Appendix 3 – Emissions by scope and source category (*excerpt from document number 10578267*)
- Appendix 4 – Breakdown of Emissions versus Activities FY20 (*excerpt from document number 10564590*)
- Appendix 5 – Carbon Monitoring and Reduction Programme Workstreams (*document number 10578276*)
- Appendix 6 – Carbon Zero Road Map to 2030 (*excerpt from document number 10564590*).

## 2 RECOMMENDATION

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That

- a) *the Carbon Monitoring and Reduction Programme Update report (document number 10569003) of Peter Higgs, Principal Engineer, be received.*

## 3 OPTIONS AND ASSESSMENT

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This project is an outcome of the actions developed at the Audit and Risk workshop (10 August 2020), identifying the top risks to the achievement of Waipā District Council's 2019/20 strategic priorities.

In particular its Risk Statement for Top Risk #11 – Climate change impacts (**Appendix 1**):

*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.*

There are two key components in addressing the impacts of climate change: Adaptation and Mitigation - Emissions Reduction. This report looks at what Council is proposing to do to meet the challenges of carbon emissions reduction. The components are broken down into the actions of what Council will do as an organisation, the purpose of the Carbon Monitoring and Reduction Programme. The report also provides an update and future actions to address the Council's carbon monitoring and emissions reduction programme.

## Context

### Climate Change Commission Report (February 2021)

The Climate Change Commission, in its draft report (February 2021) for cutting the country's emissions, has advised that it is time to cut gas and fossil fuel.

Its plan suggests:

- no new natural gas connections to the network or bottled LPG after 2025
- by 2050, existing natural gas in buildings should be phased out
- winding down imports of fossil fuel light vehicles with internal combustion engines - or conventional cars - by 2032.

These will impact directly on our **Carbon Monitoring and Reduction** Programme.

The need to address climate change has grown over the last decade with the momentum increasing internationally and nationally with guidance and law changes (and future direction) from central government.

At a district level there have been changes in Council's Vision, Community Outcomes and External Strategic Priorities and specific inclusions in the Long Term Plan and planning and policy documents. Recent consultation has shown that residents mention "climate change, the environment, and sustainability" (18%) and water (17%) as the primary issues that Council should focus on in the future.

### WLASS Energy Management Programme

The WLASS Energy and Carbon Management Programme (2019-2022) provides resources and expertise to support participating Councils to operate their energy consuming assets in accordance with best industry practice within their current operating constraints. The programme is a continuation of the successful WLASS Energy Management Programme (2016-2019), which resulted in significant energy efficiencies and savings across participating Councils.

### District Council - Community Outcomes & External Priorities

At its meeting on 25 August 2020, Council resolved to adopt the revised Vision, Community Outcomes and External Strategic Priorities to guide the organisation and inform the development of the 2021-31 Long Term Plan and other Council documents. Under **Environmental Champions** it is noted that "**we are responsive to climate change**". The target is an overall trend towards carbon neutrality for Waipā District Council.

Under **External Priorities** and **Preparing for Climate Change** it is noted that "**we are experiencing the impacts of climate change in Waipā and must actively respond to ensure we have resilient communities**".

### Top Risk #11 – Climate change impacts

Risk Statement: "*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.*

*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” (other than carbon emissions).*

**Significant Planned Additional Mitigations: Actions**

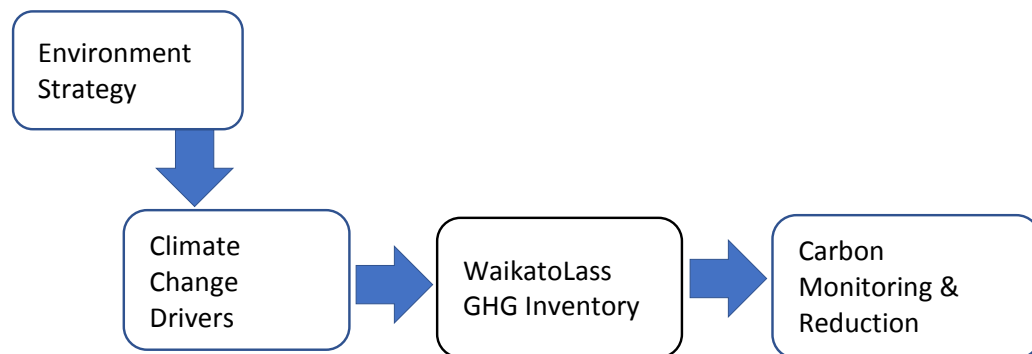
Action	Owner/s	Timing	Status
Carbon Monitoring Programme implemented by December 2020 (informs the Environment Strategy)	GM SD	Dec 2020	<b>DONE</b>

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

**Environment Strategy**

This programme will support the outcomes of the Environment Strategy to be developed by Council.



**Greenhouse Gas Emissions Inventory Report - Waipā District Council – FY2020**

This report was completed on 3 December 2020 and covers the two periods:

- Base year: 1 July 2018 to 30 June 2019
- Second Year: 1 July 2019 to 30 June 2020

Base Year emissions were 3,073 TCO<sub>2</sub>e, and have dropped to 2,991 in TCO<sub>2</sub>e in FY2020, a 1% improvement. These reductions appear to be a result of Covid -19 due to less air travel, fuel use and wastewater treatment. **Appendix 2** gives an overview of the emissions and sources for the two years.

The scope of emissions, according to type and sources of emissions, is shown as **Appendix 3**. Breakdown of Emissions versus Activities FY2020 is shown in **Appendix 4**.

The Inventory report does not include:

1. Activities that have oversight by Council which are operated by third parties and include (Scope 1 and Scope 2 – Refer Note 1 Appendix 2) emission sources paid for directly by the third party, include:
  - Te Awamutu Events Centre (operated by Go Waipā) - natural gas, electricity
  - Cambridge Pool (operated by Go Waipā) - natural gas, electricity
2. Waste collected from Council facilities (Note: waste collected from kerbside is sent to landfill not operated by Waipā District Council and is excluded from the inventory).
3. Refrigerants from air conditioning plants at Council facilities. This generally refers to refrigerants held in stock which have not emitted GHG emissions, but have the potential to do so. Air conditioning plant operates at a number of sites and refrigerant volumes and type should be readily available.
4. Council owns 284 hectares of forest land with 233 hectares of mainly Pinus Radiata and 4.8 hectares of mixed species. This forestry can be used to offset the organisational emissions.

These items will be included in the next FY2021 report and will be addressed in the Carbon Monitoring and Reduction Programme as noted below.

### Carbon Monitoring & Reduction Programme Work Plan

The working group met for its initial meeting in December 2020. A second meeting has been held in March 2021 to develop a work programme. A programme has been established which develops eight workstreams based around the main activities with the key emissions identified in the Greenhouse Gas Emissions Inventory Report. These workstreams will contribute to meeting *New Zealand's emissions reduction targets* and *the draft proposals of the Climate Change Commission Report Feb 2021*.

It is also noted that successful delivery on these targets will require an organisational commitment. Accordingly, a workstream will focus on "Organisational Change - the way we do things", including considering carbon costs in business cases as well as developing external partnerships/collaborations such as Iwi, other Councils/agencies and businesses.

The workstreams are shown in **Appendix 5** and listed below with indicative areas/activities of focus (not exhaustive):

	Work stream	Focus Areas (Including but not limited to)
1.	Transport Fuels	Electric vehicles Limit usage – Team (online) meetings Reduce fleet numbers
2.	Other Gases (natural gas)	Alternative fuel Electricity usage Wood pellets

	<b>Work stream</b>	<b>Focus Areas (Including but not limited to)</b>
3.	Wastewater gases	A challenge!! Look at processes – aerobic? Collecting gas as a fuel?
4.	Electricity	Stocktake on building efficiencies Options to heat/cool buildings LED Lighting – Roads (done) and buildings Wastewater/Water Treatment/Pumping
5.	Waste	Reduce waste to landfill Recycling Organic waste
6.	Construction / Suppliers	Include in “sustainability” section of procurement Opportunities to reduce carbon footprint Energy savings in construction and in the supply chain. Recycling / Landfill use
7.	Infrastructure design and Operation	Sustainability in design Operational efficiencies Demand management Include smart monitoring of energy usage Change equipment (pumps, etc) New subdivisions – pressure pumping wastewater reticulation?? (demand management and reduced sizing)
8.	Organisational Change	The way we do things – culture Meetings, travel Include Carbon cost in all “Business cases” Partnerships – iwi, councils, agencies, businesses

The Waipā District Council Carbon Zero Road Map to 2030 is shown as **Appendix 6** will be used as guidance and setting targets. Key actions of the workstreams will be:

- The workstreams will be led by members of the Carbon Monitoring and Reduction Group
- The workstreams will contain staff representatives for the specific areas / activities
- Each workstream will develop a detailed work plan on how emission reductions and initiatives within the activity will be achieved
- Each workstream will develop a detailed timeline on how emission reductions and initiatives will be achieved
- The workstreams will report six monthly, with an annual report presented to Council on progress versus targets.

It is noted that some workstreams would require major capital works – such as GHG recovery from wastewater treatment plants, if they are to be achieved. These will need to be included in an LTP process for future consideration.




Peter Higgs  
**PRINCIPAL ENGINEER**



Approved by Dawn Inglis  
**GROUP MANAGER SERVICE DELIVERY**

# Appendix 1

## Risk Statement for Top Risk #11 – Climate change impacts (document number 10456529)



**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 Service Delivery  
Date: 14/10/2020  
Version: 19, Version Date: 23/02/2021

**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	High
Current Assessed Residual Risk	High
Council Target Residual Risk	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.

**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

**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	Jan-2021	

## Appendix 2

Overview of Emissions & Sources for the two years FY19 & FY20 (*document number 10564588*)

TCO2-e	FY18/19 Base year	FY2020	FY2021	FY2022
Scope 1 (See Note 1)	1,949.5	1,836.4		
Scope 2 (See Note 1)	954.0	1,005.4		
Scope 3 (See Note 1)	170.3	149.5		
Total gross emissions	3,073.9	2,991.2		
Total gross GHG emissions per FTE - Full Time Employee	7.4	7.28		
Total mandatory GHG emissions per FTE - Full Time Employee	7.4	7.28		
Total gross GHG emissions per Turnover/revenue (\$Millions)	41.91	39.36		
Total mandatory GHG emissions per Turnover/revenue (\$Millions)	41.91	39.36		

**Note 1:** The GHG emissions sources included in this inventory were identified with reference to the methodology in the GHG Protocol and ISO14064-1:2006 standards. As adapted from the GHG Protocol, these emissions were classified under the following categories:

- Direct GHG emissions (**Scope 1**): emissions from sources that are owned or controlled by the company
- Indirect GHG emissions (**Scope 2**): emissions from the generation of purchased electricity, heat and steam consumed by the company
- Indirect GHG emissions (**Scope 3**): emissions that occur as a consequence of the company's activities but from sources not owned or controlled by the company.

**Note 2:** Greenhouse Gas (GHG) is reported in carbon dioxide equivalents (CO<sub>2</sub>-e) and measured in tonnes of (TCO<sub>2</sub>-e).

**Note 3: Organisational business units excluded from inventory.** Activities that have oversight by Council which are operated by third parties and include (Scope 1 and Scope 2) emission sources paid for directly by the third party, include:

- Te Awamutu Events Centre (operated by Go Waipā) - natural gas, electricity
- Cambridge Pool (operated by Go Waipā) - electricity, natural gas

**Note 4:** Waipā District Council has chosen to include emissions arising from operating the activity in Council owned buildings. This is because Council has the ability to directly influence renewal of plant and building which could reduce carbon emissions.

## Appendix 3

### Type of Emission & Source Category (*document number 10578267*)

Table 1 lists the scopes according to the type of emission, and the source categories.

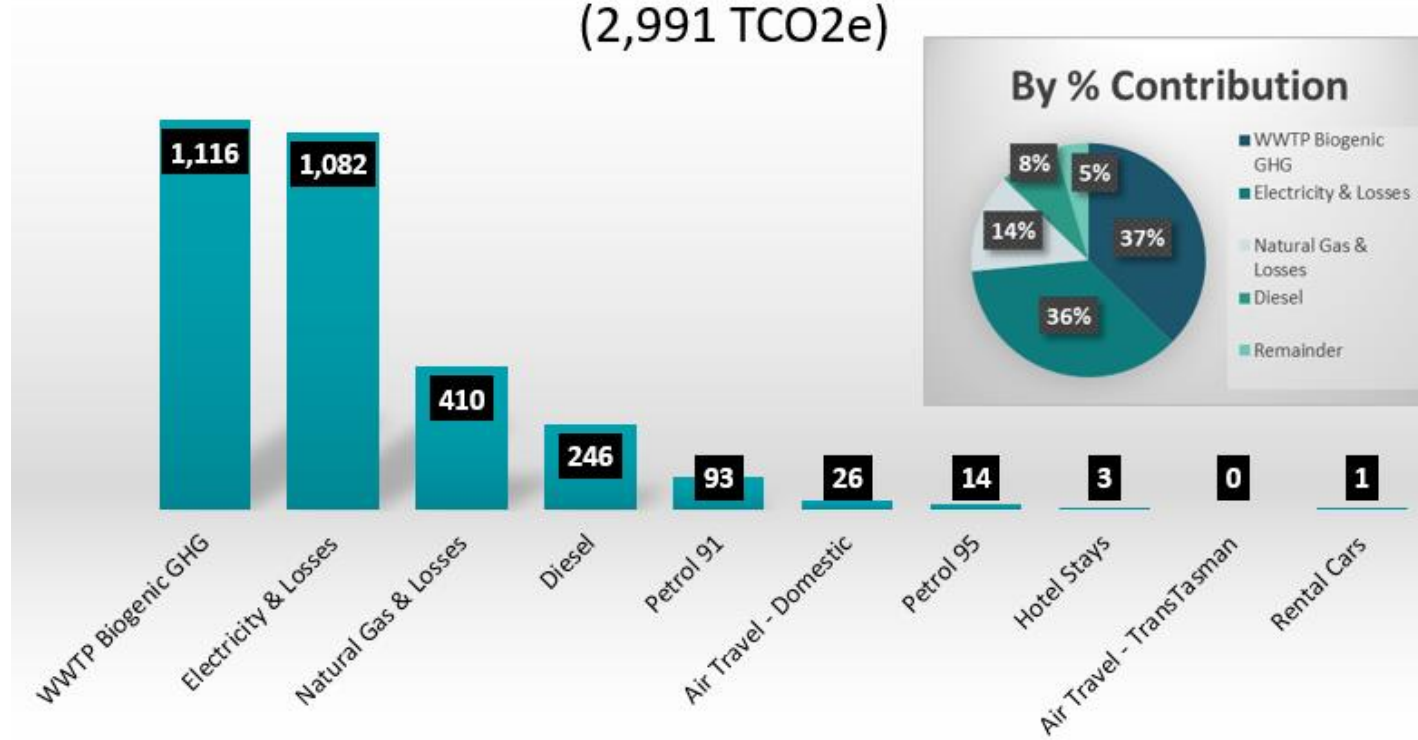
Table 1: Emissions by scope and source category

Scope	Category	Direct/indirect emissions and removals	Source	New for this guide?
Scope 1	Category 1	Direct GHG emissions and removals	Fuel	
			Refrigerant and medical gases*	Yes
			Agriculture, forestry and other land uses	
Scope 2	Category 2	Indirect GHG emissions from imported energy	Purchased energy	
Scope 3	Category 3	Indirect GHG emissions from transportation	Business travel	
			Staff commute	Yes
			Freight transport	
			Refrigerant use (from chilled transport or air conditioner)	
	Category 4	Indirect GHG emissions from products an organisation uses	Transmission and distribution losses	
			Working from home	Yes
			Water supply and wastewater treatment	
			Materials and waste	
	Category 5	Indirect GHG emissions (use of products from the organisation)	Outside the scope of this guide	
	Category 6	Indirect GHG emissions (other sources)		

## Appendix 4

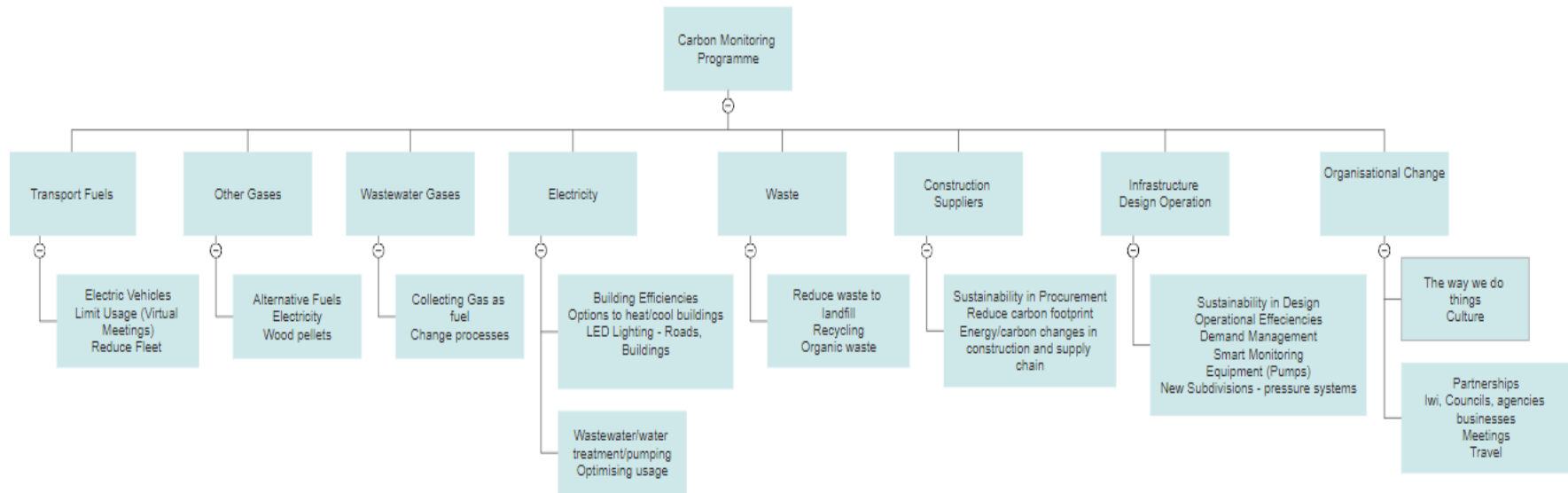
Breakdown of Emissions vs Activities FY20 (document number 10564590)

### Waipa District Council GHG Emissions FY20 (2,991 TCO2e)



## Appendix 5

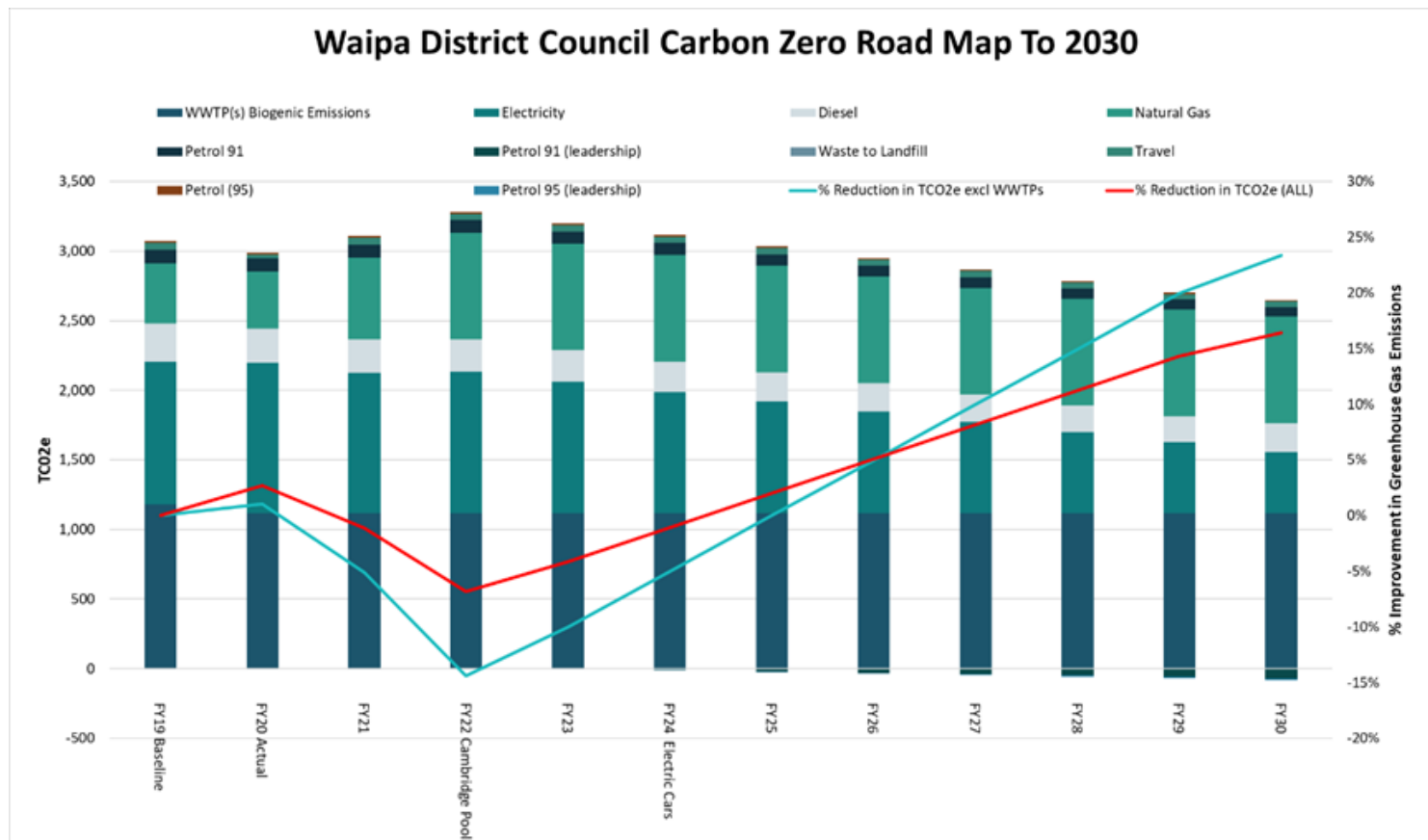
### Carbon Monitoring & Reduction Programme Workstreams (*document number 10578276*)





## Appendix 6

Carbon Zero Road Map to 2030 (excerpt from document number 10564590)



# STRATEGIC PLANNING AND POLICY COMMITTEE REPORT



**To:** The Chairperson and Members of the Strategic Planning and Policy Committee

**From:** Strategic Projects Driver

**Subject:** **Draft Wastewater and Trade Waste Bylaw Statement of Proposal**

**Meeting Date:** 6 April 2021

**File Reference:** 10553522

---

## 1 EXECUTIVE SUMMARY

This report requests the Committee's approval to undertake public consultation on the draft Wastewater and Trade Waste Bylaw 2021.

The draft Wastewater and Trade Waste Bylaw 2021 is a new bylaw. It has been developed following the resolution of the Strategic Planning and Policy Committee on 1 December 2020 that Council's existing Trade Waste Bylaw 2011 and Wastewater Drainage Bylaw 2011 should be consolidated. In making a new bylaw the opportunity has been taken to more closely align the new bylaw with Hamilton City's Trade Waste and Wastewater Bylaw 2016. Hamilton City Council is a partner with Waipa District Council in a shared trade waste service.

The process for reviewing and making bylaws requires use of the Special Consultative Procedure under section 83 Local Government Act 2002.

Council is required to approve the draft Wastewater and Trade Waste Bylaw 2021 before approving the Statement of Proposal for consultation.

These documents are attached as appendices:

- Appendix 1: Draft Wastewater and Trade Waste Bylaw 2021 (*document 10553518*)
- Appendix 2: Statement of Proposal – draft Wastewater and Trade Waste Bylaw 2021 (*document 10554621*)

---

## 2 RECOMMENDATION

*That the Strategic Planning & Policy Committee:*

- a) **RECEIVES** the report *Draft Wastewater and Trade Waste Bylaw Statement of Proposal (Document number 10553522) of Graham Pollard, Strategic Projects Driver; and*
- b) **NOTES** that, *subject to any changes as a result of the consultation process, the draft Wastewater and Trade Waste Bylaw 2021 (document number 10553518) meets the requirements of section 155 of the Local Government Act 2002 in that the proposed bylaw is the most appropriate way of addressing the perceived problem and does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990; and*
- c) **APPROVES** the draft *Wastewater and Trade Waste Bylaw 2021 and the draft Statement of Proposal (document 10554621) for public consultation commencing on 3 May 2021 and closing on 5 July 2021.*

### 3 OPTIONS AND ASSESSMENT

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#### Decision making

Section 156 of the Local Government Act 2002 requires that the special consultative procedure must be used when a local authority proposes a new or amended bylaw.

The Committee determined at its meeting on 1 December 2020 that a new Wastewater and Trade Waste Bylaw should be made and that it should cover the issues that have been included in the draft bylaw.

Most of the issues in the draft bylaw have the same intent as the existing bylaws they are intended to replace, although the drafting has been changed to improve clarity of purpose and enforcement. It also achieves greater consistency with the existing equivalent bylaw made by Council's shared service partner, Hamilton City Council.

There is no expansion in the scope of the new bylaw: there are no new provisions that are not already included in Council's existing bylaws. The trade waste provisions are very similar to the Hamilton City trade waste provisions. The wastewater provisions retain clauses in the Waipā District Wastewater Bylaw 2011 as these are considered to be particularly relevant to the operational requirements of staff in Waipā.

Changes from Waipā's existing bylaws are:

- Alignment of clauses with the Hamilton City Trade Waste and Wastewater Bylaw 2016 without substantive changes to their intent and provisions
- Changes to drafting of other clauses without changing the substantive content
- Non-duplication of clauses that repeat existing statutory provisions and interpretations, especially from the Local Government Act 2002
- Removal of internal Council processes from the Bylaw into appended practice notes
- Schedules are renumbered

- Schedule 1A Permitted Characteristics: reduction in acceptable levels of some waste characteristics to better align with current treatment capabilities at our wastewater treatment plants
- Schedule 1A Permitted Characteristics: removal of all stated specific mass limits. Clauses within the bylaw will still allow for these to be applied, but assessments will be made on an individual basis as required and part of consenting processes
- Trade Waste Discharge and Consents: the current Controlled Trade Waste Consent, Conditional Trade Waste Consent and permitted trade waste notice categories are removed and replaced with “Trade Waste Consent” which may be with or without conditions . This enables simplification of the consenting structure without compromising controls. Existing controlled or conditional consents within the Waipa District will be deemed a Trade Waste Consent under the new Bylaw.

### Consultation

A minimum two-month consultation period is required for a Trade Waste Bylaw (section 148 Local Government Act 2002). Consultation will run from Monday 3 May to Monday 5 July 2021.

The Statement of Proposal (*document 10554621 attached as Appendix 2*) will be made available publicly, but consultation will also be specifically targeted to existing trade waste customers (eg. food producing premises, retailers, accommodation providers). The Special Consultative Procedure (section 83 LGA 2002) will be followed, and submitters who wish to present their submissions to the Committee will be provided with an opportunity to do so on 3 August.

### Options

The Committee has the option to either:

- a) Approve the draft Wastewater and Trade Waste Bylaw 2021 and the Statement of Proposal containing the preferred options above for public consultation (subject to any amendments the Committee may request); or
- b) Request changes to the draft bylaw and consequently to the scope or direction of the Statement of Proposal.

Option a) should enable the bylaw to be developed in time for consultation from May to July 2021 and adoption by Council on 31 August with implementation from 1 October 2021.

Option b) will delay the bylaw-making process by at least two months. It risks the two trade waste partners – Waipa and Hamilton – having to enforce separate and different bylaws, and creating confusion for trade waste customers.

### Financial considerations

A two-month consultation and engagement process, will be financed from existing Council operational budgets.

**Legal considerations**

The draft Wastewater and Trade Waste Bylaw has been thoroughly reviewed by Council’s Legal Counsel with input from Waipā District Council’s Wastewater and Trade Waste Team. The trade waste provisions remain largely consistent with the equivalent clauses in the Hamilton City Trade Waste and Wastewater Bylaw 2016. The wastewater provisions have been redrafted for clarity and to be more reflective of the current Waipā District Wastewater Bylaw 2011.

A minimum two-month consultation period is required for a Trade Waste Bylaw (section 148 Local Government Act 2002).

**COVID-19 considerations**

Consultation for the draft Wastewater and Trade Waste Bylaw 2021 is able to be conducted online if necessary and would not be dependent upon COVID-19 alert levels.



Graham Pollard  
**STRATEGIC PROJECTS DRIVER**



Diana Aquilina  
**LEGAL COUNSEL**



Kirsty Downey  
**MANAGER – STRATEGY**



Garry Dyet  
**CHIEF EXECUTIVE**

## SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

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### 1 Statutory and policy requirements

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#### Consultation and Engagement

Section 83 of the Local Government Act 2002 requires Council to prepare a Statement of Proposal the purpose of which is to enable the public to understand the issues, the process and how to make a submission on the draft bylaw.

A Communication Plan has been developed to make the Statement of Proposal available via newspapers, Council's website and Council offices and libraries. There will also be opportunities for members of the public to express their views in person.

Section 148 of the Local Government Act 2002 requires Council to consult for not less than a two-month period:

#### 148 Special requirements for bylaws relating to trade wastes

- 1) Before making bylaws under section 146(a)(iii), a territorial authority must send a copy of the proposed bylaws to the Minister of Health for his or her comments.
- 2) Before sending proposed bylaws to the Minister of Health under subsection (1), the territorial authority must, at least 2 months before the making of the bylaws, give public notice of its intention to make the bylaws, stating—
  - a) the trade wastes to which the bylaws will relate; and
  - b) that copies of the draft bylaws may be inspected free of charge at the place specified in the notice and may be obtained on payment of the charge specified in the notice; and
  - c) that the territorial authority is prepared to receive and consider any representation about the bylaws made to it in writing by, or on behalf of, owners or occupiers of trade premises within its district at the time specified in the notice, being not less than 2 months after publication of the notice.
- 3) Before making the bylaws, the territorial authority must consider any representation received in accordance with the notice given under subsection (2).
- 4) The territorial authority must, before making the bylaws, consult any body of persons the Minister of Health specifies to the territorial authority as being representative of—
  - a) the interests of the owners or occupiers of trade premises in the district of the territorial authority; or
  - b) any class of those owners or occupiers.
- 5) A territorial authority—

- a) must enter on a register the name and postal address of an owner or occupier of trade premises who serves on the territorial authority a written request for registration; and
  - b) must ensure that a copy of a notice required under subsection (2) is sent to the persons registered under paragraph (a); and
  - c) may remove from the register the name of a person who has ceased to be the owner or occupier of trade premises within its district, or who has requested the local authority in writing to remove his or her name from the register.
- 6) Nothing in this section limits the provisions of the Health Act 1956 or the Resource Management Act 1991.
- 7) The requirements in this section are in addition to the requirements in section 156, but a territorial authority may comply with both sections by using a single process.

**156 Consultation requirements when making, amending, or revoking bylaws made under this Act**

- 1) When making a bylaw under this Act or amending or revoking a bylaw made under this Act, a local authority must—
- a) use the special consultative procedure (as modified by section 86) if—
    - (i) the bylaw concerns a matter identified in the local authority’s policy under section 76AA as being of significant interest to the public;
 or
    - (ii) the local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of, the bylaw; and
  - b) in any case in which paragraph (a) does not apply, consult in a manner that gives effect to the requirements of section 82.
- 2) Despite subsection (1), a local authority may, by resolution publicly notified,—
- a) make minor changes to, or correct errors in, a bylaw, but only if the changes or corrections do not affect—
    - (i) an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies; or
    - (ii) an existing status or capacity of any person to whom the bylaw applies:
  - b) convert an imperial weight or measure specified in a bylaw into its metric equivalent or near metric equivalent.

## Appendix 1

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Draft Wastewater and Trade Waste Bylaw 2021 (*document 10553518*)





# **WAIPA DISTRICT WASTEWATER AND TRADE WASTE BYLAW 2021**

O c t o b e r 2 0 2 1

This Bylaw is made by Waipa District Council under the powers given to it by the Local Government Act 2002.

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<b>First adopted:</b>	August 2021
<b>Revisions/Amendments dates:</b>	
<b>Next review date:</b>	2026
<b>Engagement required:</b>	Section 83 Local Government Act 2002
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## PART 1

### Preliminary Provisions

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#### 1. Title, Application and Commencement

- 1.1. This Bylaw is the Waipā District Wastewater and Trade Wastes Bylaw 2021.
- 1.2. This Bylaw applies to the district of Waipa District Council.
- 1.3. This Bylaw comes into force on 1 October 2021.

#### 2. Purpose

- 2.1. The purpose of this Bylaw is to:
  - (a) protect the health and safety of people and the environment from potential adverse effects of harmful substances being discharged into the wastewater system;
  - (b) protect the wastewater system from damage, misuse and interference;
  - (c) produce wastewater and biosolids of a consistent quality;
  - (d) encourage waste minimisation, cleaner production, efficient recycling and reuse of waste streams by businesses; and
  - (e) ensure that businesses maintain trade waste discharges within agreed levels.

#### 3. Interpretation

- 3.1. In this Bylaw unless the context otherwise requires:

Term	Definition
<b>Act</b>	means the Local Government Act 2002.
<b>access point</b>	means a place where access may be made to a private drain for inspection (including sampling or measurement), cleaning or maintenance.
<b>alternative grease removal system</b>	means a grease removal system other than a grease trap including grease converters and mechanical grease removal systems.
<b>approval or approved</b>	means approved in writing by Council, either by resolution of Council or by any authorised officer of Council.
<b>authorised officer</b>	means an employee, agent or contractor of Council, appointed by Council as an enforcement officer under the Act.
<b>biosolids</b>	means wastewater sludge derived from a wastewater treatment plant that has been treated and/or stabilised to the extent that it is able to be safely and beneficially applied to land or reused, including products containing biosolids including compost, but does not include products derived solely from industrial wastewater treatment plants.

Term	Definition
<b>building work</b>	has the same meaning as set out in section 7 of the Building Act 2004.
<b>characteristics</b>	means any of the physical or chemical properties of wastewater and may include the level of a characteristic.
<b>cleaner production</b>	means the implementation on premises of effective operations, methods and processes appropriate to achieve the reduction or elimination of the quantity and toxicity of wastes. This is required to minimise and manage trade waste by: <ul style="list-style-type: none"> <li>(a) using energy and resources efficiently, thereby avoiding or reducing the amount of waste produced;</li> <li>(b) producing environmentally sound products and services;</li> <li>(c) achieving less waste, fewer costs and higher profits.</li> </ul>
<b>condensing</b>	means any water used in any trade, industry, or commercial process or operation in such a manner that it does not take up matter into solution or suspension.
<b>conditional trade waste</b>	means a trade waste discharge which exceeds the characteristics defined in Schedule 2 to this Bylaw, and which is not a prohibited trade waste.
<b>connection</b>	means the physical connection of a private drain to the wastewater system, and <b>connect</b> has the equivalent meaning.
<b>consent holder</b>	means the person occupying premises who has obtained a consent or Trade Waste Agreement and includes any person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.
<b>Council</b>	means Waipa District Council.
<b>disconnection</b>	means the physical cutting or sealing of a private drain from the wastewater system and <b>disconnect</b> has the equivalent meaning.
<b>domestic wastewater</b>	means liquid wastes (with or without matter in solution or suspension) discharged from premises used solely for residential purposes and which complies with the characteristics defined in Schedule 2 to this Bylaw, or wastes with the same volume and characteristic discharged from other premises; but does not include any solids, liquids or gases that cannot lawfully be discharged into the wastewater system.
<b>grease trap</b>	means a separation tank that reduces the amount of fat, oil and grease in trade waste prior to it being discharged into the wastewater system.
<b>hazardous materials</b>	means raw materials, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable or explosive materials, or any materials which when mixed with wastewater, are likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous to the health and safety of any person or harmful to the wastewater system, and includes “hazardous substances” as defined by the Hazardous Substances and New Organisms Act 1996.
<b>independently qualified person</b>	means a person with appropriate qualifications, approved by Council and who is independent of the consent holder.

Term	Definition
<b>infiltration</b>	means ground or surface water entering the wastewater system or a private drain connected to the wastewater system through defects such as, but not limited to, poor joints and cracks in pipes or manholes. It excludes water discharged into the wastewater system or a private drain connected to the wastewater system from non-complying connections including through illegal down pipe connections or from low gully traps.
<b>management plan</b>	means a plan for management of the operations on the premises from which trade wastes come, and may include provision for flow and quality monitoring, sampling and testing, cleaner production, waste minimisation, discharge, contingency management procedures, or any relevant industry code of practice.
<b>mass limit</b>	means the total mass of any characteristic that may be discharged to the wastewater system over any stated period from any single point of discharge or collectively from several points of discharge.
<b>maximum concentration</b>	means the instantaneous peak concentration that may be discharged at any instant in time.
<b>multiple ownership premises</b>	means premises held as unit titles, cross lease or company lease.
<b>occupier</b>	means the person occupying premises connected to the wastewater system, and includes the owners of the premises if the premises are unoccupied.
<b>public sewer</b>	means a pipeline or culvert, above or below ground, used or intended to be used to convey wastewater and controlled by Council or any other Council.
<b>permitted trade waste</b>	means a trade waste discharge that complies with the characteristics defined in Schedule 2 to this Bylaw.
<b>point of discharge</b>	means the boundary between the wastewater system and a private drain but for the purposes of monitoring, sampling and testing, must be as designated in the trade waste consent.
<b>pre - treatment</b>	means any processing of trade waste designed to reduce or vary any characteristic in a waste before discharge to the wastewater system in order to comply with a consent or this Bylaw. Typical pre-treatments are set out in Schedule 4.
<b>private drain</b>	means that section of drain between the premises and the point of connection to the wastewater system.
<b>premises</b>	means the physical location to which a wastewater service is provided and includes: <ul style="list-style-type: none"> <li>(a) a property or allotment which is held under a separate certificate of title or for which a separate certificate of title may be issued;</li> <li>(b) a building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease;</li> <li>(c) land held in public ownership for a particular purpose; or</li> </ul>

Term	Definition
	(d) individual units in buildings, which are separately leased or separately occupied.
<b>prohibited trade waste</b>	means a trade waste discharge that has any of the prohibited characteristics as defined in Schedule 3 to this Bylaw.
<b>Regional Infrastructure Technical Standards</b>	means the document produced by Waikato Local Authority Shared Services Limited setting out how to design and construct transportation, water supply, wastewater, stormwater and landscaping infrastructure in the particular councils' areas, as may be amended by time to time.
<b>stormwater</b>	means surface water runoff that: <ul style="list-style-type: none"> <li>(a) enters or may enter the stormwater system as a result of a rain event; and</li> <li>(b) contains any substance where the type and concentration of the substance is consistent with the contributing catchments land use(s) and that of the receiving environment.</li> </ul>
<b>tankered waste</b>	means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal, excluding domestic wastewater discharged directly from house buses, caravans, buses and similar vehicles.
<b>temporary discharge</b>	means any discharge of an intermittent or short duration including the short-term discharge of an unusual waste from premises subject to an existing consent.
<b>trade waste</b>	means any liquid, with or without matter in suspension or solution, that is or may be discharged from a premises to the wastewater system in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include condensing waters; or stormwater which cannot be practically separated.
<b>Trade Waste Agreement</b>	means a written agreement between Council and a person discharging trade waste, authorising the person to discharge conditional trade waste to the wastewater system, that outlines both parties' rights and responsibilities.
<b>trade waste consent</b>	means approval given in accordance with this Bylaw by Council and signed by an Authorised officer relating to the discharge of trade waste to the wastewater system, and includes a variation to that approval.
<b>trunk sewer</b>	means a pipeline or culvert, above or below ground, designed or intended to convey wastewater from the whole or portion of a drainage reticulation system to another trunk sewer or the final point of discharge.
<b>wastewater</b>	means water or other liquid waste, including sewage and waste matter in solution or suspension, discharged to the wastewater system including domestic wastewater and trade wastes.
<b>wastewater system</b>	means all infrastructure, including pipes, fittings, manholes, pumps, pump stations; and any land, buildings, and treatment works and

Term	Definition
	related components which are under the control of Council or any other Council and used for the purpose of providing a wastewater service.
<b>wastewater treatment plant</b>	means the processes and facilities involved in the purification of wastewater.

- 3.2. To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations and rules of law.
- 3.3. Unless the context requires another meaning, a term or expression that is defined in the Act and used in this Bylaw, but not defined, has the meaning given by the Act.
- 3.4. Any guidance notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended and revoked without formality.
- 3.5. To avoid doubt, the Interpretation Act 1999 applies to this Bylaw.
- 3.6. To avoid doubt, reference to “include” and “including” in this Bylaw means without limitation.

## PART 2

### Protection of Wastewater System

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#### 4. Connection, Disconnection and Other Works

- 4.1. No person may, without Council’s approval:
  - (a) connect to the wastewater system;
  - (b) disconnect from the wastewater system;
  - (c) open any manhole, chamber or access point on the wastewater system; or
  - (d) carry out any other works on, or in relation to, the wastewater system.
- 4.2. Any person wishing to connect or disconnect from the wastewater system, or otherwise carry out works on the wastewater system, must make a written application to Council for approval and must provide with that application any information specified by Council.
- 4.3. Following an application under clause 4.2, Council may grant or refuse approval to such connection, disconnection or other works, or request further information in relation to that application.
- 4.4. Any approval under clause 4.3 may be subject to conditions imposed by Council, including a requirement to comply with any relevant code of practice. .
- 4.5. The person granted approval under clause 4.3 must comply with any conditions imposed under clause 4.4.



- 4.6. Council may refuse an application for approval to connect to the wastewater system where:
- (a) the applicant has not paid fees or charges associated with the connection (including development contributions) or has refused to provide Council with specified information relating to the application ;
  - (b) there is insufficient capacity in the system to accommodate the connection;
  - (c) the connection would compromise its ability to maintain levels of service in relation to the wastewater system;
  - (d) the connection is outside the area currently served by the wastewater system, regardless of its proximity to any specific component of the wastewater system; or
  - (e) refusal is necessary to protect the wastewater system, the health and safety of any person, or the environment.
  - (f) Council has a documented record of the applicant's non-compliance with this bylaw or any previous wastewater or trade waste bylaws,
  - (g) connection would or may give rise to wastewater overflows,
  - (h) the connection would not comply with Schedule 1.

## 5. Control of Discharges

- 5.1. A person must not discharge or allow to be discharged into the wastewater system:
- (a) any wastewater, except in accordance with this Bylaw and the provisions of any applicable trade waste consent or Trade Waste Agreement;
  - (b) any substance specified in Schedule 3 without a trade waste consent;
  - (c) stormwater or groundwater, except with approval; or
  - (d) condensing water, disinfected or super-chlorinated water, except with approval.

### Guidance Note

Condensing, cooling, disinfected or super-chlorinated water must also not be discharged to the stormwater system without specific approval.

- 5.2. No person may discharge or allow to be discharged domestic wastewater into the wastewater system, except if the wastewater complies with the characteristics in Schedule 2.
- 5.3. No person may discharge or allow to be discharged into the wastewater system wastewater that exceeds 2.0 litres/second in maximum instantaneous flow rate.

## 6. Hazardous Materials

- 6.1. No person may:
- (a) store, transport, handle or use any hazardous materials; or
  - (b) cause or allow the storage, transportation, handling or use of any hazardous materials,
- in a way which results or may result in the materials entering the wastewater system.
- 6.2. A person who becomes aware that they have breached clause 6.1 must immediately:
- (a) notify Council; and
  - (b) take all practicable steps to stop the imminent entry or further entry of the materials to the wastewater system.

## **7. Protection of Wastewater System**

- 7.1. Except with the approval of Council, no person may damage, modify, stop, obstruct, tamper or otherwise interfere with the wastewater system, including:
- (a) placing any material over or near a wastewater system; or
  - (b) covering an access point.
- 7.2. Any person who breaches clause 7.1 must promptly report that damage, modification, stopping, obstruction or other interference to Council.

### **Guidance Note**

In the event that the roots of any tree on any private property is causing or is likely to cause damage, interference to the flow or blockage to any facet of a public drain, the Council may follow the procedure set out in section 468 of the Local Government Act 1974.

- 7.3. No person may carry out restricted works except in accordance with an approval, and any conditions attaching to that approval.
- 7.4. Every person carrying out restricted works must, before commencing the works:
- (a) notify Council of their intention to carry out the works;
  - (b) obtain written approval from Council for the works, which approval may include such reasonable conditions as Council considers appropriate including a requirement to carry out or to permit Council to carry out (in either case at the expense of the person) works for the protection of the network.
- 7.5. For the purposes of this clause, restricted works are works which will or are likely to damage, or adversely affect the operation of, or access to, the wastewater system.

7.6. Without limiting clause 7.5, restricted works include works of the following type which are carried out closer than the specified distance to the asset type set out in the following table:

Types of Works	Type of wastewater system asset	Distance from asset
Building work	Public sewer	The greater of: a) 1.5 metres from the centre of the sewer; or b) The total of: i) the depth of the centre line of the sewer; and the diameter of the sewer; and 0.2 metres from the centre of the trunk sewer, subject to compliance with clause 3.1 of NZS 3604.
Excavation or piling	Trunk sewer	5 meters from the centreline of the sewer
	Public sewer, other than trunk sewer	2 metres from the centreline of the sewer

## 8. Private Drains

- 8.1. Council may require an owner to fix or upgrade private drains, at the owner's cost, to meet the private drain's original design specifications.
- 8.2. Owners of premises must ensure that all private drains on the premises are kept and maintained in a state which is free of cracks and other defects that may allow infiltration.
- 8.3. Without limiting clause 5.1(c), occupiers and owners of premises must ensure that stormwater is excluded from the wastewater system and any private drain by ensuring that on their premises:

- (a) there is no direct connection of any stormwater pipe or drain to the wastewater system;
  - (b) gully trap surrounds are set above stormwater ponding levels (refer New Zealand Building Code G13), or secondary overland flow path flood levels; and
  - (c) all manholes or inspection covers are in place and are appropriately sealed.
- 8.4. An occupier or owner whose private drain is overflowing or has other reasons to suspect a blockage, must immediately call a qualified drainlayer to clear and remove any blockage in the private drain, at the occupier or owner's expense. If the drainlayer considers that the blockage originates within the wastewater system, then the drainlayer must contact Council.
- 8.5. Council will reimburse the owner of the private drain for the reasonable cost of unblocking work for which the owner has paid, provided that Council is satisfied that:
- (a) the blockage originated in the wastewater system;
  - (b) the blockage was not forced downstream into the wastewater system in the act of clearing the private drain; and
  - (c) the owner or occupier of the premises has not caused or permitted a discharge which does not comply with this bylaw, a consent or a Trade Waste Agreement.
- 8.6. A person with a pressure wastewater system, or any other system that is connected to the wastewater system, must use that system in accordance with any operating manual or guidelines for that system.
- 8.7. The property owner of a premises must ensure that all access points on their property are and remain uncovered, except as approved by Council. The property owner will be responsible for removing at their expense any unauthorised access point covers on their premises.
- 8.8. A private drain on a premises must not extend by pipeline or any other means to serve another premises unless it is a common private drain.

## **PART 3**

### **Trade Waste**

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#### **9. Requirements of Different Classifications of Discharges**

- 9.1. No person may discharge or cause to be discharged permitted trade waste into the wastewater system, except in accordance with a trade waste consent.
- 9.2. No person may discharge or cause to be discharged a conditional trade waste into the wastewater system except in accordance with a trade waste consent or a Trade Waste Agreement.

- 9.3. No person may discharge or cause to be discharged a prohibited trade waste into the wastewater system.
- 9.4. No person may discharge or cause to be discharged trade waste into the wastewater system in breach of any condition or provision of a trade waste consent or Trade Waste Agreement.
- 9.5. Council is not obliged to accept any trade waste into the wastewater system.

## **10. Accidents and Spills**

- 10.1. A person who discharges trade waste into the wastewater system must inform Council immediately upon becoming aware of:
  - (a) an accident;
  - (b) spillage;
  - (c) a defect in the process of discharging trade waste; or
  - (d) a risk to the health and safety of the public or the environment,  
that may cause a breach of this Bylaw.
- 10.2. A person who reports an accident, spillage or defect as provided for in clause 10.1 must disclose any information that may contribute to:
  - (a) the restoration of the integrity of the wastewater system,
  - (b) the cleaning of any spillage; or
  - (c) the determination of the risks associated with the trade waste.
- 10.3. In the event of any accident, spillage or defect referred to in clause 10.1 from premises where a consent holder has a trade waste consent with conditions, Council may:
  - (a) review the consent under clause 21; or
  - (b) require the consent holder to review the contingency management procedures and resubmit the management plan to Council for its approval.
- 10.4. In the event of any accident, spillage or defect referred to in clause 10.1 from premises where a consent holder has trade waste consent without conditions, Council may require the consent holder to apply for a consent with conditions and the consent holder must comply with that request.

## **11. Trade Waste Agreements**

11.1. Council may at any time and at its complete discretion enter into a Trade Waste Agreement with an occupier for the discharge and receipt of trade wastes, including where Council considers:

- (a) the discharge is considered to have unique discharge characteristics;
- (b) the discharge is considered to have a volume or loading of any characteristic that may affect the operation of the wastewater system or treatment plant;
- (c) the discharge has the potential to include hazardous or prohibited substances;
- (d) the discharge is considered to involve pre-treatment systems;
- (e) the discharge involves the requirement for capacity to be reserved at the wastewater treatment plant; or
- (f) the occupier has a history of non-compliance with a trade waste consent or Trade Waste Agreement.

11.2. Any Trade Waste Agreement may be made in addition to or in place of a trade waste consent.

11.3. A Trade Waste Agreement and its terms will have the same force as if it was a trade waste consent issued under clause 13.2.

## **12. Application for a Trade Waste Consent or Variation**

12.1. No person may:

- (a) discharge into the wastewater system any trade waste either continuously, intermittently or temporarily;
- (b) vary the characteristics of a permitted trade waste discharge in a manner which may cause it to fail to meet the standards for a permitted trade waste;
- (c) vary the conditions of a trade waste consent that has previously been granted; or
- (d) significantly change the method or means of pre-treatment for a discharge; without a trade waste consent from Council.

12.2. Applications for a trade waste consent must be made in writing to Council. Council reserves the right to require the owner, as well as the occupier, of any premises to make an application under this provision.

12.3. Where the premises produces trade waste from more than one area of the premises, a separate description of the trade waste characteristics must be included in any application for trade waste discharge for each area. This applies whether or not the separate areas are part of a single or separate trade process.

12.4. The application under clause 12.2 must contain all the information required by Council, and accompanied by the applicable application fee.

- 12.5. The applicant is responsible for the correctness of the content of the application and any information attached.
- 12.6. Every act or omission done for, or on behalf of, a consent holder (whether for reward or not) in making any such application is deemed to be an act of the consent holder.
- 12.7. Council may require an application to be supported by a report or statement from an Independently Qualified Person, to verify information supplied by the applicant. All costs incurred must be paid by the applicant.

### **13. Processing an Application**

- 13.1. On receipt of an application under clause 12.2, Council may:
- (a) require the applicant to submit additional information which Council considers necessary to reach an informed decision;
  - (b) require the applicant to submit a management plan to Council's satisfaction; and/or
  - (c) wherever appropriate, have the discharge investigated and analysed as provided for at clause 19 at the applicant's cost.
- 13.2. On receipt of an application under clause 12.2 and any additional information requested under clause 13.1, Council may in accordance with clause 14 :
- (a) issue a trade waste consent or trade waste consent variation without conditions and inform the consent holder;
  - (b) issue a trade waste consent with conditions in accordance with clause 15 and inform the consent holder of the conditions imposed;
  - (c) advise the applicant that Council is willing to enter into a Trade Waste Agreement on terms acceptable to Council; or
  - (d) decline the application and notify the applicant of the decision, giving a statement of the reasons for refusal.

### **14. Council Considerations**

- 14.1. In considering any application for a trade waste consent, Trade Waste Agreement or variation, Council must consider the characteristics, volume, and rate of discharge of the trade waste from such premises or tanker and any other matter that it considers, on reasonable grounds, to be relevant, which may include:
- (a) the health and safety of Council staff, Council's agents and the public;
  - (b) the limits and/or maximum values for characteristics of trade waste as specified in Schedules 2 and 3 to this Bylaw;

- (c) the extent to which the trade waste may react with other trade waste or wastewater to produce an undesirable effect, including settlement of solids, production of odours, accelerated corrosion and deterioration of the wastewater system;
- (d) the flows and velocities in the wastewater system and the material or construction of the wastewater system;
- (e) the capacity of the wastewater system including the capacity of any wastewater treatment plant, and other facilities;
- (f) the nature of any wastewater treatment process and the degree to which the trade waste is capable of being treated in the wastewater treatment plant;
- (g) the timing and balancing of flows into the wastewater system;
- (h) any statutory requirements relating to the discharge of raw or treated wastewater to receiving waters, the disposal of wastewater sludges, beneficial use of biosolids, and any discharge to air including compliance with any resource consent, discharge permit or water classification;
- (i) the possibility of unscheduled, unexpected or accidental events and the degree of risk these could pose to humans, the wastewater system or the environment;
- (j) consideration of other existing or future discharges;
- (k) existing pre-treatment works on the premises;
- (l) the use of cleaner production techniques and waste minimisation practices;
- (m) control of stormwater;
- (n) any management plan;
- (o) tankered waste being discharged at approved locations; and
- (p) whether it would be more appropriate for the discharge to be controlled pursuant to a Trade Waste Agreement.

## **15. Conditions of Trade Waste Consents**

15.1. Any trade waste consent may be granted subject to such conditions that Council may impose, including:

- (a) where the discharge will be made;
- (b) the maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) the maximum limit or permissible range of any specified characteristics of the discharge, including concentrations and/or mass limits determined in accordance with clause 15.2;



- (d) the times during which the discharge, or a particular concentration, or volume of discharge may be made;
- (e) the provision by, or for the consent holder, at the consent holder's expense, of screens, grease traps, silt traps or other pre-treatment works to control trade waste discharge characteristics to the consented levels;
- (f) the provision and maintenance, at the consent holder's expense, of inspection chambers, manholes or other apparatus or devices to provide reasonable access to drains for sampling and inspection;
- (g) the provision and maintenance of a sampling, analysis and testing programme and flow measurement, at the consent holder's expense;
- (h) the methods to be used for measuring flow rates, volume and/or characteristics and taking samples of the discharge for use in determining compliance with the trade waste consent and for determining the amount of any trade waste charges applicable to that discharge;
- (i) the provision and maintenance by, and at the expense of, the consent holder of any devices required to measure the volume or flow rate or characteristics of any trade waste being discharged from the premises, and for the calibration and/or validation of such devices;
- (j) the provision and maintenance, at the consent holder's expense, of services, (electricity, water, compressed air or otherwise), which may be required to operate meters and similar devices;
- (k) at times specified, the provision in an approved format of all flow and/or volume records, on-line monitoring readings, results of analyses (including pre-treatment by-products, such as wastewater sludge disposal) and calibration/validation records;
- (l) the provision and implementation of a management plan;
- (m) risk assessment of damage to the environment due to an accidental discharge of a chemical;
- (n) the investigation of waste minimisation and cleaner production techniques;
- (o) remote monitoring or control of discharges and associated control, telemetry or supervisory control and data acquisition systems;
- (p) third party treatment, carriage, discharge or disposal of by-products of pre-treatment of trade waste (including wastewater sludge disposal);
- (q) the provision of a bond or insurance in favour of Council where failure to comply with the trade waste consent could result in damage to the wastewater system, the wastewater treatment plants, or could result in Council being in breach of any statutory obligation or resource consent;

- (r) specific discharge-related capital costs Council would incur for altering the wastewater system and or wastewater treatment plant in order to accommodate the discharge;
- (s) specific discharge related operational costs Council would incur for operating the wastewater system and or wastewater treatment plant in order to accommodate the discharge; and
- (t) any other relevant matter.

15.2. A trade waste consent with conditions may further include conditions imposing controls on a trade waste discharge by specifying mass limits for any characteristic. Any characteristic permitted by mass limit must also have its maximum concentration limited to the value scheduled unless approved otherwise. When setting mass limit allocations for a particular characteristic, Council may consider:

- (a) the operational requirements of and risk to the wastewater system, and risks to occupational health and safety, public health, and the ultimate receiving environment;
- (b) whether or not the levels proposed pose a threat to the planned or actual beneficial reuse of biosolids or wastewater sludge;
- (c) conditions in the wastewater system near the trade waste discharge point and elsewhere in the wastewater system;
- (d) the extent to which the available industrial capacity was used in the last financial period and is expected to be used in the forthcoming period;
- (e) whether or not the applicant uses waste minimisation and cleaner production techniques within a period satisfactory to Council;
- (f) whether or not there is any net benefit to be gained by the increase of one characteristic concurrently with the decrease of another;
- (g) any requirements of Council to reduce the discharge of any characteristic to the wastewater system;
- (h) how great a proportion the mass flow of a characteristic of the discharge will be of the total mass flow of that characteristic in the wastewater system;
- (i) the total mass of the characteristic allowable in the wastewater system, and the proportion (if any) to be reserved for future allocations; and
- (j) whether or not there is an interaction with other characteristics that increases or decreases the effect of either characteristic on the wastewater system, treatment process, or receiving water (or land).

15.3. A consent holder may at any time during the term of a trade waste consent, by written application to Council, seek to vary any condition of the consent, as provided for in clause 12.2.

## **16. Pre-Treatment Requirements**

16.1. Council may grant a trade waste consent subject to the provision of appropriate pre-treatment systems to enable the consent holder to comply with this Bylaw. Such pre-treatment systems must be provided, operated and maintained by the person discharging, at their expense. Any pre-treatment systems must comply with the following requirements as applicable:

- (a) Refuse or garbage grinders and macerators must not be used to dispose of solid waste from trade waste premises to the wastewater system unless approved by Council.
- (b) Grease traps must:
  - i) have a functional capacity of no less than 500 litres;
  - ii) be sized according to the greatest volume as specified in Table 1 contained In Schedule 2;
  - iii) be cleaned out at least once every six months or more frequently as specified in consent conditions. The frequency with which grease traps are required to be cleaned out may be determined through a visual inspection and/or sample testing from the device outlet by Council.
  - iv) Shared grease traps, such as those operated by a body corporate or food court, must be sized appropriate to the total inputs. This must be no less than a functional capacity of 500 litres for each connected premises.
- (c) A consent holder whose premises has existing grease traps with a functional capacity of less than 500 litres must apply for a trade waste consent with conditions unless they can demonstrate compliance with the physical and chemical characteristics set out in Schedule 2 to Council's satisfaction.
- (d) Alternative grease removal systems must be:
  - i) operated in accordance with the manufacturer's instructions;
  - ii) serviced and/or cleaned out by a contractor approved by Council as specified in consent conditions;
  - iii) sized according to manufacturer's recommendation; and
  - iv) may only be used with Council's approval.
- (e) The frequency with which alternative grease removal systems are required to be serviced and/or cleaned out in accordance with clause 16(d)(i) may vary. This will be

determined by Council after a visual inspection and/or sample testing from the device outlet.

- (f) Alternative grease removal systems which do not meet the requirements contained in this Bylaw must be replaced at the consent holder's expense.

## **17. Flow Metering**

- 17.1. Where flow and/or volume metering of any trade waste discharge is required as a condition of a trade waste consent, the consent holder is responsible, at their own expense, for the supply, installation, reading and maintenance of a meter. These devices are subject to the approval of Council, but remain the property of the consent holder.
- 17.2. Records of flow and/or volume must be available for viewing at any time by Council, and must be submitted to Council at prescribed intervals by the consent holder in a format approved by Council.
- 17.3. Meters must be located in a position approved by Council that provides the required degree of accuracy and should be readily accessible for reading and maintenance. The meters must be located in the correct position according to the manufacturer's installation instructions.
- 17.4. The consent holder must arrange for in situ calibration and verification of the flow metering equipment and instrumentation by an Independent Qualified person and method approved by Council upon installation, and at least annually after that, to ensure its performance. The meter accuracy should be  $\pm 10\%$ , but with no greater a deviation from the previous meter calibration than  $\pm 5\%$ . A copy of the independent certification of each calibration and verification must be submitted to Council.
- 17.5. Should any meter be found to have an error greater than that specified in clause 17.4, Council may make an adjustment in accordance with the results shown by such tests. The adjustment may be back-dated for a period at the discretion of Council, but not exceeding 12 months. The consent holder must pay or be credited a greater or lesser amount according to such adjustment.
- 17.6. Where Council determines that a meter has been tampered with, Council (without prejudice to the other remedies available) may declare the reading void and estimate discharge as provided in clause 18.
- 17.7. Measurement of flow and/or volume must be carried out by or on behalf of the consent holder in accordance with British Standard (BS)3680: Part 11A, BS 3680: Part 11B and BS 5728: Part 3, or another Council approved methodology.

## **18. Estimating Discharge**

18.1. Where no flow meter or similar device is required for a trade waste consent or where no flow or sample results have been supplied by the consent holder, Council may estimate the discharge of trade waste for charging purposes based on:

- (a) the volume of water supplied to the premises, taking into account the proportion of that volume which is estimated to be discharged to the wastewater system;
- (b) the flow or characteristics of the discharge measured by the consent holder at a previous time during similar operating conditions; and/or
- (c) the flow or characteristics measured by Council during the most recent audit sample.

## **19. Sampling, Testing and Monitoring**

19.1. Council may undertake sampling, testing, monitoring and audit inspections to determine if:

- (a) a discharge complies with the provisions of this Bylaw;
- (b) a discharge is to be classified as permitted discharge, conditional discharge, or prohibited discharge
- (c) a discharge complies with any condition of a consent or Trade Waste Agreement including a Management Plan; or
- (d) trade waste consent charges are applicable to that discharge.

19.2. Where monitoring of any trade waste discharge is required as a condition of a trade waste consent to ensure compliance with other conditions of the consent:

- (a) the consent holder must monitor the discharge of trade waste; and
- (b) Council may independently monitor the discharge of trade waste.

19.3. The consent holder is responsible for all costs of monitoring, sampling and testing.

19.4. The taking, preservation, transportation and analysis of the samples must be undertaken by an authorised officer or agent of Council, or the consent holder in accordance with accepted industry standard methods or another methodology approved by Council.

19.5. Any sample analysis must use methods or procedures in accordance with, or validated against, the latest version of the American Water Works Association Standard methods for the examination of Water and wastewater or by such alternative method or procedure approved by Council. Analysis must be undertaken by a laboratory accredited by International Accreditation New Zealand, or a laboratory approved by Council.

19.6. The consent holder must provide to Council or an authorised officer the results of any sampling, analysis, flow measurements or other monitoring requirements such as

pre-treatment system maintenance, within one working day of any request by Council.

- 19.7. Where there is non-compliance with the conditions of a consent or a Trade Waste Agreement or where an anomalous result is obtained, the consent holder must report the results of the analysis to Council as soon as practicable and in all cases within three working days.

## **20. Tankered Waste**

- 20.1. Any person wishing to discharge tankered waste into the wastewater system must hold a trade waste consent under this Bylaw.
- 20.2. Council may accept tankered waste for discharge at an approved location.
- 20.3. Tankered waste disposal must be for domestic waste only. Prior approval must be sought from Council for any waste other than domestic waste.
- 20.4. Tankered waste may only be disposed into the wastewater system if it had been collected from within the Waipa district.
- 20.5. Consent holders must supply the following information to Council before discharging tankered waste to the wastewater system:
- (a) a description of the type of waste;
  - (b) the source of waste and location;
  - (c) the date and time of collection;
  - (d) the volume of waste collected;
  - (e) the tracking Identification number and vehicle registration number; and
  - (f) a representative sample of the tanker load.
- 20.6. Tankered waste will only be accepted during Council's working hours on working days, or as otherwise advised by Council.
- 20.7. Council reserves the right to not accept tankered waste during times of maintenance works, cleaning, or wastewater treatment plant maintenance.
- 20.8. Tankered waste is not to be collected and transported to the disposal site until appropriate arrangements, documentation and method for disposal have been approved by Council.
- 20.9. To prevent cross-contamination between tanker loads, the tanker must be washed prior to collecting a load for disposal into the wastewater system.
- 20.10. A consent holder must give Council 24 hours' notice of a proposed discharge of tankered waste.

- 20.11. Council may require analysis of tankered waste to confirm its characteristics.
- 20.12. Council may require the consent holder to obtain specialist advice on pre-treatment or acceptance.
- 20.13. The cost of all sampling, analysis and advice must be met by the consent holder.
- 20.14. The consent holder must ensure that tankered waste is treated in accordance with the conditions of the consent before disposal.
- 20.15. A consent holder must not incorrectly inform Council of the characteristics or volume of tankered waste, or and must not discharge tankered waste other than in the authorised location in accordance with the applicable trade waste consent.

## **21. Duration and Review**

- 21.1. Trade waste consents with conditions expire at the end of the term specified in the trade waste consent, which may not exceed five years. Shorter terms may be applied where, in the reasonable opinion of Council:
- (a) the applicant has a history of non-compliance with a trade waste consent or Trade Waste Agreement;
  - (b) the flow or characteristics of the discharge are uncertain; or
  - (c) the flow or characteristics of the discharge may change over time.
- 21.2. Trade waste consents without conditions remain valid until:
- (a) cancellation under clause 22;
  - (b) the discharge fails to comply with the characteristics defined in Schedule 2 to this Bylaw; or
  - (c) in the reasonable opinion of Council, the discharge changes or is likely to change to such an extent that it becomes a conditional or prohibited trade waste.
- 21.3. Council may review a trade waste consent at any time.
- 21.4. Council will give the consent holder written notice of its intention to review the consent, describing why the review is considered necessary and will provide the consent holder with the opportunity to submit information to Council to consider before it makes its decision on the review.
- 21.5. Following any review under clauses 21.3 and 21.4, Council may, by decision to the consent holder in writing:
- a) allow the trade waste consent to continue unchanged;
  - b) vary the conditions of the trade waste consent;
  - c) suspend the trade waste consent for a specified period; or

- d) cancel the trade waste consent.

**Guidance Note**

A condition could be varied if, for example, technical matters associated with the discharge have changed, to meet any new resource consent imposed on the discharges from Council's wastewater treatment plant or to comply with any other legal requirements imposed on Council.

## 22. Transfer or Cancellation

22.1. A trade waste consent must be issued in the name of the given consent holder. The consent holder must not, without Council approval:

- (a) transfer to any other party the rights and responsibilities provided for under this Bylaw, and under the trade waste consent;
- (b) allow a point of discharge to serve another premises, or the private drain to that point to extend by pipe, or any other means, to serve another premises; or
- (c) allow wastewater from any other party to be discharged at their point of discharge.

22.2. Council may suspend or cancel any trade waste consent at any time following not less than 20 working days (during which consultation has occurred) notice to the consent holder or person discharging any trade waste:

- (a) for the failure to comply with any condition of the trade waste consent or to maintain effective control over the discharge;
- (b) for the failure to comply with this Bylaw or a trade waste consent in respect of the volume, nature or composition of trade waste being discharged;
- (c) in the event of any breach of a resource consent held by Council issued under the Resource Management Act 1991 caused in whole or in part by the trade waste discharge;
- (d) failure to provide and when appropriate update a Management Plan as required for a trade waste consent with conditions;
- (e) failure to follow the Management Plan provisions;
- (f) failure to pay any trade waste charges;
- (g) if new information becomes available on the nature or characteristics of the trade waste discharge; or

22.3. if any other circumstances arise which, in the opinion of Council, render it necessary in the public interest to cancel the right to discharge.



- 22.4. Any trade waste consent or Trade Waste Agreement may at any time be immediately suspended or cancelled by Council, on giving to the consent holder, written notice, if:
- (a) they discharge any wastewater with prohibited characteristics as set out in Schedule 3;
  - (b) Council is lawfully directed to withdraw or otherwise to terminate the consent summarily;
  - (c) the discharge of trade waste is unlawful;
  - (d) if the discharge is, in the opinion of Council, a threat to the environment or public health;
  - (e) in the event of any negligence which, in the opinion of Council, threatens the operation of the wastewater system; or
  - (f) in the opinion of Council, the discharge puts at risk the ability of Council to comply with the conditions of a resource consent and/or requires identified additional treatment measures or costs to avoid a breach of any such Resource consent.

## **PART 4**

### **Fees and Charges**

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#### **23. Fees and Charges**

- 23.1. In accordance with sections 150 and 151 of the Local Government Act 2002, Council may, by resolution, fix charges payable by consent holders and applicants for the purposes of:
- (a) administering this Bylaw;
  - (b) administering consent applications and consents granted under this Bylaw; and
  - (c) recovering the cost of receiving, treating and disposing of trade waste by or on behalf of Council.

## **PART 5**

### **Breaches, Enforcement Powers, Revocation and Transitional Provisions**

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#### **24. Breaches**

- 24.1. A person who fails to comply with this Bylaw commits a breach of this Bylaw and is liable to a penalty under the Act.

## 24.2. Council may enforce any breach of this Bylaw under the Act.

### **Guidance Note**

Council's enforcement powers under the Local Government Act 2002 include court injunction (section 162), seizure and disposal of property (sections 164, 165 and 168), liability for costs to remedy damage (section 176), power to request name and address (section 178) and power to execute works and recover costs (section 186 and 187).

Under section 171 of the Local Government Act 2002, an authorised officer may enter and inspect any land or building (other than a dwelling house) for routine inspection or monitoring or for post breach monitoring. The authorised officer must give at least 24 hours' notice of the intended entry.

Under section 172 of the Local Government Act 2002 an authorised officer may enter and inspect any land for the purpose of detecting a breach of this Bylaw if the authorised officer has reasonable grounds for suspecting that a breach has occurred or is occurring on the land. The authorised officer must give reasonable notice unless the giving of notice would defeat the purpose of entry.

Under section 173 of the Local Government Act 2002, in the event of a sudden emergency causing or likely to cause damage to property or the environment or where there is danger to any works adjoining the property, authorised officer may enter occupied land or buildings without notice

A person who is convicted of an offence against this Bylaw can be fined a maximum of \$200,000 under section 242(5) of the Local Government Act 2002.

## **25. Removal of Works**

### 25.1. Council may under section 163 of the Act:

- (a) remove or alter any work or thing that is, or has been constructed in breach of this Bylaw; and
- (b) recover the costs of doing so from the person who committed the breach.

## **26. Disconnection from Wastewater System**

### 26.1. Council may by notice in writing require a person, at their expense, to disconnect the premises from the wastewater system where:

- (a) the person is a consent holder and their trade waste consent has expired;
  - (b) the person is a consent holder and Council suspends or cancels a trade waste consent;
- or

- (c) the person breaches clause 12.1.

**Guidance Note**  
 If an occupier or owner fails to comply with a notice under clause 26.1, Council may carry out the works and recover the associated costs (Section 186 of the Local Government Act 2002).

**27. Revocation**

27.1. The Waipa District Council Wastewater Drainage Bylaw 2011 and Trade Waste Bylaw 2011 are revoked.

**28. Transitional Provisions**

28.1. Any application for a trade waste consent made under Council’s Trade Waste Bylaw 2011, for which a trade waste consent has not been granted at the time of this new bylaw coming into force, is deemed to be an application made under clause 12.2.

28.2. Every existing trade waste consent issued under the Trade Waste Bylaw 2011 continues in force as if it were a trade waste consent under this Bylaw until it reaches its expiry date, provided that no trade waste consent runs beyond 31 August 2026. For the avoidance of doubt, Schedule 2 to this Bylaw applies to existing trade waste consents except to the extent that the consent conditions specifically provide for a different limit.

28.3. Subject to clause 28.4, every existing duly executed Trade Waste Agreement between an occupier and Council which is current at the date this Bylaw comes into force continues on the same terms and conditions as if it was a Trade Waste Agreement issued under this Bylaw.

28.4. Where an existing Trade Waste Agreement is silent as to its term, that agreement will be terminable on six months’ written notice by Council and the occupier must apply for a consent or Trade Waste Agreement in accordance with this Bylaw.

28.5. A person who proposes to continue a discharge of permitted trade waste who does not have trade waste consent must apply for trade waste consent within twelve weeks of this Bylaw coming into force.

The COMMON SEAL of the WAIPA DISTRICT COUNCIL was affixed in the presence of:

Mayor: .....

Chief Executive: .....

**SCHEDULES**

- 1 – Connection to Wastewater Network
- 2 – Permitted Characteristics
- 3 – Prohibited Characteristics
- 4 – Pre-treatment and Discharge Requirements

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## Schedule 1: Connection to Wastewater System

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### 1. Regional Infrastructure Technical Standards

- 1.1. Unless otherwise approved by Council, all connections to the wastewater system must comply with the Regional Infrastructure Technical Standards.

### 2. Point of Discharge

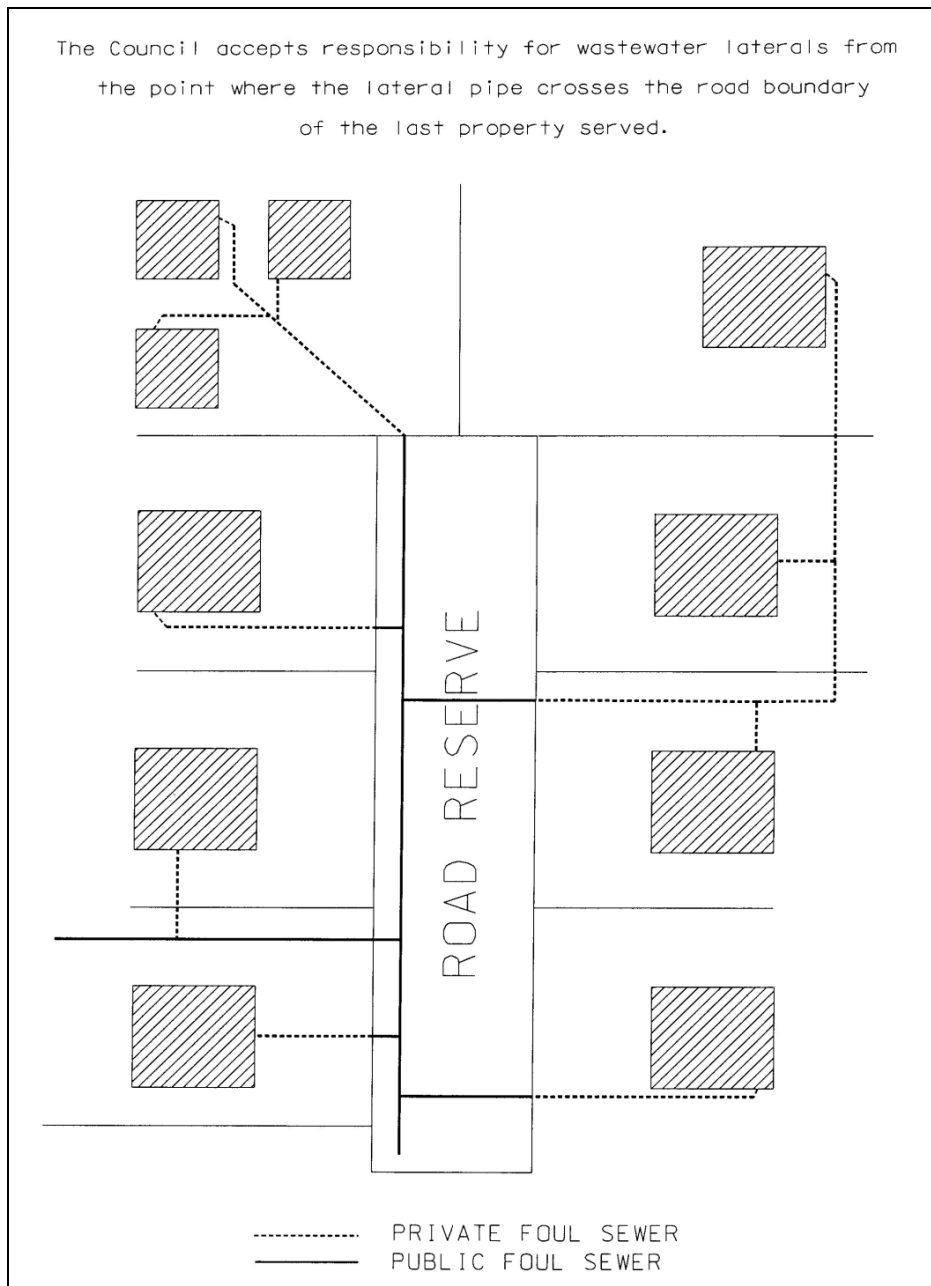
- 2.1. Unless otherwise approved by a Council, each premises must only have one point of discharge.
- 2.2. For multiple ownership premises, unless otherwise approved by Council, the point of discharge must be:
- (a) Where practicable, each individual lot must have an individual drain connected to the point of discharge as illustrated in figure 1 as agreed with Council;
  - (b) If paragraph 2.2(a) is not practicable, each individual lot must be connected to a common private drain which must be owned and maintained by the body corporate, tenants in common or the company as the case may require.
- 2.3. Each owner's point of discharge under paragraph 2.2 must be recorded on the applicable drainage plan.
- 2.4. For premises other than multiple ownership premises, unless otherwise approved by Council, the point of discharge must be:
- (a) where the physical connection is in a road reserve, at the boundary, as shown in Figure 1, or as close as possible where fences, walls or other permanent structures make it difficult to locate it at the required position; and
  - (b) in all other cases, at the point of physical connection to the public sewer.
- 2.5. For connections referred to in paragraph 2.4(a), a rodding eye must be installed within the premises as close to the boundary as practical in accordance with Council specifications. Once installed this rodding eye will be maintained by Council.

#### Guidance Note

Where a new public sewer is required as part of a subdivisional development, the developer must provide all the drainage works subject to the written approval of an authorised Council officer of the design and construction of the works. These will be covered by way of rules in the Waipa District Plan and managed under the relevant consent application. Where a new single lot or private common connection is necessary for the development works to occur, the usual connection requirements will apply, as per clause 4 of this Bylaw.

### 3. Common private drains

- 3.1. Common private drains must serve a maximum of 7 single dwelling units, and may also have one point of discharge only (in common).
- 3.2. Common drains must be covered by a certificate from the Council recording the rights of each party, which is registered against the certificate of title.



**Figure 1 –Point of discharge locations.**

## Schedule 2: Permitted Characteristics

The following tables set out general requirements and maximum concentrations for permitted trade waste and domestic wastewater.

Conditional trade waste consents and Trade Waste Agreements may contain lower or higher concentration limits and/or mass limits to control the total mass of a substance discharged.

**Table 1 - General characteristics**

Parameter	Requirement or limit	Commentary
Bio-chemical Oxygen Demand (BOD5)	1,000 g/m <sup>3</sup> or 5 kg/day.	It is sufficient to comply with either the concentration limit or the mass limit. High BOD can overload treatment plants.
Chemical Oxygen Demand (COD)	2,000 g/m <sup>3</sup> or 10 kg/day.	It is sufficient to comply with either the concentration limit or the mass limit. High COD can overload treatment plants.
Colour	No waste shall have colour or colouring substance that causes the discharge to be coloured to the extent that it impairs wastewater treatment processes or Council is at risk of breaching resource consent conditions relating to discharge to the environment.	Some coloured substances can be difficult to remove in the treatment process.
Emulsions of paint, latex, adhesive, rubber, plastic or similar	Must not cause blockages or interfere with the operation of the wastewater treatment system including treatment process.	Emulsions will coagulate when unstable and can sometimes cause blockages in the wastewater system or interfere with the operation of the treatment process.
Flow	Maximum daily total flow 5m <sup>3</sup> . Instantaneous flowrate 2.0 L/s.	The total flow should be measured over any 24 hour period. trade waste discharges with a daily flow greater than 5m <sup>3</sup> will require a conditional consent.
Gross solids (non-faecal)	15mm diameter maximum dimension.	Gross solids can cause blockages in the wastewater system.

Parameter	Requirement or limit	Commentary
Oil and Grease	200 g/m <sup>3</sup> . No free or floating layer.	Oils and greases can cause blockages in the wastewater system, adversely affect the treatment process, and may impair the aesthetics of the receiving environment.
pH	6.0 to 10.0.	Low pH can cause corrosion of the wastewater system, generate odours which could cause a public nuisance; release toxic H <sub>2</sub> S gas which could endanger workers.
Radioactivity	Must not exceed the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material.	
Settleable Solids	50 ml/L.	Can cause blockages and overload the treatment process.
Solvents or other organic liquids	No free or floating layer.	Some organic liquids are denser than water and will settle in pipes and traps.
Suspended Solids	2,000 g/m <sup>3</sup> .	Can cause blockages and overload the treatment process.
Transmissivity	When diluted at 10:1 with distilled water and tested at 254nm, the result must have a transmissivity of 50% or more, equivalent to an absorbance of 0.3010 or less.	Poor transmissivity reduces the effectiveness of the ultraviolet light disinfection at treatment plants.
Temperature	40 °C.	High temperatures cause increased damage to structures, increase the potential for anaerobic conditions to form in the wastewater, promote the release of toxic gases and can endanger workers. conditional consents may have a lower temperature limit.
Inhibitory Substances	Should any characteristic of a discharge be found to inhibit the performance of the wastewater treatment process, such that Council is at risk of breaching resource consent conditions, Council may limit the concentration of any inhibitory substance.	



**Table 2 - Chemical characteristics**

Parameter	Limit g/m <sup>3</sup>	Commentary
Ammonia (as N)	50	May endanger workers; significantly contribute to the nutrient loading on the receiving environment.
Ammonium salts	200	May endanger workers; significantly contribute to the nutrient loading on the receiving environment.
Anionic Surfactants as methylene blue active substance (MBAS)	300	High MBAS can adversely affect the efficiency of activated sludge plants, cause foaming and impair the aesthetics of the receiving waters.
Boron	25	Boron is not removed by conventional wastewater treatment.
Bromine as Br <sub>2</sub>	5	High concentrations could affect the health and safety of workers.
Chlorine (Cl <sub>2</sub> free chlorine)	3	Can endanger workers, cause corrosion of the wastewater collection system.
Cyanide as CN <sup>-</sup>	1	Can produce toxic atmospheres and endanger workers.
Dissolved aluminium	100	Aluminium compounds, particularly in the presence of calcium salts, have the potential to precipitate as a scale, which may cause a blockage.
Dissolved iron	100	Iron salts may precipitate and cause a blockage. High concentrations of ferric iron may also present colour problems depending on local conditions.
Fluoride as F	30	Not removed by conventional wastewater treatment.
Hypochlorite	30	Can endanger workers, cause corrosion of the wastewater collection system.
Kjeldahl nitrogen	50	May significantly contribute to the nutrient load discharged to the receiving environment.
Sulphate (measured as SO <sub>4</sub> )	500	May adversely affect wastewater system, may increase the potential for the generation of sulphides.
Sulphite (measured as SO <sub>2</sub> )	15	Can endanger workers, cause corrosion of the wastewater collection system.
Sulphide (as H <sub>2</sub> S on acidification)	5	May cause corrosion of wastewater system, particularly the non-wetted part of the wastewater pipes; generate odours which could cause a public nuisance; release toxic H <sub>2</sub> S gas which could endanger workers.
Total Phosphorus as P	20	May significantly contribute to the nutrient load discharged to the receiving environment.

**Table 3 - Heavy Metals**

Heavy metals can inhibit wastewater treatment process and restrict the reuse of Biosolids. Mass Limits may be imposed – refer to clause 15.2.

Parameter	Limit g/m <sup>3</sup>
Antimony	5
Arsenic	5
Barium	5
Beryllium	0.005
Cadmium	0.5
Chromium (Total)	5
Cobalt	5
Copper	5
Lead	5
Manganese	5
Mercury	0.005
Molybdenum	5
Nickel	5
Selenium	5
Silver	2
Thallium	5
Tin	5
Zinc	5

## Table 4 - Organic Compounds

Organic compounds can endanger sewer workers and treatment processes.

Parameter	Limit g/m <sup>3</sup>
Acetone	100
Benzene	1
Butanone	100
Chlorinated phenols	0.02
Ethylbenzene	5
Ethylene Glycol	50
Formaldehyde	50
Halogenated aliphatic compounds	1
Halogenated aromatic hydrocarbons (HAH's)	0.002
Monocyclic aromatic hydrocarbons	5
Organophosphate pesticides	0.1
Pesticides ( includes insecticides, herbicides, fungicides and excludes organophosphate, organochlorine and any other pesticides not registered for use in New Zealand)	0.2 in total
Phenolic compounds (as phenols) excluding chlorinated phenols	50
Polybrominated biphenyls (PBBs)	0.002
Polychlorinated biphenyls (PCBs)	0.002
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Total Petroleum Hydrocarbons	
C7 - C14	30
C7 – C36	50
Tri-methyl Benzene	5
Toluene	5
Xylene	5

### Table 5 - Liquid Waste from Pharmacies

Pharmacies must not discharge more liquid pharmaceutical waste per month than the volumes listed below. The volume limit is based on the concentration of active ingredients in the product.

Volume Limit	Active Concentration
10 litres	125mg/5ml
5 litres	250mg/5ml
3 litres	Above 250mg/5ml

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## Schedule 3: Prohibited Characteristics

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Prohibited trade waste has or is likely to have any of the prohibited characteristics set out below. Prohibited characteristics are present if their concentration exceeds background levels. The background level in relation to any substance means the extent to which that substance is present (if at all) in the municipal water supply used on the premises, or in any other water supply that is approved by Council for the purpose of discharging waste.

### Prohibited characteristics

- (1) Any discharge has prohibited characteristics if it has any solid, liquid or gaseous matters, or any combination, or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:
  - (a) interfere with the free flow of wastewater in the wastewater system; or damage any part of the wastewater system;
  - (b) in any way, directly or indirectly, cause the quality of the effluent or biosolids and other solids from any wastewater treatment plant to breach the conditions of a permit issued under the Resource Management Act 1991, or water right, permit or other governing legislation;
  - (c) prejudice the occupational health and safety of any person or people;
  - (d) after treatment be toxic to fish, animal or plant life in the receiving waters;
  - (e) cause malodorous gases or
  - (f) contains substances that cause the discharge of any wastewater treatment plant to receiving waters to be coloured.
- (2) A discharge has a prohibited characteristic if it has any amount of:
  - (a) harmful solids, including dry solid wastes and materials which combine with water to form a cemented mass;
  - (b) dry solids, solids longer than 30mm, fibrous material, sheet films, and anything which may react to form a solid mass;
  - (c) except as allowed for in Schedule 2, liquid, solid or gas which could be flammable or explosive in the wastes, including oil, fuel, calcium carbide and any other material which is capable of giving rise to fire or explosion hazards either spontaneously or in combination with sewage;
  - (d) asbestos;
  - (e) the following organo-metal compounds:
    - i. tin (as tributyl and other organotin compounds); or
    - ii. chromium (as organic compounds);
  - (f) genetic wastes, being all wastes that contain or are likely to contain genetically altered material from premises where the genetic alteration of any material is conducted;
  - (g) any health care wastes covered by NZS 4304 or any pathological or histological wastes;
  - (h) radioactivity levels not compliant with the Office of Radiation Safety Code of Practice CSP1 for the Use of Unsealed Radioactive Material;
  - (i) any pharmaceutical liquid waste containing cytotoxic ingredients. Cytotoxic waste means waste that is contaminated by a cytotoxic drug.

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## Schedule 4: Pre-treatment and Discharge Requirements

**Table 6 – Typical requirements for businesses**

Business	Typical Requirement
Aquariums	Must meet quarantine requirements.
Bakeries	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Barber	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Beauticians	Nil.
Building construction	No discharge to sewer permitted.
Business offices with minimal hot food	Nil.
Cafés/takeaways with minimal hot food	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Carpet cleaners	20 micron filtration.
Chemists/pharmacists	Nil.
Churches with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Community hall with minimal hot food	Nil.
Cooling towers	Discharge not to exceed 500 litres an hour.
Day care	Nil.
Delicatessen with no hot food	Nil.
Dental surgery	Amalgam trap and segregation of waste amalgam.
Dental technician	Plaster trap.
Doctors surgery	Nil.
Dog groomer	Appropriate in-floor bucket trap; appropriate in-sink bucket trap; no organophosphorus pesticide to the wastewater system.
Dry cleaners	Screens to remove solids; solvent recovery unit.
Engineering workshops wash/valet/automotive	Screens to remove solids; No open areas allowing discharge of rainwater to wastewater system; appropriate in-ground water/oil separator; appropriate in-ground bucket trap; equipment maintenance requirements and discharge limits apply.
Florist	No herbicide to sewer; appropriate in-floor bucket trap; appropriate in-sink bucket trap.
Food business with minimal hot food preparation	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.

Business	Typical Requirement
Fruit and vegetable, retail	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Funeral parlour	Nil.
General Retail (excluding food premises, cafes, or coffee lounges)	Nil.
Hairdresser	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Health industries, medical centres	Screens to remove solids; appropriate in-floor bucket trap and appropriate in-sink bucket trap; plaster traps; equipment maintenance requirements and discharge limits apply.
Hotels and motels with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Kitchens/dining halls	Appropriate in-floor bucket trap and appropriate in-sink bucket trap, Equipment maintenance requirements and discharge limits apply.
Laundries - small	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; screens to remove lint and solids; equipment maintenance requirements and discharge limits apply.
Marae with catering facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Motels (without restaurant)	Nil
Optical processes	Appropriate solids settlement pit.
Paint and panel beaters	No open areas allowing discharge of rainwater to wastewater system, appropriate in-ground water/oil/paint separator, appropriate in-ground bucket trap, equipment maintenance requirements and discharge limits apply.
Pet shop	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Residential care facilities	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Restaurants or school canteens	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; equipment maintenance requirements and discharge limits apply.



Business	Typical Requirement
Retail butchers and fishmongers	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Sandwich shop, salad bar, juice bar, coffee shop, fast food or take-away bar	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; equipment maintenance requirements and discharge limits apply.
Sanitary bin washing	Screening and temperature control.
Schools, polytechnics, universities (with laboratories/catering facilities)	Appropriate in-floor bucket trap and appropriate in-sink bucket trap.
Service Stations and Automotive servicing workshops/garages	No open areas allowing discharge of rainwater to wastewater system; appropriate in-ground water/oil/paint separator; appropriate in-ground bucket trap; equipment maintenance requirements and discharge limits apply.
Swimming pool/spa (residential, hotel, or club)	No open areas draining rainwater to the wastewater system; discharge must be less than 2 L/s.
Veterinary	Appropriate in-floor bucket trap and appropriate in-sink bucket trap; no organophosphorus pesticide to the wastewater system; no open areas draining rainwater to the wastewater system.
X-ray (<10 standard x-ray films a day, e.g. small professional customers, chiropractors, veterinary clinics, dentists, GPs)	Dilute silver rich solutions may be discharged to the wastewater system in quantities of less than 1 litre per day.
Grease Trap Sizing Guide for Food Retail Businesses	<p>A conventional tank type grease trap must have a functional capacity of no less than 500 litres. It is recommended grease traps be sized based on:</p> <ul style="list-style-type: none"> <li>(a) 40 litres capacity per served meal per hour; or</li> <li>(b) 5 litres capacity per seated person/served meals per day;</li> </ul> <p>PLUS</p> <ul style="list-style-type: none"> <li>(c) an additional 25% capacity for peak flushes; and</li> <li>(d) an additional 250 litres capacity for each connected dishwasher.</li> </ul> <p>Retention time within the grease trap must be a minimum of one hour in all cases.</p>

DRAFT

## Appendix 2

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Statement of Proposal – draft Wastewater and Trade Waste Bylaw 2021 (*document 10554621*)



# STATEMENT OF PROPOSAL

## Waipa District Wastewater and Trade Waste Bylaw 2021

March 2021

This Statement of Proposal is made for the purposes of Sections 83, 145, 148, and 156 of the Local Government Act 2002.

It includes:

- Background to the proposal
- Reasons for the proposal
- Legislative requirements that Council must consider
- Perceived issues, and options considered by Council
- Summary of proposed changes
- How to provide your feedback
- New draft Wastewater and Trade Waste Bylaw 2021.

## STATEMENT OF PROPOSAL

### Background to the proposal

Waipa District Council is reviewing its current Trade Waste Bylaw 2011 and Wastewater Drainage Bylaw 2011 under section 159 of the Local Government Act 2002 (LGA). It is proposing to revoke these bylaws and replace them with the Waipa District Wastewater and Trade Waste Bylaw 2021. We are seeking your views on this proposal.

### Purpose of the bylaw

The purpose of the new bylaw is to:

- protect the health and safety of people and the environment from potential adverse effects of harmful substances being discharged into the wastewater system;
- protect the wastewater system from damage, misuse and interference;
- produce wastewater and biosolids of a consistent quality;
- encourage waste minimisation, cleaner production, efficient recycling and reuse of waste streams by businesses; and
- ensure that businesses maintain trade waste discharges within agreed levels.

### Reasons for the proposal:

The reasons for the proposal are to:

- Comply with the LGA requirement that the bylaws be reviewed within 10 years;
- Effectively deal with issues associated with the management of trade waste and wastewater that have arisen since 2011; and
- Consolidate the bylaws given their overlapping coverage, which is aligned with the approach of other local authorities, including Hamilton City Council with whom Waipa District Council manages a trade waste service.

Council has been working through a review process in line with the requirements of the LGA. We are now seeking your views on a new draft Wastewater and Trade Waste Bylaw 2021 to replace the existing bylaws.

***The draft Wastewater and Trade Waste Bylaw 2021 is attached to this Statement of Proposal.***

## LEGISLATIVE REQUIREMENTS THAT COUNCIL MUST CONSIDER

Under section 155 of the Local Government Act 2002, Council must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived issues. If it is, Council must determine whether the draft bylaw is

the most appropriate form of bylaw and whether it gives rise to any implications under the New Zealand Bill of Rights Act 1990.

### **1. Is a bylaw the appropriate means to deal with the problem?**

Section 145 of the LGA states that a territorial authority may make bylaws for its district for one or more of the following purposes:

- (a) To protect the public from nuisance;
- (b) To protect, promote, and maintain public health and safety; and
- (c) To minimise the potential for offensive behaviour in public places.

Benchmarking against other councils showed that issues related to stormwater were addressed through bylaws. A bylaw is also considered by staff to be the most appropriate mechanism to effectively deal with those issues. The proposed bylaw aligns with the LGA purposes above.

Council's Strategic Planning and Policy Committee at its 1 May 2018 meeting, reviewed the issues related to the current Trade Waste and Wastewater bylaws and determined that bylaw remain the most appropriate way to address the issues identified, this is still considered the case.

### **2. Is the new bylaw in the appropriate form?**

The draft bylaw focuses on identified issues and is customised to suit the particular circumstances of Waipa District. This review provides an opportunity to update the bylaw provisions to meet current Council and community needs in a clear and comprehensible way. The draft bylaw is consistent with Council document standards and is written in plain English. It is therefore considered to be the most appropriate form of bylaw.

### **3. Is the bylaw consistent with the New Zealand Bill of Rights?**

The New Zealand Bill of Rights Act 1990 details a number of rights and freedoms in relation to the life and security of people. The purpose of the bylaw is to enable Council to manage trade waste and wastewater in accordance with the Local Government Act 2002. The regulatory controls provided under this bylaw are important to ensure the health and safety of people, Council's wastewater infrastructure, and the environment. It is therefore considered that the draft bylaw imposes no obvious infringements or implications with the New Zealand Bill of Rights Act 1990.

## **SUMMARY OF PROPOSED CHANGES**

The main areas of change between the current bylaw and the draft bylaw include::

- The Trade Waste Bylaw 2011 and the Wastewater Drainage Bylaw 2011 are combined, as has been the approach for other Councils, including Hamilton City Council.
- The substantive regulatory requirements in the old bylaws have largely been replicated but have been reflected with different wording. The changes include the

removal of redundant provisions such as duplication of provisions in the Local Government Act 2002 or specification of internal Council processes. Schedules and clauses are renumbered

- Schedule 1A Permitted Characteristics: reduction in acceptable levels of some waste characteristics to better align with current treatment capabilities at our wastewater treatment plants
- Schedule 1A Permitted Characteristics: removal of all stated specific mass limits. Clauses within the bylaw will still allow for these to be applied, but assessments will be made on an individual basis as required and part of consenting processes
- Trade Waste Discharge and Consents: the current Controlled Trade Waste Consent, Conditional Trade Waste Consent and permitted trade waste notice categories are removed and replaced with “Trade Waste Consent” which may be with or without conditions . This enables simplification of the consenting structure without compromising controls. Existing controlled or conditional consents within the Waipa District will be deemed a Trade Waste Consent under the new Bylaw.

## HAVE YOUR SAY

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### WE NEED YOUR FEEDBACK

Please tell us what you think of what we are proposing by making a submission.

Submission forms and copies of the Statement of Proposal and draft Bylaw are available:

- Online at the Council’s website: [www.waipadc.govt.nz](http://www.waipadc.govt.nz)
- At the Council Offices and Libraries
- By phoning (07) 872 0030 and requesting a copy.

**You can make a submission by:**

- Entering it online at: [www.waipadc.govt.nz](http://www.waipadc.govt.nz)
- Posting it to: FREEPOST 167662 (no stamp necessary)  
 Waipa District Council  
 Attn: Strategy  
 Private Bag 2402  
 TE AWAMUTU 3840
- Emailing it to: [submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz). Put Wastewater and Trade Waste Bylaw Review – Submission in the subject line.
- Faxing it to: (07) 872 0033
- Delivering it to: one of the Council Offices in 101 Bank Street Te Awamutu or 23 Wilson Street, Cambridge.

**Submissions must be received by 5pm on 5 July 2021**

<b>Key Dates:</b>	
Submissions open	Monday 3 May 2021
Submissions close	Monday 5 July 2021
Submissions hearing	3 August 2021 (to be confirmed)
Council adopts Bylaw	31 August 2021 (to be confirmed)

Council will acknowledge in writing each submission received. All submissions will be considered and deliberated on. However you are also invited to present your submission in person to Council’s Strategic Planning and Policy Committee at a formal hearing in Te Awamutu on 3 August 2021 (or as early thereafter as possible).

If you have any further queries or would like further copies of the draft Wastewater and Trade Waste Bylaw, please contact Graham Pollard on 0800 924 723.



## Submission Form

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	<h1>Wastewater and Trade Waste Bylaw 2021 Submission Form</h1>
To: Waipā District Council, Private Bag 2402, Te Awamutu 3840 Phone: 0800 924 723   Fax: 07 872 0033   Web: <a href="http://www.waipadc.govt.nz">www.waipadc.govt.nz</a> Email: <a href="mailto:submissions@waipadc.govt.nz">submissions@waipadc.govt.nz</a>	

**SUBMISSIONS CLOSE: 5pm – 4 June 2021**

Full name: _____	<i>For office use only:</i>  Submission No.
Organisation: (if applicable) _____	
Address for correspondence: _____	
_____	
Email: _____	
Phone: _____	

*Submissions made under the Local Government Act 2002 are public documents. They are made available in a report to the elected members of Council and to the public via Council's website and on request. Personal information supplied will be used for administration purposes and as part of the consultation process. You have the right to correct any errors in personal details contained in your submission.*

Are you happy for your name to be released to the public in association with this submission?

Yes  No

I wish to present my submission verbally to a public Council hearing: Yes  No

I/we support  / oppose  the proposed Wastewater and Trade Waste Bylaw 2021

The reasons for my/our support or opposition of the proposed Wastewater and Trade Waste Bylaw 2021:

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Are there any of the bylaw clauses you would like to see changed/added?

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I would like to see the following changes to the proposed Wastewater and Trade Waste Bylaw 2021:

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I have attached additional information:    Yes                     No

I would like to present my submission to Councillors in person

.....  
Signature of person making submission or person authorised to sign on behalf of person making submission

.....  
Date

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**To:** The Chairperson and Members of the Strategic Planning & Policy Committee

**From:** Strategic Projects Driver

**Subject:** **Draft Naming Policy: approval of Statement of Proposal**

**Meeting Date:** 6 April 2021

**File Reference:** 10572434

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## 1 EXECUTIVE SUMMARY

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Waipa District Council has prepared a new draft Naming Policy for new roads, parks, reserves and Council facilities to replace the existing system of name selection, and wishes to seek community feedback on its proposals.

The current process for selecting names - names which often have no clear connection with the locality or community where they are situated, and often with a lack of any choice of alternatives - is in need of revision. The Draft Naming Policy aims to remedy these issues, and others, by setting clear criteria for the selection and use of names appropriate to Waipā.

The proposed Naming Policy is about ensuring consistency and clarity in naming, ensuring new names are appropriate and celebrate Waipā's story and diverse heritage. Waipā is the Home of Champions and Council wishes to reflect that in the names assigned to its community assets.

The draft Naming Policy includes a Waipā-centric naming system for roads, parks, reserves and Council facility names within the district. This will ensure that the district's history, identity, culture and status of Mana Whenua are recognized and maintained.

While te reo Māori or English monolingual names are preferred, it is recommended that Council supports dual naming in some circumstances. It is also recommended that Council only considers renaming public or private roads, bridges, parks, reserves or community facilities, in the exceptional circumstances provided in the policy.

A Statement of Proposal has been prepared in accordance with section 83 of the Local Government Act 2002 as the basis of consultation commencing on 3 May 2021 and concluding on 4 June 2021.

The following appendices accompany this report:

- Appendix 1 – Draft Naming Policy (document number 10097549)
- Appendix 2 – Draft Naming Policy Statement of Proposal (document number 10572432)

## 2 RECOMMENDATION

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*That the Strategic Planning & Policy Committee:*

- a) **RECEIVES** the report Draft Naming Policy: approval of Statement of Proposal (document number 10572434) of Graham Pollard, Strategic Projects Driver; and
- b) **APPROVES** the Draft Naming Policy (document number 10097549) for public consultation; and
- c) **APPROVES** the Draft Naming Policy Statement of Proposal (document number 10572432) as the basis for public consultation during May and June 2021.

## 3 OPTIONS AND ASSESSMENT

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### Decision making – name selection

There are four policy options to develop a new process for name selection, and thereby develop a new Naming Policy:

- 1 Retain and redevelop the current list of pre-approved names deemed suitable for use across the District, with indications of which names might be appropriate for which areas. Guidance would be provided by the Policy on how to determine which names are suitable.

This option has not worked effectively for many years; the list has not been replenished; it has not been used by developers on several occasions leading to dissatisfaction with the names provided to Council and Community Boards, and for which there has often been no viable alternative names proposed.

- 2 No list of approved names, but instead, every naming application is assessed on its merits. Guidance would be provided by the Policy on what is considered suitable. **This is the recommended option for name selection.**

Policy guidance is in the form of a list of Waipā-orientated criteria which names must satisfy. There is a role for Tangata Whenua in helping to evaluate the suitability of proposed names for the area in question, and to suggest alternatives for consideration.

- 3 No list of approved names is available, with reliance placed on agreement between developers and Council; in the event that agreement between the

parties cannot be reached, Council would have a short pre-approved list to break the deadlock.

This option risks repeating the operational difficulties and ineffectiveness of the current process (option 1).

- 4 A list of suitable names is provided in structure plans for each growth cell, and names would be drawn from those lists. Outside Structure Plan areas, option 2 would be followed.

Council’s Structure Plans for growth cell areas of Waipā do not include names for roads etc. Structure Plans have been developed with full public consultation and are not open to including lists of names without further consultation and expense. The means that Structure Plans are unlikely to be suitable for the selection of names and replacement of names on the list. This option would require Council to have two processes, whereas adopting option 2 as recommended would provide a single process for all circumstances.

### Decision-making – re-naming

Council has five policy options for the process of re-naming existing roads, parks and reserves, etc:

1. Any party may seek to persuade Council of the need to change names. Council would bear the costs of the name change if it agrees to that change. This potentially opens Council to processing several renaming applications from across the district – or even from outside the district - all of which would be unbudgeted costs to Council/ratepayers.
2. Parties who may apply for name changes are restricted to Mana Whenua in Waipā, residents of Waipā, and Waipa District Council ratepayers; and the policy limits the circumstances in which names may be changed. **This is the recommended option for re-naming.**
3. Only Mana Whenua can apply for name changes; all other parties would need to persuade Council of the need for change. This may be perceived as inequitable.
4. The policy describes only the circumstances in which names may be changed; it is silent on who can initiate changes. Similar to option 1 above, this potentially opens Council to processing several renaming applications from across the district and beyond.
5. Omit renaming from this draft policy. However, there are concerns in some communities regarding the continuing use of names commemorating historic events or individuals, and known desires to rename some roads accordingly. Council may need to address these concerns in the future and therefore needs a policy on renaming to guide its future responses.

### **Consultation**

Development of the Draft Naming Policy has included input from members of Ngā Iwi Tōpū O Waipā and Council's Iwi Consultative Committee.

It is proposed to consult specifically with developers and planners in Waipā, plus the Waipā community in general between 3 May and 4 June 2021. Due to the expected high level of public interest in this subject, Council proposes to consult using the special consultative procedure (section 83 Local Government Act 2002).

### **Financial/risk considerations**

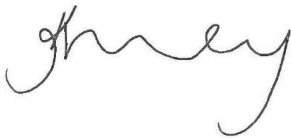
There are no financial or risk considerations greater than those of the current process of selecting names and installing signage. Costs are currently met by developers or from existing Council operating budgets depending upon the circumstances.

### **COVID-19 response**

The Draft Naming Policy is not affected by, nor will affect, Council's response to managing COVID-19.



Graham Pollard  
**STRATEGIC PROJECTS DRIVER**



Reviewed by Kirsty Downey  
**MANAGER STRATEGY**



Approved by Garry Dyet  
**CHIEF EXECUTIVE**

## SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

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### 1 Statutory and policy requirements

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#### Legal and regulatory considerations

##### *Local Government Act 2002*

Section 83 of the Local Government Act 2002 requires Council to prepare a Statement of Proposal the purpose of which is to enable the public to understand the issues, the process and how to make a submission on the draft policy.

A Communication Plan has been developed to make the Statement of Proposal available via newspapers, Council's website and Council offices and libraries. There will also be opportunities for members of the public to express their views in person.

### 2 Background to proposal

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Council has become concerned that many names for new roads, parks and reserves lack any clear connection with the locality or community where they are situated, nor with Waipā generally. The process for selecting names, which is also often lacking in any choice of alternative names, is in need of revision. The Draft Naming Policy aims to remedy these concerns, and others, by setting clear criteria for the selection and use of names appropriate to Waipā. It also includes other provisions appropriate to the selection and use of names for Council's community infrastructure.

The reasons for developing this policy are to:

- develop a Waipā-centric naming regime for names of new streets, parks, reserves, park assets and community facilities across Waipā
- better reflect the Waipā community by encouraging greater use of te reo Māori amongst Waipā names
- replace the existing process and to include Mana Whenua in identifying names appropriate to land and localities
- provide a process and criteria for re-naming streets, parks and reserves
- streamline the current decision-making process

The Naming Policy's main purposes are:

- ensure names of council's assets tell the story of Waipā and reflect Waipā's natural, cultural and historic heritage
- better reflect the Waipā community by encouraging greater use of te reo Māori amongst Waipā names
- provide clarity and consistency in the naming of roads, parks, reserves, park assets such as tracks and community facilities

- ensure names are appropriate and do not duplicate or cause confusion with existing or approved names.

Under the Draft Naming Policy, proposed names must reflect one or more of the following (listed in no order of priority):

- a. the identity of Waipā and/or local identity
- b. the historical significance of particular locations
- c. the cultural significance of the area to Mana Whenua
- d. people who were important in the history of the local area (from any community in Waipā)
- e. events, and places significant to a community or communities locally, nationally, internationally or of significance to the Kiingitanga
- f. the surname, or traditional ancestral name, of a person who is/was a notable leader, of good character, and/or contributed to, or had a strong association with Waipā. If the person is deceased, a period of at least 12 months since the date of their passing shall be observed before their name is assigned
- g. flora, fauna and topographical features significant or important to the history or geography of the community, the wider local area or the district.

Names of roads, buildings and features within the perimeter of the Hamilton Airport may, in addition to these criteria, commemorate aviation in Waipā, and/or the Waikato and/or New Zealand.

While te reo Māori or English monolingual names are preferred, council supports dual naming in the following circumstances:

- a. where there is an opportunity to promote te reo Māori by use of a direct Te reo/English translation
- b. where both English and te reo Māori names are already in current use in the community for the same road, site or feature
- c. where dual naming will improve visibility of Mana Whenua connections to a place.

There are additional criteria for all road names, reflecting Council's current practice and the Road Naming Standard already used by Council (AS/NZ4819:2011).

There are also additional criteria for parks, reserves, open spaces and features within them. For reserves that are gifted, Council may honour the gift through agreeing the reserve name in discussion with the landowner and Mana Whenua. Where parks are acquired at market value, names will not be agreed as a condition of sale and purchase. And the words "park" or "reserve" do not need to be used unless necessary or appropriate.



Similarly, names of community facilities do not need to include words that describe the nature of the facility.

Council will only consider renaming public or private roads, bridges, parks, reserves or community facilities in exceptional circumstances. Requests for renaming may be considered only if they originate from Mana Whenua/residents/ratepayers of Waipā District for any of the following reasons:

- a. following a change in road layout including where an infrastructure change necessitates the renaming of part of a road, e.g. an existing road is severed by a new road
- b. the current name is culturally inappropriate
- c. re-naming would address a significant wrong or grievance
- d. to correct inaccuracies or spelling, or to standardise the orthography
- e. any other reason Council considers to be appropriate, and only in exceptional circumstances..

Names need to be agreed and used as early as possible in any development application process in order to embed those names in local consciousness. Where naming is required, applicants are advised to consult early with Mana Whenua on individual names, or a theme for names, that meet the principles and criteria of the Naming Policy, before making their applications or suggestions to Council. Where Council initiates a project, Council will enter into naming discussions , early, with Mana Whenua. This seeks to ensure any Mana Whenua connections to the locality are identified for consideration.

The final decision on the choice of names shall be taken by Council.

# Appendix 1

Draft Naming Policy (document number 10097549)

# NAMING POLICY

Date: March 2021

First adopted:

Next review date:

Document number: 10097549

Associated documents:

Policy owner: Group Manager District Growth & Regulatory

## Purpose and scope

1. The purpose of this Policy is to:
  - a. ensure names of council's assets tell the story of Waipā and reflect Waipā's natural, cultural and historic heritage
  - b. better reflect the Waipā community by encouraging greater use of te reo Māori
  - c. provide clarity and consistency in the naming of roads, parks, reserves, park assets such as tracks and community facilities
  - d. ensure names are appropriate and do not duplicate or cause confusion with existing or approved names.
2. This policy applies to the naming and renaming of:
  - a. roads, including private roads, private ways and bridges
  - b. open spaces including parks and reserves and land administered by council for stormwater management
  - c. open space features
  - d. suburbs, and
  - e. Council facilities and interior spaces.

## Statutory and Policy alignment

3. This Policy complies with The Australian/New Zealand Standard on Rural and Urban Addressing AS/NZS 4819:2011 and subsequent amendments where names are written in English.
4. Sections 319(1)(j), 319A and 319B of the Local Government Act 1974 apply to the Naming of Roads.
5. Council may name or alter the name of any road under Section 319 Local Government Act 1974.
6. Where a reserve is vested in Council, the Council must follow the procedures set out in sections 16(10) and 16 (10A) of the Reserves Act 1977 to name or rename the reserve.
7. The Waipā District Council Policy on Sponsorship of Council Activities and Facilities from Corporate Entities and Others will be applied to naming where relevant.
8. The New Zealand Geographic Board (Ngā Pou Taunaha o Aotearoa) Act 2008 has precedence over this policy where it applies.

## Definitions

Term	Definition
Applicant	An individual or entity making an application. This may include Council, a consent holder or the party developing the infrastructure, including but not limited to a Developer.
Council	Waipā District Council.

Council facility	A facility that is provided for public amenities, including artistic, social or cultural facilities. Such facilities may include but are not limited to community halls, civic spaces and centres, including major sport, recreation and entertainment facilities.
Cultural significance	Includes tupuna land, water, wāhi tapu, valued flora and fauna, and other taonga significant to Mana Whenua.
Name	The word or name (excluding the road type) used to identify a road, open space or Council facility.
Open space	Includes all parks and reserves administered by Council, and land administered by Council for stormwater management.
Open space feature	This refers to assets such as tracks and lookouts, sites of cultural significance and natural or historic attributes.
Park	Council owned public open space held under the Local Government Act 2002 with a primary recreation, conservation, historic or amenity function.
Private roads and rights of way	Roads and access ways as defined under section 315(1) of the Local Government Act 1974 and includes rights-of-way, common access lots, retirement village roads. Also included is common property within a Unit Title Development as defined under section 5 of the Unit Titles Act 2010.
Reserve	As defined under section 2 of the Reserves Act 1977.
Road	Road as defined in section 315 of the Local Government Act 1974, and includes access ways and service lanes as defined in section 315, any square and any public place intended for the use of the public generally.
Road types	Road types in accordance with The Australian/New Zealand Standard on Rural and urban addressing AS/NZS 4819:2011 (outlined in Schedule 1).
Suburb	An identifiable area within a local authority area, usually urban in character, with facilities such as those for education, transport, and shopping.

## Principles

9. Council has a role in ensuring that the district's history, identity, culture and status of Mana Whenua are recognised and maintained.
10. Waipā District shall have a Waipā-centric naming system, with te reo Māori names increasingly represented in the road, parks, reserves and facility names within the district.
11. Mana Whenua hold mana and traditional associations with place and are the most appropriate authority to seek te reo Māori names from. They will be a partner in the process of selecting names for roads, reserves, open spaces and Council facilities.
12. All te reo Māori names will be written using the orthographic writing conventions of the Māori language developed by Te Taura Whiri i te reo Māori – (the Māori Language Commission). This will provide greater consistency of naming and spelling with names throughout Waipā, the Waikato and New Zealand.
13. Council shall provide a consistent approach to determining appropriate future names for roads, parks, reserves, open spaces and Council facilities. This policy is not to be applied retrospectively to existing names except where individual renaming applications are received.

14. Names are to be agreed and used as early as possible in any development application process in order to embed those names in local consciousness.
15. Council shall record in the naming decision, the details of each name including the history of the name, source, cultural connections and heritage associated with the name and the place. Mana whenua interpretations of their traditions and histories and relationships to Waipā remain the intellectual property of mana whenua.
16. Naming a private road does not mean Waipā District Council accepts responsibility for that private road, other than ensuring its name complies with this Naming Policy and the Australian/New Zealand Rural and Urban Addressing Standard (AS/NZS 4819:2011).
17. Street numbering will, henceforward, and with the exceptions of the existing RAPID numbering systems in use Te Awamutu, Karapiro village, Pirongia village, Ngahinapouri village, Hamilton Airport industrial area and all rural residential areas, be in accordance with *Australian/ New Zealand Standard Rural and Urban Addressing (AS/NZS4819:2011)* and in the case of retirement villages, also in accordance with *Guideline for addressing in retirement villages LINZG80700* (and any consequential updates).

### General procedure for selecting names

18. Applicants, or managers of any project, where the naming of roads, reserves or features are required, are advised to consult early with Mana Whenua on individual names, or a theme for names, that meet the principles and the requirements of clause 23 of this Policy, before making their applications or suggestions to Council.
19. Where names or themes are suggested, applicants will be required to provide evidence (for example, a letter of support, or minutes of a meeting, or a Memorandum of Understanding, etc) of discussions with Mana Whenua where suitable names are proposed.  
  
For each road, park, reserve or feature that is to be named it is recommended that applicants should offer to Council preferred and alternative names at the time of a resource consent application (where applicable). This is to avoid resubmission if Council decides the first proposed name is not suitable.
20. Where no names are proposed, or where Council initiates the project, Council will facilitate a discussion with Mana Whenua and the applicant and/or landowner to identify suitable names to be used.
21. Private roads, including those within retirement complexes, must be named if there are six or more houses on the private road, or if there is the potential to develop six or more houses on the private road. The names of private roads must be consistent with the general naming criteria.
22. The final decision on the choice of names shall be taken by Council.

### Criteria for selecting names

23. Proposed names must reflect one or more of the following (listed in no order of priority):
  - a. the identity of Waipā and/or local identity
  - b. the historical significance of particular locations
  - c. the cultural significance of the area to Mana Whenua

- d. people who were important in the history of the local area
  - e. events, and places significant to a community or communities locally, nationally, internationally or of significance to the Kiingitanga
  - f. the surname, or traditional ancestral Māori name, of a person who is/was a notable leader, of good character, and/or contributed to, or had a strong association with Waipā. If the person is deceased, a period of at least 12 months since the date of their passing shall be observed before their name is assigned
  - g. flora, fauna and topographical features significant or important to the history or geography of the community, the wider local area or the district
24. Names will be deemed unacceptable if they are:
- a. names that would reasonably be regarded as derogatory, discriminatory, frivolous, offensive, or in poor taste; or
  - b. names of pets
25. Where possible, care should be taken to avoid names already in use locally (including in surrounding districts), or which sound similar to names already in use locally, as this creates confusion for emergency services, delivery services and maintenance staff.
26. Long-term, historically-embedded existing names, or names that are in common local use, may take precedence over new names if they conform to clause 23.
27. Names that honour a person more than once should be avoided.
28. Qualifying words, such as Upper, West, or generic terms, should not be used to distinguish between associated features with the same specific name.
29. While te reo Māori or English monolingual names are preferred, council supports dual naming in the following circumstances:
- a. where there is an opportunity to promote te reo Māori by use of a direct te reo/English translation
  - b. where both English and te reo Māori names are already in current use in the community for the same road, site or feature
  - c. where dual naming will make visible Mana Whenua connections to a place.
30. Where there is dual naming, the te reo Māori name shall be placed first unless there are special circumstances such as where there are considerations for emergency services responses. Dual names shall be separated by a forward slash with a space either side.
31. Mana Whenua direction will be sought as to whether feature descriptions such as 'Mount' and 'Lake' are required where te reo Māori is used.
32. Roads, parks, reserves and open spaces may not be named after commercial enterprises. For community facilities and park and reserve features, there may be individually negotiated sponsorship agreements including naming rights that may supersede the criteria in clause 23.
33. Names of roads, buildings and features within the perimeter of the Hamilton Airport may, in addition to the criteria in clause 23, commemorate aviation in Waipā, and/or the Waikato and/or New Zealand.

#### **Additional criteria for all road names**

34. Any proposed road names should also meet the following criteria:
- a. a road name shall consist of two parts: a name, followed by a street type. A road type shall not be used as the first part of a road name.

- b. where English names are to be used for roads and private rights-of-way, they shall comply with the road naming standard used by the Council (AS/NZS4819:2011)
- c. where te reo Māori names are to be used for roads or private right-of-way, “Ara” and “Te Ara” may be used as the first part of the name. The use of “Te” before “Ara” is not essential unless the road is being named for a person or thing in which “Te” is an integral part. “Ara” and “Te Ara” should not be accompanied by any additional road types (for example: “Ara Tai” not “Ara Tai Lane”)
- d. be capable of fitting onto a 1 metre long maximum name blade using the standard letter sizes and styles defined in the Traffic Control Devices Manual published by Waka Kotahi New Zealand Transport Agency
- e. foreseeably collectable names (for example any known to be subject to theft) should be avoided
- f. wherever possible names should change at logical points (for example, not between intersections).

### **Renaming**

- 35. Only in exceptional circumstances will Council consider renaming public or private roads, bridges, parks, reserves or community facilities etc.
- 36. Requests for renaming may be considered only if they originate from Mana Whenua/residents/ratepayers of Waipā District for any of the following reasons:
  - a. following a change in road layout including where an infrastructure change necessitates the renaming of part of a road, e.g. an existing road is severed by a new road
  - b. it is culturally inappropriate
  - c. it addresses a significant wrong or grievance
  - d. to correct inaccuracies or spelling, or to standardise the orthography
  - e. any other reason Council considers to be appropriate.

### **Additional criteria for parks, reserves, open spaces and features within them**

- 37. For reserves that are gifted, Council may honour the gift through agreeing the reserve name in discussion with the landowner and Mana Whenua.
- 38. Where parks are acquired at market value, names will not be agreed as a condition of sale and purchase.
- 39. Unless necessary or appropriate, the words “park” or “reserve” do not need to be used in a name.
- 40. Generally, contiguous parks and reserves will be given the same name.

### **Additional criteria for community facilities**

- 41. Unless necessary or appropriate, words describing the nature of the facility do not need to be used in a name.



42. The inclusion of corporate names to community facilities is included in the Waipā District Council Sponsorship Policy.

### Monitoring and implementation

43. Implementation of the policy will be the responsibility of, and monitored by, the Group Manager District Growth & Regulatory.
44. The policy will be reviewed every three years or earlier at the request of Council or in response to changed legislative and statutory requirements.
45. This policy replaces any existing Waipā District Council policy or process for the naming of roads, parks, reserves, open spaces (including features within them) and community facilities. Any pre-existing list of "approved" names for selection is hereby discontinued.

Signed \_\_\_\_\_ Date  
**Garry Dyet, Chief Executive**

**SCHEDULE 1 – AS/NZS 4819 – TYPES OF ROADS**

Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
<b>Alley</b>	Aly	Usually narrow roadway in a city or towns.	✓	✓	
<b>Arcade</b>	Arc	Passage having an arched roof or covered walkway with shops along the sides.			✓
<b>Avenue</b>	Ave	Broad roadway, usually planted on each side with trees.	✓		
<b>Boulevard</b>	Blvd	Wide roadway, well paved, usually ornamented with trees and grass plots.	✓		
<b>Circle</b>	Cir	Roadway that generally forms a circle; or a short enclosed roadway bounded by a circle.	✓	✓	
<b>Close</b>	Cl	Short enclosed roadway.		✓	
<b>Court</b>	Crt	Short enclosed roadway, usually surrounded by buildings.		✓	
<b>Crescent</b>	Cres	Crescent shaped roadway, especially where both ends join the same thoroughfare.	✓		
<b>Drive</b>	Dr	Wide roadway without many cross-streets.	✓		
<b>Glade</b>	Gld	Roadway usually in a valley of trees.	✓	✓	
<b>Green</b>	Grn	Roadway often leading to a grassed public recreation area.		✓	
<b>Grove</b>	Grv	Roadway that features a group of trees standing together.		✓	
<b>Highway</b>	Hwy	Main thoroughfare between major destinations.	✓		
<b>Lane</b>	Lane	Narrow roadway between walls, buildings or a narrow country roadway. (reserved exclusively for non-public roads)	✓	✓	✓
<b>Loop</b>	Loop	Roadway that diverges from and rejoins the main thoroughfare.	✓		
<b>Mall</b>	Mall	Wide walkway, usually with shops along the sides.	✓		
<b>Mews</b>	Mews	Roadway having houses grouped around the end.		✓	
<b>Parade</b>	Pde	Public roadway or promenade that has good pedestrian facilities along the side.	✓		

Road type	Abbreviation	Description	Open ended	Cul-de-sac	Pedestrian only
<b>Place</b>	Pl	Short, sometimes narrow, enclosed roadway.		✓	
<b>Promenade</b>	Prom	Wide flat walkway, usually along the water's edge.			✓
<b>Quay</b>	Qy	Roadway alongside or projecting into the water.	✓	✓	
<b>Rise</b>	Rise	Roadway going to a higher place or position.	✓	✓	
<b>Road</b>	Rd	Open roadway primarily for vehicles.	✓		
<b>Square</b>	Sq	Roadway which generally forms a square shape, or an area of roadway bounded by four sides.	✓	✓	
<b>Steps</b>	Stps	Walkway consisting mainly of steps.			✓
<b>Street</b>	St	Public roadway in an urban area, especially where paved and with footpaths and buildings along one or both sides.	✓		
<b>Terrace</b>	Tce	Roadway on a hilly area that is mainly flat.	✓	✓	
<b>Track</b>	Trk	Walkway in natural setting.			✓
<b>View</b>		A road with a view.	✓	✓	
<b>Walk</b>	Walk	Thoroughfare for pedestrians.			✓
<b>Way</b>	Way	Short enclosed roadway. (reserved exclusively for non-public roads)		✓	✓
<b>Wharf</b>	Whrf	A roadway on a wharf or pier.	✓	✓	✓

## **Appendix 2**

Draft Naming Policy Statement of Proposal (document number 10572432)



# STATEMENT OF PROPOSAL

## Naming Policy

March 2021

This Statement of Proposal is made for the purposes of Sections 82A, 83, 83AA and 87 of the Local Government Act 2002.

It includes:

- Background to the proposal
- Reasons for the proposal
- Summary of proposal
- How to provide your feedback
- A copy of the draft Naming Policy 2021

## **WAIPĀ DISTRICT COUNCIL NAMING POLICY**

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### **STATEMENT OF PROPOSAL**

#### **Introduction**

Waipā District Council (the Council) has prepared a draft Naming Policy for new roads, parks, reserves and Council facilities to replace the existing system of name selection.

The Naming Policy aims to ensure:

- consistency and clarity in naming
- that new names are appropriate and reflect Waipā's story and diverse heritage
- that we celebrate our reputation as Waipā Home of Champions.

We want your feedback on our proposals.

#### **Background to the proposal**

Council is concerned that many names for new roads, parks and reserves in our district lack any clear connection with the locality or community where they are situated, or with Waipā generally.

The existing process for selecting names, is frequently bypassed, and is quite restrictive. It is simply not working as well as we would like it to.

We want to set clear criteria for the selection and use of names in our district. Council wants your views on this draft policy before anything is decided.

#### **Reasons for the proposal:**

We want to update our naming process so that:

- the names of new streets, parks, reserves, park assets and community facilities across Waipā better reflect and connect to our district and our unique history and heritage
- our names better reflect the Waipā community by encouraging greater use of te reo Māori
- there is a clearer and more streamlined process in our district.

***The draft Naming Policy is attached to this Statement of Proposal.***

## Purpose of the Policy

The Naming Policy's main purposes are:

- ensure names of Council's assets tell the story of Waipā and reflect Waipā's natural, cultural and historic heritage
- better reflect the Waipā community by encouraging greater use of te reo Māori
- provide clarity and consistency in the naming of roads, parks, reserves, park assets such as tracks and community facilities
- ensure names are appropriate and do not duplicate or cause confusion with existing or approved names.

## OPTIONS CONSIDERED BY COUNCIL

### New names

Council considered four options to develop a new naming policy:

- 1 Little change: We would retain the current list of pre-approved names deemed suitable for use across the district, indicating which names might be appropriate for which areas. Guidance would be provided on which names would be suitable.  
  
This option has not worked effectively for many years. The list of 'suitable names' has not been replenished and it has not even been used on several occasions. As a result, some names have been suggested that are not suitable, but no viable alternative has existed or been proposed. This option is not recommended.
- 2 Names based on merit (This is the option Council recommends): There would be no list of pre-approved names. Instead, every naming application would be assessed on its merits, guided by a Naming Policy. Mana Whenua would help evaluate the suitability of proposed names and to suggest alternatives for consideration if appropriate.
- 3 Relying on agreement between Council and developers: There would be no list of pre-approved names. Instead, we would seek to get agreement between developers and Council. In the event that agreement couldn't be reached, Council would have a short pre-approved list of names to choose from.  
  
This option risks repeating the difficulties of option 1 and is not recommended.
- 4 Linking names to structure plans: A list of suitable names is provided in structure plans for each growth cell, and names would be drawn from those lists. Outside Structure Plan areas, option 2 would be followed.

However, Structure Plans have been developed with full public consultation but do not include lists of names. This would mean further consultation and expense to vary Structure Plans. This option is not recommended.

## Renaming roads

For the renaming of roads etc, Council has five policy options:

- a) That any party could seek to persuade Council to change names. If Council agreed to that name change, Council would bear the cost of that change. This potentially opens Council to processing several renaming applications from across the district – or even from outside the district - all unbudgeted. This is not recommended.
- b) That parties who could apply for road name changes be restricted to Mana Whenua in Waipā, residents of Waipā, and Waipā District Council ratepayers. The policy would limit the circumstances by which names may be changed. **This is Council's recommended option.**
- c) That only Mana Whenua can apply for name changes. A single, equitable process for all would be a more efficient policy and process. This option is not recommended.
- d) The policy describes only the circumstances in which names may be changed, but is silent on who can initiate changes. This also potentially opens Council to processing several renaming applications from across the district and beyond. This is not recommended.
- e) Omit road renaming from this policy completely. However, there are concerns in some communities regarding the continuing use of names commemorating certain historic events or individuals, and known desires to rename some roads accordingly. Council may need to address these concerns in the future and therefore needs a policy on renaming to guide its future responses.

## SUMMARY OF PROPOSAL

Waipā District Council wants a better and more consistent way to name new streets, parks, reserves, park assets and community facilities that better reflects our district.

Mana Whenua will continue to be a partner in selecting names as they hold mana and traditional associations with place and are the most appropriate authority from which to seek options for te reo Māori names.

Proposed names must reflect one or more of the following (listed in no order of priority):

- a. the identity of Waipā and/or local identity
- b. the historical significance of particular locations



- c. the cultural significance of the area to Mana Whenua
- d. people who were important in the history of the local area (from any community in Waipā)
- e. events, and places significant to a community or communities locally, nationally, internationally or of significance to the Kiingitanga
- f. the surname, or traditional ancestral name, of a person who is/was a notable leader, and/or contributed to, or had a strong association with Waipā. If the person is deceased, a period of at least 12 months since the date of their passing shall be observed before their name is assigned
- g. flora, fauna and topographical features significant or important to the history or geography of the community, the wider local area or the district.

Names of roads, buildings and features within the perimeter of the Hamilton Airport may, in addition to these criteria, commemorate aviation in Waipā, and/or the Waikato and/or New Zealand.

While te reo Māori or English monolingual names are preferred, council supports dual naming in the following circumstances:

- a. where there is an opportunity to promote te reo Māori by use of a direct Te Reo/English translation
- b. where both English and te reo Māori names are already in current use in the community for the same road, site or feature
- c. where dual naming will improve the visibility of Mana Whenua connections to a place.

Council will only consider renaming public or private roads, bridges, parks, reserves or community facilities only in exceptional circumstances. Requests for renaming may be considered only if they originate from Mana Whenua/residents/ratepayers of Waipā District for any of the following reasons:

- a. following a change in road layout including where an infrastructure change necessitates the renaming of part of a road, e.g. an existing road is severed by a new road
- b. the current name is culturally inappropriate
- c. re-naming would address a significant wrong or grievance
- d. to correct inaccuracies or spelling, or to standardise the orthography
- e. any other reason Council considers to be appropriate and only in exceptional circumstances.

The final decision on names will be made by Waipā District Council.

## HAVE YOUR SAY

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Submission forms/surveys and copies of the Statement of Proposal are available:

- Online at the Council's website: [www.waipadc.govt.nz](http://www.waipadc.govt.nz)
- At the Council Offices and Libraries
- By phoning (07) 872 0030 and requesting a copy.

**Any person may make a written submission on the proposed Naming Policy.**

Submissions must be made online or in writing in the format shown in the detachable submission form following this page. This form is intended as a guide only, but is suitable for brief submissions. Please attach additional pages as necessary.

Please note that written submissions are to be received by Waipā District Council by **5.00 pm** on **4 June 2021**.

**Submissions can be:**

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**Online:** [www.waipadc.govt.nz/haveyoursay](http://www.waipadc.govt.nz/haveyoursay)

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**Emailed to:** [submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz)  
Subject heading should read: *Naming Policy – Submission*

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**Posted to:** Waipā District Council  
Attn: Naming Policy – Submission  
Private Bag 2402  
Te Awamutu 3840

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**Delivered to:** Waipā District Council  
101 Bank Street  
Te Awamutu

Waipā District Council  
23 Wilson Street  
Cambridge

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<b>Key Dates:</b>	
Submissions open	3 May 2021
Submissions close	4 June 2021
Submissions hearing	3 August 2021
Council adopts (or not) Policy	31 August 2021

Council will acknowledge in writing each submission received. All submissions will be considered and deliberated on. You have the opportunity to have your submission heard in person at the Strategic Planning and Policy Committee meeting on Tuesday 3 August 2021. When you complete the submission form, please tell us if you would like to be heard.

If you have any further queries or would like more copies of the draft Naming Policy 2021, please contact Council on 0800 924 723.

## Submission Form

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	<h1>Naming Policy Submission Form</h1>
To: Waipā District Council, Private Bag 2402, Te Awamutu 3840 Phone: 0800 924 723   Fax: 07 872 0033   Web: <a href="http://www.waipadc.govt.nz">www.waipadc.govt.nz</a> Email: <a href="mailto:submissions@waipadc.govt.nz">submissions@waipadc.govt.nz</a>	

**SUBMISSIONS CLOSE: 5pm – 4 June 2021**

Full name:	_____	<i>For office use only:</i>  Submission No.
Organisation: (if applicable)	_____	
Address for correspondence:	_____	
	_____	
Email:	_____	
Phone:	_____	

*Submissions made under the Local Government Act 2002 are public documents. They are made available in a report to the elected members of Council and to the public via Council's website and on request. Personal information supplied will be used for administration purposes and as part of the consultation process. You have the right to correct any errors in personal details contained in your submission.*

Are you happy for your name to be released to the public in association with this submission?

Yes  No

I wish to present my submission verbally to a public Council hearing: Yes  No

I/we support  / oppose  the proposed Naming Policy

The reasons for my/our support or opposition of the proposed Naming Policy:

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Are there any of the naming criteria you would like to see changed/added?

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I would like to see the following changes to the proposed Naming Policy:

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I have attached additional information:    Yes                     No

I would like to present my submission to Councillors in person

.....  
Signature of person making submission or person authorised to sign on behalf of person making submission

.....  
Date

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# STRATEGIC PLANNING AND POLICY COMMITTEE REPORT



**To:** The Chairperson and Members of the Strategic Planning & Policy Committee

**From:** Strategic Projects Driver

**Subject:** **Draft Smokefree and Vapefree Policy: approval of Statement of Proposal**

**Meeting Date:** 6 April 2021

**File Reference:** 10570432

## 1 EXECUTIVE SUMMARY

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Waipā District Council has prepared a new Smokefree and Vapefree Policy to apply in Council-owned public places across the district. This is a new policy for which community feedback is now sought.

A Statement of Proposal has been prepared in accordance with section 83 of the Local Government Act 2002 as the basis of consultation commencing on 3 May 2021 and concluding on 4 June 2021.

The following appendices accompany this report:

- Appendix 1 – Draft Smokefree and Vapefree Policy (document number 10556239)
- Appendix 2 – Draft Smokefree and Vapefree Policy Statement of Proposal (document number 10570427)

## 2 RECOMMENDATION

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*That the Strategic Planning & Policy Committee:*

- a) **RECEIVES** the report *Draft Smokefree and Vapefree Policy: approval of Statement of Proposal (document number 10570432) of Graham Pollard, Strategic Projects Driver; and*
- b) **APPROVES** the *Draft Smokefree and Vapefree Policy (document number 10556239) for public consultation; and*

- c) **APPROVES** the Draft Smokefree and Vapefree Policy Statement of Proposal (document number 10570427) as the basis for public consultation during May and June 2021.

### 3 OPTIONS AND ASSESSMENT

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#### Public places

Local authority smokefree policies typically consider appropriate smokefree places to be Council-owned or managed parks, reserves and playgrounds; skate parks; Council-owned or managed sports locations, walking tracks, lakes or river spots; all bus stops, shelters and public toilets. It is recommended that this definition should be applied, and that the entrances to all Council-owned and operated buildings, and camping grounds, should also be included.

An alternative is to use the definition of public places as per the Waipā District Public Places Bylaw 2018. However, this is a much wider definition and includes all roads, malls, access ways and thoroughfare. This is considered to be too broad a definition for this policy, and is not recommended.

#### Outdoor dining places

Including outdoor/street dining areas as smokefree/vapefree areas is recommended. Dining permits issued under the Waipā District Public Places Bylaw 2018 may already include a condition restricting activities for reasons of public health. It is recommended that outdoor/street dining areas should be included in the policy immediately. The alternative option is to include them after 12 months to allow time for businesses to make the necessary adjustments, but this is not recommended because the policy is about education rather than enforcement which would allow time for business adaptations to occur.

#### Inclusion of vaping

Council recommends that vaping should be treated the same as smoking other substances as it:

- is consistent with providing safe environments for the public (free of second hand vape impacts – vape can contain a substantial mixture of chemicals)
- reinforces the health message
- aligns with concerns from the Government and health officials due to clear evidence of the vaping industry targeting young people
- reduces confusion.

Vaping may be considered safer than smoking, but not safe. There is currently some evidence of harm from vaping, and it may be many years before the full health effects are known.

Waikato District Health Board and the Cancer Society of New Zealand support a recommendation to government that all areas legislated as smokefree should also become vapefree.

### **Inclusion of non-tobacco substances**

Council has considered whether to include smoking substances that are not tobacco such as cannabis or methamphetamine.

It is recommended that a 'smokefree area' should be defined to refer to, and include, all combustible and smoking-related devices including pipes, cigars, e-cigarettes, meth pipes, cannabis pipes or paraphernalia etc.

### **Enforcement**

It is recommended that this should be an education-based policy. It would rely on good faith that people who smoke or vape, will refrain from smoking or vaping in areas that are designated smokefree. Having a policy makes it easier for the community to self-regulate. A smokefree policy with signage provides a simple way for a person to remind a smoker that an area is smokefree.

An alternative approach would be to develop a Council bylaw to enforce the policy. However, this would require new operating resources to monitor and enforce without any additional penalties or enforcement tools. This option is not recommended.

### **Monitoring**

Monitoring could be undertaken from methods such as a wellbeing questionnaire, or online surveys asking people's perceptions/comments on compliance.

### **Consultation**

Development of the Draft Smokefree and Vapefree Policy was approved by members of Ngā Iwi Toopū ō Waipā.

It is proposed to consult the community in general between 3 May and 4 June 2021. Due to the expected high level of public interest in this subject, Council proposes to consult using the special consultative procedure as set out in section 83 Local Government Act 2002.

### **Financial/risk considerations**

There are no financial or risk considerations apart from the cost of signs for smokefree and vapefree areas. These will be funded from existing Council operating budgets.

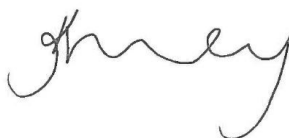
### **COVID-19 response**

The Draft Smokefree and Vapefree Policy is not affected by, nor will affect, Council's response to managing COVID-19.





Graham Pollard  
**STRATEGIC PROJECTS DRIVER**



Reviewed by Kirsty Downey  
**MANAGER STRATEGY**



Approved by Garry Dyet  
**CHIEF EXECUTIVE**

## SUPPORTING INFORMATION: ASSESSMENT OF PROPOSAL

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### 1 Statutory and policy requirements

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#### Legal and regulatory considerations

##### *Local Government Act 2002*

Section 83 of the Local Government Act 2002 requires Council to prepare a Statement of Proposal the purpose of which is to enable the public to understand the issues, the process and how to make a submission on the draft policy.

### 2 Background to proposal

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The Smokefree 2025 goal for New Zealand was adopted by central Government in 2011. Most local authorities have adopted smokefree policies; Waipā District Council is one of only three North Island authorities not to have a Smokefree Policy.

Council was approached in 2019 by the Waikato District Health Board and the Bay of Plenty Cancer Society with regard to developing a Smokefree Policy to improve the health and well-being of Waipā communities.

The reasons for developing this policy are to:

- support and contribute to the Smokefree 2025 goal for New Zealand by discouraging smoking and vaping behaviours which have harmful health effects
- support the Smokefree Environments Act 1990, including Part 1 Smokefree workplaces and public areas
- support the Smokefree Environment and Regulated Products (Vaping) Amendment Act 2020
- support the Waipā District Council vision of “Waipā Home of Champions – building connected communities”.

## **Appendix 1**

Draft Smokefree and Vapefree Policy (document number 10556239)

# **DRAFT SMOKEFREE AND VAPEFREE POLICY 2021**

**APRIL 2021**

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DRAFT

<i>First adopted:</i>	
Revision dates/version:	
Next review date:	
Engagement required:	
Document number:	
<b>Associated documents:</b>	

## Waipā District Council Smokefree and Vapefree Policy

### 1. Purpose

- 1.1. The aim of the Waipa District Council's Smokefree and Vapefree Policy is to declare Waipā District Council-owned public places to be smokefree and vapefree.
- 1.2. The purpose of this policy is to support the Government's goal of New Zealand becoming smokefree by 2025 through the promotion of healthy Waipā communities. The policy supports: the Smokefree 2025 goal for New Zealand, adopted by the Government in March 2011; the Smokefree Environments Act 1990, including Part 1 Smokefree workplaces and public areas; the Smokefree Environment and Regulated Products (Vaping) Amendment Act 2020.
- 1.3. Council's role is to reduce the incidence of smoking and de-normalising smoking behaviour in our public places; by so doing promote the Waipā District Council vision of 'Waipā Home of Champions - building connected communities'.

### 2. Definitions

- 2.1. For the purposes of this Policy the following definitions shall apply:

Term	Definition
<b>Council</b>	means the Waipa District Council as constituted by the Local Government Act 2002
<b>Smoking</b>	The act of inhaling and exhaling the smoke of burning cigarettes, e-cigarettes, pipes, cigars or other paraphernalia. This activity includes smoking, holding, or otherwise having control over an ignited product or thing whose customary use is, or includes, the inhalation from it of the smoke produced from its combustion or the combustion of any part of it. For clarity, tobacco or herbal tobacco product and/or psychoactive substances, including synthetic cannabis, are deemed smoking products.
<b>Vaping</b>	The use of an electronic cigarette ("e-cigarette") that heats a solution (the e-liquid) producing a vapour that the user inhales or 'vapes'. The ingredients of the e-liquid may vary, but most e-liquids contain propylene glycol (also used in asthma inhalers and nebulisers) and flavouring agents. Some, but not all, e-liquids contain nicotine.

### 3. Guiding principles

- 3.1. The policy takes a non-regulatory approach. Compliance with the policy is not enforced by Council. Compliance with the policy is instead encouraged by empowering the public to model and promote smokefree and vapefree behaviour in a positive manner, which in turn encourages others to be smokefree and vapefree.

### 4. Policies

#### 4.1. Smokefree and vapefree areas

The following public places will be smokefree and vapefree across the entire district:

- All Council-owned and/or managed parks and reserves (including Council-owned playgrounds, skate parks, pump tracks, sports fields, camping grounds) and leased areas\*
- All bus stops and shelters
- All Council-owned public toilets
- Council-owned or managed cycle trails
- Outside the entrances/exits of all Council owned and operated buildings
- Outdoor public areas within the central business districts (as defined in Schedule 1) of Cambridge, Te Awamutu, Kihikihi, Ohaupo and Pirongia
- All outdoor/footpath dining areas within the central business districts of Cambridge, Te Awamutu, Kihikihi, Ohaupo and Pirongia
- All public car parks.

\*To be implemented when new leases and licences are granted

#### 4.2. Smokefree and vapefree outdoor dining

Restaurants, cafes and bars with a permit to use the street footpath for their outdoor dining should make sure those spaces are smokefree and vapefree.

Business are encouraged to sign up to the “The Fresh Air Project” to promote their smokefree and vapefree status. Businesses are encouraged to display smokefree and vapefree signage around their business to promote the smokefree and vapefree message to the community.

#### Smokefree and vapefree events

Council recognises that public events can support the promotion of positive smokefree and vapefree messages. All Council-owned events and those receiving Council funding or support must be smokefree and vapefree. Event organisers are encouraged to share the smokefree and vapefree message leading up to, and at, their events.

## 5. Procedures

### 5.1. Implementation

Successful communication and education of this policy requires a collaboration between Council, communities, and the Waikato District Health Board.

- To implement this policy Council will:
- make smokefree and vapefree signage/stickers available.
- display signage with smokefree and vapefree messaging at Council buildings, facilities and parks and reserve areas as signage needs to be renewed or replaced
- on review, Council documents (e.g. reserve management plans), will make reference to smokefree and vapefree public places.
- on review, community leases and licences will require the leased premises to be smokefree and vapefree
- include a 'no smoking/vaping on premises' clause in the Council's terms and conditions for hiring any Council venue.
- include a smokefree and vapefree compliance requirement in Council contracts.
- include a smokefree and vapefree requirement in all funding agreements / contracts as they are renegotiated/renewed.

## 6. Application and review

- 6.1. The policy will be reviewed by Council every three years, following its adoption; or as determined by Council; or in response to legislative or policy changes as appropriate.
- 6.2. The following measures of success will be used as the basis of any review of the Policy:
  - The number of actively promoted smokefree and vapefree areas in Waipā increases



- Awareness of, and public support for, smokefree and vapefree public areas increases

These will be measured using surveys of businesses, organisations, and facilities; and community surveys.

6.3. The policy will take effect from the date it is signed by the Chief Executive.

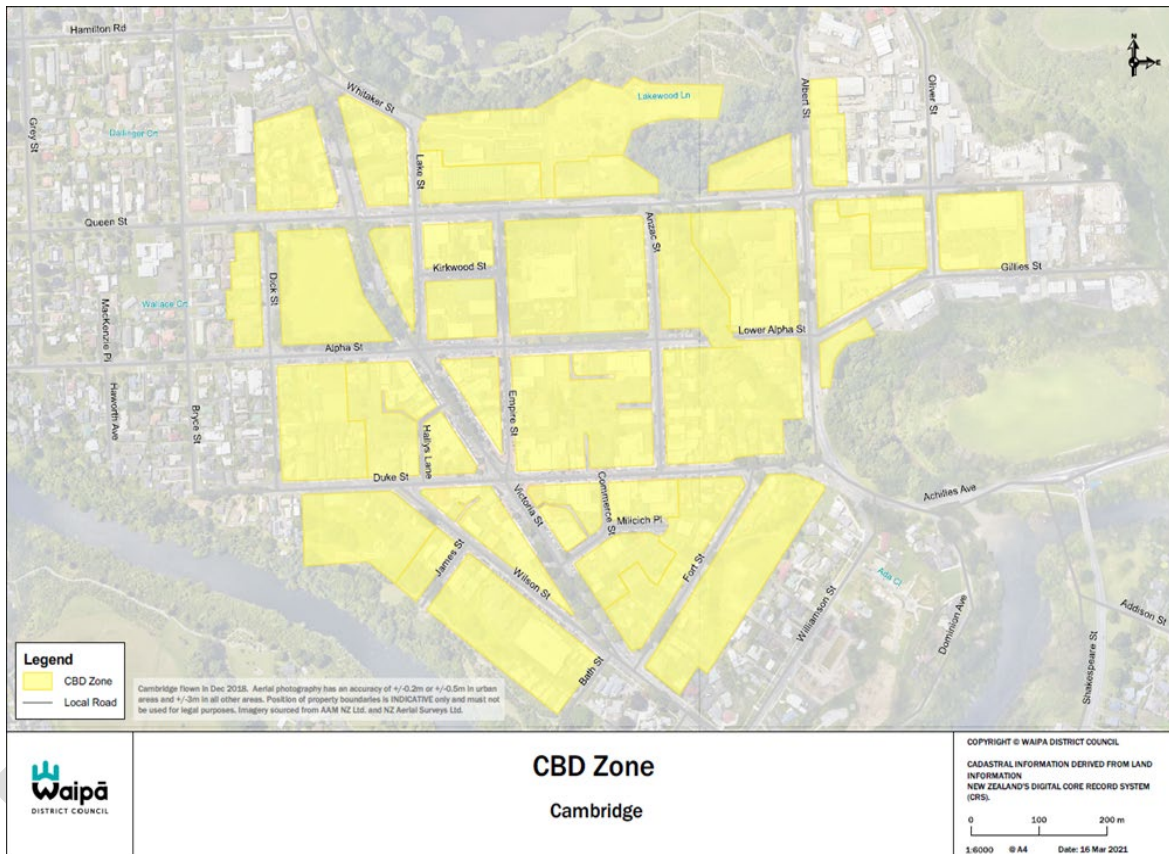
Garry Dyet  
**Chief Executive**

**Date:**

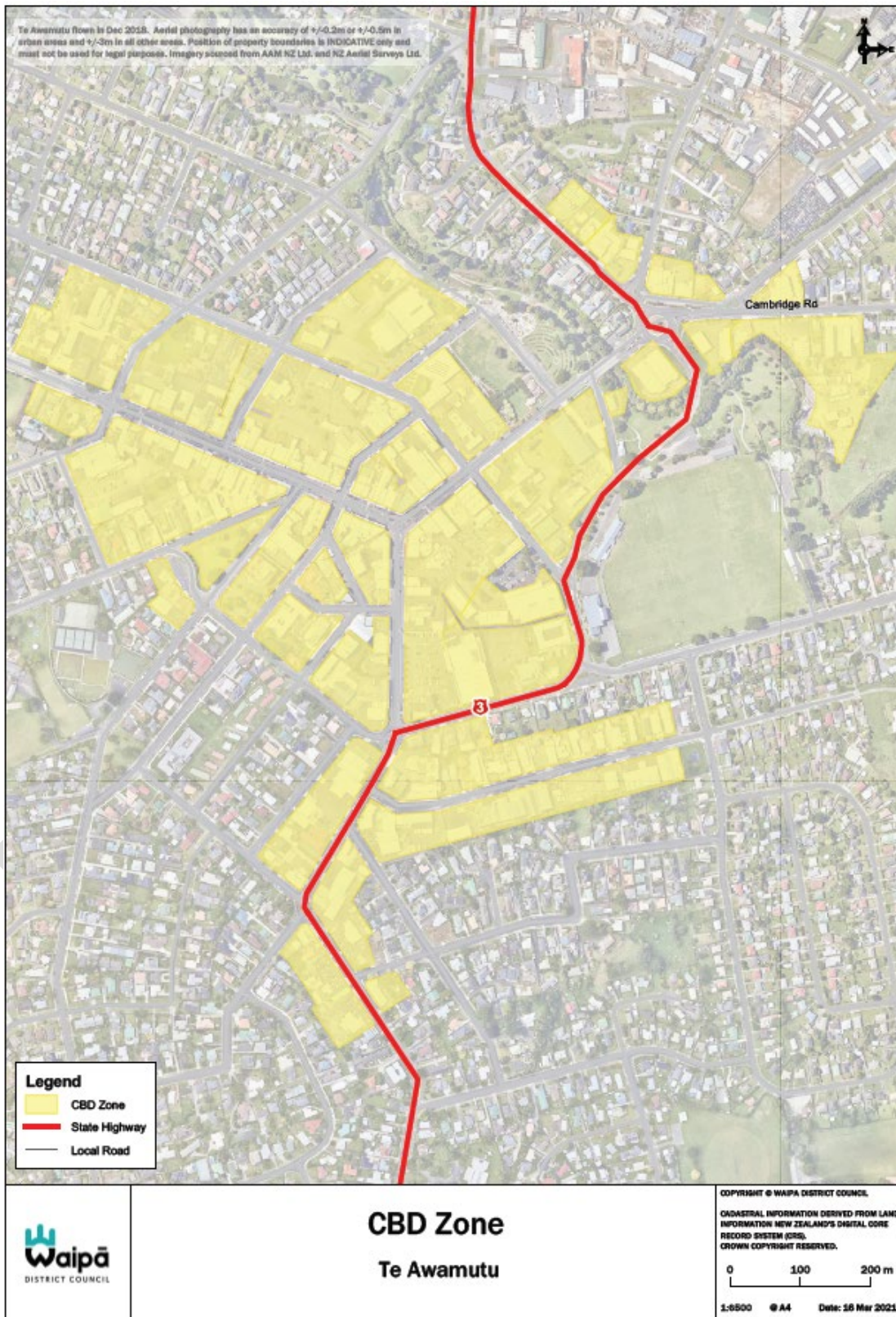
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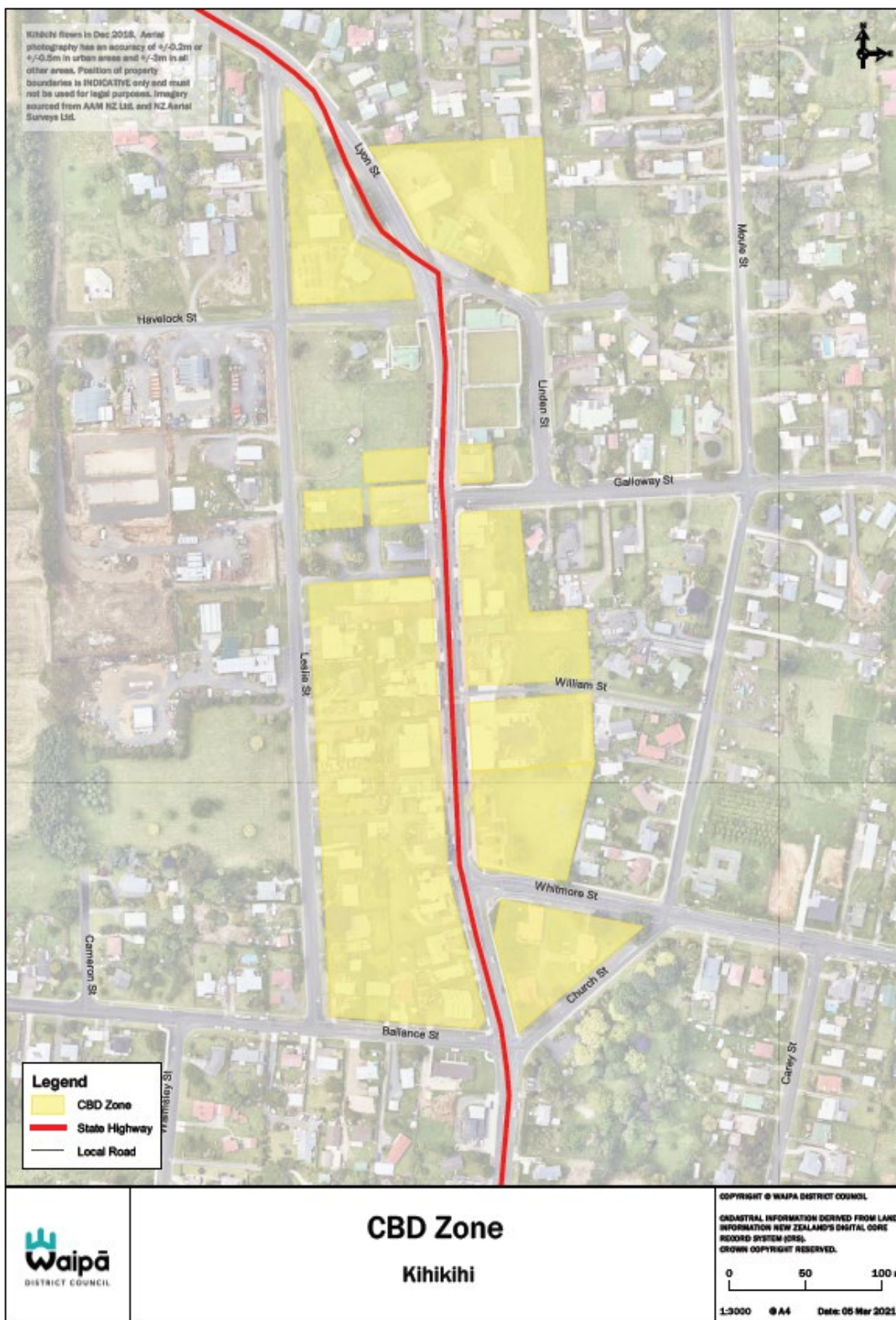
## 7. Schedule 1

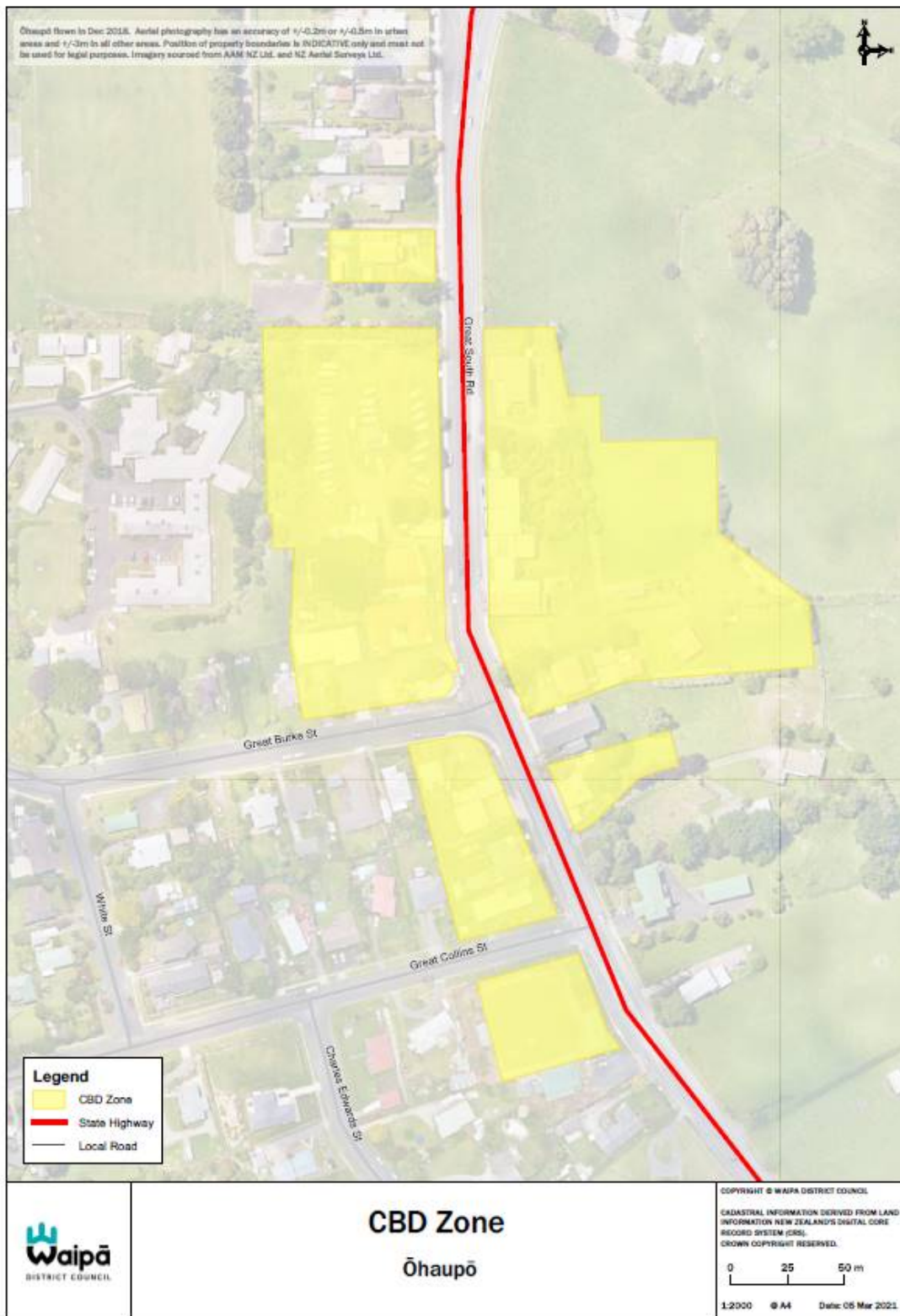
All outdoor public areas including roads, parks and reserves within the central business districts of Cambridge, Leamington, Te Awamutu, Kihikihi, Ohaupo and Pirongia, are smokefree and vapefree areas. The central business districts are shown by the maps below (shaded yellow) and include the roads within the shaded areas.

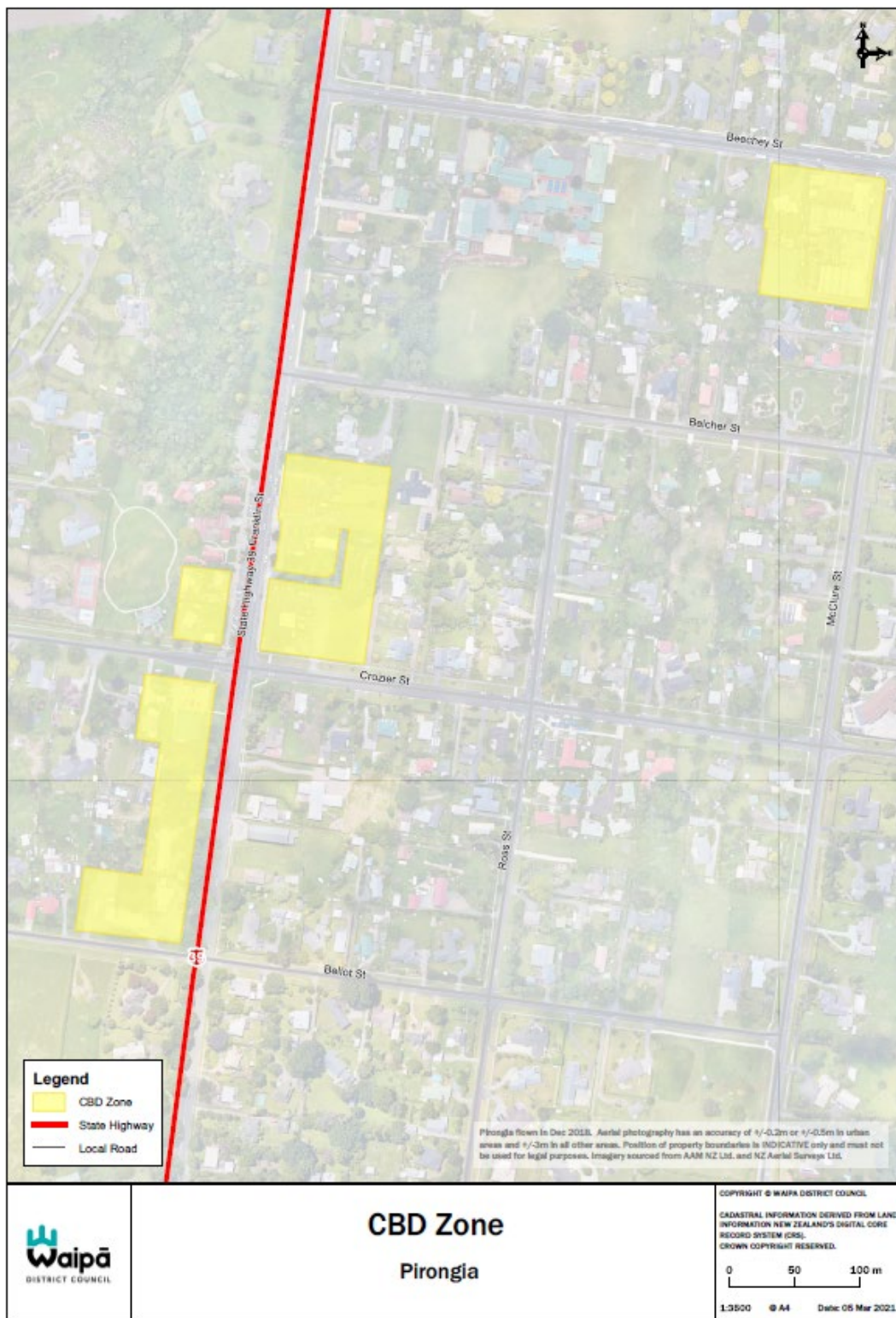












## Appendix 2

Draft Smokefree and Vapefree Policy Statement of Proposal (document number 10570427)





# STATEMENT OF PROPOSAL

## Smokefree and Vapefree Policy

March 2021

This Statement of Proposal is made for the purposes of Sections 82A, 83, 83AA and 87 of the Local Government Act 2002.

It includes:

- Background to the proposal
- Reasons for the proposal
- Summary of proposal
- How to provide your feedback
- A copy of the draft Smokefree and Vapefree Policy 2021

## **WAIPĀ DISTRICT COUNCIL SMOKEFREE AND VAPEFREE POLICY**

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### **STATEMENT OF PROPOSAL**

#### **Introduction**

Waipā District Council (the Council) has prepared a new policy aimed at contributing to the aim of a smokefree New Zealand by promoting a smokefree and vapefree Waipā.

The Smokefree and Vapefree Policy is about declaring Council-owned public places to be smokefree and vapefree and de-normalising smoking and vaping behaviour.

#### **Background to the proposal**

The Smokefree 2025 goal for New Zealand was adopted by the Government in 2011. Most local authorities have adopted smokefree policies; Council is one of only three North Island authorities not to have a Smokefree Policy.

Council was approached in 2019 by the Waikato District Health Board and the Bay of Plenty Cancer Society with regard to developing a Smokefree Policy to improve the health and well-being of Waipā communities.

#### **Reasons for the proposal:**

The reasons for developing this policy are to:

- support and contribute to the Smokefree 2025 goal for New Zealand by discouraging smoking and vaping behaviours which have harmful health effects
- support the Smokefree Environments Act 1990, including Part 1 Smokefree workplaces and public areas
- support the Smokefree Environment and Regulated Products (Vaping) Amendment Act 2020
- support the Waipā District Council vision of “Waipā Home of Champions – building connected communities”.

***The draft Smokefree and Vapefree Policy is attached to this Statement of Proposal.***

#### **Purpose of the Policy**

The Smokefree and Vapefree Policy’s main purposes are to:

- declare Council-owned public places to be smokefree and vapefree
- reduce the incidence of smoking and vaping in public places
- de-normalise smoking and vaping behaviour in public places.

## OPTIONS CONSIDERED BY COUNCIL

Council considered five options in developing this policy:

- a) smokefree public areas: local authority smokefree policies typically consider appropriate smokefree places to be council-owned or managed parks, reserves and playgrounds; skate parks; council-owned or managed sports locations, walking tracks, lakes or river spots; all bus stops and shelters; public toilets. Council has accepted these should be included, and has added the entrances to all Council-owned and operated buildings, and camping grounds.

Including outdoor/street dining areas is recommended. Dining permits issued under the Waipā District Public Places Bylaw 2018 may already include a condition restricting activities for reasons of public health. It is an option to include outdoor/street dining areas in the policy immediately, or to add them after 12 months to allow time for businesses to make the necessary adjustments.

An alternative is to use the definition of public places as per the Waipā District Public Places Bylaw. However, this is a much wider definition and includes all roads, malls, access ways and thoroughfare. This is considered to be too broad a definition for this policy, and so this approach is not recommended.

- b) Inclusion of vaping: Council recommends that vaping should be treated the same as smoking other substances as it:
- is consistent with providing safe environments for the public (free of second hand vape impacts – vape can contain a substantial mixture of chemicals)
  - reinforces the health message
  - aligns with concerns from the Government and health officials due to clear evidence of the vaping industry targeting young people
  - reduces confusion.

Vaping may be considered safer than smoking, but not safe. There is currently some evidence of harm from vaping, but it may be many years before the full health effects are known.

Waikato District Health Board and the Cancer Society of New Zealand support a recommendation to Government that all areas legislated as smokefree should also become vape-free.

- c) Inclusion of non-tobacco substances: Council has considered whether to include smoking substances that are not tobacco such as cannabis or methamphetamine.

Council recommends that a 'smokefree area' should be defined to refer to, and include, all combustible and smoking-related devices including pipes, cigars, e-cigarettes, meth pipes, cannabis pipes or paraphernalia etc.

- d) Policy enforcement: Council recommends that this should be an education-based policy. It would rely on good faith that people who smoke or vape, will refrain from smoking or vaping in areas that are designated smokefree.

Having a policy makes it easier for the community to self-regulate. A smokefree policy with signage provides a simple way for a person to remind a smoker that an area is smokefree.

An effective promotional campaign and signage would make the community aware of the smokefree areas. Enforcement of the policy would not be necessary if there is good promotion, and the public have been given enough time and opportunities to be informed.

An alternative approach would be to develop a Council bylaw to enforce the policy. However, this would require new operating resources to monitor and enforce without any additional penalties or enforcement tools. This option is not recommended.

- e) Policy monitoring: Monitoring should be undertaken by using wellbeing questionnaires, and online surveys asking people's perceptions/comments on compliance. This is Council's recommended approach.

However, monitoring in the sense that Council officers will ensure nobody is smoking at smokefree areas (enforcement), is not recommended. Good signage, a good campaign and/or consultation process, and opportunities for the community to be informed, would be more cost-effective for compliance.

## SUMMARY OF PROPOSAL

Waipā District Council proposes to adopt a Smokefree and Vapefree Policy aimed at contributing to the aim of a smokefree New Zealand by promoting a smokefree and vapefree Waipā.

The policy takes a non-regulatory, persuasive approach. Compliance with the policy will not be actively enforced by Council. Compliance with the policy is instead encouraged by empowering the public to model and promote smokefree and vapefree behaviour in a positive manner, which in turn encourages others to be smokefree and vapefree.

The following public places would become smokefree across the entire district:

- All Council-owned and/or managed parks and reserves (including Council-owned playgrounds, skate parks, pump tracks, sports fields, camping grounds) and leased areas.
- All bus stops and shelters.
- All Council-owned public toilets.
- Council-owned or managed cycle trails.
- Outside the entrances/exits of all Council-owned and operated buildings.
- All public car parks;

and:

- Outdoor public areas within the central business districts of Cambridge, Te Awamutu, Kihikihi, Ohaupo and Pirongia

- All outdoor/footpath dining areas within the central business districts of Cambridge, Te Awamutu, Kihikihi, Ohaupo and Pirongia.

Restaurants, cafes and bars with a licence to use the street pavement for their outdoor dining would need to make sure those spaces are smokefree and vapefree.

All Council-owned events and those receiving Council funding or support would need to be smokefree and vapefree. Event organisers would be encouraged to share the smokefree and vapefree message leading up to, and at, their events.

To implement this policy Council will:

- make smokefree and vapefree signage/stickers available.
- display signage with smokefree and vapefree messaging at Council buildings, facilities and parks and reserve areas as signage needs to be renewed or replaced
- on review, Council documents (e.g. reserve management plans), will make reference to smokefree and vapefree public places.
- on review, community leases and licences will require the leased premises to be smokefree and vapefree.
- include a 'no smoking/vaping on premises' clause in the Council's terms and conditions for hiring any Council venue.
- include a smokefree and vapefree compliance requirement in Council contracts.
- include a smokefree and vapefree requirement in all funding agreements / contracts as they are renegotiated/renewed.

This policy will be reviewed by Council every three years, following its adoption; or as determined by Council; or in response to legislative or policy changes as appropriate.

## HAVE YOUR SAY

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Submission forms/surveys and copies of the Statement of Proposal are available:

- Online at the Council's website: [www.waipadc.govt.nz/haveyoursay](http://www.waipadc.govt.nz/haveyoursay)
- At the Council Offices and Libraries
- By phoning (07) 872 0030 and requesting a copy.

**Any person may make a written submission on the proposed Smokefree and Vapefree Policy.**

Submissions must be made online or in writing in the format shown in the detachable submission form following this page. This form is intended as a guide only, but is suitable for brief submissions. Please attach additional pages as necessary.

Please note that written submissions are to be received by Waipā District Council by **5.00 pm** on **4 June 2021**.

**Submissions can be:**

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**Online:** [www.waipadc.govt.nz/haveyoursay](http://www.waipadc.govt.nz/haveyoursay)

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**Emailed to:** [submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz)  
Subject heading should read: *Smokefree and Vapefree Policy – Submission*

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**Posted to:** Waipā District Council  
Attn: Smokefree and Vapefree Policy – Submission  
Private Bag 2402  
Te Awamutu 3840

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**Delivered to:** Waipā District Council  
101 Bank Street  
Te Awamutu

Waipā District Council  
23 Wilson Street  
Cambridge

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**Key Dates:**


Submissions open	3 May 2021
Submissions close	4 June 2021
Submissions hearing	3 August 2021
Council adopts (or not) Policy	31 August 2021

Council will acknowledge in writing each submission received. All submissions will be considered and deliberated on. You have the opportunity to have your submission heard in person at the Strategic Planning and Policy Committee meeting on Tuesday 3 August 2021. When you complete the submission form, please tell us if you would like to be heard.

If you have any further queries or would like more copies of the draft Smokefree and Vapefree Policy 2021, please contact Council on 0800 924 723.

## Submission Form

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	<b>Smokefree and Vapefree Policy Submission Form</b>
To: Waipā District Council, Private Bag 2402, Te Awamutu 3840 Phone: 0800 924 723   Fax: 07 872 0033   Web: <a href="http://www.waipadc.govt.nz">www.waipadc.govt.nz</a>   Email: <a href="mailto:submissions@waipadc.govt.nz">submissions@waipadc.govt.nz</a>	

**SUBMISSIONS CLOSE: 5pm – 4 June 2021**

Full name: _____	<i>For office use only:</i>  Submission No.
Organisation: (if applicable) _____	
Address for correspondence: _____	
_____	
Email: _____	
Phone: _____	

*Submissions made under the Local Government Act 2002 are public documents. They are made available in a report to the elected members of Council and to the public via Council’s website and on request. Personal information supplied will be used for administration purposes and as part of the consultation process. You have the right to correct any errors in personal details contained in your submission.*

Are you happy for your name to be released to the public in association with this submission?

Yes  No

I wish to present my submission verbally to a public Council hearing: Yes  No



I/we support  / oppose  the proposed Smokefree and Vapefree Policy

The reasons for my/our support or opposition of the proposed Smokefree and Vapefree Policy:

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I would like to see the following changes to the proposed Smokefree and Vapefree Policy:

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I have attached additional information:    Yes                     No

.....  
Signature of person making submission or person authorised to sign on behalf of person making submission

.....  
Date

---

# STRATEGIC PLANNING AND POLICY COMMITTEE REPORT



INFORMATION ONLY

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**To:** The Chairperson and Members of the Strategic Planning & Policy Committee

**From:** Strategic Projects Driver

**Subject:** **Submission on the Climate Change Commission's 2021 Advice to Government**

**Meeting Date:** 6 April 2021

**File Reference:** 10574116

## 1 EXECUTIVE SUMMARY

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On 1 February 2021 the Climate Change Commission published for consultation its first advice to government. This draft advice is about the direction of policy necessary to put the country on a pathway to quickly, significantly and permanently reduce greenhouse gas emissions.

The Strategic Planning and Policy Committee considered the draft submission at a workshop on 2 March 2021 and the suggested amendments were actioned.

The closing date for submissions was Sunday 28 March 2021. The submission in document number 10560591 attached as Appendix 1 to this report was submitted to the Climate Change Commission in advance of this deadline.

The following appendix accompanies this report:

- Appendix 1 – Submission to Climate Change Commission 2021 Advice to Government (*document number 10560591*)

## 2 RECOMMENDATION

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*That the Strategic Planning and Policy Committee **RECEIVE** the Submission on the Climate Change Commission's 2021 Advice to Government report (document number 10574116) of Graham Pollard, Strategic Projects Driver.*

### 3 OPTIONS AND ASSESSMENT

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#### **Decision making**

No decisions are required in respect of this submission. Submissions on this subject closed on 28 March 2021.

#### **Covid Recovery**

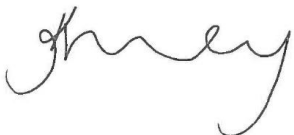
The submission is not affected by, nor will affect, Council's response to managing COVID-19.

#### **Financial/risk considerations**

There are no financial or risk considerations associated with preparing and making this submission.



Graham Pollard  
**STRATEGIC PROJECTS DRIVER**



Reviewed by Kirsty Downey  
**MANAGER STRATEGY**



Approved by Garry Dyet  
**CHIEF EXECUTIVE**

## Appendix 1

Submission to Climate Change Commission 2021 Advice to Government (*document number 10560591*)



**Postal Address**  
Private Bag 2402  
Te Awamutu 3840  
New Zealand

**Head Office**  
07 872 0030  
101 Bank Street  
Te Awamutu 3800

**Cambridge Office**  
07 823 3800  
23 Wilson Street  
Cambridge 3434

19 March 2021

Climate Change Commission  
PO Box 24448  
Wellington 6142  
Attention: Submissions Analysis Team

**Digitally Delivered**

Dear Sir / Madam,

**SUBMISSION ON CLIMATE CHANGE COMMISSION'S ADVICE TO GOVERNMENT**

Waipa District Council appreciates the opportunity to comment on the discussion document on the Climate Change Commission's Advice To Government. The submission was considered at a Council Committee workshop on 2 March 2021.

You are welcome to make contact with Waipa District Council with regards to any of the points made in our submission. In this regard and in the first instance Graham Pollard can be contacted either via email at [graham.pollard@waipadc.govt.nz](mailto:graham.pollard@waipadc.govt.nz) or telephone at 07 984 7271.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Garry Dyet', with a horizontal line extending to the right.

Garry Dyet  
**CHIEF EXECUTIVE**

Attachment: Waipa District Council Submission on the Climate Change Commission's 2021 Advice To Government

# SUBMISSION ON THE CLIMATE CHANGE COMMISSION'S 2021 ADVICE TO GOVERNMENT

**By: Waipa District Council**

## INTRODUCTION

1. Waipā is a landlocked territorial district in the Waikato Region, south of Hamilton. It has a population of approximately 57,000 principally in the towns of Cambridge and Te Awamutu, but with a significant rural population.
2. There are three areas of climate concern for Waipā: transportation, water availability and the local economy. Waipā is a high-growth district with strong commuter links with Hamilton and high volumes of freight passing through the district along State Highways 1, 3 and 39. Reticulated drinking water is sourced mainly from the Waikato River but most rural properties rely on rainfall capture for drinking water. Primary industry is the largest sector of the Waipā economy, contributing \$430million in 2020 and equating to 14.9% of the district's economy; it is dominated by dairy cattle farming (\$267million or 9.2%).
3. Although not directly affected by coastal issues arising from climate change, Waipā can expect to be environmentally, socially and economically challenged by the effects of climate change. It is Waipā District Council's responsibility to manage its services and assets in ways that help individuals and communities adapt to meet these challenges.
4. In developing its 2021-2031 Long Term Plan (LTP), the Council engaged with its communities to develop a new vision to Build Connected Communities. Pertinent to the climate change challenges faced by Council, our Community Outcomes are to be:
  - a. environmental champions,
  - b. cultural champions
  - b. socially resilient,
  - c. economically progressive.Among our external strategic priorities, our focus is to:
  - d. effectively plan and provide for growing communities, and
  - e. prepare for climate change.
5. The principal community concerns for the environment, as expressed to Council during public engagement in 2020, are:
  - a. being prepared for, and responsive to, climate change,
  - b. the promotion of sustainable living, and

- c. desire to improve waste recycling and waste minimisation.
- 6. It is the opinion of this Council that the Commission’s advice to Government, and the subsequent policies and implementation strategies from Government, must enable all Regional and Territorial Authorities to achieve these, and similar, objectives and to reduce the risks to services, assets and communities.
- 7. Climate change is also one of Council’s top organisational risks: “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.”

## GENERAL COMMENTS

- 8. Waipā District Council [Council] is not providing comment on technical issues, recommendations and questions in the Commission’s consultation document. Council has neither the technical expertise nor the resources to analyse the data and the issues. We rely on relevant technical experts to provide the Commission with comments on these matters.
- 9. Instead, Council submits commentary on key principles that are based on the needs of local government to provide effective climate change planning, implementation and adaption for the communities of Waipā.
- 10. In general, Council urges the Government to take meaningful, long term future focussed, coordinated and decisive action to enable the whole of New Zealand to prepare for, and adapt to, climate change. Policy decisions need to be well considered and taken with urgency and implementation needs to proceed as rapidly as possible while protecting environmental, social, cultural and economic interests.
- 11. Council supports the work and advice of the Climate Change Commission; however Council wishes to provide commentary in respect of some specific questions posed in the consultation document.

## PRINCIPLES

- 12. Council submits that the following principles need to be strongly highlighted in the Commission’s advice to Government.
- 13. **Taking a coordinated approach:** Council fully supports Enabling Recommendation 4 (central and local government working in partnership), with the emphasis firmly on local government as partners of central government in tackling climate change because action is required at regional, district, community and individual levels.
- 14. Planning: as partners, councils need to be involved in planning how services are to be provided in more sustainable and carbon-reduced ways; actively promoting, planning and providing for mode-shifts for transportation and spatial planning/urban design; funding for infrastructure renewals and development.
- 15. Meeting implementation needs: the increasing need for infrastructure

development, renewals, re-sizing and repair will result in increasing costs for communities. Central government needs to provide new funding mechanisms (ie beyond continual rates and fees increases) for local government so the burden of these costs does not fall inequitably on those in the community who can afford it the least. For Waipā, removing Council's ability to invest in exotic forestry would remove a source of revenue: the need for increased indigenous planting needs to be balanced with the need for timber and for revenue for plantation owners.

16. Community engagement: taking the entire community into our confidence and planning is essential; those parts of communities where there are lower levels of economic, health and education attainment are where adaptation to climate change will be the most challenging, and therefore there must be policy, strategy and implementation plans that effectively enable their practical involvement. To focus engagement only on those who have the knowledge, skills and desire to engage will skew the responses towards favouring only their wellbeing at the expense of others.
17. Equity: all financial, economic, social, cultural and environmental climate change response policies of central and local government must increase climate response equity between generations, genders, ethnicities, socio-economic communities, urban/rural areas, etc. Council is encouraged to see this reflected by the Commission. However, this priority must continue over time and we recommend developing tools for measuring success.
18. Practical assistance for communities: Council needs to assist its communities and individuals with climate change adaptation. Central government can utilise policy levers to enable adaptation at a national level, but it is local authorities who will have a major part to play in local efforts. Central government policies must not constrain councils' efforts at local action, and must enable adaptation to proceed without all costs being met by ratepayers; other funding levers must be made available for councils.
19. Strong education: central government has shown through its COVID-19 response how effective simple messaging can be across New Zealand regardless of education or socio-economic status. An understanding of climate change and its effects at national and local levels is essential for communities and individuals to accept the need to adapt. This will increase actions towards resilience, sustainability, economic and social change. Central government needs to take action to increase national awareness, understanding and confidence to take adaptive actions.
20. Leadership: central government needs to show leadership rather than delegate it to local government. Local government also has a leadership role to play, but at a District and – in partnership with neighbouring councils – at a Regional level. Decision-making that is delegated to councils must be commensurate only with councils' abilities to make change and facilitate adaptation and resilience at a local level.

### Responses to specific questions

21. **Question 1:** Council supports the seven principles that the Climate Change



Commission have used to guide their analysis, but would like to see the inclusion of an eighth principle: “Principle 8: Incorporate mātauranga Māori”.

Mātauranga Māori means ‘Māori knowledge – the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices.’ To include this eighth principle is to ensure acknowledgement of tāngata whenua’s partnership status in Aotearoa, and to recognise their indigenous knowledge as a critical part of the country’s climate change response. This would be consistent with Enabling Recommendation 3 (and question 7).

22. **Question 9:** Council supports the establishment of a public forum for climate change. It is consistent with paragraph 18 above as it enables community feedback to central and local government and would enable better targeted and consistent messaging across Aotearoa. However, the form of such a public forum is important as there is a risk of it – and the agenda - being captured by specific interests to the detriment of the whole community.

23. **Questions 11 and 17:** Council supports these approaches.

We would add that permanent/old growth native forests also support indigenous biodiversity creating more resilient ecosystems in the face of climate change; they also support human health and well-being as well as cultural harvest. With regards to exotic plantation forests, we urge caution and would like to suggest adding sensible restrictions, outlining the limits that exotic forestry can play to reduce gross emissions: much of the carbon absorbed is released upon harvest. However, exotic forestry planting is currently a revenue source for this council as well as others, and we would wish this revenue source to be either protected or some transitional arrangements provided for.

24. **Question 12:** Council broadly supports the overall path the Commission has proposed to meet the first three emissions budgets. However, we feel that greater prioritisation could be given to:

- diverting more freight from road to rail
- mode-shift in transportation
- increasing the use of more biofuels in trucks
- increasing the diversion of waste from landfills (see also question 18)
- requiring landfills to collect methane for re-use
- introducing a carbon surcharge on domestic and international flights.

25. **Question 14 – Necessary action 2: an integrated transport network:** Council supports an integrated national transport network to reduce travel by private vehicles and increase walking, cycling, low emissions public and shared transport.

The Climate Change report notes ‘more public transport, walking and cycling will have a positive impact, particularly on those who live in cities and larger urban areas’. However, Council notes that there are opportunities for more walking and cycling in smaller centres. Council is investing in walking and cycling infrastructure for short trips in Cambridge and Te Awamutu. These towns are relatively flat,

compact and have significant opportunity to increase walking, cycling and public transport. Council also notes the Commission's statement on 'the need to provide more and better transport options to increase access to transport for people with disabilities or on low incomes'. Council agrees but would also like to acknowledge improved access, safety and security for ethnic groups, genders and ageing populations who can be disadvantaged by travel options. Council would also like to see more ambitious targets for walking, cycling and public transport trips to lessen the need for vehicle trips. Refer to Figure 1 (below) which shows the green transportation hierarchy. It puts pedestrians and cyclists first, then public transport with single occupancy vehicles at the bottom.

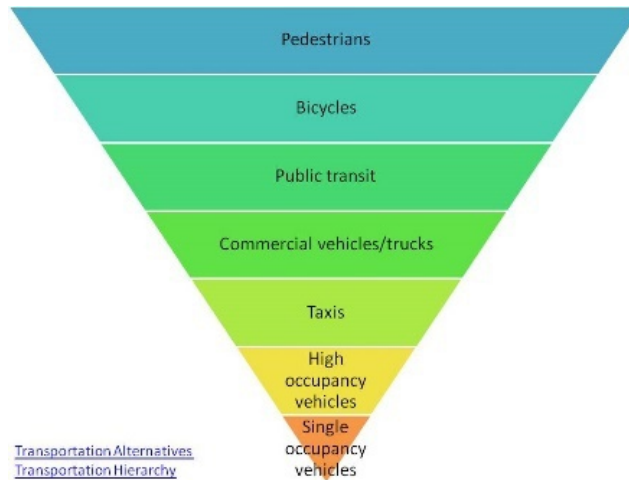


Figure 1: Vehicle hierarchy from Manual for Streets,  
( Department of Transport, UK) 2007.

26. **Question 14 – Necessary action 3: electric vehicles:** Council supports the action. However, with the conversion of vehicles to electric vehicles, coupled with continued growth, it is likely there will be continued pressure on the road transportation network leading to congestion and road safety problems. Without investing in higher mode share targets for walking, cycling and public transport (including car-sharing schemes), car-based towns and cities will continue.
27. **Question 14 – Necessary action 4: Low carbon fuels for trains, ships, heavy trucks and planes:** Council supports the use of heavy vehicles and the need to set targets for demand for low carbon fuels and incentives for low carbon fuel plants (e.g. biofuel sustainable aviation fuel). Council also supports increased investment in the rail network. We see the key priorities as double-tracking and electrification of key routes to increase the viability of train passenger transport between key centres such as: Hamilton to Tauranga and Hamilton to Auckland.

**Question 14 – implication issues for local government, and funding:** Council has a strong commitment to improving travel choices in the district as outlined in its

Waipa Integrated Transport Strategy and investments in urban mobility plans for Cambridge and Te Awamutu. However, there is a disconnect between policy alignment and mechanisms such as the Local Government Act and the Land Transport Rule Traffic Control Devices 2004 which are historically focused more on vehicle traffic. For example, the Traffic Control Devices rule classifies cycle lanes as special vehicle lanes and therefore requires them to be established by local bylaw. To enable councils to increase their integrated transport network there needs to be more alignment between central government policy direction and the local government legal framework.

Council would also like to see the 'Accessible Streets Regulatory Package' (Ministry of Transport) implemented to enable pedestrians and cyclists more priority over general traffic.

Council would also like guidance on the implementation of charging points for electric vehicles, There is demand for charging points to be established on public land and road reserves but no national standards or regulatory provision for such facilities.

The Government Policy Statement (GPS) on Land Transport has been a significant step towards setting the strategic direction for improving safety, better travel options, freight connections and climate change. However, we would like to see more funding available for promoting improved travel options (walking and cycling) and the public transport network.

28. **Question 18 – Waste:** Council agrees with the focus and pathway “Our path would see a reduction in the amount of waste generated and a focus on reducing the amount of organic waste, such as food, wood and paper, that go into landfills.” However, we would encourage more refocus on reducing and avoiding waste generation entirely before focusing on reducing waste.

Rethinking waste could lean strongly in favour of research and design to eliminate waste streams altogether; also we would encourage more action in education and behaviour change.

Council would like to see a strong focus on reducing food waste throughout the process from the paddock to the plate, and ensuring policy levers and behaviour change programmes are put in place to help more food grown for human consumption to be eaten.

Support for councils to move towards kerbside food waste collections would be needed. The timeframes for this would need to be longer than indicated in Figure 3.19 as councils operate long term planning and funding cycles and establishing new kerbside food or green waste collections takes time. Understanding council processes and resultant time frames is key to making sure the projected diversion of organics from landfill is accurate.

Increasing the onshore recycling capacity to take the paper and cardboard collected by councils is needed to support the onshore recycling industry, and to ensure any progress to recycle or compost paper as an alternative to landfill is more feasible.

Policy triggers to support the use of recycled product in new products would be helpful.

# STRATEGIC PLANNING AND POLICY COMMITTEE REPORT



**To:** The Chairperson and Members of the Strategic Planning and Policy Committee

**From:** Governance

**Subject:** **RESOLUTION TO EXCLUDE THE PUBLIC**

**Meeting Date:** 6 April 2021

## 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:*

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<i>15. Subregional Wastewater Treatment – Detailed Business Case Update</i>	<i>Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987</i>	<i>Section 48(1)(a)</i>

*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, or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may be, which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, are as follows:*

<b>Item No.</b>	<b>Section</b>	<b>Interest</b>
<i>15</i>	<i>Section 7(2)(i)</i>	<i>To enable the Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>