

# Strategic Planning & Policy Committee Public Agenda 2 May 2023

Council Chambers  
Waipā District Council  
101 Bank Street  
Te Awamutu



Chairperson  
EM Stolwyk

## Members

Her Worship the Mayor SC O'Regan, AW Brown, LE Brown, PTJ Coles, RDB Gordon, ML Gower, MG Montgomerie, MJ Pettit, CS St Pierre, BS Thomas, Vacancy

02 May 2023 09:00 AM

<b>Agenda Topic</b>	<b>Presenter</b>	<b>Time</b>	<b>Page</b>
1. Apologies	Chairperson	09:00 AM-09:01 AM	3
2. Disclosures of Members' Interests	Chairperson	09:01 AM-09:02 AM	4
3. Late Items	Chairperson	09:02 AM-09:03 AM	5
4. Confirmation of Order of Meeting	Chairperson	09:03 AM-09:04 AM	6
5. Confirmation of Minutes - 4 April 2023	Chairperson	09:04 AM-09:05 AM	7
5.1 Unconfirmed Strategic Planning and Policy Committee Open Minutes - 4 April 2023			8
6. Fees and Charges 2023/24 Submissions	Graham Pollard	09:05 AM-09:35 AM	12
7. Waipā District Council's Draft Dog Control Policy and Bylaw for Consultation	Graham Pollard	09:35 AM-09:50 AM	101
8. Presentation on Ngāhinapōuri Walkway	Kirsty Downey	09:50 AM-10:15 AM	155
9. District Growth Quarterly Report - 1 January to 31 March 2023	Wayne Allan	10:15 AM-10:25 AM	171
10. Resolution to Exclude the Public	Chairperson	10:25 AM-10:26 AM	276

Workshops from 10.40am (Indicative Timings Only)

Open:  
LTP Update (60 minutes)



**APOLOGIES**

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## **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.





## 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.



## CONFIRMATION OF ORDER OF MEETING

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### **Recommendation**

*That the order of the meeting be confirmed.*

# COMMITTEE AGENDA



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

**From:** Governance

**Subject:** **CONFIRMATION OF MINUTES**

**Meeting Date:** 2 May 2023

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## **1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA**

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The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the prima facie evidence of the proceedings they relate to.

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

## **2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI**

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*That the open minutes of the Strategic Planning and Policy Committee meeting held on 4 April 2023, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.*

## **3 ATTACHMENT - ĀPITITANGA**

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Strategic Planning and Policy Committee Open Minutes – 4 April 2023

# COMMITTEE MINUTES



**Committee:** Strategic Planning and Policy Committee  
**Time:** 9.00am  
**Date:** Tuesday 4 April 2023  
**Venue:** Council Chambers, Waipā District Council  
101 Bank Street, Te Awamutu

## PRESENT

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### Chairperson

EM Stolwyk

### Members

Her Worship the Mayor SC O'Regan, AW Brown, LE Brown, PTJ Coles, RDB Gordon, ML Gower, MG Montgomerie, MJ Pettit, CS St Pierre, BS Thomas, (Vacancy)

## 1 APOLOGIES

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There were no apologies

## 2 DISCLOSURE OF MEMBERS' INTERESTS

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None

## 3 LATE ITEMS

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Nil

## 4 CONFIRMATION OF ORDER OF MEETING

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### RESOLVED

2/23/22

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

Councillor St Pierre / Councillor A Brown

# COMMITTEE MINUTES



## 5 CONFIRMATION OF MINUTES

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### RESOLVED

2/23/23

*That the open minutes of the Strategic Planning and Policy Committee meeting held on 7 March 2023, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.*

Councillor Gordon / Councillor Coles

## 6 HERITAGE FUND REVIEW

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The purpose of this report was to seek approval from the Strategic Planning and Policy Committee for changes to the Heritage Fund criteria and guiding documents.

The Committee sought clarification on the Waipā Heritage Fund – Internal Assessment Criteria Checklist – Cultural and Archaeological section: Fitting Sprinkler system in marae. The Committee discussed and requested this criteria be removed and replaced with Heritage Listed Building Sprinkler System.

### RESOLVED

2/23/24

*That the Strategic Planning and Policy Committee*

- a) *Receives the report of Anne Blyth, Director Museum and Heritage, titled Heritage Fund Review (document number 10980855); and*
- b) *Adopts the recommended changes to the Heritage Fund Criteria and Guiding Documents as set out in Appendices 1 to 4 of this report: Information for Applicants (Appendix 1, document number 10938858), Application Guide (Appendix 2, document number 10952343), Application form (Appendix 3, document number 10952341), Internal Assessment Criteria Checklist (Appendix 4, document number 10938970).*

Councillor A Brown / Councillor L Brown

## 7 RESOLUTION TO EXCLUDE THE PUBLIC

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### RESOLVED

2/23/25

***THAT the public be excluded from the following parts of the proceedings of this meeting.***

# COMMITTEE MINUTES



*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>
8. Confirmation of Public Excluded Minutes – 7 March 2023 9. Outcome of Legal Claim	Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

*This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, 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>
8	7(2)(i)	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
9	7(2)(c)	To protect information which is subject to an obligation of confidence where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or would be likely otherwise to damage the public interests
8	7(2)(g)	To maintain legal professional privilege

Mayor O'Regan / Councillor Pettit

The meeting went into Public Excluded session at 9.09am

There being no further business the meeting closed at 9.16am





**CONFIRMED AS A TRUE AND CORRECT RECORD**

**CHAIRPERSON:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

# COMMITTEE REPORT



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

**From:** Strategic Projects Driver

**Subject:** **Fees and Charges 2023/24 submissions**

**Meeting Date:** 2 May 2023

## 1 PURPOSE - TAKE

The purpose of this report is to receive submissions on the draft Schedule of Fees and Charges 2023/24, consider the matters raised, agree any amendments to the draft Schedule, and recommend that Council adopts the final Schedule.

## 2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Council has reviewed its fees and charges for 2023/34 and has completed public consultation on the full draft Schedule of Fees and Charges 2023/24, although most of the fees and charges remained unchanged.

A total of 19 submissions were received. No submitters have asked to present their submissions in person to this meeting.

The Strategic Planning and Policy Committee (Committee) has received the full submissions, and summarised submission points with staff comments and recommendations. The Committee is now asked to consider all the submissions in order to recommend to Council a final draft of the Schedule of Fees and Charges 2023/24.

## 3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

*That the Strategic Planning and Policy Committee*

- a) **RECEIVES** the report of Graham Pollard, Strategic Projects Driver, titled 'Fees and Charges 2023/24 submissions' (document number 10997582); and
- b) **RECEIVES** and considers pursuant to sections 82 and 95 of the Local Government Act 2002, submissions for the draft Fees and Charges 2023/24 as presented in 'Submissions to the Draft Schedule of Fees and Charges 2023/24' (document number 10999142 – attached as Appendix 1), and as outlined in the 'Summary of



*Submissions (with staff comments and recommendations)' (document number 10997573 – attached as Appendix 2); and*

- c) **APPROVES** the staff recommendations on the submissions included in the 'Summary of Submissions (with staff comments and recommendations)' (attached as Appendix 2); and
- d) **APPROVES** amending the draft Schedule of Fees and Charges 2023/24 (document number 10909936 – attached as Appendix 3) to incorporate any amendments arising from the consideration of submissions, prior to a meeting of the Waipā District Council to be held on 30 May 2022, to adopt the final Fees and Charges 2023/24.

#### 4 BACKGROUND – KŌRERO WHAIMĀRAMA

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Council has reviewed and consulted on the draft Schedule of Fees and Charges 2023/24. The draft Schedule includes the full range of Council's proposed fees and charges.

The Strategic Planning and Policy Committee resolved on 7 March 2023 to adopt the consultation document for public consultation of all the proposed fees. Consultation opened on Monday 13 March and closed on Friday 13 April 2023.

The significant proposed fee changes are in the following areas:

- Building control
- Libraries
- Library community space – Te Awamutu
- Permits under the Public Places Bylaw and Alcohol Control Bylaw
- Stormwater connections
- Trade Waste
- Wastewater connections
- Water connections and bulk water sales.

A total of 19 submissions have been received. The 30 submission points relate to:

- Library fees
- Council meeting room charges
- Building Control
- Kerbside recycling
- Library Community Space
- General support
- General opposition

## 5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter(s) in this report have a low level of significance.

## 6 OPTIONS – NGĀ KŌWHIRINGA

For each of the 30 submission points, there are two options:

Option	Advantages	Disadvantages
<b>Option 1:</b> Accept staff recommendation	<ul style="list-style-type: none"> <li>Staff recommendations are based on business and financial data</li> </ul>	<ul style="list-style-type: none"> <li>Staff recommendations may not fully satisfy all matters raised by the community.</li> </ul>
<b>Option 2:</b> Decline staff recommendation and substitute an alternative	<ul style="list-style-type: none"> <li>Enables community and political perspectives to be applied to the fees and charges where community views are different from staff perspectives.</li> </ul>	<ul style="list-style-type: none"> <li>Alternatives may have financial implications for activity budgets.</li> </ul>

## 7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

### Vision and Strategic Priorities

Fees and charges are set in accordance with Council's Revenue and Financing Policy 2021, and enable Council to continue funding and meeting the levels of service agreed with the community in the Long Term Plan 2021-2031.

### Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the public consideration of all submissions complies with Council's legal and policy requirements.

### Financial Considerations – Whaiwhakaaro ā-Pūtea

The total costs to complete this project have been budgeted for in the current year when the costs have been incurred. No further costs are anticipated.

### Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Recommendation to Council to adopt the final draft Schedule of Fees and Charges 2023/24	Strategy	30 May 2023

## 9 APPENDICES - ĀPITITANGA

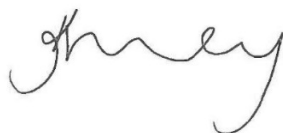
No:	Appendix Title
1	Submissions to the Draft Schedule of Fees and Charges 2023/24 ( <i>document number 10999142</i> )
2	Summary of Submissions (with staff comments and recommendations) ( <i>document number 10997573</i> )
3	Draft Schedule of Fees and Charges 2023/24 ( <i>document number 10909936</i> )



Prepared by: Graham Pollard  
**STRATEGIC PROJECTS DRIVER**



Reviewed by: Melissa Russo  
**MANAGER STRATEGY**



Approved by: Kirsty Downey  
**GROUP MANAGER STRATEGY**

## APPENDIX 1

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Submissions to the Draft Schedule of Fees and Charges 2023/24 (*document number 10999142*).

# Submissions to the Draft Schedule of Fees and Charges 2023/24

**13 March - 13 April 2023**



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Submission ID#	Submitter name	Page number
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#16	Finch Contracting Ltd	19-20
#17	Niki Ormsby	21
#18	Te Awamutu-Kihikihi Community Board	22-23
#19	Waipa District Libraries	24

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Wed, 15 Mar 2023 09:36:27 +1300  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Betty Smith

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Betty Smith  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** support the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

Support dropping the fees and charges to rent out books etc as we pay enough in our rates however i think stopping overdue fines is silly as how that means people won't feel the need to bring the books back at all.

**I would like to see the following changes to the draft Fees and Charges**

Zero rental fees to borrow books from the library.  
But continue with your 'days grace' then fines for late returns.

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Thu, 16 Mar 2023 12:03:06 +1300  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Rosemary Ellen Bublitz  
**Categories:** Ruby

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Rosemary Ellen Bublitz  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** support the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

I support the removal of overdue fees on library books, fees discourage those who need the service most from continuing use of the library.

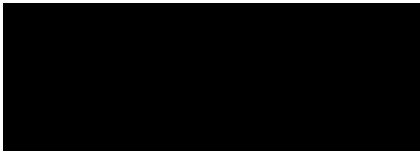
I am also in favour of the reduction or removal of borrowing fees on adult books. Encouraging the use of libraries helps with improvement of literacy in our community.

**I would like to see the following changes to the draft Fees and Charges**



**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Sun, 19 Mar 2023 18:34:02 +1300  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Louise Allen  
**Categories:** Ruby

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

<b>Full name</b>	Louise Allen
<b>Organisation (if applicable)</b>	
<b>Address for correspondence</b>	
<b>Email</b>	
<b>Phone</b>	
<b>I wish to present my submission verbally to a public Council hearing</b>	No
<b>I/we</b>	support the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

As someone who sees the value in libraries and the way they contribute to a literate society, I see the exclusionary impact of fines which research shows are not even a very good incentive for returning books on time. Waipa is a town of champions, a community of inclusion, a place where everyone can know a sense of belonging. By dropping library fees we will encourage more people to use this service which can only be a good thing for our community.

**I would like to see the following changes to the draft Fees and Charges**

Janenne Page 20/03 4:45 pm

My submission for the Fees and Charges.... Room Booking rates need to be the same for Cambridge and Te Awamutu.

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Thu, 16 Mar 2023 14:32:49 +1300  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Fiona Pettit  
**Categories:** Felicity

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Fiona Pettit  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** support the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

**I would like to see the following changes to the draft Fees and Charges**

Library charges - would be happy to see fines dropped, also drop charge if you renew books online

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Thu, 16 Mar 2023 18:13:30 +1300  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Alison Wardle  
**Categories:** Felicity

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Alison Wardle  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** oppose the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

The library charges and proposed cancellation of fines are illogical. I would have to pay charges to be a responsible citizen and renew my loans but if I don't renew there will be no fines and I can still keep the books.

**I would like to see the following changes to the draft Fees and Charges**

Remove fees from renewals.

Consider a stepped scale of fines in line with responsible renewal policy. E.g. increase grace period

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Thu, 16 Mar 2023 18:41:13 +1300  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Israel Maxwell  
**Categories:** Felicity

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

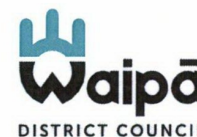
**Full name** Israel Maxwell  
**Organisation (if applicable)**  
**Address for correspondence** [REDACTED]  
**Email** [REDACTED]  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** oppose the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

**I would like to see the following changes to the draft Fees and Charges**

# Fees and Charges 2023/24

## Submission form



RECEIVED  
11 APR 2023  
BY: E JUN

Submissions close: 5pm, Friday 14 April 2023

Full name: Anna Voss

Organisation: (if applicable)

Address for correspondence: [Redacted]

For office use only:

Submission No.

Email: [Redacted]

Phone: [Redacted]

**Privacy statement:** All submissions (including names and contact details) may be provided in full to elected members. Submissions (including names but not contact details) may be made available to the public at our office and on our website. Your personal information may also be used for the administration of the consultation process, including informing you of the outcome of the consultation. All information collected will be held by Waipā District Council, 101 Bank Street, Te Awamutu with submitters having the right to access and correct personal information.

I acknowledge that I have read the privacy statement and am happy to proceed.

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

Submitters who wish to present their submission verbally will be invited to a public committee meeting (usually held in the Waipā District Council Chamber, 101 Bank Street, Te Awamutu, or held/accessible online). They will be allocated an approximate speaking time and will be asked to present their submission to the Committee. Submitters are usually given a maximum length of time for speaking following which Committee members may ask questions to clarify any points that have been raised.

I ~~do~~ support  / ~~oppose~~  the draft Fees and Charges

The reasons for my/our support or opposition of the draft Fees and Charges:

- removal for overdue fines  
- limited changes in most charges so financially challenged families can still use the library



I would like to see the following changes to the draft Fees and Charges:

*New adult books defined by 1(one) year (12 months) rather than 2(two) years.*

I have attached additional information:  Yes  No

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


Date


*[Handwritten signature]*

*08/04/2023*

**Submissions can be:**

 **Online:**  
waipadc.govt.nz/haveyoursay

 **Emailed to:**  
**submissions@waipadc.govt.nz** Subject heading should read: "Fees and charges 2023/24 - Submission"

 **Posted to:**  
Waipā District Council  
Private Bag 2402  
Te Awamutu 3840  
Attn: Graham Pollard

 **Delivering it to Council offices:**  
Waipā District Council **OR** Waipā District Council  
101 Bank Street 23 Wilson Street  
Te Awamutu Cambridge  
Attn: Graham Pollard Attn: Graham Pollard

**What happens next?**

**Council will acknowledge each submission received.**

Following the closing of submissions on 14 April 2023, all submissions will be reviewed by Councillors. Verbal submissions will be heard and all submissions formally considered at a Council hearing on **2 May 2023** (or as soon as possible thereafter), conducted either in person or online.

This meeting is open to both submitters and the public to attend.

**Important Dates to Remember:**

**Submissions open**  
**14 March 2023**

**Submissions close**  
**5pm on 14 April 2023**

**Hearing of submissions**  
**2 May 2023**

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Wed, 12 Apr 2023 15:39:15 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Hera Abraham  
**Categories:** Donna

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Hera Abraham  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** Yes  
**I/we** oppose the draft Fees and Charges

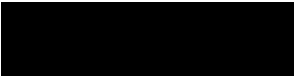
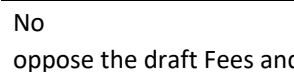
**The reasons for my/our support or opposition of the draft Fees and Charges**

**I would like to see the following changes to the draft Fees and Charges**



**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Wed, 12 Apr 2023 15:03:30 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Ruth Webb  
**Categories:** Donna

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Ruth Webb  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**   
**Phone**   
**I wish to present my submission verbally to a public Council hearing I/we** No  
 oppose the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

Give businesses like Cafe a break. Footpath seating encourages people to stay longer in town therefore has knick affects.

**I would like to see the following changes to the draft Fees and Charges**

**From:** "Jo Davies-Colley" <Jo.Davies-Colley@waipadc.govt.nz>  
**Sent:** Wed, 12 Apr 2023 16:11:16 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** Fees and charges 2023/24 – Submission  
**Attachments:** Fees-and-Charges-submission.docx

Good Afternoon,

Please find the Cambridge Community Board's submission on the 2023/24 Fees and Charges schedule.

Kind regards,  
Jo Davies-Colley

**Jo Davies-Colley**

*Chairperson, Cambridge Community Board  
021 041 3343*

*Te Ōko Horoi*

**CAMBRIDGE**  
**COMMUNITY BOARD**

*"working together for the good of our communities"*

The Cambridge Community Board has reviewed the Draft Schedule of Fees and Charges and our submission is as follows:

The board acknowledges that due to inflation there are unavoidable increases in some areas of the Schedule of Fees and Charges. We are pleased to see these increases remain minimal across the schedule.

The board requests that the marquee size in the Building Control fee be clarified.

We are pleased to see that Council meeting room charges have remained the same and support the continued discounted rate for non-profit organisations.

The board supports the removal of library fines across Waipa and recognize the difference this will make for many borrowers. We know that this initiative will remove barriers for the community engaging with our local libraries and we are pleased that the removal of fines is across adults, teens and children's books.

We support the removal of internet access fees for the community as we see this as a vital and necessary community service.

The CCB notes that there is no charge for lost or damaged library material and we suggest that the original replacement charge be reinstated.

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Wed, 12 Apr 2023 17:07:58 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Amanda Wilson  
**Categories:** Donna

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Amanda Wilson  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** oppose the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

Why charge more in an already struggling climate? Business will ultimately push their prices up to make up the new incurred cost. Ultimately it is the consumer who will carry the cost and not the retailer/restaurant

**I would like to see the following changes to the draft Fees and Charges**

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Wed, 12 Apr 2023 17:39:42 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Lindsay Gaines  
**Categories:** Donna

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Lindsay Gaines  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** oppose the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

Waipa council should be looking at how to decrease all fees, spending and rates throughout the entire district. Businesses and residents add to the town, not the council. Reduce your rates, fees and staff so you give the people a break as we head into a recession. Privately the business owners and residents will get the economy back on track, not government.

**I would like to see the following changes to the draft Fees and Charges**

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Wed, 12 Apr 2023 19:58:40 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Tracey Blackwell  
**Categories:** Donna

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Tracey Blackwell  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** support the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**  
They are necessary resources or services

**I would like to see the following changes to the draft Fees and Charges**

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Wed, 12 Apr 2023 20:27:43 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Marie Joyce  
**Categories:** Donna

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

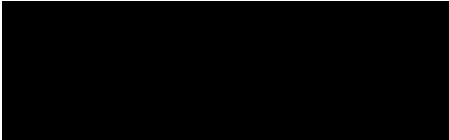
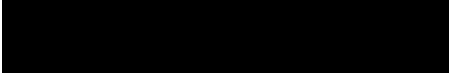
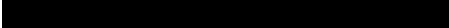
**Full name** Marie Joyce  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** oppose the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**  
 It might discourage businesses and force them to close. I think that businesses have struggled enough for the past couple years with Covid.

**I would like to see the following changes to the draft Fees and Charges**  
 Please take away the fees

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Thu, 13 Apr 2023 09:06:58 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Karen Smith

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

<b>Full name</b>	Karen Smith
<b>Organisation (if applicable)</b>	Finch Contracting Ltd
<b>Address for correspondence</b>	
<b>Email</b>	
<b>Phone</b>	
<b>I wish to present my submission verbally to a public Council hearing</b>	No
<b>I/we</b>	oppose the draft Fees and Charges

#### The reasons for my/our support or opposition of the draft Fees and Charges

Proposed Fees and Charges 2023/24

So, things like dog registration, YOU CHARGE US FOR REGISTERING DOGS SO HOW IS PUTING FEES UP FOR BUSINESSES RELEVANT TO THIS?

DONT YOU ALREADY CHARGE THE INDIVIDUAL BUSINESS FOR building consents through to the cost of a registering food and beverage premises, which all benefit the person concerned rather than all ratepayers, are charged individually instead of being funded from rates.

Apart from a few minor adjustments, most of our fees and charges have remained the same. However, we are proposing some changes and we want your feedback.

#### Statement of Proposal

Significant proposed changes at a glance

The following information is taken from the Statement of Proposal, which summarises the Schedule of Fees and Charges 2023/24.

Most fees and charges for 2023/24 remain the same from the previous year. However, increases of up to 5 per cent have been added to some fees to reflect cost increases.

Draft fee increases are shown in red and decreases are shown in green in the Schedule document.

#### Building Control

Two new fees are proposed for multi-unit dwellings of less than, and greater than, 250m<sup>2</sup>; erecting a marquee larger than 200m<sup>2</sup> has been added to minor building works; increases in fees that require building control officer time; decreases for most fees for project information memoranda to correct a previous error.



Kerbside recycling

Wheelie bin charges increase due to the increased costs of contracts. - I OPPOSE TO THIS GREATLY - THE SERVICE THIS YEAR HAS BEEN SUB PAR - WHY ARE WE AS RATE PAYERS PENALISED FOR YOU PICKING THE CHEAPEST QUOTE AND NOW REALISE THAT YOU HAVE A COWBOY RUNNING THE SHOW FROM THE SOUTH ISLAND WHO DOESNT SUPPORT HIS WORKERS AND PAYS THEM MINIMUM WAGE?

**I would like to see the following changes to the draft Fees and Charges**

**From:** "info@waipadc.govt.nz" <info@waipadc.govt.nz>  
**Sent:** Thu, 13 Apr 2023 18:35:14 +1200  
**To:** "Submissions" <Submissions@waipadc.govt.nz>  
**Subject:** External Sender: Fees and Charges 2023/24 Submission Form - Niki Ormsby

**CYBER SECURITY WARNING:** This email is from an external source - be careful of attachments and links. Please follow the Cybersecurity Policy and report suspicious emails to Servicedesk

**Full name** Niki Ormsby  
**Organisation (if applicable)**  
**Address for correspondence**  
**Email**  
**Phone**  
**I wish to present my submission verbally to a public Council hearing** No  
**I/we** oppose the draft Fees and Charges

**The reasons for my/our support or opposition of the draft Fees and Charges**

I oppose fee or increase because any cost will be passed on to the consumer. If we have to pay more I would not go. If people stop going cafe lay off staff or shut down.

**I would like to see the following changes to the draft Fees and Charges**

No fees or increases for cafe owners.

# Fees and Charges 2023/24

## Submission form



**Submissions close: 5pm, Friday 14 April 2023**

**Full name:** Angela Holt

**Organisation:** (if applicable) Te Awamutu-Kihikihi Community Board

**Address for correspondence:** Private Bag 2402, Te Awamutu

For office use only:

Submission No.

**Email:** angela.holt@waipadc.govt.nz

**Phone:**

**Privacy statement:** All submissions (including names and contact details) may be provided in full to elected members. Submissions (including names but not contact details) may be made available to the public at our office and on our website. Your personal information may also be used for the administration of the consultation process, including informing you of the outcome of the consultation. All information collected will be held by Waipā District Council, 101 Bank Street, Te Awamutu with submitters having the right to access and correct personal information.

I acknowledge that I have read the privacy statement and am happy to proceed.

**I wish to present my submission verbally to a public Council hearing:**

Yes  No

*Submitters who wish to present their submission verbally will be invited to a public committee meeting (usually held in the Waipā District Council Chamber, 101 Bank Street, Te Awamutu, or held/accessible online). They will be allocated an approximate speaking time and will be asked to present their submission to the Committee. Submitters are usually given a maximum length of time for speaking following which Committee members may ask questions to clarify any points that have been raised.*

**I/we support  / oppose  the draft Fees and Charges**

**The reasons for my/our support or opposition of the draft Fees and Charges:**

We support the removal of overdue book charges for the libraries, in particular and the Schedule of Fees and Charges in general.

**I would like to see the following changes to the draft Fees and Charges:**

Please make clearer the size of marquee that requires an inspection and therefore a fee. I believe this is any marquee 200 sq metres and over. If so, this should be clear. Also make it clear that anyone may request an inspection for any size of marquee, and that if they do so, they will be charged the same fee.

We oppose the removal of charges for lost or damaged library items. Without overdue charges there needs to be some incentive for people to return items, and Council needs to recover its costs. Please reinstate this charge.

I have attached additional information:  Yes  No

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



Date

13 April 2023

**Submissions can be:****Online:**

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

**Emailed to:**

[submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz) Subject heading should read: "Fees and charges 2023/24 – Submission"

**Posted to:**

Waipā District Council  
Private Bag 2402  
Te Awamutu 3840  
Attn: Graham Pollard

**Delivering it to Council offices:**

Waipā District Council  
101 Bank Street  
Te Awamutu  
Attn: Graham Pollard

**OR** Waipā District Council  
23 Wilson Street  
Cambridge  
Attn: Graham Pollard

**What happens next?****Council will acknowledge each submission received.**

Following the closing of submissions on 14 April 2023, all submissions will be reviewed by Councillors. Verbal submissions will be heard and all submissions formally considered at a Council hearing on **2 May 2023** (or as soon as possible thereafter), conducted either in person or online.

This meeting is open to both submitters and the public to attend.

**Important Dates to Remember:**

**Submissions open**  
**14 March 2023**

**Submissions close**  
**5pm on 14 April 2023**

**Hearing of submissions**  
**2 May 2023**

**From:** [REDACTED]  
**Sent:** Fri, 14 Apr 2023 12:22:48 +1200  
**To:** [REDACTED]  
**Subject:** Staff submission for draft fees and charges

*Full Name :* [REDACTED]  
*Organisation:* Waipa District Libraries  
*Address :* 106 Mahoe Street, Te Awamutu 3800  
*Email :* [REDACTED]  
*Phone:* [REDACTED]

*The reasons for our support or opposition of the draft fees and charges*

*We oppose the removal of Technology use charges associated with the Te Awamutu Community room half day hires. If the charges are left as proposed in the draft and there is no longer any AV equipment available for a half day hire, there will be a drop in revenue from the room due to many bookings being for half a day and requiring use of AV equipment for presentations, training, seminars etc. We would prefer all additional charges for AV equipment are removed and use of AV is just part of the overall charge, which is in line with all other hireable Council facilities. If the charges remain there will need to be corresponding invoicing charge lines added to enable the Community Services Administrator to charge separately for AV. This does not currently exist.*

*Regards,*  
[REDACTED]

---

[REDACTED] **WAIPA DISTRICT COUNCIL**  
| [www.waipadc.govt.nz](http://www.waipadc.govt.nz)

## APPENDIX 2

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Summary of Submissions (with staff comments and recommendations)  
(document number 10997573).

# Schedule of Fees and Charges 2023-2024

## SUMMARY OF SUBMISSIONS (with staff comments and recommendations)

## BUILDING CONTROL

Submission	Submission point	Submission summary	Staff comments/recommendation
11	11.2	The Cambridge Community Board requests that the marquee size in the Building Control fee be clarified.	<b>Recommendation: the Schedule of Fees and Charges is amended to include a note that marquees over 100m<sup>2</sup> floor area require a building consent, and therefore require inspection.</b>
18	18.3	Te Te Awamutu-Kihikihi Community Board requests that the application of charges for marquee inspections be made clearer, especially the size of marquee requiring an inspection.	

## COUNCIL ROOM HIRE CHARGES

Submission	Submission point	Submission summary	Staff comments/recommendation
4	4.1	Room Booking rates need to be the same for Cambridge and Te Awamutu.	Staff do not support any proposal for a standardisation of the hire fees between Council's Cambridge and Te Awamutu (Bank Street) offices. The user value proposition (i.e. size of meeting rooms, seating capacity and associated support facilities) between the two venues is significantly different. The existing/historical fee differential reflects that. <b>Recommendation: no changes to the proposed fees and charges.</b>
11	11.3	The Cambridge Community Board is pleased to see meeting room charges are unchanged, and supports the continuing discounted rates for non-profit organisations	Council thanks the submitter for their support.



## KERBSIDE RECYCLING

Submission	Submission point	Submission summary	Staff comments/recommendation
16	16.1	The submitter strongly opposes the increase in kerbside recycling charges, on the grounds that the service is sub-par as a result of Council picking the cheapest quote.	The proposed fee increase is due to the contractor's raised costs of fuel, labour, servicing and maintenance of vehicles, and landfill costs for dumping contaminated waste. All contractors are experiencing cost increases and this is not related to the current difficulties being experienced by Council's service provider. <b>Recommendation: continue with the proposed minimal increases.</b>

## LIBRARIES

Submission	Submission point	Submission summary	Staff comments/recommendation
1	1.2	The submitter does not support dropping fines for overdue items as people will not feel the need to return books etc.	Research in NZ and overseas libraries shows people are more likely to return books if fines are removed. In Sydney, books were 3 times more likely to be returned than before the removal of fines. In USA, 1 month after going fines-free, there was a 240% increase in the number of overdue items returned. Staff consider this to be a beneficial change. <b>Recommendation: continue with the proposal to remove charges for overdue library items.</b>

6	6.1	The submitter considers the removal of library overdue charges to be illogical as without fines, items could be kept. Council should consider a stepped scale of fines in line with an increase in grace periods.	Research in NZ and overseas libraries shows people are more likely to return books if fines are removed. In Sydney, books were 3 times more likely to be returned than before the removal of fines. In USA, 1 month after going fines-free, there was a 240% increase in the number of overdue items returned. Staff consider this to be a beneficial change. <b>Recommendation: continue with the proposal to remove charges for overdue library items.</b>
5	5.1	The submitter is pleased to see library fines dropped, but would also like Council to also drop the charge for renewing books online	The charge for renewing items is the same as for the original loan. If there is no loan fee, there is no renewal fee regardless of how often that item is renewed (i.e. in person, or online). <b>Recommendation: retain the renewal fees consistent with loan fees (if any).</b>
6	6.2	Council should remove the fees from library renewals.	Council has options to address this point: a) remove the ability to renew all library items, resulting in all items having to be returned, and then re-loaned; b) remove the charges on all items less than 2 years old, so there will be no renewal fees ; this will be inconsistent with libraries in 66 other NZ councils; c) continue with the fees as proposed. <b>Option (c) is recommended.</b>
8	8.2	'New adult books' should be redefined as those less than 1 year from publication date, not 2 years.	The definition being 2 years from publication date is standard practice, being consistent with 66 other Councils across New Zealand. <b>Recommendation: no change is required.</b>

11	11.6	The Cambridge Community Board notes that there is no charge for lost or damaged library material and we suggest that the original replacement charge be reinstated.	Council staff agree with the submitter. <b>Recommendation: the current 2022/23 charge should be reinstated.</b>
18	18.2	The Te Awamutu-Kihikihi Community Board opposes the removal of charges for lost or damaged library items. These charges provide incentives for returning late items and enables Council to recover costs.	
1	1.1	The submitter supports dropping the fees and charges to rent out books etc	Council thanks the submitter for their support.
2	2.1	The submitter supports the removal of overdue fees on library books - fees discourage those who need the service most from continuing use of the library.	
2	2.2	The submitter favours the reduction or removal of borrowing fees on adult books.	
3	3.1	The submitter supports the removal of overdue fees on library books. By dropping library fees more people will be encouraged to use this service which can only be a good thing for our community.	
8	8.1	The submitter supports the removal of library overdue fines, and the limited changes in most charges that enable financially-challenged families to still use libraries.	
11	11.4	The Cambridge Community Board supports the removal of library fines	

11	11.5	The Cambridge Community Board supports the removal of internet access fees for the community	
18	18.1	The Te Awamutu-Kihikihi Community Board supports the removal of charges for overdue library items	

### LIBRARY COMMUNITY SPACE

Submission	Submission point	Submission summary	Staff comments/recommendation
19	19.1	The submitter does not agree with the removal of charges for half-day technology use for Library Community Room hire. Many of the room bookings are for half a day duration so this would cause a fall in revenue. A preferred approach would be to remove all AV equipment charges, and include these in the overall room hire charge.	Staff's view is to accept that AV capacity (as part of the Community Space hire) is part of the base line capacity of the space available for hire. Therefore, access to AV should not be separated out as an "extra". The standard hire charge (whether Community or Commercial) for the room should be an all-inclusive fee. <b>Recommendation: increase the full day room hire fees by \$20.00; and increase the half day room hire fees by \$10.00; and delete the separate Technology Use charges.</b>

### PERMITS UNDER WAIPĀ DISTRICT PUBLIC PLACES BYLAW 2018

Submission	Submission point	Submission summary	Staff comments/recommendation
10	10.1	The submitter asks Council to "give cafes a break", as footpath seating encourages people to stay in town for longer.	Council is managing public space for the safety and wellbeing of the community. The minimal fee increases proposed are necessary to cover Council's increased costs only. <b>Recommendation: continue with the proposed fee increases.</b>
17	17.1	The submitter opposes the fees or increases for café owners.	

## GENERAL SUPPORT

Submission	Submission point	Submission summary	Staff comments/recommendation
11	11.1	The Cambridge Community Board is pleased to see that unavoidable fee increases remain minimal.	Council thanks the submitter for their support.
14	14.1	The submitter supports the draft fees and charges as necessary resources or services	

## GENERAL OPPOSITION

Submission	Submission point	Submission summary	Staff comments/recommendation
7	7.1	The submitter opposes the fees and charges, but has provided no further details.	Council thanks the submitter for their submission. The fees and charges are levied by Council to cover the costs of providing services to the community. If these were not charged, Council would need to fund its services through general rates. Most fees and charges have not increased, and where an increase has been proposed, it is only a minimal increase Council which has sought. <b>Recommendation: no changes to the proposed fees and charges.</b>
9	9.1	The submitter opposes the fees and charges, but has provided no further details.	
12	12.1	The submitter opposes the draft fees and charges as increases will be passed on to consumers in a struggling [financial] climate	
13	13.1	The submitter opposes the draft fees and charges. Council should look at how to decrease all fees, spending and rates throughout the entire district.	
15	15.1	The submitter opposes the fees and charges as it might discourage businesses and force them to close. The submitter would like to see the fees removed.	

Summary of Submissions

10997573

## APPENDIX 3

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Draft Schedule of Fees and Charges 2023/24 (*document number 10909936*).

**DRAFT**

# Schedule of Fees and Charges 2023-2024

Consideration of submissions  
(tracked changes)



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**Notes:**

- A. Fees become operative from 1 July 2023.
- B. All charges are stated inclusive of GST, unless noted.
- C. The purpose of each charge is to recover the actual and reasonable costs incurred by Council.
- D. Remission of fees and charges may be considered, in accordance with any specific legislation. Please refer to the specific fees and charges for any remission guidance.
- E. Fees and charges were adopted by resolutions of Waipā District Council on xxxx 2023. Development contributions were adopted by resolution of Waipā District Council on xxxx 2023.

Consideration of Submissions draft

## Administration fees

Description	Fees & Charges 2022/23	2023/24
Fee for issuing a refund for an overpayment in rates and/or user fees and charges	\$23.00	\$23.00
<b>Printing / copying</b>		
Scanning – per page	\$1.00 for first page, then \$0.50 for each additional page to a maximum charge of \$10.00	\$1.00 for first page, then \$0.50 for each additional page to a maximum charge of \$10.00
Single sided – per page A4 (black and white)	\$0.40	\$0.40
Double sided – A4 (black and white)	\$0.80	\$0.80
A4 – per page/side (colour)	\$1.00	\$1.00
Double sided (colour)	\$2.00	\$2.00
A3 – per page (black and white)	\$1.50	\$1.50
A3 - double sided (black and white)	\$1.50	\$1.50
A3 – per page (colour)	\$2.00	\$2.00
A3 - double sided (colour)	\$4.00	\$4.00
<b>Fax</b>		
New Zealand (sending or receiving) – per page	\$1.00	\$1.00
International (sending or receiving) – per page	\$4.00	\$4.00

## Building control fees

	Project Category	Fees & Charges 2022/23	2023/24
No mileage charged for these categories	1 <b>Solid Fuel Heater</b>	\$454.00	\$456.75
	2 <b>Minor Works</b> (1 inspection hour) Plumbing or drainage – External Drainage only Insulation Garden shed (10m <sup>2</sup> to 20m <sup>2</sup> ) Solar heating panels	\$454.00	\$503.50
	Project Information Memorandum (PIM)	\$105.00	\$130.00
	3 <b>Minor Building Work</b> (1.5 inspection hours) Carports Demolition (any building size) Swimming pool/Spa pool fence only (swimming pool exempt under schedule 1) Decks/pergolas Shade-sails/archgolas	\$702.00	\$798.50

		Project Category	Fees & Charges 2022/23	2023/24
		Effluent tanks Fence/signage Retaining walls <b>Marquee inspection (over 100m<sup>2</sup> floor area)</b>		
		Project Information Memorandum (PIM)	\$185.00	\$185.00
4		<b>Other Buildings</b> (2 inspection hours) Garages Hay barns Implement sheds Swimming pool/spa pool Conservatories	\$835.00	\$863.50
		Project Information Memorandum (PIM)	\$185.00	\$185.00
5		Detached habitable buildings – Up to 30m <sup>2</sup> no plumbing or drainage, e.g. sleep out, office, studio. (2 inspection hours) Alterations and additions up to 30m <sup>2</sup> – no plumbing or drainage Cowshed extensions	\$974.00	\$1,025.00
		Project Information Memorandum (PIM)	\$2353.00	\$253.00
6		Detached habitable buildings Up to 30m <sup>2</sup> with plumbing and drainage, e.g. sleep out with toilet and shower. (4 inspection hours) Alterations and additions up to 30m <sup>2</sup> with plumbing or drainage	\$1,597.00	\$1,655.00
		Project Information Memorandum (PIM)	\$2353.00	\$253.00
7		Alterations and additions up to 60m <sup>2</sup> (5 inspection hours) Other new buildings up to 60m <sup>2</sup> , e.g. industrial workshop, commercial office (excludes dwellings). <i>Note: for work over 60m<sup>2</sup>, dwelling or commercial/industrial fees apply</i>	\$1,953.00	\$2,061.75
		Project Information Memorandum (PIM)	\$2353.00	\$253.00
8		Dairy sheds (5 inspection hours)	\$2,092.00	\$2,155.00
		Project Information Memorandum (PIM)	\$2353.00	\$253.00
9		Re-sited dwellings (6 Inspection hours)	\$2,524.00	\$2,601.50
		Project Information Memorandum (PIM)	\$350.00	\$350.00
10		Dwelling single storey – up to 100m <sup>2</sup> (8 inspection hours)	\$3,065.00	\$3,138.00
		Project Information Memorandum (PIM)	\$350.00	\$350.00
11		Dwelling single storey – up to 250m <sup>2</sup> (9 inspection hours)	\$3,509.00	\$3,588.00
		Project Information Memorandum (PIM)	\$350.00	\$350.00
12		Dwelling single storey – in excess of 250m <sup>2</sup> (10 inspection hours)	\$3,953.00	\$4,038.00
		Project Information Memorandum (PIM)	\$350.00	\$350.00
13		Multi-unit dwelling single story - first unit as per fees above		\$1170.00 + \$180 per

	Project Category	Fees & Charges 2022/23	2023/24
	Plus per unit charge after 1 <sup>st</sup> unit		Inspection charge
14	Dwelling two storey or more – up to 250m <sup>2</sup> (10 inspection hours)	\$4,221.00	\$4,308.00
	Project Information Memorandum (PIM)	\$350.00	\$350.00
15	Dwelling two storey or more – in excess of 250m <sup>2</sup> (11 inspection hours)	\$4,755.00	\$4,848.00
	Project Information Memorandum (PIM)	\$350.00	\$350.00
16	Multi-unit dwelling two story or more - first unit as per fees above Plus per unit charge after 1st unit		\$1440.00 + \$180 per Inspection charge
17	Small commercial/industrial – up to 300m <sup>2</sup> (8 inspection hours)	\$3,910.00	\$3,948.00
	Project Information Memorandum (PIM)	\$470.00	\$470.00
18	Commercial/industrial – in excess of 300m <sup>2</sup>	\$178.00 per hour	\$180.00 per hour
	Project Information Memorandum (PIM)	\$630.00	\$630.00
19	Transportable Build (Partnership fee)	\$1,965.00	\$2,030.00

## Building consent

Description		Fees & Charges 2022/23	2023/24
<b>BRANZ</b>	For every consent with an estimated value of \$20,000 and over	\$1.00 per \$1,000	\$1.00 per \$1,000
<b>MBIE</b>	For every consent with an estimated value of \$20,444 and over	\$1.75 per \$1,000	\$1.75 per \$1,000
<b>Hourly rate</b>	Building Compliance Officer	\$178.00	\$180.00
<b>Inspections</b>	Additional inspections where client requests an inspection but project was not ready or inspection was not covered by the standard fee	\$178.00	\$180.00
<b>Secondhand building</b>	Inspection of secondhand building to be relocated in the District: Additional travel costs of \$0.83 per km apply to inspections outside the District	\$519.00	\$519.00
<b>Travel costs</b>	Applies to inspections in excess of 5km from the office where the consent was issued.	\$0.80 per km	\$0.83 per km
<b>Section 77</b>	Certificate for construction over two or more allotments (Section 77 Building Act 2004)	\$260.00	\$260.00
	Internal process by council staff Council's solicitor to prepare notice	At Cost	At Cost
<b>Section 73</b>	Notice when building on land subject to a natural hazard (Section 73 Building Act 2004)	\$260.00	\$260.00
	Internal process by council staff Council's solicitor to prepare notice	At Cost	At Cost
<b>Certificate of Acceptance</b>	Applications for Certificate of Acceptance (Section 97 Building Act 2004). In addition to the fees that would have been payable had the	\$178.00 per hour plus BC fees	\$180.00 per hour plus BC fees

Description		Fees & Charges 2022/23	2023/24
	owner or previous owner applied for a building consent before carrying out the building work.		
<b>Certificate for Public Use</b>	Applications for Certificate for Public Use (Sections 363A and 363B Building Act 2004)	\$550.00	\$550.00
<b>Certificate for Public Use (CPU) extension of time</b>	Applications for Certificate for Public Use extensions (Sections 363A and 363B Building Act 2004)	\$178.00	\$180.00
<b>Building Consent Exemption</b>	Exemption from requirement to obtain a building consent under Schedule 1 clause 2	\$178.00 + officers hourly rate	\$180.00 + officers hourly rate
<b>Compliance Schedules</b>	New compliance schedules (Section 111 Building Act 2004)	\$346.00	\$360.00
	Amendments to existing compliance schedule (Sections 106 and 107 Building Act 2004)	\$178.00	\$180.00
<b>BWOF</b>	Building Warrant of Fitness (BWOF) audit inspections (Section 111 Building Act 2004)	\$178.00 per hour	\$180.00 per hour
<b>Variations</b>	Applications for variations to a Building Consent (Section 45 Building Act 2004)	\$150.00 + \$178.00 per hour processing time	\$150.00 + \$180.00 per hour processing time
<b>Peer review</b>	Peer review of specific designs by external agents, e.g. Structural Engineer, Fire Engineer, Lift Engineer, Mechanical Engineer	Cost plus 5% handling fee	Cost plus 5% handling fee
<b>Pool inspection</b>	Inspection of existing swimming pool fence – includes inspection, registration and letter of compliance:		
	First inspection	\$100.00	\$108.00
	Subsequent inspections	\$57.00	\$60.00
<b>Waivers or modifications</b>	Applications for waivers or modifications in relation to means of restricting access to residential pools (Section 67A Building Act 2004)	\$780.00	\$780.00
<b>Extension of time requests</b>	Application to extend time for which a building consent is valid - Fee covers application only, processing time will be charged separately at the applicable hourly rate.	\$178.00	\$180.00
<b>Amusement device permits</b>	For one device, for the first 7 days	\$11.50	\$11.50
	For each additional device operated by the same owner for the first 7 days	\$2.30	\$2.30
	For each device for each further period of 7 days. Section 11 Amusement Device Regulations 1978. These fees are set by the Regulations	\$1.15	\$1.15
<b>Exemption to carry out seismic work</b>	Process application for exemption from requirement to carry out seismic work on a building subject to an earthquake-prone building notice. (Section 133AN Building Act 2004)	\$519.00	\$519.00
<b>Building</b>	Check building consents for planning compliance	\$100 fixed	\$100 fixed

Description		Fees & Charges 2022/23	2023/24
<b>Consent Checks</b>	under the Resource Management Act		

**Notes:**

1. Fees are to be paid in full.
2. All references herein to Section and Schedule matters are to the Sections and Schedules of the Building Act 2004 unless otherwise specified.
3. Should any particular job significantly exceed the stated fee, an additional charge will be payable.
4. Where external expertise is necessary in processing building consents, the charge for those services will be passed onto the applicant.
5. This scale of fees does not include a structural checking fee.
6. Fees for project categories 1, 2 and 3 are to be paid in full on application. For all other categories paid on granting of consent.
7. Marquees over 100m<sup>2</sup> floor area require a building consent, and therefore require inspection. Marquees of less than 100m<sup>2</sup> floor area may be inspected at the erector's request; the same fee will apply.
8. Travel costs of \$0.83 per km will apply to categories 4 – 15, where the project is located in excess of 5kms from the nearest Council office.
9. Building Consent fees include the cost of the Code Compliance Certificate.
10. Project Information Memorandum fees are payable in full on application.
11. Council is required to collect fees on behalf of others:
  - a. **Building Research Association Levy**
    - i. For every building consent with an estimated value of \$20,000 and over, \$1.00 per \$1,000 is payable.
  - b. **Building Levy**
    - i. For every building consent with an estimated value of \$20,444 and over, \$1.75 per \$1,000 is payable.

## Cambridge council meeting room charges

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Description	Fees & Charges 2021/22		2023/24	2023/24
	Profitable Organisation / Private Function	Non-Profit Organisation	Profitable Organisation / Private Function	Non-Profit Organisation
Bond (payable when booking is outside business hours)	\$255.00	\$102.00	\$255.00	\$102.00
Removal/reinstatement of furniture by Council staff (optional)	\$102.00	\$102.00	\$102.00	\$102.00
<b>Half day or less</b>				
Whole facility	\$90.00	\$60.00	\$90.00	\$60.00
Committee room (per room)	\$45.00	\$30.00	\$45.00	\$30.00
Meeting room (per room)	\$40.00	\$25.00	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00	\$25.00	\$10.00
<b>Full day – 8.00am to 5.00pm</b>				
Whole facility	\$175.00	\$115.00	\$175.00	\$115.00
Committee room (per room)	\$80.00	\$50.00	\$80.00	\$50.00
Meeting room (per room)	\$70.00	\$40.00	\$70.00	\$40.00
Kitchen	\$50.00	\$20.00	\$50.00	\$20.00

Description	Fees & Charges 2021/22		2023/24	2023/24
	Profitable Organisation / Private Function	Non-Profit Organisation	Profitable Organisation / Private Function	Non-Profit Organisation
<b>Night – 5.00pm onwards</b>				
Whole facility	\$90.00	\$60.00	\$90.00	\$60.00
Committee room (per room)	\$45.00	\$30.00	\$45.00	\$30.00
Meeting room (per room)	\$40.00	\$25.00	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00	\$25.00	\$10.00
<b>Day and night – 8.00am to late at night</b>				
Whole facility	\$220.00	\$132.00	\$220.00	\$132.00
Committee room (per room)	\$107.00	\$56.00	\$107.00	\$56.00
Meeting room (per room)	\$40.00	\$30.00	\$40.00	\$30.00
Kitchen	\$35.00	\$20.00	\$35.00	\$20.00
<b>Weekend – Friday 5.00pm to Sunday 10.00pm</b>				
Whole facility	\$325.00	\$215.00	\$325.00	\$215.00
Committee room (per room)	\$170.00	\$90.00	\$170.00	\$90.00
Meeting room (per room)	\$50.00	\$30.00	\$50.00	\$30.00
Kitchen	\$50.00	\$40.00	\$50.00	\$40.00
Security token (replacement or lost)		\$50.00		\$50.00
Furniture damage	Whole bond (minimum) or cost		Whole bond (minimum) or cost	
Extraction carpet clean		\$160.00		\$160.00
Damage to facility	Whole bond (minimum) or cost		Whole bond (minimum) or cost	
Call out fee for insecure building	\$170.00	\$170.00	\$170.00	\$170.00
Cleaning and re-stocking toilet consumables (for bookings longer than 1 consecutive day)	\$50.00	\$50.00	\$50.00	\$50.00

## Cambridge Town Hall

Fees and charges for Cambridge Town Hall room hire are no longer set or administered by Waipā District Council. They are now the responsibility of the Cambridge Town Hall Trust.

External lighting of the Cambridge Town Hall façade and Cambridge Clock Tower remain the responsibility of Waipā District Council. The lighting of both can be changed as part of community events.

Description	Fees & Charges 2022/23	2023/24
Event lighting changes: Cambridge Town Hall façade only	\$250.00	\$250.00
Event lighting changes: Cambridge Clock Tower only	\$250.00	\$250.00
Event lighting changes: combined Town Hall façade and Clock Tower	\$500.00	\$500.00



## Cemetery fees

Description	Fees & Charges 2022/23	2023/24
<b>Interments</b>		
All casket (Burial) interment	\$1,050.00	\$1,050.00
Stillborn	\$88.00	\$88.00
Children under nine	\$146.00	\$146.00
<b>Ashes</b>		
<b>After hours extra fees</b> After 2:00pm Monday – Friday. After 12:00 noon Weekends / Public Holidays. Before 10.00am Monday or the day after a public holiday.  <i>All interments in the Waipā District Council will be double depth (2.27m) unless stated</i>	\$150.00 + any additional hours	\$150.00 + any additional hours
<b>Disinterment/Reinterment</b>		
Within 12 months	At cost	At cost
After 12 months	At cost	At cost
Ashes	At cost	At cost
Reopening fee	At cost (+ Interment fees)	At cost (+ Interment fees)
<b>Plot purchase (including maintenance)</b>		
Adult plots	\$2,109.00	\$2,109.00
Children's plots (aged under nine years)	\$554.00	\$554.00
Ashes <i>(This fee does not include a plaque – the plaque shall be supplied by the applicant and shall be of such dimensions to fit on a standard berm)</i>	\$500.00	\$500.00
RSA	No charge	No charge
Surcharge on reserved plots	\$167.00	\$167.00
<b>Natural burial</b>		
Natural burial plot	\$1,948.00	\$1,948.00
<b>Out of district burials</b>		
Add 50% to all costs for persons that have lived less than five years within Waipā District during their life time		
<b>Memorial installation</b>		
Permit processing fee	\$50.00	\$50.00

## Council professional fees

Description	Fees & Charges 2022/23	2023/24		
Manager (any)	\$240.00/hr	\$245.00/hr		
Team Leader (any)	\$225.00/hr	\$230.00/hr		
Principal Policy Advisor				
Consultant Engineer				
Senior Planner	\$212.00/hr	\$216.00/hr		
Senior Policy Advisor				
Senior Engineer				
Project Planner				
Biodiversity Planner/Ecologist				
Senior Building Compliance Officer				
Development Contributions Officer				
Intermediate Engineer			\$197.00/hr	\$200.00/hr
Intermediate Planner				
Planner			\$190.00/hr	\$194.00/hr
Policy Advisor				
Reserves Planner				
Engineer				
Environmental Health Officer				
Building Compliance Officer	\$178.00/hr	\$180.00/hr		
Senior Enforcement Officer				
Property Advisor	\$153.00/hr	\$156.00/hr		
Graduate Planner	\$148.00/hr	\$151.00/hr		
Duty Planner				
Graduate Engineer				
Technical Officer				
Monitoring and Enforcement Officer				
Governance Officer			\$102.00/hr	\$105.00/hr
Administrative Officer				
Technical Administrative Officer				
Mileage	\$0.80/km	\$0.83/km		
Disbursements	At cost as charged to Council by the provider	At cost as charged to Council by the provider		

## Development contribution fees

Description of service	Fees & Charges 2022/23	2023/24
Development Agreement preparation and negotiation	Actual staff time	Actual staff time
Development Contribution pre-application estimates and advice		
Development contributions objections	All actual and reasonable costs in accordance with section 150A of the Local Government Act 2002	All actual and reasonable costs in accordance with section 150A of the Local Government Act 2002

### Notes:

1. Development contributions are not actual fees, but are contributions paid towards the costs of infrastructure development.
2. Development contribution summary table outlines the levy imposed per Household Equivalent Unit (HEU) by catchment (all costs include GST) and updated for 1<sup>st</sup> July 2023.
3. Stormwater for C1, C2 and C3 are treated as one catchment.

**A NEW TABLE FOR 2023/24 HERE WHEN DEVELOPMENT CONTRIBUTIONS ARE AGREED IN JUNE 2023.**

Funding Areas	Roading	Storm water	Water	Waste water	Community Infrastructure	Reserves	Total
Bond Rd	\$68	\$10,176	\$18,621	\$5,876	\$0	\$0	\$34,741
C1	\$24,898	\$27,406	\$5,524	\$8,219	\$130	\$7,005	\$73,182
C2	\$22,169	\$27,406	\$3,923	\$6,228	\$132	\$7,005	\$66,863
C3	\$22,169	\$27,406	\$3,923	\$6,228	\$130	\$7,005	\$66,861
C4	\$5,170	\$0	\$1,891	\$4,177	\$130	\$692	\$12,060
C6	\$5,170	\$0	\$1,891	\$0	\$130	\$692	\$7,883
Cambridge / Karāpiro	\$5,170	\$0	\$1,891	\$4,177	\$130	\$692	\$12,060
Cambridge North	\$5,789	\$24,065	\$4,144	\$10,099	\$130	\$4,365	\$48,592
Hautapu	\$5,777	\$30,017	\$5,898	\$8,640	\$0	\$3,420	\$53,752
Kihikihi	\$11,673	\$7,764	\$0	\$5,883	\$130	\$0	\$25,450
Ngāhinapōuri	\$21,429	\$0	\$0	\$0	\$130	\$0	\$21,559
Picquet Hill	\$19,949	\$42	\$7,854	\$11,533	\$130	\$456	\$39,964
Pirongia	\$68	\$0	\$6,765	\$0	\$130	\$0	\$6,963
Pukerimu	\$0	\$0	\$3,491	\$0	\$130	\$0	\$3,621
Rural	\$68	\$0	\$0	\$0	\$130	\$0	\$198

Funding Areas	Roading	Storm water	Water	Waste water	Community Infrastructure	Reserves	Total
T1	\$2,307	\$0	\$8,271	\$6,137	\$130	\$5,080	\$21,925
T2	\$2,307	\$0	\$8,271	\$6,137	\$130	\$5,080	\$21,925
T3	\$71	\$3,184	\$11,586	\$5,883	\$130	\$456	\$21,310
T6	\$71	\$0	\$6,765	\$0	\$130	\$456	\$7,422
T7	\$68	\$0	\$6,765	\$5,883	\$130	\$456	\$13,302
T8	\$71	\$0	\$6,765	\$5,883	\$130	\$456	\$13,305
Te Awamutu	\$71	\$0	\$6,765	\$5,883	\$130	\$456	\$13,305

## Dog registration and impounding fees

Description	Fees & Charges 2022/23		2023/24	2023/24
	Standard if paid by 31 July 2022	including 50% penalty if paid on or after 1 August 2022	Standard if paid by 31 July 2023	including 50% penalty if paid on or after 1 August 2023
<b>Urban Fee (for full year):</b>				
No rebates	\$92.00	\$138.00	\$92.00	\$138.00
Neutered Rebate (\$10.00)	\$82.00	\$123.00	\$82.00	\$123.00
Fencing Rebate (\$15.00)	\$77.00	\$115.50	\$77.00	\$115.50
Fencing and Neutered Rebates (\$25.00)	\$67.00	\$100.50	\$67.00	\$100.50
<b>Rural Fee (for full year)</b>	\$53.00	\$79.50	\$53.00	\$79.50
<b>Out of District Fee (for impounded dogs only)</b>	\$53.00	\$79.50	\$53.00	\$79.50

### Notes:

1. Dog registration fees are due by 30 June 2023, and must be paid by 31 July 2023.
2. The above fees are prescribed and apply to all dogs over the age of 3 months.
3. A penalty will apply for late payment each year, from 1 August, the applicable fee will increase by 50% as provided for in the Dog Control Act 1996.
4. The penalty does not apply within 14 days of acquiring a dog, or within 14 days of the dog attaining three months of age.
5. No fee is payable in respect to certified assistance dogs provided re-registration is completed by the due date, after which the standard fees apply.
6. Registration fees for dogs re-homed by Council, or dogs in the care of any registered charity organisation approved by the Animal Control Team Leader for subsequent rehoming, may be waived.
7. Urban and rural areas for the purpose of dog registration fees are shown on Council maps and may be subject to adjustment.
8. A pro-rata rate will apply to any puppy aged less than 3 months after the penalty date, based on the number of complete months remaining in the registration year.
9. To receive the fencing rebate, an application must be made to Council prior to 1 April and the property must be inspected by an Animal Control Officer, and approved as suitable for the type of dog. Applications received after 1 April may be processed but rebate will not apply until the following registration year.
10. To receive the neutered dog rebate, a veterinary certificate must be provided at the time of, or prior to, registration.

11. Dogs classified as dangerous pursuant to the Dog Control Act 1996 will pay an additional 50% of the usual fee that would apply to that dog if it was not classified.
12. Any owner entitled to a refund of a registration fee may choose to donate that fee to Council for use in rehoming activities, or a welfare organisation approved by the Animal Control Team Leader.
13. Replacement registration tags are available for \$3.00 each.

#### Permits

14. A permit is required from Council if you own or are keeping more than:
  - a. Two dogs on any property in an urban area; or
  - b. Five dogs per dwelling on any property in a rural area in the District.
15. Urban/rural property for the purpose of permits is defined in the Dog Control Policy and are the same areas as used for determining registration fees, and are subject to adjustment.
16. The application fee for a new permit is \$65.00 and the permit, if approved, lasts for three years.
17. The application fee for renewal of an existing permit on the same property is \$30.00.
18. If more than one inspection is required prior to approval, a further fee of \$30.00 will apply per visit. Application forms are available from Council offices or application may be made online at [www.waipādc.govt.nz](http://www.waipādc.govt.nz)

#### Definitions

19. "Property" means a property or a collection of properties under common occupancy or ownership, and in a single record of title.

### Impounding fees for dogs

Description	Fees & Charges 2022/23	2023/24
Fee for seizure/custody or first impounding	\$75.00	\$75.00
Fee for each subsequent impounding within the current registration year	\$100.00	\$100.00
Fee for micro chipping	\$28.00	\$28.00
Sustenance (per day)	\$10.00	\$10.00
<b>Sundry Items (when available)</b>		
Slip Leads/Clip Leads - 3/8 inch width	\$18.00	\$18.00
Slip Leads/Clip Leads - ½ inch width	\$20.00	\$20.00
Doggy Doo Bags – x4 rolls (12 bags per roll)	\$3.00	\$3.00

#### Notes:

20. The destruction or disposal fee for any unwanted/unclaimed/surrendered/ impounded dog is \$55.00 plus applicable sustenance fees.
21. The owner of an impounded dog that is not claimed or signed over to Council remains liable for all impounding and sustenance fees irrespective of the fate of the dog.
22. Micro chipping is to be booked and paid in advance, and will occur at times and locations specified by Council. Other arrangements may incur additional fees.

### Kerbside recycling service

#### Recycling bin

Description	Fees & Charges 2022/23	2023/24
240L Mixed Recycling Wheelie Bin	\$75.25	\$79.00 per bin

	per bin	
140L Glass Only Wheelie Bin	\$65.15	\$68.50
Partial charge for new rated properties	Full months of rating year remaining ÷ annual charge	Full months of rating year remaining ÷ annual charge
Administration Fee (where the annual recycling rate is not levied)	\$32.00	\$33.50

Any replacement wheelie bins needed because of customer damage or loss will be charged at the fee indicated above.

**Notes:**

1. The cost of the bins are included in rates if they're paid by 1 July. Where a new property has been rated for the service after 1 July, they will be required to pay a partial charge for the recycling service. The partial charge is based on the remaining full months in the rateable year divided by the current annual kerbside recycling targeted rate.
2. In all other cases the bins will be charged at the fee indicated above.

## Library fees

Description	Fees & Charges 2022/23	2023/24
Annual library subscription for non-resident patron (per family)	\$70.00 (plus item charges)	\$70.00 (plus item charges)
Monthly library subscription for non-resident patrons (per family) <i>Applies only to months when library services are used.</i>	\$6.00 (plus item charges)	\$6.00 (plus item charges)
Rest Homes/Private Hospitals annual subscription (alternatively residents may opt to pay charges on each item borrowed)	\$105.00	\$105.00

Description	Loan Period	Fees & Charges 2022/23	2023/24
New adult book fee – adult books up to 2 years old (determined by original copyright date)*	21 days	\$1.50	\$1.50
Adult books over 2 years old* <i>*Unless high demand item, then 14 days (same charges apply)</i>	21 days	\$0.00	\$0.00
Magazines (excluding children's and teens magazines) up to 1 year old	7 days	\$1.00	\$1.00
Magazines (excluding children's and teens magazines) over 1 year old	7 days	\$0.50	\$0.50
Children's and teenage books	21 days	No charge	No charge
Children's and teenage magazines	7 days	No charge	No charge
Audio books (for non-print disabled patrons) <i>Print disabled patrons entitled to free use of audio books on presentation of suitable proof</i>	21 days	\$2.00	\$2.00
Jigsaw puzzles	21 days	\$1.00	\$1.00
Children's jigsaw puzzles	21 days	\$0.50	\$0.50

Description	Loan Period	Fees & Charges 2022/23	2023/24
DVDs	7 days	\$2.50	\$2.50
E-audio book fee	21 days	\$2.00	\$2.00
Renewals – same charge as original issuing of item			

Services	Fees & Charges 2022/23	2023/24
Replacement library card	\$3.00	\$3.00
Internal reserves (Waipā Libraries) – adult items	\$1.50	\$1.50
Internal reserves (Waipā Libraries) – children’s / teen items	\$1.00	\$1.00
Interloan requests (from other Libraries)	\$8.00 to \$25.00	\$8.00 to \$25.00
Sale books	Prices as marked	Prices as marked
Library bags	\$2.50	\$2.50
Internet access (public computers ) – per 30 minutes or part thereof	\$2.00	\$0.00
Book covering service	\$5.00-\$10.00	\$5.00-\$10.00
Event costs	As advertised	As advertised
Laminating – A4 – per page	\$2.00	\$2.00
Laminating – A3 – per page	\$4.00	\$4.00

**Note:**

1. For all photocopying / printing / scanning fees please refer to the “Administration fees” section.

Overdue charges	Fees & Charges 2022/23	2023/24
Adult books (two days grace)	\$0.40 first day then \$0.30 per day thereafter	\$0.00
Magazines (one day grace)	\$0.40 first day then \$0.30 per day thereafter	\$0.00
Audio books (two days grace)	\$0.40 first day then \$0.30 per day thereafter	\$0.00
DVDs (one day grace)	\$0.50 per day	\$0.00
Lost and/or damaged materials notice	Account for cost of items plus \$10.00 processing charge	Account for cost of items plus \$10.00 processing charge

## Library community space (Te Awamutu)

Description	Fees & Charges 2022/23		2023/24	2023/24
	Commercial Use or Private Hire	Event or Community Use	Commercial Use or Private Hire	Event or Community Use
Bond (payable when booking is outside business hours)	\$255.00	\$100.00	\$0.00	\$0.00
Deposit payable on booking	30%	30%	\$0.00	\$0.00
<b>Community room and adjacent kitchen</b>				
Full day hire (maximum 12 hour use)	\$305.00	\$155.00	\$325.00	\$175.00
Half day hire (maximum 4 hour use)	\$205.00	\$100.00	\$215.00	\$110.00
<b>Sundry charges associated with use of complex</b>				
Security token (replacement or lost)		\$50.00		\$50.00
Client preparation or pack down time before or after booking (if available)		\$18.00 per hour flat rate		\$18.00 per hour flat rate
Furniture damage		Whole bond (minimum) or cost		Whole bond (minimum) or cost
Extraction carpet clean		\$178.00 (minimum) or cost		\$160.00
Damage to facility		Whole bond (minimum) or cost		Whole bond (minimum) or cost
Call out fee for insecure building		\$175.00		\$170.00
Cleaning and re-stocking toilet consumables (for bookings longer than 1 consecutive day)		\$60.00		\$50.00

## Mapping/GIS charges

### Map prints and photo maps

Existing Maps Printed By Council Staff – colour print	Paper Size	Fees & Charges 2022/23	2023/24
Includes: Street/Ward maps District maps	A4	\$1.00	\$1.00
	A3	\$2.00	\$2.00
	A2	\$10.00	\$10.00
	A1	\$17.50	\$17.50



Existing Maps Printed By Council Staff – colour print	Paper Size	Fees & Charges 2022/23	2023/24
Recycling/Refuse maps Non-aerial and aerial photo maps any custom map prepared by GIS staff	A0	\$30.00	\$30.00
Additional charge where labour is 30 minutes or more		\$78.00 per hour or part thereof	\$78.00 per hour or part thereof
Maps for Emergency Services (Police, Fire & Ambulance), schools and students (using maps as part of their study): Maps Labour (30 minutes or more)		Free \$40.00 per hour or part thereof	Free \$40.00 per hour or part thereof

Maps - Produced from INTRAMAPS – colour print	Paper Size	Fees & Charges 2022/23	2023/24
Any map produced directly from INTRAMAPS	A4	\$1.00	\$1.00
	A3	\$2.00	\$2.00

Unprocessed aerial photography digital data	Fees & Charges 2022/23	2023/24
High Resolution Aerial Imagery Tile (georeferenced TIFF)	\$68.00 each	\$68.00 each
Medium Resolution Aerial Imagery Tile (georeferenced TIFF)		
High Resolution Aerial Imagery for individual locations of Cambridge/Karapiro, Te Awamutu/Mystery Creek, Te Miro, Ohaupo, Pirongia, Waipā SE or Waipā West (georeferenced ECW)		
High Resolution Aerial Imagery for complete Waipā District (georeferenced ECW)	\$135.00 each	\$135.00 each
Any Aerial Imagery produced by GIS staff (georeferenced ECW, JPEG or TIFF)	Actual staff time	Actual staff time
Collation of digital data and writing to media (no charge for organisations undertaking work on behalf of Council)	\$78.00 per hour or part thereof	\$78.00 per hour or part thereof

**Note:**

1. All maps are available in either paper or digital formats. Digital format refers to Adobe PDF or JPEG images of the maps.

## Mighty River Domain – Lake Karāpiro – Room Hire

Sir Don Rowlands Centre	Fees & Charges 2022/23		2023/24	2023/24
	Corporate or Private Function	Event or Community Use*	Corporate or Private Function	Event or Community Use*
<b>Booking deposit</b>	Payable on request		Payable on request	
<b>Bond</b>	Payable on request		Payable on request	
<b>Main Hall (includes car parking and Main Kitchen, if required)</b>				
Full day hire (maximum 12 hour use)	\$1670.00	\$915.00	\$1670.00	\$915.00
<b>Main Kitchen (if Main Hall is not hired)</b>				
Full day hire (maximum 12 hour use)	\$255.00	\$247.00	\$255.00	\$247.00
Half day hire (maximum 4 hour use)	\$190.00	\$185.00	\$190.00	\$185.00
<b>Foyer and/or Servery (stand-alone hire)</b>				
Full day hire (maximum 12 hour use)	\$170.00	\$117.00	\$170.00	\$117.00
<b>Ground level Event/Conference Room (Waipā Room)</b>				
Full day hire (maximum 12 hour use)	\$363.00	\$157.00	\$363.00	\$157.00
Half day hire (maximum 4 hour use)	\$133.00	\$92.00	\$133.00	\$92.00
<b>First floor Event/Conference Room and adjacent kitchen (Karāpiro Room)</b>				
Full day hire (maximum 12 hour use)	\$520.00	\$274.00	\$520.00	\$274.00
Half day hire (maximum 4 hour use)	\$244.00	\$156.00	\$244.00	\$156.00
Kitchen – stand-alone hire (maximum 12 hour use)	\$173.00		\$173.00	
<b>Te Manawa O Matariki Room</b>				
Full day hire (maximum 12 hour use)	\$458.00	\$268.00	\$458.00	\$268.00
Half day hire (maximum 4 hour use)	\$239.00	\$143.00	\$239.00	\$143.00
<b>Sundry charges associated with use of complex</b>				
Access to facility for set up etc. prior to hireage period	By negotiation		By negotiation	
Staff assistance with event organisation/ venue set up	Quotation prepared on request		Quotation prepared on request	
Hireage of additional furniture/equipment	Quotation prepared on request		Quotation prepared on request	
Stage & Lectern hire	\$132.00		\$132.00	
Post hire clean-up (if required – per staff member per hour)	\$27.00		\$27.00	
Scissor Lift – equipment hire only (up to 6 hours use)	\$132.00		\$132.00	
Scissor Lift – operator hire (per hour, minimum 1 hour charge)	\$39.00		\$39.00	

Sir Don Rowlands Centre	Fees & Charges 2022/23		2023/24	2023/24
	Corporate or Private Function	Event or Community Use*	Corporate or Private Function	Event or Community Use*
Carpet deep clean (if required)	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Internet service during hire period	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Repair or replacement of damaged/lost equipment	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Repair of damage to facility	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Security call out (if required)	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Replacement of key/access card	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Security staff attendance at function	Full cost to be passed onto complex user		Full cost to be passed onto complex user	

Perry Community Water Sports Centre, Home of the Cambridge Yacht Club	Fees & Charges 2022/23		2023/24	2023/24
	Corporate or Private Function	Event or Community Use*	Corporate or Private Function	Event or Community Use*
<b>Booking deposit</b>	Payable on request		Payable on request	
<b>Bond</b>	Payable on request		Payable on request	
Full day hire (maximum 12 hour use)	\$394.00	\$196.00	\$394.00	\$196.00
Half day hire (maximum 4 hour use)	\$200.00	\$100.00	\$200.00	\$100.00
<b>Sundry charges associated with use of complex</b>				
Access to facility for set up etc. prior to hireage period	By negotiation		By negotiation	
Staff assistance with event organisation/venue set up	Quotation prepared on request		Quotation prepared on request	
Hireage of additional furniture/equipment	Quotation prepared on request		Quotation prepared on request	
Post hire clean-up (if required – per staff member per hour)	\$27.00		\$27.00	
Internet service during hire period	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Carpet deep clean (if required)	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Repair or replacement of damaged/lost equipment	Full cost to be passed onto complex user		Full cost to be passed onto complex user	
Repair of damage to facility	Full cost to be passed onto complex user		Full cost to be passed onto complex user	

Security call out (if required)	Full cost to be passed onto complex user	Full cost to be passed onto complex user
Replacement of key/access card	Full cost to be passed onto complex user	Full cost to be passed onto complex user
Security staff attendance at function	Full cost to be passed onto complex user	Full cost to be passed onto complex user

**Notes:**

1. Facility users are required to complete a hire contract prior to using the facility. Bookings are accepted and/or prioritised as stipulated in the 'hire protocols' for the site.
2. 'Event or Community Use' charges apply to event hosts who are using the site for an event and have hired one or more zones and not for profit community organisations that are based and operate in the Waipā District. Out of District not-for-profit community organisations may apply to receive 'Event or Community Use' hire rates. The merit of such applications will be considered on a case by case basis.

## Museum fees (Te Awamutu)

Description	Fees & Charges 2022/23	2023/24
Minimum fee for public programmes	\$2.00	\$2.00
Self-research	No charge	No charge
Research Service time including searching, retrieval, reproduction, distribution and replacement material – no charge for the first 15 mins	\$25.00 per half hour	\$25.00 per half hour
<b>Charges additional to research time as above</b>		
Digital images (per image) <i>Charges are dependent on factors such as image format, quality and delivery</i>	\$10.00-\$40.00	\$10.00-\$40.00
Publication Fees (NZ Rights)	\$50.00-\$250.00 + \$20 per half hour for staff	\$50.00-\$250.00 + \$20 per half hour for staff
Publication Fees (World Rights)	\$50.00-\$200.00 + \$20 per half hour for staff	\$50.00-\$200.00 + \$20 per half hour for staff
Photographic prints <i>Charges are dependent on factors such as image format, quality and delivery</i>	\$5.00 - \$40.00	\$5.00 - \$40.00

**Note:**

1. For all other photocopying / printing / scanning fees please refer to the "Administration fees" section.

## ELC (Fees set within MoE contract)

Description	Fees & Charges 2022/23	2023/24
Education Entry Rate for students	\$3.00 per student	\$3.00 per student
Accompanying Adult for Education programme	No charge	No charge
Cancellation Fee – charged to the school if programme is cancelled less than 2 days prior to booking without just cause	\$20.00	\$20.00

## Official Information Requests (LGOIMA)

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In line with the Local Government and Official Information and Meetings Act 1987 (LGOIMA), Council is required to make available certain public or personal information which it holds.

The Act also makes provision for Council to make a charge for this information but the charge must be reasonable and is for the cost of labour and materials involved in making the information available. If the request is urgent then the Council may have to use additional resources to gather the information promptly and the Act permits Council to charge for these extra resources.

The Council will advise the applicant of the likely charges, if any, before it commences with the request and will give the applicant the opportunity to decide whether or not to proceed with the request. In such cases, the Council may require that the whole or part of the charge be paid in advance before commencing to process the request.

The following charges and procedures for the provision of official information are approved by Government and endorsed by the office of the Ombudsman.

### Existing charges to remain

There are currently areas where access to official information is given free of charge or pursuant to an existing charging arrangement.

### Fixing the amount of charge

The amount of charge will be determined by:

- Establishing whether or not the request is made by an identifiable natural person seeking access to any personal information about that person.
- Such requests are **not** subject to any charge.
- The aggregate amount of staff time exceeding one hour spent in actioning the request.
- This will include search and retrieval of information, the provision of transcripts and the supervision of access.
- The number of pages of A4 sized of foolscap photocopy to be provided exceeding 20.
- For any other cost, the amount actually incurred in responding to the request.
- This will cover the provision of copies of video, audio and film tapes, computer time or other situations where a direct charge is incurred.

Where repeated requests are made in respect of a common subject over intervals of up to eight weeks, the Council will aggregate these requests for charging purposes. This means that the second and subsequent requests will not be subject to half an hour of free time and 20 free standard A4 photocopies.

The charge should represent a reasonable fee for access given. It may include time spent:

- In searching an index to establish the location of the information.
- In locating (physically) and extracting the information from the place where it is held.
- In reading and reviewing the information.
- In supervising the access to the information.

The charge should **not** include any allowance for:

- Locating and retrieving information which is not where it ought to be; or
- Time spent deciding whether or not access should be allowed and in what form.

Where the free threshold is only exceeded by a small margin it is a matter of discretion whether any fee should be paid and, if so, how much.

### Staff time

Time spent by staff searching for relevant material, abstracting and collating, copying, transcribing and supervising access where the total time is in **excess of one hour** should be charged out as follows:

- An initial charge of \$38.00 for the first chargeable half hour or part thereof; and
- Then \$38.00 for each additional half hour or part thereof.

The rate of charge applies irrespective of the seniority or grading of the officer who deals with the request.

Time spent in deciding whether or not to approve access and in what form should **not** be charged.

### Photocopying

Photocopying on standard A4 or foolscap paper should be charged out as follows:

- No charge 0 to 20 pages.
- After the first 20 pages, printing costs will be charged as per the administration fees outline in this Schedule.

### Actual costs

- All other charges incurred should be fixed at an amount, which recovers the actual costs involved.
- Producing a document by the use of a computer or other like equipment.
- Reproducing a film, video or audio recording.
- Arranging for the applicant to hear or view an audio or visual recording.
- Providing a copy of any map, plan or other document larger than A4 or foolscap size.

### Remission of charges

The liability to pay any charge may be modified or waived at the discretion of the department or organisation receiving the request under delegated authority. Full or partial remissions may be considered. Any request for remissions must be made in writing and must include:

- the requester details
- the legal status of the requester (e.g. individual, incorporated society, company, charitable trust etc)
- the reasons for the request
- the amount of remission that is requested.

Such decisions should have regard to the circumstances of each request. However, it would be appropriate to consider inter alia:

- Whether payment might cause the applicant financial hardship.
- Whether remission or reduction of the charge would facilitate enhanced relations with the public or assist the Council or applicant organisation in its work.
- Whether remission or reduction of the charge would be in the public interest because it is likely to contribute significantly to public understanding or of effective participation in the operations or activities of local government, and the disclosure of the information is not primarily in the commercial or private interest of the requester.
- Whether the applicant has formal charitable status under the Charities Act 2005, or otherwise provides a recognised service to the community
- Is the use of the information, activity or service likely to make a significant contribution to operations and activities of local government?
- Is the use of information, activity or service likely to improve or enhance the understanding of the subject by the public at large as opposed to the individual understanding of the requester or a narrow segment of interested people?
- Is the information relating to the charge meaningful or informative about operations and activities of government that have a direct connection to the reason for the request?
- Is the information relating to the charge already in the public domain in either the same or similar form, which the requester could acquire without substantial cost?
- Is the public at large the primary beneficiary of the expenditure of public funds or is it the requester or a narrow segment of interested people?
- Are there elements of the charges that will have a public benefit and/or is there a public/private benefit split that could be attributed to the charges?
- Is the information, activity or service primarily in the commercial or private interest of the requester rather than the public interest? While it might appear on initial consideration that requests for information, for say, research purposes or to write a book or to have available in a library, might be considered in the 'public interest' and answer some of the criteria; this may not necessarily be so. There should still be reasonable evidence to show that the wider public benefit will accrue as a result of the research, or book or library depository. In the case of the media however, it can be



reasonably assumed that they do have access to means of public dissemination. Each request should be considered on a case-by-case basis in light of all relevant information.

Members of Parliament may be exempted from charge for official information provided for their own use. In exercising this discretion it would be appropriate whether remission of charges would be consistent with the need to provide more open access to official information for Members of Parliament in terms of the **reasonable** exercise of their democratic responsibilities.

## Deposits

A deposit may be required where the charge is likely to exceed \$90.00 or where some assurance of payment is required to avoid waste of resources. A deposit may only be requested after a decision has been made to make the information available.

The applicant should be notified of the amount of deposit required, the method of calculating the charge and the likely final amount to be paid. Work on the request may be suspended pending receipt of the deposit.

The unused portion of any deposit should be refunded forthwith to the applicant together with a statement detailing how the balance was expended.

## Review of decisions on charges

Section 27(1)(b) of the Official Information Act 1982 provides that the Ombudsman may investigate and review any decision on the charge to be paid in respect of a request for access to official information.

A record should be kept of all costs incurred. Wherever a liability to pay is incurred the applicant should be notified of the method of calculating the charge and this fact noted on the record.

## Overweight permit fees

Description	Fees & Charges 2022/23	2023/24
Single Overweight Permit fee (5 day processing) - per application	\$135.00	\$140.00
Single Overweight Permit fee (24 hour processing) - per application	\$158.00	\$165.00
Overweight Permit fee (24 month period) - per application	\$224.00	\$235.00

### Note:

1. Charged in accordance with the NZ Transport Agency Overweight Permit Manual.



## Permits under Waipā District Public Places Bylaw 2018 and Alcohol Control Bylaw 2015

### Mobile traders

Description	Fees & Charges 2022/23	2023/24
Fee - New application	\$153.00	\$160.00
Annual Permit fee	\$306.00 per operator	\$320.00
Site assessment fee	\$153.00 per hour	\$160.00
Temporary (up to three months)	\$306.00 per operator	\$320.00

#### Notes:

1. Definition of **Mobile Trader** – means any person who in a public place (a) solicits for orders; or (b) offers, distributes, or sells any goods or services by foot or from any vehicle or stall or part thereof.
2. The annual permit fee is applicable to any individual or business issued with a permit to trade from a public place (new application or renewal). New applications will also incur the new application fee due to the extra administration involved.
3. The application fee is required to be paid at the time the application is submitted. The authorised council officer has discretion to determine if a full refund or partial refund is applicable in the event that the application is declined.
4. The site assessment fee is charged by actual staff time. It applies to assessment of requested trading sites for new permit applications or inquiries (annual or temporary) and for changes to existing permit locations.
5. The above fees only cover permission to trade from a public place. Traders applying to sell food and beverages may also require a food registration permit under the Food Hygiene Regulations 1974 (see Registration of Premises section).
6. Organisers of markets or large events may, under the bylaw, apply for a single permit to cover all participating mobile traders. All participating traders must be listed on the permit and must adhere to the terms and conditions of that permit. Participating traders are not required to hold individual mobile trading permits in addition to the event permit.

### Café tables and chairs and displays of goods for sale

Description	Fees & Charges 2022/23	2023/24
Fee – new permit application	\$245.00	\$257.00
Annual fee – permit renewal	Minimum \$82.00	\$85.00
Annual occupation fee – per 1m <sup>2</sup> occupied	\$22.00	\$23.00

#### Notes:

1. Schedule 1 of the Waipā District Public Places Bylaw 2018 applies to café tables and chairs.
2. Clause 17 and Schedule 1 of the Waipā District Public Places Bylaw 2018 applies to displays of goods for sale.

### Signs in public places

Description	Fees & Charges 2022/23	2023/24
Fee – new permit application	\$245.00	\$257.00
Annual fee – permit renewal	Minimum \$82.00	\$85.00

**Notes:**

3. Clause 12 and Schedules 1 and 2 of the Waipā District Public Places Bylaw 2018 apply to the installation and display of signs.
4. These fees may apply to any permit issued for the display of signs in public places, including signs advertising businesses or events, Clause 10.1 of the Public Places Bylaw 2018.
5. A temporary sign is defined as a sign displayed for no more than eight weeks in any 12-month period for the purpose of advertising or giving direction to community, cultural, sports or other similar events.
6. Temporary signs complying with all relevant guidelines, standards, controls, policies and codes of practice, set by resolution of Council, may be approved by an authorised officer, without the requirement for a permit.

**Dispensations under Waipā Public Places Alcohol Control Bylaw 2015**

Description	Fees & Charges 2022/23	2023/24
Charge for dispensations	\$82.00	\$85.00

**Property file information**

Description	Fees & Charges 2022/23	2023/24
Simple property file (in electronic media form)	\$30.00	\$30.00
Property file viewed at counter	\$30.00	\$30.00
Complex property file (in electronic media form) e.g. business or industrial establishment	\$60.00	\$60.00
Material cost e.g. USB	\$27.00	\$27.00
Postage of e-link e.g. USB to NZ address	\$5.00	\$5.00
Property file administration e.g. scanning, printing, postage etc	Charges may apply as per the Local Government Official Information and Meetings Act 1987 section earlier in this schedule	Charges may apply as per the Local Government Official Information and Meetings Act 1987 section earlier in this schedule

**Property and lease charges**

Description	Fees & Charges 2022/23	2023/24
<b>Lease and License charges</b>		
Annual administration fee for Community Leases	\$357.00	\$357.00
Renewal of Commercial Lease/s Council owned land	\$306.00	\$306.00

Description	Fees & Charges 2022/23	2023/24
	administrative charge plus re-imburement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)	administrative charge plus re-imburement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)
New Lease/assignment or licence to occupy Council land	\$612.00 administrative charge plus re-imburement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)	\$612.00 administrative charge plus re-imburement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)
<b>Charges related to temporary occupation of Reserve Land (including Road Reserve)</b>		
Commercial use	\$255.00 per day (12 hours maximum) or \$125.00 per half day (4 hours maximum) plus \$550.00 deposit (refundable if reserve left undamaged)	\$255.00 per day (12 hours maximum) or \$125.00 per half day (4 hours maximum) plus \$550.00 deposit (refundable if reserve left undamaged)
Community group	No charge	No charge
<b>Property services</b>		
First ½ hour spent on enquiry/request	No charge	No charge
Subsequent time spent on enquiry	Minimum charge of \$76.50 per ½ hour (\$153.00 per hour). Actual and reasonable costs will be calculated on a case by case basis and reimbursement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)	Minimum charge of \$76.50 per ½ hour (\$153.00 per hour). Actual and reasonable costs will be calculated on a case by case basis and reimbursement of Council's legal expenses, DoC fees and

Description	Fees & Charges 2022/23	2023/24
		Resource Consent Application fees (where applicable)

## Registration of Premises (Food/Health)

### Food Act 2014 – Food Control Plans and National Programmes

Description	Fees & Charges 2022/23	2023/24
<b>Fees applicable to all registration types</b>		
All administration and verification activities including pre-registration assistance, annual audit, reporting, non-conformance visits and any activity not specified in the schedule below for operators based in the Waipā District.	\$168.00 per hour plus \$0.80 per km	\$168.00 per hour plus \$0.83 per km
All administration and verification activities including pre-registration assistance, annual audit, reporting, non-conformance visits and any activity not specified in the schedule below for operators based outside the Waipā District.	\$224.00 per hour plus \$0.80 per km	\$224.00 per hour plus \$0.83 per km
Cancellation of scheduled verification within 24 hours or key personnel not available for the verification	\$168.00	\$168.00
<b>Fees applicable to Food Control Plans</b>		
Application for registration of template Food Control Plan	\$418.00 plus hourly rate after the first hour	\$418.00 plus hourly rate after the first hour
Application for <b>renewal</b> of registration of template Food Control Plan	\$326.00 plus hourly rate after the first hour	\$326.00 plus hourly rate after the first hour
Application for a <b>significant amendment</b> [section 45(3)] of registration of template Food Control Plan, or move from Food Control Plan to National Programme during registration year	\$153.00 plus hourly rate after the first hour	\$168.00 plus hourly rate after the first hour
Application for a <b>minor amendment</b> [section 45(2)] of registration of template Food Control Plan,	\$76.00 plus hourly rate after the first hour	\$76.00 plus hourly rate after the first hour
Voluntary suspension of food control plan	\$87.00 plus hourly rate after the first hour	\$87.00 plus hourly rate after the first hour
<b>Fees applicable to National Programs</b>		
Application for registration of <b>National Program</b>	\$418.00 plus hourly rate after the first hour	\$418.00 plus hourly rate after the first hour

Description	Fees & Charges 2022/23	2023/24
Application for <b>renewal</b> of registration of National Program	\$326.00 plus hourly rate after the first hour	\$326.00 plus hourly rate after the first hour
Application for <b>significant amendment</b> [Section 81]of registration of <b>National Program</b> or move from National Program to Food Control Plan during the registration year.	\$153.00 plus hourly rate after the first hour	\$168.00 plus hourly rate after the first hour
Voluntary suspension of <b>National Program</b>	\$87.00 plus hourly rate after the first hour	\$88.00 plus hourly rate after the first hour
Issue of improvement notice, or review of an improvement notice	\$153.00 plus hourly rate after the first hour	\$168.00 plus hourly rate after the first hour
Exercising any power referenced by and for the purposes expressed in Section 298 of the Act (except for Sections 302 and 303), which results in a sanction(s) being imposed by the Food Safety Officer or some form of corrective action being required of the operator.		\$168.00 plus hourly rate after the first hour
Application for statement of compliance	\$153.00 plus hourly rate after the first hour	\$168.00 plus hourly rate after the first hour
Copies of Food Control Plan folder and documents	\$30.00	\$30.00

## Temporary food premises in Waipā District

Holders of Food Control Plans (FCP) or National Programs (NP) registered with their home authority will be permitted to trade at events or locations in the Waipā District provided the mobile / off site retail activity is included in that FCP/NP. Any tasks related to these will be charged as per Food Act 2014 fees above. Such traders will require separate Public Places Bylaw approval where appropriate.

## Registrations under Health Act 1956

Description	Fees & Charges 2022/23	2023/24
Offensive trades (Health Act 1956)	\$143.00	\$144.00
Camping grounds(Camping Ground Regulations 1985)	\$143.00	\$144.00
Hairdressers (Health (Hairdressers) Regulations 1980)	\$143.00	\$144.00
Funeral Directors/Mortuaries (Health (Burial) Regulations 1946)	\$143.00	\$144.00
Change of occupier/owner – All registration groups	\$82.00	\$85.00
Replacements or copies of certificates	\$50.00	\$50.00

## Sale and Supply of Alcohol Act 2012

Description	Fees & Charges 2022/23	2023/24
Request for excerpts of sale of alcohol database (section 66(2))	\$50.00 as per regulation	\$50.00 as per regulation
Applications for waiver pursuant to section 208 of the Act	\$50.00	\$50.00

## Other fees and charges

Description	Fees & Charges 2022/23	2023/24
Pre-purchase inspections and/or reports	\$168.00 per hour plus \$0.80 per km	\$168.00 per hour plus \$0.83 per km
Pre-application meetings and consultation (food or sale of alcohol)	\$168.00 per hour	\$168.00 per hour
General inspection fee where not stated above (e.g. swimming pools, housing)	\$168.00 per hour plus \$0.80 per km	\$168.00 per hour plus \$0.83 per km
Information requests other than the above	As per official information request charges	As per official information request charges
Replacements or copies of certificates (Food, Health, Alcohol etc)	\$50.00	\$50.00

## Regulatory – Other fees and charges

Type	Description	Fees & Charges 2022/23	2023/24
<b>Land Information Memorandum (LIM) pursuant to LGOIMA</b>			
<b>Urgent (5 working days)</b>			
Properties Zoned Residential, Rural, Deferred Residential	Prepare and issue LIM	\$460.00	\$485.00
<b>Non Urgent (10 working days)</b>			
Properties zoned Residential, Rural, Deferred Residential	Prepare and issue LIM	\$320.00	\$336.00
All other Zones in District Plan not listed above	Prepare and issue LIM	\$408.00	\$430.00
<b>Overseas Investment Certificates</b>			
	For determining and issuing	\$320.00	\$320.00

Type	Description	Fees & Charges 2022/23	2023/24
<b>Section 348 – Right of Way (ROW)</b>			
Application for ROW under LGA 1974	Processing ROW application	\$715.00	\$715.00
<b>Sale and Supply of Alcohol Act</b>			
Section 100(f) certificates certifying that the proposed use of the premises meets the requirements of the RMA	Existing premises	\$163.00	\$163.00
	New or altered premises	\$255.00	\$255.00
<b>Advertising of alcohol licence applications on Council's website</b>		\$122.00	<b>\$134.00</b>
<b>Alcohol Licence hearing costs not associated with the application itself (e.g. translation services etc) will be charged at actual cost.</b>			
<b>Hazardous activities and industries list determinations (HAIL)</b>			
For supplying specific information to determine if a potentially contaminating activity has occurred on a property		\$82.00	\$82.00
<b>Record of Title search</b>			
For searching for Records of Title through Land Information New Zealand (LINZ)		\$20.00	\$20.00

## Resource management fees and charges

Type	Description	Fees & Charges 2022/23 "F" are fixed charges, all others are deposits	2023/24
<b>General</b>			
Pre application	Pre application meeting	Actual staff time except for the first half hour of the first meeting, which will not be charged	Actual staff time except for the first half hour of the first meeting, which will not be charged
Pre-hearing meeting	For any meeting or mediation held (s99)	Actual staff time	Actual staff time
Joint subdivision and landuse	For any joint application <i>Note – for joint applications, this is the only deposit that applies.</i>	\$5,100.00	\$5,100.00
Limited notified consent (land use and subdivision)	<b>Any</b> resource consent that requires limited notification	\$7,300.00	\$7,300.00
Notified consent (land use and subdivision)	<b>Any</b> resource consent that requires public notification	\$11,800.00	\$11,800.00

Type	Description	Fees & Charges 2022/23 "F" are fixed charges, all others are deposits	2023/24
<b>Landuse Consents</b>			
Non-notified	All landuse consents, except as otherwise provided below	\$2,550.00	\$2,550.00
	Resource consents for a Controlled or Restricted Discretionary Activity with non compliance with <u>one</u> bulk and location rule only <i>Note: if you are unsure whether this deposit is applicable, please discuss with a member of the Planning team before submitting your application.</i>	\$1,225.00	\$1,225.00
	Non Complying (excludes road boundary setbacks which will require the standard \$2,500.00 deposit)	\$3,570.00	\$3,570.00
	Cultural Landscape area	F	F
	Character Precinct	\$1,225.00	\$1,225.00
	Protected Trees <i>Note: a remission up to the full cost of the fixed fee, including the cost of an arborist assessment, will apply where the maintenance of a protected tree is assessed by a qualified arborist as being necessary for safety reasons, or to maintain the health of the tree</i>	F \$900.00	F \$900.00
	Resource consent exemptions (Section 87 (B)(a) and Section 87 (B) (b) notices)	Boundary Activities	F \$305.00
	Marginal or Temporary rule breaches	\$640.00	\$640.00
<b>Subdivision consents</b>			
Non-notified	≤ 9 lots, where no road/reserves proposed	\$3,980.00	\$3,980.00
	≤ 9 lots, where roads and/or reserves are proposed	\$5,100.00	\$5,100.00
	≥ 10 lots, (including roads and reserves)	\$9,000.00	\$9,000.00
	Non Complying Activities	\$4,600.00	\$4,600.00
<b>Subdivision processes (post approval)</b>			
Section 221	Consent Notice - preparation, authorization, change or cancellation	\$305.00	\$305.00



Type	Description	Fees & Charges 2022/23 "F" are fixed charges, all others are deposits	2023/24
Section 223 certification	For subdivisions ≤ 2 lots	F \$305.00	F \$305.00
Section 223 certification	For subdivisions ≥ 3 lots	F \$640.00	F \$640.00
Section 224C certification	All subdivisions	\$340.00 +actual staff time	\$340.00 +actual staff time
Section 226	Restriction upon issue of record of title	\$510.00	\$510.00
Section 241	Cancellation/partial cancellation of amalgamation condition	\$510.00	\$510.00
Section 243	Easement approval or revocation	\$510.00	\$510.00
<b>Subdivision miscellaneous</b>			
Engineering	For inspections of any works for conditions, including checking engineering plans and any amendments	Actual staff time	Actual staff time
	RAMM Collection (minimum of 2km carriageway)	\$835.00 per day	\$835.00 per day
Technical costs	CCTV data uploaded to Reticulation Manager (minimum 100 metres)	Minimum \$245.00 plus \$2.45 per lineal metre	Minimum \$245.00 plus \$2.45 per lineal metre
Cross lease	Amendments to flats plan	\$640.00	\$640.00
Urgent signing fee for subdivision post approval processes	To sign any documentation within a 24 hour period <i>Note: This does not guarantee urgent signing will be possible, refer to notes below for further information.</i>	\$100.00	\$100.00
	Asset collection, ≤ 9 lots	\$2,170.00	\$2,170.00
	Asset collection, ≥ 10 lots	\$4,180.00	\$4,180.00
<b>Other resource management activities</b>			
Section 125/126	Applications for extensions of consent periods	\$870.00	\$870.00
Section 127	Change or cancellation of a condition/s of consent (non-notified only)	\$1,630.00	\$1,630.00
Section 128 - 132	Review of consent conditions (non-notified only)	\$870.00	\$870.00
Section 134	Transfer of holder's interest in a consent	F \$200.00	F \$200.00

Type	Description	Fees & Charges 2022/23 "F" are fixed charges, all others are deposits	2023/24
Section 138	Application to surrender resource consent	\$670.00	\$670.00
Section 139	Application for certificate of compliance	\$2,360.00	\$2,360.00
Section 139A	Existing use right determination	\$2,360.00	\$2,360.00
Section 357	Objections pursuant to section 357(A) or (B) of RMA <i>Note: Not invoiced if objection upheld in full. A part charge may be made if the objection is upheld in part.</i>	\$510.00	\$510.00
National Standards	Environmental Confirmation of compliance with National Environmental Standards	Actual staff time	Actual staff time
Other	Any application pursuant to the RMA not listed elsewhere	\$1,615.00	\$1,615.00
<b>Designations</b>			
Public or Limited notified	Notice of Requirement for designation	\$11,200.00	\$11,200.00
Non-notified	Notice of Requirement for designation	\$5,900.00	\$5,900.00
Section 176	Application for outline plan	\$815.00	\$815.00
Section 176A(2)	Waiver of requirement for outline plan	\$185.00	\$185.00
Sections 177, 178	Request to the Requiring Authority responsible for an earlier designation Application to do anything which would prevent or hinder the public work or project	\$660.00	\$660.00
Section 180	Transfer of rights and responsibilities for designations	\$1,120.00	\$1,120.00
Sections 181, 182	Requirement for alteration or removal/partial removal of a designation	\$1,735.00	\$1,735.00
Section 184/184A	Application to determine designation lapsing	\$3,370.00	\$3,370.00
<b>Heritage Orders</b>			
Sections 189/189A, 196, 177	Requirement for Heritage Order Requirement for removal of Heritage Order Request to Requiring Authority responsible for the earlier heritage order	\$1,600.00	\$1,600.00
<b>Private Plan Change application to amend the District Plan</b>			

Type	Description	Fees & Charges 2022/23 "F" are fixed charges, all others are deposits	2023/24
1 <sup>st</sup> Schedule	Processing, considering and determining a private plan change application	\$59,600.00	\$59,600.00
<b>Compliance and monitoring</b>			
General	Administration, review, correspondence	Actual staff time	Actual staff time
Inspections (excluding engineering)	To monitor progress with giving effect to any resource consent, and compliance with consent conditions	\$160.00 per inspection	\$160.00 per inspection
Monitoring permitted activities <i>(National Environmental Standard for Freshwater 2020 - councils may charge for monitoring of permitted activities including land uses relating to farm activities, vegetation clearance and earthworks).</i>	Monitoring costs relating to permitted activities, if recovery of costs is authorised under any under National Environmental Standard, National Policy Statement, national direction, or other regulation	\$160.00 per inspection	\$160.00 per inspection
Engineering	For any inspection required	Actual staff time	Actual staff time
<b>Miscellaneous charges</b>			
Legal instruments	Search for easement documents, covenants, encumbrances or any other document registered on Records of Title	Actual staff time + LINZ costs	Actual staff time + LINZ costs
Affixing Council's seal/authorising document	For administration costs incurred in affixing Council's seal and/or signature to any document where a charge is not otherwise listed	\$180.00	\$180.00
Variation/cancellations	Variation or cancellation of any legal instrument not otherwise listed	\$480.00	\$480.00
Public notice	Costs associated with public notices	Actual staff time + advertisement fees	Actual staff time + advertisement fees
Signs	Affixing signs on site	\$35.00 per sign	\$35.00 per sign
Delegated approvals	Staff decision on application, acting under delegated authority	\$115.00	\$115.00
Bonds	Preparation, release and signing of any bond (excluding engineering)	\$320.00	\$320.00

Type	Description	Fees & Charges 2022/23 "F" are fixed charges, all others are deposits	2023/24
	Preparation, release and signing of any bond - Engineering (roading and servicing works)	\$430.00	\$430.00
	Partial Bond release	Actual staff time	Actual staff time
Consultants	The applicant will reimburse Council for any fees paid by Council to any Consultants	Actual consultant costs + actual costs	Actual consultant costs + actual costs
Noise control	Application fee for the consideration of the return of equipment seized under RMA	F \$160.00	F \$160.00
	Costs incurred in rendering noise source inoperable (e.g. removing vehicles, disabling alarms etc)	Actual costs	Actual costs
<b>Hearings</b>			
Attendance – Council Staff or Consultant	A charge will be made for the costs of all staff and/or consultants required to attend a hearing	Actual staff/consultant time	Actual staff/consultant time
Attendance – Commissioner / Regulatory Committee Members / Hearing Panel members	A charge will be made for the costs of all Commissioners, Committee or Hearing Panel members required to attend a hearing	Actual costs	Actual costs
Postponement/withdrawal or cancellation	If applicant fails to give a minimum of 5 working days written notice of a request for cancellation, withdrawal or postponement of a scheduled hearing	Actual costs	Actual costs
Venue	Hiring a venue for hearing	Actual costs	Actual costs
<b>Request for information and supply of resource management documents</b>			
Providing general advice	Providing advice and considering proposed applications <i>May include, but is not limited to: administration costs, research, meetings (including pre-lodgement), written correspondence.</i>	Actual staff time except for the first half hour of the first meeting, which will not be charged	Actual staff time except for the first half hour of the first meeting, which will not be charged
Providing information	Any request to provide information in respect of the District Plan or any consent	Actual staff time	Actual staff time

Type	Description	Fees & Charges 2022/23 "F" are fixed charges, all others are deposits	2023/24
Providing copies	For the copying of information relating to consents and Council's resource management functions under Section 35 of the RMA, and the supply of any document	Actual staff time + photocopying charges	Actual staff time + photocopying charges
Waipā District Plan	Full printed copy of text	\$200.00	\$200.00
	Planning maps	\$150.00	\$150.00
	Provided on CD or USB drive (text, planning maps)	\$10.00	\$10.00
<b>Hazardous Activities and Industries List (HAIL) determinations</b>			
Investigation fee		\$155.00	\$155.00

### Application for Public Benefit Remission of Resource Management Act Charges

Council is able to recover actual and reasonable charges under the Resource Management Act 1991. Resource Consent applicants occasionally seek a remission or reduction in resource consent fees on the basis of public benefit. Applicants also have the ability to formally object to additional resource management charges under section 357B of the Resource Management Act.

Applications for public benefit remission of resource consent fees and charges (other than formal objections to additional charges under s357B of the Resource Management Act) will be considered as follows. Applications which do not relate to a public benefit will not be considered.

- a. The application for public benefit remission must be in writing, and be submitted either on a form provided by council, or must include the following information:
  - a. Applicant's contact details
  - b. The legal Status of the applicant.
  - c. The amount of remission being sought (in full or in part).
  - d. The reasons for the remission.
- b. Applications which are in accordance with the requirements above will be assessed based on the following criteria:
  - a. Will the proposal result in a clear public benefit, whether entirely or in part?
  - b. If there is a clear public benefit, what apportionment of this could be reasonably applied to the proposal?
  - c. Is the applicant a charitable trust, incorporated community group, or otherwise delivering a public benefit?
  - d. Is there any impact on Council's budgeted operational costs of remitting all or part of the charge?
- c. The decision whether to accept an application for a remission in part, or in full, will be made under the relevant delegated authority.

#### Notes:

1. *These fees and charges become Operative on 1 July 2023 and will apply for all work carried out and decisions issued on or after 1 July 2023 irrespective of when the application was lodged with Council.*
2. *Where an "F" is noted in the charges column, this means the fee is a fixed rate, and no additional charges will be made for that activity. Where there is no such notation, the charge is a deposit only and actual staff time (plus mileage where relevant) incurred over and above the deposit will be charged.*

3. *The fixed charge (“F”) for non-notified land use consents will only apply when there is no other matter of non-compliance with the District Plan, where other rules are breached, the full deposit will apply.*
4. *“Consultant” includes any Commissioners, consultants, advisers, solicitors and any other creditors related to any matter connected with a resource consent or certificate application.*
5. *Where “actual staff time” is noted, this:*
  - (a) *Will include a charge for any mileage incurred as a result of any inspections required; and*
  - (b) *Includes any consultant engaged by Council; and*
  - (c) *For the avoidance of doubt, “actual costs” also includes “actual staff time”.*
6. *Where legal fees are incurred by Council for the registration of any documents required due to any process, the actual legal costs will be charged in full (i.e. for registration of consent notices, bonds, easement cancellations etc.).*
7. *For the avoidance of doubt, any application which requires either limited or public notification, will be charged the limited or public notification fee, as applicable (regardless of the type of consent, or the section of the RMA the application is made under).*
8. *Urgent signing fee: When a request is made to sign documentation urgently for subdivision processes (post subdivision consent approval), an additional charge will be made. A request will be considered urgent if the return of the signed document is sought within a 24 hour period. Note: This does not guarantee documents will be able to be signed urgently. An Authorised Officer must be available to sign documentation, and may not always be available. Please check with Council’s Planning administration team prior to any request.*

#### **Fixed charges**

9. *The charges set out in the Schedule are charges which are fixed pursuant to Section 36 of the Resource Management Act 1991 (RMA).*
10. *All fixed charges are payable in full in advance. Pursuant to Section 36AAB(2) of the RMA, Council will not perform the action or commence processing the application to which the charge relates until it has been so paid.*
11. *Documentation or certificates will not be issued until payment of charges have been cleared.*

#### **Additional charges**

12. *Where a fixed charge is in any particular case inadequate to enable Council to recover its actual and reasonable costs in respect of the matter concerned, Council will require the applicant to pay a deposit, followed by an additional charge to cover actual and reasonable costs.*
13. *The following may also be included as additional charges:*
  - (a) *If it is necessary for the services of a consultant to be engaged by Council (including their attendance at any hearing or meeting) then the consultant’s fees will be charged in full to the applicant as an additional charge;*
  - (b) *If any legal fees are incurred by Council in relation to legal advice obtained for any particular application, including any fees incurred if Council’s solicitor is required to be present at any hearing, mediations or meetings, these fees will be charged in full to the applicant as an additional charge; and*
  - (c) *If any Commissioner hearing fees and associated costs are incurred in considering and determining any particular application, these fees will be charged in full to the applicant as an additional charge.*

#### **Charge-out rates for Council officers and mileage**

14. *Charge-out rates for Council officers are set out in this Schedule and:*
  - (a) *Are fixed charges;*
  - (b) *If reference is made in the schedule to actual staff time, it will be charged in accordance with the relevant hourly charge-out rates;*
  - (c) *The charge-out rates for Council officers and for mileage will apply to all matters listed in the Schedule so that:*
    - i. *if the fixed charge which has been paid in advance is greater by more than \$20.00 than the actual and reasonable costs incurred by Council relating to that application, a refund will be given when those costs are finally assessed; and*
    - ii. *if the actual and reasonable costs incurred by Council relating to that application are inadequate to enable Council to recover its actual and reasonable costs then additional*

charges calculated for staff time at the same rate will be payable (as well as any other items of additional charge which may have been incurred).

#### Additional fixed fees

15. At any time after the receipt of an application and before a decision has been made Council may fix a fee pursuant to Section 36(1) of the RMA which is in excess of the fixed charge set out in this schedule.

In that event:

- (a) Council may require that no further action will be taken in connection with the application until that fixed fee is paid in accordance with Section 36AAB(2) of the RMA; and
- (b) May also, pursuant to Section 36(5) of the RMA make additional charges.

#### Remission of fees

16. Staff with delegated authority may consider a reduction in any charge, on application to the Council. Any remissions will be in accordance with Section 36AAB(1) of the RMA.

## Rural Address Property Identification System number plates

Description	Fees & Charges 2022/23	2023/24
Application for new rapid number (includes plate)	\$84.00	\$84.00
Supply (only) number plate	\$20.00 per plate	\$20.00 per plate

## Stock droving and crossings

Description	Fees & Charges 2022/23	2023/24
Application for permit	\$388.00	\$405.00
Re-inspection fee	\$200.00	\$210.00

#### Notes:

1. Permit for stock droving on a road must be in accordance with Waipā District Public Places Bylaw 2018.
2. Stock crossings are dedicated positions along a road where stock is moved from one side of the road reserve to the other.
3. All stock crossings must be installed in accordance with the Waipā District Public Places Bylaw 2018 and any other conditions set.

## Stock impound fees

### First impounding

Description	Fees & Charges 2022/23		2023/24	2023/24
	First animal	Per animal thereafter	First animal	Per animal thereafter
Horses, cattle, mules, asses, deer and pigs	\$69.00 plus transport costs	\$24.00	\$69.00 plus transport costs	\$24.00
Sheep, goats and others	\$69.00 plus transport costs	\$24.00	\$69.00	\$24.00



			plus transport costs
Subsequent impounding within the same financial year involving animals owned by the same person or organisation	Number of impoundings x relevant fee	Number of impoundings x relevant fee	
Additional after-hours fee (5pm to 8am, weekends and statutory holidays)	\$71.00	\$71.00	

### Driving charges

Responding to complaints, driving stock from road to pound or owner's property or other place.

\$163.00 per hour per officer and mileage at \$0.83 per km local government rate for Animal Control Officer/Ranger's time plus any other reasonable costs incurred.

### Grazing per day

Description	Fees & Charges 2022/23	2023/24
Horses, cattle, mules, ass, deer and pigs	\$8.00	\$8.00
Sheep, goats and others (plus costs of any hard feeds, i.e. hay, grain)	\$2.00	\$2.00

All other costs incurred as the result of impoundment are payable by the owner on release of the animal/s. Such costs may include cartage, droving, advertising, feed, veterinary attention, etc.

## Stormwater connections

### Stormwater connection approval and inspection fee

Description	Fees & Charges 2022/23	2023/24
<b>Domestic standard connection (100mm diameter)</b>		
Stormwater application	\$363.00	\$380.00
Stormwater inspection	\$343.00	\$360.00
Manhole reconstruction	\$496.00	\$520.00

#### Notes:

1. All new stormwater connections require an application, investigation to ensure the existing system capacity, approval of a plan, confirmation of approval or otherwise, site inspection pre-back fill and recording of connection on Waipā District Council records.
2. The application fee is for processing the application and is non-refundable.
3. The inspection fee would be refundable if the application is unsuccessful.
4. An inspection fee of \$353.00 also applies to every subsequent inspection until the connection is accepted as complete.
5. The above fees may apply to each:
  - a) Dwelling; or



- b) *Separate building; or*
  - c) *Paved area in excess of 250m<sup>2</sup> (or part thereof) catchment area.*
6. *A single domestic connection fee will be accepted after an approved retention system is constructed. All other connections will be separately quoted.*
  7. *All connections must be installed by a registered Drain Layer.*

## Structures on the road reserve

Description	Fees & Charges 2022/23	2023/24
<b>Erect a structure on road reserve</b>		
Application for permit to erect structure	\$636.00	\$665.00
Annual safety inspection of structure (per annum) if required as condition of permit.	\$388.00 per inspection	\$405.00
<b>Erection of temporary fence on road reserve for stock grazing</b>		
Application for permit	\$388.00	\$405.00

### Notes:

1. *The above fees apply for applications to construct private structures located on or under roads on the Waipā District Roding Network. Examples could include: Private bus shelters; Stock underpasses; Fence encroachments; Property access ramps or stairs.*
2. *Application must be made and consent gained from Waipā District Council to ensure the structure is safe, not a hazard to travelling public, is durable and has a nominated owner responsible for maintenance and removal when no longer required.*
3. *Application for permit includes an initial inspection. If the structure is erected for less than twelve months as per its permit, no annual safety inspection fee will apply. If a building consent is required for the structure then a separate building consent fee will also apply.*

### Exclusions:

4. *Standard rural mail boxes and shop veranda required by the District Plan do not require a permit.*

## Stock underpass

Description	Fees & Charges 2022/23	2023/24
Application for stock underpass.	Actual staff time will be charged but with a minimum of \$955.00	Actual staff time will be charged but with a minimum of \$955.00
Inspection	\$470.00	\$470.00

### Note:

1. *Stock underpass is a dedicated permanent structure for the passage of stock under a road. All stock underpasses must have a lease agreement or licence to occupy with Waipā District Council*

## Te Awamutu council room charges

Description	Fees & Charges 2022/23		2023/24	2023/24
	Profitable Organisation / Private Function	Non Profit Organisation	Profitable Organisation / Private Function	Non Profit Organisation
Bond (payable when booking is outside business hours)	\$255.00	\$100.00	\$255.00	\$100.00
Removal/reinstatement of furniture by Council staff (optional)	\$100.00	\$100.00	\$100.00	\$100.00
<b>Half day or less</b>				
Whole facility	\$138.00	\$66.00	\$138.00	\$66.00
Council Chamber	\$60.00	\$40.00	\$60.00	\$40.00
Committee rooms (per room)	\$40.00	\$25.00	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00	\$25.00	\$10.00
<b>Full day – 8.00am to 5.00pm</b>				
Whole facility	\$265.00	\$122.00	\$265.00	\$122.00
Council Chamber	\$112.00	\$71.00	\$112.00	\$71.00
Committee rooms (per room)	\$71.00	\$40.00	\$71.00	\$40.00
Kitchen	\$50.00	\$20.00	\$50.00	\$20.00
<b>Night – 5.00pm onwards</b>				
Whole facility	\$138.00	\$66.00	\$138.00	\$66.00
Council Chamber	\$60.00	\$40.00	\$60.00	\$40.00
Committee rooms (per room)	\$40.00	\$25.00	\$40.00	\$25.00
Kitchen	\$25.00	\$10.00	\$25.00	\$10.00
<b>Day and night – 5.00pm onwards</b>				
Whole facility	\$377.00	\$163.00	\$377.00	\$163.00
Council Chamber	\$220.00	\$92.00	\$220.00	\$92.00
Committee rooms (per room)	\$97.00	\$50.00	\$97.00	\$50.00
Kitchen	\$102.00	\$35.00	\$102.00	\$35.00
<b>Weekend – Friday 5.00pm to Sunday 10.00pm</b>				
Whole facility	\$643.00	\$337.00	\$643.00	\$337.00
Council Chamber	\$480.00	\$245.00	\$480.00	\$245.00
Committee rooms (per room)	\$138.00	\$76.00	\$138.00	\$76.00
Kitchen	\$209.00	\$76.00	\$209.00	\$76.00
<b>The Bond is refundable – items covered by the bond are: key, breakage of equipment, damage to facility and/or theft of equipment or extraction clean</b>				
<b>Deduction as follows</b>				
Key (replacement or lost)		\$26.00		\$26.00

Description	Fees & Charges 2022/23		2023/24	2023/24
	Profitable Organisation / Private Function	Non Profit Organisation	Profitable Organisation / Private Function	Non Profit Organisation
Security access token (replacement or lost)		\$50.00		\$50.00
Furniture damage		Whole bond (minimum) or cost		Whole bond (minimum) or cost
Extraction carpet clean		\$158.00		\$160.00
Damage to facility		Whole bond (minimum) or cost		Whole bond (minimum) or cost
Call out fee for insecure building		\$168.00		\$170.00
Cleaning and re-stock of toilet consumables fee (for bookings longer than 1 consecutive day)		\$50.00		\$50.00

## Town Hall hire – Kihikihi and Pirongia

Town Hall Hire – Kihikihi and Pirongia	Fees & Charges 2022/23		2023/24	2023/24
	Corporate or Private Function	Community Group Use	Corporate or Private Function	Community Group Use
Bond payable on booking	\$200.00	\$100.00	\$200.00	\$100.00
Deposit payable on booking	25%	25%	25%	25%
<i>Community Group bookings longer than 3 consecutive days will receive a 25% discount</i>				
<b>Kihikihi Town Hall – Whole complex</b>				
Half day hire (4 hour use)	\$50.00	\$20.00	\$50.00	\$20.00
Full day hire (maximum 12 hour use)	\$132.00	\$65.00	\$132.00	\$65.00
<b>Pirongia Hall – Whole complex</b>				
Half day hire (4 hour use)	\$50.00	\$20.00	\$50.00	\$20.00
Full day hire (maximum 12 hour use)	\$132.00	\$65.00	\$132.00	\$65.00

### Notes:

1. Facility users are required to complete a hire contract prior to using the facility.
2. Community use charges apply to not for profit organisations that are based and operate within the Waipā District providing a benefit for the Waipā Community.

## Trade waste

Administration Charges	Fees & Charges 2022/23	2023/24
<b>Application fees</b>		
Application fee – Permitted/Controlled Discharge (including final inspection)	\$219.00	\$224.00
Application fee – Conditional Consent (covering 4 hours work including final inspection, including tanker disposal)	\$407.00	\$417.00
Hourly rate for applications	\$115.00	\$118.00
Temporary discharge (including final inspection)	\$219.00	\$224.00
Renewal Fee for controlled, permitted or conditional Trade Waste Consents (plus additional hourly rate for more than 1 hour of time noting that site inspection charges may also apply)	\$108.00	\$111.00
Variation/Change of Details Request for permitted or conditional consents (plus additional hourly rate for more than 30 minute time noting that site inspection charges may also apply)	\$58.00	\$59.00
Special Trade Waste agreements, variations or renewals. Actual costs recovered including but not limited to consultant or legal fees	Actual cost	Actual cost
<b>Site inspection fees</b>		
Permitted/Controlled Discharge – Site Inspection/audit (per site visit)	\$154.00	\$158.00
Conditional Consent – Site Inspection (per site visit)	\$246.00	\$252.00
Temporary Discharge – Inspection / audit (per site visit)	\$246.00	\$252.00
Site Inspection / audit -Non Compliance (per site visit)	\$246.00	\$252.00
<b>Annual charge</b>		
Permitted/Controlled/Special/discharge	\$58.00	\$59.00
Conditional/Special/discharge- Risk Class 3	\$1,720.00	\$1,763.00
Conditional/Special/discharge - Risk Class 2	\$980.00	\$1,005.00
Any temporary discharge	\$219.00	\$224.00
Independent Monitoring (per sample collected)	\$235.00	\$241.00
Tankered discharge	\$750.00	\$769.00
<b>Tankered Waste Disposal</b>		
Tankered waste disposal to Wastewater Treatment Plant or reticulation in accordance with Trade Waste Bylaw \$/m <sup>3</sup>	\$76.00	\$78.00

### Notes:

1. Tankered waste may not be accepted at the Waters Manager's sole discretion.
2. Tankered waste disposal to Wastewater Treatment Plant or reticulation not in accordance with Trade Waste Bylaw will require a conditional or special agreement in accordance with the Trade Waste Bylaw.

3. For addresses in the district associated with an existing trade waste consent, the consent's charging provisions will supersede the tankered waste volumetric rate.

### Charging formula

The formula for calculation of the load based trade waste charge is as set out below.

$$(V \times V_c) + (SS \times SS_c) + (BOD \times BOD_c) + (TKN \times TKN_c) + (TP \times TP_c)$$

Parameter	Fees & Charges 2022/23	2023/24
V <sub>c</sub> Flow Volume	\$1.34/M <sup>3</sup>	\$1.37/M <sup>3</sup>
SS <sub>c</sub> Suspended solids	\$1.14/kgSS	\$1.17/kgSS
BOD <sub>c</sub> Organic Loading	\$1.28/BOD	\$1.31/BOD
TKN <sub>c</sub> Total Kjeldahl Nitrogen	\$1.34/kgTKN	\$1.37/kgTKN
TP <sub>c</sub> Total Phosphorus	\$5.43/kgTP	\$5.57/kgTP
Connection or disconnection fee	\$468.00	\$480.00

Table of parameters with descriptions			
V	The volume discharged	BOD <sub>c</sub>	The unit BOD Charge \$/kg
V <sub>c</sub>	The unit volume charge \$/ M <sup>3</sup>	TKN	The mass of Total Kjeldahl Nitrogen (TKN) discharged
SS	The mass of suspended solids discharged	TKN <sub>c</sub>	The unit TKN charge \$/kg
SS <sub>c</sub>	The unit SS charge \$/kg	TP	The mass of Total Phosphorus (TP) discharged
BOD	The mass of BOD discharged	TP <sub>c</sub>	The unit TP charge \$/kg

### Traffic Management Plan (TMP) reviews

Description	Fees & Charges 2022/23	2023/24
Approval of simple TMP for Vehicle Crossings	\$186.00	\$195.00
Approval of complex TMP	\$186.00 per hour (excludes travel allowances)	\$195.00 per hour (excludes travel allowances)
Actions required to address non-compliance with TMP conditions	\$186.00 per hour (excludes travel allowances)	\$195.00 per hour (excludes travel allowances)
Non-compliance for not having a TMP or an approved TMP	\$408.00 plus TMP approval cost	\$425.00
Extension of TMP application	\$91.00	\$95.00
Issue of Stop Work Order	\$130.00	\$135.00
Late Completion of Works or failure to return sites to pre-existing conditions as per TMP	\$390.00	\$405.00

**Notes:**

1. *TMP require evaluation and approval by the Council Traffic Management Coordinator to ensure public safety, the costs of which are charged to the applicant*

## Utility access requirements

Description	Fees & Charges 2022/23	2023/24
<b>Single Occurrence Permit</b>		
Isolated street opening permit application (plus the applicable trenching fee and Traffic Management Plan fee)	\$168.00	\$175.00
<b>Multiple occurrence permit for utility maintenance works</b>		
Multiple opening permit application covering a 12 month period (One off set up fee then occurrence fee plus the applicable trenching fee)	\$337.00 + \$59.00 for each occurrence	\$350.00 + \$60.00 for each occurrence
<b>Excavation, trenching or drilling</b>		
1 – 99m (This is the minimum fee in conjunction with the permit fee)	\$90.00	\$95.00
100 – 499m	\$163.00	\$170.00
> 500m	\$273.00	\$285.00
Non-compliance with conditions	\$186.00 per hour	\$195.00 per hour
Additional inspections required for complex projects, changes to project extents and conditions, or as required to address non-compliance with conditions.	\$186.00 per hour (includes travel allowances)	\$195.00 per hour (includes travel allowances)
Extension of Work Access Permit (WAP) application	\$91.00	\$95.00
Issue of Stop Work Order	\$130.00	\$135.00
Late Completion of Works or failure to sign off completed works as per WAP.	\$390.00	\$405.00

**Notes:**

1. *For all work to be undertaken on road reserve (including within footpaths, berms and carriageways) a Corridor Access Request (CAR) is required. The CAR allows Council to approve, track and ensure proper reinstatement to works undertaken in the street.*
2. *The Utilities Access Act 2010 provides for applications for permission to excavate in streets and roads for services such as electricity, three waters, gas, telecoms etc.*
3. *Under certain circumstances Waipā District Council will accept 12 month access opportunities under our multiple occurrence coverage formats. This is for maintenance works only not new projects.*
4. *All access requests may be inspected by Council staff or agents at any time for compliance with permit conditions*
5. *Trenching costs are in addition to the Permit application fee and reflect the work involved in doing completion and maintenance inspections based on length of work sites.*

## Vehicle crossing applications

Description	Fees & Charges 2022/23	2023/24
Vehicle – Application fee – Urban and Rural	\$440.00	\$440.00
Re-inspection fee	\$200.00	\$200.00
Mileage if site visit required	\$0.80 per km	\$0.83 per km

### Notes:

1. A Traffic Management Plan and/or Corridor Access Request is required for a vehicle crossing application to be processed.
2. Entrance ways can only be installed with the permission of Council.

## Wastewater connections

Description	Fees & Charges 2022/23	2023/24
<i>Domestic standard gravity connection (100mm diameter)</i>		
Wastewater connection application and approval	\$372.00	\$390.00
Wastewater inspection	\$343.00	\$360.00

### Notes:

1. All new wastewater connections require an application, investigation to ensure the existing system capacity, approval of a plan, confirmation of approval or otherwise, site inspection pre-back fill and recording of connection on Waipā District Council records.
2. The application fee is for processing the application and is non-refundable.
3. The inspection fee would be refundable if the application is not approved.
4. An inspection fee of \$353.00 also applies to every subsequent inspection until the connection is accepted as complete.
5. All Connections must be installed by a registered Drain Layer, inspected by the Assets Team and As-Builts provided to the Asset Team.

## Water connections and bulk water sales

Description	Fees & Charges 2022/23	2023/24
<b>Water connection application fee</b>		
Urban	\$450.00	\$470.00
Rural	\$826.00	\$865.00
Ordinary supply – install new standard single 20mm diameter residential connection, up to 4 metres from a Council owned reticulated main (excluding bulk mains). All other connections will require a fixed quote from Waipā District Council)		
Urban	\$1,555.00	\$1,630.00
Rural	\$2,037.00	\$2,138.00

Description	Fees & Charges 2022/23	2023/24
Restrictor adjustment	\$355.00	\$370.00
Meter and/or restrictor testing fee (if tests show compliance then applicant shall be liable for fee. If out of adjustment no fee shall apply)	\$394.00	\$410.00
<b>Final Water Meter Reading</b>		
Conduct and process final reading	\$58.00	\$60.00
<b>Disconnection fees</b>		
Disconnection from rural water supply scheme	\$773.00	\$810.00
Disconnection from water supply upon removal or demolition of a building	\$773.00	\$810.00

**Note:**

1. Statutory public health requirements prevent anyone other than authorised Council employees or authorised contractors from carrying out any work on water reticulation services.

**Purchase of water by permit**

Description	Fees & Charges 2022/23	2023/24
Administration fee	\$24.00/month	\$25.00/month
Water per cubic metre (1000 litres)	\$3.05/cu metre	\$3.10/cu metre

**Notes:**

2. A permit must be obtained before removing water from a Council system. A permit is to be obtained for each 12-month period that water is drawn from a designated bulk fill point. Rural water supply, where the service is available at the gate, may be restricted in area or flow. All other connection sizes and/or configurations will require quotation from Waipā District Council.

**Backflow Prevention Devices**

Description	Fees & Charges 2022/23	2023/24
Connection, disconnection and replacement of backflow prevention devices	Staff time and actual and reasonable costs	Staff time and actual and reasonable costs
Administration fee	\$357.00	\$375.00



# COMMITTEE REPORT



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

**From:** Strategic Projects Driver

**Subject:** **Waipā District Council's Draft Dog Control Policy and Bylaw For Consultation**

**Meeting Date:** 2 May 2023

## 1 PURPOSE - TAKE

The purpose of this report is to approve the Waipā District Council draft Dog Control Policy (Policy), the draft Dog Control Bylaw (Bylaw) and the Statement of Proposal for public consultation in May and June 2023.

## 2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Waipā District Council's Dog Control Policy 2015 and Dog Control Bylaw 2015 have been reviewed under the terms of the Local Government Act 2002 and the Dog Control Act 1996. The resulting draft Policy and draft Bylaw are now ready for public consultation, and a Statement of Proposal has been prepared accordingly.

A relatively small number of substantive amendments have been made to the Policy and the Bylaw; the most significant changes are made to Schedule 1 (dog prohibited areas) and Schedule 2 (dog exercise areas).

## 3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

*That the Strategic Planning and Policy Committee*

- a) **RECEIVES** the report of Graham Pollard, Strategic Projects Driver, titled 'Waipā District Council's Draft Dog Control Policy and Bylaw For Consultation' (document number 10994695);
- b) **AGREES** that, after having regard to the following matters under section 10(4) of the Dog Control Act 1996, the draft Dog Control Policy (document number 10739543) meets the requirements of section 10 of the Dog Control Act 1996:
  - i) The need to minimise danger, distress, and nuisance to the community generally; and

- ii) *The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and*
  - iii) *The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear or attack or intimidation by dogs; and*
  - iv) *The exercise and recreational needs of dogs and their owners.*
- c) **AGREES** that the Draft Dog Control Bylaw (document number 10993097) meets the requirements of section 155 of the Local Government Act 2002 in the context of a reconsideration of the matters in section 10(4) of the Dog Control Act 2002, in that the bylaw:
- i) *is the most appropriate way of addressing the perceived problems;*
  - ii) *subject to the outcome of the consultation process, is the most appropriate form of bylaw; and*
  - iii) *does not give rise to any implications under, and is not inconsistent with, the New Zealand Bill of Rights Act 1990.*
- d) **ADOPTS** the Draft Dog Control Bylaw (document number 10993097) and Draft Dog Control Policy (document number 10739543) for public consultation in accordance with the special consultative procedure, as set out in sections 83 and 86 of the Local Government Act 2002, and in accordance with the requirements of sections 10(1), 10AA and 20(1) of the Dog Control Act 1996;
- e) **ADOPTS** the draft Statement of Proposal (document number 10972088) for public consultation between 12 May and 16 June 2023;
- f) **APPROVES** for notice of the Draft Dog Control Policy to be provided to every person who is a registered dog owner, in accordance with section 10(2) of the Dog Control Act 1996;
- g) **DELEGATES** to the Group Manager District Growth and Regulatory Services authority to make any final minor amendments to the Statement of Proposal before issue, and the completion of appendices to that Statement of Proposal, being maps showing individual 'dog prohibited' and 'dog exercise' sites.

## 4 BACKGROUND – KŌRERO WHAIMĀRAMA

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The Dog Control Act 1996 (DCA) gives councils the power to control some local dog-related matters through a dog control policy. A dog control bylaw then allows aspects of the policy to be enforced. The DCA requires:

- a) Councils to have a dog control policy (section 10(1))
- b) Councils to have a dog control bylaw (section 10(6));
- c) The bylaw to give effect to the policy (section 10(6));
- d) The review of the bylaw and policy to be undertaken together (section 10(AA)).

Under section 20(4) of the DCA, the bylaw must be made using the processes set out in the Local Government Act 2002 (LGA), and may be made to address a range of matters set out in the DCA.

The LGA requires bylaws to be reviewed every five years after being made, and at least every 10 years thereafter. The Dog Control Bylaw review is on track to comply with this requirement.

The DCA requires the territorial authority to review the bylaw by making the determinations required by Section 155 of the LGA in the context of a reconsideration of the matters in Section 10(4) of the DCA. Those matters are as follows:

- a) The need to minimise danger, distress, and nuisance to the community generally; and
- b) The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
- c) The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear or attack or intimidation by dogs; and
- d) The exercise and recreational needs of dogs and their owners.

These matters must also be had regard to in developing the Dog Control Policy.

Section 155 of the Local Government Act 2002 requires that before commencing the process for making (or reviewing) a bylaw, it must determine whether a bylaw is the most appropriate way of addressing the perceived problem. The Strategic Planning Committee determined this was the case for the Dog Control Bylaw at its meeting on 7 February 2023.

The review process has resulted in the bylaw and policy being rewritten, rather than reissued with amendments. This is because of the number of changes and because this makes it easier to read and understand. Through the review process the whole of the bylaw and policy have each been reformatted to bring them up to Council's new standard bylaw format, and clauses have been reorganised under headings for better flow and clarity, as well as removing duplication from other legislative requirements, and unnecessary clauses and definitions.

The substantive changes to the draft Policy and draft Bylaw relate to:

- Dog access to dog prohibited areas while they are being used as civil defence shelters.
- Prohibition of exercising dogs from motor vehicles and requirements for tethering dogs on the back of utes/trailers.
- The insertion of a review process for certain neutering decisions.
- Revised accommodation standards for dogs.

- The limit on the number of dogs able to be taken to an exercise area (and, in the policy, a recommendation for the number to be off-leash at any one time).

The main changes are to Schedules 1 and 2 of both the Policy and the Bylaw:

- Schedule 1 – dog prohibited areas (by ward)
- Schedule 2 – dog exercise areas (by ward)

A large part of the Kakepuku maunga is managed by the Department of Conservation (DoC). Dogs are not permitted there without a permit issued by DoC. Council manages the remaining (lower) part of the maunga, where up until now, dogs have been permitted on-leash. It is recommended that dogs only be allowed on-leash up to the water tanks area; beyond this, dogs would be prohibited without a DoC permit. The alternative options are to prohibit dogs altogether, or have a DoC-style permit system across the entire maunga.

This change is proposed because of long-standing concerns from mana whenua over sacred sites and urupā (burials) on the maunga. This was a main driver for the review.

The draft Statement of Proposal highlights all these changes.

Section 155 of the Local Government Act 2002 specifies that if a bylaw is the most appropriate way of addressing a problem, a council must then decide whether the bylaw is the most appropriate form of bylaw, and whether or not the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA). Staff have reviewed the draft Dog Control Bylaw and have determined that it is the most appropriate form of bylaw, subject to the outcome of the consultation process, and that it does not give rise to implications under the NZBORA and is not inconsistent with that Act.

## Consultation

Council undertook valuable early engagement with the community in 2022. This yielded approximately 300 responses, most of which related to dog exercise and dog prohibited areas rather than the Policy or Bylaw themselves. The main sites of concern were:

- Lake Te Koo Utu
- Kakepuku maunga
- Te Awamutu Memorial Park
- Kihikihi Domain

Noting Council will not please everyone, many of the comments made as a result of that engagement are reflected in the draft Policy and Bylaw and Statement of Proposal.

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

A minimum one-month consultation period is required for this Bylaw in accordance with section 83 of the Local Government Act 2002. Consultation will run for five weeks from 12 May 2023 to 16 June 2023. This is timed to coincide with Council's regular newsletter to all registered dog owners (May) and the sending of dog registration invoices (June).

## 5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter(s) in this report have a high level of significance. As required by both the LGA and DCA, the outcome of the review of the bylaw and policy must be subject to public consultation in accordance with the special consultative procedure.

## 6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<b>Option 1:</b> Do nothing	<ul style="list-style-type: none"> <li>No further staff or other Council resources need be committed to this project</li> </ul>	<ul style="list-style-type: none"> <li>Unable to meet legislative requirements unless the project re-starts by 2025</li> <li>Contrary to Strategic Planning and Policy Committee resolution on 7 February 2023</li> </ul>
<b>Option 2:</b> Approve draft documents	<ul style="list-style-type: none"> <li>Enables documents to be completed for consultation without further work</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Option 3:</b> Amend draft documents	<ul style="list-style-type: none"> <li>Documents for consultation more accurately reflect the Committee's wishes</li> </ul>	<ul style="list-style-type: none"> <li>Further staff resource is required to complete amendments</li> </ul>

The recommended option is Option 2 as the draft documents reflect the feedback received from the community on these matters in 2022.

## 7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

### Council's Vision and Strategic Priorities

The draft Policy and Bylaw are consistent with Council's community outcome to be 'Socially resilient - Waipā is a great place to live, work, play and invest; we invest in hauora (health and wellbeing); Waipā provides a high quality of life for current and future generations.'

By providing enforceable rules for dog control and dog exercise, the draft Policy and the draft Bylaw aim to manage dogs for dog owners and non-owners.

The draft Policy and Bylaw align with two strategic priorities: creating vibrant communities; and effectively planning and providing for growing communities.

### Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that this review of the draft Policy and Bylaw, and options 2 and 3 above, complies with the requirements of the Local Government Act 2002 and the Dog Control Act 1996.

In reviewing the current bylaw and proposing a new replacement bylaw, the Council is required to consider whether or not the bylaw gives rise to any implications under the NZBORA. Section 155(3) of the Act states that no bylaw may be made which is inconsistent with the NZBORA. Staff confirm that the Draft Dog Control Bylaw does not give rise to any implications under the NZBORA.

### Financial Considerations – Whaiwhakaaro ā-Pūtea

The total costs to complete this review are budgeted for in the 2022/23 current year forecast when the costs will be incurred.

### Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

### Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

There have been previous requests from the Te Kopua Marae Trustees to prohibit dogs on Kakepuku maunga; the Iwi Consultative Committee and the Strategic Policy and Planning Committee have previously passed resolutions aimed to progress this particular matter. This review of both the Policy and Bylaw is an opportunity to resolve the question of dogs on the Kakepuku maunga for the foreseeable future.

## 8 NEXT ACTIONS

Action	Responsibility	By When
Public consultation	Strategy, Communications, Animal Control	12 May to 16 June 2023
Hearing and consideration of submissions	SP&P	1-8 August 2023
Adoption of final Policy and Bylaw	Council	29 August 2023

## 9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Draft Dog Control Policy
2	Draft Dog Control Bylaw
3	Draft Statement of Proposal for the draft Dog Control Policy and Bylaw



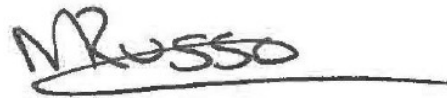
Prepared by: Graham Pollard  
**STRATEGIC PROJECTS DRIVER**



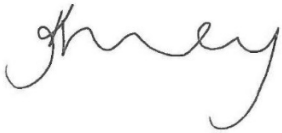
Reviewed by: Karl Tutty  
**MANAGER COMPLIANCE**



Reviewed by Diana Aquilina  
**LEGAL COUNSEL**



Reviewed by Melissa Russo  
**MANAGER STRATEGY**



Approved by: Kirsty Downey  
**GROUP MANAGER STRATEGY**



Approved by: Wayne Allan  
**GROUP MANAGER DISTRICT GROWTH &  
REGULATORY SERVICES**

## APPENDIX 1

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Draft Dog Control Policy (*document number 10739543*)





# **Dog Control Policy**

## **20xx**

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# Waipā District Council

## Dog Control Policy 2023

### 1. Purpose and Scope

- 1.1. The Dog Control Act 1996 requires every territorial authority to adopt a policy on dog control matters and to develop a bylaw to give effect to its policy.
- 1.2. The purpose of the Waipā District Council's Dog Control Policy is to outline how the requirements of the Dog Control Act 1996 will be met. It balances regulatory controls to allow for the recreational needs of dogs and their owners, with appropriate controls to minimise the danger, distress or nuisance that may be caused by dogs.
- 1.3. This policy is also designed as an educational tool to help encourage and facilitate good dog behaviour and good dog ownership.
- 1.4. This policy should be read in conjunction with the Waipā District Dog Control Bylaw 2023 and the Dog Control Act 1996.

### 2. Definitions

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

Term	Definition
<b>Act</b>	means the Dog Control Act 1996.
<b>Civil Defence Shelter</b>	means an area used by a Civil Defence Emergency Management Group (as defined in the Civil Defence Emergency Management Act 2002) as temporary communal shelter for the public while a state of emergency is in force in that area, in accordance with the Civil Defence Emergency Management Act 2002.
<b>Control or Controlled</b>	in relation to a dog, means that the owner is able to obtain an immediate and desired response from the dog.
<b>Council</b>	means Waipā District Council, and where the context requires includes any Council officer with delegation to exercise the relevant function.
<b>Dangerous Dog</b>	means a dog classified as dangerous pursuant to section 31 of the Dog Control Act 1996.
<b>Disability Assist Dog</b>	means a dog certified by one of the following organisations as being a dog trained to assist (or as being a dog training to assist) a person with a disability:

Term	Definition
	(a) Assistance Dogs New Zealand (b) Hearing Dogs for Deaf People in New Zealand (c) K9 Medical Detection New Zealand (d) K9 Search Medical Detection (e) Mobility Assistance Dogs Trust (f) New Zealand Epilepsy Assist Dogs Trust (g) Perfect Partners Assistance Dogs Trust (g) Royal New Zealand Foundation of the Blind Incorporated (f) Any other organisation specified by Order of Council under Section 78D of the Dog Control Act 1996.
<b>District</b>	means the district of Waipā District Council.
<b>Dog</b>	means any entire or neutered dog.
<b>Dog Exercise Area</b>	means a public place specified in Schedule 2 to this Policy where a dog may be exercised off a leash but under control.
<b>Dog Prohibited Area</b>	means a public place specified in Schedule 1 to this Policy where dogs are prohibited.
<b>Dog Ranger</b>	has the same meaning as set out in Section 2 of the Act.
<b>Dwelling</b>	means a separately occupied household unit used in whole or in part for human habitation, and includes: (a) any building, tent, vehicle or other structure, whether permanent or temporary, and whether attached to the soil or not; and (b) any land associated with the dwelling.
<b>Hunting Dog</b>	means any dog used for hunting game.
<b>In season</b>	means the oestrus or heat cycle of any bitch.
<b>Infringement Offence</b>	has the same meaning as set out in Section 2 of the Act.
<b>Menacing dog</b>	means a dog classified as menacing pursuant to section 33A of the Act.
<b>Motor Vehicle</b>	has the same meaning as set out in Section 2 of the Land Transport Act 1998

Term	Definition
<b>Muzzle</b>	means a basket type or similar muzzle that allows panting and drinking when fitted on a dog.
<b>Occupier</b>	in respect to land or dwelling, means the owner, or person residing at the address with the authority of the owner.
<b>Owner</b>	in respect to a dog, has the same meaning as set out in Section 2 of the Dog Control Act 1996.
<b>Premises</b>	premises means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied. All lands, buildings, and places adjoining each other and occupied together are deemed to be the same premises.
<b>Public Place</b>	has the same meaning as specified in section 2 of the Dog Control Act 1996.
<b>Urban Area</b>	means land located outside the rural zone as specified in the operative Waipā District Plan.
<b>Working Dog</b>	has the same meaning as set out in Section 2 of the Dog Control Act 1996, and includes a disability assist dog.

### 3. Guiding Principles

- 3.1. This policy is written pursuant to section 10 of the Dog Control Act 1996. Council, in adopting this policy, had regard to:
- a) the need to minimise danger, distress, and nuisance to the community generally; and
  - b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
  - c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
  - d) the exercise and recreational needs of dogs and their owners.

### 4. Education

- 4.1. Council places importance on assisting dog owners to meet their obligations. Council will have available at all times a range of information material that is free of charge. All new dog owners, or owners new to the District, will be provided with an

information/registration pack or links to relevant online information. Dog owners subject to enforcement action will be provided with relevant advice, and educational material.

## **5. Dog Prohibited Areas**

- 5.1. The areas specified in Schedule 1 are Dog Prohibited Areas under the Dog Control Bylaw XXXX. The owner of any dog must not allow that dog to enter any Dog Prohibited Area (with the exception of a working dogs, while working).
- 5.2. Under the Bylaw, the Council may grant consent, on request by any person or organisation, to allow the entry of dogs on to any Dog Prohibited Area, for example for a special event, subject to any conditions imposed. Requests must be made in writing at least six weeks prior to the requirement/event.
- 5.3. The prohibitions do not apply to a Dog Prohibited Area while it is being used as a Civil Defence Shelter.

## **6. Leash Requirements**

- 6.1. Dogs must be controlled on a leash in all public places within the District, other than in a Dog Exercise Area. This restriction does not apply to disability assist dogs and other working dogs that are there for the purpose of working – see definition of “working dog” above.
- 6.2. The Council may grant approval, on request by any person or organisation, to allow dogs to be off-leash in public places in certain cases, for example for a special event, subject to any conditions imposed. Requests must be made in writing at least six weeks prior to the requirement/event.
- 6.3. A person cannot walk a dog on a leash from a motor vehicle.
- 6.4. Dogs must be controlled on a leash while on a private property, unless the owner or occupier agrees otherwise.

## **7. Dog exercise areas**

- 7.1. The areas specified in Schedule 2 are Dog Exercise Areas. These are public places within the District where dogs may be exercised off a leash but under control. Council supports on-going development of Dog Exercise Areas, in particular signage and bins.
- 7.2. No person may, without Council approval, take more than 4 dogs into a Dog Exercise Area at the same time. For the purpose of maintaining control, we recommend that any one owner does not have more than 2 dogs off leash in a Dog Exercise Area at any one time.

## **8. Children's playgrounds**

- 8.1. All children's playgrounds in public places, and any area within 5 meters of any unfenced children's playground, are included as Dog Prohibited Areas in Schedule 1.
- 8.2. All children's playgrounds located within a designated Dog Exercise Area will be fenced, and the fenced area prohibited to dogs.

## **9. Limit on number of dogs to be kept**

- 9.1. No person may, without Council approval, keep 3 or more dogs over the age of 3 months on premises in the urban area for more than 14 consecutive days.
- 9.2. In addition, no person may, without Council approval, keep 6 or more dogs over the age of 3 months of age on premises outside the urban area for more than 14 consecutive days.
- 9.3. These requirements apply regardless of whether the dogs at the premises have the same owner. They do not apply where a person has a resource consent for keeping more dogs on their premises.
- 9.4. Approvals will only be issued where there is sufficient justification to do so and Council is satisfied no nuisance will arise. Permits will be reviewed every three (3) years or where circumstances change. Owners will be required to comply with all other policies.

## **10. Fouling**

- 10.1. Dog owners must clean up after their dogs immediately if the dog fouls in a public area, or on any private property aside from the property where the dog resides.

## **11. Dog faeces bins**

- 11.1. Dog exercise areas will be provided, where possible, with sufficient litter bins to allow owners to immediately collect and dispose of dog faeces. Other locations will be considered where demand or other factors justify a bin.
- 11.2. Bins will be located at Council's discretion, but will not be located on private property or any place not accessible for cleaning, emptying and/or maintaining.
- 11.3. No person may damage or otherwise interfere with, including removing the contents of, any dog faeces bin, without the authority of Council or a Delegated Officer.

## **12. Nuisances**

- 12.1. The owner of a dog is required to take all practicable steps to prevent the dog from being or becoming a nuisance (e.g. by its persistent barking, howling or whining).

- 12.2. Barking or howling of a dog is likely to be considered a nuisance when barking is consistent for more than 15 minutes, on more than two occasions per day, for a period of more than five consecutive days OR more than 30 minutes total sporadic barking or howling on any day, for a period of more than five consecutive days.
- 12.3. The owner of a bitch in season must contain that dog within a private property in an area which prevents the dog's escape and entry by other dogs into the area, or within a vehicle or cage (when being transported) to minimise providing an attraction to other dogs.
- 12.4. Dogs with an infectious disease must be confined to the owner's premises at all times.
- 12.5. No person may intentionally tease, annoy or provoke a dog in a manner that may cause distress to the dog, or that may lead to aggression or a nuisance.
- 12.6. The owner of a dog that is on an open deck or open trailer of a motor vehicle in a public place must ensure the dog is secured by a tethered cage, or by a leash that is of sufficient length, to prevent the dog from reaching beyond the deck or trailer but still enables the dog to stand and lie down in a natural position. This requirement does not apply to a working dog while working.
- 12.7. An owner of a dog must take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person.

### **13. Confinement and control of dogs**

- 13.1. Dogs must not be at large in any public place or private way.
- 13.2. Dogs that regularly escape from their premises cause a range of issues. Council may require an owner to neuter a dog that has not been kept under control in compliance with the Bylaw in a public place on two or more occasions in a 12 month period.
- 13.3. An owner may object to a notice to neuter by written notice to Council within 14 days of being given notice to neuter.

### **14. Menacing dogs and dangerous dogs**

- 14.1. Council requires mandatory neutering of dogs classified as menacing in accordance with the provisions of the Act. This prevents breeding and there is evidence that neutering reduces a dogs desire to roam, and may reduce possible aggression.
- 14.2. If a dog has been classified as a menacing dog in another district, where it was not required to be neutered, but moves to the Waipā District, it will be a requirement for the dog to be neutered once residing in the Waipā District.
- 14.3. Menacing dogs are also required to wear a muzzle in public. "Gentle Leaders", "Halti's" and other similar accessories are not considered to be muzzles under this Policy.



- 14.4. Dogs classified as dangerous in accordance with the Act are also required to be neutered, have fencing requirements applied, and must wear a muzzle in public, in accordance with section 32 of the Act.

## **15. Neutering of dogs**

- 15.1. Council encourages neutering of dogs with the view that this will reduce the number of unwanted dogs being bred and impounded, reduce the number of wandering dogs and dog offences.
- 15.2. Discounted registration fees are available for urban dogs that have been neutered, and all dogs rehomed from Council pounds must be neutered at the time of or immediately following rehoming, although exceptions may be permitted by Council.
- 15.3. Council may be able to advise on the availability of any reduced cost neutering of dogs that may not otherwise be neutered, via local charity programmes.
- 15.4. Dogs being rehomed from a Waipā District Council pound, may also be eligible for reduced cost neutering.

## **16. Unclaimed impounded dogs**

- 16.1. Where an impounded dog has not been claimed by its owner within the statutory seven day period following a written notice being sent to the owner, or if an impounded dog has been surrendered, Council may dispose of the dog in a manner that it considers appropriate within the constraints of the law.
- 16.2. Where dogs cannot be re-homed, and destruction is the only practicable option, then dogs will generally be euthanised by a qualified veterinarian. In these cases, euthanasia will be undertaken as soon as practicable, and on an individual basis rather than a number of dogs at one time.
- 16.3. This Policy does not preclude Council from administering an alternative humane method of destruction in circumstances where administering an injection is not practicable. In these cases, the dog will be suitably restrained, and health and safety considerations complied with at all times.

## **17. Rehoming dogs**

- 17.1. Council will give priority to re-homing unclaimed or unwanted dogs where circumstances are appropriate to do so. Where a decision has been made to rehome an unclaimed pound dog, the dog may be held for an extended period in the pound, or placed into foster care. Dogs available for rehoming will be held in Council pounds only where there is sufficient capacity and where operational budgets can support this.

- 17.2. Any unclaimed pound dog that is not classified but is a breed or type listed in Schedule 4 (Menacing dogs) of the Act will not be rehomed, except where approval is given by Council.
- 17.3. Any rehomed dog will be required to be registered and micro-chipped prior to adoption, at a reduced cost to the new owner. Neutering and vaccination will also be required at the time of adoption at the new owner's expense, or within an agreed time-frame following adoption, unless an exception is granted by Council. Owners will be responsible for the costs and management of any ongoing medical conditions, even if unknown at the time of adoption.
- 17.4. Any dog rehomed will have a trial period of two weeks for the new owner to assess the dog for suitability within the home environment. If the dog is returned during this time, the registration and micro-chip fee will be refunded. All other costs must be covered by the owner, unless rehomed to another owner.
- 17.5. No animal will be released from the pound into the ownership of any person or organisation for use in a scientific procedure or manipulation for research, testing or teaching purposes, as defined by the Animal Welfare Act 1999.

## **18. Offences, penalties and impounding**

- 18.1. The Act allows for a range of enforcement measures for breaches under the Act at the discretion of Council. Enforcement measures include prosecution, infringement notices, classification of the dog as dangerous or menacing, and the impounding of dogs.
- 18.2. Minor offences which have been the result of a genuine oversight or mistake may be treated as a "warning only" on the first occasion. Depending on the circumstances of each case, all other offences are likely to result in other penalties. However, each case will be treated on its merits.
- 18.3. A rating system, which takes a number of factors into consideration, is applied to more serious offences, e.g. dog bites/attacks, to ensure consistency in approach.
- 18.4. Council will consider undertaking a prosecution of owners and seek destruction of dogs responsible for serious attacks or repeated incidents, particularly if a dog is already classified as dangerous or menacing.

## **19. Probationary and disqualified dog owners**

- 19.1. The Act provides the ability for Council to classify certain dog owners as probationary (section 21) or to disqualify certain dog owners from owning dogs (section 25).
- 19.2. Classification as a probationary owner means the person is unable to own any dog (except for dogs already registered by that person at the time of the offence) for a two year period following the classification. They may also be required to undertake, at his

or her own expense, a dog owner education programme and/or dog obedience course approved by Council pursuant to section 23A of the Act.

- 19.3. Disqualification means the person cannot own any dog for up to a five year period following the disqualification. For attack offences that result in conviction, or for repeat offences involving failure to control, the disqualification period applied will generally be for five years. Other offences will generally have the disqualification applied for a lesser period unless a Council delegated officer considers that disqualification is not warranted.

## 20. Accommodation standards

20.1. The owner of a dog must:

- a) ensure that the dog has access at all times to an area (a lying area) that:
  - i) is large enough to allow the dog to stand up, turn around, and lie down in a natural position;
  - ii) is raised off the ground;
  - iii) is fully shaded;
  - iv) is dry;
  - v) is ventilated; and
  - vi) provides the dog with protection from extremes of heat and cold.
- b) ensure that the dog has access at all times to clean water;
- c) ensure that the dog has access at all times to an area in which to urinate and defecate away from its lying area; and
- d) ensure that faeces or urine do not accumulate in any area in which the dog is kept.

**21. Fees and charges** Registration of dogs is required by owners of all dogs over three months of age.

21.2. Council approves a schedule of fees and charges each year by resolution in relation to the registration of dogs, and also impounding charges for both dogs and stock.

21.3. Council's current policy is to cover operational costs through both fees and charges and general rates, which helps to keep registration fees at a reasonable level. All owners pay registration fees (except those with disability assist dogs and initial registration fees for rehomed dogs from the pound or by any charity approved by the ACTL), and owners subject to enforcement action are expected to cover costs of impounding and sustenance fees, where applicable.

21.4. Discounts off registration fees are available to urban dog owners and owners of disability assist dogs who meet certain criteria, such discounts and criteria to be set by Council as part of reviewing and approving the annual fees and charges. Initial

registration for dogs rehomed from the pound or any charity approved by the ACTL are also free.

- 21.5. Subject to the Act, fees and charges should be paid in full unless exceptional circumstances can be shown, to be determined by the Delegated Officer.
- 21.6. Any donations Council receives towards dogs will be used to aid its rehoming activities including any required veterinary treatment.

## **22. Co-operation with other agencies**

- 22.1. Council will work with NZ Police, the Ministry for Primary Industries, and the Society for Prevention of Cruelty to Animals, and other agencies working with animals to achieve the objects of the Dog Control Act 1996 and the Animal Welfare Act 1999.

## **23. Application and Review**

- 23.1. The Policy will be reviewed as required to meet the needs of the organisation and best practice.

**DATE OF COUNCIL RESOLUTION:**

**DATE POLICY TAKES EFFECT:**

**SCHEDULE ONE: DOG PROHIBITED AREAS**

WARD	LOCATION
Cambridge	<ul style="list-style-type: none"> <li>- Cambridge Swimming Pool Williamson Street</li> <li>- Cambridge Cemetery (Hautapu) Hannon Road</li> <li>- John Kerkof Park Cambridge Soccer Grounds, Vogel Street (excludes town belt pedestrian circuit track corridor)</li> <li>- Cambridge Athletic and Harrier Club grounds, Vogel Street (excludes town belt pedestrian circuit track corridor which is dog on lead)</li> <li>- Cambridge Rugby Sub-Union grounds, Taylor Street</li> <li>- Leamington Sports ground, Carlyle Street (playing fields only but includes perimeter)</li> <li>- Karapiro Gully, Gillies Street</li> </ul>
Te Awamutu-Kihikihi	<ul style="list-style-type: none"> <li>- Te Awamutu Rose Gardens Gorst Avenue</li> <li>- Te Awamutu Events Centre Selwyn Lane</li> <li>- Albert Park, Albert Park Drive</li> <li>- Kihikihi Cemetery Oliver Street</li> <li>- Jean Gatton Reserve Church Street, Kihikihi</li> <li>- Kihikihi Domain – Rugby and Cricket fields only</li> </ul>
Pirongia-Kakepuku	<ul style="list-style-type: none"> <li>- Pirongia Rugby Football Club Kane Street</li> <li>- Pirongia Cemetery Oak Lane</li> <li>- Mātakitaki reserve Franklin Street Pirongia</li> <li>- Paterangi Cemetery Cnr Sing and Paterangi Roads</li> <li>- Ōhau pō Memorial Park, all sports fields, Forkert Road</li> <li>- Peat lake reserves at Rotopiko, Ruatuna, Rotomanuka</li> <li>- Kakepuku Scenic Reserve, Kakepuku Road (beyond the water tanks)</li> </ul>
Maungatautari	<ul style="list-style-type: none"> <li>- Mighty River Domain (Karapiro Domain) – excludes that part of Te Awa River Ride within the Maungatautari Road corridor (Te Awa River Ride is “dog on leash”) and excludes the Gate 3 dog exercise area when not in use for events.</li> <li>- Pukerimu Cemetery, Kaipaki Road, Cambridge</li> <li>- Maungatautari Scenic Reserve, Pukeatua</li> </ul>
District Wide	<ul style="list-style-type: none"> <li>- Within any fenced public playground or play area, or within 5m of any unfenced public playground or play area</li> <li>- Reserves where animals are being grazed</li> <li>- All Department of Conservation Reserves unless a permit has been obtained from the Department</li> </ul>

**SCHEDULE TWO: DOG EXERCISE AREAS**

WARD	LOCATION
Cambridge	<ul style="list-style-type: none"> <li>- McKinnon Park, Taylor Street</li> <li>- Gasworks Site, Alpha Street, (east of cycleway only)</li> <li>- Bryan (Blackie) Mayo Reserve, from Thornton Road to Watkins Road</li> <li>- Walkway between Bryan Mayo Reserve and Thornton Road</li> <li>- Settlers Track to Riverside Park, Dominion Avenue (Settlers track on leash)</li> <li>- Te Kō Utu Park , Albert Street (lake area) between 8 pm and 8 am</li> <li>- Camellia Path, Lake Te Kō Utu between 8 pm and 8 am</li> <li>- Gil Lumb Park, Pope Terrace</li> <li>- Polo grounds at Lamb Street (except when in use for Polo)</li> <li>- Shelley Street dog park. Shelley Street, Cambridge</li> <li>- Tree Trust Walkway, Addison Street to Leamington Cemetery (excluding grazing area)</li> <li>- The dog exercise area Wordsworth Street east (excluding sports fields but including perimeter)</li> <li>- The Oak Arboretum – Swayne Road</li> <li>- Green belt Vogel Place (south of Payne Park)</li> <li>- “The Oval” Cambridge Park, Pengover Street between 8.00pm and 8.00am</li> <li>- McLean Street Reserve (corner MacLean and Thornton Road)</li> <li>- Former Cambridge MotoCross Track Lamb Street</li> </ul>
Te Awamutu-Kihikihi	<ul style="list-style-type: none"> <li>- Colgan Park, Colgan Street</li> <li>- Centennial Park, Rewi Street</li> <li>- Eileen Montefiore Park, Factory Road (excluding the walkway to Factory Road)</li> <li>- Turere Park, Turere Lane</li> <li>- Rear area of Sculpture Park, accessed off Albert Park and Domain Drive</li> <li>- North of Memorial Park through to Racecourse Road between 8 pm and 8 am</li> <li>- Leslie Street Reserve, Leslie Street (Kihikihi)</li> <li>- Ash Grove, Chatsfield Drive</li> <li>- Te Rahu Road Reserve, 246 Te Rahu Road</li> <li>- Rosehill Reserve, Laird Place</li> <li>- Te Awamutu Stadium Grass embankments (not sports field), Fairview Road to Armstrong Avenue, Grass embankments (when not in use for sports events)</li> <li>- Mahana Lane Reserve, Mahana Lane</li> <li>- Pekerau Reserve (off Cambridge/Pekerau/Bygrave/Glen Eagles)</li> </ul>

WARD	LOCATION
	<ul style="list-style-type: none"> <li>- Kihikihi Domain, Oliver Street – Excluding Rugby and Cricket fields (except when exclusive use is required for events or site bookings)</li> </ul>
Pirongia-Kakepuku	<ul style="list-style-type: none"> <li>- Lake Ngaroto Bank Road (note: walkway around the lake is dog on leash)</li> <li>- Former Pirongia Landfill Kane Street, Pirongia</li> <li>- Pirongia Esplanade, Franklin Street/Crozier Street, Pirongia (excluding the walkway)</li> <li>- Acacia Reserve, Airport Road</li> <li>- Ōhau pō Memorial Park, lower reserve, Forkert Road (excluding sports fields)</li> </ul>
Maungatautari	<ul style="list-style-type: none"> <li>- Mighty River Domain – Gate 3 grassed carpark (when not in use for events. Owners should check with Domain Management)</li> <li>- Waipuke Park, Enclosed off-leash area, Mangatautari Road</li> <li>- Waipuke Park, foreshore area between 8.00pm and 8.00am</li> </ul>

## APPENDIX 2

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Draft Dog Control Bylaw (*document number 10993097*)



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# DOG CONTROL BYLAW 20xx

Consultation draft - May 2023

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This bylaw is made by Waipā District Council under the powers given to it by the Local Government Act 2002 and the Dog Control Act 1996.

## PART 1

### Preliminary Provisions

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#### 1. TITLE, APPLICATION AND COMMENCEMENT

- 1.1 This Bylaw is the Dog Control Bylaw 20xx.
- 1.2 This Bylaw applies to the district of Waipā District Council.
- 1.3 This Bylaw comes into force on xxxxxx 20xx.
- 1.4 The Waipā District Council Dog Control Bylaw 2015 is revoked and replaced by this Bylaw.

#### 2 PURPOSE

- 2.1 The purpose of this Bylaw is to:
- a) prohibit dogs, whether under control or not, from specified public places;
  - b) require dogs to be controlled on a leash in specified public places;
  - c) regulate and control dogs in any other public place;
  - d) designate specified areas as dog exercise areas;
  - e) prescribing minimum standards for the accommodation of dogs;
  - f) limit the number of dogs that may be kept on any land or premises;
  - g) require the owner of any dog that fouls in a public place or on land or premises other than that occupied by the owner to immediately remove the faeces;
  - h) require any bitch in season to be confined but adequately exercised;
  - i) provide for the impounding of dogs that are found at large in breach of the bylaw; and
  - j) require the owner of any dog which has not been kept under control on more than one occasion to cause that dog to be neutered.

#### 3 INTERPRETATION

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

Term	Definition
<b>Act</b>	means the Dog Control Act 1996.
<b>Approved or approval</b>	means a written approval, permit or consent provided by Council, including any authorised officer of Council.
<b>Civil Defence Shelter</b>	means an area used by a Civil Defence Emergency Management Group (as defined in the Civil Defence Emergency Management Act 2002) as temporary communal shelter for the public while a state of emergency is in force in that area, in accordance with the Civil Defence Emergency Management Act 2002.

Term	Definition
<b>Control or Controlled</b>	in relation to a dog, means that the owner is able to obtain an immediate and desired response from the dog.
<b>Council</b>	means Waipā District Council
<b>District</b>	means the district of the Council.
<b>Dog Exercise Area</b>	means a public place specified in Schedule 2 to this Bylaw where a dog may be exercised off a leash but under control.
<b>Dog Prohibited Area</b>	means a public place specified in Schedule 1 to this Bylaw where dogs are prohibited.
<b>Dwelling</b>	means a separately occupied household unit used in whole or in part for human habitation, and includes: <ul style="list-style-type: none"> <li>a) any building, tent, vehicle or other structure, whether permanent or temporary, and whether attached to the soil or not; and</li> <li>b) any land associated with the dwelling.</li> </ul>
<b>Hunting dog</b>	means any dog used for hunting game.
<b>In season</b>	means the oestrus or heat cycle of any bitch.
<b>Licensed game hunter</b>	means a person who has lawful authority to hunt for game or pests in a public place.
<b>Motor vehicle</b>	has the same meaning as specified in the Land Transport Act 1998.
<b>Muzzle</b>	means a basket type or similar muzzle that allows panting and drinking when fitted on a dog.
<b>Nuisance</b>	means anything which is offensive or likely to be injurious to health.
<b>Premises</b>	premises means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied. All lands, buildings, and places adjoining each other and occupied together are deemed to be the same premises.
<b>Urban area</b>	means land located outside the rural zone as specified in the operative Waipā District Plan.

- 3.2 To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other enactments.
- 3.3 Unless the context requires another meaning, a term of 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 Legislation Act 2019 applies to this Bylaw.
- 3.6 To avoid doubt, reference to “include” and “including” in this Bylaw means without limitation.

**Guidance note:**  
 The Dog Control Act 1996 includes the following definition of Owner which also applies to this Bylaw:

*in relation to any dog, means every person who:*

- a) *owns the dog;*
- b) *has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owners; or*
- c) *the parent or guardian of a person under the age of 16 years who*
  - i) *is the owner of the dog pursuant to paragraph a) or paragraph b) and;*
  - ii) *is a member of the parent or guardian's household living with and dependent on the parent or guardian;*

*but does not include any person who has seized or taken custody of the dog under the Dog Control Act, or the Animal Welfare Act 1999, or the National Parks Act 19080 or the Te Urewera Act 2014 or the Conservation Act 1987 or any order made under the Act or the Animal Welfare Act 1999.*

## PART 2

### DOG RESTRICTIONS

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#### 4 DOG PROHIBITED AREAS

- 4.1. The owner of a dog must ensure that the dog does not enter or remain in any Dog Prohibited Area, except with Council approval.
- 4.2. Clause 4.1 does not apply to:
  - a) any working dog entering or remaining in the Dog Prohibited Area for the purpose of working; or
  - b) a Dog Prohibited Area while it is being used as a Civil Defence Shelter.

#### 5 DOGS ON A LEASH

- 5.1. The owner of a dog must ensure that the dog is controlled on a leash when in any public place.
- 5.2. Clause 5.1 does not apply to:
  - a) a dog within a Dog Exercise Area;
  - b) a working dog entering or remaining in the public place for the purpose of working; or

- c) a hunting dog who has been unleashed for the immediate purpose of locating or retrieving game and is under the control of a licensed game hunter.

5.3 In any proceedings for any offence for breach of clause 5.1, the onus will fall on the owner of the dog to demonstrate that clause 5.2(c) applies in any case, by demonstrating that the licensed game hunter was legally entitled to be in that public place for the purpose of hunting, and that the dog was under the control of the licensed game hunter at the applicable time.

5.4 The owner of a dog must ensure that the dog is on a leash when on private property, except where the property owner or occupier agrees that the dog may be unleashed.

5.5 A person in a motor vehicle may not control a dog on a leash, where the dog is not also in that motor vehicle.

## 6 DOG EXERCISE AREAS

6.1 The owner of a dog in a Dog Exercise Area must keep the dog under control at all times.

6.2 No person may, without Council approval, take more than 4 dogs into a Dog Exercise Area at the same time.

6.3 The owner of a dog must not control their dog in a Dog Exercise Area from a motor vehicle.

### Guidance Note:

Dogs can be kept under control in a Dog Exercise Area by use of a leash, voice command, hand signal, whistle or other effective means that results in the immediate direct control of the dog.

Access for dogs in public places can be controlled by other legislation.

Dog owners will need to check to see if the area where they intend to take their dog is also controlled by such other legislation. For example, the following areas which are governed by legislation:

- Conservation Act 1987 – “controlled dog areas” and “open dog areas”, through the Department of Conservation
- National Parks Act 1980 – “national park”.

## 7 LIMIT ON NUMBER OF DOGS TO BE KEPT

7.1 No person may, without Council approval, keep 3 or more dogs over the age of 3 months on premises within the urban area at any one time for more than 14 consecutive days.

7.2 No person may, without Council approval, keep 6 or more dogs over the age of 3 months on premises outside the urban area at any one time for more than 14 consecutive days.

7.3 Clauses 7.1 and 7.2 apply whether or not the dogs on the premises have the same owner.

7.4 Clauses 7.1 and 7.2 do not apply to any person who has a resource consent permitting

the activity.

## **8 FOULING**

- 8.1 The owner of a dog must immediately remove any dog faeces produced by that dog in a public place or on land not owned or occupied by the owner.
- 8.2 No person may damage or otherwise interfere with, or remove the contents of, any dog faeces bin in a public place, without Council approval.

## **9 NUISANCES**

- 9.1 The owner of a bitch in season must:
- a) keep the dog continuously confined in an area which prevents the dog's escape and the entry by other dogs in to the area, including by:
    - i) when on a private property, keeping the dog confined within that property; and
    - ii) when in a public place, keeping the dog confined within a vehicle or cage; and
  - b) ensure that the dog receives adequate exercise when on private property.
- 9.2 The owner of a dog must take all practicable steps to prevent the dog from being or becoming a nuisance to any person, including by persistent barking, howling or whining.
- 9.3 The owner of a dog with an infectious disease must confine that dog to the owner's premises at all times.
- 9.4 No person may intentionally tease, annoy, or provoke any dog, including through a fence or gate from a public place or private property, in a manner that may cause the dog to become distressed, aggressive, unmanageable or a nuisance.
- 9.5 The owner of a dog that is on an open deck or open trailer of a motor vehicle in a public place must ensure the dog is secured by a tethered cage, or by a leash that is of sufficient length to prevent the dog from reaching beyond the deck or trailer but still enable the dog to stand and lie down in a natural position. This requirement does not apply to a working dog while working.
- 9.6 The owner of a dog must take all reasonable steps to ensure that the dog does not injure, endanger, intimidate, or otherwise cause distress to any person by aggressive behaviour in a public place or on private property, including by aggressive barking or aggressive rushing at the property fence or boundary.

## **10 CONFINEMENT AND CONTROL OF DOGS**

- 10.1 The owner of a dog must ensure that the dog is not at large in any public place or right of way and is securely confined to the owner's premises at all times, except where it is under the control of a responsible person in compliance with this Bylaw.

## **11 REQUIREMENT TO NEUTER UNCONTROLLED DOG**

- 11.1 The Council may, by written notice to the owner, require a dog to be neutered where in the reasonable opinion of Council, the owner of that dog has breached clause 10.1 of this Bylaw on two or more occasions in any 12 month period, whether or not the owner of the dog has been convicted of an offence against section 53 of the Act.
- 11.2 The owner of a dog required to be neutered under clause 11.1 may, within 14 days of receipt of the notice, object to the requirement by way of written notice to Council. The owner has the right to be heard in support of their objection.
- 11.3 The Council when considering an objection under clause 11.2, may uphold or rescind the requirement to neuter the dog, and must give written notice to the owner of its decision and reasons for it.
- 11.4 The owner of a dog required to be neutered under clause 11.1, must:
- a) if required by Council, within one month after receipt of the notice issued under clause 11.1, or, where the owner has objected, the notice issued under clause 11.3, produce to Council a certificate issued by a veterinarian certifying:
    - i) that the dog is or has been neutered; or
    - ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before the date specified in the certificate; and
  - b) if a certificate under clause 11.4(a)(ii) is produced to the Council, produce to the Council, within one month after the date specified in that certificate, a further certificate under clause 11.4(a)(i).

## **12 ACCOMMODATION STANDARDS**

- 12.1 The owner of a dog must:
- a) Ensure that the dog has access at all times to an area (a lying area) that:
    - i) is large enough to allow the dog to stand up, turn around, and lie down in a natural position;
    - ii) is fully shaded;
    - iii) is dry;
    - iv) is ventilated; and
    - v) provides the dog with protection from extremes of heat and cold; and
  - b) ensure that the dog has access at all times to clean water;
  - c) ensure that the dog has access at all times to an area in which to urinate and defecate away from its lying area; and
  - d) ensure that faeces or urine do not accumulate in any area in which the dog is kept.



### **13 IMPOUNDING**

- 13.1 Any dog control officer, dog ranger or police officer may impound any dog found at large in breach of this Bylaw whether or not that dog is wearing a collar, and has the proper registration label or disk attached, or is microchipped.
- 13.2 Where a dog has been impounded under clause 13.1, the provisions of sections 69 and 69A of the Act shall apply with any necessary alterations or modifications as if those provisions were incorporated in this Bylaw.

## **PART 3**

### **Approvals, Enforcement and Transitional Provisions**

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#### **14 APPROVALS**

- 14.1 Any person wishing to obtain Council approval for the purposes of this Bylaw must make a written application to Council in the form specified by Council, accompanied by the relevant fee.
- 14.2 On receipt of an application made under clause 14.1, Council may grant the approval, refuse the approval, or request further information.
- 14.3 Any approval granted under clause 14.2 may be subject to any conditions imposed by Council.
- 14.4 A person granted an approval with conditions imposed under clause 14.3 must comply with those conditions.
- 14.5 Council may revoke, modify or cancel any Council approval granted under this Bylaw if:
- a) any conditions of the approval are not complied with;
  - b) there is a material change in circumstances which requires the approval to be revoked or modified; or
  - c) the information provided to Council in support of the approval application is found to be incorrect or misleading.

#### **15 BREACHES**

- 15.1 A person who fails to comply with this Bylaw commits a breach of this Bylaw and commits an offence under the Act.

**Guidance Note:**

Every person who fails to comply with this Bylaw commits an infringement offence under Schedule 1 of the Act and may be served with an infringement notice and be liable to pay an infringement fee.

Every person who fails to comply with this Bylaw commits an offence under section 20(5) of the Act and is liable on conviction to the penalty described by section 242(4) of the Local Government Act 2002.

**16 TRANSITIONAL PROVISIONS**

- 16.1 Any approval which originated under or was continued by Waipa District Council Dog Control Bylaw 2015 revoked in clause 1.4 that is continuing at the commencement of this Bylaw, continues to have full force and effect for the purposes of this Bylaw, but is subject to the application of any relevant clauses in this Bylaw.
- 16.2 The resolutions of the Council made or continued under the Waipa District Council Dog Control Bylaw 2015 revoked under clause 1.4 continue to have full force and effect for the purposes of this Bylaw as if they were resolutions made under this Bylaw. These resolutions are subject to the application of any relevant clauses in this Bylaw.
- 16.3 The revocation of the Waipa District Council Dog Control Bylaw 2015 under clause 1.4 does not prevent any legal proceedings, criminal or civil, being taken to enforce that Bylaw and such proceedings continue to be dealt with and completed as if the Bylaw had not been revoked.
- 16.4 Any application for an approval made under the Waipa District Council Dog Control Bylaw 2015 revoked under clause 1.4 for which an approval has not been granted at the time of this Bylaw coming into force, is deemed to be an application made under clause 14.

The foregoing Bylaw was made by the **WAIPA DISTRICT COUNCIL** by Special Consultative Procedure and confirmed at a meeting of Council held on the X. This Bylaw becomes operative on X.

**IN WITNESS WHEREOF** the Common Seal of the **WAIPA DISTRICT COUNCIL** was hereunto affixed pursuant to a resolution of Council passed on XX in the presence of:

.....Mayor

.....Chief Executive

**SCHEDULE ONE: DOG PROHIBITED AREAS**

WARD	
Cambridge	<ul style="list-style-type: none"> <li>- Cambridge Swimming Pool Williamson Street</li> <li>- Cambridge Cemetery (Hautapu) Hannon Road</li> <li>- John Kerkof Park Cambridge Soccer Grounds, Vogel Street (excludes town belt pedestrian circuit track corridor)</li> <li>- Cambridge Athletic and Harrier Club grounds, Vogel Street (excludes town belt pedestrian circuit track corridor which is dog on lead)</li> <li>- Cambridge Rugby Sub-Union grounds, Taylor Street</li> <li>- Leamington Sports ground, Carlyle Street (playing fields only but includes perimeter)</li> <li>- Karapiro Gully, Gillies Street</li> </ul>
Te Awamutu-Kihikihi	<ul style="list-style-type: none"> <li>- Te Awamutu Rose Gardens Gorst Avenue</li> <li>- Te Awamutu Events Centre Selwyn Lane</li> <li>- Albert Park, Albert Park Drive</li> <li>- Kihikihi Cemetery Oliver Street</li> <li>- Jean Gatton Reserve Church Street, Kihikihi</li> <li>- Kihikihi Domain – Rugby and Cricket fields only.</li> </ul>
Pirongia-Kakepuku	<ul style="list-style-type: none"> <li>- Pirongia Rugby Football Club Kane Street</li> <li>- Pirongia Cemetery Oak Lane</li> <li>- Matakītaki reserve Franklin Street Pirongia</li> <li>- Paterangi Cemetery Cnr Sing and Paterangi Roads</li> <li>- Ōhaupo Memorial Park, all sports fields, Forkert Road</li> <li>- Peat lake reserves at Rotopiko, Ruatuna, Rotomanuka,</li> <li>- Kakepuku Scenic Reserve, Kakepuku Road (beyond the water tanks)</li> </ul>
Maungatautari	<ul style="list-style-type: none"> <li>- Mighty River Domain (Karapiro Domain) – excludes that part of Te Awa River Ride within the Maungatautari Road corridor (Te Awa River Ride is “dog on leash”) and excludes the Gate 3 dog exercise area when not in use for events.</li> <li>- Pukerimu Cemetery, Kaipaki Road, Cambridge</li> <li>- Maungatautari Scenic Reserve, Pukeatua</li> </ul>
District Wide	<ul style="list-style-type: none"> <li>- Within any fenced public playground or play area, or within 5m of any unfenced public playground or play area</li> <li>- Reserves where animals are being grazed</li> <li>- All Department of Conservation Reserves unless a permit has been obtained from the Department</li> </ul>

**SCHEDULE TWO: DOG EXERCISE AREAS**

WARD	LOCATION
Cambridge	<ul style="list-style-type: none"> <li>- McKinnon Park, Taylor Street</li> <li>- Gasworks Site, Alpha Street, (east of cycleway only)</li> <li>- Bryan (Blackie) Mayo Reserve, from Thornton Road to Watkins Road</li> <li>- Walkway between Bryan Mayo Reserve and Thornton Road</li> <li>- Riverside Park, Dominion Avenue (Settlers track on leash)</li> <li>- Te Kō Utu Park , Albert Street (lake area) between 8 pm and 8 am</li> <li>- Camellia Path, Lake Te Kō Utu between 8 pm and 8 am</li> <li>- Gil Lumb Park, Pope Terrace</li> <li>- Polo grounds at Lamb Street (except when in use for Polo)</li> <li>- Shelley Street dog park. Shelley Street, Cambridge</li> <li>- Tree Trust Walkway, Addison Street to Leamington Cemetery (excluding grazing area)</li> <li>- The dog exercise area Wordsworth Street east (excluding sports fields but including perimeter)</li> <li>- The Oak Arboretum – Swayne Road</li> <li>- Green belt Vogel Place (south of Payne Park)</li> <li>- “The Oval” Cambridge Park, Pengover Street between 8.00pm and 8.00am</li> <li>- MacLean Street Reserve (corner MacLean and Thornton Road)</li> <li>- Former Cambridge MotoCross Track Lamb Street</li> </ul>
Te Awamutu-Kihikihi	<ul style="list-style-type: none"> <li>- Colgan Park, Colgan Street</li> <li>- Centennial Park, Rewi Street</li> <li>- Eileen Montefiore Park, Factory Road (excluding the walkway to Factory Road)</li> <li>- Turere Park, Turere Lane</li> <li>- Rear area of Sculpture Park, accessed off Albert Park and Domain Drive</li> <li>- North of Memorial Park through to Racecourse Road between 8 pm and 8 am</li> <li>- Leslie Street Reserve, Leslie Street (Kihikihi)</li> <li>- Ash Grove, Chatsfield Drive</li> <li>- Te Rahu Road Reserve, 246 Te Rahu Road</li> <li>- Rosehill Reserve, Laird Place</li> <li>- Te Awamutu Stadium Grass embankments (not sports field) Fairview Road to Armstrong Avenue, Grass embankments (when not in use for sports events)</li> <li>- Kihikihi Domain, Oliver Street – Excluding Rugby and Cricket fields (except when exclusive use is required for events or site bookings)</li> <li>- Mahana Lane Reserve, Mahana Lane</li> </ul>

WARD	LOCATION
	<ul style="list-style-type: none"> <li>- Pekerau Reserve (off Cambridge/Pekerau/Bygrave/Glen Eagles)</li> </ul>
Pirongia-Kakepuku	<ul style="list-style-type: none"> <li>- Lake Ngaroto Bank Road (note: walkway around the lake is dog on leash)</li> <li>- Former Pirongia Landfill Kane Street, Pirongia</li> <li>- Pirongia Esplanade reserve, Franklin Street/Crozier Street, Pirongia (excluding the walkway)</li> <li>- Acacia Reserve, Airport Road</li> <li>- Ohaupo Memorial Park, lower reserve, Forkert Road (excluding sports fields)</li> </ul>
Maungatautari	<ul style="list-style-type: none"> <li>- Mighty River Domain – Gate 3 grassed carpark (when not in use for events. Owners should check with Domain Management)</li> <li>- Waipuke Park, Enclosed off-leash area, Mangatautari road</li> <li>- Waipuke Park, foreshore area between 8.00pm and 8.00am</li> </ul>

## APPENDIX 3

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Draft Statement of Proposal for the draft Dog Control Policy and Bylaw  
(document number 10972088)

[cover page]

# Paws a while...

## Let's talk about dogs!

This document outlines some proposed changes to our Dog Control Policy and Dog Control Bylaw.

It's important we hear from you – dog-owner or not – *before* decisions are made.

We need your feedback by 5pm, Friday June 16.

Woof! (Translation: thanks!)

May 2023

[logo]

0800 WAIPADC (0800 924 723)

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

This Statement of Proposal has been prepared in accordance with Sections 83, 86 and 156 of the Local Government Act 2002, and sections 10, 10AA of the Dog Control Act 1996.

## Background

Here in Waipā, we love dogs! There are around 10,000 dogs registered in our district and as Waipā's population grows, so will our dog population.

Being a dog owner comes with obligations – to your dog, to your neighbours and to the wider community.

Council also has obligations, including ensuring the policies and rules we have in place for dogs are fit-for-purpose, keep our community safe and ensure Waipā dogs are well cared for.

On that basis, we're now formally reviewing our Dog Control Policy and related Bylaw around dog control and we're proposing some changes.

We'd love your input before decisions are made.

"If you think dogs can't count, try putting three dog biscuits in your pocket and then give him only two of them." - Phil Pastoret



## What we've already heard

Last year, we asked people what they might want from a revised Dog Control Policy and Dog Control Bylaw. We got a great response with lots of suggestions about exercise areas, dog parks and more. Much of that feedback has been taken into account and is reflected in the proposals here.

For example:

- we're proposing to increase the number of formal dog exercise areas,
- we're suggesting some changes to where and when dogs can (and can't) be exercised off-leash,
- plus, we want to tidy up some rules so that we're consistent with other legislation including the Animal Welfare Act 1999.

We've given special consideration to areas we received a lot of comment about. They include:

### *Lake Te Koo Utu*

We had a lot of feedback about dogs at this popular lake in Cambridge. Feedback was evenly split about whether dogs should be allowed at the lake on or off-leash ... or even be allowed at all. We're proposing that dogs can be exercised off-leash at the lake but only between 8pm and 8am only (noting there are five new exercise areas proposed for Cambridge), and on leash the rest of the time. There's no suggestion (from us) that dogs should be banned from Lake Te Koo Utu.

### *Kihikihi Domain*

Kihikihi Domain is a popular dog-walking spot and feedback last year reflects this. We're not proposing to prohibit dogs from the Domain, but we are proposing dogs not be allowed on sports fields (for the health, safety and hygiene of players) or in parts of the Domain when events are taking place.

### *Te Awamutu War Memorial Park (north of the Mangaohoi Stream)*

Feedback was evenly split between dogs being allowed on or off-leash at War Memorial Park. We're proposing to allow dogs to be exercised off-leash between 8pm and 8am only, leaving the rest of the day for on-leash exercise. This would apply to the area north of the War Memorial Park through to the Racecourse Road northern part of the park only.

More proposals are detailed in this document. Have a read, it's paw-some!

"The world would be a nicer place if everyone had the ability to love as unconditionally as a dog."-  
M.K.Clinton

## Dog exercise areas

We're proposing some changes to where and when dogs across the district can be exercised. In summary, we're proposing:

- five new exercise areas in Cambridge
- one new exercise area in Te Awamutu/Kihikihi
- two new exercise areas in Maungatautari.

In some instances, we're suggesting a mixture of on and off-leash times or areas. There's a lot of detail involved, so we suggest you look at the maps on our website at [waipadc.govt.nz/dogsreview](http://waipadc.govt.nz/dogsreview)

Remember, irrespective of where dogs are in Waipā, dog owners must keep them under control, at all times.

### In Cambridge:

We're proposing new exercise areas at:

Where	Address	On or off leash
The Oak Arboretum	Swayne Road	Off-leash
Green Belt	Vogel Place, south of Payne Park	Off-leash
The Oval, Cambridge Park	Pengover Street	<b>On-leash 8am-8pm</b> Off-leash 8pm-8am ONLY
Maclean St Reserve	Corner Maclean Street /Thornton Road	Off-leash
Former motocross track	Lamb Street	Off-leash

We're proposing changes to existing rules at:

Where	Address	Change
Lake Te Koo Utu Park (currently off-leash)	Albert St	<b>On-leash 8am-8pm</b> Off-leash 8pm-8am ONLY
Camellia Path (currently off-leash)	Lake Te Koo Utu	On leash 8am-8pm Off-leash 8pm-8am ONLY
Riverside Park	Dominion Ave	Off-leash (noting Settler's Track to remain on-leash)

We're proposing no changes to existing rules at:

Exercise area	Address	Current status (no change proposed)
McKinnon Park	Taylor Street	Off-leash (unless/until developed)
Gasworks Site	Alpha Street	Off-leash (east of cycleway only)
Bryan (Blackie) Mayo Reserve	Thorton Road to Watkins Road	Off-leash
Gil Lumb Park	Pope Terrace	Off-leash
Polo grounds	Lamb Street	Off-leash (except when in use for polo; then on-leash only)
Shelley Street Dog Park	Shelley Street	Off-leash
Tree Trust Walkway	Addison Street to Leamington Cemetery (excluding the grazing area)	Off-leash
Dog exercise area	Wordsworth Street east	Off-leash
Walkway	Between Bryan Mayo Reserve and Thornton Road	Off-leash

### In Te Awamutu/Kihikihi

We're proposing a new off-leash exercise area:

Where	Address	On or off leash
Pekarau Reserve	Off Bygrave Place	Off-leash

We're proposing changes to existing rules at:

Where	Address	Change
North of War Memorial Park (currently off-leash)	Through to Racecourse Road	<b>On-leash 8am to 8pm</b> Off-leash 8pm to 8am ONLY
Kihikihi domain	Oliver Street	Off leash, but excludes the rugby and cricket fields
Centennial Park	Rewi Street	Off-leash (but amended to exclude the skate and recreation area)

We're proposing no changes to existing rules at:

Exercise area	Address	Current status (no change proposed)
Eileen Montefiore Park	Factory Road (excluding the walkway to Factory Road)	Off-leash
Turere Park	Turere Lane	Off-leash
Sculpture Park	Rear area, accessed off Albert Park/Domain Drive	Off-leash
Leslie St Reserve	Leslie Street	Off-leash
Ash Grove	Chatsfield Drive	Off-leash
Te Rahu Road Reserve	Te Rahu Road	Off-leash
Rosehill Reserve	Laird Place	Off-leash
Te Awamutu Stadium	Fairview Road to Armstrong Avenue	Off-leash (when not in use for sports events)
Mahana Lane Reserve	Mahana Lane	Off-leash
Colgan Park (previously known as Anchor Park)	Colgan Street	Off-leash

### In Pirongia-Kakepuku

We're proposing to relocate an off-leash exercise area:

Where	Address	On or off leash
Relocating the Ōhaupō Memorial Park off-leash area from the Number Two field to the lower reserve	Forkert Road	Off-leash

### We are proposing changes to:

Pirongia Esplanade / Franklin Road Reserve	Franklin Street, Pirongia	Off-leash, with the exception of the walkway which is dog <b>on leash</b>
Kahikatea Park	Great Collins Street/Selwyn Cres	On-leash. This site is being removed from the schedule due to its previous development as a destination playground.

We're proposing no changes to existing rules at:

Exercise area	Address	Current status (no change proposed)
Lake Ngā Roto	Bank Road	Off-leash (Noting the walkway around the lake is on-leash)
Former Pirongia landfill site	Kane Street	Off-leash
Acacia Reserve	Airport Road	Off-leash

## In Maungatautari

We're proposing new exercise areas:

Where	Address	On or off leash
Waipuke Park	Maungatautari Road	Off-leash (in enclosed off-leash area ONLY)
Waipuke Park foreshore area	Maungatautari Road	Off-leash 8pm-8am ONLY On-leash 8am-8pm

## In Kakepuku maunga

A large part of the Kakepuku maunga is managed by the Department of Conservation (DoC). Dogs are not permitted there without a permit issued by DoC.

Council manages the remaining (lower) part of the maunga, where up until now, dogs have been permitted on-leash. We're proposing to change that.

**Option 1:** We're proposing dogs only be allowed up to the water tanks area, and that they must be on a leash. Beyond this, dogs would be prohibited without a DoC permit.

We're proposing this change because of long-standing concerns from mana whenua over sacred sites and urupā (burials) on the maunga. This was a main driver for the review. There have also been concerns expressed over public safety and the potential impacts on pest control (including the danger posed to dogs by poison).

There are two other options that we have considered.

**Option 2:** We could prohibit dogs completely from the maunga.

**Option 3:** We could allow dogs by permit only (as per the DoC requirement).

If you have a view on this, please comment on the submission form.

***What do you think about our proposed changes to dog exercise areas? Tell us on the feedback form or online at [waipadc.govt.nz/dogsreview](https://waipadc.govt.nz/dogsreview)***

"Dogs are such agreeable friends. They ask no questions, they make no criticisms." - George Elliot

## **Prohibited areas (places where dogs aren't allowed)**

Dogs just don't belong in some places. We're proposing some parts of our district continue to be no-go areas for dogs because of concerns around public safety or for ecological or cultural reasons.

We don't think dogs should be allowed in:

- any fenced public playground or play area, or within five metres of any unfenced public playground or play area
- reserves where animals are being grazed
- all Department of Conservation reserves, unless a permit has been obtained from the Department itself.

We're also proposing some changes to dog prohibited areas across our district.

### **In Cambridge**

We're proposing the following changes:

1. That dogs are not allowed in the Karāpiro Gully in Gillies Street
2. That dogs *are* allowed in Victoria Square, but they must be on-leash

We're proposing no other changes. We suggest dogs should remain prohibited from:

- Cambridge Swimming Pool Williamson Street
- Cambridge Cemetery (Hautapu), Hannon Road
- John Kerkhof Park Cambridge Soccer Grounds, Vogel Street (excludes town belt pedestrian circuit track corridor which is proposed to be an on-leash area)
- Cambridge Athletic and Harrier Club grounds, Vogel Street (excludes town belt pedestrian circuit track corridor which is proposed to be an on-leash are)

- Cambridge Rugby Sub-Union grounds, Taylor Street
- Leamington Sports ground, Carlyle Street (playing fields only)

## **Te Awamutu /Kihikihi**

We're proposing that dogs no longer be allowed at:

- Kihikihi Domain – Rugby and Cricket fields only.

We're proposing no other changes but suggest dogs should continue to be prohibited from:

- Te Awamutu Rose Gardens, Gorst Avenue, Te Awamutu
- Te Awamutu Events Centre, Selwyn Lane, Te Awamutu
- Albert Park, Albert Park Drive, Te Awamutu
- Kihikihi Cemetery, Oliver Street, Kihikihi
- Jean Gatton Reserve Church Street, Kihikihi

## **Pirongia – Kakepuku**

We're proposing that dogs no longer be allowed at:

1. Mātakitaki Reserve, Franklin Street, Pirongia
2. Peat lake reserves at Rotopiko, Ruatuna and Rotomanuka
3. Kakepuku Scenic Reserve, Kakepuku Road (beyond the water tanks)

We're proposing that dogs be prohibited from all sports fields at Ōhaupō Memorial Park (instead of just the upper field only as is currently the case).

We're proposing dogs should continue to be prohibited from:

- Pirongia Rugby Football Club grounds, Kane Street
- Pirongia Cemetery, Oak Lane
- Paterangi Cemetery, corner Sing and Paterangi Roads

## **Maungatautari ward**

We're proposing dogs should continue to be prohibited from:

- Mighty River Domain (Karāpiro Domain) - excluding the Te Awa River Ride (on-leash only) and the Gate 3 dog exercise area (off-leash)

- Pukerimu Cemetery, Kaipaki Road, Cambridge
- Maungatautari Scenic Reserve, Pukeatua

***What do you think about our proposed changes to prohibited areas? Tell us on the feedback form or online at [waipadc.govt.nz/dogsreview](https://waipadc.govt.nz/dogsreview)***

“If I could be half the person my dog is, I’d be  
twice the human I am.”– Charles Yu



## Other proposals

In reviewing our Dog Control Policy and Dog Control Bylaw, we also want to tidy up some other dog-related issues. We're proposing that:

1. Dogs will be allowed in Civil Defence shelters (rugby clubs or halls for example) during a state of emergency.
2. People should not be able to drive their vehicles in a public place and have their dog running beside that vehicle. This is because the dog is not under control ...and we have obligations to the wider community that all dogs be under control, at all times.
3. Dogs travelling on the back of trucks, trailers or utes must be caged / tethered / tied to the vehicle. This is for their safety, and the safety of others.
4. If Council issues a notice requiring someone to get their dog neutered due to the dog not being under control on two or more occasions, the dog owner should have the ability to appeal that decision. Currently, this isn't the case and we don't think that's fair.
5. Waipā dogs should all have shelter that reflects what is already required in the Code of Welfare for Dogs. (For example, kennels should be off the ground).
6. One person can walk a maximum of four dogs at a time in Waipā in a dog exercise area, and of those four dogs, we recommend that only two should be off-leash at any one time. Four dogs are a lot to handle and for the safety of others, we think this is a reasonable requirement.
7. We have changed how we define urban properties for the purpose of dog registration fees and for the requirements of permits (for the number of dogs that can be kept). This is now based on district plan zoning to make it easier to administer and for people to understand.
8. Our policy now sets out what we consider to be "persistent" dog barking to help people understand what we consider this to be for enforcement purposes.

***What do you think about these proposals? Tell us on the feedback form or online at [waipadc.govt.nz/dogsreview](https://waipadc.govt.nz/dogsreview)***

"Be the person your dog thinks you are."- C.J. Fri

## Legislative requirements

The Dog Control Act 1996 (DCA) requires Council to have a dog control policy. It must also have a dog control bylaw to give effect to that policy. The current policy and bylaw were last reviewed in 2015. Under the Local Government Act 2002 (LGA), the bylaw is due to be reviewed at least every 10 years. The policy must be reviewed at the same time. Given these legal requirements, there is no reasonably practicable alternative other than to review the current policy and bylaw.

The DCA requires us to review our bylaw by making the determinations required by section 155 of the LGA in the context of a reconsideration of the matters in section 10(4) of the DCA. Those matters are as follows:

- The need to minimise danger, distress, and nuisance to the community generally; and
- The need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
- The importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear or attack or intimidation by dogs; and
- The exercise and recreational needs of dogs and their owners.

Section 155 of the LGA requires that before commencing the process for making (or reviewing) a bylaw, we must determine whether a bylaw is the most appropriate way of addressing the perceived problem. The Strategic Planning and Policy Committee determined this was the case for the Dog Control Bylaw at its meeting on 7 February 2023

Section 155 of the LGA also requires that if a bylaw is the most appropriate way of addressing a problem, we must then decide whether the bylaw is the most appropriate form of bylaw, and whether or not the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA). We have reviewed the draft Dog Control Bylaw and have determined that it is the most appropriate form of bylaw, subject to the outcome of the consultation process, and that it does not give rise to implications under the NZBORA and is not inconsistent with that Act.

## Over to you!

This document outlines what we're proposing but we want to know what you think before any decisions are made!

We need your feedback by **5pm, Friday 16 June**.

Submission forms and copies of this Statement of Proposal are available:

- Online at [waipadc.govt.nz/dogsreview](http://waipadc.govt.nz/dogsreview)
- Hard copies from Council offices and libraries

Our draft Dog Control Policy and the draft Dog Control Bylaw are attached to this Statement of Proposal. This documents summarises most of the changes proposed but we recommend you read the documents in full.

You can make a submission by:

- visiting [waipadc.govt.nz/dogsreview](http://waipadc.govt.nz/dogsreview) and completing the online form
- downloading the form, completing and returning it to a Council office at 101 Bank Street, Te Awamutu and 23 Wilson Street, Cambridge, or
- by emailing [submissions@waipadc.govt.nz](mailto:submissions@waipadc.govt.nz). Subject: Dog control policy and bylaw review – submission.
- posting it to: FREEPOST 167662 (no stamp necessary)

Waipā District Council  
Attn: Dogs Review  
(Strategy)  
Private Bag 2402  
TE AWAMUTU 3840

All of the feedback will be collated and presented to the Mayor and Councillors (the decision- makers) for their consideration in August.

You are most welcome to have your say in person as part of this process. Let us know if you want to do this when you complete the submission form and then we'll be in touch to arrange the details closer to the time.

If you have any further queries or would like further copies of the draft Policy or Bylaw, please contact Council on 0800 (WAIPADC) 924 723 or call into an office.



Are there any comments you would like to make?

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### Takepuku maunga

Of the three options below, which do you support most? (tick one)

- Option 1 (Council's proposed option):** That dogs only be allowed up to the water tanks area, and must be on a leash. Beyond this, dogs would be prohibited without a DoC permit.
- Option 2:** Allow dogs by permit only (as per the DoC requirement).
- Option 3:** Prohibit dogs completely from the maunga.

Are there any comments you would like to make?

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### Other proposals

Do you support the Other Proposals we've outlined on page 10?

- Yes       No       In part

Comments

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I'd like to present my views to Council in person at a public meeting:

- Yes       No

If you selected yes, we will be in touch with you to confirm this.

I have attached additional information:      Yes       No

**Privacy Statement:** Your personal information will be used for the purpose of the engagement process, including informing you of the outcome of the consultation. All submissions (including names and contact details) may be provided in full to elected members and Council officers for this purpose. Submissions (including names but not contact details) may be made available to the public at our office and on our website.

All information collected will be held by Waipā District Council, 101 Bank Street, Te Awamutu with submitters having the right to access, and request correction to, their personal information. You can read our full privacy statement at [waipadc.govt.nz/privacy-statement](https://waipadc.govt.nz/privacy-statement).

# COMMITTEE REPORT



## INFORMATION ONLY

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

**From:** Group Manager Strategy

**Subject:** **PRESENTATION ON NGĀHINAPŌURI WALKWAY**

**Meeting Date:** 2 May 2023

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### 1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The Ngāhinapōuri Walkway Committee wishes to present to the Strategic Planning and Policy Committee on their vision for a dual use walkway and cycleway through the Ngāhinapōuri Village, along the Mangahia Stream, to the Waipā River.

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### 2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

*That the Strategic Planning and Policy Committee receives the report of Kirsty Downey, Group Manager Strategy titled Presentation on Ngāhinapōuri Walkway [ECM 11000760].*

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### 3 COMMENTARY - KŌRERO

The Ngāhinapōuri Walkway Committee (Committee) wishes to present to the Strategic Planning and Policy Committee on their vision for a dual use walkway and cycleway through the Ngāhinapōuri Village, along the Mangahia Stream, to the Waipā River. A copy of the presentation is attached to this report as Appendix 1.

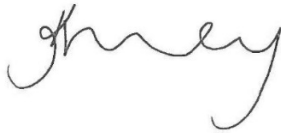
A background to the work being undertaken by the Committee is detailed in feedback they provided to the community engagement process on Ahu Ake, Waipā Community Spatial Plan, in March 2023. A copy of this feedback is attached to this report as Appendix 2. It is noted that the Committee has also engaged with Council's Parks and Reserves staff.

Further, the Committee has also presented to the Pirongia Ward Committee at its meeting held on 14 September 2022.

## 4 APPENDICES – ĀPITITANGA

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No:	Appendix Title
1	Presentation by the Ngāhinapōuri Walkway Committee
2	'The Ngāhinapōuri Walkway' provided as feedback to the Ahu Ake, Waipā Community Spatial Plan community engagement process



Kirsty Downey  
**GROUP MANAGER STRATEGY**



## APPENDIX 1

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Presentation by the Ngāhinapōuri Walkway Committee – [ECM 11002693].

# Ngāhinapōuri Walkway

Presentation to Waipā District Council  
Strategic Planning and Policy Committee  
Tuesday 02 May 2023



# Our Goals

To create a community walkway which is an enduring asset

Promote wellbeing

Enhance the walkway experience

Protect and Restore the Mangahia Stream

Recognise the Pā, the stream, the river and Mana Whenua's history

Create connection and identity

Work collaboratively





# The Project

Establish a Grade 2, dual use walking and cycling trail from Pilot Drive to Old School Road. (2.8 kilometres)

Establish walking only ecological trail of both boardwalk and path from Old School road to Waipā River. (1.5 kilometres)

Car parking is planned at the start of the walkway and where it intersects with Old School Road.

Long term focus is to restore the Mangahia stream corridor with native planting.

Create a circuit via Old School and Reid Road for additional safe walking and cycling. Look to extend the walkway where there is community support.







Proposed walkway route



## Cultural Identity

Sharing the history and stories of the land in the place we call home.

Recognition, protection and enhancement of significant natural areas, sites and cultural practices.

Share insights and acknowledge Horokiokio Pā site.

Provide connection to the Waipā River and historical cultural practices.

Share settler history including historic school site.

Enrichment via waharoa, storyboards and recreations.

Potential to be part of the *Te Ara Wai Journeys*.



# Restoring the Mangahia Stream

Mangahia Catchment Group

Protect and enhance the Mangahia Stream

Explore connection to the Mangahia Peat Lake

Protect lowland Kahikatea forest and corridor restoration

Contribute to the improvement of the Waipā River catchment





**Community Consultation Meeting**  
**Ngāhinapōuri Walkway Committee formed**

**Charitable Trust being established**  
**Trust Deed Completed**

**Engagement with Mana Whenua**

**Agreement from private landowners for public access**

**New Zealand Landcare Trust key partner**  
**Mangahia Catchment Group formed**

**Working with NZ Outdoor Access Commission to form "legal trail"**

**Ecological DNA report on the stream and eco report on bush completed**

**GPS of proposed route sent to Heritage NZ**

## What we have done so far







## Next Steps





## What we need from WDC?

Request Council agreement for walkway and public access across Council (easement) reserve on the proposed walkway route.

Request that the walkway is depicted in the WDC Spatial Plan.

Flag to the committee that we would like to come back and make a submission to the Long-Term Plan seeking a Council contribution to the walkway project.

Work collaboratively with Council to protect, restore and create a quality recreational asset and experience.

To be a long-term partner with the community in the ongoing care and development of the walkway.

To support the Charitable Trust in applications for funding from other parties for restoration.



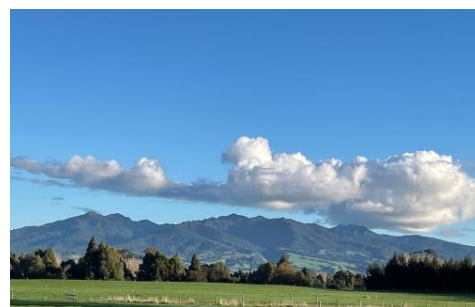
## APPENDIX 2

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‘The Ngāhinapōuri Walkway’ provided as feedback to the Ahu Ake, Waipā Community Spatial Plan community engagement process [ECM 11000764].



# THE NGĀHINAPŌURI WALKWAY



## OUR GOALS

To promote the wellbeing of our community by creating a walkway to encourage walking, cycling and community engagement

To enhance the walkway experience through acknowledging the rich history of the area

To protect and restore the biodiversity of the Mangahia Stream corridor

To celebrate the Horokiokio Pā and ensure Mana Whenua’s history is recognised

To create a sense of connection and identity in the place we call home

To work collaboratively to create a valued asset for the community



Proposed Walkway Route



## The Project

Ngāhinapōuri is a rapidly growing community with deep roots and connections through shared history and stories connecting people to the land and river.

The Trust will establish a Grade 2, dual use walking and cycling trail from Pilot Drive, along the banks of the Mangahia stream to Old School Road. (Yellow line – 2.8 km)

West of Old School Road it will transition into a walking only ecological trail of both boardwalk and path. (Red line – 1.5km)

Passing through native bush that includes original stands of Kahikatea and encompassing the Horokiokio Pā site it then descends to the Waipā River.

Car parking is planned at the start of the walkway and where it intersects at Old School Road. The current estimated cost of the trail based on per metre rates for construction is between \$600-\$800K for a mix of boardwalk and formed metal pathway.

Long term the focus is to restore the Mangahia stream corridor with native planting and create a circuit via Reid Road for additional safe walking and cycling.



## What We Have Done

A community consultation meeting was held in the hall and as a result a committee was formed.

A Charitable Trust has been established to administer and protect the community asset.

The Mangahia Catchment Group has been formed as it encompasses all the objectives of the project and is the right vehicle for delivery.

Landowners on the proposed walkway corridor have been consulted and all have indicated their commitment to enduring public access via easement.

We are working with Herenga ā Nuku Aotearoa, the NZ Outdoor Access Commission, to ensure access is achieved and individual agreements are connected and executed professionally.

Ngā Matapopore Whenua, NZ Landcare Trust has been providing essential advice, insights and best practice examples for a successful project and Catchment Group.

Engagement with Mana Whenua is critical to the project to respect and understand their requirements and expectations. We are excited to better understand the pre-european history of the land, corridor and pā site.

An ecological report has been completed for the bush section and an eDNA report carried out on the stream. Both highlight endangered species, native plants and the fragile nature of this area.

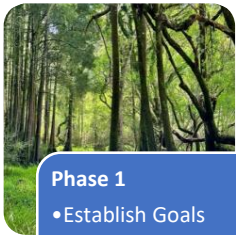
The proposed route has been GPS mapped. Discussion on best practice trail design and useage confirmed.



*Collaboration is at the heart of this project. We will work with community, volunteers, landowners, iwi, partners, business, local and central government and other voluntary and statutory organisations' fostering involvement and kaitiakitanga to deliver this project.*



## Next Steps



- Phase 1**
- Establish Goals
  - Legal entity
  - Consultation
  - Legal Trail
  - Proposed Trail



- Phase 2**
- Design Walkway
  - Consent
  - Catchment Plan
  - Project Mgmt Plan
  - Budget



- Phase 3**
- Identify partners
  - Trail construction
  - Weed & Pest control
  - Planting
  - Enrichment options



- Phase 4**
- Future walkway and cycle track loop
  - Points of interest extensions
  - Ongoing restoration and monitoring

## Alignment with Waipā District Council Spatial Plan



Ngāhinapōuri is rapidly expanding its residential housing. The number of new residents is changing the dynamic within the community.

- There is a need to welcome them through connecting with the land and its people - past, present and future, to make all feel at home here.
- Currently most local walking and cycling takes place on state highway 39 and local roads.
- The walkway will create an 4.3 km long safe place to exercise, to connect, to learn, and to contribute.
- The start of the trail is located centrally to the village allowing a short walk or ride to access it.
- The community can have an opportunity to take an active role in the restoration, protection, enhancement of the Mangahia stream and corridor.
- Ngāhinapōuri School is engaged and looking forward to the educational opportunities presented.



Development of the walkway will encompass recognition, protection and enhancement of the significant natural areas, sites and cultural practices encountered along the walkway.

- Research into the life and cultural practices of Mana Whenua will allow these to be recognised and celebrated. Enrichment along the walkway will share these narratives. This will include Waharoa, story boards and recreations.
- The Mangahia stream was a source of kai, connection to the Mangahia peat lake, and the Horokioko Pā, part of a network of pā's along the Waipā River which are not currently well understood or acknowledged.
- For Mana Whenua and the community, the walkway will form a direct connection to the Waipā River.
- Ngāhinapōuri settler history will also be celebrated, including connection to the historic Old School Site.
- The walkway has potential to be a waypoint in the Te Ara Wai Journeys.



The Catchment Group will work to protect and enhance the Mangahia stream, its corridor, catchment and biodiversity. Weed removal, native planting and pest eradication are key to this.

- As with the Mangotama stream, the Mangahia's source is a peat lake and in conjunction with the Mangapiko stream form key tributaries for the Waipā River from this area. This project will extend the impact of existing actions.
- Enhancement will contribute to the improvement of the Waipā River –Tōku awa koiora me ōna pikonga he kura tangihia o te mātāmuri - (*The river of life, each curve more beautiful than the last*) and the Waikato River Authority Plan.
- Protecting endangered species in this rare piece of lowland Kahikatea forest will compliment existing corridors.
- Providing a high quality recreational activity at our front door will reduce the need for a car journey to access such facilities for locals.



The walkway will support existing businesses and be a catalyst for additional opportunities.

- The proposed Ngāhinapōuri community and commercial hub will have parking and refreshment within a short distance of the walkway.
- Potential to encourage longer stays in the Waipā District through adding to the Te Ara Wai Journeys and creating an additional experience.



# COMMITTEE REPORT



## INFORMATION ONLY

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

**From:** Group Manager District Growth and Regulatory Services

**Subject:** District Growth Quarterly Report - 1 January to 31 March 2023

**Meeting Date:** 2 May 2023

## 1 EXECUTIVE SUMMARY – WHAKARĀPOPOTANGA MATUA

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

## 2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

*That the Strategic Planning and Policy Committee receives the report of Wayne Allan, Group Manager District Growth and Regulatory Services titled District Growth Quarterly Report 1 January to 31 March 2023 (ECM# 10991494).*

## 3 COMMENTARY - KŌRERO

### 3.1 NATIONAL & REGIONAL LEGISLATION, REGULATIONS, PLANNING AND POLICY

There were five submissions lodged during this quarter. These were the following:

Organisation	Submission	Document Number	Submission Date	Author
Parliamentary Select Committee	Water Services Economic Efficiency & Consumer Protection Bill	10958218	12 Feb 2023	Dawn Inglis
Parliamentary Select Committee	Water Services Legislation Bill	10947039	9 Feb 2023	Dawn Inglis

Organisation	Submission	Document Number	Submission Date	Author
Waikato Regional Council	Further submission on Plan Change 1 to the Waikato Regional Policy Statement	10963655	13 Feb 2023	David Totman
Parliamentary Select Committee	Natural and Built Environment Bill and Spatial Planning Bill	10964486	15 Feb 2023	David Totman
Ministry for Environment	Severe Weather Emergency Legislation Bill	10982218	15 Mar 2023	Wayne Allan

Appendices 6 - 10 to this report contain copies of the submissions made in this quarter.

## RESOURCE MANAGEMENT REFORMS

Parliament released the Natural and Built Environment Bill and the Spatial Planning Bill for public comment on 16 November 2022. A workshop session with elected members was held to discuss these Bills as well as the content of a draft Council submission on 14 February 2023. The Council submission was finalised and submitted on the 15 February 2023. Ministry for Environment have indicated the two bills are likely to be enacted mid-2023, with the new Regional Planning Committees expected to be formed by 2027, and the new regional plans and spatial plans completed by 2033.

## 3.2 SUB-REGIONAL STRATEGIC PLANNING INITIATIVES

### FUTURE PROOF

Work continues with the 2023 update to the Future Proof Strategy to incorporate the Future Development Strategy required by National Policy Statement on Urban Development (NPS-UD) as well as the next 2023 Housing and Business Capacity Assessment findings. The project team are currently aiming to notify the updated Future Proof Strategy incorporating the Future Development Strategy in October 2023.

### SUB REGIONAL THREE WATERS PROJECT

There is no further progress to report in the three waters space for this quarter.

### HAMILTON WAIKATO METRO TRANSPORT PROGRAMME BUSINESS CASE

Future Proof is establishing a Sub Committee on Public Transport under the Future Proof Implementation Committee in order to better coordinate public transport planning and implementation across the sub-region. A report was taken to the Council meeting on 26 April 2023 to approve Council representation on this sub-committee.

Work is progressing at local council level through the next Long Term Plan 2024-2034 and work on individual business cases to follow through with recommendations from the programme business case.



### 3.3 DISTRICT LEVEL STRATEGIC PLANNING

#### DISTRICT-WIDE COMMUNITY SPATIAL PLAN

This project is reported to the Committee separately.

#### MONITORING OF DEVELOPMENT

Work continues through a joint Future Proof project team led by Hamilton City Council staff to establish a monthly monitoring of development (using building consent information) across the subregion. It does finally seem that most of the teething issues with data cleaning have been resolved. Once in place it will enable the partner councils to prepare a joint annual monitoring report.

#### DISTRICT PLAN

##### E-PLAN (NATIONAL PLANNING STANDARDS)

The e-Plan project team is currently updating data as necessary and confirming future state business processes. An API (application programming interface) has been developed by Isovist and once the data upload location is made available to Waipā, this will provide us with the necessary control over the spatial data and enable linking between GIS layers and District Plan chapters. This is key in ensuring that the e-Plan remains accurate and up-to-date moving forward.

There will be a communications plan to accompany the e-Plan deployment.

##### NATIONAL DIRECTIONS

##### *Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021*

Proposed Plan Change 26 (PC26) is progressing with submissions closed, the joint strategic hearing occurred in February and the substantive hearing specific to PC26 commencing on 26<sup>th</sup> April 2023 (refer table below). Various amendments to the as-notified plan change are being recommended, and the hearings panel may need to consider the scope for some of these amendments. A third hearing will be required (not yet scheduled) to hear the topic of financial contributions. This will be a combined Waipā and Hamilton City Council hearing on both intensification plan changes. Further information, including all evidence and Council-recommended plan change amendments, can be found on council's website which is being updated as needed.

##### PLAN CHANGES

##### *Proposed Plan Change 17 – Hautapu Industrial Zones*

The plan change components are:

- Update the existing C8 growth cell structure plan.

- Live-zone the C9 growth cell (from deferred industrial zone).
- Add a new area north of Hautapu Road as Industrial Zone with an associated structure plan.

A hearing with elected member commissioners and an independent tikanga commissioner was scheduled to commence on 29<sup>th</sup> March 2023. However, the Hearing Panel determined that a submission made by the Hautapu Landowners Group (HLG) to incorporate additional land into the plan change to be rezoned from 'Rural' to 'Deferred Residential' was outside the scope of the plan change. The HLG subsequently lodged an objection to this decision pursuant to s357 of the RMA and the Hearing deferred for an outcome on the objection to be determined by an Independent Commissioner. The Independent Commissioner has accepted the objection (i.e. determined that the submission is within scope), and the Hearing is to be rescheduled.

#### Draft Plan Change 21 – Housing General Review

This plan change was on hold to await a decision on PC26 as to whether 'inclusionary zoning' was within scope and could be considered as part of PC26. The Hearings Panel has deemed inclusionary zoning to be outside the scope of PC26. Also, to be included within PC21 is the concept of 'character clusters' as identified through the PC26 process. Due to a recent Environment Court decision these are also deemed to be outside the remit of PC26 as the intent of the plan change is to provide residential intensification, whereby the provisions relating to character clusters removed permitted development rights as currently afforded under the operative District Plan. The scope of Draft Plan Change 21 is therefore currently being reviewed.

#### Draft Plan Change 23 – Papakāinga

Draft Plan Change 23 (Papakāinga) is progressing with engagement with mana whenua alongside the Ahu Ake project team mostly completed.

**Table 1: Plan Changes update (as at 11 April– subject to change) refer [Current Plan Changes](#) for additional details**

PLAN CHANGES	STATUS	NOTIFICATION (INDICATIVE)	HEARINGS
<b>Draft Plan Change 14</b> Hautapu C10 rezoning	Scope: Rezone the balance of C10 growth cell from Rural to Industrial  Status: SP&P approval in principle to commence has been received (meeting on 7 February 2023).	End 2023	TBC
<b>Proposed Plan Change 17</b> Hautapu Industrial Zones	Scope: Structure plan update, live zone C9, rezone an area north of Hautapu Rd to Industrial  Status: Submissions closed, hearing has been delayed due to an objection lodged pursuant to s357 of the RMA by a submitter whereby part of their	n/a	Hearing that was scheduled to commence 29 March 2023 is being rescheduled and a new date not yet confirmed. Commissioners

PLAN CHANGES	STATUS	NOTIFICATION (INDICATIVE)	HEARINGS
	submission to include additional land within the plan change was deemed to be out of scope by the Hearing Panel. The objection was considered by an Independent Commissioner who upheld the objection and the full submission is to be considered by the Hearing Panel.		Councillors St Pierre, Gordon and Brown with independent commissioner Poto Davies.
<b>Proposed Private Plan Change 20</b> Airport Northern Precinct Extension	Scope: Extends the “northern precinct” (rezone Rural to Airport Business Zone), and makes various incidental changes to the Airport Business Zone.  Status: Submissions closed, hearing has occurred.	n/a	Hearing commenced 15 March 2023 (independent commissioners Alan Withy and Antoine Coffin) although not yet officially closed. The written submission and final set of recommended provisions from the applicant have been circulated and awaiting review from the s42A officer and the Hearing Panel before the hearing is to be closed.
<b>Draft Plan Change 21</b> Housing General review	Scope to be reviewed: affordable housing, T6 and C11 intensification, strengthening urban design.  Technical investigations have commenced.	2023	2023/24
<b>Draft Plan Change 23</b> Papakāinga	Scope: Enables Papakāinga housing in the District Plan.  Status: Engagement with mana whenua almost completed. Initial drafting of s32 report commencing.	2023	2023/24
<b>Proposed Plan Change 26</b> Residential Zone Intensification	Scope: Introduces mandatory medium density residential standards; reviews financial contributions; and any consequential amendments.  Status: Submissions closed, joint hearing with Hamilton City Council (HCC) and Waikato District Council has occurred in relation to strategic matters. The substantive hearing scheduled to commence 26 <sup>th</sup> April 2023. The matter of Financial Contributions is to be heard at a further hearing with HCC that has yet to be scheduled.	n/a	Stage 1 (strategic matters) commencing 14 <sup>th</sup> February 2023  Stage 2 (substantive matters) commencing 26 April 2023. Independent commissioners David Hill (Chair), Dave Serjeant, Nigel Mark-Brown, Vicki Morrison-Shaw.
<b>Private Plan Change 29</b> Rezoning 2025	Scope: Proposal is to rezone greenfields (non-growth cell) at 2025 Ōhaupō Rd from	n/a	n/a

PLAN CHANGES	STATUS	NOTIFICATION (INDICATIVE)	HEARINGS
Ōhaupō Rd from Rural to residential	Rural to Residential for around 400 over 55's "lifestyle" units.  Status: Formally lodged 18 January 2023, and being assessed for acceptance and further information. A decision on acceptance is being made by an Independent Commissioner (Dr Phil Mitchell) with the applicant being provided an opportunity to be heard before the Commissioner on 18 <sup>th</sup> April 2023. This is not a public hearing as it is a procedural matter.		
<b>Draft Plan Change 30</b> Minor amendments	Scope (under review): Updates and fixes to various rules to improve the workability and practicality of the current provisions of the Operative District Plan.  Status: under review and being scoped. An 'Issues and Options' paper currently being prepared.	2023	2023
<b>Draft plan change, flood hazard overlay</b>	Scope: Updates and existing flood hazard overlay with updated flood hazard maps.  Status: Deferred from Plan Change 26, not yet scoped.	To Be Confirmed	To Be Confirmed
<b>Private plan Changes</b>	Confirmed: 3 confirmed private plan changes to be lodged before July 2023, including the plan change for the development of growth cell C5 and the adjoining land, whereby the applicant has initiated engagement with stakeholders prior to lodgement. In terms of the other 2 confirmed private plan changes, no further details available as these remain in pre-application stage and subject to refinement and/or commercial sensitivity.  Unconfirmed: various unconfirmed private plan change "ideas" being progressed through due diligence.	To Be Confirmed	To Be Confirmed

## RESOURCE CONSENTS

### UPCOMING HEARINGS

There are no scheduled resource consent hearings.

### RECENTLY HEARD APPLICATIONS

A limited notified resource consent application was heard by Independent Commissioner, Alan Withy on Wednesday 22 February. The hearing related to the construction of artificial shelters for a kiwifruit orchard at 582 Parallel Road,

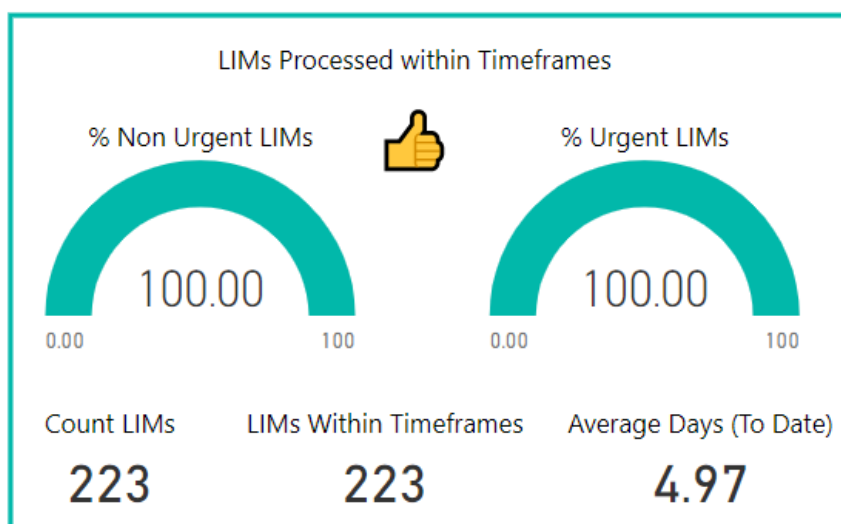
Cambridge. The hearing also included a decision by the commissioner to limited notify one affected party in relation to an associated ‘shelterbelt’ application at the site. The affected parties (N & V Jennings) were the same affected parties for the artificial shelter application. Counsel for the affected parties provided their submission at the hearing. In agreement with the submitter, the commissioner waived the 20 day requirement to provide a submission allowing the hearing of both applications to proceed. The hearing concluded with a decision on both resource consent application required to be made within 15 working days of the hearing closing. The decisions by Independent Commissioner, Alan Withy to grant resource consent to both applications was issued to the applicant and submitted on Friday 10<sup>th</sup> March 2023. A notice of appeal against the decisions to grant the applications was filed with the Environment Court by the submitters N & V Jennings on 28 March 2023. No mediation or court dates have been set.

**CONSENTS SUMMARY**

This reporting period shows a decrease in numbers with 83 consents processed (47 for Land Use and 36 for Subdivision) this quarter with 134 consents processed the previous quarter. In the same period last year (1 Jan 2022 – 31 March 2022), 139 consents were processed. All consents this quarter have been processed within the allowable statutory timeframe resulting in 100% compliance, compared with one consent going over statutory timeframe in the previous quarter. Thirteen Deemed Permitted Boundary Activities (Notices) and one Deemed Marginal Activity were also processed with 100% compliance.

**LAND INFORMATION MEMORANDUMS (LIMS)**

LIM volumes have decreased with 223 LIMs processed this quarter compared with 234 LIMs processed the previous quarter and 293 LIMs processed the quarter before that. All LIMs were processed within the required timeframes. Refer to Figure 1 below.



**Figure 1: Total number of LIMs**

## INFRASTRUCTURE DEVELOPMENT

### APPLICATION SUMMARY

Development activity across the Waipā District has started a bit slower than last year with 30 Subdivision Consent applications and 46 land Use applications, since 1 January 2023. However, there has continued to be a significant number of Engineering plan approvals and section 224 applications across the growth cells for active subdivisions.

#### **CAMBRIDGE** (Refer to Growth Cell Map on page [16](#))

**C1 Growth Cell:** The developer was granted consent for the most Northern section of this growth cell and construction is completed.

**C2 Growth Cell:** Progressing with development. The retirement village within the site has commenced, Stage 1A and Stage1B of the 3M's development has been completed within the growth cell and Stage 1C is nearing completion.

**C3 Growth Cell:** Design planning for the St Peters School/3MS joint venture block is progressing. Earthworks has commenced under a Land Use consent. Neighbouring Chartwell Developments have completed the next stage.

**C4 Growth Cell:** Kotare Properties is progressing and S224 sign off is expected next quarter. Land Use earthworks have commenced on the adjoining Sanderson development.

**C8 Industrial Growth Cell:** Work continues on the development of part of this area.

**Cambridge North:** Engineering input into various consents and proposals is continuing and the development off Swayne Road is nearing completion.

#### **TE AWAMUTU** (Refer to Growth Cell Map on page [33](#))

**T1 GROWTH CELL:** This is currently on hold from the developer.

**T2 Growth Cell:** Approved, under development.

**T9 Growth Cell:** Progressing, although issues with landowners on intersection arrangement.

**T11 Growth Cell:** Resource consent for subdivision (76 lots) is. has been granted. Engineering designs were submitted but the developer has decided to put all work on hold.

**T15 Growth Cell:** An application for the large lot residential area has been lodged

**PIRONGIA** (Refer to Growth Cell Map on page [27](#))

A 45-lot development in Hudson Street has had Engineering plans approved for construction.

Amberviews is currently under construction.

**NGĀHINAPŌURI** (Refer to Growth Cell Map on page [23](#))

**N1:** A large lot development has started construction

**AIRPORT AREA** (Refer to Growth Cell Map on page [19](#))

The airport area continues to be developed. The western precinct is mostly fully developed. Recent works within the Titanium Park area have been completed.

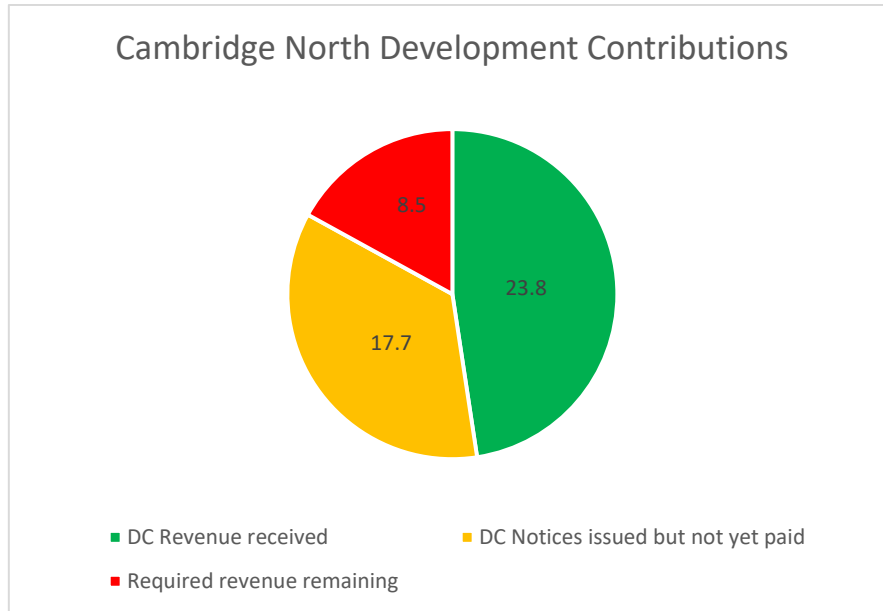
**DEVELOPMENT CONTRIBUTIONS**

Looking at Quarter 3 (1 Jan to 31 Mar 23), we have issued 42 Development Contribution Notices equating to \$6,079,871. Of those notices generated, were 13 from Building consents, 10 from Land Use consents and 19 from Subdivisions. Recovery this quarter is \$1,073,923. As indicated in the previous report, there is a significant increase in recovery over the previous quarter, but it is worth noting that there is a decrease to last years (21/22) 3<sup>rd</sup> quarter. This is due to the drop in consents received, restrictions the banks have added to developers / home buyers, and Development Agreements requested to be based on prior sales have increased. Overall, \$60.7 million is outstanding in development contributions as per out ECM portal figures.

The ECM Development Contributions portal is still in beta, however the data within the system is pulling through accurately for forecasting future Household Equivalent Units (HEU's) within growth cells. We will continue to work with our Organisational Excellence team to show these figures more easily and intuitively/spatially through Power Bi, with more functionality in its reporting (i.e. cost recovery versus specific project expenditure for each cell).

As mentioned in the previous report, a trial for the next quarterly report will investigate the cost centres attributed to the Cambridge North growth cell and the effective remaining balance left on that cell versus the available expected capacity. The below figure is how these will start to be shown longer term.

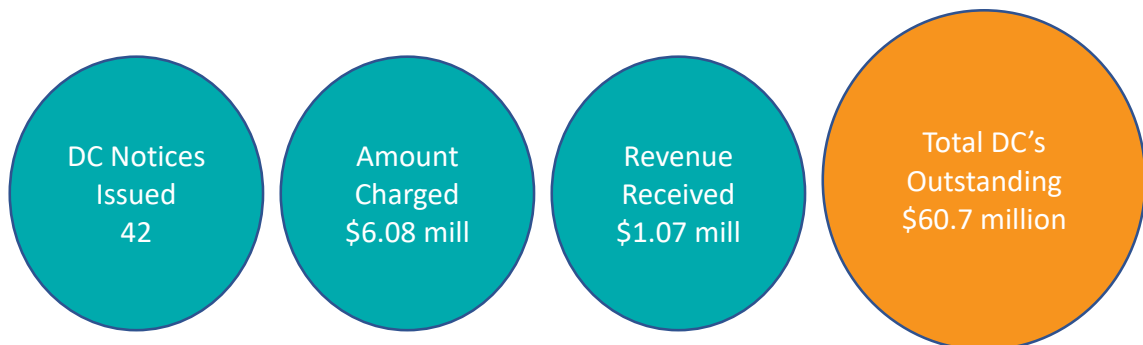




**Figure 2: Cambridge North Development Contributions**

The numerical figures outlined are in the millions for ease of reporting. Note the total sum (\$50 million) is the total growth cell costs and while excludes the district wide components of the Cambridge North DC charge, it does include interest costs. A check against the expected remain land and HEU’s determined we are highly likely to recover all costs with the land remaining for development. Longer term, we are looking at ways to transfer this data through Power BI to make it a more autonomous.

**QUARTER THREE 22/23**

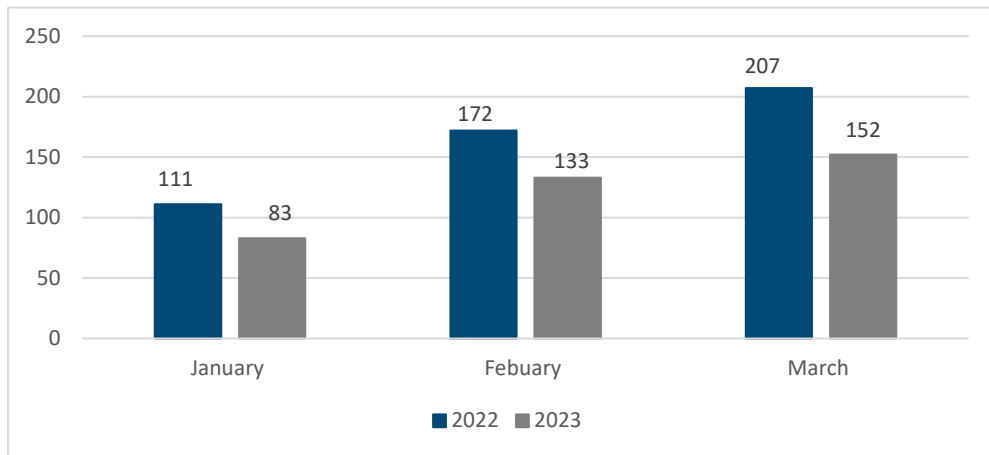


**BUILDING COMPLIANCE**

Below is a summary of Building Consents that were issued (refer Figure 3 below), and code compliance certificates (CCC’s) issued (refer Figure 4 below) during the quarter (January to March 2023).

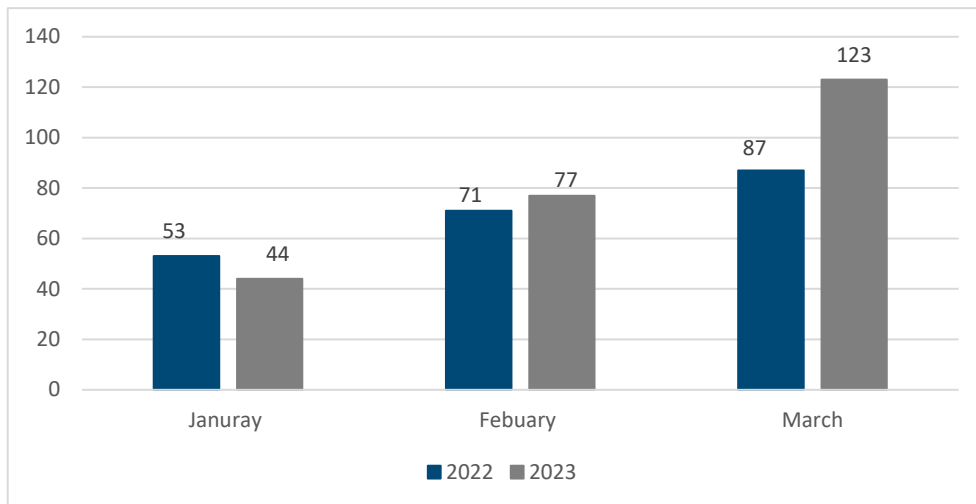
Council issued 368 building consents in total during this quarter. When compared to the same period in 2022 this is showing a decrease of 122 applications. The scope of the work for new applications are a mix of commercial and residential.

Of the 368 building consents issued this quarter, we note this number includes building consent applications for amendments which are not captured in Appendix 3 numbers.



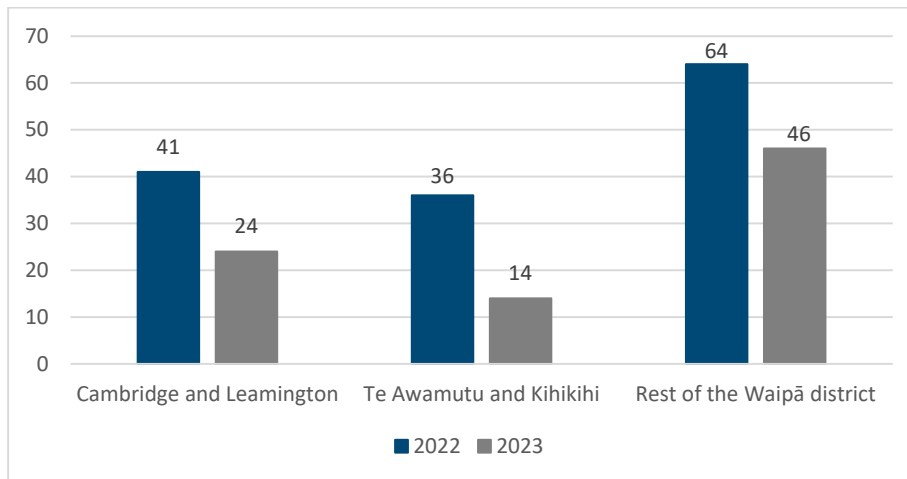
**Figure 3: Building consent applications Issued (monthly / quarterly comparison)**

The number of code compliance certificates (CCCs) issued during this quarter shows an increase compared to this time last year with 244 CCCs issued this quarter, while 211 were issued during the same period in 2022.



**Figure 4: Code Compliance Certificates (CCCs) Issued (monthly / quarterly comparison)**

Figure 5 below shows the number of new dwellings by location for this quarter compared to 2022.



**Figure 5: New dwellings by location (quarterly comparison)**

#### **SIGNIFICANT BUILDING CONSENTS ISSUED**

From the building consents issued this quarter, the total value of building works equates to \$77,920,000. With the total value of works equating to \$113,830,00 during the same period in 2022, this is a decrease.

The significant building consents this quarter are:

- 1498 Alexandra Street, Te Awamutu, Construction of an Ammonia Water Chilling Plant Room Building and a MCC Building on an existing site.
- 181 Hannon Road, Cambridge, Proposed Commercial workshop and office.
- 86 Hautapu Road, Cambridge, Camex New Warehouse & Office - Stage 1 Civil & Structural.
- 68 Duke Street, Cambridge, Refurbishment and fitout of existing building to create 3 hotel rooms.
- Matos Segedin Drive, Cambridge New construction of office and warehouse.

### **3.4 MONITORING AND ENFORCEMENT**

#### **MONITORING AND ENFORCEMENT**

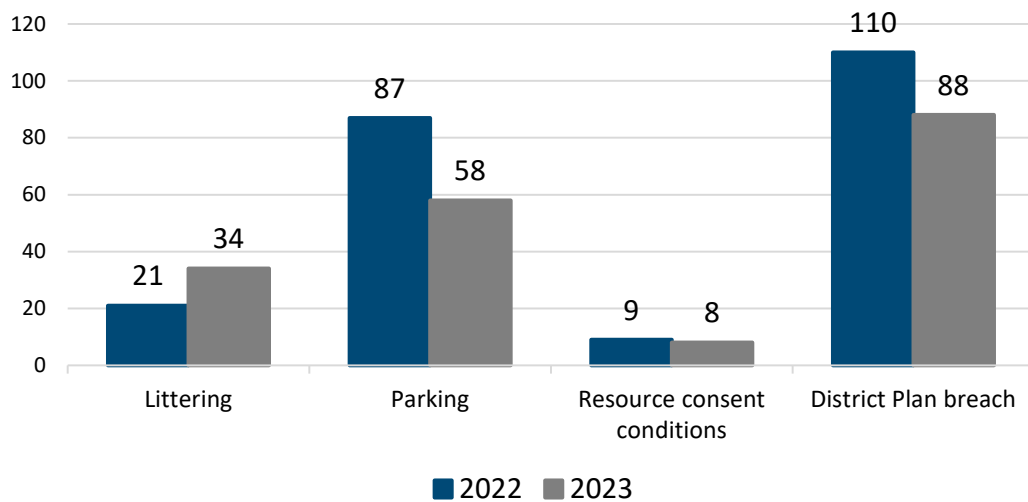
In total Council's Enforcement team responded to and dealt with 96 complaints concerning Resource Consent Conditions (8) and breaches of the District Plan Rules (88). A further 11 queries regarding swimming pool barriers were also received and responded to, a total of 106 pool barrier inspections were conducted.

District Plan complaints received concerned amenity values, earthworks, home occupations and signage. All complaints were responded to within four days.

130 complaints were received regarding Bylaw breaches including 34 littering complaints and queries and 58 parking complaints and inquiries (refer to Figure 6 below).

Nine (9) littering infringements were issued where an offender could be identified from the team’s investigations.

One hundred and Ninety (190) parking infringement notices were issued in the quarter. The majority were for ‘over staying’ in time limited parking in both the district’s CBDs.



**Figure 6: Complaints of regulation breach (quarterly comparison)**

**ANIMAL CONTROL**

**LOGGED CALLS AND REQUESTS**

There were a total of 755 calls to the animal control team this quarter, with 314 being administration calls or requests for information, and 441 relating to animal control issues (including reports of lost dogs). Of the reported issues, 17 of the calls were reports of dog bites (12 on other animals, and five on adult persons), with most being relatively minor in terms of injury.

We have received further complaints about our dog doo bins not being emptied in a timely manner, particularly in the Cambridge and Leamington areas. We have conducted audits and continue to work with our contractors towards getting the bins emptied according to the contract schedule.

There has been no significant increase or decrease in other complaint types received.

## **DOG REGISTRATIONS**

The animal control team continued to follow up unregistered dogs to the end of March. At this time we had just 127 dogs not currently registered, which is a phenomenal result at 1.3% of total dogs on our register. We are currently preparing for our new registration year which officially starts 1<sup>st</sup> July, but the renewal process begins 1<sup>st</sup> May. Any unregistered dogs from the 2022/23 year will be prioritised in the new registration year.

## **DOGS IMPOUNDED**

There were 54 dogs impounded in this quarter, and of these 43 were claimed by their owner with three euthanised and one rehomed. Seven of these dogs remained in care at the end of March.

## **GENERAL**

One of our animal control officers suffered an injury over the Christmas break and took extended leave resulting in the team being one down until early March. Following this another long-term animal control officer resigned from his position later in March, so the shortage in the team has continued. We are currently working through the recruitment process for a new animal control officer and we are really looking forward to having a full team once again.

Work on the review of the Dog Control Bylaw and Policy has continued, and draft documents will soon be available for the public consultation process starting in May.

## **ENVIRONMENTAL HEALTH**

The Environmental Health team received a total of 235 enquiries relating to food, noise, contaminated land, licensing and public health matters for this quarter.

The District Licensing Committee undertook 2 hearings during this quarter, both hearings resulted from failed control purchase operation for selling alcohol to minor. Early consultation with agencies (Police, Medical Officer of Health and Licensing Inspector) is underway regarding the review of the Local Alcohol Policy. The Environmental Health team processed a total of 88 alcohol licence applications and audited 34 food premises.

A total of 440 noise complaints were received of which 36 were issued with written directions and 17 issued with verbal to reduce excessive noise. No equipment was seized for failing to adhere to a noise direction.

## 4 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	<a href="#">Appendix 1 – Waipā District Growth Cells</a>
2	<a href="#">Appendix 2 – Major Resource Consent Applications</a>
3	<a href="#">Appendix 3 – Building Consents Issued</a>
4	<a href="#">Appendix 4 – Applications determined by the District Licensing Committee</a>
5	<a href="#">Appendix 5 – Quarterly Statistics</a>
6	<a href="#">Appendix 6 – Submission to the Parliamentary Select Committee on the Water Services Economic Efficiency &amp; Consumer Protection Bill</a>
7	<a href="#">Appendix 7 – Submission to the Parliamentary Select Committee on the Water Services Legislation Bill</a>
8	<a href="#">Appendix 8 – Further Submission to the Waikato Regional Council on Plan Change 1 to the Waikato Regional Policy Statement</a>
9	<a href="#">Appendix 9 - Submission to the Parliamentary Select Committee on the Natural and Built Environment Bill and Spatial Planning Bill</a>
10	<a href="#">Appendix 10 – Submission to Ministry for Environment on the Severe Weather Emergency Legislation Bill</a>

Approved by:



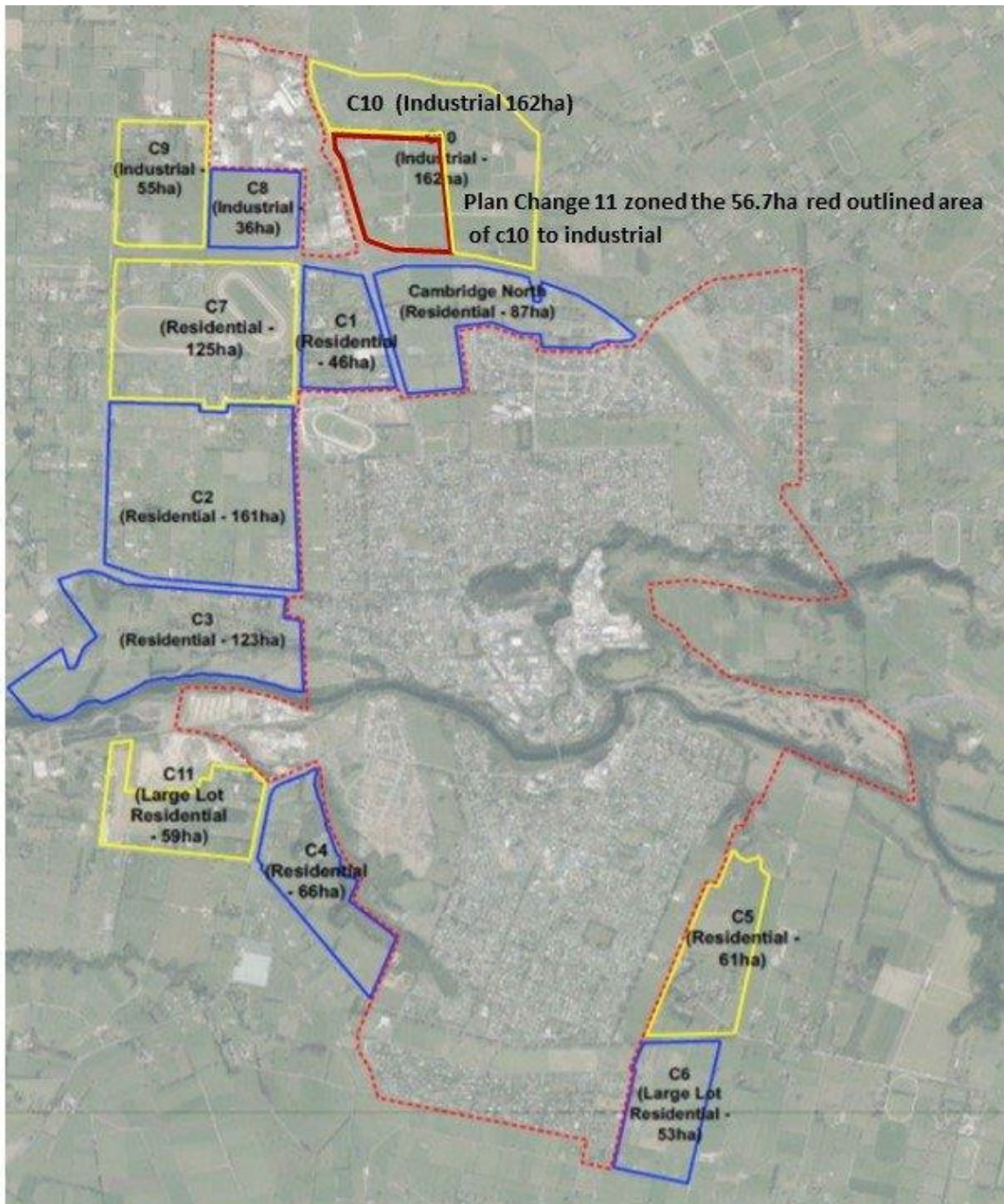
Wayne Allan

**GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES**



## APPENDIX 1 - WAIPĀ DISTRICT GROWTH CELLS

### CAMBRIDGE GROWTH CELLS

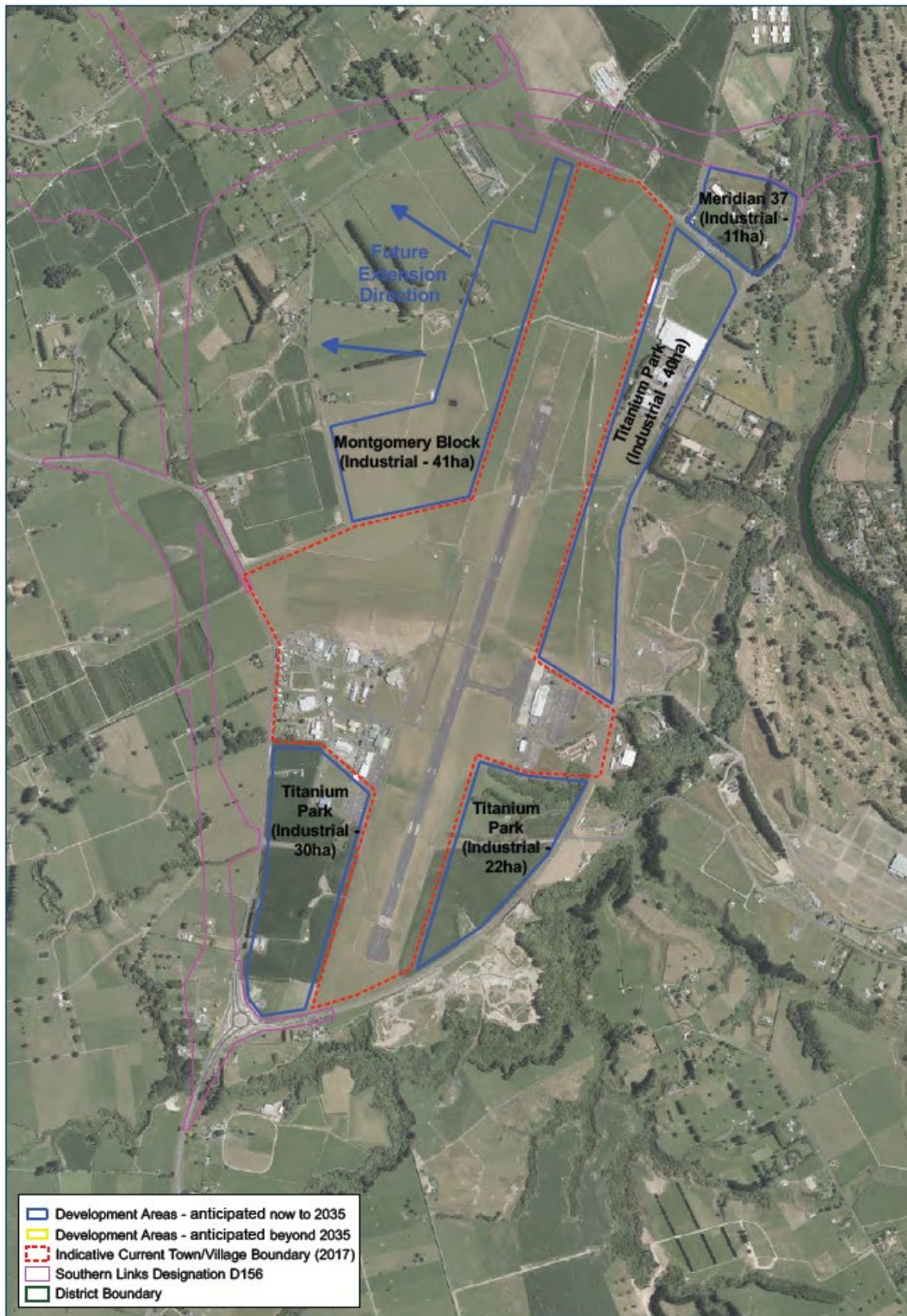




GROWTH CELL	STATUS UPDATE
Cambridge North	Only about 34ha of Cambridge North remain to be developed. St Kilda is fully developed. Summerset application and construction works commenced, Health hub working through detailed design and safety audits for roundabout installation to their facility, and the remaining area they have available for the wider balance land has been submitted and granted. Ministry of Housing and Urban Development (MHUD) out for expression of interest for their land portion, 8 tenderers received. The planning team have prepared pre application notes to help with the tenderers and ensure council is providing consistent messaging as to not have any unfair advantage being perceived. See Development Contribution portion, for recovery tracking example on figures demonstration.
C1	<p>Master plan complete, but needs refinement, Programme manager – Growth is working on IFS for refinement of Road design due to transport direction on urban mobility, and is progressing the design to be in line with C2's findings. The design process will also help see the development aspirations of the commercial activities we expect to see in the cell.</p> <p>Land acquisitions are progressing, all initial stages in negotiations/purchased. Internal meetings to be held on development Norfolk intersection. Stratton working in North Western quadrant will see 36 lots with an additional 6 added to their development.</p> <p>South eastern corner is looking at residential intensification, but still only in pre app phase.</p>
C2	<p>Subdivision application has been lodged and granted subject to conditions of consent, initial stage 1A and 1B of 3Ms subdivision 224c obtained, lodged the second stage and it been accepted for engineering conditions. Earthworks onsite are continuing for the subdivision and Council's work under the Infrastructure Works Agreement. Engineering designs have been lodged for review and are largely approved.</p> <p>Central roundabout, collector roads, terminal pumpstation and swales are currently under construction and in various stages of completeness, but are on programme.</p> <p>Peake Mews (Brian Perry charitable trust compact development also undertaking construction).</p> <p>Kelly road northern extent has been urbanised to enable the development of the wider cell and existing urban environment initial subdivisions within this area are progressing in line without master planned infrastructure.</p>
C3	Masterplan being refined due to development aspirations (council has given input on this). Development of a portion of the site that is zoned residential is underway, by way of earthworks consent, enabling council construction of core infrastructure linkages (SW and transportation). 3Ms met with council on the joint venture with Saint Peters, have worked through initial comments to their proposal for this area. Will continue to work through this as it progresses. SW outfall design finalised, procurement about to award contract at the end of this month with Stormwater conveyance lines designs procured and being constructed.
C4	Structure Plan is in place, this cell was live zoned for residential via Plan Change 13. Application granted for 65 lots. Subdivision for the northern block of this C4 area has been applied for granted and now signed off for 224. This has been found not to trigger other infrastructure projects necessary, such as the C4 water main upgrades which will need to be done once the southern portion of the cell becomes online, although these costs have been factored into the Development Agreements to date with initial developers. Roundabout necessary has had a conceptual design completed, which has enable staff to enter land acquisition phase, which has met with all effected land owners as result. Valuations to now proceed.
C5	Zoned deferred residential and scheduled for development post-2035. Has received some initial developer interest and model runs requested for water supply and wastewater to

GROWTH CELL	STATUS UPDATE
	allow some development. Results on the wastewater model runs have shown wide spread downstream effects tapping into the existing infrastructure within Leamington, which means a potential bypass rising main will likely be necessary, Tap in point is yet to be quantified, but there is a pathway forward. Stantec are reviewing traffic modelling and looking at what upgrades to the transportation network are necessary. Will require private plan change to enable this cell.
C6	Large lot residential approximately 80% developed. No change as per previous update.
C7	No Structure Plan. Earmarked for residential development post 2035. Due to stormwater management issues, half of the cell might need to be large lot residential.
C8	Industrial zoned. Approximately only 15% developed. Council has provided water and wastewater connections to the south east corner of this area. Refer to Plan Change 17, which has been delayed due to scope challenge being accepted. Council have undertaken the Basin design to help enable the cells development.
C9	Deferred industrial zoned (posted 2035). Approximately only 15% developed. Refer to Plan Change 17 which has been delayed due to scope challenge being accepted.
C10	Identified for industrial development, a structure plan was approved for the 60Ha Bardowie Investments Ltd portion of the cell. Within this structure plan 35ha is currently being stage developed to accommodate the new APL manufacturing facility. Collector road and roundabout designs as well as water and wastewater construction have commenced/completed to enable wider development of this cell. Master planning refinement necessary given developer aspirations sent through to wider C10 land owners for comment (Fonterra and Bourke's), which has led to a plan change being prepared for the Fonterra portion of the land. Agreements with BIL based on feedback are progressing to enable existing C10 industrial operations to function as per the structure plan.
C11	No Structure Plan. Earmarked for large lot residential development post 2035. Zoning may be reviewed in Plan Change 21.

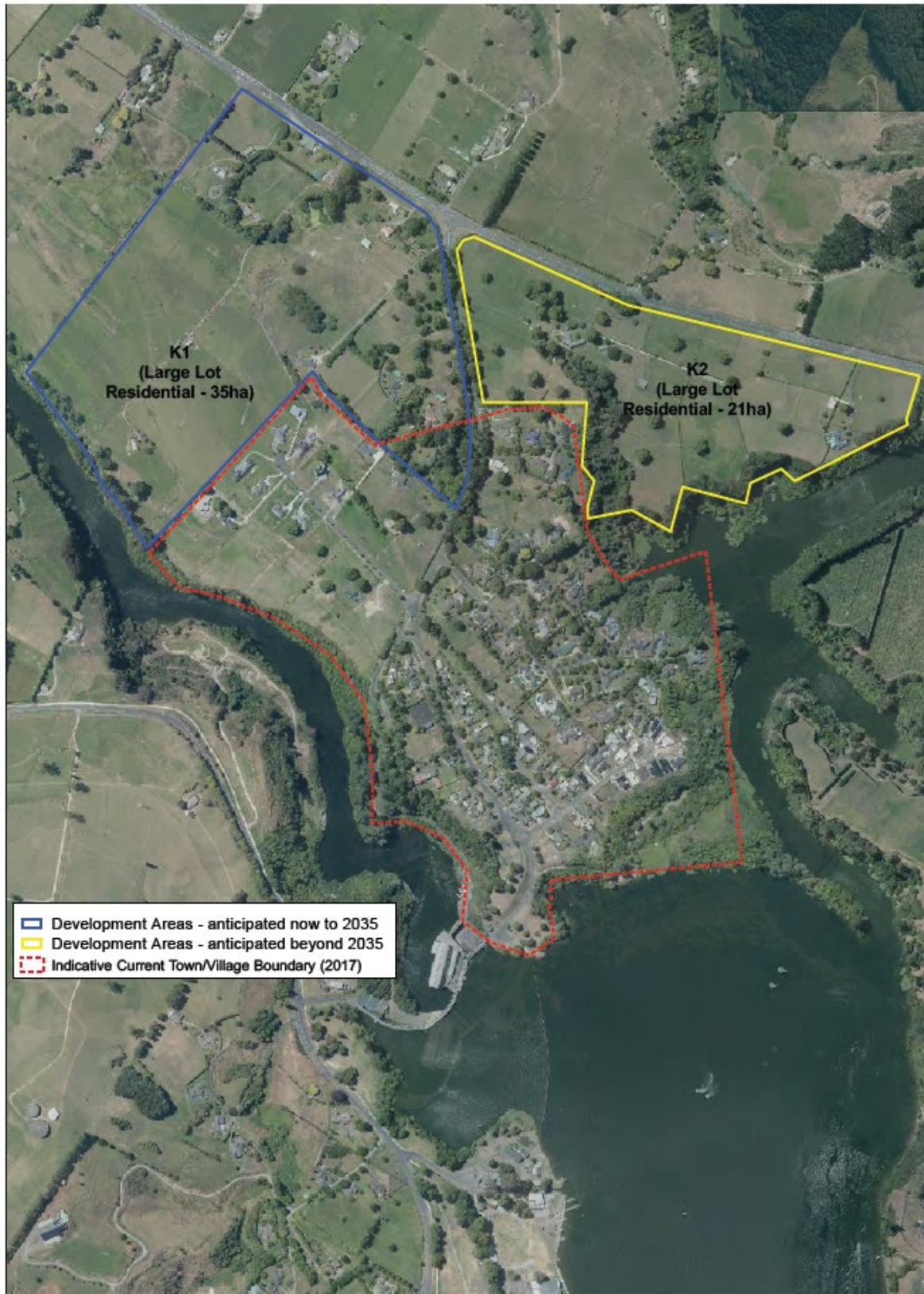
## HAMILTON AIRPORT GROWTH CELLS



GROWTH CELL	STATUS UPDATE
Titanium Park	<p>Airport business zoned with structure plan. Approximately 95% is developed. Have received application and design plans for Ingram Road connection, finalising road layout of the establishing full connection between the western hubs.</p> <p>Development of the water supply upgrades within the older Ingram road area is being scoped and developed into a design and build with Camex, at the airport expense (as per 2009 agreement).</p>
Meridian 37	Industrial zoned approximately 50% developed.
Montgomery Block (northern precinct) extension	<p>Currently rural zoned. Private Plan Change 20 for the northern airport extension is being processed with a hearing scheduled. Potential implications for the sub-regional wastewater facility and roading connections will be assessed through the plan change.</p> <p>Hearing has finished, awaiting decision of the commissioner.</p>



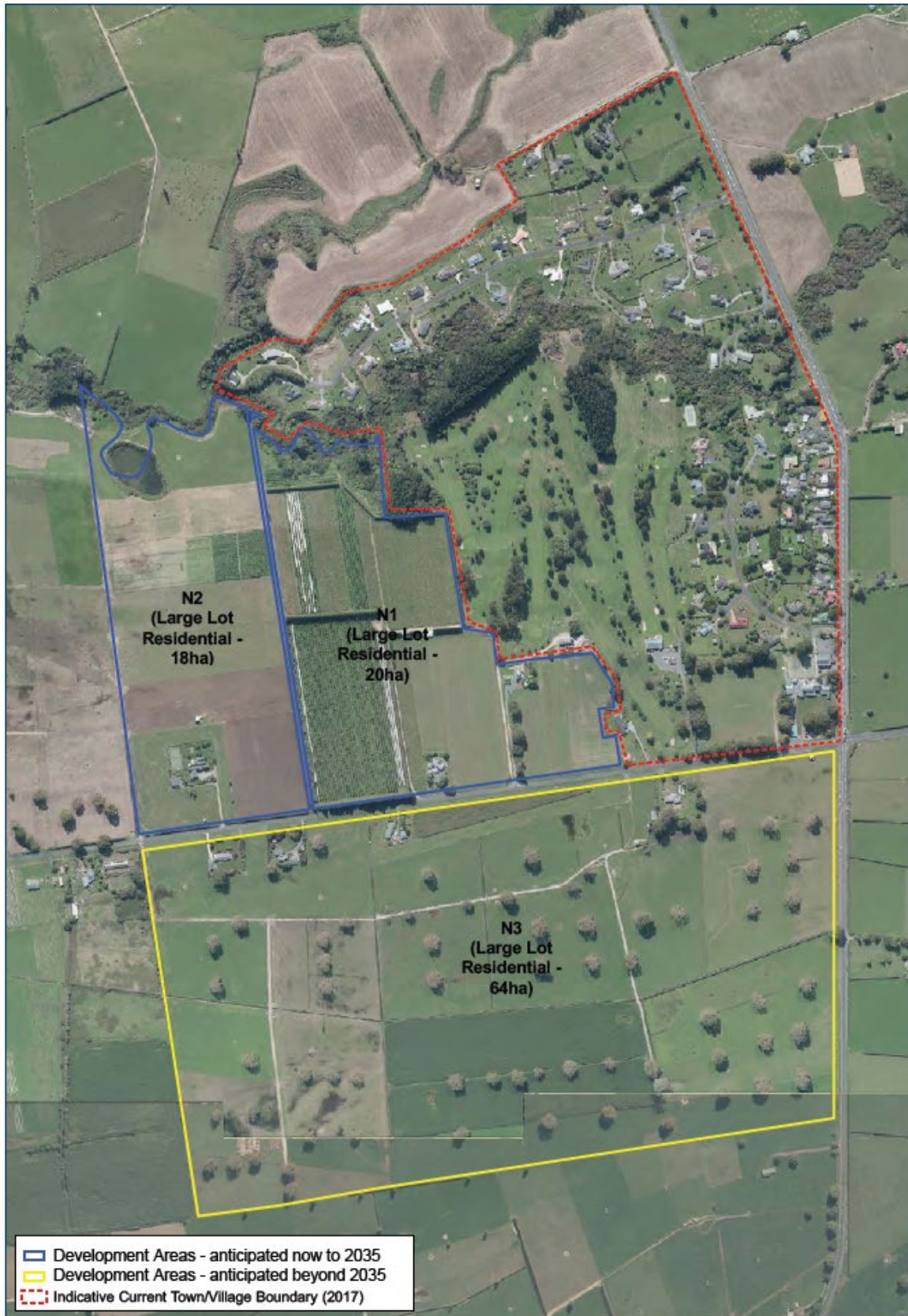
## KARĀPIRO GROWTH CELLS



GROWTH CELL	STATUS UPDATE
K1	Zoned large lot residential. There is no current structure plan. As part of Ahu Ake, the area may receive a concept plan to help inform the structure plan at a later date. Main reason for this directive is the Waka Kotahi highway diversion project.
K2	Zoned deferred large lot residential. This cell is earmarked for development post 2035. As part of Ahu Ake, the area may receive a concept plan to help inform the structure plan at a later date. Main reason for this directive is the Waka Kotahi highway diversion project.



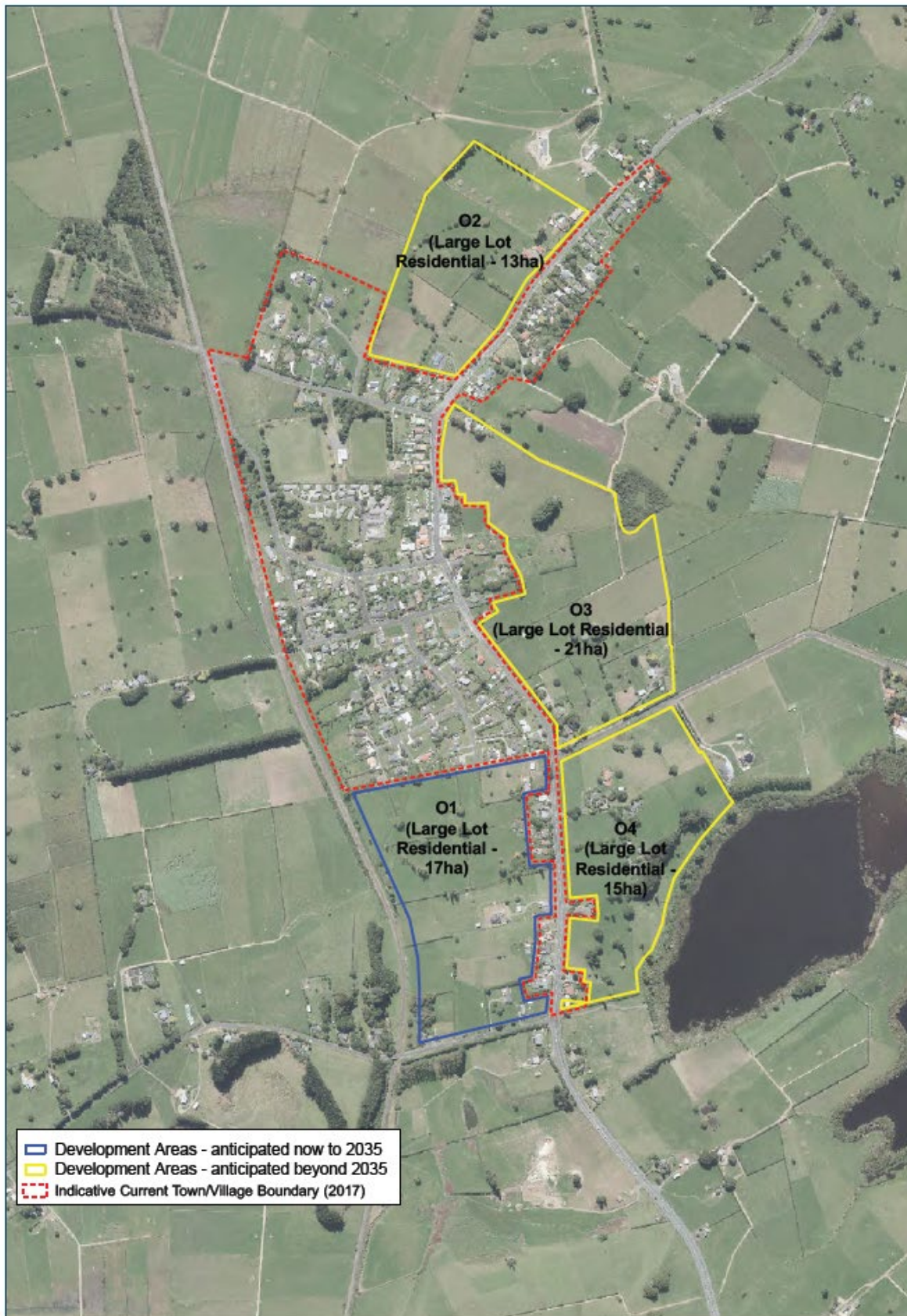
### NGAHINAPOURI GROWTH CELLS





GROWTH CELL	STATUS UPDATE
N1	Zoned large lot residential. There is developer led structure plan for this cell and development is proceeding with the first stage completed and mostly sold. Further stages of its development are likely proceeding as expected.
N2	Zoned large lot residential, this cell is earmarked for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status. Development of a structure plan is underway as part of the Town Concept Plan.
N3	Zoned deferred large lot residential. This cell is earmarked for development after 2035 however a structure plan is underway for completeness, along with N2. Interest from developer and initial meetings to develop this site is known, working on the proposed roundabout trigger.

## OHAUPŌ GROWTH CELLS



GROWTH CELL	STATUS UPDATE
O1	This cell is zoned large lot residential with a structure plan and is approximately 95% developed. Ahu Ake identified the potential intensification of Ōhaupō to subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.
O2	Zoned deferred large lot residential, this cell is earmarked for development post 2035. Ahu Ake identified the potential intensification of Ōhaupō to subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.
O3	Zoned deferred large lot residential, these cells are earmarked for development post 2035, but has been confirmed in the Future Proof Strategy for earlier development. (see O4 comment). Ahu Ake identified the potential intensification of Ōhaupō to subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.
O4	There is landowner interest in relation to proposed development and intensification of this cell and part of O3. Earmarked for development post 2035, but has been confirmed in the Future Proof Strategy for earlier development. Ahu Ake identified the potential intensification of Ōhaupō to subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.



## PIRONGIA

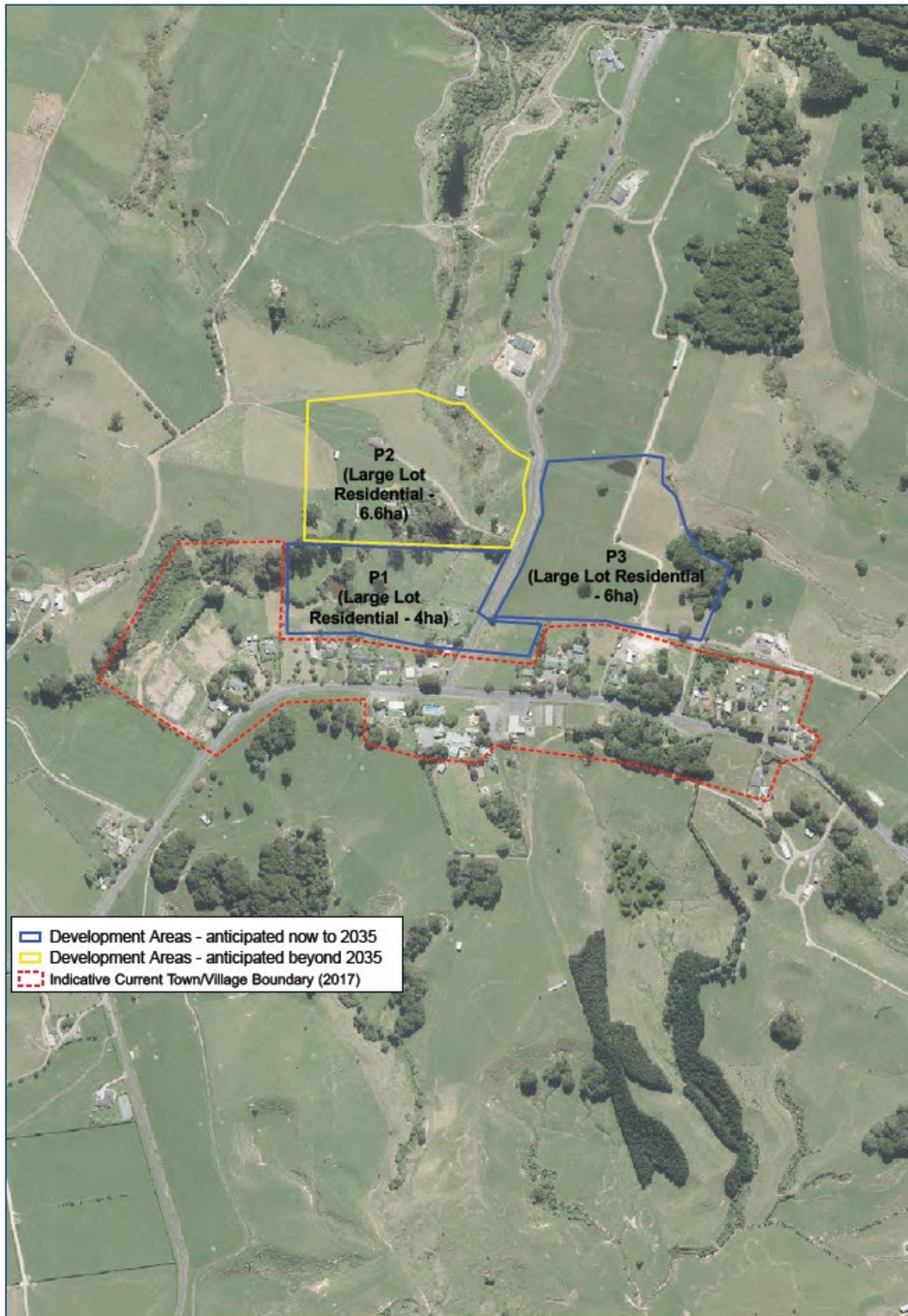
There is no staging of growth areas within Pirongia as all growth has been identified as being within the current town boundaries.



GROWTH CELL	STATUS UPDATE
N/A	Development is continuing in the south east corner and potentially in the south west area. Application received for southwestern block, which has run a model of water supply to indicate functionality, still progressing through its consent, but has several points at detail design phase which need to be worked through.



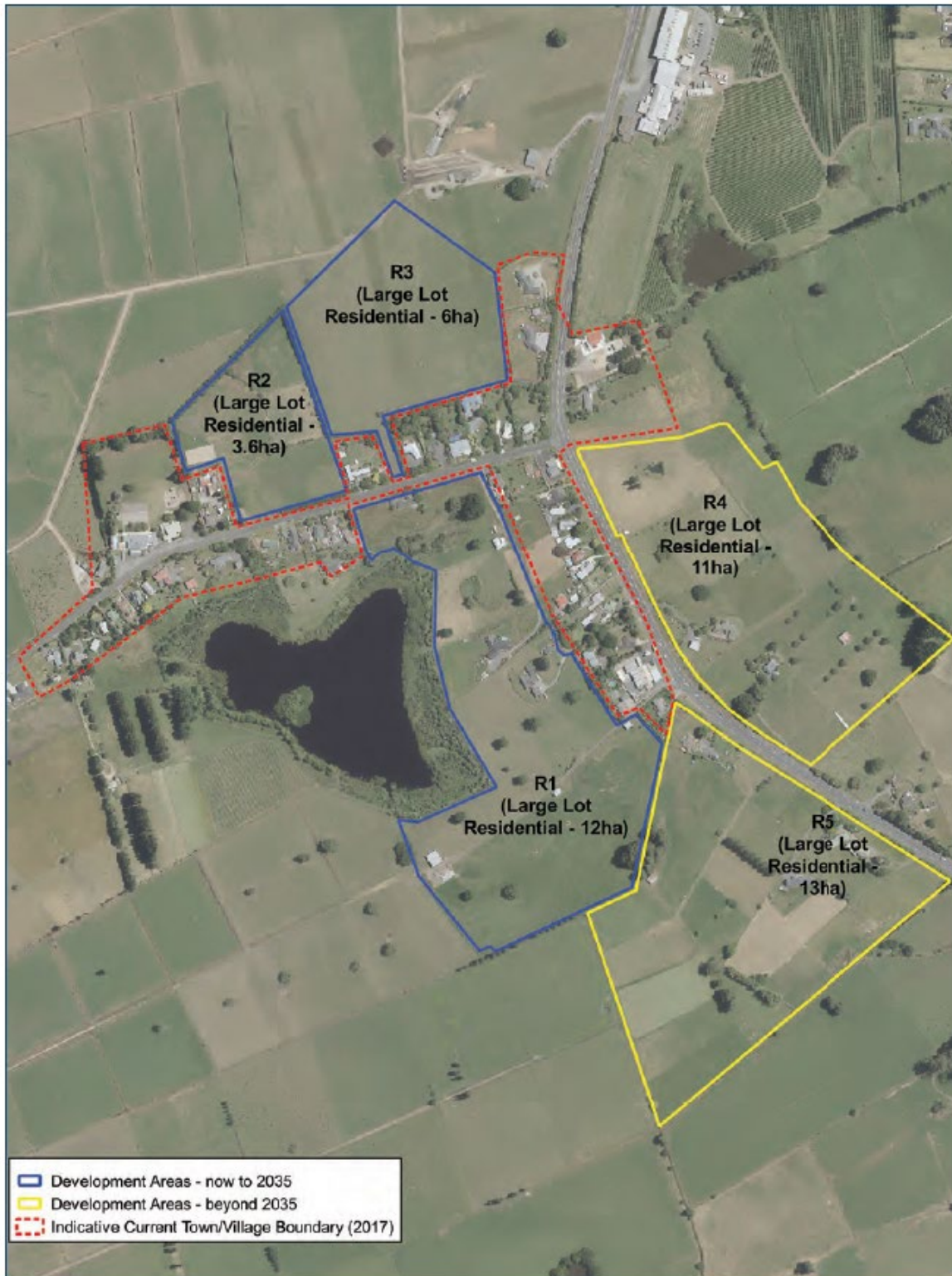
## PUKEATUA GROWTH CELLS



GROWTH CELL	STATUS UPDATE
P1	Zoned large lot residential, this undeveloped cell is available for development subject to landowner and developer interest.
P2	Zoned deferred large lot residential, this cell is earmarked for development post 2035.
P3	Zoned large lot residential, consent has been lodged with design incorporating connectivity via footpath (maybe pedestrian calming facilities as well) to the school.



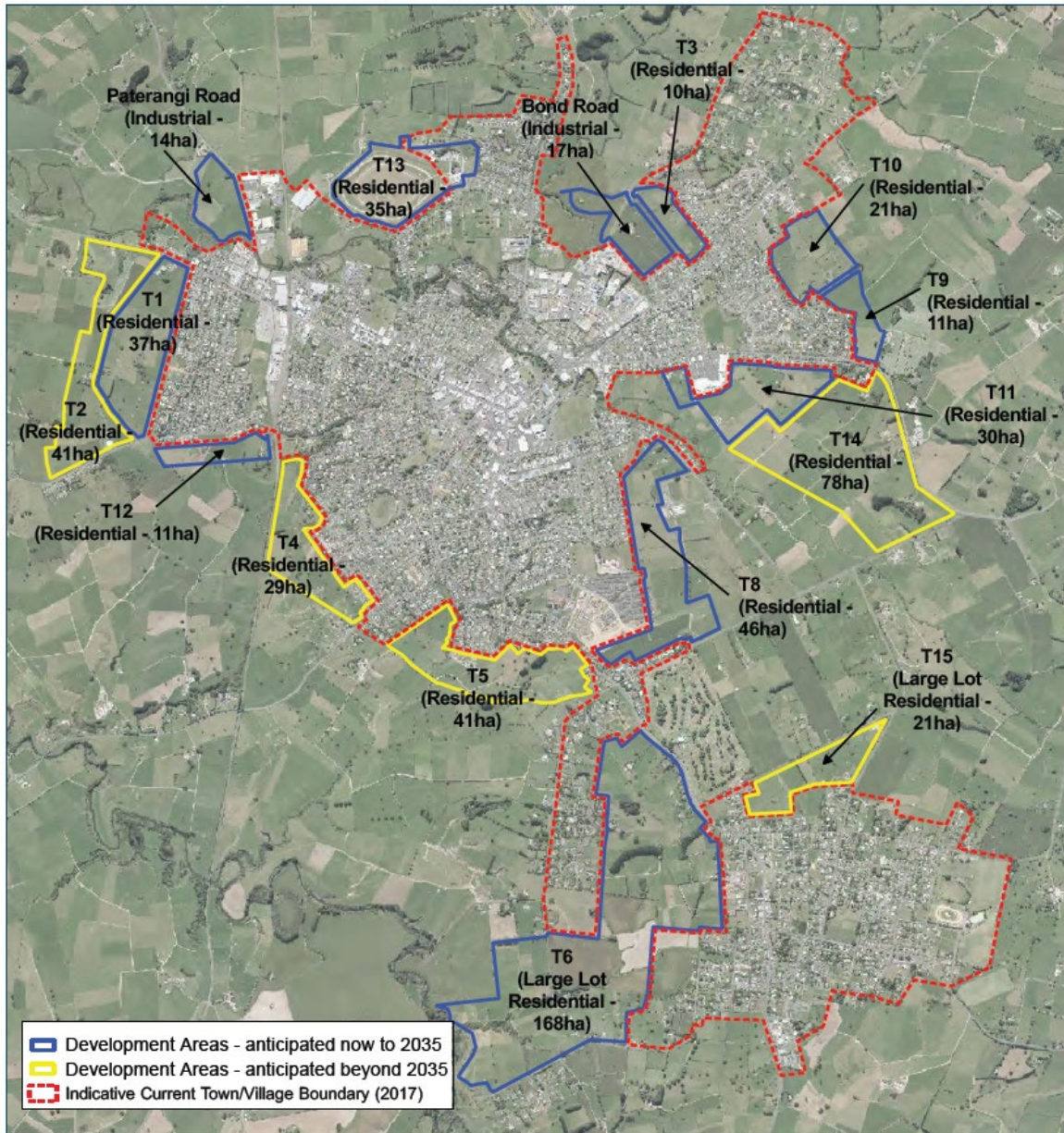
## RUKUHIA GROWTH CELLS



GROWTH CELL	STATUS UPDATE
R1	Zoned large lot residential, this largely undeveloped cell is available for development currently subject to landowner and developer interest. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic master plan for the area.
R2	Zoned large lot residential, this undeveloped cell is available for development currently subject to landowner and developer interest. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic master plan for the area.
R3	Zoned large lot residential, this undeveloped cell is available for development currently subject to landowner and developer interest. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic master plan for the area.
R4	Zoned deferred large lot residential, this cell is earmarked for development post 2035. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic master plan for the area.
R5	Zoned deferred large lot residential, this cell is earmarked for development post 2035. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic master plan for the area.



## TE AWAMUTU AND KIHIKIHI GROWTH CELLS

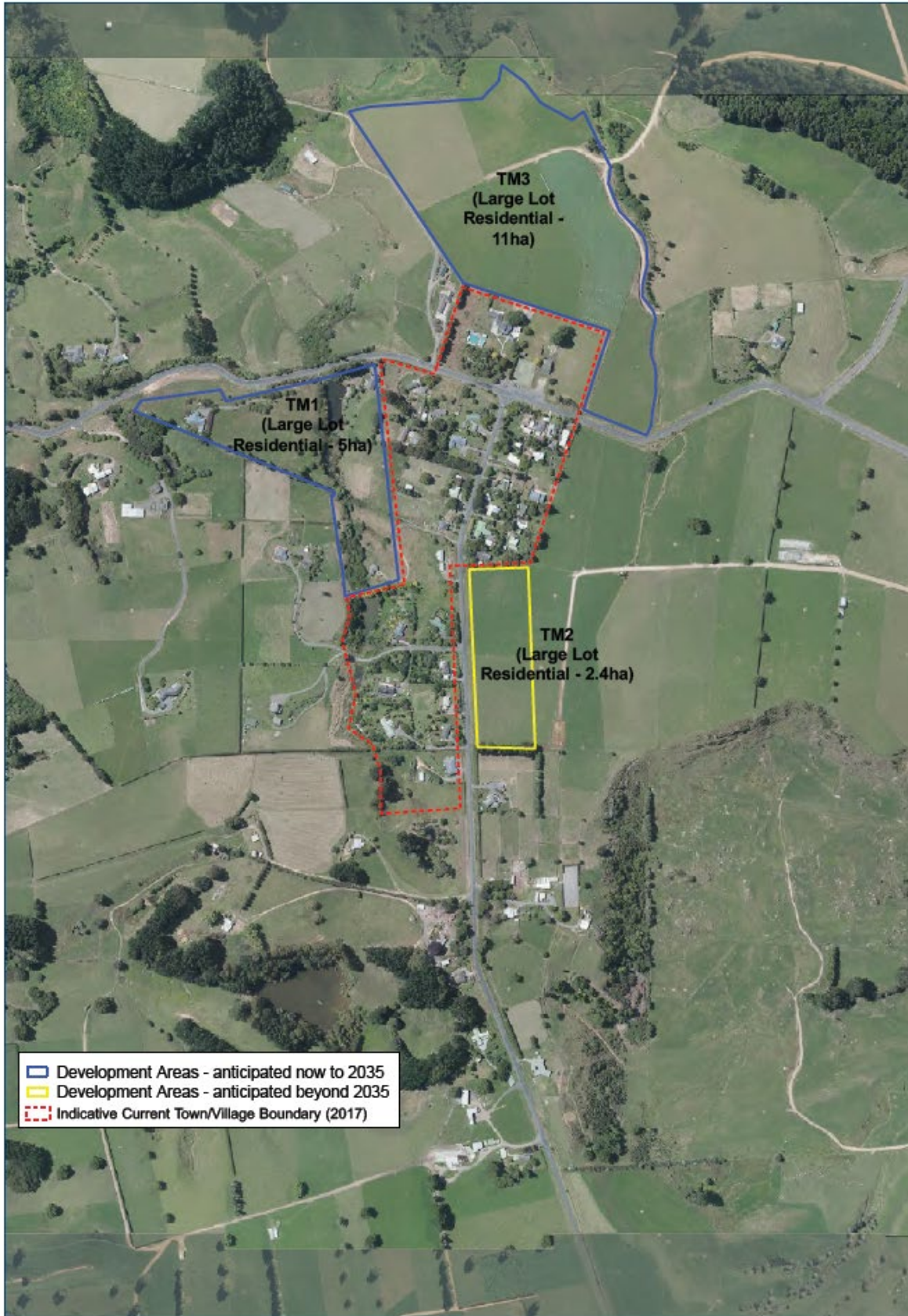


GROWTH CELL	STATUS UPDATE
T1 (20%)	Has a development plan and is zoned residential. This entire growth cell is currently being developed. Stages 1-4 are either developing lots or building houses. Expect year on year ~40 new lots from said development for the next 3 - 4 years. Development looks to have ceased on site for this construction season, although late in December correspondence from the developer was provided.
T2	Zoned deferred residential, uplifted over the southern part of the cell by Plan Change 12. Application granted, subject to conditions of consent, southern block also includes retirement village complex, which Sandersons has sold to different retirement health care provider (Arvida), expect wider PPC for their northern development to occur. Section 127 of the T2 initial subdivision has been received which alters the staging to alignment more with current market. IWA has been signed for the first portion of frontier road urbanisation project and is almost finalised.
T3	Zoned deferred residential, this growth cell has been split into two. One half has been developed in accordance with the structure plan. The other has yet to have a structure plan developed but a pre-application meeting has been held with the landowner/developer. Expect some alignment with delivery of cell with Bond road industrial. The developer has recently started to communicate with Waikato Regional on their expected Stormwater devices, and have also submitted on the plan change 26 to look at avenues for intensification within the block.
T4	Zoned deferred residential, this growth cell is earmarked for development after 2035. Initial meeting with southern landowner has outlined the deferred status and how this cell is tied to the Western arterial road designation/construction. Landowner interest in a private plan change to rezone earlier.
T5	Zoned deferred residential, this growth cell is earmarked for development after 2035.
T6	Zoned for deferred large lot residential, this growth cell has a Council approved structure plan included in the District Plan by Plan Change 13. No funding for infrastructure has been included in the 2021 Long Term Plan. An updated structure plan is under consideration. Zoning may be reviewed as part of Plan Change 21.
T8	Most of this growth cell has an approved structure plan and is now zoned residential. Stage 1 and approximately 30% of the growth cell is currently being developed. The park within the initial Swarbrick drive extension is now opened for the residents and wider T7 (previous catchment)
T9	This growth cell is zoned residential and has an approved structure plan. Approximately 50% is currently being developed for housing. More stages and applications likely to come once roundabout is constructed for T9/T14. A lot of complications between developers and land owners on this, which are slowly seeing a path way forward.  A report will be taken upon in may surrounding potential road name changes. This is being explored to help with the acquisition of land within this area.
T10	This growth cell is zoned residential and ready for landowner and developer resource consent applications for its development. No interest to date this year.
T11	Zoned deferred residential (uplifted by Plan Change 13), with a Council endorsed structure plan. Landowners and developers in discussion on resource consent applications for a subdivision. No funding for infrastructure has been included in the 2021 Long Term Plan, Government's Infrastructure Acceleration Fund has not been accepted to the next phase and will now need to be developer funded. Application has also been lodged and is being processed through initial 77 lots and funding allocated for WWPS. The WWPS is undergoing some tweaks to align with councils overall wastewater strategy for this area.  Expect delays with this development given the current market. Indicative time frames for development is a delay of 11 months, may alter some of council projects timing as result.

GROWTH CELL	STATUS UPDATE
T12	Zoned deferred residential, development is not anticipated until after 2035. Approximately 50% of the cell has existing residential development.
T13	Zoned deferred residential, this growth cell is unlikely to be developed until after 2035.
T14	Zoned deferred residential, this growth cell is unlikely to be developed until after 2035.
T15	Zoned deferred large lot residential, a development plan has been prepared for much of this growth cell by the majority land owner who has been issued with subdivision consent staged. Water connections were requested, but as this area is consented without them and the infrastructure is in a poor state, connections are likely not to be granted.
Bond Road	Zoned for industrial development with approximately 70% of the northern portion developed. There is owner/developer interest in the southern portion as well as 808 and 836 Bond Road. Stormwater design has commenced that will service proposed and existing stormwater catchments.
Paterangi Road	Zoned a mix of live and deferred industrial.



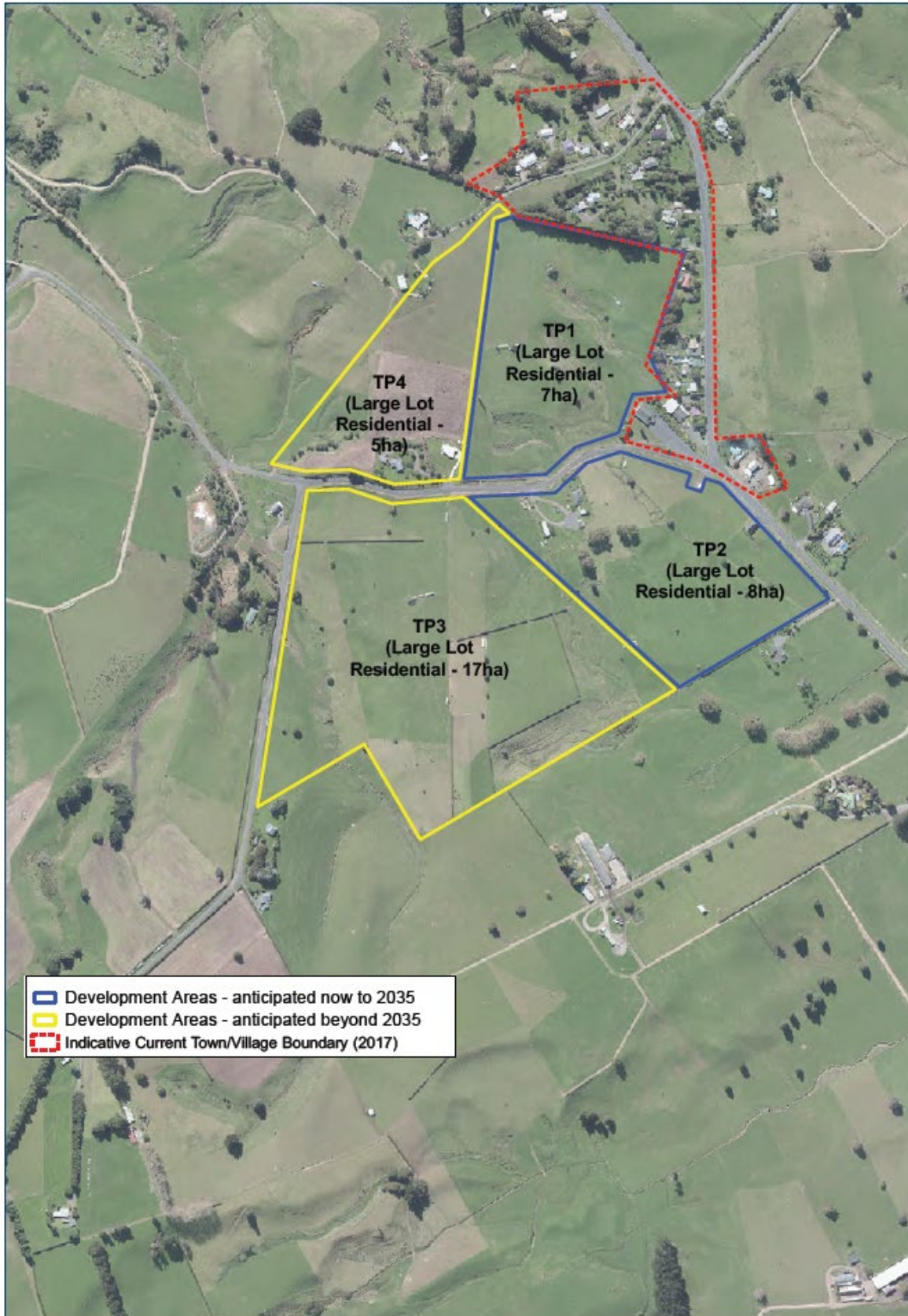
### TE MIRO GROWTH CELLS



GROWTH CELL	STATUS UPDATE
TM1	Zoned large lot residential, this largely undeveloped cell is available for development subject to landowner and developer interest.
TM2	Zoned deferred (post 2035) large lot residential, this undeveloped cell is available for development subject to landowner and developer interest.
TM3	Being developed via resource consent, zoned large lot residential.



### TE PAHU GROWTH CELLS



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

## APPENDIX 2: CURRENT MAJOR RESOURCE CONSENT APPLICATIONS IN PROCESS

**Notes:** This list shows the current major / complex applications only.

LODGED & IN PROGRESS (public information)					
No.	Applicant / Agent	Address	Proposal	Status/Key points	Planning / Engineering Contacts
LU/0023/23	Inghams Motor Group BCD Group	26 Lake Street, Cambridge	Establish a car dealership, showroom and workshop within the Cambridge B Character Precinct Area dispensing with various Commercial Zone and Transportation performance standards.	<b>On-hold:</b> Request for further information issued	Chris Dawson – Bloxam Burnett & Olliver
LU/0020/22	Rukuhia Land Company Limited Mitchell Daysh	3558 Ohaupo Road RD 2 Ohaupo 3882	Proposal to operate a sand Quarry in the Rural Zone.	<b>On-hold:</b> Request for further information issued	Victoria Gorter
LU/0100/22	Beacon Hill Contracting Mitchell Daysh	599 Oreipunga Road	Unlawfully operating sand Quarry in the Rural Zone.	<b>On-hold:</b> Request for further information issued	Louise Cowan – 4Sight
LU/0259/22	GDP Orchards Limited Barker & Associates	383 Parallel Road, Cambridge	Construct vertical and horizontal (overhead) artificial shelter and Cryptomeria shelterbelts breaching setbacks and site coverage requirements in the Rural Zone.	<b>In process:</b> yet to make a notification determination	Christina Walker – 4Sight
LU/0323/21	Global Contracting Solutions Limited	401 Racecourse Road Te Awamutu 3800	Construct and operate plant to generate power through combustion of refuse derived fuel.	<b>On-hold:</b> Decision made that public notification is required. A date for notification has not been set.	Todd Whittaker – Planning Works Ltd
LU/0282/21 and SP/0166/21	Sloane Street Property Limited	5/235 Sloane Street Te Awamutu 3800	Establishment and on-going operation of a three-storey mixed-use development containing 5 commercial tenancies on the ground level and 12 residential units on the upper levels.	<b>On-hold:</b> Section 92 further information request sent	Tim Wilson (Kinetic Environmental)
LU/0239/19	Taotaoroa Quarry	Buckland Road (MMP DC)/	Extension of pit area and overburden area to expand quarry for 35 years.	<b>On-hold at Applicant Request:</b> S37 Issued	Hayley Thomas

LODGED & IN PROGRESS (public information)					
No.	Applicant / Agent	Address	Proposal	Status/Key points	Planning / Engineering Contacts
		Taotaoroa Road (WDC)		Concurrent application Waikato Regional Council and Matamata-Piako DC	
SP/0155/22 & LU/0249/22	Saddleback Planning Ltd	33 Abergeldie Way Cambridge 3493	Subdivide one lot into 87 residential lots, 2 access lots and a road to vest undertaken as two stages and a concurrent landuse consent (LU/0249/22) to undertake bulk earthworks and compact housing (24 dwellings) dispensing with multiple Residential Zone performance standards.	<b>On-hold:</b> Section 92 further information request sent	Hayley Thomas
SP/0153/22 & LU/0247/22	Barker & Associates	26 Sheehan Street Kihikihi Te Awamutu 3800	Subdivide one lot into 12 undertaken in three stages and a concurrent landuse consent (LU/0247/22) for infill housing and to dispense with multiple Residential Zone performance standards.	<b>On-hold at Applicant Request:</b> S37 Issued	Hayley Thomas
SP/0165/22 & LU/0275/22	JPW Consulting Ltd	1 Taylor Street Cambridge 3434	Subdivide one lot into 34 residential lots, road to vest and utility lot and concurrent landuse (LU/0275/22) for compact housing development.	<b>On-hold:</b> Section 92 further information request sent	Hayley Thomas

**APPENDIX 3: BUILDING CONSENTS ISSUED**

January 2023												
Project Type	Cambridge	No	Kakepuku	No	Maungatautari	No	Pirongia	No	Te Awamutu	No	Total Value	Total No
Alterations and Additions	\$57,000	2			\$50,000	1	\$45,000	1	\$35,000	2	\$187,000	6
Solid Fuel Heater					\$6,000	1					\$6,000	1
Retaining Wall									\$20,000	1	\$20,000	1
Garage									\$20,000	1	\$20,000	1
Dwelling	\$5,879,000	8	\$11,554,000	16			\$4,395,000	3	\$732,000	2	\$22,560,000	29
Commercial - Industrial	\$14,450,000	3	\$40,000	1	\$100,000	1			\$2,890,000	2	\$17,480,000	7
Pool	\$164,000	2			\$225,150	5			\$90,000	1	\$479,150	8
Transportable Dwelling	\$882,000	5									\$882,000	5
Implement Shed	\$45,000	1							\$55,000	1	\$100,000	2
Re-Sited Dwelling	\$50,000	1	\$100,000	1							\$150,000	2
Dairy Shed							\$331,000	1			\$331,000	1
<b>Grand Total</b>	<b>\$21,527,000</b>	<b>22</b>	<b>\$11,694,000</b>	<b>18</b>	<b>\$381,150</b>	<b>8</b>	<b>\$4,771,000</b>	<b>5</b>	<b>\$3,842,000</b>	<b>10</b>	<b>\$42,215,150</b>	<b>63</b>

February 2023												
Project Type	Cambridge	No	Kakepuku	No	Maungatautari	No	Pirongia	No	Te Awamutu	No	Total Value	Total No
Commercial - Industrial	\$6,250,000	4					\$1,950,000	2	\$298,000	4	\$8,498,000	10
Re-Sited Dwelling	\$25,000	1			\$60,000	1					\$85,000	2
Alterations and Additions	\$1,035,000	9					\$349,000	4	\$99,500	4	\$1,483,500	17
Transportable Dwelling	\$1,084,000	5					\$185,000	1			\$1,269,000	6
Implement Shed			\$100,000	1	\$321,000	3	\$326,000	2			\$747,000	6
Dwelling	\$7,842,000	6	\$6,256,000	10			\$2,500,000	3	\$785,000	1	\$17,383,000	20
Pool	\$50,000	1	\$56,672	1	\$60,000	1	\$100,000	2	\$75,000	1	\$341,672	6
Solid Fuel Heater			\$3,000	1			\$12,800	3	\$16,000	3	\$31,800	7
Garage	\$251,000	3					\$56,000	1	\$84,000	1	\$391,000	5
Retaining Wall			\$150,000	1							\$150,000	1
<b>Grand Total</b>	<b>\$16,537,000</b>	<b>29</b>	<b>\$6,565,672</b>	<b>14</b>	<b>\$441,000</b>	<b>5</b>	<b>\$5,478,800</b>	<b>18</b>	<b>\$1,357,500</b>	<b>14</b>	<b>\$30,379,972</b>	<b>80</b>



March 2023												
Project Type	Cambridge	No	Takepuku	No	Maungatautari	No	Pirongia	No	Te Awamutu	No	Total Value	Total No
Re-Sited Dwelling			\$105,000	2	\$20,000	1	\$240,000	2	\$180,000	2	\$545,000	7
Dwelling	\$4,355,000	8	\$715,000	1			\$3,540,000	6	\$10,520,000	9	\$19,130,000	24
Fence	\$10,286	2			\$7,400	1					\$17,686	3
Plumbing/Drainage	\$2,000	1							\$50,000	2	\$52,000	3
Transportable Dwelling	\$1,482,196	9									\$1,482,196	9
Commercial - Industrial	\$550,000	2	\$275,000	1					\$1,500,000	1	\$2,325,000	4
Pool	\$60,000	1					\$41,800	2	\$72,696	1	\$174,496	4
Marquee					\$4,000	1					\$4,000	1
Garage	\$125,000	1					\$69,000	1	\$119,000	2	\$313,000	4
Alterations and Additions	\$925,000	9					\$195,000	2	\$250,000	2	\$1,370,000	13
Implement Shed			\$88,000	2	\$280,000	2	\$80,000	1			\$448,000	5
Solid Fuel Heater			\$7,000	1	\$19,116	2					\$26,116	3
<b>Grand Total</b>	<b>\$7,509,482</b>	<b>33</b>	<b>\$1,190,000</b>	<b>7</b>	<b>\$330,516</b>	<b>7</b>	<b>\$4,165,800</b>	<b>14</b>	<b>\$12,691,696</b>	<b>19</b>	<b>\$25,887,494</b>	<b>80</b>

**APPENDIX 4: APPLICATIONS DETERMINED BY THE DISTRICT LICENSING COMMITTEE**

Applicant Name	Associated Premises (Trading Name)	Licence Type
<b>Club Licence</b>		
Te Awamutu & District Memorial R.S.A Incorporated	Te Awamutu & District Memorial R.S.A Incorporated	Club Licence Renewal
Te Awamutu Marist Incorporated	Te Awamutu Marist	Club Licence Renewal
Te Awamutu Rugby Sports and Recreation Club Incorporated	Te Awamutu Rugby Sports and Recreation Club	Club Licence Renewal
NGAHINEPOURI GOLF CLUB INCORPORATED	Ngāhinapōuri Golf Club Incorporated	Club Licence Renewal
Pirongia Rugby And Sports Club Incorporated	Pirongia Rugby and Sports Club Incorporated	Club Licence Renewal and Variation
Leamington Rugby Sports Club Incorporated	Leamington Rugby Sports Club	Club Licence Renewal
<b>Off Licence</b>		
LS & NJ McKenzie Limited	Cambridge New World	Off Licence Renewal
LS & NJ McKenzie Limited	Cambridge New World	Off Licence Renewal
<b>On Licence</b>		
Little things Hospitality Limited	St Kilda Cafe & Bistro	On Licence Renewal
Group One Turf Bar Limited	Group One Turf Bar	On Licence Renewal
Sila Thai Restaurant Limited	Sila Thai Restaurant	On Licence Renewal
Riverside Golf Limited	Tieke Golf Club	On Licence Renewal & Variation
TP & SE Holdings 1985 Limited	Indian Kohinoor Restaurant and Bar	On licence Renewal
Om Ganesh Shiv Sai Limited	The Redoubt Bar & Eatery	On Licence Renewal
Ōhaupō Community, Sport and Recreation Centre Trust	Ōhaupō Community Sport and Recreation Centre	On Licence Renewal
<b>Special Licence</b>		
Te Awamutu Golf Club Incorporated	Te Awamutu Golf Club (Sinea Garahy Engagement Party)	Special Licence
Hautapu Sports and Rugby Club Incorporated	Hautapu Sports and Rugby Club Incorporated (Molloys 50th Birthday)	Special Licence
Kihikihi Rugby Sports Club Incorporated	Kihikihi Rugby Sports Club (Wake for Phillip Howell)	Special Licence
Te Awamutu Marist Incorporated	Te Awamutu Marist (Fundraiser)	Special Licence
Te Awamutu Golf Club Incorporated	Te Awamutu Golf Club (Young Guns Golf Tournament)	Special Licence
Te Awamutu Rugby Sports and Recreation Club Incorporated	Te Awamutu Rugby Sports (2023 Premier Rugby Home Games)	Special Licence
Te Awamutu Golf Club Incorporated	Te Awamutu Golf Club (Open Country Suppliers Meeting)	Special Licence
Te Awamutu & District Memorial R.S.A Incorporated	Te Awamutu & District Memorial R.S.A. (Margaret Wild Memorial)	Special Licence
Te Awamutu Rugby Sports and Recreation Club Incorporated	Te Awamutu Rugby Sports Club (A night with NZ Legends Senior Rugby Fundraiser)	Special Licence
Onyx Restaurant Limited	Onyx Restaurant (Anzac day breakfast)	Special Licence
Te Awamutu Golf Club Incorporated	Te Awamutu Golf Club (Ambrose Tournament)	Special Licence
Northland Regional Water Ski Association	2023 New Zealand National Water Ski Champs	Special Licence

Applicant Name	Associated Premises (Trading Name)	Licence Type
<b>Managers Certificate</b>		
Ziegler Danielle Eileen	The Hidden Lake Hotel	Managers Renewal
Hopping Ashleigh Rose	Cambridge Raceway	Managers Renewal
Kaur Harmeet	good union	Managers Renewal
Collinson Shanice Kay	Circus Eatery	New Managers
Exley Maxine Milvia	Cafe Irresistible	New Managers
Kaur Sarnprit	Grocery Barn Cambridge	New Managers
Scott Alicia Louise	Joe's Garage Cambridge	New Managers
Singh Mehakdeep	Liquor Hut Cambridge	Managers Renewal
Parmar Vijay Singh	Bottle O Cambridge	Managers Renewal
Tapu Racheal Valasi	Joys Place	New Managers
Ridgway Holy Jean	The Clubhouse Sports	New Managers
Thornton Holly Grace	Cambridge Raceway	New Managers
Anderson Tracey Margaret	Ōhaupō Drinks Station	New Managers
Rai Raman	Shakespeare Liquor Centre	Managers Renewal
Cameron Hester Maria Catharina	Freshchoice Leamington	New Managers
Fell Laura Jayn	The Bottle O Cambridge	New Managers
Kumar Raman	Super Liquor Cambridge	New Managers
Anderson Brett John	Ōhaupō Drinks Station	New Managers
Kaur Harpreet	Grocery Barn Cambridge	New Managers
Roper Gwen Eileen	Fresh Choice Leamington	Managers Renewal
Wati Padma	The Coffee Club Cambridge	Managers Renewal
Kaur Parwinder	Supervalu Cambridge	Managers Renewal
Kaur Harpreet	Blackbull Liquor	Managers Renewal
Leiba Hayley Jade	Five Stags Leamington	New Managers
Reekers Tracey Dawn	Te Awamutu Club & Te Awamutu Association Football Club	Managers Renewal
Stewart Jaelin Max	Hidden Lake Hotel and Apartments	New Managers
Jella Chandrakantha	Blue Drops	New Managers
Bassett Samantha Louise	Windy Ridge Function Centre	New Managers
Chandler Kristen Louise	Fresh Choice Te Awamutu	New Managers
Costello Ashleigh Janet	Countdown Te Awamutu	New Managers
Fletcher Raewyne Wendy	Bottle O Kihikihi	New Managers
Nand Richa Wandani	The Coffee Club - Cambridge	Managers Renewal
Moorhouse Jonelle Debra	Rosenvale	Managers Renewal
Jamieson-te Huia Dyani Verna Shylo	Storyteller Bar & Eatery	Managers Renewal
Dufty Bridget	New World Cambridge	New Managers
Watson Danielle Jane	Alpino Restaurant	New Managers
Whittaker Gerard	Cambridge Racquets Club	Managers Renewal
Thurston Marc	New World Cambridge	New Managers
Miller Sandra Denise	The Lily Pad Cafe	New Managers
Li Vasiti	Good Union	New Managers
Singh Ranjit	Bottle - O Leamington	Managers Renewal
Reid Andrea Mary	Ngāhinapōuri Golf Club	New Managers

Applicant Name	Associated Premises (Trading Name)	Licence Type
Grewal Jasmeet Kaur	Joy's Place	Managers Renewal
Bright Jessica Lee	New World Cambridge	New Managers
Old Nikita Fay	Cambridge Raceway	Managers Renewal
Cho Jaehyung	Te Awamutu Pak'n'save	New Managers
Goble Michael William	Pak N Save	Managers Renewal
Shinde Rakshanda Shekhar	The Merchant Liquor	Managers Renewal
Reti Chara Puti Te Iri Mana	Merchants Liquor Store	Managers Renewal
Cho Jaehyung	Cambridge Distillery Co.	New Managers
Patel Ravindra Kumar	Red Berry Supermarket	Managers Renewal
Sheehan Emma Louise	Cambridge cosmopolitan club	Managers Renewal
Bao Yafei	Five Stags Restaurant and Bar	Managers Renewal
Maclard Danelle	Staples On Alpha	Managers Renewal
Kaewpraparn Konurai	Café Oasis	Managers Renewal
Wood Bruce Leonard	Ngāhinapōuri Golf Club	Managers Renewal
Pleskot Pavel	Alpha Street Kitchen & Bar	New Managers
Kohi Billie Madison	Firkin Sports Bar	New Managers
Balachandran Nagappan	Indian Kohinoor Restaurant & Bar	Managers renewal
<b>TEMPORARY AUTHORITY</b>		
Miller and Rowe Limited	The Lily Pad Cafe	Temp Auth
AS Grewal Hospitality Limited	St Kilda Cafe & Bistro	Temporary Authority

**APPENDIX 5: QUARTERLY STATISTICS**

	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
<b>Resource consents</b>					
Number of complaints	14	13	8		35
Number of compliance investigations	14	13	8		35
Number of breaches detected	3	2	1		6
Number of abatement notices issued	0	0	0		0
Number of infringement notices issued	0	0	0		0
Number of warning letters issued	3	13	1		17
<b>District Plan</b>					
Number of complaints	106	89	88		283
Number of compliance investigations	106	89	88		283
Number of breaches detected	26	18	15		59
Number of abatement notices issued	2	0	0		2
Number of infringement notices issued	0	0	0		0
Number of warning letters issued	26	18	15		59
<b>Bylaw – vehicle parking</b>					
Parking complaints	69	71	58		198
Infringement tickets	99	93	9		201
Warning letters	0	0	0		0
<b>Bylaw – illegal dumping</b>					
Dumping complaints	22	20	34		76
Infringement notices	12	9	9		30
Warning letters	0	0	0		0
<b>Bylaw – trees overhanging footpath</b>					
Tree complaints	0	7	17		24
Warning letters	0	7	17		24
<b>Bylaw – long grass (fire hazard)</b>					
Long grass complaints	0	0	0		0
Warning letters	0	0	0		0
<b>Resource Management Act / Bylaw – signs</b>					
Illegal signs removed	0	0	0		0

		1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
<b>Noise</b>						
Excessive noise complaints	Total (all wards)	143	232	220		595
	CB/Maungatautari	83	130	106		319
	TA/Kakepuku	59	99	112		270
	Pirongia	1	3	2		6
Unreasonable noise complaints		33	22	43		98
Abatement notices issued		0	0	0		0
Infringement notices issued		0	0	0		0
Written noise directives issued		11	42	36		89
Verbal noise directives issued		33	17	21		71
Stereo equipment seizures		1	1	0		2
<b>Bylaw – fire and smoke</b>						
Fire and smoke complaints		5	15	17		37
<b>Bylaw – other nuisance complaints</b>						
Nuisance complaints		7	7	17		31
<b>Animal control</b>						
Total complaints and requests for service		978	810	755		2543
Aggression complaints		16	6	12		34
Attack or bite on animal		12	10	12		34
Attack or bite on child		0	0	0		0
Attack or bite on adult		6	8	5		19
Barking		92	101	102		295
Breach of bylaw	Dog off lead	6	5	7		18
	Fouling in public place	2	0	1		3
	Dog in prohibited area	3	1	0		4
	Multi dogs on property	1	2	2		5
	Aggression at boundary	0	0	0		0
Bin or sign requests / maintenance		42	62	52		156
Classified Dogs – non-complying		0	0	0		0
Rushing in public		7	7	8		22
Dog worrying stock		4	2	1		7
General info / admin		520	338	314		1172
Lost / found dog notifications		44	64	50		158
Welfare		7	16	13		36
Unregistered		6	5	4		15
Wandering		192	161	161		514



	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Stock on roads / trespassing / lost	17	19	10		46
Stock - other (e.g. Welfare of stock)	1	3	1		5
<b>Animal control – Dogs (*Registration process commenced in May)</b>					
Registered (total)	8859	9196	9407		9407
Un-registered (total)	507	270	127		127
Impounded	89	68	54		211
Re-homed <sup>1</sup>	9	6	1		16
Claimed <sup>1</sup>	70	49	43		162
Euthanased <sup>1</sup>	7	7	3		17
Stolen / escaped	0	0	0		0
In pound / foster care at end of quarter (total)	3	6	7		7
Menacing dog classification (total)	144	141	145		145
Dangerous dog classification (total)	7	7	7		7
Infringement notices issued *	36	44	22		102
<b>Food and health premises</b>					
Food / premises complaints	4	1	10		15
Registered food control plans (total)	232	229	234		234
Registered national programs (total)	83	87	82		82
Outstanding food and health premises registrations / inspection fees (total)	39	38	14		14
Food Act audits	51	56	34		141
Non-compliances	1	0	0		1
Infringements	0	0	0		0
Improvement/other notices	1	0	0		1
Registered health premises	64	81	70		70
Health premises inspections	7	3	2		12
<b>Alcohol licensing</b>					
Licensed premises complaints	0	0	2		2
Premises visits (excluding CPO)	13	58	26		97
Controlled purchase operations (CPO) <sup>2</sup>					
- Premises visited	38	0	0		38
- Premises with breaches detected (selling alcohol to minors)	1	0	0		1

<sup>1</sup> Provisional figures pending outcome of dog registration process /dogs currently impounded.

<sup>2</sup> Operations in conjunction or undertaken by NZ Police and/or DHB.

	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Check food availability operation <sup>3</sup>					
- Premises visited	0	0	0		0
- Premises with breaches detected	0	0	0		0
Number of current on-licences	73	73	73		73
Number of current off-licences	36	38	38		38
Number of current club licenses	29	29	29		29
Number of current BYO	1	1	1		1

<sup>3</sup> Operations in conjunction or undertaken by DHB.

**APPENDIX 6 – SUBMISSION TO THE PARLIAMENTARY SELECT COMMITTEE ON  
THE WATER SERVICES ECONOMIC EFFICIENCY & CONSUMER PROTECTION BILL**

# Submission

**Water Services Economic Efficiency & Consumer  
Protection Bill**

**February 2023**



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## **WATER SERVICES ECONOMIC EFFICIENCY & CONSUMER PROTECTION BILL**

**By:** Waipā District Council

**Submission deadline:** 12 February 2023

**Authority:** Council endorsed submission (Council meeting held 7 February 2023)

**Format:** Submitted electronically

**Hearing:** Council does not wish to be heard

**Link to document:**

<https://www.legislation.govt.nz/bill/government/2022/0192/latest/096be8ed81cdb8db.pdf>

10958218

## **Water Services Entities Bill**

**By: Waipā District Council**

### ***Introduction***

Waipā District Council (the Council) welcomes the opportunity to provide comment on the Water Services Economic Efficiency & Consumer Protection Bill (the Bill).

### ***General Comments***

Waipā District Council wishes to formally endorse the submission provided by the Communities for Local Democracy in its entirety (attached).

# Submission

to

**Finance and Expenditure  
Select Committee**

on

**Water Services Economic Efficiency  
and Consumer Protection Bill**

**February 2023**



## 1. Introduction

1.1 Communities 4 Local Democracy - He hapori mō te Manapori (“C4LD”) welcomes the opportunity to submit on the Water Services Economic Efficiency and Consumer Protection Bill 2022 (the “Water Efficiency Bill”).

1.2 C4LD continues to oppose the expropriation without compensation of council Three Waters assets. In our submission on the Water Services Entities Bill (now Act) we made that submission strongly and advanced an alternative reform proposal that would respect council property rights and better preserve local voice. However, C4LD acknowledged that under its alternative model some form of economic regulation would likely be required given the natural monopoly characteristics of water infrastructure services.

1.3 Accordingly, C4LD makes the present substantive submission on the Water Efficiency Bill in the event that the Water Services Entities Act survives the General Election or is replaced after the General Election with an alternative approach similar to that proposed by C4LD.

1.4 C4LD is a coalition of like-minded territorial and unitary local authorities formed to develop and propose a set of reforms to Three Waters policy settings that will deliver similar outcomes to those proposed by the Government whilst respecting community property rights and local voice.

1.5 The 30 participating councils are:

1. Far North District Council;
2. Kaipara District Council;
3. Whangarei District Council;
4. Matamata-Piako District Council;
5. South Waikato District Council;
6. Thames-Coromandel District Council;
7. Waipa District Council;
8. Kawerau District Council;
9. Opotiki District Council;
10. Whakatane District Council;
11. South Taranaki District Council;
12. Central Hawke’s Bay District Council;
13. Napier City Council;
14. Wairoa District Council;
15. Horowhenua District Council;
16. Manawatu District Council;
17. Ruapehu District Council;
18. Taranua District Council;
19. Masterton District Council;
20. Upper Hutt City Council;
21. Marlborough District Council;
22. Grey District Council;

- 23. Westland District Council;
- 24. Ashburton District Council;
- 25. Hurunui District Council;
- 26. Kaikoura District Council;
- 27. Mackenzie District Council;
- 28. Timaru District Council;
- 29. Waimakariri District Council; and
- 30. Waimate District Council.

1.6 All participating councils are the current owners of Three Waters assets on behalf of their respective communities. These assets have been bought and paid for by these communities over many generations. In all cases, C4LD participating councils wish to retain meaningful control and influence over the property that they own on behalf of their communities.

1.7 To be clear, C4LD supports reform of the Three Waters sector. Our disagreement with the Government is centred on its approach to asset reconfiguration in the sector. We do not disagree with achieving appropriate health and environmental outcomes nor do we disagree with ensuring local iwi and hapū have appropriate input into Three Waters decision-making at a local level.

1.8 C4LD considers that the Price and Quality Regulation (PQR) provisions in Part 2 of the Water Efficiency Bill largely, and mostly appropriately, mirror the equivalent provisions in Part 4 Commerce Act 1986 and Part 6 Telecommunications Act 2001. The drafting reflects the benefit and evolution in thinking from the third iteration of the PQR provisions across the three sets of industry regulation.

1.9 C4LD also supports introduction of specific consumer protection provisions, including minimum retail service quality requirements, consumer complaints resolution process requirements, and a mandatory consumer dispute resolution scheme (CDRS).

**1.10 A delegation from C4LD wishes to appear before the Select Committee to speak to its submission.**

## **2. Convergence of Regulatory Regimes should help Promote Regulatory Certainty and Predictability**

2.1 We agree with the Commerce Commission that “Utility-style regulation has worked well in New Zealand, Australia and the UK for the regulation of natural monopolies”.<sup>1</sup> The Commerce Commission’s experience with price-quality regulation of airports, electricity, gas and telecommunications (including fibre) under Part 4 of the Commerce Act and Part 6 Telecommunications Act should assist it to implement the new water PQR regime effectively.

<sup>1</sup> Commerce Commission, Submission on the Telecommunications (New Regulatory Framework) Amendment Bill, 2 February 2018, available at: [https://www.parliament.nz/resource/en-NZ/52SCED\\_EVI\\_74818\\_417/cfd31f6703174119dfa8111d98be0439f30b4ab48](https://www.parliament.nz/resource/en-NZ/52SCED_EVI_74818_417/cfd31f6703174119dfa8111d98be0439f30b4ab48).

2.2 The closer the proposed new PQR provisions in Part 2 of the Water Efficiency Bill are to Part 4 Commerce Act and Part 6 Telecommunications Act the greater the precedent value of decisions in each regime to the others, enhancing the level of regulatory certainty and predictability over time. A focus of our clause-by-clause assessment of the Water Efficiency Bill (see discussion below) is to make sure departures from existing precedent are appropriate and suitably justified.

2.3 C4LD agrees with the comments Transpower made about the importance of convergence of Part 4 Commerce Act and Part 6 Telecommunications Act<sup>2</sup> and consider that they equally apply to the addition of PQR in Part 2 of the Water Efficiency Bill e.g.:

*We consider that the operation of Part 4 style price regulation for copper and fibre access services has the potential to provide precedent for regulation of regulated suppliers under Part 4 Commerce Act, and vice versa. The proposal to adopt Part 4 style price regulation for fibre and copper access services, modelled on the IPP arrangements currently in place for Transposer, is consistent with our previous submission.*

*The Commerce Commission already draws on precedent from regulation under one Act for decisions under the other. For example, the UCLL and UBA TSLRIC price determination drew heavily on the Part 4 WACC Input Methodologies.*

...

*The closer the proposed new Part 4 style regulation for copper and fibre access services is to Part 4 regulation (and the specific IPP provisions, including grid upgrade approval) the greater the precedent value of decisions in each regime to other, enhancing the level regulatory certainty and predictability over time. The revised IMs (following completion of the current statutory IMs review) would also provide useful precedent for any IMs the Commission would be required to develop for copper and fibre access services.*

*We agree that "the design of the new fixed line regulatory framework should be consistent with utility-style regulation under Part 4 of the Commerce Act 1986 (the Commerce Act), unless there is a compelling reason to deviate from that framework". ...*

### **3. The Water Services Entities Act undermines the Potential Benefits of the Water Efficiency Bill**

3.1 We have previously canvassed that the new PQR regime is likely to fit clumsily, at best, with the introduction of the Water Services Entities Act.<sup>3</sup> The Water Services Entities Act precludes Water Services Entities (WSEs) from earning profits or providing dividends, a restriction that is not imposed on regulated suppliers in other industries. The profit ban means WSEs cannot benefit or be rewarded for improving efficiency, innovating or reducing

<sup>2</sup> Transpower, Telecommunications Act Review: Options Paper, 2 September 2016, at <https://www.mbie.govt.nz/dmsdocument/1167-transpower-tar-options-paper-sub-pdf>

<sup>3</sup> Communities 4 Local Democracy, Submission to Ministry of Business, Innovation & Employment, Re: Submission on Economic Regulation and Consumer Protection for Three Waters, 20 December 2021. available at: <https://www.mbie.govt.nz/dmsdocument/19179-commerce-commission-economic-regulation-consumer-protection-for-three-waters-services-nz-submission>.

costs. As Nobel Prize winner John Hicks has observed: “The best of all monopoly profits is a quiet life.”<sup>4</sup>

### 3.2 C4LD’s advice from Castalia still applies e.g.:<sup>5</sup>

*“Conventional [PQR] works by channeling ... profit-seeking incentives towards publicly beneficial ends. However, the WSEs for New Zealand will be not-for-profit and will have a range of socio-cultural objectives to meet that cannot be measured easily with typical financial and economic toolkits used by regulators.”*

*“... it is unusual for water utilities to provide a range of potentially competing sociocultural objectives, and for the entity to be subjected to price-quality economic regulation (that is, regulation aiming to broadly improve consumer welfare and service efficiency).”*

*“It is important for policy-makers to understand the core function of economic regulation, and how using price-quality regulation for not-for-profit, government-owned water utilities is rare. Evidence suggests that the performance of economic regulation for public-owned water utilities is poor, with few exceptions. Therefore, when considering how to use economic regulation for publicly-owned water utilities, MBIE, and other government policy-makers should take care.”*

*“... in profit-seeking entities, the management has an incentive to reduce costs because cost savings translate into higher profits.*

*“However, the WSEs do not have a profit motive. There will be no commercial incentive to reduce costs (or increase revenues). Managers will receive no rewards for innovating, finding ways to save resources, or the myriad of other efficiencies that profit-maximising managers might identify. In fact, managers might even be incentivised to increase some costs ...”*

3.3 One of the implications of the not-for-profit incentives is that there may be greater benefits from information disclosure and use of benchmarking to lift performance than from price regulation. We agree that “Given the lack of profit motive, price-quality regulation will play a lesser role in the water sector but may add some additional benefit, above information disclosure regulation alone, for example, in driving efficiency gains”.<sup>6</sup>

3.4 We also agree with MBIE that “‘quality only’ regulation ... is arguably most appropriate when ... regulated suppliers have limited ability or incentive to charge excessive prices”<sup>7</sup> which will be the case for the not-for-profit WSEs.

<sup>4</sup> Hicks, J. R., Annual Survey of Economic Theory: The Theory of Monopoly, *Econometrica*, Volume 3, Issue 1, January 1935, page 8.

<sup>5</sup> Castalia, Improving three Waters Regulatory Regime, December 2021, available at: <https://www.mbie.govt.nz/dmsdocument/19179-commerce-commission-economic-regulation-consumer-protection-for-three-waters-services-nz-submission>.

<sup>6</sup> Hon David Clark, Minister of Commerce and Consumer Affairs, Economic Regulation and Consumer Protection in the Three Waters Sector”, 8 December 2022.

<sup>7</sup> Ministry of Business, Innovation & Employment, Economic Regulation and Consumer Protection for Three Waters Services in New Zealand, 27 October 2021.

#### 4. Heavy-handed Regulation has been Shoe-Horned into the Water Efficiency Bill to fix problems caused by the Water Services Entities Act

4.1 In C4LD's submission in response to the Water Services Entities Bill<sup>8</sup> we raised concerns about the implications of the reforms for funding and fiscal risk e.g.:

*"The reforms also increase fiscal risk because the Crown is providing a fiscal backstop for the four water service entities who will become some of the largest corporates in New Zealand. Given the weak accountability framework, the risks are elevated and it is possible that the Crown takes a more direct governance interest in the entities over time, further weakening local involvement (as has occurred overseas where similar reform models were experimented with)."*

*"Mega entities significantly increase Crown fiscal risk"*

*"... Significant risk will be transferred to the Crown without the typical control and accountability mechanisms."*

*"The mega entity borrowing programmes will ultimately be the Crown's responsibility if there is any risk of default."*

...

*"Council debts are effectively quarantined from the Crown. Creditors of a defaulting council can appoint a receiver to recover debts via special rates and, ultimately property sales (although no local authority has ever failed in New Zealand). Under the proposed mega entity model, the Crown will have a clearer obligation to step in. Therefore, it is conceivable that council and Iwi influence over the mega entity governance could be diluted in future were the Crown to ever have concerns about the mega entities' financial health. Indeed, central government stepped in to assert greater control occurred after similar mega reforms were undertaken in England and Wales in 1972 ..."*

*"In other words, a possible outcome of these reforms, once the increased Crown fiscal risk is made apparent (for example, during a period of high interest rates and significant debt repayment obligations), is that the Crown directly intervenes in the governance and management of the entities, since core Crown creditworthiness could be at stake...."*

4.2 It appears the drafting of the Water Efficiency Bill recognises the funding and fiscal risks created by the Water Services Entities Act and attempts to address them by introducing provision for more heavier-handed regulation than associated with orthodox PQR and significantly more heavier-handed than applies under either Part 4 Commerce Act or Part 6 Telecommunications Act.

4.3 C4LD does not support adoption of heavy-handed regulation, that goes beyond orthodox price control and can involve the regulator 'stepping into the shoes' of the regulated suppliers and directing how they should operate their businesses In particular, C4LD does not support introduction of:

<sup>8</sup> Communities 4 Local Democracy, Submission to Finance and Expenditure Select Committee on Water Services Entities Bill, July 2022, available at: [https://www.parliament.nz/resource/en-NZ/53SCFE\\_EVI\\_124081\\_FE7723/db2bba70192d02fe61e1a1b1c857397aaaa71a0d](https://www.parliament.nz/resource/en-NZ/53SCFE_EVI_124081_FE7723/db2bba70192d02fe61e1a1b1c857397aaaa71a0d).

- provisions (clauses 39(3) and 42(3)) that PQR may include performance requirements, “including any of the following: (i) requirements to adopt a particular approach to risk management: (ii) requirements in relation to the condition of assets and remaining asset life: (iii) requirements to make particular types of investment: ... (vi) requirements to adopt asset management policies and practices: ...”; and
- requirements to ring-fence revenue in a manner which may include a requirement not to spend the relevant funds without the approval of the Commerce Commission (clauses 39(5) and 42(5)).

## 5. What happens if the structural changes under the Water Services Entities Act are repealed or do not go ahead?

5.1 The way the Water Efficiency Bill is drafted would likely need to be significantly different if the Government had not introduced legislation to amalgamate and create four WSEs or if the Water Services Entities Act is repealed following the upcoming General Election e.g. Part 4 Commerce Act provides for a simplified/lower cost "default" PQR regime given there are 29 existing electricity networks (17 of which are presently operated under price control).

5.2 This was recognised in MBIE’s consultation on Economic Regulation and Consumer Protection for Three Waters Services in New Zealand:<sup>9</sup>

*“... price-quality regulation in New Zealand has tended to employ one of two forms:*

- *individual price-quality regulation for sectors with a few large suppliers (e.g. electricity transmission, fixed line telecommunications)*
- *lower-cost generic or ‘default’ price-quality regulation in sectors with a larger number of suppliers where individual price-quality regulation is likely to involve unreasonable administrative and/or compliance costs (e.g. electricity distribution where there are 17 suppliers subject to price-quality regulation).”*

## 6. Transitional arrangements need to take into account the upheaval involved in combining 67 different entities into four new Water Services Entities

6.1 C4LD is concerned the time-frames provided for the transitional arrangements in the Water Efficiency Bill could be overly ambitious. If the time-frames are too tight they could

<sup>9</sup> Ministry of Business, Innovation & Employment, Economic Regulation and Consumer Protection for Three Waters Services in New Zealand, 27 October 2021.



force the Commerce Commission to make trade-offs that could adversely affect the quality of the new regulatory rules.<sup>10</sup>

6.2 There will be considerable upfront work for the Commerce Commission to establish the new regulatory regime/and for the WSEs to prepare for the new compliance requirements. These challenges will be exacerbated if WSEs are going through a parallel merger process under the Water Services Entities Act.

6.3 For example, in relation to Information Disclosure, the Asset Management Plan (AMP) disclosure requirements will require the four WSEs to review pre-existing individual AMPs of each of the legacy Council utilities and develop new AMPs for the new entities. This alone will be a major undertaking but only represents one component of the compliance requirements under the Water Efficiency Bill.

6.4 There will also be an element of ‘learning to walk before you can run’. The Water Commissioner may need information provided under the new Information Disclosure regime to determine current water service quality levels and to set new water service requirements under quality-only regulation or PQR.

## 7. Clause-by-clause review of the Water Services Economic Efficiency and Consumer Protection Bill

7.1 When considering the appropriateness of the Water Efficiency Bill we have considered how it compares with the Commerce Act, Electricity Industry Act and Telecommunications Act, given that these are the principal statutes on which the Bill is based. There are a lot of drafting changes which we have not commented on below but which we consider reflects a natural evolution and improvement in drafting; particularly given this is the third iteration of the Part 2 provisions, which are based on Part 4 Commerce Act and Part 6 Telecommunications Act e.g. replacement of the “undue financial hardship” test for revenue smoothing with a “financeability” test.<sup>11</sup>

7.2 There are drafting improvements from the development of Part 6 of the Telecommunications Act based on Part 4 Commerce Act which are reflected in the Water Efficiency Bill (e.g. explicit provisions in relation to wash-up mechanisms). However, section 178(2) of the Telecommunications Act (explicit provision allowing the Commerce Commission to establish new Input Methodologies (IMs)) is an example of an improvement that has not been transferred over to the Bill which appears to be an unintentional omission.

<sup>10</sup> This was a concern the Commerce Commission raised in relation to the Telecommunications (New Regulatory Framework) Amendment Bill which introduced Part 6 Telecommunications Act: Submission on the Telecommunications (New Regulatory Framework) Amendment Bill, 2 February 2018, available at: [https://www.parliament.nz/resource/en-NZ/52SCED\\_EVI\\_74818\\_417/cfd31f6703174119dfa8111d98be0439f30b4ab48](https://www.parliament.nz/resource/en-NZ/52SCED_EVI_74818_417/cfd31f6703174119dfa8111d98be0439f30b4ab48).

<sup>11</sup> Some elements predate these e.g. the Part 2 purpose (clause 12) originates from the now repealed Part 4A Commerce Act.



Water Efficiency Bill provision	C4LD response
<b>Part 1 Preliminary provisions</b>	
5 Matters to be considered by Commission and Minister	<p>C4LD supports clauses 5(2)(c) and 5(3) as presently drafted.</p> <p>The current drafting of clause 5 carefully ensures Treaty of Waitangi matters do not extend into unrelated aspects of the PQR regime. We would be concerned if these clauses were changed in a material way, particularly if these matters could not be precisely described without resort to litigation.</p> <p>We note the equivalent Commerce Act and Telecommunications Act requirements do not include reference to the Treaty of Waitangi and climate change.</p>
<b>Part 2 Price and quality regulation</b>	
17 Power to exempt disclosure of commercially sensitive information	C4LD supports the clause 17 provision providing for protection of commercially sensitive information, and the related provision in clause 33(4).
Subpart 2—Timing	<p>C4LD recommends: (i) the legislation provides for a longer delay in introduction of new regulation than the 2 years provided for in the Bill (we would prefer 3 years); (ii) the first regulatory period lasts for a period of 4 years rather than 3 years (clause 20(1)), (iii) the Water Commissioner be given discretion to introduce Information Disclosure only in the first regulatory period and delay quality regulation until the second regulatory period; and (iv) the discriminatory provisions (clause 4) which provide for price-quality regulation to potentially apply to Auckland/Northland from the first regulatory period be removed.</p>
20 Regulatory periods	<p>C4LD supports a 6-year limit (clause 20(2)) on regulatory periods but recommends the Bill specify a minimum regulatory period and that this should be set at 4 years. This would bring the Bill in line with equivalent Commerce Act (4 year minimum) and Telecommunications Act (3 year minimum) provisions which include both a maximum and minimum limit on regulatory periods; in particular, section 207 of the Telecommunications Act states:</p> <p><b>207 Regulatory periods</b></p> <p>(1) The first regulatory period starts on the implementation date and lasts for a period of 3 years.</p> <p>(2) The duration of subsequent regulatory periods must be determined by the Commission and must be between 3 and 5 years.</p> <p>(3) The Commission must notify the duration of each new regulatory period in a section 170 determination.</p>

Water Efficiency Bill provision	C4LD response
<p>Part 2, Subpart 3—Input methodologies</p>	<p>C4LD recommends the equivalent of section 178(2) of the Telecommunications Act be included in the Water Efficiency Bill.</p> <p>Section 178(2) of the Telecommunications Act allows the Commission “at any time after the implementation date, [to] determine further input methodologies for fibre fixed line access services”.</p> <p>Section 178(2) was introduced because the Commerce Commission did not consider it could determine new IMs under the Commerce Act. The Commerce Commission considers that:<sup>12</sup></p> <p style="padding-left: 40px;">“We consider the absence in Part 4 of such express permission to determine further IMs in equivalent terms to section 178(2) of the Telecommunications Act shows parliamentary intent to distinguish Part 6 from Part 4 in this respect. This affirms our preliminary view from the 2016 IM review, and strongly suggests that expanding the scope of Part 4 IMs to cover matters not already covered by the existing IMs is a matter for Parliament – not us.”</p> <p>The Commerce Commission’s legal opinion in 2015 was that once the initial IMs were established under Part 4 of the Commerce Act it does not have discretion to create new IMs:<sup>13</sup></p> <p style="padding-left: 40px;">“Our preliminary view is that we cannot create an IM on a matter not covered by an existing published IM for a particular type of regulated service as part of the IM review process. The review is of each IM after its date of publication. [footnote removed]”</p> <p>As part of the Commerce Commission’s initial work on the 2023 review of the Part 4 IMs, it reconfirmed that “We have reconsidered, but not changed, our position from the 2016 IM review ... on the scope under Part 4 for IMs on new matters”.<sup>14</sup></p> <p>We do not consider there is any valid reason to restrict the Commerce Commission from establishing new IMs. We support the views of 2degrees<sup>15</sup> and Transpower<sup>16</sup> on this matter. Both 2degrees and Transpower were of the view that there was no good reason for such a restriction and this should be fixed as part of adoption of Part 6 Telecommunications Act (which it was). Transpower, for example, submitted “This would seem like an unnecessary, and unintended, restriction”.</p>

<sup>12</sup> Commerce Commission, Part 4 Input Methodologies Review 2023, Draft Framework paper, 20 May 2022, available at: [https://comcom.govt.nz/\\_data/assets/pdf\\_file/0030/283863/Part-4-Input-Methodologies-Review-2023-Draft-Framework-paper-20-May-2022.pdf](https://comcom.govt.nz/_data/assets/pdf_file/0030/283863/Part-4-Input-Methodologies-Review-2023-Draft-Framework-paper-20-May-2022.pdf).

<sup>13</sup> Commerce Commission, Input methodologies review, Invitation to contribute to problem definition, 16 June 2015, paragraph 44, available at [https://comcom.govt.nz/\\_data/assets/pdf\\_file/0020/60365/Input-Methodologies-Review-invitation-to-contribute-to-problem-definition-16-June-2015.pdf](https://comcom.govt.nz/_data/assets/pdf_file/0020/60365/Input-Methodologies-Review-invitation-to-contribute-to-problem-definition-16-June-2015.pdf).

<sup>14</sup> Commerce Commission, Part 4 Input Methodologies Review 2023, Draft Framework paper, 20 May 2022, available at: [https://comcom.govt.nz/\\_data/assets/pdf\\_file/0030/283863/Part-4-Input-Methodologies-Review-2023-Draft-Framework-paper-20-May-2022.pdf](https://comcom.govt.nz/_data/assets/pdf_file/0030/283863/Part-4-Input-Methodologies-Review-2023-Draft-Framework-paper-20-May-2022.pdf).

<sup>15</sup> 2degrees, Telecommunications Act Review: Options Paper, 2 September 2016, available at <https://www.mbie.govt.nz/dmsdocument/1143-2degrees-tar-options-paper-sub-pdf>

<sup>16</sup> Transpower, Telecommunications Act Review: Options Paper, 2 September 2016, available at <https://www.mbie.govt.nz/dmsdocument/1167-transpower-tar-options-paper-sub-pdf>

Water Efficiency Bill provision	C4LD response
27 Matters covered by input methodologies	<p>C4LD does not consider it good legislative drafting practice for a mandatory provision (“The input methodologies relating to water infrastructure services must include”) to include an open-ended “such as” provision.</p> <p>C4LD recommends consideration be given to whether clause 27(1)(b) could be tightened to provide greater certainty about what “must” be included as part of the “regulatory processes and rules” IM. We are aware, for example, that the uncertainty about this provision in section 52T(1)(c) Commerce Act resulted in litigation over what was required and whether it meant the Commerce Commission needed to establish a Starting Price Adjustment IM.</p>
<p>34 Section 15 determination to set out information disclosure requirements</p> <p>35 Information required may include information about goods or services not subject to regulation under this Part</p>	<p>C4LD recommends clauses 34(2)(l), 35(1)(b) and 35(3)(d) be removed.</p> <p>There are no equivalent provisions in Part 4 Commerce Act or Part 6 Telecommunications Act.</p> <p>We do not consider there is any good reason to require disclosure of information “about goods or services that are not subject to regulation under this Part”, or how this would be useful “to enable the Commission to monitor – (b) the ongoing capability of a regulated water service provider to raise finance ...”</p>
Part 2, Subpart 5—Quality regulation	C4LD supports the inclusion of Subpart 5—Quality regulation and provision for quality-only regulation, subject to addressing our concerns about clause 39(3)(b) and 39(5).
<p>39 Section 15 determination to set out quality path requirements</p> <p>42 Section 15 determination to set out price-quality path requirements</p>	<p>C4LD supports the provisions in clauses 39, 42(3)(a)(iv) and 42(3)(b) allowing the Water Commissioner to apply comparative benchmarking to determine performance requirements.<sup>17</sup></p> <p>We consider this to be a positive departure from the Part 4 Commerce Act (section 53P(10)) provisions which state: “The Commission may not, for the purposes of this section, use comparative benchmarking on efficiency in order to set starting prices, rates of change, quality standards, or incentives to improve quality of supply.”</p>

<sup>17</sup> Subject to our comments on clauses 39 and 42.

Water Efficiency Bill provision	C4LD response
	<p>C4LD does not support clauses 39(3)(b) and 42(3); in particular, sub-clauses (i) – (vii) and recommends they be removed from the Bill.<sup>18</sup></p> <p>These are very heavy-handed regulatory powers.</p> <p>The Commerce and Telecommunications Acts do not have equivalent provisions. The ethos of PQR under the existing legislation is that it provides incentives for regulated suppliers to invest, innovate and improve efficiency but it is left to the regulated suppliers and not the Commerce Commission to determine how best to achieve this.</p>
Ring-fencing requirements (clauses 39(5) and 42(5)).	<p>C4LD does not support clauses 39(5) and 42(5) and recommends they be removed from the Bill.</p> <p>We do not consider there to be any valid reason for a requirement to ring-fence revenue in a manner which may include a requirement not to spend the relevant funds without the approval of the Commerce Commission. There are no equivalent provisions in Part 4 Commerce Act or Part 6 Telecommunications Act.</p> <p>We are also unclear how ring-fencing revenue/restrictions on spending funds without the approval of the Commission (clause 39(5)) has anything to do with quality-only regulation.</p>
43 Wash-up mechanism for maximum revenues specified in initial price-quality paths	<p>Clause 43 appropriately transposes the equivalent section 196 Telecommunications Act provisions. C4LD considers that the Water Efficiency Bill and Telecommunications Act both improve on Part 4 Commerce Act which does not explicitly include a wash-up mechanism.</p>
44 Smoothing revenues and prices	<p>C4LD supports clause 44, including the “financeability” test.</p> <p>Clause 44 transposes section 197 Telecommunications Act provision allowing the Commerce Commission to smooth prices and revenue “over 2 or more regulatory periods”.</p> <p>The principal difference is that under the Telecommunications Act, the Telecommunications Commissioner can only smooth revenues to assist regulated suppliers if it helps minimise “undue financial hardship”, whereas the Water Efficiency Bill allows the Water Commission to do so to “provide for the financeability of a regulated water services provider”. We consider “financeability” is a more appropriate test than “undue financial hardship” for determining whether to adopt revenue and price smoothing.</p> <p>We note there has been a substantial emphasis on “financeability”<sup>19</sup> in submissions to the Commerce Commission as</p>

<sup>18</sup> A consequential change is that the reference to regulation of “performance” should be removed from clause 40.

<sup>19</sup> Financeability refers to a business’s ability to meet its financing requirements and to raise new capital efficiently.

Water Efficiency Bill provision	C4LD response
	<p>part of its review of the Part 4 Commerce Act Input Methodologies. Vector, for example, has submitted:<sup>20</sup></p> <p>“The Commission should amend the IMs to introduce a financeability test. These are common practice by regulators internationally.</p> <p>“Amending the IMs to introduce financeability testing would better support the Part 4 purpose by ensuring regulated businesses can finance their networks efficiently. This would ensure consumers are able to benefit from needed investments and greater efficiency by ensuring regulated businesses can invest at the optimum time rather than when cashflows permit investment. It would also support the ability of regulated businesses to obtain debt finance on favourable terms, thereby keeping the cost of debt low.”</p>
Part 2, Subpart 7—Reviews	C4LD supports the provisions for deregulation review.
Part 2, Subpart 8—Commission review of funding and pricing plans	<p>C4LD recommends the Water Efficiency Bill be amended such that the Water Commissioner will be responsible for determining charging principles rather than leaving it to (unspecified) other legislation.<sup>21</sup> This should be accompanied with the back-stop that the Government can issue Government Policy Statements on pricing that the Commissioner would be required to have regard to (similar to the current Part 4, “Subpart 2—Government policy statement on water services” provisions in the Water Services Entities Act”, section 26 Commerce Act, section 17 Electricity Industry Act and section 19A Telecommunications Act).</p> <p>We consider that clause 27 Matters covered by input methodologies should be amended, consistent with the equivalent section 52T(1)(b) in the Commerce Act, to include “pricing methodologies”.</p> <p>The industry regulator is normally responsible for determining pricing or charging principles/methodologies e.g. the Commerce Commission in relation to airports and gas (Part 4 Commerce Act) and the Electricity Authority in relation to electricity distribution and transmission pricing (section 32 Electricity Industry Act).</p> <p>We agree with Transpower that: “Getting the right balance between the roles of Parliament, in setting legislation, and the Commerce Commission, responsible for applying the legislation, is an important component of ensuring a stable and predictable regulatory environment.”<sup>22</sup> A problem with relying on legislation to set pricing principles is it means they are less able to evolve and adapt to changing industry circumstances and issues.</p>

<sup>20</sup> Vector, Submission on the IM Review 2023 Process and Issues Paper, undated, available at:

[https://comcom.govt.nz/\\_data/assets/pdf\\_file/0022/288022/Vector-Submission-on-the-Process-and-Issues-paper-11-July-2022.pdf](https://comcom.govt.nz/_data/assets/pdf_file/0022/288022/Vector-Submission-on-the-Process-and-Issues-paper-11-July-2022.pdf)

<sup>21</sup> Charging principles etc have now been added to Part 11 of the Water Services Legislation Bill.

<sup>22</sup> Transpower, Telecommunications Act Review: Options Paper, 2 September 2016, at <https://www.mbie.govt.nz/dmsdocument/1167-transpower-tar-options-paper-sub-pdf>

Water Efficiency Bill provision	C4LD response
<b>Part 3 Consumer protection</b>	
Part 3, Subpart 2—Service quality code	<p>C4LD supports the establishment of a Service Quality Code, but recommend the enabling provisions in the Water Efficiency Bill should be modelled more closely on Part 7 (sections 233-37) of the Telecommunications Act e.g.:</p> <ul style="list-style-type: none"> <li>we do not consider there is a need for a mandatory provision that the Code “must ... (c) specify a penalty rate for unpaid debt owed to regulated water services providers by consumers, or a method of calculating the penalty due, or both”. There is no comparable provision in the analogous Electricity Industry Act and Telecommunications Act provisions;<sup>23</sup> and</li> <li>we consider that there should be provision allowing WSEs to develop and propose a Service Quality Code. The Telecommunications Act includes appropriate provisions for industry-led code development, with section 236 enabling the Commission to develop a retail service quality code if “(a) no industry retail service quality code has been made” or (b)(i) the industry retail service quality fails to achieve its purpose, or (b)(ii) a Commission code would better achieve the purpose.</li> </ul>
Part 3, Subpart 3—Consumer complaints process and consumer dispute resolution service	<p>C4LD is comfortable with the proposed requirements for WSEs to have a complaints resolution process (including the specific requirements for the process) and to be subject to a mandatory independent consumer dispute resolution scheme (CDRS).</p> <p>We note these requirements go further than equivalent Electricity Industry Act and Telecommunications Act provisions e.g. there is no mandatory obligation on telecommunications service providers to join a CDRS but all major telecommunications service providers have chosen to join the scheme.<sup>24</sup></p>
Consumer Advocacy Council	<p>We agree with MBIE<sup>25</sup> that the consumer voice in the water sector could be strengthened by the establishment of an expert body to advocate on behalf of consumers. We also agree the best way to do this would be to extend the mandate of the existing Consumer Advocacy Council (CAC). The feedback we have received about the CAC from stakeholders in the electricity industry is that it is making a positive contribution even though it has only been recently established.</p> <p>The Water Efficiency Bill does not include provision for a water advocacy body or extension of the CAC’s role, which we consider to be an omission that should be rectified.</p>

<sup>23</sup> We similarly consider that the related provisions (clause 325) of the Water Services Legislation Bill should be removed.

<sup>24</sup> <https://comcom.govt.nz/news-and-media/media-releases/2022/over-100,000-telco-customers-left-with-a-harder-road-to-complain,-says-commission>

<sup>25</sup> Ministry of Business, Innovation & Employment, Economic Regulation and Consumer Protection for Three Waters Services in New Zealand, 27 October 2021.



Water Efficiency Bill provision	C4LD response
<b>Part 5 Miscellaneous</b>	
Part 5, Subpart 1—Water Services Commissioner	<p>C4LD supports the Part 5, subpart 1 provisions for establishment of a Water Commissioner within the Commerce Commission.</p> <p>We support the provision on the basis that:</p> <ul style="list-style-type: none"> <li>experience elsewhere (e.g. telecommunications) shows it is better to have the new regulator operating within the Commerce Commission rather than as a new, stand-alone regulator (i.e. the Electricity Authority); and</li> <li>the drafting of the provisions in the Water Efficiency Bill provides clearer/superior specification of how the Water Commissioner fits within the Commerce Commission e.g. clause 130 explicitly provides that the functions, duties, and powers of the Commission under this Water Efficiency Bill can be performed or exercised by “the Water Services Commissioner alone”; or “if the chairperson of the Commission agrees, by the Water Services Commissioner with 2 or more other members of the Commission”. This is standard practice under the Telecommunications Act but not explicit in the Act.</li> </ul> <p>We agree with MBIE’s assessment of the relative costs and benefits of operating the Water Commissioner within the Commerce Commission or as a new stand-alone regulator e.g.:<sup>26</sup></p> <p>“In creating a new economic regulator that has similar functions to the Commerce Commission, there is an unavoidable risk that a significant proportion of the Commission’s expertise that is currently working on the regulation of the electricity, gas, dairy, and telecommunications sectors would exit to the new water economic regulator. ...</p> <p>“Establishing a new water economic regulator would also likely take an additional 18 months to two years depending on how quickly funding could be made available. On the other hand, an economic regulator dedicated to the water sector may develop deeper sector specific expertise over time. A dedicated water regulator may also make it easier for policy makers to consider best model for New Zealand water sector in future.”</p>
<b>Schedule 2 Consumer dispute resolution service</b>	
Schedule 2, clause 1(2)(a)	<p><b>Does C4LD have any concerns about this requirement?</b></p> <p><b>Note that Schedule 2, clause 1(2) mirrors Schedule 3C, section 1(2) Telecommunications Act EXCEPT for the inclusion of this clause.</b></p>
Schedule 2, clause 3 Rules of approved service	C4LD recommends the rules of an approved service (Schedule 2, clause 3) include “what rights parties to a dispute (other than

<sup>26</sup> Ministry of Business, Innovation & Employment, Economic Regulation and Consumer Protection for Three Waters Services in New Zealand, 27 October 2021.



Water Efficiency Bill provision	C4LD response
	scheme members) have to appeal against a determination” (as per the equivalent Schedule 3C, section 12(1)(m) Telecommunications Act).
Schedule 2, clause 5 Mandatory considerations for approval	C4LD supports the mandatory considerations for approval of a dispute resolution service (clause 5), subject to addition of a requirement (consistent with the equivalent provisions in Schedule 3C, section 4, Telecommunications Act) to consider “the views of persons who are required to be members”.
Schedule 2	<p>Schedule 2 includes provisions dealing with the process and requirements for approval of a CDRS but is silent on the process and requirements for withdrawal of approval.</p> <p>C4LD considers this to be a substantial omission. The way the schedule is currently drafted, the Commission could review the CDRS (clause 9), make recommendations for improving the service (clause 9(4)), report to the Minister if the recommendations have been implemented/the service fails to achieve its purpose (clause 9(5)) but there is no (explicit) ultimate sanction or remedy if these matters are not addressed.</p> <p>C4LD recommends that Schedule 2 remedy this omission by including the equivalent of sections 8 – 11 of Schedule 3C of the Telecommunications Act.</p>

## 8. Recommendations

### 8.1 C4LD recommends the following changes to the Water Efficiency Bill:

- **Subpart 2 Timing:** (i) the legislation provides for a longer delay in introduction of new regulation than the 2 years provided for in the Bill (we would prefer 3 years); (ii) the first regulatory period lasts for a period of 4 years rather than 3 years (clause 20(1)), (iii) the Water Commissioner be given discretion to introduce Information Disclosure only in the first regulatory period and delay quality regulation until the second regulatory period; and (iv) the discriminatory provisions (clause 4) which provide for price-quality regulation to potentially apply to Auckland/Northland from the first regulatory period be removed.
- **20 Regulatory periods:** the Bill specify a minimum regulatory period and that this should be set at 4 years.
- **Part 2, Subpart 3—Input methodologies:** the equivalent of section 178(2) of the Telecommunications Act be included in the Bill.
- **27 Matters covered by input methodologies:** Consideration be given to whether clause 27(1)(b) could be tightened to provide greater certainty about what “must” be

included as part of the “regulatory processes and rules” IM than provided by “such as”.

- **Clauses 34 and 35 (information disclosure requirements):** clauses 34(2)(l), 35(1)(b) and 35(3)(d) be removed from the Bill.
- **Clauses 39 and 42 (price-quality path requirements):** clauses 39(3)(b) and 42(3); in particular, sub-clauses (i) – (vii) be removed from the Bill.
- **Clauses 39 and 42 (ring-fencing requirements):** clauses 39(5) and 42(5) be removed from the Bill.
- **Part 2, Subpart 8—Commission review of funding and pricing plans:** the Bill be amended such that the Water Commissioner will be responsible for determining charging principles rather than leaving it to (unspecified) other legislation, and that this be accompanied with the back-stop that the Government can issue Government Policy Statements on pricing that the Commissioner would be required to have regard to. Clause 27 Matters covered by input methodologies should be amended, consistent with the equivalent section 52T(1)(b) in the Commerce Act, to include “pricing methodologies”.
- **Part 3, Subpart 2—Service quality code:** the enabling provisions for the establishment of a Service Quality Code should be modelled more closely on Part 7 (sections 233-37) of the Telecommunications Act e.g.: (i) we do not consider there is a need for a mandatory provision that the Code “must ... (c) specify a penalty rate for unpaid debt owed to regulated water services providers by consumers, or a method of calculating the penalty due, or both”; and (ii) there should be provision allowing WSEs to develop and propose a Service Quality Code.
- **Part 3 Consumer protection (Consumer Advocacy Council):** The Bill include provision for a water advocacy body or extension of the CAC’s role.
- **Schedule 2, clause 3 Rules of approved service:** the rules of an approved service (Schedule 2, clause 3) include “what rights parties to a dispute (other than scheme members) have to appeal against a determination” (as per the equivalent Schedule 3C, section 12(1)(m) Telecommunications Act).
- **Schedule 2, clause 5 Mandatory considerations for approval:** a requirement be added (consistent with the equivalent provisions in Schedule 3C, section 4, Telecommunications Act) to consider “the views of persons who are required to be members”.
- **Schedule 2 (Consumer Dispute Resolution Scheme):** Schedule 2 should include the equivalent of sections 8 – 11 of Schedule 3C of the Telecommunications Act.

## 9 Conclusion

9.1 C4LD considers that the Water Efficiency Bill adopts utility-style regulation which has worked well in New Zealand and overseas jurisdictions for regulation of natural monopolies.

9.2 We consider it desirable that the Bill draws heavily from the Part 4 Commerce Act and Part 6 Telecommunications Act PQR regimes. Convergence of regulatory regimes should help promote regulatory certainty and predictability.

9.3 The Commerce Commission's experience with regulation of airports, electricity, gas and telecommunications (including fibre) under Part 4 of the Commerce Act and Part 6 Telecommunications Act should assist it to implement the new regime effectively.

9.4 While the Water Efficiency Bill adopts an orthodox PQR regime it sits awkwardly with the Water Services Entities Act. The operation of PQR regimes relies heavily on profit incentives to drive improvements in efficiency, innovation and investment. However, the WSEs will be not-for-profit and will have a range of socio-cultural objectives to meet that cannot be measured easily with typical financial and economic toolkits used by regulators. The incentive the Water Services Entities Act creates is for WSEs to prefer the 'quiet life' over improving efficiency, innovating and reducing costs.

9.5 We agree that "Given the lack of profit motive, price-quality regulation will play a lesser role in the water sector but may add some additional benefit, above information disclosure regulation alone, for example, in driving efficiency gains".<sup>27</sup> One implication is that introduction of information disclosure and benchmarking is likely to be more important for driving consumer outcomes than price regulation.

9.6 It has been well canvassed that the ownership/governance arrangements under the Water Services Entities Bill, as well as neutering incentives to improve efficiency or innovate, are likely to result in funding and fiscal risks. It appears heavy-handed regulation has been shoe-horned into the Water Efficiency Bill in an attempt to fix this problem with the Water Services Entities Act. For example, the Bill provides for the Commerce Commission to introduce requirements to adopt a particular approach to risk management and to make particular types of investment, as well as ring-fenced expenditure restrictions. There are no such requirements under the Commerce or Telecommunications Act. This has the potential not only for PQR to regulate prices and service quality but to extend to the Commerce Commission dictating how WSEs should run their businesses. C4LD considers this to be regulatory over-reach and does not support price regulation being used to fix problems with the Water Services Entities Act. Price regulation should not be used as a substitute for addressing governance issues.

**9.7 A delegation from C4LD wishes to appear before the Select Committee to speak to its submission.**

<sup>27</sup> Hon David Clark, Minister of Commerce and Consumer Affairs, Economic Regulation and Consumer Protection in the Three Waters Sector", 8 December 2022.

Ngā mihi nui,

[Insert Council signatures]

DRAFT



**TE AWAMUTU - HEAD OFFICE**

101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

**CAMBRIDGE - SERVICE CENTRE**

23 Wilson Street, Cambridge Ph 07 823 3800  /WaipaDistrictCouncil  /Waipa\_NZ  /Waipa\_DC

## **APPENDIX 7 – SUBMISSION TO THE PARLIAMENTARY SELECT COMMITTEE ON THE WATER SERVICES LEGISLATION BILL**

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# Submission

**Water Services Legislation Bill**

**February 2023**





## NAME OF SUBMISSION

**By:** Waipā District Council

**Submission deadline:** 17 February 2023

**Authority:** Council endorsed submission (Council meeting held 7 February 2023)

**Format:** Submitted electronically

**Hearing:** Council does not wish to be heard

**Link to Draft Legislation:**

<https://legislation.govt.nz/bill/government/2022/0210/latest/LMS794055.html>

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## Water Services Legislation Bill

**By: Waipā District Council**

### ***Introduction***

Waipā District Council (the Council) welcomes the opportunity to provide comment on the Water Services Legislation Bill (the Bill). It is noted that the submission period for this legislation has been challenging for Council to respond to. As such the points raised are those that are considered particularly critical and of significant concern.

Waipā District Council also acknowledges and endorses the Communities 4 Local Democracy submission.

### ***General Comments***

The Waipā District Council Strategic Policy and Planning Committee considered this submission at their meeting held on 7 February 2023. The following recommendations arose from consideration of the Bill as contained in a report to the Committee. A copy of that report is available at:

<https://www.waipadc.govt.nz/our-council/agendas-and-minutes?item=id:2k7s9dcnm1cxbywni84e>

Following are the recommendations arising from that consideration –

#### **Recommendation**

That the Select Committee considers providing consistent terms in the Act with respect to “drainage”, “land drainage” and “stormwater drainage”. It is unclear in the Bill exactly what the difference is intended between the terms. The term “water services” does not align with the definitions of “water services infrastructure”.

#### **Recommendation**

That the Select Committee amends clause 40(2), schedule 1 to require that any Ministerial amendments to the allocation schedules submitted under clause 40(1), schedule 1 be forwarded to local authorities for comment within 14 days of receipt.

#### **Recommendation**

That the Select Committee removes the requirements from Section 200 of the Bill with respect to the requirements of the Water Services Entities (WSE) when carrying out work in relation to water services infrastructure on or under land. It is recommended that this should revert to the position in section 181 of the LGA, such that work on existing assets is in line with current practice.

#### **Recommendation**

That the Select Committee includes a provision in the Bill (clause 334) ensuring that WSE charges are assessed and invoiced on a document that is independent of any rating notice.

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That clause 336(4) be amended to require the Minister to make a determination as to the amount of collection of costs where this is one of the matters referred to the Minister.

**Recommendation**

That the Select Committee requires that the Regional Representative Groups (RRGs) have to endorse or mandate any charging standardisation policy before it can be implemented, and that “different classes of customer” be defined in the legislation.

**Recommendation**

That the Select Committee amends clause 279 to clarify that service agreements are deemed or implied and do not require the signature of both parties, and further, that further requirements be added for communication during engagement on the first/transitional service agreements with those who will be liable to pay WSE charges.

That a requirement be added to the Bill to notify in writing those who will become liable to pay WSE charges as to where they can find the first/transitional service agreement.

**Recommendation**

That the Select Committee clarifies what the obligation is on Councils to “work with” the WSE on development of the stormwater network management plans, that the obligations of clause 257 be extended to all public stormwater network operators, and that urban transport stormwater networks be included in the WSE’s stormwater network management plans.

**Recommendation**

That the Select Committee amends clause 270 as there should also be provision to include exemptions for “trade waste” that does not require a permit if certain conditions are met. For example, low-risk waste using a grease trap or sink strainer.

**Recommendation**

That the Select Committee amends clause 346 to specify the minimum and maximum periods for capital expenditure to be included in a WSE Infrastructure Charging Policy.

That clause 348 be deleted, that is, that the Crown **WILL** be liable for infrastructure connection charges.

**Recommendation**

That the Select Committee amends the Bill (Part 6) to include a requirement for WSE to comply with the Utilities Access Act 2010, and all other duplication or conflicting requirements be removed from the Water Services Legislation Bill, and that the Water Services Entities be nominated as Utility Organisations as defined in the Utilities Access Act 2010.

**Recommendation**

That the Select Committee amends the Bill to require WSE to publish water services infrastructure plans (showing the location of the connection points and pipes in its water services infrastructure), to keep these plans updated, and that these plans are available electronically, searchable, freely accessible and available to the public.

**Recommendation**




That the Select Committee amends the Bill to require the WSE to provide the information needed for a Land Information Memorandum or a Project Information Memorandum in accordance with the requirements of LGOIMA that Councils are required to adhere to. Waipā District Council believes that there should also be liability protection for Councils for any incorrect or incomplete information provided by a WSE or, preferably, that WSE are made responsible in their own right for the provision of the specified water services information, instead of Councils.



**TE AWAMUTU - HEAD OFFICE**

101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

**CAMBRIDGE - SERVICE CENTRE**

23 Wilson Street, Cambridge Ph 07 823 3800  /WaipaDistrictCouncil  /Waipa\_NZ  /Waipa\_DC

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## **APPENDIX 8 – FURTHER SUBMISSION TO THE WAIKATO REGIONAL COUNCIL ON PLAN CHANGE 1 TO THE WAIKATO REGIONAL POLICY STATEMENT**

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# FURTHER SUBMISSION FORM: PROPOSED WAIKATO REGIONAL POLICY STATEMENT CHANGE 1 – NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 AND FUTURE PROOF STRATEGY UPDATE



**Important: Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.**

**We must receive your further submission by 5.00 pm, 15 February 2023**

## MANDATORY INFORMATION

Name of submitter (individual or organisation): \_\_\_\_\_

Contact person (if applicable): \_\_\_\_\_

Agent (if applicable): \_\_\_\_\_

Email address for service: \_\_\_\_\_

Postal address: \_\_\_\_\_

Phone number(s): \_\_\_\_\_

## REASON FOR FURTHER SUBMISSION(select appropriate)

- I/we represent a relevant aspect of the public interest; or
- I/we have an interest in the proposal that is greater than the interest of the general public; or
- I/we represent the Waikato Regional Council

Please specify the grounds for your selection above:

\_\_\_\_\_

## APPEARANCE AT A HEARING

- I wish to be heard in support of my submission; or,  I do not wish to be heard in support of my submission.
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

## SIGNATURE

Signature:  Garry Dyet - Chief Executive Date: \_\_\_\_\_

## MAILING DETAILS

Mailed to: Chief Executive, 160 Ward Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240

Delivered to: Waikato Regional Council, 160 Ward Street, Hamilton

Emailed to: [strategicandspatialplanning@waikatoregion.govt.nz](mailto:strategicandspatialplanning@waikatoregion.govt.nz) (*Submissions received by email must contain full contact details*)

**PLEASE CHECK** that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

Please use the attached table to make your submission to indicate the parts of Proposed Change 1 your submission relates to and the relief sought.

**Personal information is used for the administration of the further submission process and will be made public.** All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

FORM 6 Clause 8 of First Schedule, Resource Management Act 1991



**FURTHER SUBMISSION TO PROPOSED WAIKATO REGIONAL POLICY STATEMENT CHANGE 1:  
NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 AND FUTURE PROOF STRATEGY UPDATE**

<b>Submitter</b> <i>State the submitter number and submitter name of the original submission you support or oppose</i> <i>E.g., Submitter 123</i>	<b>Submission point</b> <i>State the number of the submission point from the original submission you support or oppose</i> <i>E.g., 123.1</i>	<b>Do you support or oppose the submission point?</b> <i>E.g., Support</i>	<b>Further submission</b> <i>State the reason for your support or opposition to the submission point</i> <i>E.g., I support this submission point because</i>	<b>Decision sought</b> <i>State clearly whether you seek that the submission point be allowed or disallowed</i> <i>E.g., Allow</i>

**APPENDIX 9 - SUBMISSION TO THE PARLIAMENTARY SELECT COMMITTEE ON  
THE NATURAL AND BUILT ENVIRONMENT BILL AND SPATIAL PLANNING BILL**

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# Submission

**Natural and Built Environments Bill and Spatial  
Planning Bill**

**17 February 2023**





# Waipā District Council Submission on the Natural and Built Environment Bill and Spatial Planning Bill

**By: Waipā District Council**

**17 February 2023**

## ***Introduction***

Waipā District Council (the Council) welcomes the opportunity provided by Parliament's Environment Committee, to provide comment on the Natural and Built Environment Bill (NBE Bill) and the Spatial Planning Bill (SP Bill).

## ***General Comments***

The Council supports the Government's replacement of the out-dated Resource Management Act 1991 (RMA) (1991) with new planning and resource management legislation. The Council acknowledges the significant milestone achieved in finalising these two strongly interrelated Bills.

The Council supports the focus on an integrated and outcomes planning approach. It also supports the prominence of Te Tiriti o Waitangi and a Māori world view in the purpose of both Bills. The introduction of the National Planning Framework to provide integrated overall direction is considered significantly beneficial as is the introduction of spatial planning through the preparation of regional spatial strategies.

The Council is in general support of the Taituarā submission on the two bills, and in particular, the point that Government needs to engage more closely with local government on the reform programme and transitioning to a new system.

## **Key Overall Points**

### **1.1 Role of local government and principle of subsidiarity**

The Council is concerned that following the government's current water reforms, the two Bills represent another step in diminishing the authority of local government over local level matters. This legislation will remove decision making over land use and resource management planning from the local level and aggregate it at a regional level under an independent regional planning committee. Plan making therefore will become more centralised and removed from the local district level. In addition, regional committees will be more answerable to the Minister (in part), and the Local Government Commission than to the local communities who will, however, remain responsible for funding the committee's establishment and operation.

In terms of representation on Regional Planning Committees, our Waikato Region is large and complex in makeup. It comprises several sub-regions with distinct and separate communities of interest. These range from the Coromandel in the north to Taupo in the south and includes one major urban area, the Hamilton metropolitan subregion. It is difficult to see a single regional planning committee attempting to be well

representative of constituent communities and operating efficiently and effectively across all these disparate sub-regions equally well.

Provision is made for the appointment of sub-committees in the NBE Bill (Schedule 8) and the delegation of powers to such sub-committees. Having provision for such sub-committee entities would appear to be a sensible arrangement, particularly in instances such as the Future Proof sub-region where there is already an established and well-supported urban growth partnership entity in place.

## **2.2 Complexity of implementing the proposed legislation**

One of the drivers for replacing the RMA is that it had become a large, complex, and cumbersome statute. The new legislation and interrelationship between the different levels, different bodies and between the two Bills, appears similarly complex (see Figure 1 below).

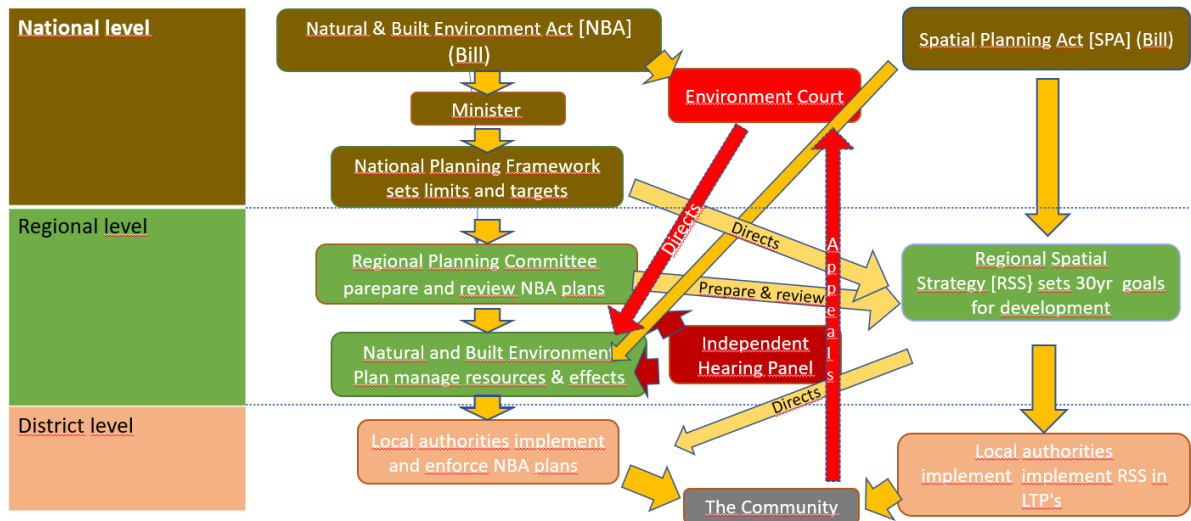
Of concern too, are the apparent lack of placeholders in the new system for the still to added, Climate Adaptation legislation. It is thought likely that the third piece of resource management reform legislation is likely to further increase the complexity of the new system.

Probably the single largest distinction between the current RMA system and the new system is that the new system is essentially a top – down driven system whereas the current RMA system is by comparison a much more bottom-up process. The new system will get a lot of content direction from the new overall national planning framework. This framework will provide direction to both regional level spatial strategies and regional natural and built environment plans. Local level councils will be required to implement plans and strategies as well as regulate and monitor actions on the ground but will no longer be plan-making regarding land use and the environment.

The Council is concerned that in attending to the failures of lack of national direction in the current RMA system, the new system attempts to be too centralised and remove the flexibility and agility of local decision-making regarding place making and wellbeing issues and replace this with granting wide ranging powers to the Minister for Environment in the central government of the day. The issue is whether the efficiency gain aspirations of the new system come at the cost of loss of equity for local communities.

A related concern is how well, or not local level plan monitoring will feed back into regionally driven policy in Regional Spatial Strategies. While this is addressed in the NBE Bill with the monitoring and review of Natural Built Environment Plans through three yearly state of the environment plans, it is not well addressed in the SP Bill. Furthermore, the proposed system is very reliant on the establishment of environmental limits. To ensure that these are adhered to, and the plans are achieving the appropriate outcomes there needs to be a robust monitoring and reporting framework to ensure that as a minimum the environmental limits are being met.

Figure 1. The key pieces of the proposed new Resource Management legislation and links



**2.3 Lack of hierarchy in outcomes sought**

As several commentators have noted, there is no hierarchy or prioritisation of system outcomes sought in the new legislation. The Bills indicate that the regional planning committees will have responsibility for determining the prioritisation of outcomes at a regional level.

The non-hierarchical nature of the wide-ranging system outcomes (from environmental protection to providing ample land for urban development) is thought to be problematic without a level of direction set nationally at the central government level.

There are already current difficulties with urban planning that remain to be resolved due to a lack of consistency between the outcomes sought between various RMA National Policy Statements. One example is the requirement to provide more than sufficient land capacity for urban growth for at least 30 years into the future under the National Policy Statement on Urban Development, whereas the National Policy Statement for Highly productive Land limits consideration of additional land for urban development to only the next 10 years.

**2.4 Reliance on National Planning Framework**

Key to implementing the new planning and environmental management legislation, will be the new National Planning Framework which will set all important environmental limits and targets for resource use and environmental management. It will be the overall umbrella reference from which everything develops. It will set a high-level framework for both the preparation of Natural and Built Environment Plans under the NBE Bill, as well as the preparation of Regional Strategic Strategies under the SP Bill.

Having a well-considered and appropriate national framework established within six months of the NBE Bill achieving royal assent will be a demanding but crucially important early step in implementing the new resource management and planning legislation. Even though the first iteration of the National Planning Framework is likely to be based largely on existing National Policy Statements and Environmental Standards, it will still have to grapple with resolving existing conflicts of policy that exist under these RMA instruments.



## 2.5 Resourcing implementation

A major concern for the Council is the expectation in both Bills that responsibility for resourcing the introduction and operation of the new system will fall largely to local government. There are two aspects to this concern.

The first is that the responsibility for funding implementation does not appear to be matched with an accountability for spend back to the Council and its constituent communities. For example, under the SP Bill, the Council will be directed by the Regional Planning Committee to implement the Regional Spatial Strategy through the Council's Long Term Plan. Consequently, the Council and its communities will bear the cost burden of responsibility for implementation, regulation, and monitoring, without having much input into preparation of the Regional Spatial Strategy and Natural and Built Environment Plan. There will need to be a good level of cooperation between the regional and local levels as well as considering variations of affordability and support across districts, to achieve effective alignment between the regional level preparation of plans and strategies and the local level ability to implement.

The second aspect is that during the long period of transition between establishing the new system and still operating under the RMA there will be a duplication of effort and dual resourcing required before the actual switch over occurs. This transition period will carry an additional burden of costs and resourcing required to enable both streams of work to proceed. While there has been an indication that Central Government will contribute support during the transition period, these arrangements are uncertain and remain to be clarified at this stage.

## 2.6 The missing Climate Adaptation Bill

There has been acknowledgement by Central Government that the Climate Adaptation Bill is only likely to come into effect in 2024. As the missing third piece of resource management legislation, there is concern about the uncertainty this gap introduces and whether further amendments to the resource management and planning legislation will be required once there is greater certainty about the third piece of legislation.

While there are several placeholders in both Bills for climate change and adaptation, what is not yet clear is the relationship and interaction between the three pieces of legislation. Currently the NBE Bill reads as the parent legislation with the SP Bill reading as being a sub-set. Following this pattern, the Climate Adaptation Bill could have a similar role in relation to the NBE Bill. There is a concern that with the introduction of the Climate Adaptation Bill the system may change again, and there will be further complexities as a result of working under three interrelated Acts.

## Specific Comments

NBA Bill Section Clause No.	Comments
<b>Part 1 Purpose</b> <b>Clause 3 - Purpose</b>	<p>This clause will be hard to implement and is likely to be litigated.</p> <p><b>Request</b> clear hierarchy of sub-purposes i.e. environmental protection is afforded highest priority, land use and development to follow.</p> <p>Cl13 env responsibility applies to every person, not just every person performing a duty in the act. Good in intent but unenforceable.</p> <p><b>Request</b> - clarification whether cl13 is enforceable under the act.</p>
<b>Clause 5 System outcomes</b>	<p>Cl5 There is no hierarchy in system outcomes for NBE plans. We note that these are all subject and subservient to the national planning framework NES/NPS directions e.g. NPS-HPL. <b>Request</b> a clear hierarchy of outcomes as for the purpose. Also request cl5 include “subject to the National Planning Framework, National Policy Statements and National Environmental Standards...”</p> <p><b>Support the move to an outcomes approach</b></p>
<b>Clause 6 Decision making principles</b>	<p>Cl6. Again, there is no hierarchy of importance. Recognising and providing for the responsibility and mana of each iwi and hapu is probably unworkable as it is currently written as it sets up iwi tensions and confers picking iwi preferences onto the RPC. <b>Request</b> – a clear hierarchy of principles; re-write cl6(3) so it is workable; consider replacing iwi and hapu with “iwi authorities” and require iwi authorities (also in cl 106) to inform the RPC what “responsibility and mana” looks like in practice. <b>Amend</b> cl6(1) to read: “...purpose of this Act, the Minister, every regional planning committee, and every consenting authority, in making decisions...” We consider the principles should apply to consent decision making too.</p> <p>We note that the precautionary principle is codified in Clause 6(2).</p>
<b>Part 2 Duties and restrictions</b>	
<b>Part 3 National Planning Framework</b>	<p>There is concern about the sweeping powers of the Minister (and government) of the day, to set, change, amend, lower, increase or withdraw the environmental limits. While having good national direction is seen as being a major step forward, this should be better balanced by retaining more local level decision making over local level matters than currently envisaged in the new system.</p>

<p>Subpart 11 Preparation change and review of NPF</p>	<p>The first NPF likely to be quite limited and based on existing NPSs and NESs, then become more complete over time. It is likely that there will be teething issues with establishing and implementing the NPF while retaining the existing the RMA system during the transition period. <b>Request</b> - There will need to be clarification of if and how the NPF will apply to RMA plans during the transition period.</p>
<p><b>Part 4 NBA Plans</b></p>	<p>Cl 107. “Have regard” to statement of community outcomes is not strong enough. <b>Request</b> – consider changing “have regard” in cl107(1) to “give effect where practicable, otherwise have specific regard to”</p> <p>Cl108. Apparent drafting issue with people on low incomes. The clause says avoid any effects arising <i>by</i> people of low incomes etc – this might be intended to say effects <i>on</i> those people. <b>Request</b> - amending cl 108(d) to change “by” to “on” and <b>define</b> “people on low incomes” and “people with special housing needs”.</p> <p>Even with a definition of “people on low incomes’ how are they to be determined/known? <b>Request</b> - consider removal of reference to “people on low incomes” in its entirety.</p> <p>Cl112 <b>Request</b> – consider amending to clarify that “an environmental contribution may include land, money, an effects offset action, or any combination “.</p> <p>Cl130. Need to include highly productive land in the rules that have immediate legal effect (to avoid subdivision goldrush). <b>Request</b> – consider amending cl130(4) to include “protects areas of highly productive land” and define HPL.</p>
<p><b>Part 5 Resource Consents</b></p>	<p>Cl54 – the description of consent activities is considered helpful and supported.</p> <p>Cl157 – reference to “marginal or temporary” non-compliance is considered a legal and enforcement nightmare. How long is a piece of string.... <b>Request</b> - defining “marginal or temporary non-compliance”, or provide for the implementing council to have power of final determination without any right to appeal.</p> <p>Cl157 2 is about permitted activities by 157(2) but refers to an application for resource consent? <b>Request</b> - amending reference in clause 157 to “resource consent” to read “application for a marginal or temporary non-compliance”.</p>

	<p>cl 164 need to clarify expectation of councils recovering costs for iwi. <b>Request</b> – amending cl164(2) to read “The consent authority may, <u>at their sole discretion</u>, recover...,”</p> <p>We note clause 204 – discretionary activities must be publicly notified unless the plan or NPF states no notification.</p> <p>Cl206, need to confer power to council to determine “public interest”. <b>Request</b> – amending cl206(a) to read: “it is appropriate to notify any person who in the opinion of the consenting authority, represents wider public interest”.</p> <p>We note, cl223 is the new s104. <b>Request</b> – amending the clause to include a hierarchy under subclause 2.</p> <p>Cl284 <b>Request</b> – amending to specify that minor corrections can also be made to consent conditions.</p>
<p><b>Part 6 Water and contaminated land management</b></p>	<p>Although our consents to abstract water and / or discharge treated wastewater and stormwater are consented via regional council there is no indication of when a water conservation order under this legislation can be raised and when regional / district council would have to take effect of it (even if associated regional to district council consents still in term).</p> <p><b>Request</b> – clarification of when water conservation order can be raised and when it would take effect.</p> <p>Clause 397 suggests a water conservation order needs to be reflected in plans. This wording is vague and assumed to indicate that the regional council plan is the one most influencing district level water use via associated consents.</p> <p>Sub-part 2 – farm plans may affect district level planning and development direction in rural areas.</p> <p><b>Request</b> – clarification of how farm plans and NBA plans will align particularly in our case regarding aspirations for improvements around peat lakes which will require potential cross farm improvements especially in terms of drainage.</p>
<p>Subpart 4 Contaminated land</p>	<p>425 – <b>Request</b> – clarification of what help district councils can be when the EPA consults with councils and the powers we have therein.</p>
<p><b>Part 8 Matters relevant to natural</b></p>	<p>Cl563 “trivial” adverse effect will be legally contested.</p>

<b>and built environment plans</b>	<b>Request</b> - replacing “trivial” throughout the Bill (clauses 7, 64, 559 and 563) with “minor” which is established in both practice and law.
Subpart 1 Designations	499 – would a future water entity require to apply to be a network utility operator as to becoming a requiring authority.  <b>Request</b> – check terminology especially where TLA and water entity may jointly need to apply for growth cell infrastructure development (e.g. 503 c).  The process to acquire under the Public Works Act already contain aspects of intended use, demonstration of no viable alternatives etc. <b>Request</b> – Check cl 525 with Public Works Act for any overlaps or conflict in clauses and requirements.
<b>Part 9 Subdivision and reclamation</b>	
Subpart 1 Subdivision of land	Cl569 subdivision on land. <b>Request</b> – amending clause to extend the term of a lease to 99 years to provide an easier pathway to leasehold housing tenure without triggering the need for a subdivision consent.
<b>Part 12 General</b>	Cl 822 they have inadvertently? removed “actual” from “actual and reasonable costs” that we can recover (noting that “actual” is included in schedule 7 cl77 for independent plan change requests). <b>Request</b> – amending clause to read “actual and reasonable”.
<b>Schedules</b>	
Schedule 3 Principles for offsetting and redress (biodiversity and cultural heritage)	<u>Schedule 3</u>  Clause 2(b) refers to “socially acceptable options”. <b>Request</b> – clarification as to what this term means or its removal. It can differ depending on societal groups.  Clause 2 sets out limits to offsetting and instances whereby biodiversity values cannot be offset. <b>Request</b> – consider whether a prohibited activity status should apply in these instances.  Clause 6 <b>Request</b> – amending to use stronger wording and <u>require</u> any biodiversity offset to <u>must</u> be in the same ecological district.

	<p><b>Request</b> – consider whether there should be a way of including any time lags as referenced in clause 8 into the biodiversity offset calculation.</p> <p>Clause 14 is strongly supported as there has previously been disputes over loss and gain calculations, so transparency is encouraged.</p> <p><b>Request</b> – The inclusion of a standardised national calculation approach would be useful.</p>
Schedule 7 preparing changing and reviewing NBA plans	<p><b>Note</b> - Part 11, clause 4 appears to have a spelling error – “Naori”</p> <p>Part 12, refers to “if an engagement agreement is reached...”</p> <p><b>Request</b> – clarification of what happens to the plan change process if an agreement cannot be reached? Are there provisions that address this scenario?</p> <p>Clause 31.</p> <p><b>Request</b> – the addition of details regarding whether there is a transparent process for identifying ‘directly affected ratepayers’ if doing a proportionate plan change that is being limited notified.</p> <p>Clause 72 includes a provision like those existing in the RMA. Under 72(1)(b)</p> <p><b>Request</b> – clarification of what is day 1 if an authority decides to deal with a request as if it were an application for a consent, in terms of the consent timeframes? Is it the date on which the council makes the decision? Or does the applicant need to formally lodge a resource consent?</p>
Schedule 8 Membership and operation of regional planning committees	<p><b>Request</b> - clarification of who the Regional Planning Committee is accountable to for Natural and Built Environment Plans under the Natural and Built Environment Bill? Under the Spatial Planning Bill, the Minister is authorised by the Prime Minister or a warrant, but the same is not clarified under the Natural and Built Environment Bill.</p>
Schedule 10 Information required to support a resource consent application	<p>Clause 4 regarding additional information required in an application for subdivision consent.</p> <p>Clause 6(1)(g) monitoring details to be included as part of the application, including how and by whom.</p> <p><b>Request</b> – whether there are going to be external parties available to undertake monitoring of consents and are these going to be</p>

	<p>accredited organisations to ensure monitoring is done effectively and to a specified standard? Without good monitoring of consents there is the potential that any set environmental bottom lines are not going to be adhered to.</p> <p>Clause 7 <b>Request</b> – clarification regarding alignment of urban design principles with the matters outlined.</p>
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SPA Bill Section Clause No. <i>(Insert clause number or write “general” for high-level comments)</i>	Comments
Subpart 1 Requirement	<p>Covers the need, scope and content but doesn’t say or address, who prepares these strategies. That is rather addressed in the Natural Built Environment Bill Section 7.</p> <p><b>Request</b> – consider improved cross-referencing to address the aspect of who prepares regional spatial strategies in the Spatial Planning Bill. For example, there is more detail in this regard in sections of the NBE Bill such as Part 10 subpart 3 – functions of regional planning committees in clause 642 and local authorities in clause 643</p>
Subpart 2 Scope and Content	<p>Must be consistent with and give effect to the national planning framework which means that having the national planning framework in place is the first requirement for the reforms and suggests that the Spatial Planning legislation is subservient to the NBA.</p> <p><b>Request</b> – Although the content of regional spatial strategies is wide and covers land use, environmental protection, hazards, climate change, major infrastructure, and cultural heritage (and Te Ture Whaimana in our region). It is recommended that consideration be given to including social and economic wellbeing aspects too as the current content doesn’t really speak to the needs or aspirations of the communities of a region.</p> <p>It is considered likely that particularly in the Waikato Region, it will be beneficial to have sub-regional spatial strategies that better address communities of common interest and their infrastructure and well being needs.</p>
Subpart 4 Implementation of	<p><b>Request</b> – better clarification of the role of local authorities who will be responsible for implementation of regional spatial strategies but</p>



regional spatial strategies	are not currently well addressed in the Bill. Currently the Bill only addresses implementation at the regional level. By comparison the Natural and Built Environment Bill provides a much greater level of detail regarding the role of local authorities in implementation.
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**TE AWAMUTU - HEAD OFFICE**

101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

**CAMBRIDGE - SERVICE CENTRE**

23 Wilson Street, Cambridge Ph 07 823 3800

[f](#) /WaipaDistrictCouncil   [@](#) /Waipa\_NZ   [t](#) /Waipa\_DC

## **APPENDIX 10 – SUBMISSION TO MINISTRY FOR ENVIRONMENT ON THE SEVERE WEATHER EMERGENCY LEGISLATION BILL**

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**From:** "Wayne Allan"  
**Sent:** Wed, 15 Mar 2023 14:55:19 +1300  
**To:** "David.Falconer@mfe.govt.nz" <David.Falconer@mfe.govt.nz>  
**Cc:** "Tony Quickfall" <Tony.Quickfall@waipadc.govt.nz>; "Karl Tutty" <Karl.Tutty@waipadc.govt.nz>  
**Subject:** FW: (ECM:10982191) External Sender: MfE update on emergency legislation

Hi David,

Thanks for sending this Severe Weather Emergency Legislation Bill through to us.

Some points we note from Waipa District which is part of the Waikato Region. Waipa District did not need to declare a State of Emergency.

The comments are as follows:

- The definition of “affected food business” is too broad as it surely means a food business **affected** by the events listed. For example a premises in the Waikato during Cyclone Gabrielle, there doesn’t seem to be any element of whether they were indeed “affected”. So for arguments sake a premises in Te Awamutu operating as normal could be an “affected food business” under the Bill.
- The Bill also reads as if this is an automatic application to all businesses. There is no application or notification requirement, so no means for Council to administer what if any premises this applies to. The staff have read this in that this is a blanket provision “no food business in the Waikato will require a verification visit between the specified dates” which they find extraordinary if that is the case, as times of emergency are when we need increased awareness of food safety issues, but only in premises that are actually affected.
- In terms of operational matters, if the staff aren’t doing food verifications for up to seven months, that will effectively half our income. Are we reading this wrong?
- Are exemptions to the Building Act required to make things safe – thinking extensive cladding removal
- There is a possibility of some rural landowners trying to undertake non-emergency works under these provisions (e.g. earthworks, river works, vegetation clearance), requiring more vigilant monitoring which may need the regional to do more active monitoring around

non-emergency discharges, river and earthworks and local councils to consider any proactive monitoring required to ensure there is no non-emergency earthworks/clearance of SNA sites.

Regards

Wayne

.....  
**Wayne Allan** Group Manager District Growth & Regulatory Services **WAIPA DISTRICT COUNCIL**

[wayne.allan@waipadc.govt.nz](mailto:wayne.allan@waipadc.govt.nz) | [www.waipadc.govt.nz](http://www.waipadc.govt.nz)

DDI: 07 8720031 | MOB: 027 587 2003

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**From:** David Falconer <[David.Falconer@mfe.govt.nz](mailto:David.Falconer@mfe.govt.nz)>

**Sent:** Tuesday, 14 March 2023 1:46 pm

**To:** Gavin Ide <[Gavin@hbrc.govt.nz](mailto:Gavin@hbrc.govt.nz)>; Joanna.Noble@gdc.govt.nz; Adam Fort <[Adam.Fort@boprc.govt.nz](mailto:Adam.Fort@boprc.govt.nz)>; johno@hdc.govt.nz; colind@nrc.govt.nz; lbarton@kaipara.govt.nz; tanya.proctor@fndc.govt.nz; brian.taylor@tcdc.govt.nz; dylan.muggeridge@chbdc.govt.nz; luke.johnson@NAPIER.GOV.T.NZ; colind@nrc.govt.nz; mday@kaipara.govt.nz; Amy.Robinson@waikatoregion.govt.nz; tony.whittaker@waidc.govt.nz; roger.ackers@fndc.govt.nz; tanya.proctor@fndc.govt.nz; brian.taylor@tcdc.govt.nz; dylan.muggeridge@chbdc.govt.nz; stephen@wairoadc.govt.nz; luke.johnson@NAPIER.GOV.T.NZ; rachael.bailey@napier.govt.nz; Megan Tyler <[megan.tyler@aucklandcouncil.govt.nz](mailto:megan.tyler@aucklandcouncil.govt.nz)>; Matthew.Hickman@gw.govt.nz; Karen.Parcell@boprc.govt.nz; Kate.Sykes@gdc.govt.nz; De-Arne.Sutherland@gdc.govt.nz; Gary.McKenzie@gdc.govt.nz; Joanna.Noble@gdc.govt.nz; Gavin Ide <[Gavin@hbrc.govt.nz](mailto:Gavin@hbrc.govt.nz)>; johno@hdc.govt.nz; dominic.kula@wdc.govt.nz; peter@hauraki-dc.govt.nz; dbellamy@mpdc.govt.nz; blair.bowcott@hcc.govt.nz; Tony Quickfall <[Tony.Quickfall@waipadc.govt.nz](mailto:Tony.Quickfall@waipadc.govt.nz)>; Andrew Loe <[andrewl@otodc.govt.nz](mailto:andrewl@otodc.govt.nz)>; susan.law@southwaikato.govt.nz; alex.bell@waitomo.govt.nz; jgardyne@taupo.govt.nz; rachael.davie@westernbay.govt.nz; christine.jones@tauranga.govt.nz; jean-paul.gaston@rotorualc.govt.nz; david.bewley@whakatane.govt.nz; Michaela.glaspey@kaweraudc.govt.nz; gerardm@odc.govt.nz; charlotte.almond@horizons.govt.nz; Blair Dickie [EXTERNAL] (WAIKATOREGION) <[Blair.Dickie@waikatoregion.govt.nz](mailto:Blair.Dickie@waikatoregion.govt.nz)>; tina.love@tararuadc.govt.nz; Karen Parcell <[Karen.Parcell@boprc.govt.nz](mailto:Karen.Parcell@boprc.govt.nz)>; malcolm@hbrc.govt.nz; stevenm@mstn.govt.nz; planning@cdc.govt.nz; pesbgm@swdc.govt.nz; Paul Waanders <[pwaanders@kaipara.govt.nz](mailto:pwaanders@kaipara.govt.nz)>; Asher Davidson <[asher@casey.co.nz](mailto:asher@casey.co.nz)>; Paulina Wilhelm <[Paulinaw@napier.govt.nz](mailto:Paulinaw@napier.govt.nz)>; Ian Smallburn <[ian.smallburn@aucklandcouncil.govt.nz](mailto:ian.smallburn@aucklandcouncil.govt.nz)>; Asher Davidson <[asher@casey.co.nz](mailto:asher@casey.co.nz)>; Christina Bunny <[christina.bunny@napier.govt.nz](mailto:christina.bunny@napier.govt.nz)>; Graeme Campbell <[Graeme.Campbell@gw.govt.nz](mailto:Graeme.Campbell@gw.govt.nz)>; Katie Martin <[Katie.Martin@wdc.govt.nz](mailto:Katie.Martin@wdc.govt.nz)>; Kaylee Kolkman <[kaylee.kolkman@wdc.govt.nz](mailto:kaylee.kolkman@wdc.govt.nz)>; Mary-Anne Baker [EXTERNAL] (HBRC) <[Mary-Anne.Baker@hbrc.govt.nz](mailto:Mary-Anne.Baker@hbrc.govt.nz)>; Nichola Nicholson <[Nichola.Nicholson@hbrc.govt.nz](mailto:Nichola.Nicholson@hbrc.govt.nz)>; Yvonne Masefield <[yvonne.masefield@wdc.govt.nz](mailto:yvonne.masefield@wdc.govt.nz)>; Anne Bradbury <[anne.bradbury@napier.govt.nz](mailto:anne.bradbury@napier.govt.nz)>; Natalie Waihi

<[Natalie.Waihi@gdc.govt.nz](mailto:Natalie.Waihi@gdc.govt.nz)>; Jocelyne Allen <[Jocelyne.Allen@gdc.govt.nz](mailto:Jocelyne.Allen@gdc.govt.nz)>; Kathryn Hunt <[kathrynh@napier.govt.nz](mailto:kathrynh@napier.govt.nz)>; Ian Smallburn <[ian.smallburn@aucklandcouncil.govt.nz](mailto:ian.smallburn@aucklandcouncil.govt.nz)>; Tyler Kirk <[Tyler.Kirk@gdc.govt.nz](mailto:Tyler.Kirk@gdc.govt.nz)>; Hamish Smith <[Hamish.Smith@gw.govt.nz](mailto:Hamish.Smith@gw.govt.nz)>; Nicholas Woodley <[Nicholas.Woodley@whakatane.govt.nz](mailto:Nicholas.Woodley@whakatane.govt.nz)>; Wayne Allan <[Wayne.Allan@waipadc.govt.nz](mailto:Wayne.Allan@waipadc.govt.nz)>; Shane Lambert <[shanerl@hdc.govt.nz](mailto:shanerl@hdc.govt.nz)>; Jason.Ward <[Jason.Ward@rotorualc.nz](mailto:Jason.Ward@rotorualc.nz)>; Sharyn Westlake <[Sharyn.Westlake@gw.govt.nz](mailto:Sharyn.Westlake@gw.govt.nz)>; Brett Cockeram <[Brett.Cockeram@gw.govt.nz](mailto:Brett.Cockeram@gw.govt.nz)>  
Cc: Heidi Baillie <[Heidi.Baillie@mfe.govt.nz](mailto:Heidi.Baillie@mfe.govt.nz)>; Severe Weather Response <[SevereWeather@mfe.govt.nz](mailto:SevereWeather@mfe.govt.nz)>  
Subject: External Sender: MfE update on emergency legislation

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Kia ora koutou,

FYI The first bill (the *Severe Weather Emergency Legislation Bill*) which will amend the emergency powers in section 330 of the Resource Management Act 1991 (along with some changes to other Acts), is being introduced into Parliament today ([New legislation to streamline Cyclone recovery | Beehive.govt.nz](#)). A copy of the bill can be found here [Severe Weather Emergency Legislation Bill 235-1 \(2023\), Government Bill Contents – New Zealand Legislation](#).

Kā mihi  
David

**David Falconer**

Principal Analyst | Kaitātari Mātāmua  
RM System Performance – Policy Implementation and Delivery  
Ministry for the Environment | Manatū Mō Te Taiao  
027 243 3047 | [david.falconer@mfe.govt.nz](mailto:david.falconer@mfe.govt.nz) | [environment.govt.nz](http://environment.govt.nz)

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# COMMITTEE AGENDA



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

**From:** Governance

**Subject:** **RESOLUTION TO EXCLUDE THE PUBLIC**

**Meeting Date:** 2 May 2023

## 1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

A local Authority may, by resolution, exclude the public from the whole or any part of the proceedings of any meeting under section 48(1) of the Local Government Official Information and Meetings Act 1987.

## 2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

***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>11. Confirmation of Public Excluded Minutes – 4 April 2023</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>11</i>	<i>7(2)(c)</i>	<i>To protect information which is subject to an obligation of confidence where the making available of the information would be likely to prejudice the</i>

		<i>supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or would be likely otherwise to damage the public interests</i>
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