

Agenda for a meeting of the Proposed District Plan Subcommittee to be held in the Councillors Lounge, 15 Galileo Street, Ngaruawaahia on **WEDNESDAY, 24 APRIL 2024** commencing at **9.30am**.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

The register of interests is no longer included on agendas; however, members still have a duty to disclose any interests under this item.

4. MINUTES FOR CONFIRMATION

Minutes for a meeting held on Thursday, 28 March 2024.

4

5. EXCLUSION OF THE PUBLIC

10

GJ Ion
CHIEF EXECUTIVE

TERMS OF REFERENCE

PROPOSED DISTRICT PLAN SUBCOMMITTEE

Reports to:	Policy & Regulatory Committee
Chairperson:	Deputy Mayor Carolyn Eyre
Deputy Chairperson:	Cr Eugene Patterson
Membership:	Her Worship the Mayor Cr Crystal Beavis Cr C Eyre Cr Eugene Patterson Cr Kandi Ngataki
Meeting frequency:	As and when required
Quorum:	A majority of members (including vacancies)

Purpose

1. To assist the Chief Executive and officers to make timely decisions on any matters relating to the hearings on submissions and further submissions on the Proposed Waikato District Plan (including Stages 1, 2 and any variations) (“the Proposed District Plan”) and any appeals or other proceedings relating to Council’s decisions on the Proposed District Plan.

The Subcommittee is delegated the following powers to act:

- To make decisions in relation to any direction sought by the Chief Executive and/or officers in relation to any matters relating to:
 - a) The hearings on submissions and further submissions on the Proposed District Plan; and
 - b) Any appeals or other proceedings relating to Council’s decisions on the Proposed District Plan.

NOTE: The authority under paragraphs 1 a) and b) includes the power to direct the Chief Executive or officers to engage any expert or legal counsel.

- To determine an approach for resolving any appeals or other proceedings on Council’s decisions on the Proposed District Plan.

- To delegate to the Chief Executive or any officer participating in an alternative disputes resolution process (“ADR process”) (as defined in section 268(4) of the Resource Management Act 1991) in relation to any Environment Court proceeding arising from Schedule 1 of the Act or any other ADR process directed in any other proceedings), the authority to make decisions on behalf of Council, within any parameters given by the Subcommittee, on any matters that may reasonably be expected to arise in the ADR process.
- To authorise the Chief Executive, or his delegate, together with any other member of the Executive Leadership Team, to jointly consider and approve, within any parameters given by the Subcommittee, the content of any draft consent order to be submitted to the Environment Court to resolve any appeal on Council’s decisions on the Proposed District Plan.
- To report to the Policy & Regulatory Committee on a quarterly basis (as a minimum) with a summary of the matters considered and decisions made by the Subcommittee.

To	Proposed District Plan Subcommittee
Report title	Confirmation of Minutes
Date:	15 April 2024
Report Author:	Karla Brotherston, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

1. Purpose of the report

Te Take moo te puurongo

To confirm the minutes for a meeting of the Proposed District Plan Subcommittee (PDP).

2. Executive summary

Whakaraapopotanga matua

To confirm the minutes for a meeting of the Proposed District Plan Subcommittee (PDP) held on Thursday, 28 March 2024.

3. Staff recommendations

Tuutohu-aa-kaimahi

THAT the Proposed District Plan Subcommittee confirms the minutes as a true and correct record for a meeting held on Thursday, 28 March 2024.

4. Attachments

Ngaa taapirihanga

Attachment 1 – 240328 PDP Subcommittee OPEN unconfirmed minutes.

Minutes for a meeting of the Proposed District Plan Subcommittee held in the Councillors Lounge on **THURSDAY, 28 MARCH 2024** commencing at **9.32AM**.

Present:

Cr C Eyre (Chairperson)
Her Worship the Mayor, Mrs JA Church
Cr C Beavis
Cr Patterson

Attending:

Mrs S Kelly (Programme Manager District Plan)
Mr J Ebenhoh (Planning & Policy Manager) *departed 10am*
Mrs S Chibnall (Policy Planner)
Ms B Parham (Legal Counsel, Tompkins Wake)
Ms C Wratt (Principal Planner)
Ms K Davis-Miller (Resource Management Policy Manager)
Mrs K Brotherston (Democracy Advisor)

The Subcommittee opened the meeting with a karakia.

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Patterson/Beavis)

THAT the Proposed District Plan Subcommittee accepts the apologies from:

- a. Cr Ngataki for non-attendance; and**
- b. Her Worship the Mayor, Mrs JA Church for lateness.**

CARRIED

PDP2403/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Eyre/Beavis)

THAT the agenda for a meeting of the Proposed District Plan Subcommittee held on Thursday, 28 March 2024 be confirmed:

- a. with all items therein being considered in open meeting with the exception of those items detailed at agenda items 5 which shall be considered with the public excluded; and**
- b. noting that a verbal update on variation 3 be added to the public xcluded agenda and be considered as part of the Appeals to the Proposed Waikato District Plan - Item PEX2.2; and**
- c. all reports be received.**

CARRIED

PDP2403/02

DISCLOSURES OF INTEREST

Cr Beavis declared a conflict of interest with item PEX 2.1 Appeals to the Proposed Waikato District Plan, subtopic Pookeno South – Hopkins and Hynds.

Her Worship the Mayor, Mrs JA Church declared a conflict of interest with item PEX 2.1 Appeals to the Proposed Waikato District Plan, subtopic Transferable Development and Conservation Lots and Buckland Rezoning.

Whilst not a conflict, it was noted that Cr Eyre sat on the hearing panel for the Future Proofs Panel.

Whilst not a conflict, it was noted that Her Worship the Mayor Mrs JA Church together with Cr Eyre have been appointed to the Rural Economic Advisory Panel (REAP).

CONFIRMATION OF MINUTES

Resolved: (Her Worship the Mayor, Mrs JA Church/Cr Beavis)

THAT the Proposed District Plan Sub-Committee:

- a. confirms the minutes for a meeting held on Thursday, 1 February 2024 (extraordinary); and**
- b. confirms the minutes for a meeting held on Thursday, 22 February 2024 as a true and correct record.**

CARRIED

PDP2403/03

EXCLUSION OF THE PUBLIC

Agenda Item 4

Resolved: (Cr Patterson /Her Worship the Mayor, Mrs JA Church)

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 1 Minutes for confirmation: <ul style="list-style-type: none"> • Thursday, 1 February 2024 (extraordinary), • Thursday, 22 February 2024 (ordinary). 	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)
Item PEX 2.1 Appeals to the Proposed Waikato District Plan: <ul style="list-style-type: none"> • Land use provisions other zones - Van den Brink - setback from watercourses, • Pookeno West Zoning - Choudhary, • Transferable Development and Conservation Lots and Buckland Rezoning, • Pookeno South - Hopkins and Hynds. 		

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

Item No.	Section	Interest
<p>Item PEX 1 Confirmation of minutes:</p> <ul style="list-style-type: none"> • Thursday, 1 February 2024 (extraordinary), • Thursday, 22 February 2024 (ordinary). 		<p>Refer to the previous Public Excluded reason in the agenda for this meeting.</p>
<p>Item PEX 2.1 Appeals to the Proposed Waikato District Plan:</p> <ul style="list-style-type: none"> • Land use provisions other zones - Van den Brink - setback from watercourses, • Pookeno West Zoning - Choudhary, • Transferable Development and Conservation Lots and Buckland Rezoning, • Pookeno South - Hopkins and Hynds. 	<p>7(2)(g)</p> <p>7(2)(i)</p>	<p>To protect legally privileged information.</p> <p>To enable negotiations to carry on without prejudice or disadvantage.</p>

- b. THAT, Ms B Parham and Ms C Wratt be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the Proposed District Plan process. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter to inform and advise the Subcommittee members.**

CARRIED

PDP2403/04

Resolutions PDP2403/05 - PDP2403/07 are contained in the public excluded section of these minutes.

There being no further business the meeting finished with a karakia and was declared closed at 3.33pm

Minutes approved and confirmed this day 2024.

CA Eyre
CHAIRPERSON

Unconfirmed

To	Proposed District Plan Subcommittee
Report title	Exclusion of the Public
Date:	17 April 2024
Report Author:	Karla Brotherston, Democracy Advisor
Authorised by:	Gaylene Kanawa, Democracy Manager

1. **Staff recommendations** **Tuutohu-aa-kaimahi**

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Item PEX 1 Minutes for confirmation	Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987	Section 7(2)(i)
Item PEX 2.1 Appeals to the Proposed Waikato District Plan		

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

Item No.	Section	Interest
Item PEX 1 Confirmation of minutes	Refer to the previous agenda for this meeting.	Public Excluded reason in the
Item PEX 2.1 Appeals to the Proposed Waikato District Plan	7(2)(g) 7(2)(i)	To protect legally privileged information To enable negotiations to carry on without prejudice or disadvantage

2. Attachments Ngaa taapirihanga

There are no attachments for this report.
