
District Plan Committee *Komiti Ture-aa-takiwaa* OPEN MINUTES

Minutes of a meeting of the District Plan Committee held in the Council Chamber, Municipal Building, Garden Place, Hamilton and by Audio Visual link on Thursday 4 August 2022 at 9.33am.

PRESENT

Chairperson <i>Heamana</i>	Cr Ryan Hamilton
Deputy Chairperson <i>Heamana Tuarua</i>	Cr Angela O'Leary (exclusively via Audio Visual link)
Members	Mayor Paula Southgate (exclusively via Audio Visual link) Cr Sarah Thomson Cr Rob Pascoe Cr Martin Gallagher Maangai James Whetu
In Attendance	Cr Maxine van Oosten Cr Mark Donovan Blair Bowcott – General Manager Growth Chris Allen – General Manager Development Mark Davey – City Planning Manager Paul Bowman – Team Leader City Planning Keith Hornby – Principal Planner Jackie Colliar – Strategic Manager Lachlan Muldowney – City Solicitor
Governance Team	Amy Viggers – Governance Lead Narelle Waite – Governance Advisor Arnold Andrews – Governance Officer

Maangai Whetu opened the meeting with a karakia.

- 1. Apologies - *Tono aroha***
Resolved: (Cr Hamilton/Cr Thomson)
That the apologies for absence from Deputy Mayor Taylor are accepted.
- 2. Confirmation of Agenda - *Whakatau raarangi take***
Resolved: (Cr Hamilton/Cr Pascoe)
That the agenda is confirmed.
- 3. Declarations of Interest - *Tauaakii whaipanga***
No members of the Council declared a Conflict of Interest.

4. Public Forum - Aatea koorero

No members of the public wished to speak.

5. Confirmation of the District Plan Open Minutes of 16 June 2022

Resolved: (Cr O'Leary/Cr Pascoe)

That the Committee confirm the Open Minutes of the District Plan Committee meeting held on 16 June 2022 as a true and correct record.

6. Chair's Report

The Chair spoke to his report and outlined the work that had been undertaken in the last 18 months.

Resolved: (Cr Hamilton/Cr O'Leary)

That the District Plan Committee receives the report.

Mayor Southgate joined the meeting (9.39am) during the discussion of the above item. She was present when that matter was voted on.

7. Plan Change 12: Intensification Planning Instrument (IPI) - approval to notify (Recommendation to the Council)

The City Planning Manager introduced the report noting that there were some errors identified after the report was circulated. An addendum that outlined the errors was circulated to Members and is attached to the Minutes as **appendix 1**. The Team Leader City Planning then spoke to the staff recommendation. Staff responded to questions from Members concerning the notification and submissions process, the detail of Plan Change 12 and how it relates to Plan Change 9, cost of implementation, Te Ture Whaimana, proposed education programme, housing impact from the Plan Change, the Enabling Housing Supply Amendment Act, feedback from stakeholders, and links to the Hamilton Urban Growth Strategy (HUGS).

Staff Action: *Staff undertook to include a FAQ sheet with the notification letters as well as a factsheet for Members to enable them to respond to questions from members of the community.*

Staff Action: *Staff undertook to consider options to strengthen provisions to discourage lower density development within high and medium density zoned areas.*

Resolved: (Cr Hamilton/Cr O'Leary)

That the District Plan Committee:

- a) receives the report;
- b) recommends that the Council approves public notification of Proposed Plan Change 12 – Intensification Planning Instrument (IPI) pursuant to subpart 5A and Part 6 of Schedule 1 to the Resource Management Act (Enabling Housing Supply and other Matters) Amendment Act 2021, subject to the Plan Change 12 documentation being circulated alongside the recommendation to Council on 18 August 2022;
- c) notes that an Independent Hearings Panel has been appointed to hear determine and make decisions on all submissions and matters relating to Plan Change 12 – IPI;
- d) notes that Commissioners for the Hearing Panel for Plan Change 12 – IPI were appointed by Council at the 17 March 2022 meeting and the 14 April 2022 meeting, and are David Hill (Chair), Nigel Mark-Brown, Dave Serjeant, and Vicki Morrison-Shaw; and
- e) notes that in accordance with Section 77T of the Amendment Act, Plan Change 12 – IPI will

also include changes to the financial contribution provisions chapter in the District Plan.

The meeting was adjourned 11.24am to 11.48am.

Mayor Southgate left the meeting during the above adjournment.

8. General Manager's Report (*Recommendation to the Council*)

The General Manager Growth took the report as read and responded to questions from Members concerning the process of appointing Commissioners.

Resolved: (Cr Gallagher/Cr Hamilton)

That the District Plan Committee:

- a) receives the report;
- b) recommends that the Council:
 - i. appoint commissioners Bill Wasley (chair), Dr Lee Beattie and Cr Ewan Wilson and the delegation of its powers to hear, determine, and make decisions on all submissions and matters relating to the Tramway Block Private Plan Change;
 - ii. appoint commissioners Bill Wasley (chair), Dr Lee Beattie and Cr Mark Donovan, and the delegation of its powers to hear, determine, and make decisions on all submissions and matters relating to the Te Rapa Racecourse Private Plan Change;
- c) notes that Dr Lee Beattie (see CV **Attachment 1**) is not currently on the Hamilton City Council approved RMA Commissioner Panel;
- d) notes that the Tramway Block Private Plan Change application to be submitted by Tainui Group Holdings will be progressed through CE Delegation, in line with Council's Delegations Policy, provided the private plan change application satisfies necessary requirements;
- e) notes that the Te Rapa Racecourse Private Plan Change application to be submitted by Waikato Racing Club Inc will be progressed through CE Delegation, in line with Council's Delegations Policy, provided the private plan change application satisfies necessary requirements;
- f) requests staff to undertake the required work on Plan Change 14 – Flood Hazard Plan Change, as outlined in the staff report; and
- g) notes that:
 - i. preparation of Plan Change 14 will be funded from the City Planning Unit's current budget;
 - ii. staff intend Plan Change 14 to be publicly notified before decisions on Plan Change 12 are publicly notified;
- h) notes that staff have commenced discussions with Kāinga Ora to explore new urban development powers under the Urban Development Act (2020) for Enderley-Fairfield and the central city;
- i) notes that Plan Change 12 is scheduled to commence hearings on 14 February 2023 and Plan Change 9 is scheduled to commence hearings on 27 February 2023;
- k) notes that this is the final meeting of the Committee for this triennial. On behalf of staff, thanks the committee for their guidance and leadership regarding the District Plan Programme.

9. Resolution to Exclude the Public

Resolved: (Cr Hamilton /Cr Pascoe)

Section 48, Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following parts of the proceedings of this meeting, namely consideration of the public excluded agenda.

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 follows.

General subject of each matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C1. Confirmation of the District Plan Public Excluded Minutes of 16 June 2022) Good reason to withhold) information exists under) Section 7 Local Government) Official Information and) Meetings Act 1987	Section 48(1)(a)
C2. Inclusionary Zoning - approval to progress plan change)	

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 C1.	to prevent the disclosure or use of official information for improper gain or improper advantage	Section 7 (2) (j)
Item C2.	to maintain the effective conduct of public affairs through protecting persons from improper pressure or harassment	Section 7 (2) (f) (ii)

The meeting went into a Public Excluded session at 12.06pm.

The meeting was declared closed at 12.48pm.

Appendix 1

ADDENDUM

Please note the changes to the following paragraphs in the report *Plan Change 12: Intensification Planning Instrument (IPI) - approval to notify*

What it means to be inside the overlay

52. Generally, for those properties which fall inside the overlay, the consenting pathway will be more onerous, additional planning provisions will apply which control density, and require stronger 3-waters mitigation. **These areas include all existing residential zoned and developed area outside of Stage 1.**
57. For properties in the **General Residential Zone** that are **in Stage 1 (outside the Infrastructure Capacity Overlay)** the following applies:

Permitted Activity not requiring a Resource Consent	Develop up to 3 residential units and comply with water efficiency standards (no density restrictions)
Restricted Discretionary Activity requiring a Resource Consent	Develop 4 or more units and/or do not comply with the water efficiency standards.
Matters for discretion	Council's discretion in assessing a Restricted Discretionary Activity will include an infrastructure design assessment. The infrastructure assessment will not consider strategic network capacity. Council cannot refuse an application if there is insufficient strategic network capacity. Discretion will also relate to urban design and other related matters.

58. For properties in the **Medium Density Residential Zone** that are **in Stage 1 (outside the Infrastructure Capacity Overlay)** the following applies:

Permitted Activity not requiring a Resource Consent	Develop up to 3 residential units and comply with water efficiency standards (no density restrictions)
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Purpose Three - Local infrastructure network renewals

105. To ensure that pipe renewals are occurring at the local level, PC12 proposes to collect a portion of the cost of renewing local network infrastructure currently identified in the Development Contributions Policy through financial contributions. While the cost of renewals is calculated in the DC Policy, they are actually collected through rates. Therefore, ratepayers would **no longer pay less** for the cost of renewing local infrastructure assets; **a portion of this cost** would transfer to developers through a financial contribution.
106. This charge does not guarantee local network capacity, its purpose is to off-set the adverse effects of intensification on the network which necessitates renewals to occur.
107. Renewals have been calculated to cost **\$5,700,000 \$2,850,000** over the next 10 years, resulting in a financial contribution of **\$212 \$106** per dwelling. This is the non-development contribution component of upgrades.

Residential

109. All residential development will pay a financial contribution for each of the three purposes. This equates to approximately **\$4,879 \$4,773** per dwelling. The projected number of dwellings to be built over the next 10 years is 12,011, therefore potentially **\$58,000,000 \$57,000,000** could be generated over 10 years.