



# Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

I hereby give notice that the  
**Community, Culture and Regulatory Committee Meeting**  
will be held on:

**Date:** Tuesday, 26 April 2022  
**Time:** 10.30am  
**Location:** Council Chamber, Third Floor  
Office of the Waitaki District Council  
20 Thames Street, Oamaru

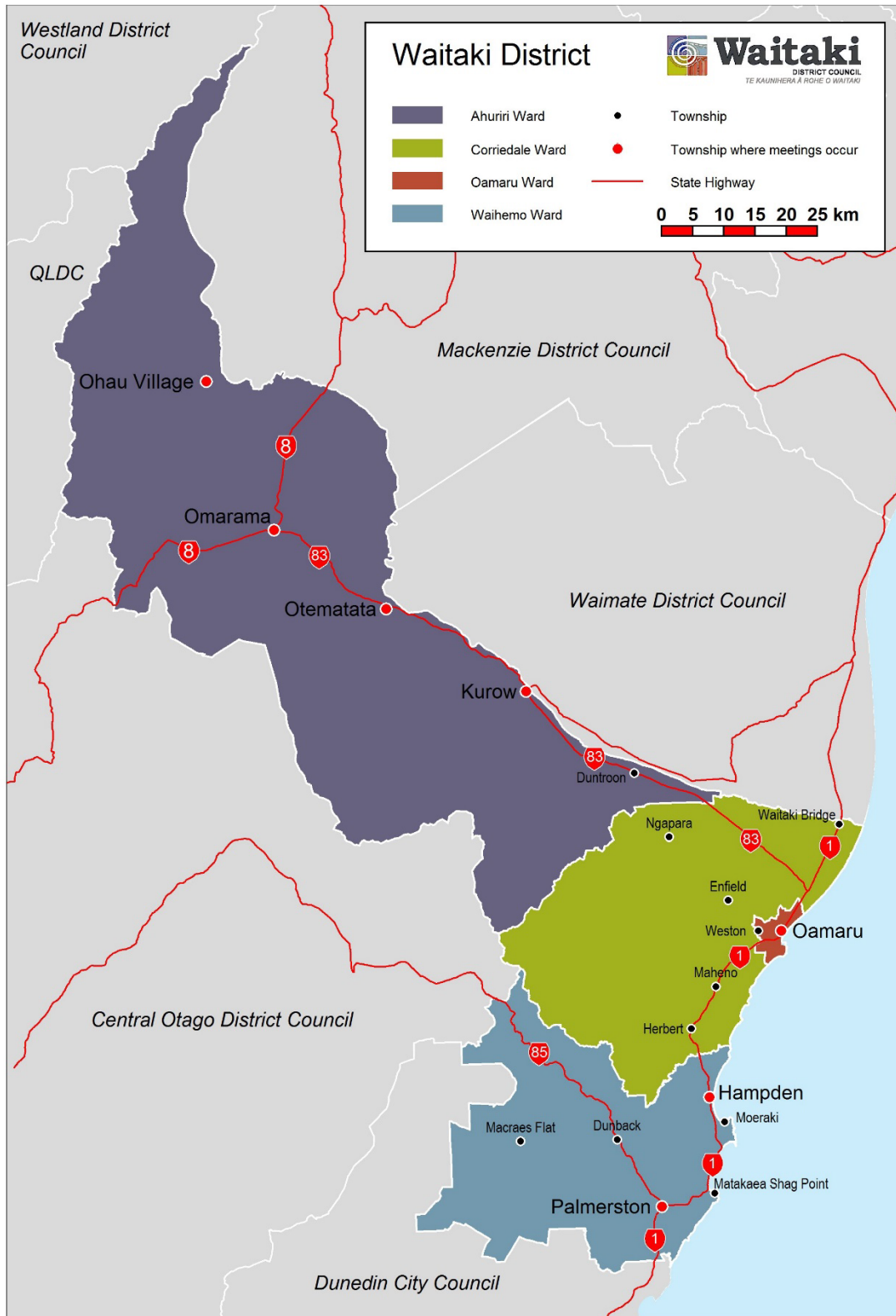
## Agenda

### Community, Culture and Regulatory Committee Meeting 26 April 2022

#### Community, Culture and Regulatory Committee

Deputy Mayor Melanie Tavendale	Chair
Cr Jim Hopkins	Associate Chair (District Plan Review)
Cr Hana Halalele	Associate Chair (Community Development)
Cr Jim Thomson	Member
Cr Kelli Williams	Member
Mayor Gary Kircher	Member

**Lisa Baillie**  
Acting Chief Executive



STRATEGIC FRAMEWORK

# Waitaki THE BEST PLACE TO BE!

Waitaki - Whenua taurikura

## EMPOWERING OUR PEOPLE AND PLACE TO THRIVE

Whakapuāwai takata, Whakapuāwai whenua

**COMMUNITY OUTCOMES**



**STRATEGIC PRIORITIES**



Ensuring we get core business done while delivering on our strategic priorities and achieving our community outcomes



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### Special Notes to Agenda:

There are six separate PDF attachments to this agenda, as follows:

Item 4.1 – Attachment 1 and Attachment 2

Item 4.4 – Attachment 1.1 and Attachment 1.2 (Attachment 2 is included in the agenda)

Item 5.1 – Attachment 1 and Attachment 2

Minutes for Agenda Item 3.1, 3.2 and 3.3 will be included in a separate Agenda Addendum to be published later in the week.

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**

**3 CONFIRMATION OF PREVIOUS MEETING MINUTES**

**3.1 PUBLIC MINUTES OF THE COMMUNITY, CULTURE AND REGULATORY COMMITTEE MEETING HELD ON 8 MARCH 2022**

**Author:** Ainslee Hooper, Governance and Policy Advisor

**Authoriser:** Lisa Baillie, People and Culture Group Manager

**Attachments:** 1. **Public Minutes of the Community, Culture and Regulatory Committee Meeting held on 8 March 2022**

**RECOMMENDATION**

That the Community, Culture and Regulatory Committee confirms the Public Minutes of the Community, Culture and Regulatory Committee Meeting held on 8 March 2022, as circulated, as a true and correct record of that meeting.

PLACEHOLDER – The Minutes of the previous meeting of the Community, Culture and Regulatory Committee held on 8 March 2022 will be included in an Agenda Addendum to be issued later this week.

**3.2 PUBLIC MINUTES OF THE COMMUNITY, CULTURE AND REGULATORY COMMITTEE  
HEARING HELD ON 22 MARCH 2022**

**Author:** Ainslee Hooper, Governance and Policy Advisor

**Authoriser:** Lisa Baillie, People and Culture Group Manager

**Attachments:** 1. **Public Minutes of the Community, Culture and Regulatory  
Committee Hearing held on 22 March 2022**

**RECOMMENDATION**

That the Community, Culture and Regulatory Committee confirms the Public Minutes of the Community, Culture and Regulatory Committee Hearing held on 22 March 2022, as circulated, as a true and correct record of that meeting.

PLACEHOLDER – The Minutes of the Community, Culture and Regulatory Committee Hearing held on 22 March 2022 will be included in an Agenda Addendum to be issued later this week.

**3.3 PUBLIC MINUTES OF THE EXTRAORDINARY COMMUNITY, CULTURE AND REGULATORY COMMITTEE MEETING HELD ON 5 APRIL 2022**

**Author:** Ainslee Hooper, Governance and Policy Advisor

**Authoriser:** Lisa Baillie, People and Culture Group Manager

**Attachments:** 1. **Public Minutes of the Extraordinary Community, Culture and Regulatory Committee Meeting held on 5 April 2022**

**RECOMMENDATION**

That the Community, Culture and Regulatory Committee confirms the Public Minutes of the Extraordinary Community, Culture and Regulatory Committee Meeting held on 5 April 2022, as circulated, as a true and correct record of that meeting.

PLACEHOLDER – The Minutes of the Extraordinary Community, Culture and Regulatory Committee Meeting held on 5 April 2022 will be included in an Agenda Addendum to be issued later this week.



## 4 DECISION REPORTS

### 4.1 RATIFICATION OF COUNCIL'S FEEDBACK TO THE MINISTRY FOR THE ENVIRONMENT ON "ENABLING LOCAL VOICE AND ACCOUNTABILITY IN THE FUTURE RESOURCE MANAGEMENT SYSTEM" DISCUSSION DOCUMENT

**Author:** David Campbell, Heritage and Planning Manager

**Authoriser:** Roger Cook, Heritage, Environment and Regulatory Group Manager

#### RECOMMENDATION

That the Community, Culture and Regulatory Committee recommends:

That Council formally ratifies Waitaki District Council's feedback to the Ministry for the Environment on the discussion paper "Enabling local voice and accountability in the future Resource Management system", as submitted on 15 March 2022.

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#### DECISION OBJECTIVE

To retrospectively ratify Council's feedback on the discussion document "Enabling Local Voice and Accountability in the Future Resource Management System", which was submitted to the Ministry for the Environment on 15 March 2022.

#### SUMMARY

The Local Government Resource Management Reform Steering Group established a sub-committee to develop advice for consideration by the Ministry for the Environment to specifically address how local democratic input, accountability and legitimacy can be built into the reform proposals and plan-making processes.

The submission period for the "Enabling local voice and accountability in the future resource management system" discussion paper opened on 15 February 2022 and closed on 15 March 2022. Council's feedback was submitted on 15 March 2022.

Due to the scheduling of Council meetings, Council's submission on this discussion paper was not able to be approved at a Council Meeting within the required timeframe. Pursuant to Council resolution WDC 2021/034, clause 1(a)(ii), the Chair of the Community, Culture and Regulatory Committee has the delegated authority to sign the Waitaki District Council submission on behalf of Council in order to meet the deadline for this feedback.

#### DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	Formally ratify Council's feedback on the Discussion Document
Operational Decision-Making:	No further action is required by Council officers
Communications	Media Releases – contributed to by officers and Elected Members Media/public enquiries regarding governance decision-making topics above can be addressed by governance

Media/public enquiries regarding operational decision-making topics above can be addressed by officers

**SUMMARY OF DECISION-MAKING CRITERIA**

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	No
Legal	No	Cultural Considerations	No
Significance	No	Social Considerations	No
Financial Criteria	No	Economic Considerations	No
Community Views	No	Community Board Views	No
Consultation	No	Publicity and Communication	No

**BACKGROUND**

A key objective of the Resource Management Reform is to improve system efficiency and effectiveness and reduce complexity, while also retaining local democratic input. In November 2021, the Ministry for the Environment set up a Local Government Steering Group (which includes twelve local government elected members and senior council executives) to advise the Government on the resource management system reforms. The Steering Group has sought to identify mechanisms for providing local voice in the new system that will work within the constraints of the recommendations of the Resource Management Review Panel and decisions already taken by the Government.

The Steering Group has recommended two additions to the proposed design of the new planning system, namely:

- A bottom-up mechanism established in the Natural and Built Environments Act (NBA) for local communities to be able to have their voice heard in the development of natural and built environments plans and regional spatial strategies developed under the Strategic Planning Act; and
- A top-down National Spatial Strategy to sit alongside the National Planning Framework.

The proposed bottom-up mechanism would require Statements of Community and Regional Environmental Outcomes to be developed by councils with their local communities and iwi/hapū and be submitted to joint committees for consideration. The proposal also provides for iwi/hapū to create their own Statements of Outcomes. The intention of these statements is to provide for local voice and enhance community participation in the new planning system – to ensure that communities continue to play a role in shaping the vision and strategy for their areas (given the reform’s intended shift from managing effects to achieving outcomes).

The proposed top-down mechanism of a National Spatial Strategy would provide national guidance to inform the development of Regional Spatial Strategies (RSS) and Natural and Built Environment plans. Its function would be to provide a coherent, spatial view on the Government’s priorities, particularly in relation to Crown investment, and ensure that RSS and NBA Plans deliver intended outcomes.

In the discussion paper, the Steering Group also confirmed its support for:

- a single joint committee that sits across both the Regional Spatial Strategy and Natural and Built Environments Act plan for a region (subject to satisfactory supplementary mechanisms existing for ensuring local voice is heard and decision-makers are accountable for plan delivery);
- elected members sitting on the joint committee;
- timebound feedback loops for council review before RSS and NBA plans are notified;

- the development of a planning and consenting workforce plan, to ensure regional plan-making will be effectively resourced without leaving small and or/remote councils stripped of staff; and
- strengthening the by-law mechanisms under the Local Government Act 2002 so that more minor and locally specific regulatory matters can be managed outside of the regional planning process.

The Steering Group also expressed its concerns in the discussion paper around breaking the lines of democratic accountability for plan-making and implementation by the existing units of local government, in the absence of local government reform and prior to recommendations being made by the Future for Local Government Review Panel and considered by the Government.

The Steering Group has recommended that further work be undertaken to work through the finer details of these mechanisms once there is greater clarity about the intended scope, content, and structure of the new core legislation.

#### Summary of Waitaki District Council feedback to the Ministry for the Environment

1. Support for the intent of the proposal as it aligns well with the key shift of strengthening local democracy signalled through the Future for Local Government review.
2. Statements of Regional Environmental and Community Outcomes are ideally integrated and offer a holistic view through being developed jointly between mana whenua and regional councils / local councils rather than separating out mana whenua and other statements.
3. The Statement of Regional Environmental Outcomes should be focused on the biophysical elements, including biodiversity, landscapes, and highly productive soils.
4. Care needs to be taken to avoid duplication between community outcomes under the Local Government Act and Statements of Community Outcomes under the new Strategic Planning Act / Natural and Built Environments Act plans.
5. The Statements of Community Outcomes, where possible, will need to draw out the key themes from existing district/city plans, spatial plans, master plans, infrastructure strategies, and any other relevant future planning documents developed for communities by each district/city council.
6. In any of the new RM legislation, the statutory weighting given to Statements of Community Outcomes and the process for incorporating them into the regional planning instruments will need to be carefully considered – “have regard to” rather than “give effect” to in a regional context.
7. It will be important that council representatives on the joint committee have some involvement in the development of their respective Statements of Community Outcomes and/or Statement of Regional Environmental Outcomes, or at least be well informed of the outcomes sought for their respective district/regions.
8. Support for retaining appeal rights to regional planning instruments.
9. Support for the development of a National Spatial Strategy to inform the development of Regional Spatial Strategies and other National Planning Framework instruments.
10. Recommend increasing the scope of the National Spatial Strategy NSS to include natural hazards, particularly those relating to such matters as sea level rise, earthquakes, and other national scale hazards.

11. Provide for existing national and regional plans and strategies to be incorporated into the National or Regional Spatial Strategies without further consultation required.
12. Support for elected members to be the representatives on joint committees – but remain open to considering other representation models.
13. Concern around joint committee secretariat function – need to ensure that such an entity does not leave a policy vacuum within councils, who would still be required to prepare their respective outcome statements.
14. Carefully consider any matters covered by local bylaws for minor regulatory matters.

**Report Attachments (circulated as separate PDF documents):**

Two documents are being circulated as separate PDFs to the final agenda papers, namely:

**Attachment One** is the discussion paper created by the Local Government Resource Management Reform Steering Group.

**Attachment Two** contains Waitaki District Council's full response as submitted to the Ministry for the Environment.

**SUMMARY OF OPTIONS CONSIDERED**

**Option 1** – Formally ratify Council's feedback on the Discussion Document (**recommended**)

**Option 2** – Do not formally ratify Council's feedback on the Discussion Document

**ASSESSMENT OF PREFERRED OPTION**

Option 1 is the preferred option. Council has already engaged on the RM reform process, which represents a significant shift in the way resource management is to be legislated. Council has also been involved in various forums to provide formal and informal feedback throughout the process to date. It is in Council's interests to remain involved through opportunities such as this to highlight any issues that may impact on resource management functions, as well as provide meaningful feedback based on combined experiences.

The submission has already been sent to the Ministry for the Environment and therefore Option 2 is not viable. It is relevant that Council has resolved a process that allows the Chair of the Community, Culture and Regulatory Committee to approve and sign Council submissions on central government policy reforms outside of the formal meetings cycle when deadlines require it, and for such submissions to then be formally ratified at the next available Council Meeting. That process has been followed for this matter with regard to step 1 (formal submission of feedback as approved and signed by the Community, Culture and Regulatory Committee Chair on behalf of Council), and therefore step 2 (formal ratification of that submission) needs to be completed at this meeting.

**CONCLUSION**

The reform of the resource management system in New Zealand is significant. The job of the new legislation is to set the balance between economic ambitions and environmental limits. The replacement RMA legislation will affect everything, and steer development in every part of the country. There is anticipated to be a loss of / change to local representation, accountability, place-based knowledge, and local decision-making. Other key changes – including giving effect to the principles of the Treaty of Waitangi, increased mana whenua participation, and being better prepared to adapt to climate change and risks from natural hazards – will change the way Council does business.

Council's input into the reform of the resource management system is important. Waitaki District Council is one of only a handful of territorial authorities working with two regional councils. This creates uncertainties around implementing the proposed resource management system, including the possibility of being party to two regional spatial strategies and two Natural and Built Environments plans.

## **ADDITIONAL DECISION-MAKING CONSIDERATIONS**

### **Outcomes**

#### Prosperous District

- Attractive to new opportunities
- Support local businesses
- Foster a diverse and resilient economy

#### Strong communities

- Enable safe and healthy communities
- Connected, inclusive communities
- Promoting a greater voice for Waitaki
- Celebration of our community identity

#### Strong services

- Robust core infrastructure and services
- Community facilities and services, we are proud of

#### Valued environment

- Protecting our diverse landscapes and water bodies
- Meeting environmental and climate change challenges

### **Policy and Plan Considerations**

Waitaki District Council must give effect to national and regional resource management direction through its District Plan and decisions on resource consents.

#### 4.2 UPDATED GAMBLING VENUES POLICY AND TAB VENUES POLICY 2022

**Author:** Andrew Bardsley, Regulatory Manager  
**Authoriser:** Roger Cook, Heritage, Environment and Regulatory Group Manager  
**Attachments:** 1. Proposed Waitaki District Council 2022 TAB Venues Policy  
2. Proposed Waitaki District Council 2022 Class 4 Gambling Venues Policy

#### RECOMMENDATIONS

That the Community, Culture and Regulatory Committee recommends:

That Council:

1. Approves the proposed 2022 TAB Venues Policy as set out in **Attachment 1**; and
2. Approves the proposed changes to the 2022 Class 4 Gambling Venues Policy, which include a 'sinking lid' policy with respect to venue and machine licences, and an amendment to clause 6 of the policy, as set out in **Attachment 2**.

.....

#### DECISION OBJECTIVE

To ensure that the Class 4 Gambling Venues Policy 2018 and the TAB Venues Policy 2018 are reviewed and amended where necessary to meet Council's legislative requirements and that any amendments required by Council are implemented.

#### SUMMARY

As part of the review processes for the Class 4 Gambling Venues Policy 2018 and the TAB Venues Policy 2018, the Community, Culture and Regulatory Committee heard verbal and read written submissions on 22 March 2022. Officers have now prepared recommendations based on the submitters' comments and the Committee's deliberations during that process. This report is structured in two sections – one for each of the policies reviewed, followed by a conclusion relating to the combined review process.

#### DECISION-MAKING EXPECTATIONS

Governance Decision-Making:	The Committee is being asked to recommend to Council for adoption the proposed Class 4 Gambling Venues Policy 2022 and the proposed TAB Venues Policy 2022
Operational Decision-Making:	Implement Council's decisions once they are made
Communications	Media Releases – contributed to by officers and Elected Members  Media/public enquiries regarding governance decision-making topics above can be addressed by governance

Media/public enquiries regarding operational decision-making topics above can be addressed by officers

## SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	No
Legal	Key	Cultural Considerations	No
Significance	Key	Social Considerations	Key
Financial Criteria	No	Economic Considerations	No
Community Views	Key	Community Board Views	Moderate
Consultation	Key	Publicity and Communication	Moderate

### Section 1: TAB Venues Policy

#### BACKGROUND

The Racing Industry Act 2020 requires Territorial Authorities to adopt a New Zealand Racing Board (TAB) venues policy, and to review the policy every three years. Section 97 of the Racing Industry Act 2020 directs that the adoption or amendment of these policies must use the special consultative procedure under section 83 of the Local Government Act 2002.

The current policy was adopted in 2018 and the review commenced in late 2021.

The Council's current TAB Venues Policy covers stand-alone TAB Venues, which are owned or leased by the New Zealand Racing Board. In accordance with Council's Class 4 Gambling Venues Policy, TAB venues (venues owned and controlled by the New Zealand Racing Board) are not permitted to host class 4 gambling machines. Currently, the Waitaki district does not have any stand-alone venues.

As part of the 2021/22 review of Council's TAB Venues Policy, Council undertook public consultation. Members of the public were invited to submit on any changes they wanted to see to the current TAB Venues 2018 policy. No submissions were received on the TAB Venues Policy review.

The proposed 2022 TAB Venues Policy is available in **Attachment 1**.

#### SUMMARY OF OPTIONS CONSIDERED

**Option 1** – Adopt the Proposed 2022 TAB Venues policy with no changes (**preferred**)

**Option 2** – Request that officers make amendments to the 2018 TAB Venues policy

#### ASSESSMENT OF PREFERRED OPTION

No submissions were received requesting any changes to the 2018 TAB Venues Policy. Therefore, the recommendation is to adopt the policy without content changes and to rename it as the '2022 TAB Venues Policy'.

## **Section 2: Class 4 Gambling Venues Policy**

### **BACKGROUND**

The intent of the Gambling Act 2003 (“the Act”) is to control the growth of gambling, minimise the harm caused by gambling, and facilitate community involvement on decisions relating to the provision of gambling. Under the Act, Council is required to have a policy on class 4 gambling venues and review that policy every three years. Section 102 of the Act directs that the adoption or amendment of these policies must use the special consultative procedure under section 83 of the Local Government Act 2002.

The current policy was adopted in 2018 and the review commenced in late 2021.

As part of the Class 4 Gambling Venues policy review process, Council undertook public consultation. Members of the public were asked to submit on the following three options for the Class 4 Gambling Venues 2018 Policy:

**1: Status Quo: Council chooses not to amend the policy**

**2: Sinking lid policy (no new venue licences will be given in the Waitaki district)**

**3: Sinking lid policy (no new machine licences will be given in the Waitaki district)**

Verbal and written submissions were considered by the Community, Culture and Regulatory Committee at a hearing on 22 March 2022. A total of 20 submissions were received and six of those submissions were presented in person to members of the Committee.

During the deliberations, elected members considered the harm that class 4 gambling can cause in the community as well as the benefit of gambling-related revenue that is distributed back into the community. In accordance with Section 102(5B) of the Gambling Act 2003, officers were requested to consider the relocation policy in relation to further gambling harm reduction.

The proposed 2022 Class 4 Gambling Venues Policy is available in **Attachment 2**.

### **SUMMARY OF OPTIONS CONSIDERED**

**Option 1** – Rename the ‘2018 Class 4 Gambling Venues Policy’ to be the ‘2022 Class 4 Gambling Venues Policy’ and add clauses to the existing contents as follows:

- a) ADD a clause on a Sinking lid policy with respect to venue licences
- b) ADD a clause on a Sinking lid policy with respect to machine licences
- c) Amend clause 6 of the Class 4 Gambling Venues Policy to restrict the relocation of machines to special circumstances (**Preferred**)

**Option 2** – Rename the ‘2018 Class 4 Gambling Venues Policy’ to the ‘2022 Class 4 Gambling Venues Policy’ and make no further amendments.

### **ASSESSMENT OF PREFERRED OPTIONS**

Options 1 is recommended as it assists Council in reducing the potential harm caused in our community from problem gambling. There is a growing trend amongst territorial authorities to adopt some form of sinking lid policy, along with tighter controls on the relocation of class 4 gambling venues. These amendments will help to further Waitaki District Council’s efforts in addressing social and community concerns around problem gambling.



## **CONCLUSION**

The recommendations to Council reflect some of the concerns raised by submitters. They will ensure that Council's TAB Venues Policy and Class 4 Gambling Venues Policy both remain relevant and meet the ongoing needs of the community.

## **ADDITIONAL DECISION-MAKING CONSIDERATIONS**

### **Outcomes**

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities, so people want to stay and move here

We understand the diverse needs of our community

We maintain the safest community we can

### **Policy and Plan Considerations**

Waitaki District Council policies must be reviewed in conjunction with the relevant legislative Acts of Parliament. There is no planning impact.

### **Community Views**

Class 4 gambling venues and TAB venues impact on local communities and their input into the relevant policies is essential. Community consultation has been undertaken and the communities' views have been acknowledged and taken into consideration in the reviews of both policies.

### **Financial Considerations**

These policy reviews have been funded from existing budgets. The adoption of these recommendations is designed to gradually reduce the number of venues and machines within the district over time and will not have an immediate effect on the gambling-related funds that are distributed within the community.

### **Legal Considerations**

Class 4 Gambling Venues and TAB Venues policy reviews must commence within three years of the previous review. Officers began the review of the Class 4 Gambling Venues Policy 2018 and the TAB Venues Policy 2018 in 2021.

### **Publicity and Community Considerations**

Updated copies of the Class 4 Gambling Venues policy and the TAB Venues policy, once adopted by Council, will be made accessible on the Waitaki District Council website. Any changes to the relevant policies will be communicated to the public through Council's usual communication channels.



## Draft TAB Venues Policy 2022

### 1 Policy Objectives

- 1.1 This policy covers standalone TAB Venues, which are owned or leased by the New Zealand Racing Board. Council consent is not required under the legislation to establish a TAB facility in a bar, hotel or club. As per Council's Class 4 Gambling Venues Policy, TAB venues are not permitted to host class 4 gambling machines.
- 1.2 The objectives of this policy are to support the purpose and intent of the Racing Act 2003. The purpose of the Racing Act is:
  - (a) To provide effective governance arrangements for the racing industry;
  - (b) To facilitate betting on galloping, harness, and greyhound races, and other sporting events; and
  - (c) To promote the long-term viability of New Zealand racing.

### 2 Where TAB Venues may be established

- 2.1 TAB Venues may be established within Waitaki District Plan Business 1 and 1A Zones, subject to:
  - 2.1.1 Meeting application and fee requirements; and
  - 2.1.2 Signage outside the venue promoting gambling opportunities complying with Council's regulations for signage (eg District Plan requirements).
- 2.2 TAB Venues may be established in other business zones (Waitaki District Plan Business 2, 3, 3A, 4, 5, 6 and H Zones) subject to:
  - 2.2.1 Meeting application and fee requirements;
  - 2.2.2 Being no closer than 100 metres to any other TAB Venue; and
  - 2.2.3 Signage outside the venue promoting gambling opportunities complying with Council's regulations for signage (e.g. Waitaki District Plan requirements, etc).

TAB Venues may not be established in any Waitaki District Plan Residential, Township or Rural Residential Zone.

### 3 Applications

Applications for territorial authority consent must be made on the approved form and must provide:

- 3.1 name and contact details for the application;
- 3.2 street address of premises proposed for the TAB Venue;
- 3.3 the names of management staff;
- 3.4 a copy of the applicant's proposed gambling harm minimisation policy and staff training programme; and
- 3.5 evidence of the distance to the nearest residential zone, educational or religious establishment and other TAB venues.

### 4 Application fees

These will be set by the territorial authority from time to time, and shall include consideration for:

- 4.1 the cost of processing the application, including any consultation and hearings involved;
- 4.2 the cost of triennially reviewing the TAB Venue policy;
- 4.3 the cost of inspecting TAB venues on a regular basis to ensure compliance with consent or licence conditions; and
- 4.4 a contribution towards the cost of triennial assessments of the economic and social impact of gambling in the district.

Appendix A

Fees and charges for TAB venue consents and processing applications

Waitaki District Council TAB Venue Consent Fee is 100% cost recovery (time and materials). An initial deposit is required by the applicant. This is set out in the fees and charges section of the most recent Annual Plan and is reviewed annually.

DRAFT



## Class 4 Gambling Venues Policy 2022

### 1 Objectives of the policy

- 1.1 To ensure Council and community have influence over the location of existing Class 4 gambling venues in the district;
- 1.2 To balance the need to allow those who wish to participate in gaming machine gambling with the need to minimise harm caused by gambling, including problem gambling, and
- 1.3 To restrict the number of Class 4 venues and Class 4 gaming machines in the district via a Sinking Lid policy.

### 2 Where Class 4 gambling venues may be established

(NOTE: The zones listed below need to be read in conjunction with the specific zones set out in the Waitaki District Plan.)

- 2.1 Class 4 gambling venues may be established (in accordance with clause 6) within Business 1 and 1A Zones, subject to:
  - 2.1.1 Meeting application and fee requirements;
  - 2.1.2 The number of gaming machines proposed for the venue are subject to Clause 6.2 of this policy.
  - 2.1.3 Not being a venue at which the primary activity is associated with family or children's activities;
  - 2.1.4 Machines and signage within the venue promoting gambling opportunities not being visible outside the venue, and
  - 2.1.5 Signage outside the venue promoting gambling opportunities complying with Council's regulations for signage (e.g. Waitaki District Plan requirements).
- 2.2 Class 4 gambling venues may be established (in accordance with clause 6) in other business zones (Business 2, 3, 3A, 4, 5, 6 and H Zones) subject to:
  - 2.2.1 Meeting application and fee requirements;
  - 2.2.2 The number of gaming machines proposed for the venue are subject to Clause 6.2 of this policy;
  - 2.2.3 Being no closer than 100 metres to any other Class 4 gambling venue;
  - 2.2.4 Not being a venue at which the primary activity is associated with family or children's activities;

- 2.2.5 Machines and signage within the venue promoting gambling opportunities not being visible outside the venue, and
- 2.2.6 Signage outside the venue promoting gambling opportunities complying with Council's regulations for signage (e.g. Waitaki District Plan requirements, etc).
- 2.3 Class 4 gambling venues may be established in **recreation zones used for organised sporting purposes**, subject to:
  - 2.3.1 Meeting application and fee requirements;
  - 2.3.2 The number of gaming machines proposed for the venue are subject to Clause 6.2 of this policy;
  - 2.3.3 Being no closer than 100 metres to any other Class 4 gambling venue;
  - 2.3.4 The venue being a recognised sports or other recreational non-profit club;
  - 2.3.5 Not being a venue at which the primary activity is associated with family or children's activities;
  - 2.3.6 Machines and signage within the venue promoting gambling opportunities not being visible outside the venue, and
  - 2.3.7 Signage outside the venue promoting gambling opportunities complying with Council's regulations for signage (e.g. Waitaki District Plan requirements, etc).

Class 4 gambling venues may not be established in any Waitaki District Plan **Residential zone** or **recreation zone** (other than that above).

### 3 Numbers and Location of Class 4 Gambling Venues From the commencement of this policy:

- 3.1 Council will not grant consent for the establishment of any new Class 4 Gambling venues, or gaming machines as of the adoption of this policy.

### 4 Incompatibility of Class 4 gambling premises

- 4.1 Class 4 gambling venues must not be located in premises that are incompatible with other predominant uses in a commercial or retail district.
- 4.2 The Class 4 Gambling Venues Policy does not allow New Zealand Racing Board (TAB) locations to act as Class 4 gambling venues.

### 5 Mergers of non-commercial clubs

- 5.1 Council may allow for two or more non-commercial clubs to merge under Section 95 of the Gambling Act.

Two or more non-commercial clubs that merge must consolidate the number of gambling machines operated at the merged non-commercial club venue to the lesser of:

- a. 30 gaming machines; or
- b. The sum of the number of gaming machines previously operated by each non-commercial club individually at the time of the merger

- 6 Relocation of existing Class 4 Venues permitted under specific circumstance
- 6.1 Council at its sole discretion, under circumstances it deems exceptional, may permit existing Class 4 venues to be re-establish at a new site where, due to circumstances beyond the control of the of the operator or lessee of the premises, the premises cannot continue to operate at the existing site. Example of such circumstances include but are not limited to the following:
- Acquisition of property under the Public Works Act.
  - Substantive site development by a new owner.
  - Natural disaster
- 6.2 Any permission to establish a new Class 4 venue under clause 6.1 will be subject to the following conditions:
- i. The intended holder of the Class 4 venue licence and the owner or lessee of the premises in which the machines are located at the new site must not exceed the number of machines in operation at the old site at the time of relocation.
  - ii. In accordance with Section 97A of the Gambling Act 2003, when a relocation is sought under this relocation provision, the new venue may only operate up to the same number of machines that were in operation at the old venue immediately before the old venue licence was cancelled as a result of the relocation.
  - iii. In accordance with Section 97A(2)(c) of the Gambling Act 2003, when the new venue is established following the consent being granted under this relocation provision, the old venue is treated as if no Class 4 venue licence was ever held for that venue.

*(Note: Where a venue relocates, the Class 4 licence for the old venue will be cancelled and the old venue will be treated as if no Class 4 venue licence had ever been held for that venue).*

## 7 Applications

- 7.1 Applications for territorial authority consent must be made on the approved form and must provide:
- 7.1.1 name and contact details for the application;
  - 7.1.2 street address of premises proposed for the Class 4 licence;
  - 7.1.3 the names of management staff;
  - 7.1.4 evidence of police approval for owners and managers of the venue;
  - 7.1.5 a copy of the applicant's proposed gambling harm minimisation policy and staff training programme;
  - 7.1.6 a site plan covering both gambling and other activities proposed for the venue, including details of each floor of the venue;
  - 7.1.7 evidence of the distance to the nearest residential zone, educational or religious establishment and other Class 4 gambling venues;
  - 7.1.8 details of liquor licence(s) applying to the premises;

- 7.1.9 a copy of the completed Class 4 venue licence application form required by the Secretary of Internal Affairs, as provided in section 65 (2) of the Gambling Act 2003.

## 8 Application fees

These will be set by the territorial authority from time to time, and shall include consideration of:

- 8.1 the cost of processing the application, including any consultation and hearings involved;
- 8.2 the cost of triennially reviewing the Class 4 gambling venues policy;
- 8.3 the cost of inspecting Class 4 gambling venues on a regular basis to ensure compliance with consent or licence conditions;
- 8.4 a contribution towards the cost of triennial assessments of the economic and social impact of gambling in the district.

## 9 Commencement of Policy

The policy will take effect from .....

DRAFT



## Appendix A

### Fees and charges for Class 4 venue consent fees and processing applications

Waitaki District Council Class 4 Venue Consent Fee is 100% cost recovery (time and materials). An initial deposit is required by the applicant. This is set out in the fees and charges section of the most recent Annual Plan and is reviewed annually.

Council has granted delegated authority to the Chief Executive Officer to issue Class 4 Venue Consents for applications that comply with Council's Class 4 Gambling Venues Policy (Res 03/251 – 9 December 2003).

## Appendix B

### Definitions

**The Act** means the Gambling Act 2003

**Council** means the Waitaki District Council

#### **Gaming machine**

- (a) means a device, whether totally or partly mechanically or electronically operate, that –
  - (i) is adapted or designed and constructed for use in gambling; and
  - (ii) is played or confers a right to participate, whether totally or partly, by the insertion of money into it or by the direct or indirect payment of money by any other means; and
- (b) includes a device for gambling that is conducted partly by a machine and partly by other means; and
- (c) includes a device, or type of device, that is declared to be a gaming machine by regulations made under section 368 Gambling Act 2003; but
- (d) does not include—
  - (i) a device used only to draw a lottery; or
  - (ii) a random selection device used in a game of housie; or
  - (iii) a device used only to dispense tickets that is not capable of being used to decide the outcome of gambling; or
  - (iv) a jackpot device that links a series of gaming machines and that can only be played through those gaming machines; or
  - (v) a communication device that is used both to dispense tickets in and draw a lottery that is a sales promotion scheme; and
- (e) does not include a device, or type of device, that is declared not to be a gaming machine by regulations made under section 368 of the Gambling Act 2003; and
- (f) does not include a device operated by the Lotteries Commission

**Recreation Zones** are places including land and buildings used for organised sporting purposes

**Sinking Lid** means as a Class 4 Venue ceases operation or is closed and does not resume gambling activities within six months, Council will not grant consent for the establishment of any new venue, except relocation under specific circumstances in accordance with Clause 7.

**Society** means a society that is

- (a) incorporated under the Incorporated Societies Act 1908; or
- (b) incorporated as a board under the Charitable Trusts Act 1957; or
- (c) a company incorporated under the Companies Act 1993 that—
  - (i) does not have the capacity or power to make a profit; and
  - (ii) is incorporated and conducted solely for authorised purposes; or

- (d) a working men's club registered under the Friendly Societies and Credit Unions Act 1982

## Appendix C

### Provisions of Gambling Act 2003 relating to Class 4 venues policy requirements

#### 30. Meaning of class 4 gambling

In this Act, class 4 gambling is gambling that satisfies the following criteria:

- (a) the net proceeds from the gambling are applied to, or distributed for, authorised purposes; and
- (b) no commission is paid to, or received by, a person for conducting the gambling; and
- (c) there are game rules for the gambling; and
- (d) the gambling, and the conduct of the gambling, satisfies relevant game rules; and
- (e) either—
  - (i) the Secretary has categorised the gambling as class 4 gambling and not as another class of gambling; or
  - (ii) the gambling utilises or involves a gaming machine.

#### 31. Requirements for class 4 gambling

Class 4 gambling may be conducted only by a corporate society that holds—

- (a) a class 4 operator's licence for the gambling; and
- (b) a class 4 venue licence for the place where the gambling is conducted.

#### 50. Application for class 4 operator's licence

With the exception of Clause 6 (relocation of existing venue), there shall be no new Class 4 venues as of the adoption of this policy.

- (1) A corporate society may apply to the Secretary for a licence to conduct class 4 gambling.
- (2) An application must be on the relevant standard form and be accompanied by—
  - (a) a copy of the applicant's governing document; and
  - (b) details of the authorised purposes to or for which net proceeds from the class 4 gambling will be applied or distributed; and
  - (c) a statement by the applicant of how it proposes to minimise the risk of problem gambling (including the corporate society's policy for identifying problem gamblers); and
  - (d) information about the financial viability of the proposed gambling operation and the means proposed to maximise the net proceeds from the class 4 gambling to be applied to or distributed for authorised purposes; and
  - (da) in the case of an applicant that proposes to apply some or all of its net proceeds from the class 4 gambling to an authorised purpose, information to assist the Secretary to determine whether the applicant meets the requirements of [section 52A\(1\)](#); and
  - (e) in the case of an applicant that mainly or wholly distributes net proceeds from the class 4 gambling to the community, details of the methods, systems, and policies for consideration of applications and distribution of net proceeds; and
  - (f) a profile of each key person, including details of their experience in conducting class 4 gambling, character, and qualifications; and
  - (g) an application, and accompanying information, for a class 4 venue licence for each venue at which the applicant proposes to operate class 4 gambling; and
  - (h) any information requested by the Secretary to assist the Secretary to determine whether the applicant is suitable; and
  - (i) any information requested by the Secretary to show that the applicant will meet the requirements of this Act and the conditions of the proposed licence.
- (3) The Secretary may return an incomplete application, and the accompanying documents and any fee, to an applicant.

65. Application for class 4 venue licence

1. With the exception of Clause 6 (relocation of existing venue), there shall be no new Class 4 venues as of the adoption of this policy.
  - (1) A corporate society may apply to the Secretary for a class 4 venue licence.
  - (2) An application must be on the relevant standard form and be accompanied by—
    - (a) a description of the venue and its location; and
    - (b) a territorial authority consent if required under section 98; and
    - (c) a copy of a class 4 venue agreement if required under subsection (3); and
    - (d) a statement by the applicant of how it proposes to minimise the risk of problem gambling and underage gambling at the class 4 venue; and
    - (e) a profile of the venue manager and the venue operator, including details of their experience in conducting class 4 gambling, character, and qualifications; and
    - (f) details of gambling equipment that the applicant intends to operate at the venue and evidence that it meets relevant minimum standards; and
    - (g) if the application relates to a venue that is licensed to another corporate society, notice from the other corporate society that it is surrendering its venue licence for the venue; and
    - (h) if relevant, evidence that on issue of the licence the applicant will own any gambling equipment (except for electronic monitoring systems) that it proposes to operate; and
    - (i) evidence that any gambling equipment that the applicant proposes to operate under the licence is not and will not be financed by the manufacturer, distributor, or vendor of the equipment; and
    - (j) evidence that the class 4 venue is not to be used mainly for operating gaming machines; and
    - (k) if the application relates to a venue for which a class 4 venue licence was not held at the time of commencement of this section, evidence that the class 4 venue is not to be part of a place at which another class 4 venue or a casino is located; and
    - (l) evidence that the venue is suitable in all other respects to be a class 4 venue.
  - (3) The application must also be accompanied by a class 4 venue agreement unless the Secretary is satisfied that the applicant is a club that intends to operate gambling equipment at a non-commercial class 4 venue that—
    - (a) it owns or leases; and
    - (b) is mainly for the use of club members.
  - (4) Despite subsection (3), an application by the New Zealand Racing Board or a racing club is not required to be accompanied by a venue agreement.
  - (5) The Secretary may return an incomplete application, and the accompanying documents and any fee, to an applicant.
  - (6) The Secretary may request from the applicant any further information that the Secretary considers necessary to consider the application properly.

98. When territorial authority consent required

A territorial authority consent is required in the following circumstances:

- (a) if a corporate society proposes to increase the number of gaming machines that may be operated at a class 4 venue (whether by way of an application for, or amendment to, a class 4 venue licence, and whether or not in association with an application for ministerial discretion under section 95 or 96);
- (b) if a corporate society applies for a class 4 venue licence and a class 4 venue licence has not been held by any corporate society for the venue within the last 6 months;
- (c) if a corporate society proposes, in accordance with a relocation policy of the territorial authority, to change the venue to which a class 4 venue licence currently applies.

99. Application for territorial authority consent

- (1) An application for a territorial authority consent must be made to the territorial authority for the district in which the class 4 venue is, or will be, located.
- (2) The application must be accompanied by the information required by the territorial authority to enable it to consider the application properly.
- (3) An application for consent in accordance with a relocation policy may be made only with the agreement of the venue operator of the existing venue.

100. Considering and determining application for territorial authority consent

2. With the exception of Clause 6 (relocation of existing venue), there shall be no new Class 4 venues as of the adoption of this policy.

101. Territorial authority must adopt class 4 venue policy

- (1) A territorial authority must, within 6 months after the commencement of this section, adopt a policy on class 4 venues.
- (2) In adopting a policy, the territorial authority must have regard to the social impact of gambling within the territorial authority district.
- (3) The policy—
  - (a) must specify whether or not class 4 venues may be established in the territorial authority district and, if so, where they may be located; and
  - (b) may specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue; and
  - (c) may include a relocation policy.
- (4) In determining its policy on whether class 4 venues may be established in the territorial authority district, where any venue may be located, and any restrictions on the maximum number of gaming machines that may be operated at venues, the territorial authority may have regard to any relevant matters, including:
  - (a) the characteristics of the district and parts of the district;
  - (b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities;
  - (c) the number of gaming machines that should be permitted to operate at any venue or class of venue;
  - (d) the cumulative effects of additional opportunities for gambling in the district;
  - (e) how close any venue should be permitted to be to any other venue;
  - (f) what the primary activity at any venue should be.
- (5) A relocation policy is a policy setting out if and when the territorial authority will grant consent in respect of a venue within its district where the venue is intended to replace an existing venue (within the district) to which a class 4 venue licence applies (in which case section 97A applies).

102. Adoption and review of class 4 venue policy

- (1) A policy on class 4 venues under section 101 must be adopted in accordance with the special consultative procedure in section 83 of the Local Government Act 2002 and, for the purpose of subsection (1)(e) of that section, the territorial authority must give notice of the proposed policy, in a manner that the territorial authority considers appropriate, to—
  - (a) each corporate society that holds a class 4 venue licence for a venue in the territorial authority district; and
  - (b) organisations representing Māori in the territorial authority district.
- (2) A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.
- (3) Subsection (1)(b) does not affect the ability of a territorial authority to take similar action in respect of any other population group.

- (4) A territorial authority must, as soon as practicable after adopting, amending, or replacing a policy, provide a copy of the policy to the Secretary.
- (5) A territorial authority must complete a review of a policy within 3 years after the policy is adopted and then within 3 years after that review and each subsequent review is completed.
- (5A) The first time that a territorial authority commences a review of a policy after the [Gambling \(Gambling Harm Reduction\) Amendment Act 2013](#) comes into force, the territorial authority must (and may at any other time) consider whether to include a relocation policy (as defined in [section 101\(5\)](#)) in its class 4 venue policy.
- (5B) Whenever a territorial authority is considering whether to include a relocation policy in its class 4 venue policy, it must consider the social impact of gambling in high-deprivation communities within its district.
- (6) A policy does not cease to have effect because it is due for review or being reviewed.

103. Provision of information relating to class 4 venues in territorial authority district

On request from a territorial authority, the Secretary must provide—

- (a) the name and address of each corporate society that holds a class 4 venue licence for a venue in the territorial authority district; and
- (b) the name and address of each class 4 venue in the territorial authority district and the number of gaming machines permitted to operate there.

#### 4.3 ŌAMARU, WESTON AND KAKANUI SPATIAL PLAN

**Author:** Katrina Clark, Senior Planner District Plan Review

**Authoriser:** Roger Cook, Heritage, Environment and Regulatory Group Manager

##### RECOMMENDATION

That the Community, Culture and Regulatory Committee recommends:

That Council:

1. Includes the amendment to remove the Rural Residential Area (SP01) identified at Bushy Beach Road from the Ōamaru, Weston and Kakanui Spatial Plan.

.....

##### DECISION OBJECTIVE

That the Committee recommends the amendment to remove the Rural Residential Area (SP01) identified at Bushy Beach Road before the final version of the Ōamaru, Weston and Kakanui Spatial Plan is presented to Council for adoption.

##### SUMMARY

The draft Ōamaru, Weston and Kakanui Spatial Plan was developed under the guidance of the Community, Culture and Regulatory Committee and the feedback received from rūnaka, key stakeholders and the communities of Weston and Kakanui during early 2021. Feedback from the wider community was gathered during October/November 2021 and was presented for Committee consideration on 5 April 2022 to inform the development of a final version of the Spatial Plan for adoption by Council.

Recommendation 9 of the 5 April 2022 Committee report stated, '*Remove rural residential area (SP01) identified at Bushy Beach Road*'. The Committee required further rationale on the reasons for this before recommending this change be made to the final version of the Spatial Plan before it goes to Council for adoption.

##### DECISION-MAKING EXPECTATIONS

Governance Decision-Making:

The Committee is being consulted for its recommendation to Council that the amendment to remove the rural residential area (SP01) identified at Bushy Beach Road to the Ōamaru, Weston and Kakanui Spatial Plan is included in a final version of the Spatial Plan to be adopted by Council

Operational Decision-Making:

Incorporation of the amendment to the final version of the Spatial Plan in accordance with the Committee's decision at this meeting.

Communications

Media Releases – contributed to by officers and Elected Members

Media/public enquiries regarding governance decision-making topics above can be addressed by governance

Media/public enquiries regarding operational decision-making topics above can be addressed by officers

### SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	No
Legal	No	Cultural Considerations	No
Significance	No	Social Considerations	Moderate
Financial Criteria	No	Economic Considerations	Moderate
Community Views	Key	Community Board Views	No
Consultation	Moderate	Publicity and Communication	Moderate

### BACKGROUND

At its meeting on 5 April 2022, the Committee resolved to recommend the Ōamaru, Weston and Kakanui Spatial Plan to Council for adoption, which includes the amendments detailed in the report with the exception of recommendation 9 which stated, *'Remove rural residential area (SP01) identified at Bushy Beach Road'*. The Committee requested further explanation on the reasons for this recommendation before making a decision on whether to accept this change.

The draft Spatial Plan included the identification of an area along Bushy Beach Road for potential rural residential development (refer Appendix 1). During the engagement with the community and stakeholders, there was a clear preference to reduce the amount of rural residential zoned land in Ōamaru and to limit further fragmentation of larger productive land areas around Ōamaru. Whilst the draft Spatial Plan feedback form did not specifically ask the question as to whether people supported the inclusion of an additional rural residential area along Bushy Beach Road, there was a question that asked, *'Do you support a reduction in the extent of rural residential land?'*. A total of 128 respondents answered this question with 60% (77 respondents) answering 'yes' and 40% (51 respondents) answering 'no'.

Some of the key themes arising from the feedback included:

- The need to protect highly productive land.
- The need to prevent or restrict unnecessary urban sprawl.
- There is too much land currently zoned for rural residential which is compromising highly productive land.
- In the areas zoned rural residential, there is too much wasted space which is not an efficient use of the land.
- There are large amounts of developable land so close to town that could easily provide residential development and also help avoid the need to use reserve land for housing.

Comments where a direct reference was made against the identification of Bushy Beach for additional development include:

*'Some of the principles which make a lot of sense are not compatible with what is proposed in the plan. For example, ...'Protect surrounding high quality rural land, freshwater, biodiversity and the coastal environment' is not compatible with the proposal to build 30-60 houses in the Bushy Beach area.'*

*'Oamaru is blessed to have the most northerly nesting spots for the Yellow Eyed Penguin, which is already retreating from Bushy Beach, how does intensifying development on that headland fit with sustainability and the preservation of this highly endangered penguin?'*

*'More thought is needed to avoid impacting current wildlife reserves and habitat. Residential development north of Bushy Beach would have a negative impact on wildlife which currently call that area home.'*

*'I do not support the proposed development of land near to Bushy Beach (Area SP01). This will have a devastating impact on the Yellow Eyed Penguin colony through massively increased footfall and the presence of both dogs and cats as well as an increase in vermin. Currently Bushy Beach is quite isolated and this helps preserve this important colony.'*

*'Subdividing near the Bushy Beach Yellow-eyed penguin colony. Not only are these penguins taonga species for Maori, they are critically endangered and valued throughout the world. Introducing even more dogs and cats to the area is reckless. There are other endangered seabirds that nest in the area and they too would become pet breakfast. There is no evidence of WDC taking responsibility for pet control to date.'*

*'Bushy beach used to be the northern stronghold for Yellow-eyed penguins. Now it is failing fast. The cynical would just sub-divide and put nails in their coffin. Are we these people?'*

Support for the suggestion to identify Bushy Beach as a rural residential area was limited to the following comment:

*'The areas targeted for further residential development in Weston, between Awamoa Road and Beach Road along with Bushy Beach Road for housing intensification. Makes sense to intensify existing residential land and new residential land close to the town boundary and existing residential zoning. Allows residents easy access to the township facilities and reduce travel costs. Thinking of young families and the ageing community. Protection of highly productive farmland is widely agreed upon as we want to continue to allow future generations the opportunity to keep operating farming business that create jobs and work for other servicing businesses within the Oamaru township.'*

Based on the feedback received, and the general support to reduce the amount of rural residential land, officers considered that the removal of the Bushy Beach Road area for rural residential development would be an appropriate response to the feedback. Furthermore, the additional area at Bushy Beach is not needed in terms of meeting additional growth/capacity requirements. Included in the feedback is that there is already an over-supply of rural residential land in Ōamaru, and that there is general support to reduce the amount of rural residential land.

The area is currently zoned in the Operative District Plan as Rural General. As part of the District Plan Review, the area has been identified as being located within a Wāhi Tūpuna area that covers much of Cape Wanbrow. The cultural values for this area have been defined as:

*Makotukutuku (Cape Wanbrow) is situated between Te Awakōkōmuka (Awamoa Creek) and Ōamaru on Te Tai-o-Ārai-te-uru (Otago coastline). It is the location of an ancient pā site. Makotukutuku draws its name from a tūpuna (ancestor) on the Ārai-te-uru waka that capsized off the coastline, near Matakaea (Shag Point).*

*The values in this Wāhi Tūpuna include, but are not limited to, umu, ara tawhito, wāhi pakaka, pā site.*

The area also falls within the draft Coastal Environment area where preserving the natural character and protecting it from inappropriate subdivision, use and development is a matter of national importance under section 6(a) of the Resource Management Act 1991 (RMA). If rural residential zoning was to be pursued at this location it would likely be challenged and would struggle to be justified under these RMA provisions. There was also concern raised in some submissions on the impact that additional development in this area could have on the biodiversity/habitat values. Council's Biodiversity Advisor has advised that there is evidence that increased human activity near



nesting habitat correlates with poor breeding success, also noting, *'Direct predation from cats, stoats and ferrets is the leading cause of Yellow Eyed Penguin (YEP) chick mortality in the South Island. Some research has shown that increased vegetation buffers (such as gardens, hedges and shelterbelts that could be expected from residential development) can increase the rate of predation by providing habitat and corridors for predators. Also, retiring pasture from grazing can lead to a trophic cascade, where mouse populations boom, followed by an increase in stoat numbers - with potential consequences for the nesting birds (Altero et al 1998).'*

## SUMMARY OF OPTIONS CONSIDERED

### **Option 1 – That the Committee recommends to Council the removal of the rural residential area (SP01) identified at Bushy Beach from the Ōamaru, Weston and Kakanui Spatial Plan. (Preferred)**

This recommendation is made as a response to the feedback received during engagement with the community and supports the requirement under section 6(a) of the RMA to protect the natural character of the coastal environment from inappropriate subdivision, use and development, and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites waahi tapu and other taonga. The recommendation also supports the concerns raised in feedback regarding the biodiversity/habitat values of the area. Should the Committee decide to accept the recommendation, the Bushy Beach area will be shown as Rural General in the Spatial Plan and retain its current zoning in the Draft District Plan.

### **Option 2 – That the Committee does not recommend to Council the removal of the rural residential area (SP01) identified at Bushy Beach from the Ōamaru, Weston and Kakanui Spatial Plan.**

Should the Committee decide not to accept the officer-recommended amendment, this may impact on the community's reception of the final Spatial Plan. The resulting zoning to be carried through into the Draft District Plan is likely to be challenged and difficult to justify under the RMA.

### **Option 3 – That the Committee recommends to Council that part of the land at Bushy Beach, as agreed at this meeting, is identified as a rural residential area (SP01) in the Ōamaru, Weston and Kakanui Spatial Plan.**

This option sees only part of the area identified at Bushy Beach Road being identified for rural residential use and the remainder being retained as Rural General Zone. Should the Committee decide to accept this recommendation, it may impact on the community's reception of the final Spatial Plan. The resulting Rural Residential zoning to be carried through into the Draft District Plan is likely to be challenged and difficult to justify under the RMA.

## ASSESSMENT OF PREFERRED OPTION

Option 1 is the preferred option. The officer-recommended amendment is a response to the feedback received from the community and stakeholders on the draft Spatial Plan. With that in mind, this report recommends that the amendment to remove the rural residential area (SP01) identified at Bushy Beach Road is agreed at this meeting and included in the Spatial Plan before it is presented to Council for adoption.

## **CONCLUSION**

A significant amount of Elected Member, officer, rūnaka, stakeholder and community feedback has been used to inform the Ōamaru, Weston and Kakanui Spatial Plan. Final amendments are now required in response to feedback before the Spatial Plan is presented to Council for adoption. The Committee is requested to approve the amendment detailed in this report.

## **ADDITIONAL DECISION-MAKING CONSIDERATIONS**

### **Outcomes**

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities, so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

### **Policy and Plan Considerations**

Following Council adoption of the Spatial Plan, the Draft District Plan will be aligned to support and facilitate the vision and outcomes for future land use and development in Ōamaru, Weston and Kakanui. The Spatial Plan will be a Council-wide guiding document with the vision and outcomes implemented by other key strategic documents such as the Long Term Plan and the Infrastructure Strategy.

### **Community Views**

Extensive Elected Member, officer, rūnaka, stakeholder and community feedback has been used to inform the Ōamaru, Weston and Kakanui Spatial Plan. Final amendments are now required to reflect the community feedback received during October/November 2021 before the Spatial Plan is presented to Council for adoption.

### **Publicity and Community Considerations**

The community will be updated on the Spatial Plan progress based on the recommendations made by the Committee at this meeting. It is also anticipated that ongoing community engagement on the implementation of the Spatial Plan will occur through the Draft District Plan process, as well as the proposed District Plan once it is publicly notified.

## Appendix 1

Proposed area located at Bushy Beach Road for Rural Residential use (circled in red).



#### 4.4 FINAL DRAFT DISTRICT PLAN APPROVAL FOR COMMUNITY FEEDBACK

- Author:** Katrina Clark, Senior Planner District Plan Review
- Authoriser:** Roger Cook, Heritage, Environment and Regulatory Group Manager
- Attachments:**
1. Cover Page for Attachments 1.1 (Draft District Plan) and 1.2 (Draft District Plan Maps) (Discussion Drafts only circulated as separated PDF documents)
  2. Schedule of Draft District Plan Meetings and Workshops

#### RECOMMENDATION

That the Community, Culture and Regulatory Committee recommends:

That Council approves the Draft Waitaki District Plan for community feedback commencing from 1 June 2022.

.....

#### DECISION OBJECTIVE

To seek the Committee's recommendation to Council that the Draft Waitaki District Plan is approved so that community engagement can formally commence on 1 June 2022.

#### SUMMARY

The Draft District Plan has been developed under the guidance of the Community, Culture and Regulatory Committee over a period of approximately eight years. A full draft of the document and accompanying maps are being circulated as separate PDFs to the agenda papers (**Attachments 1.1 and 1.2 respectively for Item 3.4**). Please note that the draft document and maps contained in Attachments 1.1 and 1.2 are still subject to final formatting and checks to ensure alignment with the outcomes of the recent extraordinary Community, Culture and Regulatory Committee meeting held on 5 April 2022 to consider community feedback on the Ōamaru, Weston and Kakanui Spatial Plan.

It is important to note that the Draft District Plan is an informal document and has **no** legal effect or statutory recognition under the Resource Management Act 1991 (RMA). Releasing a draft District Plan provides the community with an early opportunity to provide informal feedback, and for Council to consider the feedback and make changes before it is notified as a Proposed District Plan. The notification of a Proposed District Plan commences a statutory process under the RMA and some provisions may have immediate legal effect.

The release of a Draft District Plan for community feedback provides a test run of Council's 'first-cut' of draft provisions before a Proposed District Plan is formally notified. Provided the Council approves the Draft District Plan, work will be done in readiness for the commencement of community feedback from 1 June 2022.

**DECISION-MAKING EXPECTATIONS**

Governance Decision-Making:	A recommendation from the Committee is being sought so that Council may consider the Draft District Plan for approval at the Council Meeting on 10 May 2022 to release for community feedback to commence from 1 June 2022
Operational Decision-Making:	Final preparations to release the Draft District Plan for community feedback.
Communications	Media Releases – contributed to by officers and Elected Members  Media/public enquiries regarding governance decision-making topics above can be addressed by governance  Media/public enquiries regarding operational decision-making topics above can be addressed by officers

**SUMMARY OF DECISION-MAKING CRITERIA**

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	Key	Environmental Considerations	Moderate
Legal	No	Cultural Considerations	Moderate
Significance	Key	Social Considerations	Moderate
Financial Criteria	No	Economic Considerations	Moderate
Community Views	Key	Community Board Views	No
Consultation	Key	Publicity and Communication	Key

**BACKGROUND**

Council resolved to commence a full review of the District Plan on 25 June 2014. Since that date, work has progressed through a range of phases; from the early scoping of issues and discussions with key stakeholders, to engagement with the community on placemaking in 2018, the release of a Discussion Document in 2018 for community feedback, the adoption of Masterplans for Ōmārama and Otematata in 2020, engagement with rūnaka in the drafting of chapters, conversations with landowners and coastal communities in 2021, and more recently the development of the Ōamaru, Weston and Kakanui Spatial Plan.

As well as monthly reporting on progress, budgets, risks, and chapter development to the Community, Culture and Regulatory Committee, a number of other Committee meetings and regular workshops have been held over the last eight years to guide and advise Officers on the content of the draft District Plan chapters and provisions. **Attachment 2** of this report provides a schedule of Committee meetings and workshops held since 2014 to discuss the development and content of the draft District Plan.

A Discussion Document on the key issues facing the district was released for community feedback in 2018/2019. This feedback, along with further feedback from key stakeholders, rūnaka, landowners and specialists, national/regional direction and RMA best practice have all informed the draft of the District Plan that is presented today.

**Attachments 1.1 and 1.2 respectively** (circulated as separate PDF documents to the agenda papers) provides a draft version of the Draft District Plan and a draft overview of the mapping. Further work is still needed to finalise the formatting and layout of the document, and to undertake revisions to align with the recommendations made at the Extraordinary CCR Committee meeting held on 5 April 2022 on the Ōamaru, Weston and Kakanui Spatial Plan. Refinements are also still required to the mapping before it is released for community feedback. Once approved for release, the final documentation and maps will be uploaded to Council's website and feedback will be invited over a 12-week period. Hard copies will also be available in several community locations. An Engagement Plan has been endorsed by Council's Communications Portfolio elected members and will be rolled out in the lead up to and during the 12-week engagement period. The engagement period will involve a wide range of communication tools and opportunities for the community to ask questions, find out more information, and have their say on Council's Draft District Plan. The aim of the engagement process is to encourage and facilitate a high level of engagement and feedback from all sectors of the community and stakeholders.

The feedback received will then be considered by Council and used to inform the objectives, policies and provisions that go forward into the Proposed District Plan. Once the Proposed District Plan is notified under the RMA, there will be further opportunities for stakeholders and the community to make formal submissions on the Proposed Plan provisions; to make further submissions on the issues raised in the primary submissions; to have their submissions considered through the hearing process; and ultimately to appeal through the Environment Court. The notification process is a formal statutory process that is required by the RMA.

## SUMMARY OF OPTIONS CONSIDERED

### **Option 1 – That the Committee recommends that Council approves the Draft Waitaki District Plan for community feedback. (Preferred)**

As detailed above and in Attachment 2 of this report, a considerable amount of community, rūnaka and stakeholder engagement, specialist input and Elected Member involvement has been undertaken over the last eight years in the development of the Draft District Plan. It is important that the community at large is now provided with an opportunity to have their say and provide feedback on the draft, so that this can be used to inform the objectives, policies and provisions that go forward into a Proposed District Plan.

### **Option 2 – That the Committee does not recommend the Draft Waitaki District Plan to Council for community feedback.**

If the Committee considers that the Draft District Plan requires further work before being recommended to Council for approval to release for community feedback, this has the potential to delay its release until next year, due to the forthcoming local election process. A delay in the release of the Draft District Plan will result in a delay of when the Proposed District Plan is notified. Under the RMA, Council is required to review its District Plan every ten years and to have a District Plan that gives effect to national and regional direction. The current Operative District Plan is outdated and does not give effect to recent national or regional direction. Further delays to the notification of a Proposed District Plan will increase the risk to Council of intervention from the Ministry for the Environment, of a legal challenge on the Operative District Plan, and of requests for private plan changes.

### **Option 3 – That the Committee recommends to Council that the entire District Plan is formally notified as a Proposed District Plan.**

The entire District Plan is formally notified as a Proposed District Plan rather than being released first as an informal draft for community and stakeholder feedback. This approach would negate any informal opportunity to provide feedback on Council's initial thinking. Not notifying a Proposed District Plan will increase the risk to Council of intervention from the Ministry for the Environment, of a legal challenge on the Operative District Plan and of requests for private plan changes. Whilst removing the step of releasing an early informal draft for feedback would considerably reduce costs and time

in the overall District Plan Review process and provide earlier notification, it may not represent a saving over the long term. The release of a Draft District Plan is an opportunity to test draft provisions with the community in an informal environment before being locked into a formal notification process under the RMA. It allows Council to adjust the draft provisions to respond to community and stakeholder feedback in order to reduce formal submissions, hearings, and possible Environment Court appeals. Consideration of informal feedback on an early draft version of the District Plan may well represent a time and cost saving in the longer term by reducing the number of formal submissions made once the Plan is notified. It will also reduce the risk of intervention by others if Council is seen to be progressing a draft plan as there would be reluctance for them to intervene in this process prior to a proposed plan being formulated and notified soon after. It is also noted that the District Plan Review Committee resolved to recommend on 20 November 2018 (DPRC 2018/002), 'That Council approves the District Plan Review Option 1 excluding the use of the streamline approach but including the release of a draft District Plan and timeframes as outlined'.

**Option 4 - That the Committee recommends to Council that the District Plan in part is formally notified as a Proposed District Plan and the other part as a Draft District Plan.**

Under this option, specific chapters of the District Plan are formally notified under the RMA and the remainder of the District Plan is released as a draft for informal community feedback. The Committee may consider that, due to the level of early engagement with some key stakeholders and landowners, certain chapters of the District Plan should be notified without being released first as informal drafts. This approach may reduce the risk of Ministerial intervention, particularly on those chapters associated with areas that are considered to be of national interest, such as the Mackenzie Basin. Notification of specific chapters would also bring the District Plan into closer alignment with national guidance and regional policy statements. However, it would increase the risk of formal challenges under the notification process and reduce opportunities for further community and stakeholder engagement on these chapters. This option would also result in an administrative burden and further confusion for the community and users of the District Plan due to different versions being consulted on and with different legal effect.

**ASSESSMENT OF PREFERRED OPTION**

As detailed in this report, a considerable amount of community, rūnaka and stakeholder engagement, specialist input and Elected Member involvement has been undertaken over the last eight years in the development of the Draft District Plan. It is important that the community is now provided with an opportunity to have their say and provide feedback on the draft, so that this can be used to inform the objectives, policies and provisions that go forward into a Proposed District Plan.

Therefore, Option 1 is the preferred option.

**CONCLUSION**

A significant amount of Elected Member, Officer, rūnaka, stakeholder, landowner and community feedback has been used to inform the Draft District Plan over the last eight years. The first cut of the Draft District Plan is now ready to release for informal community feedback. The Committee is requested to recommend to Council that the Draft Waitaki District Plan is approved so that community feedback can commence from 1 June 2022.

## **ADDITIONAL DECISION-MAKING CONSIDERATIONS**

### **Outcomes**

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

### **Policy and Plan Considerations**

Feedback on the Draft District Plan will be used to inform the objectives, policies and provisions that are notified in the Proposed District Plan. The Draft District Plan has **no** legal effect and is only a draft version of what Council is considering for when the Proposed District Plan is formally notified under the RMA. The Operative District Plan will remain in force until such time as provisions in the Proposed District Plan are formally adopted (having been through a process of submissions, and hearings), excepting those that have immediate legal effect.

### **Community Views**

Extensive Elected Member, officer, rūnaka, stakeholder, landowner and community feedback has been used to inform the development of the Draft District Plan. The RMA does not require councils to release a Draft District Plan. However, inviting community feedback on a Draft District Plan has merit in that it effectively provides a test run before the Proposed District Plan is formally notified. The District Plan is a document that can have significant social, cultural, economic, and environmental implications, which can be permanent (eg removal of a heritage building) or occur over a number of generations (eg the effects of new development). Accordingly, it is important that every opportunity is provided to allow the community and stakeholders with effective opportunities to participate in the development of the District Plan.

### **Publicity and Community Considerations**

The Communications Portfolio elected members have endorsed an Engagement Plan for the release of the Draft District Plan. The Engagement Plan will be implemented in the lead up to and during the 12-week engagement period. Once the Draft District Plan is approved, the final documentation and maps will be uploaded to Council's website and feedback will be invited over a 12-week period commencing 1 June 2022. Hard copies will also be available in other community locations. The engagement period will involve a wide range of communication tools and opportunities for the community to ask questions, find out more information, and have their say on Council's first cut of the District Plan. The aim of the engagement process is to encourage and facilitate a high level of engagement and feedback from all sectors of the community and stakeholders.



**Agenda Item 4.4 to the  
Community, Culture and Regulatory Committee Meeting – 26 April 2022**

**PLACEHOLDER for**

**Attachment 1.1 – Draft District Plan (DISCUSSION DRAFT) and  
Attachment 1.2 – Draft District Plan Maps (DISCUSSION DRAFT).**

*(both are being circulated as separate PDF documents to the agenda papers)*

Please note that both Attachments 1.1 (Draft District Plan) and 1.2 (Draft District Plan Maps) are being circulated as agenda item 4.4 attachments to this CCR Committee Meeting as DISCUSSION DRAFTs only).

They remain subject to further change until the approved versions are released for public comment (this is expected to occur sometime in June 2022).

**Attachment 2: Schedule of Meetings and Workshops to consider the development of the Draft District Plan**

Date	Council/Committee Meeting/Workshop	Report/Paper title	Key outcomes
25-06-2014	Council Meeting	Commence Review of District Plan	Council resolution to commence review of the District Plan.
29-10-2014	District Plan Review Committee	Waitaki District Plan Review Project Plan	To recommend the draft Project Plan to Council.
26-11-2014	Council Meeting	Waitaki District Plan Review Project Plan Waitaki District Plan Review Communications Plan	Council approval of the Waitaki District Plan Review Project Plan and Communications Plan.
21-10-15	District Plan Review Committee Workshop	Community Engagement	Discussion on community engagement, coastal environment, growth strategy/spatial planning and residential density.
24-02-2016	District Plan Review Committee Workshop	District Plan Review Communications	Workshop review of Communications Plan implementation.
20-04-2016	District Plan Review Committee Workshop	District Plan Review Update	Discussion on density and growth, protected trees, rural zone chapter
25-05-2016	District Plan Review Committee Workshop	District Plan Review Update	Discussion on high density residential areas, re-zone requests and 'Our Towns – Growth and Amenity' stakeholder feedback.
15-06-2016	District Plan Review Committee Workshop	District Plan Review Update	Discussion of key issues and principles to consider in the review of the Takata Whenua chapter.
13-07-2016	District Plan Review Committee Workshop	District Plan Review Update	Discussion on heritage buildings, urban design, design guidelines, historic area
24-09-2016	District Plan Review Committee Workshop	District Plan Review Update	Discussion on issues and options for signage, heritage, rural zones, town growth and development
21-09-2016	District Plan Review Committee Workshop	Prepare District Plan for Public Notification	Discussion on issues and options for business zones.
01-03-2017	District Plan Review Committee Workshop	District Plan Review Update	Update on the District Plan Review work to date and what's coming up.
22-03-2017	District Plan Review Committee Workshop	District Plan Review Update	Discussion on issues related to energy and infrastructure.
06-11-2017	District Plan Review Committee Workshop	District Plan Review Update	Discussion on District Plan review timeframes and review of the historical heritage provisions and 'place-making' – planning for the future of the district's townships.
10-04-2018	District Plan Review Committee Workshop	District Plan Review Update	Update on timetable, discussion on coastal hazards and community based decision-making and plantation forestry.
6-11-2018	District Plan Review Committee Workshop	District Plan Review Committee Workshop	Discuss the progression of the DPR and provide direction and guidance on key stakeholder engagement.

Date	Council/Committee Meeting/Workshop	Report/Paper title	Key outcomes
20-11-2018	District Plan Review Committee Meeting	District Plan Review Timeline	To recommend that a Draft District Plan is released and that Council approves the adoption of the Engagement and Communication Plan with amendments.
Late 2018	District Plan Review Committee Workshop	Historic Heritage	Heritage workshop advising that an Oamaru Historic Area aligned with HNZ boundary would introduce weaker rules for non-contributing buildings and stronger rules for non-listed character contributing buildings, with demolition as a Discretionary activity
04-12-2018	Council Meeting	Recommendation from District Plan Review Committee Meeting 20-11-2018	Council approval.
05-02-2019	District Plan Review Committee Workshop	Engagement	To provide feedback to the committee about the community placemaking engagement undertaken for Kurow, Otematata, Omarama and Ohau To provide information on up and coming community engagement for the District Plan review Update on the engagement with stakeholders (including landowners and tenants) for Historic Heritage. List of 150 items and sites nominated provided.
19-02-2019	District Plan Review Committee Workshop	Natural Hazards	To present to the committee, key issues and a preferred option for the Natural Hazards section of the District Plan Review; To confirm the District Plan Review approach on managing Natural Hazards; To confirm the approach for key stakeholder engagement and community consultation.
09-04-2019	District Plan Review Committee Workshops	-Manawhenua -Natural Environments	To present to the committee, key issues and a preferred option for the Tangata Whenua section of the District Plan Review; To confirm the District Plan Review approach on manawhenua issues; To present to the committee, key issues and options for the Natural Environments section of the District Plan Review;

Date	Council/Committee Meeting/Workshop	Report/Paper title	Key outcomes
			To present to the committee proposed amended overlay areas for; significant coastal landscape, significant natural areas and outstanding natural areas; and To confirm the approach for key stakeholder engagement and community consultation.
14-05-2019	District Plan Review Committee Workshops	-District Plan Update and Discussion Document -Masterplans for Ōmārama and Otematata	To provide an update on the progress of the review of the District Plan and outline a key risk to the timetable; To present to the committee the District Plan Review Discussion Document for public engagement; To provide an updated Communication and Engagement Plan to support the key stakeholder engagement process during the drafting of chapter provisions. To seek feedback from the Ahuriri Community Board prior to finalising the masterplan documents. To present to the committee and Ahuriri Community Board the draft masterplan options for Omarama and Otematata; To confirm that the masterplan options are suitable in principle to be released for public consultation subject to full Council approval; To confirm the approach for key stakeholder and community consultation for the masterplan options.
11-06-2019	Council Meeting	Approval of District Plan Discussion Document	Council approval to release Discussion Document for community feedback.
02-07-2019	District Plan Review Committee	Release of Ōmārama and Otematata Masterplans for Public Consultation	Committee approval to release the draft Masterplans for community feedback
30-07-2019	Council Meeting	Recommendations from District Plan Review Committee Meeting 02-07-2019	Council approval to release draft Masterplans for community feedback.
13-08-2019	District Plan Review Committee Workshop	Heritage Draft Provisions and Heritage Design Standards	To present: - Draft chapter provisions for the Historic Heritage chapter of the DPR - Draft Waitaki Heritage Design Standards Updated list of nominated heritage items
17-09-2019	District Plan Review Committee Workshop	District Plan Review	To provide an update on the budget and timeframes of the District Plan review.

Date	Council/Committee Meeting/Workshop	Report/Paper title	Key outcomes
24-09-2019	District Plan Review Committee Workshop	District Plan Review- Draft Chapters	Present to the committee a high level summary of the draft chapters of the District Plan for discussion: > Noise > Contaminated land > Light > Signage > Temporary activities > Open space and recreation zone > Activities on the surface of waterways
08-10-2019	Council Meeting	Decision on Nominated Heritage Items	To seek Council approval to contact owners of suggested heritage places who are opposed to the nomination of their place for the heritage schedule of the Draft DP, to tell them that unless their place is of 'exceptional heritage value' then the place will no longer be considered for the heritage schedule.
19-11-2019	District Plan Review Committee Workshop	District Plan Review	To agree on strategic direction of draft district plan
03-12-2019	Council Meeting	District Plan Review Engagement Report	To seek Council approval to release the District Plan Review (DPR) Engagement Report for public information on the Council website.
22-02-2020	Community, Culture and Regulatory Committee Workshop	EDS Report and District Plan Review Options	To present to the committee the recommendations of the Environmental Defence Society (EDS) Report titled 'Te Manahuna – Mackenzie Basin and Landscape Protection. To provide to Council District Plan Review options taking into consideration the recommendations of the EDS report.
02-03-2020	Community, Culture and Regulatory Committee Workshops	-District Plan Review Discussion Document Submission Feedback -District Plan Review- Heritage -District Plan Review Progress Update	<ul style="list-style-type: none"> <li>• An overview of the District Plan Review progress to date and the current challenges and risks to the project</li> <li>• Options for the contents and timeframes for the release of the draft District Plan</li> </ul> Review of options for the draft District Plan contents. Heritage: To present: <ol style="list-style-type: none"> <li>1) The 'exceptional' heritage items proposed for consideration for inclusion</li> <li>2) Potential proposed heritage overlays for Otematata, Moeraki and Shag Point</li> <li>3) Draft Waitaki Heritage Design Standards</li> </ol>

Date	Council/Committee Meeting/Workshop	Report/Paper title	Key outcomes
			High level overview of proposed draft provisions for Notable Trees chapter To present to the CCR Committee the District Plan Discussion Document feedback from individuals and agencies to provide Council with an opportunity to discuss the feedback received.
09-06-2020	Community, Culture and Regulatory Committee Workshop	Stormwater Approach for the Waitaki District Plan	The recommended stormwater approach for the Waitaki District Plan. 1. Impacts of urbanisation on stormwater 2. Stormwater management - Water Sensitive Design 3. Stormwater management and the Waitaki District Plan Review. 4. The recommended approach to stormwater management in the Waitaki 5. What the future of stormwater management is proposed to look like for Waitaki.
23-06-2020	Community, Culture and Regulatory Committee Workshop	District Plan Review- Urban Growth	To receive direction from the CCR Committee on options for future housing growth in Ōamaru.
23-06-2020	Community, Culture and Regulatory Committee Workshop	District Plan Review Environmental Chapters	To present to the committee the recommended district plan approaches for: <ul style="list-style-type: none"> <li>• Ecosystems and indigenous biodiversity</li> <li>• Natural features and landscapes</li> <li>• Natural character</li> </ul>
13-07-2020	Community, Culture and Regulatory Committee Workshops	-Infrastructure Approach for the Waitaki District Plan -Transport Approach for the Waitaki District Plan	To present to the committee the recommended district plan approaches for: <ul style="list-style-type: none"> <li>• Infrastructure</li> <li>• Transport</li> </ul>
21-07-2020	District Plan Review Committee Workshops	-Landowner Engagement- Spatial Layers -Energy Approach for the Waitaki District Plan, and Waitaki Power Scheme	To obtain Committee input into the development of an approach for the District Plan Review (DPR) landowner engagement for proposed spatial layers. To present to the committee the recommended district plan approaches for: <ul style="list-style-type: none"> <li>• Energy</li> <li>• Waitaki Power Scheme</li> </ul>
28-07-2020	Community, Culture and Regulatory Committee Workshop	Ōamaru Town Centre Zone with an Ōamaru Historic Precinct and Ōamaru Harbour Precinct.	Presentation on proposed approach for the Ōamaru Town Centre zone, which includes the provision of an Ōamaru Historic Precinct and Ōamaru Harbour Precinct.

Date	Council/Committee Meeting/Workshop	Report/Paper title	Key outcomes
28-07-2020	Community, Culture and Regulatory Committee Workshop	DPR Commercial and Industrial Zones	To present draft plan provisions for Local Centre Zone, Mixed Use zone, and General Industrial and Heavy Industrial zones
18-08-2020	Community, Culture and Regulatory Committee Workshop	Ōamaru Historic Precinct	Discussion on further information relating to the proposed Ōamaru Historic Precinct and options for 1) management, if any, of demolition of character contributing buildings, 2) financial incentives, and 3) acoustic treatments for residential conversions of upper floors.
24-08-2020	Community, Culture and Regulatory Committee Workshop	DPR Natural Hazards and Coastal Environment	To present to the committee the following draft District Plan provisions for discussion: <ul style="list-style-type: none"> <li>• Natural hazards</li> <li>• Coastal Environment including coastal hazards</li> </ul>
08-09-2020	Community, Culture and Regulatory Committee Workshop	DPR Rural Zone provisions	To discuss rural zoning and present draft DP provisions for Rural zones.
08-09-2020	Community, Culture and Regulatory Committee Workshop	DPR Residential Zone provisions	To discuss residential zoning and present draft DP provisions for Residential zones.
25-09-2020	Community, Culture and Regulatory Committee Workshop	DPR Subdivision and stormwater provisions	To present draft DPR provisions for stormwater and subdivision
16-11-2020	Community, Culture and Regulatory Committee Workshop	DRP chapter reviews	To present draft chapters on the following: Activities on the Surface of Water, Coastal Environment, Contaminated Land, Earthworks, Ecosystems and Indigenous Biodiversity, Infrastructure, Natural Character, Natural features and Landscapes, Natural Hazards, Noise, Notable Trees, Part 1 Intro and general Provisions, Public Access, Renewable Energy, Signs, Temporary Activities, Transport.
24-11-2020	Community, Culture and Regulatory Committee Meeting	Sites and Areas of Significance to Māori approach for the Waitaki DP	To present the recommended DPR approach for sites and areas of significance to Māori
15-02-2021	Community, Culture and Regulatory Committee Workshops	-District Plan Review Communications and Engagement -District Plan Review Waitaki Lakes Development Zones	To brief Councillors on the next phase of landowner and community engagement for the District Plan Review. Lakes – discussion on current lakeside zones for low density urban development along Lakes Waitaki, Aviemore, and Benmore to get a consensus on whether the zones are still fit for purpose or rezoning is necessary.
16-02-2021	Council Meeting	District Plan Review- Draft Chapter Approval	Approval of the following draft chapters for release in the Draft District Plan, subject to the plan integration process.

Date	Council/Committee Meeting/Workshop	Report/Paper title	Key outcomes
			Natural Features and Landscapes Ecosystems and Indigenous Biodiversity Natural Hazards (excluding new wildfire provisions)
22-02-2021	Community, Culture and Regulatory Committee Workshop	Ōamaru, Weston & Kakanui Spatial Plan	To workshop with Elected members and gather information that will inform the Ōamaru Spatial Plan, and to gather ideas and thoughts regarding the vision for the spatial plan.
23-02-2021	Community, Culture and Regulatory Committee Workshop	District Plan Review Papakāika	To present to the committee the draft District Plan provisions for Papakāika for discussion.
01-03-2021	Community, Culture and Regulatory Committee Workshop	District Plan Review Draft Chapter Approval	To present draft chapters on the following: General Industrial Zone, General Rural Zones, Heavy Industrial Zone, Local Centre Zone, Macraes Mining Zone, Residential Zones, Sites and Areas of Significance to Māori, Town Centre Zone, Waitaki Power Scheme.
23-03-2021	Community, Culture and Regulatory Committee Workshop	Ōamaru, Weston & Kakanui Spatial Plan	To workshop and test key draft components of the draft Ōamaru Spatial Plan (including Weston and Kakanui) with Councillors, and to make refinements as necessary with regards to the draft vision, guiding principles and initial spatial mapping.
13-04-2021	Community, Culture and Regulatory Committee Workshop	District Plan Review Draft Chapter Approval	To present draft chapters on the following: Coastal Environment, Historical Heritage, Light, Mixed Use Zone, Natural Hazards, Subdivision.
04-05-2022	Community, Culture and Regulatory Committee Workshop	Ōamaru, Weston & Kakanui Spatial Plan	To workshop and discuss key components of the draft Ōamaru, Weston and Kakanui Spatial Plan to make refinements as necessary to the draft vision, guiding principles, spatial mapping and action plan.
15-06-2021	Community, Culture and Regulatory Committee Workshop	District Plan Review Draft Chapter Approval	To present draft chapters on the following: Hazardous Substances, Mana whenua, Mixed Use Zone, Papakāika, Lakes Special Purpose Zone, Stormwater.
17-08-2021	Community, Culture and Regulatory Committee Workshop	Ōamaru, Weston & Kakanui Spatial Plan	To present and discuss the finalised draft Ōamaru, Weston and Kakanui Spatial Plan with councillors, including outstanding issues and potential areas of contention, and next steps for public consultation.



<b>Date</b>	<b>Council/Committee Meeting/Workshop</b>	<b>Report/Paper title</b>	<b>Key outcomes</b>
31-08-2021	Community, Culture and Regulatory Committee Workshop	Assets Feedback on Draft Chapters Papakaika- Draft Chapter Heritage Schedules	Discussion to consider: 1) Further feedback from the Assets Group on draft chapters of the DPR and seek direction on draft provisions that were the subject of feedback. 2) Draft Papakaika chapter; and Updating Councillors on nominated heritage items with exceptional significance following further landowner engagement, and the schedules that will form part of the DPR including the Historic Heritage Item schedule, Character contributing schedule and Notable Trees schedule.
05-10-2021	Community, Culture and Regulatory Committee Workshop	-Feedback From Landowner Engagement -Open Space & Recreations Zones Chapter and Rural Zones Chapter	To brief Elected Members on feedback received from landowner engagement carried out in March/April 2021. To seek Elected Member support for the draft Open Space and Recreation Zones and Rural Zones chapters.
05-10-2021	Community, Culture and Regulatory Committee Workshop	Draft Medium Density Residential Guidelines and Draft Town Centre Design Guidelines	To present and discuss the draft Medium Density Residential and draft Town Centre Design Guidelines with Elected Members, and next steps for consideration as part of the District Plan review.
30-11-2021	Community, Culture and Regulatory Committee Workshop	Feedback From Federated Farmers	To brief Elected Members on engagement with, and feedback received from Federated Farmers during the drafting phase of the District Plan Review.
22-02-2022	Community, Culture and Regulatory Committee Workshop	Ōamaru, Weston & Kakanui Spatial Plan	To present the findings from public consultation and engagement on the Spatial Plan and discuss with elected members the recommended changes to finalise the Ōamaru, Weston and Kakanui Spatial Plan.
01-03-2022	Community, Culture and Regulatory Committee Workshop	Draft District Plan Mapping	Review the draft District Plan mapping prior to its release for community feedback as part of the Draft District Plan, subject to Council's approval in May.
04-04-2022	Community, Culture and Regulatory Committee Meeting	Ōamaru, Weston & Kakanui Spatial Plan	To approve officer recommendations based on the feedback received on the draft Spatial Plan.

## 5 MEMORANDUM REPORTS

### 5.1 REMOVAL OF CAR PARKING STANDARDS FROM THE OPERATIVE DISTRICT PLAN

**Author:** Rachael Bason, Resource Management Planner

**Authoriser:** Roger Cook, Heritage, Environment and Regulatory Group Manager

#### RECOMMENDATION

That the Community, Culture and Regulatory Committee receives and notes the information.

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#### PURPOSE

The purpose of this memorandum is to inform the Committee about the mandated removal of provisions in the Operative District Plan that have the effect of setting minimum car parking rate requirements, to give effect to Policy 11 of the National Policy Statement on Urban Development 2020 (NPS-UD).

#### BACKGROUND

The NPS-UD came into force on 20 August 2020. Section 74(1)(ea) of the Resource Management Act 1991 (RMA) requires territorial authorities to prepare and change their district plans in accordance with any national policy statement.

Policy 11 of the NPS-UD states:

*“In relation to parking:*

- (a) the district plans of tier 1, 2 and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and*
- (b) tier 1, 2 and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.”*

Clause 3.38(1) of the NPS-UD provides further direction on implementing policy 11:

*“If the district plan of a tier 1, 2 or 3 territorial authority contains objectives, policies, rules or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity, the territorial authority must change its district plan to remove that effect, other than in respect of accessible car parks.”*

Council was required to comply with Policy 11 of the NPS-UD no later than 18 months after the commencement date of the NPS (20 February 2022).

Clause 3.38(2) of the NPS-UD states the changes must be made without using an RMA Schedule 1 process – meaning the affected provisions of the district plan must be deleted without going through the usual formal plan change process, which includes public consultation, submissions, and hearings.

The deletions and consequential minor amendments that were required are shown in **Attachment 1** (circulated as a separate PDF to the agenda papers). These changes were implemented on 24 January 2022. **Attachment 2** (also circulated as a separate PDF to the agenda papers) shows the Operative District Plan as it now stands.

The Operative District Plan, prior to the deletions, exempted the Ōamaru CBD in the Business 1 Zone and Business Heritage Zone, from having to meet the minimum parking requirements. Therefore, there is no impact from Policy 11 of the NPS-UD on parking requirements in these zones.

Provisions that relate to parking design standards, such as width and length of parking bays and minimum loading space requirements, are not affected by the NPS-UD and are retained in the Operative District Plan. Accessible parking space and cycle parking requirements also remain in the Operative District Plan unaffected.

The removal of parking minimums does not preclude developers and businesses from choosing to provide onsite car parking, and it is expected that many will continue to do so. Officers will investigate the feasibility of collecting additional Development Contributions to enable Council to provide greater public parking availability should less onsite parking eventuate through future developments. If appropriate any recommendations for policy change will be presented to Council for a decision.

Council is still able to consider parking and traffic effects for any resource consents with a discretionary or non-complying activity status. The Consents team and the Roding team were both consulted over the deletions made to ensure that the objectives and policies still provide a framework to enable these considerations.

**Attachment 1** sets out the changes to the Operative District Plan that were necessary to give effect to the NPS-UD. These changes were made on 24 January 2022 under the delegated authority of the Heritage and Planning Manager in accordance with the Waitaki District Council Delegations Master Register 2020, to amend the district plan to recognise national policy statements (s55 Resource Management Act 1991).

All other required processes to implement this change to the Operative District Plan will be followed.

**5.2 HERITAGE, ENVIRONMENT AND REGULATORY GROUP ACTIVITY REPORT - APRIL 2022**

**Authors:** Heritage, Environment and Regulatory Group Unit Managers

**Authoriser:** Roger Cook, Heritage, Environment and Regulatory Group Manager

**RECOMMENDATION**

That the Community, Culture and Regulatory Committee receives and notes the information.

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**PURPOSE**

The purpose of this memorandum is to inform the Committee about the strategies, planning and activities of the Heritage, Environment and Regulatory Group.

The project traffic light report is targeted the following way:

	Making sufficient progress / under development / on track.
	Project is behind schedule or may be at risk if issues are not addressed. Attention is required.
	Project has not commenced; is at risk of missing the scheduled completion date; or may be over budget or out of scope. Action is required.

**STATUTORY ACTIVITY**

Statutory Activity is being reported quarterly and will be included in the next Committee Meeting report.

**CIVIL DEFENCE EMERGENCY MANAGEMENT (CDEM) UPDATE**

Officers have met with the Stakeholder Engagement Advisor for Emergency Management Otago and the Waitaki District Council Communications Specialist to prepare a campaign for "Otago Gets Ready".



Gets Ready is a communication tool which enables notifications and alerts, as well as creating a database of those who need assistance (vulnerable members of the community). The Gets Ready system also enables neighbourhood networking, so those with special skill sets can help their local

community look after each other during an emergency, as well as allowing community response teams to take action where possible.

In the past few years across New Zealand, there have been multiple events that have shown it is more important than ever to be prepared for natural disaster. In the last two years, 15 natural disaster events have been declared across New Zealand, 11 of which were in the South Island.

Gets Ready requires individuals to register themselves online.

LEGISLATION, STRATEGIES, POLICIES, BYLAWS AND PROJECTS

Title	Commentary	Status / Review Date
<b>Community Outcome: Quality Service</b>		
Responsible Cat Ownership	The Responsible Cat Ownership Snip ‘n’ Chip campaign began on 21 March. So far 250 bookings have been received. The initiative has been well received by the public. The SPCA has asked to use the Waitaki District Council’s Responsible Cat Ownership web page content as an exemplar for other councils who are conducting similar initiatives.	In Progress
Class 4 Gambling Venues and TAB Venues Policy Review	Public submissions were presented to the Community, Culture and Regulatory (CCR) Hearings Committee on 22 March 2022 and, as a result, recommendations have been included in a decision paper presented to the Committee at this meeting.	In Progress
<b>Community Outcome: Strong Communities</b>		
Waitaki Housing Taskforce	At its meeting on 14 April, the Waitaki Housing Taskforce unanimously supported the Taskforce adoption of the ‘Healthy Homes for All, Community Housing Strategy’. Following feedback from the 29 March Council meeting, there was only one change to the document agreed by the Taskforce – the words “Pacific Island” were replaced with “Pacific Peoples”. The Taskforce expressed its appreciation to Council for Council support and adoption of the Strategy.	In Progress
Stronger Waitaki	<p>The network is growing, with all working-group meetings now underway for the year. Attendance is high, with 22 organisations attending the management meeting on 31 March. Key priority areas are mental health and addiction, housing, reduction of family harm, and education and employment.</p> <p><b>Elder Abuse and Neglect</b> Funding applications have been submitted to the Office for Seniors for \$25k to design and deliver an elder abuse awareness campaign. This will be done in collaboration with Age Concern Otago.</p> <p><b>Mental Health and Wellbeing</b> The team is working with community stakeholders including youth, our Kura (schools), and the early childhood sector, to develop a collaborative, comprehensive project plan focused on the mental wellbeing of tamariki, rangatahi and whānau. Officers are currently in dialogue with potential donors and will keep them informed as the collaborative design is worked through. If this process leads to successful funding outcomes, it will enable implementation of a child, youth and whānau wellbeing strategy, contributing to overall community</p>	In Progress

	<p>wellbeing and easing the pressure on the community’s mental health services. COVID has impacted service providers with staff absences and a continued requirement to work from home or meet virtually. This has been reflected in our schools.</p> <p><b>Youth YouTube Competition</b> The annual Youth YouTube competition has been confirmed with all high schools in the Waitaki district and will take place over the month of May. The project will be run in a manner that is cognisant of COVID restrictions. Therefore, each school will have a dedicated day for storyboarding, filming, editing, and judging. This will be followed at a later date with a community event to celebrate and showcase the winning videos.</p>	
<p>Education and Employment</p>	<p>As reported previously, Council’s application to the Ministry of Education for funding to run two Industry Training Courses at the Ōamaru ARA campus was unsuccessful. These were intended to be short, 10-day courses catering for up to 20 people per course and are much needed.</p> <p>To address this gap, the Community Development Manager has been working in collaboration with the YMCA and the Mayors’ Taskforce for Jobs (MTFJ) to establish a foundation learning and education course at the Ōamaru Campus. Progress will be updated at the next CCR meeting.</p> <p>MTFJ continues to perform well. The table below outlines the numbers since July 2021. In addition to this, the taskforce has since placed six young people in employment in the first part of April 2022 which will bring the total to 67. The taskforce will have more young people in employment by the end of April 2022, at which time there will be a quantified total of all tranches.</p> <p>The focus is now on sourcing additional funding to keep this valuable initiative going as there are currently 98 young people engaged, with more pending.</p>	<p>In Progress</p>
<p><b>MONTH</b></p>	<p><b>Total Monthly Outcomes</b></p>	<p><b>Total for the contract period to date</b></p>
<p>July 2021</p>	<p>No placements</p>	<p>0</p>
<p>August</p>	<p>10 in employment</p>	<p>10</p>
<p>September</p>	<p>9 in full time employment; 3 in apprenticeships; 3 in part time employment with possibility of extending hours</p>	<p>25</p>
<p>October</p>	<p>4 in full time employment and 1 in apprenticeship</p>	<p>30</p>
<p>November</p>	<p>8 in apprenticeships and 4 in full time employment</p>	<p>42</p>
<p>December</p>	<p>3 in apprenticeships</p>	<p>45</p>
<p>January 2022</p>	<p>2 in apprenticeships, 5 in full time employment and 1 in part time employment and going into full time as soon as able to cope</p>	<p>53</p>

February	2 in full time employment	55
March	4 in full time employment and 2 in apprenticeships	61
April		
May		
June		
Neighbourhood Support	The Community Development Team has supported Otago Neighbourhood Support with funding applications for Waitaki and is awaiting advice of outcomes.	In Progress
Community Support	<b>Community Response COVID</b> A COVID Community Care Welfare Group, led by Cr Hana Halalele, has been meeting fortnightly to share information and collaborate on the COVID response.  The group has representatives from Ōamaru Pacific Island Community Group, Ministry of Social Development, Emergency Management, Rural Sector, Community Development, Community Boards, Health Sector, Rūnanga, and the social sector.	In Progress
<b>Community Outcome: Valued Environment</b>		
Resource Management Act (RMA) reform / Natural and Built Environments Act submission	A submission by Waitaki District Council was made on the exposure draft. This is currently being examined by Parliament's select committee inquiry process before the complete Bill is drafted.  A draft submission was approved by Council on the discussion document "Our Future Resource Management System", which was another round of feedback on RMA reform.  The Local Government Resource Management Reform Steering Group invited feedback on its draft document – "Enabling Local Voice and Accountability in the Future Resource Management System". Feedback was submitted under the signature of the Chair of this Committee and is now being presented to the Committee at this meeting for formal ratification.	Complete
Otago Proposed Regional Policy Statement (RPS) submission	A submission was made by Waitaki District Council on the Proposed RPS. The mechanism for hearing the submissions is currently being challenged and is with the High Court for consideration. That notwithstanding, potential hearings dates have been identified by the ORC-appointed panel.	Complete
Waitaki District Indigenous Biodiversity Strategy 2014-2017	Many of the goals and aims in this strategy are still current, including ongoing business as usual. Officers have reviewed the actions contained in the strategy and will look to refocus the document once the Biodiversity Officer role is confirmed.	In progress

<p>Environmental Monitoring Strategy 2004</p>	<p>With the pending reforms to the Resource Management Act, the specific requirements of this strategy will need to be reassessed. Any strategy will need to align with any new legislation that replaces the current RMA.</p> <p>The Waitaki District Council is continuing to meet its obligations in regard to environmental monitoring.</p>	<p>On Hold</p>
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## DISTRICT PLAN UPDATE

<p><b>District Plan Review Programme Objective:</b> <i>To release a draft District Plan for community feedback in May/June 2022.</i></p>		
<p><b>Key Milestones:</b> District Plan Review</p>	<p>1. The Draft District Plan is being presented to the Committee at this meeting for its recommendation to Council on 10 May 2022 for adoption so that community feedback can commence on 1 June 2022 for a 12-week period.</p>	<p></p>
<p><b>Key Milestones:</b> Spatial Plan</p>	<p>1. On 5 April 2022, the Committee resolved to recommend to Council that the Ōamaru, Weston and Kakanui Spatial Plan is adopted by Council, noting 2 below.</p> <p>2. Further clarification will be provided to this Committee on the recommendation relating to the rural-residential area identified at Bushy Beach.</p>	<p></p>
<p><b>Priorities:</b> Quarter 3</p>	<p>1. Release the Draft District Plan for community feedback. 2. Prepare for and undertake a 12-week engagement campaign to encourage a high level of feedback from all sectors of the community and stakeholders. 3. Adoption of the Spatial Plan by Council on 10 May 2022.</p>	<p></p>
<p><b>Key Risks:</b> to the release of the draft District Plan in May/June 2022:</p>	<p>1. The Committee does not recommend approval of the Draft District Plan to Council. 2. The Committee requires additional work to be undertaken before the release of the Draft District Plan. 3. Additional engagement/workshop requirements prior to the release of the Draft District Plan. 4. Council does not adopt the Spatial Plan.</p>	<p></p>



### 5.3 CFDP 2020 STAGE 2 FUNDING UPDATE

**Author:** Chloe Searle, Director Gallery Museum Archive

**Authoriser:** Lisa Baillie, People and Culture Group Manager

#### RECOMMENDATION

That the Community, Culture and Regulatory Committee receives and notes the information.

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#### PURPOSE

The purpose of this report is to update the Community, Culture and Regulatory Committee on:

- (a) funding for the fitout of CFDP 2020 Stage 2 at the Waitaki Museum and Archive Te Whare Taoka o Waitaki; and
- (b) the progress of funding for the CFDP 2020 Stage 2 for the Forrester Gallery ahead of a workshop in May.

#### BACKGROUND

At the Council Meeting on 3 December 2019, Council approved all three of the following stage 2 options for the Waitaki Museum and Archive Te Whare Taoka o Te Waitaki (then North Otago Museum):

- a) Update of temporary exhibition space plus archive reception (Option C); \$155,000
- b) Refurbishment of the first floor (Option D); \$650,000 and
- c) Refurbishment of Museum storage (Option E) \$180,000.

This was resolved with costs of: \$985,000 and exhibition fitout costs for first floor spaces \$450,000, totalling \$1,435,000.

In June 2021 Council agreed to fund the building work from the Lotteries Significant Projects Fund, depreciation reserves and a transfer of unspent 2020/2021 operational funding for the Museum, Gallery and Archive. It was also highlighted to Council that the final prices for exhibition fitout costs for the first floor spaces had not yet been obtained and that officers anticipated that they would exceed \$450,000.

The building work is due for handover in May 2022. Work has proceeded within budget and with minimal delays. The delays are attributable to the discovery of material under the museum store requiring an archaeological authority for work to progress and to the pandemic.

Up-to-date budgets for the fitout costs are detailed in the tables below.

<b>Exhibition fitout costs</b>	
Archive enquiry area	\$115,000
First floor 20 <sup>th</sup> century exhibition space including spatial design, cabinetry, mounting, graphics and lighting	\$360,275
<b>Sub-total</b>	<b>\$475,275</b>

**MUSEUM AND ARCHIVE FITOUT**

<b>Refurbishment of Museum storage costs</b>	
Mobile Shelving	\$283,278
Firearms safes	\$5,400
<b>Sub-total</b>	<b>\$288,678</b>
<b>TOTAL</b>	<b>\$763,953</b>

<b>Planned source of funds</b>	<b>Total</b>	<b>Comments</b>
Depreciation reserves available 31 March 2022	\$32,216	\$19,200 for Museum storeroom shelving fitout  \$13,015 for Archive enquiry/ research area fitout
Grant from Otago Community Trust	\$600,000	Application made March 2022, decision due 24 May 2022.
CFDP loan	\$131,736*	Total balance remaining of CFDP loan on 4 April 2022 is \$855,140  - \$418,500 is committed to Stage 2 Gallery preliminary work which is underway.  - \$110,550 is tagged for Stage 2 building work  *This will leave \$194,353 in the loan fund.
<b>TOTAL</b>	<b>\$763,953</b>	

The Otago Community Trust previously granted \$600,000 to the former CFDP project in 2017. This funding was subsequently withdrawn due to changes to the project. Regular interaction with Otago Community Trust has resulted in its encouragement to Council to reapply. The Otago Community Trust has been kept up to date with progress on the project and trustees toured the Museum and Archive and the Gallery in December 2021 for an onsite update. The stage 2 Museum fitout costs are a good match with the Otago Community Trust's funding priorities.

**STAGE 2 GALLERY**

Forrester Gallery staff have been working with Jenni Giblin of Funding HQ to seek the required external funds to complete stage 2 at the Gallery. A fundraising strategy for the Stage 2 Forrester Gallery has been prepared which identifies possible sources of funds, timing for applications and information required to meet the criteria of different funds. This is a valuable operational tool for officers to ensure that the most effective actions are taken to enable funding to be successfully obtained.

An updated feasibility study has also been prepared which is necessary to apply to the Lottery Environment and Heritage Fund, and to the Ministry for Culture and Heritage Regional Culture and Heritage Fund.

A workshop is scheduled for 17 May 2022 to discuss the development of the building plans to date and to update elected members on progress with fundraising.

**5.4 PEOPLE AND CULTURE GROUP ACTIVITY REPORT**

**Authors:** People and Culture Group Unit Managers

**Authoriser:** Lisa Baillie, People and Culture Group Manager

**RECOMMENDATION**

That the Community, Culture and Regulatory Committee receives and notes the information.

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**PURPOSE**

The purpose of this memorandum is to inform the Committee, via updates on group projects, sector trends, activity trends and reporting by exception, about the People and Culture Group functions reporting to the Community, Culture and Regulatory Committee.

**INTRODUCTION**

This report is intended to be a high-level overview of activities in the People and Culture group. The Community, Culture and Regulatory Committee may wish to provide guidance and direction on the particular areas it would like focus on, for consideration in future meetings.

The project traffic light report is targeted the following way:

	Making sufficient progress / under development / on track.
	Project may be at risk if issues are not addressed. Attention is required.
	Project is at risk of missing the scheduled completion date; or may be over budget or out of scope. Action is required.



PEOPLE AND CULTURE PROJECT(S) UPDATE

Title	Commentary	Progress/Review Date
<p><b>Cultural Facilities Development Project (CFDP) 2020</b> <b>Stage Two</b></p>	<p>Stage Two Museum/Archive. Breen Construction is finishing with the construction work at the museum. Installation of the lift is complete. Upstairs spaces have been painted and floor coverings and lighting tracks installed. Work on the exterior stonework has been completed. The ground floor spaces are the current focus of activity with painting and floor coverings to be installed. The concrete floor has been poured in the collection store. An application to the Otago Community Trust has been submitted for museum exhibition fit out costs.</p> <p>Stage Two of the Forrester Gallery project work, with implementation of the funding strategy, is underway. Work continues with the property team on confirming the design of the proposed building and the project timeline.</p> <p>A workshop is being planned for May to provide an update and an opportunity for discussion regarding the last stage of this project.</p>	<p>Making sufficient progress</p>
<p><b>Culture and Heritage Strategy</b></p>	<p>Further discussions taking place with consultant regarding strategy progress.</p> <p>Following the workshop with Council, next steps are:</p> <ul style="list-style-type: none"> <li>• to confirm the approach with the Chief Executive; and</li> <li>• to establish a group of elected members consisting of the Chair of the CCR committee and a couple of elected members of her choosing, to provide further guidance through the development of a draft, including revised timeframes.</li> </ul> <p>This approach was discussed at the workshop.</p>	<p>Progress is not as fast as planned, and attention is being given to continue progress forward</p>
<p><b>Customer Excellence Strategy</b></p>	<p>Customer Liaison staff have been conducting a 'refresh' of the current Strategy. A revised Charter and high-level strategy document are being prepared to be reviewed by the Executive Leadership Team and will then be brought to Council for input. This documentation is now with the communications unit for input.</p>	<p>Making sufficient progress</p>
<p><b>Opera House Dome Restoration</b></p>	<p>Carolina Izzo Studio, Restoration specialist, is scheduled to finish the work required in late January.</p>	<p>Making sufficient progress</p>

PEOPLE AND CULTURE ACTIVITY UPDATES

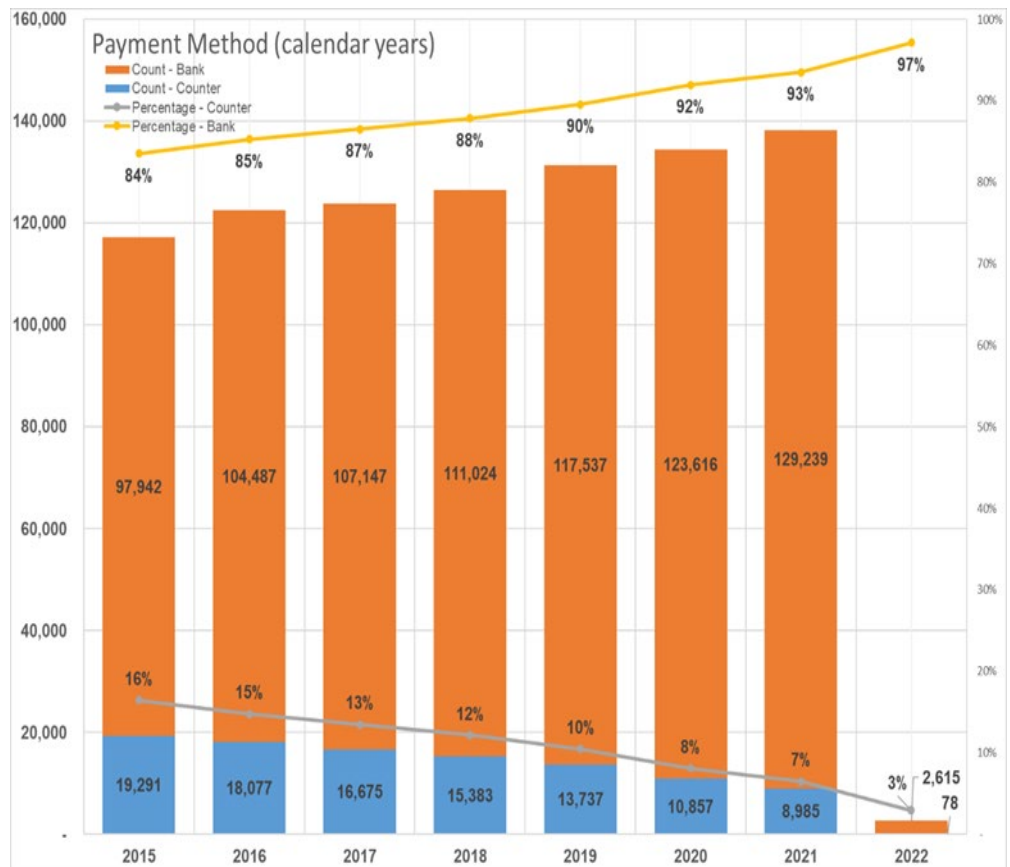
**Customer Liaison**

**Customer Service:**

The Customer Liaison Team handled 4,899 telephone calls, answered 1,512 emails, and served 1,730 walk-in customers during this period. This volume is slightly down on that of the previous year, which was 5,653 telephone calls, 1,313 emails and 2,596 walk-in customers during the same period. As the trend continues, the most notable decrease was walk-in customers which is commensurate with the increase in online payments.

There has been a notable and understandable increase in what we perceive as stress and anxiety-related behaviour of customers due to COVID-19. Staff have completed situational awareness training and actions have been taken to ensure personal safety and wellbeing.

**Payment Method**



**Rates Settlements:**

Rates are required to be settled when a property is sold, due to rates being paid mid-quarter. The settlement statement apportions the rates between the vendor and the purchaser. On the settlement date, the purchaser is required to pay its share of the rates paid by the vendor, in addition to the purchase price.

Rates Settlements January/February 2022 – 152

Rates Settlements January/February 2021 – 162

**Rates Rebates:**

The 2021/2022 period is nearing the final quarter, with 693 rates rebates approved and credited since the beginning of this financial year (1 July 2021), in comparison to the 563 rates rebates processed during this same period last year.

A total of \$429,776.64 has been paid by the Department of Internal Affairs to qualifying ratepayers during this period. The team continues with its efforts to ensure that as many qualifying ratepayers are reached and that all qualifying rates rebates received are approved and credited before the current quarter's rates are required to be paid.

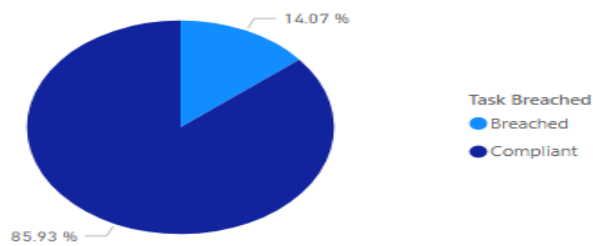
**CRM Performance February/March 2022**

2125 CRMs were created, with 299 (approximately 14.07%) exceeding the due date Council-wide. The industry standard is a target of 85% resolved within target or Service level agreement. Waitaki District Council consistently averages above this.

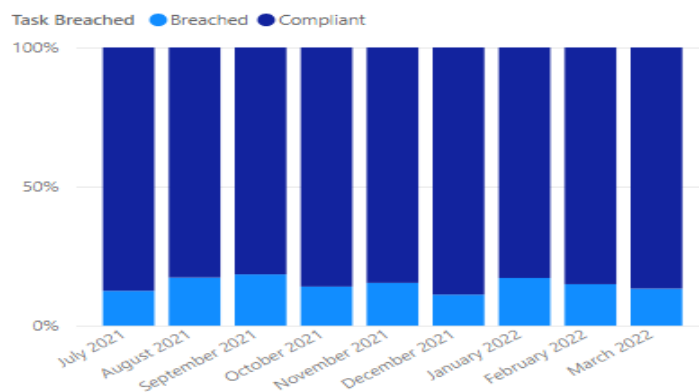
Some CRMs require two or more outside contractors to complete a request which means some CRMs will exceed the Service level agreement or resolve time while awaiting additional information.

The team is also working across departments to develop a more informative and meaningful reporting system for the CRM process, which is currently limited. This is taking some time and development but is being done in-house and will provide more trend-related reporting down to factors such as CRM type, postal code etc to provide more meaningful commentary around the effectiveness of the CRM process.

CRM Task Performance



CRM Task Performance by Month



<p><b>Waitaki District Libraries</b></p>	<p><b>Outcomes for February / March – Literacy for All, For Life</b></p> <p>As a result of Omicron circulating in the community, there has been the continuing requirement to ensure staff health and safety, while continuing to maintain and grow service provision. While there has been a need to be creative in trialling alternative forms of service delivery, the end of this reporting period has seen the community requesting and desiring a return to face-to-face services, albeit on a graduated basis, reinforcing the importance of Waitaki District Library’s (WDL) role as a community hub in building a connected and inclusive community.</p> <p>Strengthening the capacity, capability, and sustainability of WDL has remained a key focus to ensure that community needs continue to be met in a period of rapid change. WDL continues to focus on building a strong community and to widen the reach of library services to the whole community. Moreover, there has been an emphasis on supporting the community with their active interest in valuing the environment.</p> <p>Partner-led and WDL-led service delivery has highlighted the role WDL plays in celebrating the diversity of the Waitaki community identity to:</p> <p><b>Enable Safe and Healthy Communities</b></p> <ul style="list-style-type: none"> <li>- In partnership with Network Waitaki, WDL launched the Healthy Home Toolbox on the 23 March 2022. This exciting joint initiative was the result of six months’ work involving Network Waitaki and Library team members. The toolbox is available through all WD libraries for residents to borrow. The purpose of the toolbox is to enable Waitaki residents to complete their own healthy home assessment and review how they are using water, keeping their homes dry and warm, and saving energy / money on appliance use.</li> <li>- Reinforcing the importance of community access to high quality information, the presentation materials developed in the previous reporting period have been adopted by other public libraries in NZ and promulgated through the Public Libraries of NZ network. Requests for workshops from other public libraries on this topic have ensued as a result.</li> <li>- Online safety has been on particular concern to the community in this reporting period. WDL have been assisting with scam prevention and providing individual assistance to members of the community impacted by online scams and fraudulent behaviour.</li> <li>- The return of <i>Toddler Time</i>, <i>Wriggle and Rhyme</i> and <i>Lego Club</i> for children and families, and the promotion of the Citizen’s Advice Bureau, and the JP Service in the Ōamaru Public Library, is contributing to overall community wellbeing.</li> </ul> <p><b>Connected and Inclusive Communities</b></p> <ul style="list-style-type: none"> <li>- Embodying Te Tiriti o Waitangi, and illustrating the evolving relationship with mana whenua, WDL staff were invited to spend the day as manuhiri (visitors) at the Moeraki marae. Following on from this day of learning, WDL is partnering with mana whenua to lead the 2022 Matariki ceremony and celebration with the specific intent of bringing this event to life for the community, particularly now this is a</li> </ul>
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	<p>recognised annual holiday. WDL is also delivering <i>Te Kākano</i> (beginner Te Reo Māori) classes in both Hampden and Ōamaru and has highlighted Māori fiction authors with a range of cultural perspectives in their writing, in a book display in the Ōamaru library during the month of March</p> <ul style="list-style-type: none"> <li>- School class groups in Hampden and Ōmarama are now regularly attending the respective libraries, resulting from the very successful <i>Surf into Summer</i> reading programme specifically designed for children (121) in the wider Waitaki district.</li> <li>- WDL has created a rotating collection of large print books for community libraries to support visually impaired people in the Waitaki district community.</li> <li>- To ensure that customers fully utilise the electronic services available to them, instructional videos have been created to post on WDL social media accounts. These include videos on using the library app, the kiosks, the public list feature on the catalogue, and how to renew/reserve books using the catalogue.</li> </ul> <p><b>Promote a greater voice for Waitaki</b></p> <ul style="list-style-type: none"> <li>- To strengthen WDL’s work with young adults, a presentation was made to <i>Waitaki District Youth Council</i> about library services available to young people in the community. In addition, engagement has continued with the LGBTQIA+ (lesbian, gay, bisexual, transgender, intersex, queer, asexual and other sexually or gender diverse) young people to seek advice regarding ways this community can be supported with books, other materials, and activities. WDL is reviewing how LGBTQIA+ themed books can be highlighted, and events facilitated to support this group of young people.</li> <li>- In addition, WDL has initiated an Instagram account to highlight events happening in the library with a younger demographic.</li> </ul> <p><b>Meeting environmental and climate change challenges, and protecting our diverse landscapes</b></p> <ul style="list-style-type: none"> <li>- Again, working with local partners, two ecological-themed events have been hosted by WDL, raising awareness of the importance of protecting the landscape and native species: <ul style="list-style-type: none"> <li>○ <b>Red billed gulls: trouble or treasure.</b> This event described the history of red billed gull nesting in Ōamaru, and outlined the various methods used to move the gulls on to other nesting sites. The event was reported on the front page of the Ōamaru Mail.</li> <li>○ <b>Point Bush Ecosanctuary – A conservation vision for the future.</b> The Point Bush Ecological Restoration Trust described how the Point Bush Ecosanctuary has been developed to regenerate native forest and bring back native birds and other flora and fauna to Waimate. The ecosanctuary welcomes visitors for walking, biking and educational activities. As part of the event, the Chair of the Friends of Studholme Bush Reserve spoke about their native forest regeneration project. The reserve is also open to the public for walking.</li> </ul> </li> </ul>
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Celebrating the launch of the Healthy Home Toolbox are (from left) Waitaki District Council chief executive Alex Parmley, Waitaki District Libraries manager Jenny Bean, library supervisor Eileen Armstrong, Network Waitaki customer and community relations manager Michelle MacLean and chief executive Geoff Douch. PHOTO: REBECCA RYAN

**Ōamaru Opera House**

**Customer Service**

Staff continue to be productive with quotes, bookings, and forward planning for performances and conferences. Planning for large events can start 2-3 years in advance. As the pandemic has come into our community, we have experienced multiple cancellations – since the previous report period we have cancelled two performances, two large functions, nine meetings and one conference, all a result of Covid in the community.

A marketing campaign is scheduled for the end of May when the first large performance is due. This will be a collaborative campaign with the Cultural Facilities for a Welcome Back to the venues.


Staff have been continuing to book, plan and cancel. During the quiet period, they have worked on business plans for marketing, audience development and community engagement, deep cleaning, deferred maintenance and work in other units, ie test and tag work.

Vaccine passes are no longer mandated and are not a requirement to enter the Opera House. All staff are back onsite full time following two working remotely to avoid any disruption to business due to Covid-related illness.

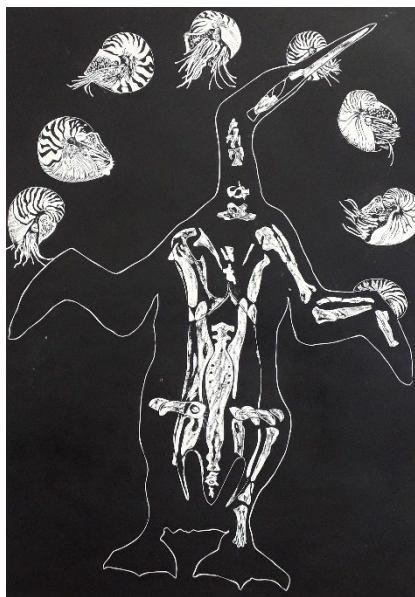


	22 February – 8 April 2022		22 February – 8 April 2021	
	Bookings	Pax	Bookings	Pax
	Not for Profit / FOC	6	90	17
Commercial	4	51	23	1,980
Community	-	-	18	446
<b>Total</b>	<b>10</b>	<b>141</b>	<b>58</b>	<b>2,714</b>

<p><b>Forrester Gallery</b></p>	<p><b>Customer Service:</b></p> <p>The Forrester Gallery installed three new exhibitions in April. <i>Earth: Caught in Stone</i> is a collaboration between the University of Otago, GNS and the Dunedin School of Art. This exhibition interprets geology through art, with many of the artworks relating to local geology. Gallery staff have been working with the Geopark on educational activities and a school programme to accompany this show. The education programme includes takeaway activity cards that can be collected from the gallery or downloaded from the gallery website <a href="https://culturewaitaki.org.nz/forrester-gallery/exhibition/earth-caught-stone">https://culturewaitaki.org.nz/forrester-gallery/exhibition/earth-caught-stone</a> and online videos explaining the geology behind the art.</p> <p><i>Maritza Boutique Ōamaru – London</i> exhibition takes clothing from the museum collection connected with Ōamaru fashion retailer Maritza Boutique and feature artworks by seven local artists responding to these garments. The exhibition also includes a film of the garments being worn. Gallery staff are working to digitise both these exhibitions so that they are accessible online.</p> <p>The third exhibition is <i>Mary Horn: At Home In The Forrester</i>. This exhibition highlights artworks recently gifted by Mary Horn to the Forrester Gallery and celebrates her long association with the Gallery and the local arts community.</p> <p>Educator Elizabeth King has been attending webinars with Te Pū Tiaki Mana Taonga [formerly Museum Educators Association of Aotearoa New Zealand (MEANZ)] to keep our team up-to-date with best practice in education, in particular regarding online options.</p> <p>Curator Imogen Stockwell was invited to be a judge for the Zonta Ashburton Female Art Award 2022.</p> <p>Visitor numbers to the Forrester are lower for March than this time last year. This is attributable to the Red traffic light setting reducing the amount of activity in the town centre. Staff are planning promotions to encourage visitors back to the Gallery and the other cultural facilities.</p>	
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Staff are now working on the next group of exhibitions, including a group exhibition by artists connected with Waitaha and a show of artworks produced by the Waitaki Creative Wellbeing group.



Penguins Diving in Deep Time, Manu Berry from the exhibition *Earth: caught in stone*



The Family, 1993, Mary Horn, oil on canvas. Donated by the artist, collection of the Forrester Gallery FG2021.7.2.



Install photograph of works in the Maritza Boutique | Ōamaru – London exhibition

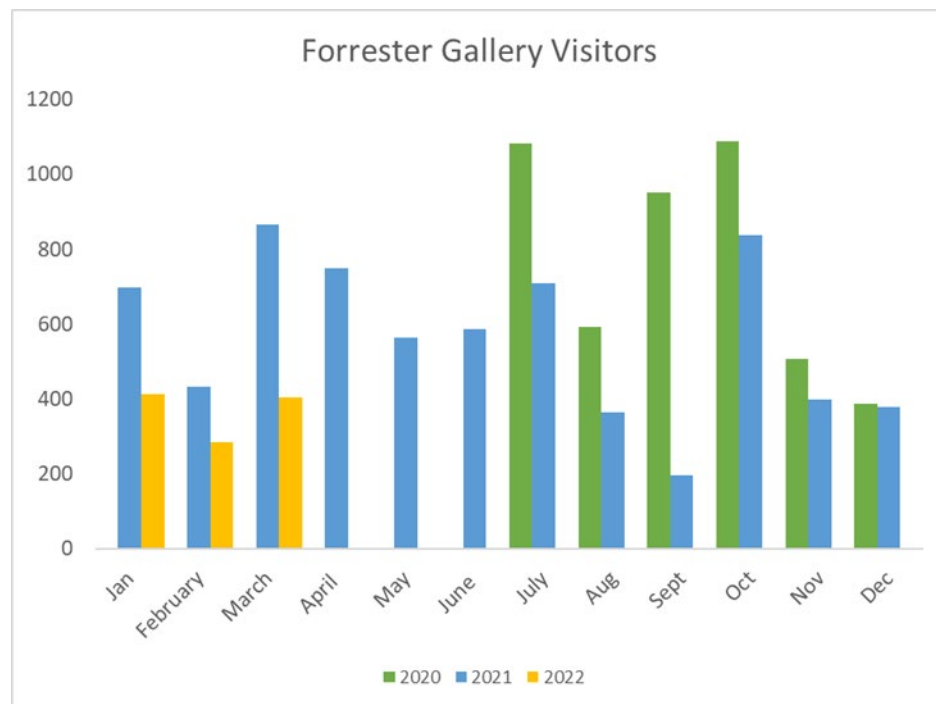
**Forrester  
Gallery**

**Collections:**

Staff are currently focused on establishing the copyright status of works in the collection and seeking permission to include further artworks on the Gallery's website.

Work on accessioned works found in store also continues.

**Visitor Numbers**



Forrester Gallery visitors: February 2022 total 286 – March 2022 total 405

**Waitaki Museum and Archive  
Te Whare Taoka o Waitaki**



**Waitaki Museum & Archive  
Te Whare Taoka o Waitaki**



The shift to the Red traffic light continues to impact museum visitor numbers, but the March numbers demonstrate the start of recovery from the low in February. Staff are working on promotions to encourage visitors back onsite at the Museum and Archive.

Director Chloe Searle is part of the Advisory Group for the Tū Tonu Regional Museums Project being operated out of Otago Museum. This project is aiming to strengthen the Museums Sector in Otago and Southland and is funded by the Ministry for Culture and Heritage. Chloe has attended several online meetings and training sessions including on oral history collections, on using social media to promote museums, and on marketing.

Staff are working on the new permanent exhibition focused on 20<sup>th</sup> century local history for the upstairs exhibition space and developing concepts for new museum temporary exhibitions as well.

Staff will also be working to make more of the museum and archive collection available online. Currently, there are 7,587 collection items available via the <https://digitalnz.org/>. Since the beginning of 2022, our collection items have been viewed 43,347 times. By way of comparison, the Dunedin Public Art Gallery has 5,543 items online and has had 13,324 views.

Archive enquiries continue to be received and responded to. Staff are looking forward to setting up the new archive enquiry area and are having discussions with library staff about how to ensure the heritage collections held by each unit work best together to ensure our customers can access all the information we hold. Work on correcting errors in the online cemetery database has also taken place based on feedback from site users.



Upstairs temporary exhibition space with carpet and lighting track installed



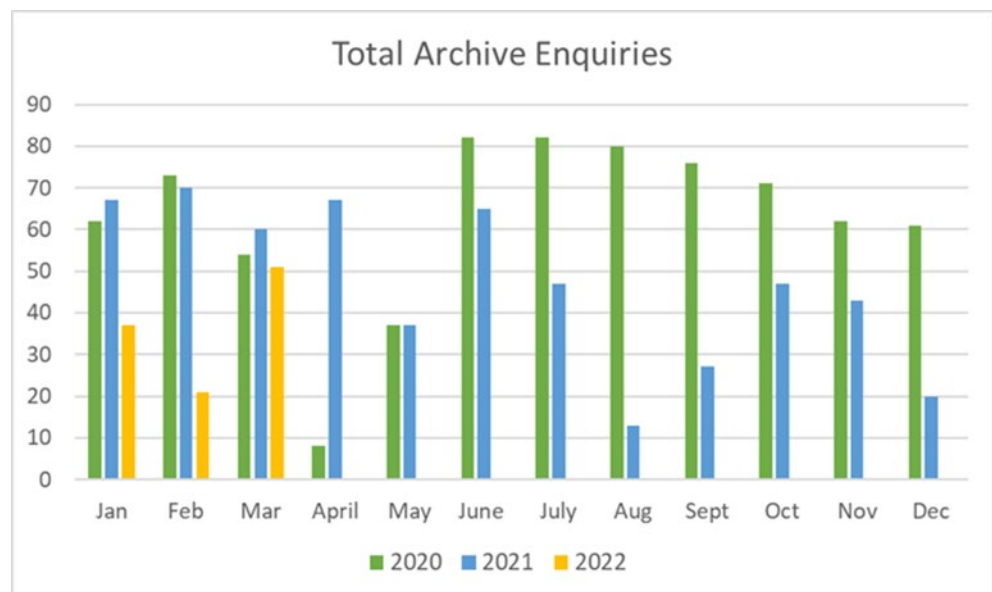
The new concrete floor in the museum storeroom



The lift installed in the museum

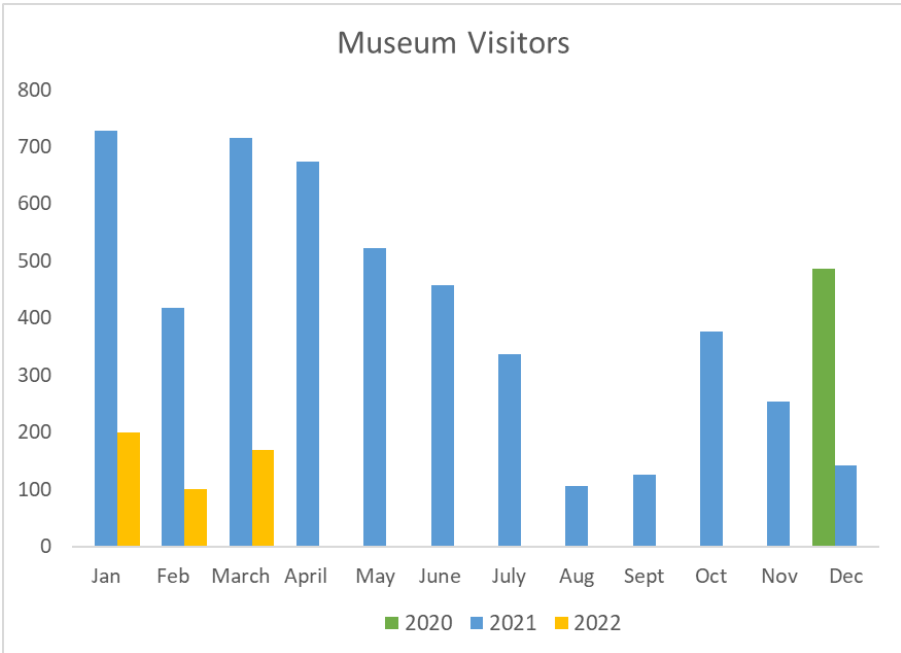
**Visitor Numbers**

**Archives**



Archive enquiries: February 2022 total 21 – March 2022 total 51



	<p><b>Museum</b></p>  <table border="1"> <caption>Museum Visitors</caption> <thead> <tr> <th>Month</th> <th>2020</th> <th>2021</th> <th>2022</th> </tr> </thead> <tbody> <tr><td>Jan</td><td></td><td>720</td><td>200</td></tr> <tr><td>Feb</td><td></td><td>420</td><td>100</td></tr> <tr><td>March</td><td></td><td>710</td><td>170</td></tr> <tr><td>April</td><td></td><td>670</td><td></td></tr> <tr><td>May</td><td></td><td>520</td><td></td></tr> <tr><td>June</td><td></td><td>460</td><td></td></tr> <tr><td>July</td><td></td><td>340</td><td></td></tr> <tr><td>Aug</td><td></td><td>110</td><td></td></tr> <tr><td>Sept</td><td></td><td>130</td><td></td></tr> <tr><td>Oct</td><td></td><td>380</td><td></td></tr> <tr><td>Nov</td><td></td><td>250</td><td></td></tr> <tr><td>Dec</td><td>490</td><td>140</td><td></td></tr> </tbody> </table> <p>Museum visitors: February 2022 total 100 – March 2022 total 170</p>	Month	2020	2021	2022	Jan		720	200	Feb		420	100	March		710	170	April		670		May		520		June		460		July		340		Aug		110		Sept		130		Oct		380		Nov		250		Dec	490	140	
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<p><b>Governance</b></p>	<p><b>Governance Review</b></p> <p>The report on the Governance Review undertaken in late December 2021 has been received and discussion on the report’s recommendations will occur during the Strategy Session with Elected Members scheduled for 3 May.</p> <p><b>Community Board Membership Update</b></p> <ul style="list-style-type: none"> <li> <p><b><i>Return of Elected Member to the Waihemo Community Board</i></b></p> <p>On 1 April 2022, Ms Casey Linklater returned to her official duties as an elected member of the Waihemo Community Board following an approved leave of absence for the previous six months.</p> </li> <li> <p><b><i>Swearing in of newly-appointed Ahuriri Community Board Member</i></b></p> <p>At an Extraordinary Ahuriri Community Board Meeting held via Zoom on 28 March 2022, Mr Calum Reid gave his declaration to the Mayor for Waitaki as the newly-appointed member of the Ahuriri Community Board, to fill the extraordinary vacancy created by the resignation in October 2021 of former Board Member Peter Ellis.</p> </li> </ul> <p><b>Epidemic Preparedness (COVID-19) Notice Renewal</b></p> <p>Mr Reid’s inauguration via Zoom was able to occur because the anticipated renewal of the <b>Epidemic Preparedness (COVID-19) Notice 2020</b> occurred as anticipated. <b>The Renewal Notice 2022 came into force on 17 March 2022 and will now not expire until 17 June 2022</b>, unless an earlier date is stated for that purpose by the Prime Minister.</p>																																																				

**Forward Planning Framework – progress update**

The new process for getting agenda reports and workshops authorised and approved through an ELT strategic meeting and then at a following Forward Planning Meeting is being implemented. A series of “How to” procedures within the overall process is now under development and will be stored in a shared folder for report-writers and authorisers to refer to as they need to. Further updates to the approach to forward planning and meetings are expected to follow the discussion on the Governance Review outcomes. These will be prioritised and appropriate training in the new process and procedures given to officers as soon as practicable in May.

**6 MEETING CLOSE**